



# Sexual offending and barriers to employability: public perceptions of who to hire

Cody Normitta Porter<sup>1,2</sup> · Laura Haggart<sup>1</sup> · Adam Charles Harvey<sup>2</sup>

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## Abstract

Employment can reduce reoffending, yet many employers refrain from hiring candidates with prior convictions, particularly for sexual offences. This study explored employability ratings before and after a disclosure and barring service (DBS) check for a public facing job. The DBS check revealed either (i) rape, (ii) sexual activity with a child, (iii) possession of indecent photographs of children, or (iv) no criminal conviction. We measured ratings of trustworthiness, company value, and role suitability before and after the disclosure. Participants were then invited to keep or reject the candidate. As predicted, individuals with a prior sexual offence were perceived as less trustworthy, valuable, or suitable for employment. Those with contact offences (sexual activity with a child 80%, rape, 57%) received higher rejections than those with possession of photographs of children convictions (49%). Participants provided qualitative responses for their decision making. This data indicates directions for future research for enhancing employment opportunities.

**Keywords** Sexual offending · Employability · Reoffending · Rehabilitation

## Sex offending and perceptions of employability

Sexual offences result in lifelong consequences for both victims and perpetrators. As such, practitioners seek to reduce the risk of recidivism. One method for reducing risk is to focus on increasing protective factors (Coupland & Olver, 2020), defined as social or psychological factors that make recidivism less likely (Thornton, 2013). These include goal directed living, developing social networks, having access to professional support, accessing structured group activities (including employment), and developing hopeful attitudes towards desistance (Blacker et al., 2011; de Vries et al., 2014; Lofthouse et al., 2013). Structured, full-time employment is a cornerstone of most community supervision programmes, especially important for offenders convicted of sexual offences (Seleznov et al., 2002).

Access to employment, even with short-term contracts (Van den Berg et al., 2014), decreases the likelihood of reoffending following an immediate prison sentence (Blomberg et al., 2011; Kazemian et al., 2009; Uggen & Staff, 2001). Consequently, those who cannot find employment, especially one year post conviction, are more likely to reoffend (Nally et al., 2014). Yet, individuals with a criminal record are less likely to be perceived as employable (Graffam et al., 2008), and those who do obtain employment tend to be in unskilled roles (Varghese et al., 2010). Obtaining employment is even more problematic for those who have committed sexual offences (Giguere & Dundes, 2002). This is not surprising as public attitudes towards sexual offenders tend to be highly punitive (King & Roberts, 2017; Socia et al., 2019, cf. Brown et al., 2008), with little support for rehabilitative interventions (Levenson et al., 2007). For those convicted of sexual offences these negative attitudes and perceptions can limit opportunities post-conviction (Rade et al., 2016).

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✉ Cody Normitta Porter  
cody.porter@uwe.ac.uk

<sup>1</sup> School of Criminology & Criminal Justice, University of Portsmouth, Portsmouth, UK

<sup>2</sup> University of the West of England (UWE) Bristol, Bristol, UK

## Criminological explanations for employability and desistance

Early theorists such as Merton (1938) proposed that employment decreases delinquency because the benefits of employment are greater than the benefits of delinquency. This theory fits with the economic crime models in which individuals are viewed as rational beings who weigh the cost and benefit of committing a crime (Becker, 1968). According to Routine Activity Theory (Cohen & Felson, 1979), employment reduces the likelihood of offending because of a reduction in unstructured time. That is, when deviant individuals are in employment the potential time dedicated towards offending is reduced. Another explanation for deterring individuals from crime is the social connection one can have to society. Differential association theory suggests that commitment to employment will socially embed employees in a context where they will learn social values (Sutherland et al., 1992). This provides an opportunity for social learning to occur whereby the attitudes, values and behaviours of co-workers are internalised (Sutherland et al., 1992).

Whilst the desistance literature presents a complex picture with regards to the ways that employment affects desistance from crime, researchers generally agree that employment reduces reoffending (Blomberg et al., 2011; Denver et al., 2017; Kazemian et al., 2009). Employment acts as a turning point for many offenders and is particularly successful for adult offenders (Abeling-Judge, 2021; Copp et al., 2020; Uggen & Staff, 2001). Despite this, barriers to employment exists.

## UK Legislation

The current UK legislative framework in relation to individuals with a conviction of a sexual offence can result in a range of community-based restrictions which create barriers to employment. Those with prior sexual convictions, like all other convicted offenders, will be subject to the Rehabilitation of Offenders Act 1974. Under the terms of the Act, if an employer requests information about an applicant's criminal record, the applicant must provide this information unless the conviction has become 'spent'.

In addition to this, multi-agency public protection arrangements (MAPPAs) may require that a former sex offender informs any prospective employers of their criminal convictions, even if disclosure is not required under the Act. This means that sex offenders can have additional disclosure requirements. Employment reduces recidivism, and yet more legislative and community-based barriers exist for sex offenders compared with other types of offenders.

Those with a sexual conviction can be barred from working with children and vulnerable adults by means of a preventative order under the Criminal Justice and Court Services Act 2000. Under the legislation, the definition of a child is an individual under the age of 18 years, and this excludes many sex offenders from applying to work for employers who recruit 16-17-year-olds either on a full or part-time basis. This can further reduce work opportunities. Brown et al. (2007) found that several offenders who had worked with vulnerable groups prior to conviction were no longer able to return to that job.

Additionally, a range of restrictions can be imposed by means of a sexual offences prevention order (SOPO) (Sexual Offences Act 2003) and these include prohibitions on individuals owning a computer or having access to the Internet. There are also restrictions imposed through the SOPO, or as part of the conditions of licence, that restrict where an individual may visit or when an individual may be outside their home. These further limits employment opportunities, and in some cases forces disclosure in an attempt to gain flexible working contracts.

Not all sex offenders face these restrictions. Such restrictions are dependent on the perceived risk they pose to society. Based upon the restrictive impacts of legislation and already existing barriers to employment, it is important to assess the impact of disclosure of prior sexual offences on employers' decision-making.

This study examines UK citizens responses to hiring a candidate to work as a petrol sales assistant before and after the disclosure of a prior sexual conviction. More specifically, participants select a candidate they wish to hire for the position based upon an application form and interview notes. Once they have selected a candidate, they rate the candidate's perceived trustworthiness, value to the company, and suitability for the role. Next, the Disclosure and Barring Service (DBS) check revealed either (i) a conviction of rape, (ii) sexual activity with a child, (iii) possession of indecent photographs of children, or (iv) no criminal conviction. Although a public facing role is used within this study, participants have no reason to assume restrictions have been placed on the former offender.

Based upon the above empirical and theoretical considerations we predict that the disclosure of a sexual offence will lead to lower ratings of trustworthiness (Hypothesis 1), value (Hypothesis 2) and suitability for employment (Hypothesis 3), compared with ratings before the DBS check.

## Method

### Data

This data was part of a larger dataset exploring perceptions of employability for those with a prior sexual conviction.

### Design

A 4 (Experimental Conditions: no previous conviction, vs. rape, vs. sexual activity with child, vs. possession of indecent images of children)  $\times$  2 (Rating: before vs. after) mixed-factor design was used. The between-subjects factor was *experimental condition*, and the within-subjects factor was *rating*. The dependent measures were ratings of trustworthiness, value, and suitability for the role.

### Participants

A total of 187 participants took part in this study (132 female, 51 male, and 4 preferred not to say), aged between 18 and 89 ( $M=31.04$ ,  $SD=11.25$ ). Out of the 187 participants who took part in this study, 20 people worked within the Criminal Justice System (i.e., police staff, probation officer, or legal advisor), 26 people were employed within the field of psychology or healthcare, 24 people had business management roles (i.e., CEOs, developers, managers), 19 people worked within retail or industry, and 21 people had educational positions (teacher, academic, or researcher). A total of 63 students took part, 8 participants were not in employment (i.e., retired, unemployed), and 6 preferred not to say.

### Vignettes

The use of vignettes in research towards offenders is common, specifically when only slight changes in the individual's characteristics are being assessed across experimental conditions (Herzog, 2003; Sellin & Wolfgang, 1964). In employability and offending research, typically the vignette remains the same with only the offence information changing (e.g., Varghese et al., 2010).

## Education, gender, and candidate skills

Numerous barriers exist for ex-offenders seeking employment such as gender, work-related skills and education. To investigate the effects of a prior sexual offence disclosure on employers' decision making, the gender remained the same for all vignettes. The skills and experience differed, but the criminal record was revealed irrespective of which candidate was chosen.

### Procedure

Participants were recruited via social media (i.e., Facebook, Twitter, LinkedIn), or through a course Moodle page. Participants interested in the study were invited to click on a link to the Online Surveys page. All participants were informed that they must be at least 18 years old to take part in the study and should be from the United Kingdom. Participants who were interested read an information sheet about the study and were then asked to provide consent. Participants could only continue onto the experiment after clicking the "approve consent" option on the online platform.

To account for group differences of attitudes towards sex offenders (e.g., Willis et al., 2010) we aimed to collect a diverse sample. Demographic information (age, gender and occupation) was obtained, and participants were asked if they were an employer. Each participant was randomly assigned to a DBS disclosure condition.

Participants were asked to imagine that they were the manager in a petrol station hiring a new employee to work as a sales assistant. They were then asked to read the job advert below followed.

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#### Petrol station sales assistant - full time

Your day-to-day tasks may include: taking cash and payment cards for fuel, selling other products like food, drinks and newspapers as well as re-stocking shelves. Experience working in scales is desirable. A flexible contract will include shift work, including nightshifts, and will cover evenings, weekends and bank holidays. GCSE Maths is essential.

Average salary variable: 14,000-20,000.

You will need the following skills:

- patience and the ability to remain calm in stressful situations
  - the ability to accept criticism and work well under pressure
  - the ability to work well with others
  - to be thorough and pay attention to detail
  - customer service skills
  - sensitivity and understanding
  - maths knowledge
  - excellent verbal communication skills
-

After participants read the job advert, they were informed that three candidates met the minimum qualification requirements for the role. As such, their application forms and interview notes were sent from Human Resources 'HR'. Participants were instructed to read the notes and to select the appropriate candidate based upon the information provided.

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#### Candidate 1 –

I have worked in a shop for 1 years, and before that worked in a petrol station as a sales assistant for 3 years. I am flexible to working shift work, and can work weekends/bank holidays. I have 8 GCSE's including Maths and English. I am a sensitive and understanding person who works well with others. I have good customer service skills and enjoy working with people.

HR interview notes

Male candidate with experience working within scales, with specific experience working as a sales assistant in a patrol station. Ability to work nightshifts. Appropriate qualifications checked.

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#### Candidate 2 –

I enjoy working and have 4 months experience in sales. I am able to work shifts, and can work weekends/bank holidays. I have GCSE's Maths and am finishing my final year of GCSE's in college. I can be sensitive to others, and work well with other people.

HR interview notes

Male candidate with minimal experience working within scales. Ability to work nightshifts. Appropriate qualifications checked.

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#### Candidate 3 –

Previously I worked in a chip shop for 2 months and before that was unemployed for 5 years. I am able to work shifts, but not all weekends due to childcare. I have GCSE's Maths and an A level in business studies which are relevant. I work well with other people and well with customers.

HR interview notes

Male candidate with no experience working within sales so may require additional training. No ability to work nightshifts. Appropriate qualifications checked.

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Participants selected which candidate they wanted to employ, and why. They then rated suitability '*How suitable is the candidate?*' (7-point Likert scale '1- extremely unsuitable' to '7- extremely suitable'), trustworthiness '*How trustworthy is the candidate?*' (7-point Likert scale '1- not at all trustworthy' to '7- extremely trustworthy'), and value '*Imagining that you are the manager, how valued will this candidate be?*' (7-point Likert scale '1- extremely undervalued' to '7- extremely valued').

**Table 1** Participant decision criteria, as a function of selected candidate

Theme	Candidate 1	Candidate 2	Candidate 3
Most qualified for the position	46	1	1
Most experienced	124	-	1
Needs the experience	-	5	2
Appropriate skillset	8	-	-
Good customer service skills	9	-	-
Excellent communication skills	5	1	-
Suited to the role	25	-	1
Desirable characteristics	14	2	-
Flexible with shift work	46	4	-
Each to manage	1	-	-
Meets the application criteria	9	1	-

Next, participants were informed that the Disclosure and Barring Service (DBS) check had returned and were presented with either a previous conviction of (i) rape, (ii) sexual activity with a child, (iii) possession of indecent photographs of children, or (iv) no criminal conviction. Participants then rate suitability, trustworthiness, and value, for a second time. Finally, participants were invited to either keep the candidate or select another. They were asked to explain their decision.

Upon completion of the study participants read a debriefing form notifying them of the research objectives.

## Results

Candidate 1 was selected most often (90%) because he was the most qualified and experienced for the position, as well as his flexibility to work nightshifts. Many participants reported that candidate 1 had desirable characteristics such as enthusiasm towards work and the ability to work well with others.

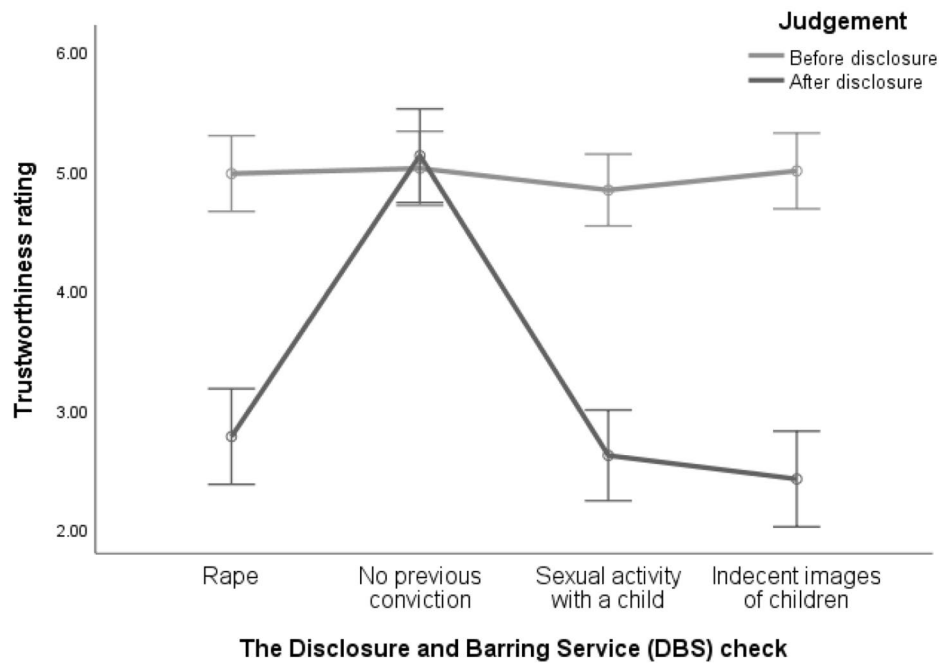
Those who selected candidate 2 (6%) and 3 (4%) mainly did so because they felt he needed experience. Some respondents felt that because candidate 2 was a student, this was a good opportunity for him and the company. Table 1 shows the decision-making rationale.

### Candidate trustworthiness

The following section tests hypothesis 1 (that a disclosure of a sexual offence will lead to lower ratings of trustworthiness) (Fig. 1).

To assess the effect of the experimental conditions on participant ratings of candidate trust, we conducted a 4 (Experimental Conditions: no previous conviction, rape, sexual activity with child, possession of indecent images

**Fig. 1** Line graph showing the preceptions of trustworthiness of a candidate before and after disclosure of a criminal record. Error bars represent Standard Error.



**Table 2** Descriptive statistics (Mean, SD) and post hoc analysis for candidate trustworthiness ratings, as a function of before or after DBS disclosure, and crime type

	Before DBS	After DBS	Post hoc t-test
	<b>Mean (SD)</b>		
No previous convictions	5.02 (0.99)	5.13 (1.48)	$t(46) = -0.66, p = .514$
Rape***	4.98 (0.94)	2.78 (1.15)	$t(44) = 9.20, p < .001$
Sexual activity with a child***	4.84 (1.20)	2.62 (1.44)	$t(49) = 8.32, p < .001$
Possession of indecent imagines of children***	5.00 (1.09)	2.42 (1.25)	$t(44) = 10.88, p < .001$

Note. Significance level (two-tailed) \*  $p < .05$ . \*\*  $p < .01$ . \*\*\*  $p < .001$

of children)  $\times$  2 (Rating: before or after crime disclosure) mixed-factor ANOVA. A significant main effect emerged for experimental condition,  $F(3,183) = 23.90, p < .001, f = 0.63$  and trustworthiness rating,  $F(1,183) = 222.72, p < .001, d = 1.20, 95\% \text{ CI } [0.98, 1.42]$ . Furthermore, a significant experimental condition  $\times$  trustworthiness rating interaction effect emerged,  $F(3,183) = 28.51, p < .001, f = 0.68$ . Table 2 displays the post hoc comparisons between experimental conditions (i.e., a prior criminal offence or not) before and after the DBS check.

Participants did not change their trustworthiness rating when no prior conviction was found. As expected, participants lost trust in the candidate after a disclosure of rape, sexual activity with a child or possession of indecent images of children. The data supports hypothesis 1.

### Candidate value

The following section tests hypothesis 2 (that a disclosure of a sexual offence will lead to lower ratings of value to the company) (Fig. 2).

To assess the effect of the experimental conditions on participant ratings of candidate value, a 4 (Experimental Conditions)  $\times$  2 (Rating: before or after) mixed-factor ANOVA was conducted. A significant main effect emerged for experimental condition,  $F(3,183) = 7.94, p < .001, f = 0.36$  and value rating,  $F(1,183) = 158.35, p < .001, d = 0.82, 95\% \text{ CI } [0.60, 1.03]$ . Furthermore, a significant experimental condition  $\times$  value rating interaction effect emerged,  $F(3,183) = 19.15, p < .001, f = 0.56$ . Table 3 displays the post hoc comparisons between experimental conditions (prior criminal offence or not) before and after the DBS check.

Participants did not change how valuable they felt the candidate was when the DBS check revealed no previous convictions. As expected, participants reduced how valuable they felt the candidate was after a disclosure of rape, sexual activity with a child or possession of indecent images of children. The data supports hypothesis 2.

### Suitability of the candidate

The following section tests hypothesis 3 (that a disclosure of a sexual offence will lead to lower ratings of suitability for the position) (Fig. 3).

**Table 3** Descriptive statistics (Mean, SD) and post hoc analysis for candidate value, as a function of before or after DBS disclosure, and crime type

	Before DBS	After DBS	Post hoc t-test
	<b>Mean (SD)</b>		
No previous convictions	5.34 (1.03)	5.36 (1.58)	$t(46) = -0.131$ , $p = .896$
Rape***	5.43 (1.35)	3.59 (1.59)	$t(43) = 6.26$ , $p < .001$
Sexual activity with a child***	5.41 (1.06)	3.06 (1.84)	$t(48) = 8.70$ , $p < .001$
Possession of indecent imagines of children***	5.82 (0.74)	3.58 (1.94)	$t(44) = 8.15$ , $p < .001$

Note. Significance level (two-tailed) \*  $p < .05$ . \*\*  $p < .01$ . \*\*\*  $p < .001$

To assess the effect of the experimental conditions on participant ratings of suitability, we conducted a 4 (Experimental Conditions)  $\times$  2 (Rating: before or after) mixed-factor ANOVA. A significant main effect emerged for experimental condition,  $F(3,183) = 16.87$ ,  $p < .001$ ,  $f = 0.53$  and suitability rating,  $F(1,183) = 216.35$ ,  $p < .001$ ,  $d = 1.22$ , 95% CI [0.98, 1.43]. Furthermore, a significant experimental condition  $\times$  suitability rating interaction effect emerged,  $F(3,183) = 22.81$ ,  $p < .001$ ,  $f = 0.61$ . Table 4 displays the post hoc comparisons between experimental conditions (prior criminal offence or not) before and after the DBS check.

Participants did not change their rating for how suitable they felt the candidate was for the position when the DBS check revealed no previous convictions. As expected, participants reduced how suitable they felt the candidate was

after a disclosure of rape, sexual activity with a child, or possession of indecent images of children. The data supports hypothesis 3.

### After DBS information is revealed

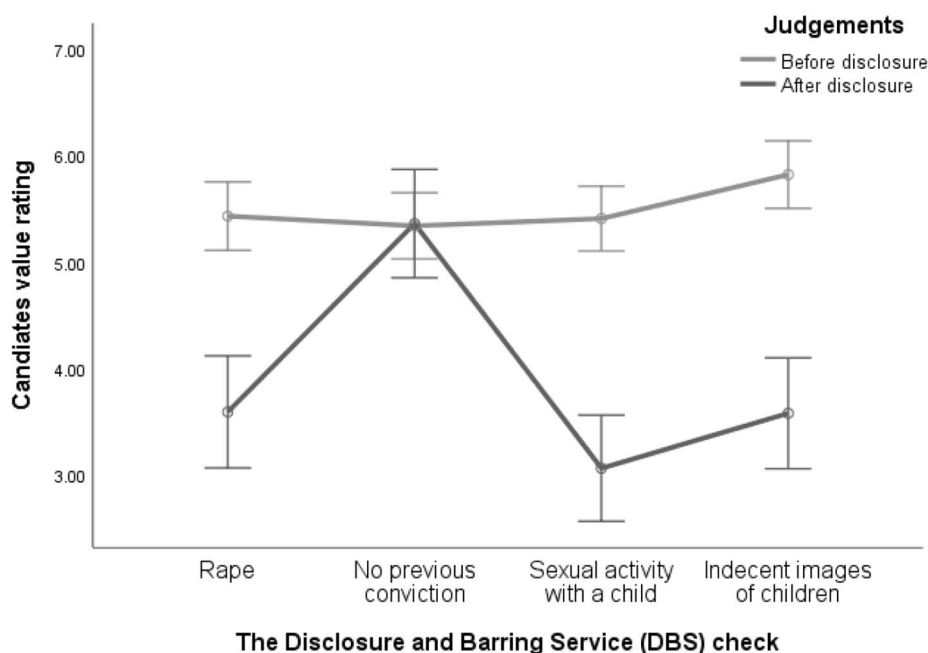
Participants were asked if they would still employ the candidate after the disclosure of their previous conviction. Table 5 displays the percentage of participants who would keep the candidate, reject the candidate, or who were unsure.

Participants who were informed that the candidate had no previous criminal convictions typically decided to keep the candidate (98% of the time). Participants who were informed of a previous sexual offence conviction typically decided not to hire the candidate. The rejection rate was higher for those who had committed contact offences (rape 57%, sexual activity with a child 80%) compare to non-contact offenders (49% rejection).

### Decision making rationale

We analysed the reasons provided for either keeping or rejecting the candidate, as a function of the experimental (i.e., DBS) condition they were assigned. We also explored the responses from participants who were undecided.

**Fig. 2** Line graph showing the value of the candidate before and after disclosure of a criminal record. Error bars represent Standard Error.



**Table 4** Descriptive statistics (Mean, SD) and post hoc analysis for candidate suitability, as a function of before or after DBS disclosure, and crime type

	Before DBS	After DBS	Post hoc t-test
<b>Mean (SD)</b>			
No previous convictions	5.72 (1.38)	5.64 (1.67)	$t(46)=0.60, p=.552$
Rape***	6.00 (0.95)	3.20 (1.83)	$t(44)=8.96, p<.001$
Sexual activity with a child***	5.54 (1.59)	2.48 (1.71)	$t(49)=8.98, p<.001$
Possession of indecent imagines of children***	6.36 (0.80)	3.72 (2.05)	$t(44)=8.20, p<.001$

Note. Significance level (two-tailed) \*  $p < .05$ . \*\*  $p < .01$ . \*\*\*  $p < .001$

**Table 5** Decision to keep the candidate or to select a different one based upon the DBS information

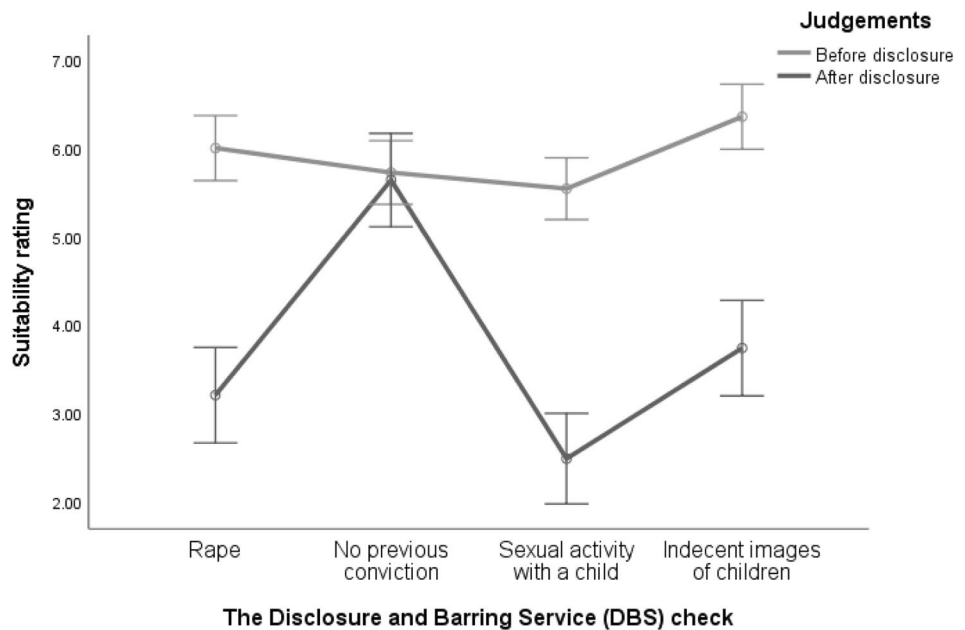
	Keep candidate	Reject candidate	Undecided
<b>Percentage (%)</b>			
No previous convictions	<b>98</b>	2	0
Rape	26	<b>57</b>	17
Sexual activity with a child	8	<b>80</b>	6
Possession of indecent imagines of children	24	<b>49</b>	27

Note. **Bold** refers to the most common answer

**No previous convictions**

Most respondents wanted to keep the candidate with no previous convictions reporting that he was still suitable for the position, and that there was no reason not to hire him.

**Fig. 3** Line graph showing the perceptions of suitability for the job role before and after disclosure of a criminal record. Error bars represent Standard Error.



**Rape disclosure**

Respondents who decided to keep the candidate (26%) were very diverse in their decision making. Some felt that there were rehabilitation advantages, while others stated that they would only keep the candidate due to their level of experience and qualifications. Many respondents felt that if another suitable candidate was available then he would have got the position instead.

*...as the other candidates didn't have experience, or didn't want to work shifts. If there was another candidate that had suitability for the job, I would pick them over this person due to their DBS*

Most participants wanted more information about the offence. This was consistent with participants who kept the candidate and those who were undecided.

*I would prefer to have more information about what he was charged with. If he was 19 and she was 17 and everyone was okay with that, that might be different. As it is, I wouldn't want this guy potentially around women alone who are just trying to put gas in their car.*

Only 17% of the sample were undecided about whether to keep the candidate. Some felt that they would need to discuss this with their colleagues before reaching a final decision. These responses indicate that this decision-making is complex, but additional safeguarding or security measures could improve employability.

*I might be less inclined to select this candidate. Specifically with nightshifts in mind, which often involve intoxicated individuals stopping by for supplies, or other vulnerable individuals without much security/traffic. That said, if they have fulfilled conditions of their parole, and have a reference from their officer, and an appropriate risk assessment has been done, I would have no qualms hiring the individual.*

Some indecisions related to the severity of the conviction and the complexities associated with this, particularly if the crime was committed locally.

*It'd be very difficult for me to provide the job to this person. I would want to give them a chance since it's one conviction. However, this is a very significant conviction with a lot of potential baggage to manage - what happens if the victim tries to shop at the store? What if the local community turn against the store because of this person working here?*

Those who decided not to keep the candidate (57%) often acknowledged that the prior conviction would not make him unsuitable for the role but felt that it carried an opportunity for reoffending. Many participants also reported that not disclosing the offence during the interview made him seem untrustworthy.

*...much less likely. Although the rape conviction does not make the candidate unsuitable for the general duties of pump attendant, I would be concerned that the role is likely to put them in a position where they are working alone and may encounter vulnerable individuals in a 1:1 scenario. I probably would not want to hire this candidate, because I would feel uncomfortable with the risk that they could reoffend. This also has business implications, as if the candidate assaulted someone at work, this would affect local trust in the business as well as insurance etc. These are not risks I would want to take.*

Many respondents felt that this candidate would carry a specific reputational risk that was not worth considering given that there were other candidates.

*No, I would have concerns over that individuals suitability particularly in a customer facing role. It appears to me that this candidate carries a greater risk to the business than the other candidates available. The possible repercussions of that person reoffending and It's Potential impact on the business are a factor in this decision making.*

The public facing role was problematic for several participants. It is plausible that a role which is not customer facing would be viewed less harshly for those with prior sexual convictions. Other respondents feared putting their female colleagues at risk. This was despite no information about the gender of the victim being provided.

*Might not, it would depend on the set up of the business. A risk assessment would be needed. If the location was remote and he was working with minimal supervision with female colleagues I would have some reservations. If I could arrange a suitable shift rota, minimizing nights perhaps it might work. Logic says he's served his time and is safe to reenter society but as an employer there is a duty of care to all employees. In short not enough info in this vignette to make a firm decision.*

Sexual activity with a child disclosure A small number of participants decided to keep the candidate (8%) due to the criminal offence being unrelated to that specific role.

*...because again the job position has nothing to do with his previous offence. If it was a job which has to do with children, I would consider it a lot before hiring him.*

Adding additional security measures also emerged as a method for reassuring the participants that they could safely employ the candidate.

*From an economical perspective nothing speaks against not employing the candidate since their (supposed) sexual preferences are unlikely to interfere with this kind of job. Viewed from other perspectives his selection might be questionable - however, I am educated on the fact that stable working environments can help previous offenders to not fall back into bad habits and know that past convictions should not necessarily determine a person's future. I would thus still select the candidate, while ensuring 'security' measures to not leave the candidate alone in the store since his past behaviour seems to have involved vulnerable people.*

The use of a public facing job role was problematic for participants who rejected the candidate and for those who were undecided. Many respondents felt that this was a reputational risk, and some felt it would depend on whether the job locations were in a community-based area or via a service station.



*This is a front facing role, customers won't spend long in the shop but will perhaps bring children. Candidate potentially unsuitable if working in a community petrol station where you're more likely to get to know repeat customers in the locality compared to say a motorway services where the clientele are likely to be mainly passing through. More suitable to a perhaps a motorway services location.*

Some respondents felt that a public facing role could increase the risk of reoffending by providing opportunities for abuse.

*I would be very wary to select this candidate as being a public facing job, the candidate could come in to contact with minors regularly, whether that be with parents or not and so there is the potential for him to be at risk of abusing the position of power in the petrol station to groom or sexually abuse/assault minors.*

While one respondent stated how unlikely it would be for an opportunity for abuse to occur.

*... there are security cameras monitoring him and his customers so this is a more safe setting than most. Children are everywhere... he is no more likely to lift and touch a child inappropriately at work than he is anywhere else. The cameras are a safeguard so if the same children were coming in regularly, this could be easily monitored.*

Many of the respondents who rejected the candidate (80%) reported feelings of disgust, a lack of trust, and an unwillingness to be around this person due to their conviction. Participants reported that because the conviction was not disclosed at the interview stage that this reinforced the belief that the candidate was untrustworthy.

*...I would not due to an understanding of the affect this trauma has on the child. I could not bring myself to be around the person. Furthermore this act can be associated with a lack of impulse control which isn't a trait I find desirable in employees.*

Some respondents felt that a crime against children was worse than a crime against adults.

*I would not select him because even though he is good at work, he is still not a polite and reliable person. I am sorry that his past affects his work possibilities in the present, but personally I do not feel safe. Also the fact that he has had to do with children disgusts me*

*even more than if he had created problems to an adult person. Children are helpless.*

Many felt that this crime is rightfully stigmatised, and that this employment could create conflict in the workplace.

*I would not select him, pedophilia is the worst crime someone can commit and I could not tolerate being around an individual who had raped a child. As engaging in pedophilia is stigmatised (as it should be, I feel), if coworkers found out about his criminal record, I would suspect they would also be very unhappy and it would cause issues in the workplace.*

### **Possession of indecent images of children disclosure**

Respondents (24%) who stated they would keep the candidate felt that the offence was not related to the job role and therefore he should be given a chance (consistent with the offence above).

*I would as person simply was most suitable for job role. I feel there would be a low risk of reoffending. As said before, people can change and as they have been punished for their crime, I don't think they should be discriminated against for this particular role, unless role entails lots of contact with children etc.*

Some people felt concerned about the reputation risk which was a justification for those who decided to reject the candidate.

*...however once again I would be wary of other staff or customers finding out about their previous offence and any risk this could bring to my business and the individual. Child pornography is a highly emotive subject and whilst the case study example doesn't explain specifics of the crime if a member of the public were to find out they may have a different reaction.*

Those who were undecided (27%) reported similar feelings towards the candidate but acknowledged that employment can reduce the likelihood of reoffending. Many people felt that they would need more information before they could decide.

*Further inquiry is essential if this candidate is not discarded on receipt of the conviction record. Almost certainly not suitable for a sale assistant, as the*

*conviction indicates an inability to socialise properly with children at the very least, which will make up a significant portion of the customers. Personal disgust at the conviction will also sway me significantly not to hire the individual, especially since the candidate profile is a dime-a-dozen. Any social responsibility for reducing recidivism and for rehabilitation would not outweigh the undesirable prospect of working with someone with that history.*

Again, some participants felt that they might be willing to keep the candidate but only if additional security measures were put in place.

*Potentially but would require the candidate to be supervised to limit contact with children.*

Consistent with the themes reported previously, those who stated they would reject the candidate (49%) felt that he was not trustworthy and that this would have wider implications on the company, including employee satisfaction.

*No I would not, working in a store means they would interact with various people from all ages on a day to day basis, and given this information it would make him untrustworthy in these conditions also it would not shine a good light on the company as a whole and would probably lessen sales.*

Some respondents felt that the reputational risk was to severe to consider. Few respondents even stated that there could be a risk that he would be around children, despite the fact that this is a non-contact offence.

*No. The stigma of child pornography would impact on customers if this was unearthed and the building could be a target for certain vigilantes.*

Others acknowledged that this job role is not directly working with children yet still decided to reject the candidate.

*Although not working directly with children, I wouldn't want somebody with that history working with the public in a customer service role. He's had so many years experience doing this role - how much of that time in the shop was spent alone with children?*

Many respondents felt that he was likely to reoffend, and some felt that his non-contact offence would lead to a contact offence against children.

*I would probably not hire this person as it is very possible that he will come to touch with children.*

Consistent with many of the respondents from the experimental condition with the disclosure of sexual activity with a child, disgust was a feature in some responses.

*I would probably move to the next best applicant. Child abuse is unforgivable and possession of such pictures is undeniable fact that the applicant partakes (at the very least passively) in such actions. I could not be comfortable around such a person.*

## Discussion

This study investigated the general public's perception of hiring candidates with a prior sexual offence. Participants, who were UK citizens, were asked to read through information provided from application forms and HR interviews to help them decide which candidate was best suited to the role of a petrol sales assistant. This role was chosen as it was appropriate for a person with a prior sexual offence under UK legislation. After selecting a candidate to hire, participants were asked to rate the candidate for how trustworthy they appeared, their value to the company, and their suitability for the role. Next, participants were informed that the candidate they selected either had a prior sexual offence (i.e., rape, sexual activity with a child, or possession of indecent images of children) or no previous criminal convictions.

Unsurprisingly, the candidate with no previous convictions was rated similarly on trustworthiness, value and suitability for the role after this disclosure, and 98% of participants would not change their hiring decision. In contrast, candidates with a prior sexual offence were rated as less trustworthy, less valuable to the company, and less suitable for the role. Additionally, the disclosure of a prior sexual offence reduced the likelihood of being hired for that position. The rejection rate was higher for those who had committed contact offences (rape 57%, sexual activity with a child 80%) compared to non-contact offenders (possession of indecent images of children, 49% rejection), and was particularly high when an offence against a child was disclosed.

Often, citizens report being more afraid of sex offenders who have committed an offence against children compared to other types of sex offenders, including those who have committed rape (Kernsmith et al., 2009; Willis et al., 2013). This could explain why the majority of respondents in our study felt they should reject the candidate after receiving the DBS information.

Generally, citizens support punitive policies due to concerns about victims and the difficulty in managing sex offenders in the community (Brown et al., 2008; King & Roberts, 2017). We found support for this. Many participants reported that they no longer felt the workforce would be safe for other employees if they were to hire the candidate, and some felt that the decision to hire would create conflict between other staff.

Our findings show that UK citizens appear negatively biased towards those with a prior sexual offence, consistent with the literature (Higgins & Ireland, 2009; Kerr et al., 2018). This is problematic for several reasons. Firstly, employability is a protective factor which can reduce reoffending (Coupland & Olver, 2020). Despite this, members of the public appear less willing to provide employment opportunities to those with a prior sexual offence. Secondly, employment provides opportunities for social connections which can further reduce reoffending (Merton, 1938). Despite this, our data revealed that most participants were uncomfortable with the idea of working with a person with a prior sexual offence, and many felt that these prior offences should be disclosed to the workforce.

The findings of this study have practical utility. Britain has a higher prevalence of incarceration than most other European countries (Smith et al., 2007). Those with a prior conviction, especially a sexual conviction, are less likely to receive employment opportunities, despite clear links to reduced offending (Blomberg et al., 2011; Kazemian et al., 2009; Uggen & Staff, 2001). Our research shows negative attitudes towards sex offenders, and potential methods for changing such opinions based upon qualitative feedback. A limitation of using qualitative data is that it may not be reflective of society more generally. However, this data provides an insight into hiring decisions consistent with previous literature and warrants consideration.

The belief in redeemability can impact hiring decisions (Reich, 2017), and typically members of the public tend to report more positive attitudes toward ex-offenders who have participated in a rehabilitation programme compared with ex-offenders who have not participated (Hardcastle et al., 2011). Our data supports this. Many participants felt that they would be more willing to employ the candidate if the candidate had taken part in a rehabilitation programme.

The negative attitudes that members of the public foster towards sex offenders is well established in the literature (Kerr et al., 2018). However, the literature on attitudes towards sex offenders also revealed that these views are not fixed. In fact, more positive attitudes toward sex offenders are thought to be associated with greater contact with such offenders (Hogue, 1993; Nelson et al., 2002; Rade et al., 2016), and is thought to improve after training (Hogue, 1993; Taylor et al., 2003; Ware et al., 2012). Workshops

providing education about sex offenders result in improved positive attitudes and have even made people appear less punitive (Kleban & Jeglic, 2012). It is plausible that providing training to UK employers will reduce their negative biases towards individuals with a prior sexual conviction. Future research should empirically test this.

One method of testing this is by providing training or education about sexual offending and employment prior to recruitment. Education based interventions also may be tailored to address stigmatised ex-offender groups (e.g., Kleban & Jeglic, 2012), although they are not always effective (Willis et al., 2010). One possible explanation for this is that general education programs may incorporate too much information, or they may have no clear objective. We propose creating an education-based training program for employers which focuses solely on employment as a known factor for reducing recidivism.

Alternatively, future research could explore the timing of a disclosure on employability. Unsurprisingly, research shows that businesses or organisations that perform criminal record checks are less likely to hire an ex-offender than those who do not (Stoll & Bushway, 2008). This includes businesses that perform criminal record checks and internet searches despite having no legal obligation to. It is plausible that disclosing the offence prior to the interview will reduce the negative bias towards hiring former sex offenders. Many participants in our study reported that they could no longer trust the candidates because they did not disclose the offence themselves. Future research could assess whether disclosure from the candidate is beneficial for improving their chances of being hired.

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**Availability of data and material (data transparency)** Materials are available upon request. The datasets generated during the current study are available from the corresponding author on reasonable request.

**Code availability (software application or custom code)** Not applicable.

## Declarations

**Conflicts of interest/Competing interests** The authors declare that they have no conflict of interest.

**Ethical approval** All procedures performed in studies involving human participants were in accordance with the ethical standards of the institutional and/or national research committee and with the 1964 Helsinki declaration and its later amendments or comparable ethical standards. Ethical approval was obtained from the Institute of Criminal Justice Studies (ICJS) ethics committee at the University of Portsmouth.

**Informed consent** Informed consent was obtained from all individual participants included in the study.

**Consent for publication** Participants provided informed written consent regarding the publishing of non-identifiable data.

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