Response to part 2

The fact that the new Offenders Management Bill does not include any change to the disclosure of information at the higher level of the disclosure system is regrettable, avoiding this consideration leaves a huge area in need of attention untouched, thereby leaving both many existing and future individuals ill-served by the current system. What follows is a personal testimony, it is my hope that it can provide something useful to the discussion around disclosure. In particular, as it relates to the situation for looked after children and young people and employment in the social care sector.

I was born, unplanned, a year after the birth of my sister, into a family in which the parental relationship had already begun to disintegrate. We lived in an area of some deprivation, surrounded by four other housing estates, all areas of some deprivation. My father at that time, was a young and irresponsible man, he was also; manipulative, controlling, an alcoholic, a liar, a thief and a cheat. In no way was he a very good father. My mother - a moral and intelligent woman, tried her best to ensure her children were looked after. She suffered greatly from depression, having spent time in a mental institute as an adolescent, she was also emotionally cold towards us as children, even if she loved us greatly. Unfortunately, there was no hugging it better. A further unplanned boy was born five years after me, the subsequent undiagnosed post-natal depression impacted greatly on my mother and family life in general. She went on to be admitted to hospital following a breakdown just prior to my being placed under the care of a local authority aged 10.

From an early age, I displayed a range of behavioural problems in the family home, at school and in the local community. I ran away from home for the first time aged 8, I was involved in fights, property damage, sniffing solvents, theft and other antisocial behaviour. I was eventually removed, aged 10, from the care of my mother (my Father left the family home following my mother’s breakdown, never to return) and placed in what was then known as an assessment centre.

On my first night in the assessment centre I was introduced to drugs. Another child passed them to me, I accepted on the basis that I wanted to be accepted by the peer group. The peer group was a collection of damaged and vulnerable children, who, to a greater or lesser extent, had all suffered from care and neglect issues in their early years. Bullying, violence, abuse, conflict and physical punishment were commonplace. I had been placed in the assessment centre for an initial three-week period, I would go on to spend some three years in this semi-secure environment (doors and windows were locked, and we wore the same clothes). Within a year or so I was absconding regularly. It wasn’t quite the ‘new start’ my Social Worker had envisaged for me on recommending a supervision order.
During my five years in the care of a local Authority I was looked after; at home, in a National Children’s home, several council run residential establishments of various sizes, foster care and mainstay care placements. I omit to give numerous details of the many experiences that shaped me and contributed to my behaviour, suffice to say, that abuse of several kinds looms large in my childhood and adolescence. I don’t deny any of my past, especially my part in events where my actions were wrong, and I accept that I made many wrong choices both to my own detriment and that of others. In saying that, to hold that I was failed by the system would be a fair assessment of what occurred.

My education took place in a residential setting and three different high schools. I left with no qualifications prior to my sixteenth birthday. I was placed in my own flat a week after my sixteenth birthday and subsequently discharged from my supervision order. I had no preparation for independent living. Indeed, on making soup for the first time, I looked down in dismay at the pieces of vegetables floating in the water, I had no idea I needed a stock cube. I was given unemployment cheques fortnightly, I had no budgeting skills. I regularly wasted it all on coin-operated gambling machines. At times, I would be reduced to eating Weetabix and margarine washed down with water as I waited for either my next cheque or success in shoplifting. I was well-known to the local police and store detectives. I had been a habitual shoplifter since the age of 11. It was what ‘we’ done.

The transition from care into an adult system of criminal justice was a hard and shocking event. In retrospect, my five years in care had been a preparation for imprisonment. Prior to turning sixteen, involvement with the criminal justice system had resulted in no real consequences and it was commonplace amongst my peer group to ‘be in trouble wi’ the polis’. I was first locked up four months after my sixteenth birthday, I had missed a court date for a shoplifting offence. The sitting sheriff decided I needed the shock of an adult prison to alter my behaviour. In the following four years I would move on from shoplifting to become involved in selling drugs and resetting stolen goods. These four years were punctuated by incidents of violence, brought on by my involvement in criminal society and my inability to control myself when under the influence of alcohol and/or drugs. A particular low point was learning that money had been offered in Glasgow to have me shot following an altercation with a rival group of drug dealers, one in which I had my head smashed open with a large spanner.

I was imprisoned on two following occasions. It was during the last period of imprisonment that I decided to give changing my life a go. Fortunately, I had been imprisoned for six months for a series of crimes, including assault, possession of drugs, perverting the course of justice and a long list of road traffic offences. I say fortunately, because several of my peer group at that time were in prison for periods ranging from 4 to 8 years through their involvement in the drug trade. It was nigh on certain that I too would have met the same fate had I not been imprisoned for that short period of time at that point in my life. At least seven young men I was associated with during my time in care and those four years died from either committing suicide or drugs/misadventure. Whilst in prison I decided to move away from the area I lived. I contacted my Mother and asked if I could move in with her following my release from prison. To my eternal gratitude, she said yes.
On returning to the family home I managed to keep away from trouble, I was employed in a series of menial jobs, jobs that required no background checks. After a year, I decided to give college a try and signed up for an access to University course. It was specifically for people with no qualifications who wished to go to University. I thrived in this environment, I had always enjoyed learning as a child, just could not accept authority. At College, I made new friends, friends who were not involved in crime, friends who had positive plans for their lives, some of those surrounding me were people I wanted to emulate, a positive peer group. I passed the year and gained a place at University.

I continued to make progress, my mind was now open to all that a good education can offer, not least some understanding of society and what it means to be a citizen. After two years of study I began working in a local homeless shelter. Despite there being legislation in place, the charity did not perform the necessary checks on me and I worked there for almost a year. I was successful in my post, relating especially to the young people who entered the establishment. I promoted education and training as a pathway to a better future at every opportunity. It was at this point I was offered a chance to move job and that my relationship with disclosure becomes important.

At University, a friend overhead me discussing my job, they told me they were struck by my enthusiasm and commitment to helping young people move on from homelessness. Unbeknown to me, they contacted someone they knew who was involved at senior level with a charity working with children and young people deemed 'hardest to reach'. They passed on my details and I was subsequently contacted for a meeting. I went along to discuss the job with a manager from the charity, it was a very interesting proposition and I relayed my interest in pursuing it. Immediately, I informed that I had several previous convictions, the manager told me they would speak with the Board of Directors about this. I was then invited in to meet the Board of Directors. I explained my history and spoke of my then current job and life circumstances. I was informed I would be re-contacted once my disclosure had been received.

Several weeks later I was invited to another meeting, this time with the head of Children Services in that Local Authority (LA). I spoke again about my life and circumstances. The head of services had pulled my file and gave the charity the go-ahead to employ me. This was my chance, these people had taken the time to investigate my contextual history, to assess my current situation and take a qualified risk in employing me. The process of re-confession, revisiting the past and disclosing personal information had paid off. It hadn’t been a pleasant experience, but I had some faith in those who were encouraging me, they seemed genuinely interested in helping me. For my part, I believed I could help other young people who had similar backgrounds to mine. This was the deciding factor in putting myself through the process.

Initially, I worked for this charity on a part-time basis as I finished my Honours Degree. On completion of my degree I was offered a full-time job. I had enjoyed the work and was progressing well, I had taken up many training opportunities and felt I was doing good work. I accepted the offer. I developed well as a worker and was promoted within the year. After a further year, I decided to apply for the new
Professional Social Work Master. I applied and was successful at the interview. The charity allowed me to continue working and I worked nightshift to suit my study pattern. I began the Social Work Master; my first placement was in a multi-cultural family centre. Again, I applied for a disclosure form. Again, I had to sit down with senior management and go through my history and current circumstances. The director, an experienced woman for whom I have a lot of respect, gave me the chance, she too took the risk of allowing me to work with vulnerable groups.

I completed the placement and enjoyed the experience, I was asked if I could come back and complete my second placement there due to having started some positive work with some of the families who used the service, continuity was deemed a beneficial thing for all concerned. I agreed to continue working there even though it was over an hour away from my home by train every day and I was continuing to work for the Charity at night. I was extremely happy and felt good about myself and my efforts. It was hard work but the personal rewards and the belief I was doing good made it all worthwhile. I completed the second placement and passed the relevant modules. I believed that I had shown my suitability for the type of work I was training for and that my disclosure would no longer be an issue.

The third and final placement was to take place in the second year of the Master, this placement had to be a statutory placement. Again, I had a meeting with a senior Human Resources manager from the LA. I explained my history and spoke of my current circumstances, given my progress, I was confident in being accepted, the success of both my placements and University work gave me reason to believe that. The manager gave me positive feedback and I believed I would start the following week. This was not to be the case, two days later I received a call from the manager informing me that I had been rejected. The Director of Social Work, had been informed of the situation and made the decision that the LA could not take the risk of giving me a placement. What this says about his idea of rehabilitation and recidivism is a question I have pondered on more than one occasion. I was now left without a statutory placement.

Further to this, the University decided to investigate the situation. I am unsure if they ever knew of my disclosure issues, I now believe there was an initial oversight, a mistake on their part would cause me to be put under the microscope again, unnecessarly. I was called in to a meeting with the head of HR at the University. I again had to discuss my contextual history and current circumstances. This time, I was not happy, I didn’t feel I was being asked in the process of being offered a chance, I was being judged, I felt somewhat discriminated against. Why now? Why after all the success and hard work was I being questioned and denied opportunity? Would it be like this forever? Would I ever get a job in Social Work? My treatment seemed at odds with what I was being taught. These were the questions running through my head. I was of a mind to quit, the old habit of thinking that I would never be a part of ‘their’ society returned. However, some discussion with trusted individuals soon allowed me to let the ‘dark cloud’ pass and to continue with my own personal development goals.

The University gave me the go ahead to continue, I had received good reports from all concerned and the fact I was currently working for a national charity gave them the confidence that they too could allow me to continue. I don’t think they would have
taken the risk had they been aware at the beginning. That question raises its head again, what does the care sector do when faced with this issue? Is it down to individuals to take risk or should there be a universal process to dealing with this issue? Is it right to continually put someone through such a potentially traumatic experience. Personally, every time I have to relay my story it upsets my well-being for a time. Anxiety, panic attacks, nightmares are all still a part of my life. Like many people, I manage them as best I can.

At this point, I was offered another meeting to try to obtain the statutory placement I needed to complete my studies. I met with two senior Social Workers from a LA Youth Justice Team. The interview went well and they informed me that they would make an appointment with the Director of Social Work in that LA. I subsequently met with the Director and following a frank and honest discussion, he gave me permission to begin the placement. These two professionals took the qualified risk of pushing for my acceptance. They circumvented the usual route and went straight to the Director, they believed it was the right thing to do, that fundamentally, Social Work is about giving second chances. I intended to repay their belief.

The six-month placement went well, I was successful in completing all the necessary University work and had both enjoyed and developed during my time as a student in the team. Working with young people really inspired me and I truly believe my efforts were worthwhile. At the end of the placement I was asked if I wanted a full-time job with the team after graduating. I accepted because I valued the work and the team, their confidence in me was important and I felt it would be a worthwhile opportunity. This meant I would have to leave my work at the Charity, a very tough decision because I really enjoyed my work and felt both respected and valued in the organisation. After long consideration, I contacted my senior to discuss terminating my employment. A big decision but one I thought was right at the time. I went through the formal interview process with the LA and began putting the necessary life changes in place in preparation.

The following week I received a phone-call. It was from the manager who had been circumvented by the two senior Social Workers in organising a meeting with the Director. He informed me that he had taken the decision to reject my application for the job, that as it was his responsibility and therefore ‘the buck stopped with him’ he would not take that risk. I returned to the Youth Justice Office to be met with a tearful Senior, who apologised and spoke of her inability to alter things. I had no choice to accept. I was devastated, I had been given the chance in a statutory role and had been successful to the point of being offered a job in the team. I believed that I had jumped over the disclosure hurdle for the final time, that it would no longer be anything other than a formality. It now seemed that my past could forever negatively impact on my future. I was beholden to the whims of the individual. It would always be down to who would take the risk. The process seemed unfair, the system not fit for purpose. Either you are fit to practice or not, why is it down to an individual. I again contemplated quitting social care completely. I went through the attendant period of anxiety, panic attacks and sleepless nights. Again, I must thank the supportive individuals who helped me through that difficult time.

I was fortunate that I had a supportive senior in the charity who encouraged me to progress within that organisation. I did, I went on to become a house manager in a
small residential establishment and was also trusted to begin a new service. I was instrumental in organising training and development for the staff team and gave supervision to the House staff. I was putting into practice that which I had learned during my Social Work training. At this point, I was contact by a former colleague. She worked for a children and family social work team and they were on the hunt for new staff. I told her I had a disclosure issue so wouldn’t be suitable for a statutory position. She was adamant that it was not a problem. She talked to her Senior and then called me to say that if I could meet with the senior before the interview and explain the situation it was odds on I would be successful as her senior was ‘a great team leader who had her head screwed on’. I thought I would give it one final chance. I went through my history and current circumstances with that senior. I was successful in getting the post. Again, it was down to an individual, the person willing to take the qualified risk. She was a great senior and did/does have her head ‘screwed on’.

Today, I am a teacher. I teach, amongst other places, as an occasional lecturer at a school for Social Workers and Social Educators. I went on to complete a Master in Social Research and have recently contributed a proposal to the Scottish Government relating to the Education of Children and Young People looked after at home or in kinship care. I am in a happy and stable relationship, we have two small boys. I have continued to develop as a human being throughout the last twenty or so years with no further contact with the criminal justice system outwith that of my professional career. Those people who took the risk can be assured that they made a good choice for me and hopefully for others. However, the question remains, why should it be like this? I tell my story to stimulate debate and to demonstrate that those who at one point in their lives seem far away from success and a crime-free existence, can, with support, become productive members of society. I had to rely on people taking a risk, taking a chance, on me. I don’t think that is necessarily a good thing, to leave someone’s potential for success in the hands of an individual and their personal views, another mechanism should be in place. I hope recounting some of my history can assist in the important discussion as to how disclosure issues impact on the very real lives of people.

26 April 2018