

**Apex Scotland response to the Rehabilitation of Offenders Act 1974 (Exceptions Order 1975) consultation document. 22 January 2003**

Apex Scotland is a national voluntary organisation that aims to reduce offending by addressing the employability needs of (ex)offenders and young people at risk and moving them on to a positive outcome. We also work with employers to promote fair recruitment policies and practices and with CRBS and Disclosure Scotland to provide training on the handling of disclosure information.

We endorse the need outlined in the paper to strike the right balance between supporting the rehabilitation of offenders by opening up appropriate employment opportunities and protecting the public. Research tells us that more than one third of men in Britain have a criminal conviction, often for very minor offences, that a criminal conviction can significantly reduce the chance of getting a job and that unemployment increases the risk of re-offending. The key message is therefore to encourage employers to assess risk in individual cases and to decide whether it can be managed, rather than to disregard any applicants with previous convictions.

We welcome the opportunity to comment on the consultation paper and would like to make the following points:

Question 1: We agree that the recent additions to the Exceptions Order For England and Wales should be extended to Scotland, taking account of the new Scottish legislation outlined. This places standard and enhanced disclosures in a wider child protection context and highlights the need for organisations registering with CRBS to take up training at the enrolment stage to ensure compliance with all the requirements.

Question 2: We agree with the proposal that those training in the field of care and health services should be included in the Exceptions Order.

Apex Scotland has long advocated that training providers and Further / Higher Education Institutions need to be aware of previous convictions in order to assess their relevance and to determine whether a particular field of study or a placement and ultimately, employment, is appropriate for their students.

Question 3: We agree that the proposed additional categories should be added to the Exceptions Order. This should also include voluntary organisations who provide transport services to prisons, including volunteer drivers, to assist those who are deemed unfit to travel by public transport, as this often involves access to children.

Question 4: We would reiterate what has been stated in paragraph 2 of this response: Disclosures are no substitute for proper recruitment practices and procedures. Our experience in delivering training to employers has highlighted that some believe they are not allowed to recruit anyone with a criminal conviction, rather than using disclosure information to assess and manage

risk. Training on the handling of disclosure information will therefore continue to be a key feature of our work.

If you require any further information on the points made in this response or on any other aspect of Apex Scotland's work, please do not hesitate to contact me.

Bernadette Monaghan  
Director.