

# **Career Pathways of Social Workers with Criminal Convictions:**

Gifted Healers and Misunderstood Misfits

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## **Abstract**

There is a tension within the social work profession relating to the education, employment and registration of social workers with criminal convictions. This is of significant importance given that mandatory registration of social workers comes into effect in February 2021. This research project sought to gain an understanding of how social workers with criminal convictions, in Aotearoa New Zealand, had navigated their social work career pathways. A key aim was to explore the barriers they had experienced along the way. The project also sought to identify the strengths and assets that they had brought to the profession.

In order to achieve this goal, 11 individual semi-structured interviews were carried out with social workers with one or more criminal convictions. Interpretative Phenomenological Analysis was undertaken to explore the phenomenon of social workers with criminal convictions. Their experiences, the meanings they gave to them, and the beliefs they held about the social work profession were analysed and coded manually with the support of NVivo 12, a qualitative data analysis computer software package.

This research found that social workers with criminal convictions brought unique gifts to the social work profession. It also revealed that professionalisation within social work practice, including mandatory registration, had the potential to exclude valuable employees. The participants described the stigma and discrimination they were subjected to and highlighted the barriers that held them back from progressing within their chosen field. Participants also highlighted the lack of clarity, consistency and transparency that currently exists within social work employment, education and registration processes. In excluding those with criminal convictions, the social work profession is undermining its social justice mandate.

## **Dedication**

To my parents. My father that died too soon and missed my descent into addiction, but also in my recovery and my journey into education and social work. And, to my mother, the one that was there for it all. You instilled the values of hard work and hope, both of which I now have in spades.

## Acknowledgements

Firstly, I want to give a massive shout out to the people that agreed to take part in this study. Without your openness and honesty about your lives, your criminal convictions and your social work career pathways this project would be meaningless. I hope that I have done justice to what you brought to this project. For some, I hope it brings new insights into your struggles with the discrimination and internalised stigma that criminal justice involvement can bring. I have walked a similar pathway and know some of the same struggles. I have nothing but respect and admiration for you as social workers and as people.

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## Key Terms

Aroha	Broad term encompassing love, compassion, and caring
Field placement	Student's internships at social work agencies
Field agency supervisor	Student's supervisor while at a social work agency
Field placement supervisor	School of Social Work employer responsible for securing field placements and overseeing student's on placement
Māori	Indigenous people of Aotearoa New Zealand
People we support	Clients / service users
Schools of Social Work	Overarching term given to the universities, tertiary providers, polytechnics and wānanga's that offer social work programmes
Tangata whenua	People of the land
Te Tiriti o Waitangi	The Treaty of Waitangi is Aotearoa New Zealand's founding document; an agreement between Māori and the Crown
Wānanga	Tertiary institutes characterised by teaching and progressing Māori tradition and custom
Whānau	Family / extended family
Whānau Ora Navigator	Support worker who works with whānau to access resources and develop plans to meet whānau determined goals

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# 1 Introduction

The social work profession is built on the foundations of upholding human rights, equality and social justice. Alongside these values is the principle of doing no harm to the people we support. This means ensuring that social workers are safe to practice. The tension between these significant social work aims comes to the fore when decisions are being made about educating, employing and registering individuals with prior criminal justice involvement. On the 27<sup>th</sup> February 2021 social workers in Aotearoa New Zealand will be mandated to register with the Social Workers Registration Board, a government regulatory body (SWRB, 2020a). That means social workers with criminal convictions will have additional scrutiny over and above current legislation. Schools of Social Work will become even more wary about educating a person with criminal convictions, if there is a risk that they will not gain registration upon finishing their degree. For those who achieve registration, their employers will also be factoring in decisions dictated by the SWRB. At the same time there is increased public scrutiny of social workers. In response to this combination of factors, the profession may make increasingly conservative decisions about who has the right to call themselves a social worker.

Social work is a unique profession and stands out amongst other healthcare and social service professions. This is due to the ethical standards and “principles of social justice, human rights, collective responsibility and respect for diversities” that are seen as central to social work (IFSW, 2018, para. 5). However, the International Federation of Social Workers (IFSW) makes scant mention of how the social work profession should address educating and hiring those with criminal convictions. The only mention is a vague outline within the Education Global Standards (IFSW, 2012) in which it states: “Relevant criminal convictions, involving abuse of others or human rights violations, must be taken into account given the primary responsibility of protecting and empowering service users” (standard 6.2). However, preceding this statement it also highlights the critical importance of “student recruitment, admission and retention policies that reflect the demographic profile of the locality that the institution is based in” (standard 6.2). The importance of employing social workers that match the demographics in which they work is highlighted within the literature (Vliek, 2018).

In reviewing the international literature, it became clear that there was limited research on the subject of social workers with criminal convictions. I found no relevant research that explored the experiences of social workers with criminal convictions as they navigated their social work career pathway in

Aotearoa New Zealand. Most of the literature originated from the United States of America (U.S.) and the United Kingdom (U.K.) and focused on social work educators, in particular, the issues they faced in admitting applicants with criminal convictions. It appeared there was a significant lack of discussion and direction from international and national social work bodies about hiring those with criminal convictions into the profession. Literature shows (Rose, 2015; Rose et al., 2017) that those with criminal justice involvement are motivated to pursue a career in the helping professions due to a desire to give back and help others who have had similar life experiences.

The main research focus in Aotearoa New Zealand relates to the dilemma faced by social work educators when applying the SWRB Fit and Proper (2018) criteria to potential social work students. There is no literature that gives a voice to social workers who have experienced barriers within their social work career pathway due to their criminal justice involvement. Further, there is no research in Aotearoa New Zealand on the strengths and benefits that those with criminal convictions bring to the profession. Additionally, there was limited discussion about the potential barriers to mandatory registration faced by those with criminal convictions. Finally, a lack of clarity about the education, employment and registration processes for those with criminal convictions wanting to pursue a career in social work necessitated exploration of the experiences of social workers with criminal convictions.

To understand the issues, I determined the best course of action was to talk to social workers with criminal convictions. Hearing their experiences of the impacts of their criminal convictions, as they navigated the social work career pathway, was deemed a critical first step in understanding more about this important issue. This research project sought to identify the barriers faced by social workers with criminal convictions, but in turn, highlighted the strengths and assets they bring to the profession. The aim was to determine if their experiences had undermined the social work values of social justice and the fundamental belief of an individual's capacity to change.

## 2 Background

Understanding how the social work profession is regulated within Aotearoa New Zealand is critical to comprehending the relevance of the work explored in this thesis. I have also provided a summary of the literature that highlights issues relevant to social work registration. Social workers in Aotearoa New Zealand are guided by international principles and values as well as domestic professional and regulatory bodies. The Social Workers Registration Act 2003 (SWRA 2003), and the subsequent founding of the Social Workers Registration Board (SWRB), created substantial change to social work practice and increased regulation of the social work profession in Aotearoa New Zealand. The purpose of the SWRA 2003 is to protect the public by ensuring social workers are competent and accountable for the way they practise. The SWRA 2003 established a Board to register social workers and a tribunal was developed to hear complaints about registered social workers. The SWRA 2003 was also tasked with promoting the benefits of registration and improving the professionalism of social workers (Hunt, 2017). The SWRB is a crown entity with members appointed by the Minister for Social Development and accountable to Parliament. There are concerns that the professionalisation of social work through regulation will “impact on core social work values” and that the speed in which this has happened “calls into question its relationship to advocacy on social justice issues” (Beddoe & Duke, 2009, p. 787).

Mandatory registration comes into effect on 27 February 2021. From that date only those registered by the SWRB will have the legal right to use the title “social worker” (SWRB, 2020a). Once registered, social workers are bound by the SWRB Code of Conduct (2016). The SWRB also outlines Ten Core Competence Standards “that reflect practice standards accepted in social work in New Zealand” (SWRB, 2020b, para. 1). The SWRB states that: “These competence standards are to be read in conjunction with the SWRB Code of Conduct and the Aotearoa New Zealand Association of Social Workers (ANZASW) Code of Ethics” (SWRB, 2020b, para. 2). It also states that it has drawn on the International Federation of Social Workers (IFSW) definition of social work and ANZASW Social Work Practice Standards (2014) in creating the competencies. The overall values and principles of the social work profession are defined by the IFSW which states that as:

...the global body for the profession. The Federation and its national members strive for social justice, human rights and inclusive, sustainable social development through the promotion of social work best practice and engagement in international cooperation (IFSW, 2020).

With a myriad of international values and principles, coupled with domestic variations, it is likely that there is confusion about how these documents translate into practice.

At a philosophical level the IFSW is very clear in specifying that the principles of “social justice, human rights, collective responsibility and respect for diversities are central to social work” (IFSW, 2014, para. 2). The IFSW Core Mandates state that social work is “driven by the need to challenge and change those structural conditions that contribute to marginalization, social exclusion and oppression” (IFSW, 2014, para, 6). However, it appears that sometimes the lofty vision of what social work should be doing and what it actually does can be poles apart. This can be seen in the professional dilemma when making ethical decisions about the training, employment and registration of individuals with criminal convictions. Ethically, social workers are duty bound to advocate for social justice. Rose et al. (2017) state that this extends to the function that higher education plays in supporting individuals to enhance their wellbeing. They assert that educators need to advocate and support those that have been imprisoned so that they can gain access to education and employment.

There appears to be little policy in the global social work community about the place that prisons have in our society and social work’s role in prison reform. However, some social work professional bodies in the U.S. are very clear about how they view mass incarceration. Curran et al. (2019) outlines the mandates around the criminal justice system of two U.S. professional bodies:

The National Association of Social Workers has identified criminal justice reform as a professional priority (2017b). Similarly, the American Academy of Social Work and Social Welfare (AASWSW) has named “smart decarceration” as one of the profession’s “grand challenges,” which includes reversing “civic and legal exclusions for persons with criminal charges and convictions” (Pettus-Davis, Epperson, & Grier, 2017, p. 1).

Given these strong statements it would be interesting to see how they view the implications for the training and hiring of individuals with criminal justice involvement into the social work profession. It would also be interesting to see where professional social work bodies in Aotearoa New Zealand stand on smart decarceration and criminal justice reform.

In Aotearoa New Zealand we look to the ANZASW and the SWRB for leadership and guidance about what it means in practice to be a competent social worker. The main documents available to us are the ANZASW Code of Ethics (2019) and the SWRB Code of Conduct Guidelines, along with the SWRB Ten Core Competence Standards (2020b). These documents contain invaluable information to guide social workers in making ethical and principled decisions in their professional social work careers. ANZASW was formed in 1964, well before the SWRB came into being. ANZASW is a member of the IFSW and is bound by the IFSW Global Statement of Ethical Principles (IFSW, 2018). ANZASW is accountable to its members, gives an independent voice for social workers, and supports social workers

and the social work profession. In 1999, members of ANZASW gave support to the progression of statutory regulation for social workers (Nash & Miller, 2013). The pathway to regulation has had many challenges and some underlying tensions continue today. For example, there has been conflict between the social work profession and the Board about who “owns” social work intellectual knowledge and who has the mandate to control particular areas of professional space, such as social work courses and content. At times the overlap in functions has led to confusion for some stakeholders (Hunt et al., 2019, p. 902).

Randal (2018) conducted longitudinal research with ANZASW members on their views of statutory registration. He found that some were concerned about the gatekeeping role the government now has over the profession and worried about “the risk of social work becoming the antithesis of what it stands for” (Randal, 2018, p. 22). Randal stated that the changing face of the social work profession “has resulted in the government holding the upper hand in providing public accountability for social work practice thereby perpetuating its hold over the profession with the risk that the ANZASW is left in its wake” (Randal, 2018, p. 20). A 2011 ANZASW survey on what its members thought of mandatory registration revealed a split within the membership base. A total of 1109 members (27.8% of the total membership) responded with 51.5% in support of mandatory registration, while 48.5% were either opposed to mandatory registration, did not know, or opted not to answer the question (ANZASW, 2011).

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (also referred to as the PSA) is the largest trade union in New Zealand with over 62,000 members including approximately 3500 social workers (PSA, 2016). In its inquiry into the operation of the SWRA 2003 the PSA raised concerns that the SWRB might be punitive and restrictive in its approach to the registration of social workers with criminal convictions (PSA, 2016). The PSA believes that certain types of offending and repeat offenders should not gain social work registration. However, the PSA also states that it has seen trained social workers refused registration due to minor or one-off past criminal conviction (PSA, 2016, p. 4). O’Brien (2005) speaks of the challenges within the social work profession of staying aligned to its historic social justice roots while attempting to become recognised as a professional body within its own right.

Several authors highlight the differences between the ANZASW Code of Ethics (2019) and SWRB Code of Conduct (2016), especially when it comes to addressing how social workers should be engaging in social justice actions and in working with tangata whenua. Firstly, the SWRB core competencies are focused on individual practice and do not advocate for social workers to “act to change and challenge

unjust policies...” (O’Brien, 2013, p. 54). By contrast, the ANZASW Code of Ethics (2019) focuses on the bigger picture and advocates for social workers to publicise social injustices and work to create change at a policy level to improve social conditions (O’Brien, 2013). Other concerns were voiced about the lack of reference to Te Tiriti o Waitangi (the Treaty of Waitangi is Aotearoa New Zealand’s founding document; an agreement between Māori and the Crown) in the SWRA 2003 (Simmons-Hansen, 2010). This was seen as silencing submitters’ concerns and risked the maintenance of fair power relationships consistent with the “bicultural commitment tradition within the social work profession” (Simmons-Hansen, 2010, p. ii). Several authors say the aim to increase Māori participation in social services could be at risk. They also say that Māori could be marginalised due to the regulation of the profession and mandated qualifications (Beddoe & Duke, 2009; Randal, 2018).

The SWRB Code of Conduct and ANZASW Code of Ethics both reference Te Tiriti o Waitangi and give priority to relationships with tangata whenua. But again, the focus is different. The SWRB Code states that social workers need to be competent to practice with Māori, whereas the ANZASW Code of Ethics takes a much broader view when it states: “Our Association’s Constitution recognises Te Tiriti o Waitangi as the basis of our governance...The commitment to Te Tiriti o Waitangi is not optional and permeates everything we do” (ANZASW, 2019, p. 6). It appears that the SWRB Code has a more individualised focus while the ANZASW Code applies a collective lens when speaking about professional responsibilities and aspirations.

There are also uncertainties about how the principles from the different professional bodies should be interpreted and implemented. For example, the ethical principles of the ANZASW Code of Ethics (2019) state that members must “promote socially just policies” (p. 10) and “advocate for fair and equitable access to public services, benefits and distribution of resources and wealth” (p. 13). How do Schools of Social Work uphold this when they are deciding who is “fit and proper” to be educated with a view to becoming a registered social worker? If that principle was taken at face value, then educating those with criminal convictions would be seen as a priority. Within the ANZASW Code of Ethics (2019) there are many areas where the social work profession does not tolerate discrimination based on “age, gender, abilities, ethnic background, race, religion, gender identity, sexual orientation, neurodiversity or socio-economic condition...”. However, it seems remiss that incarceration, or prior criminal justice involvement, is not included in this extensive list. Another ethical principle stated in the ANZASW Code of Ethics is that: “We engage in constructive action to change the structures of society that create and perpetuate injustice” (ANZASW, 2019, p. 13). Given that structural racism exists at every level of the criminal justice system in Aotearoa New Zealand, one would expect that the social work profession,

including the professional and regulatory bodies, to be more outspoken about the biases and discrimination within that system. Similarly, it is ironic in a sense that the SWRB does not have more of a critical viewpoint about the need for social work to tackle the problem of incarceration, given the emphasis it places on an applicant's criminal conviction history during the registration process.

Another area of concern raised by Williams (2019), is the role that non-violent protest action (NVPA) has within the social work profession. The profession has successfully co-opted the term 'social justice', using it as a means to claim a unique space within the helping professions. Williams (2019) states: "Social work as a profession is underpinned by ideas of social justice and human rights, and that social workers have an ethical obligation to uphold these ideas" (p. 64). Indeed, this statement matches quite closely to the ANZASW Code of Ethics (2019) which claims: "Social work has a dual focus...to inform society at large about the injustices in its midst, and to engage in action to change the structures of society that create and perpetuate injustice" (p. 7). Again, these statements are bold and aspirational but what happens when a prospective or current social worker gets arrested challenging social injustices through NVPA? It is not uncommon to get arrested at such events, with Māori more likely to be arrested and convicted (Duarte, 2017; Eketone, 2015; Keane, 2012; Schrader, 2010, cited in Williams, 2019). Being arrested can lead to barriers in accessing social work education, employment and registration through the SWRB (Williams, 2019). However, while social workers are advised to "engage in action to change the structures of society", they are also meant to uphold the principle of being "law-abiding citizens of Aotearoa New Zealand" (ANZASW, 2019, p. 12). Effectively the idea of NVPA, which inevitably involves the risk of arrest, is discounted.

This is significant as there is no mention about the right for social workers to engage in protest action and the risk of arrest in any of the social work profession's founding documents. This is also ironic given the engaged, pragmatic, nature of applied practice. As Ostrander et al. (2017) point out, engaging in political activism (whether that be protesting or joining political or civic organisations) can be a way for social workers to uphold their social justice and human rights obligations set out by the IFSW (2018). In the IFSW Global Social Work Statement of Ethical Principles they state that: "Social workers have a responsibility to engage people in achieving social justice" and one of the means to do this is by "challenging discrimination and institutional oppression..." (IFSW, 2018, para. 8). It seems that the IFSW and ANZASW speak about challenging social injustices but they give no actual guidance to social workers taking part in NVPA and, if arrested and convicted, what that might mean to their employment and registration.

Section 47(1) of the SWRA 2003 gives the SWRB power to determine whether a person is fit and proper to practise social work based on whether a *reasonable person* (author's emphasis) would reach that same conclusion (SWRB, 2018). The challenge here is; how do you define a reasonable person? As Staniforth and Fouché (2006, p. 12) point out, it is challenging to determine “what a reasonable person would conclude” in relation to someone's suitability to be a social worker. The Fit and Proper Person Policy Statement is based on the SWRA 2003 and was created in order to give guidance as to how the SWRB makes decisions on whether someone is “fit and proper” to practise social work. The document is there to give guidance to Schools of Social Work. However, the Board states that registration is done on a case-by-case basis. Although the Board lists some criminal convictions that could prevent someone from being registered, it is not definitive (SWRB, 2018). This means Social Work Schools are left to decide whether or not to educate someone with criminal convictions who, potentially, may not gain social work registration at the end of their studies. The SWRB does not decide on a person's fitness to practise social work until they apply for registration (SWRB, 2018).

As Apaitia-Vague et al. (2011) state: “The responsibility to exclude students based on the ‘fit and proper’ requirement of the SWRB is an uneasy and fraught task...” (p. 56). In their view the SWRB contradicts elements from the ANZASW Code of Ethics, particularly in regards to upholding socially just practices and providing unhindered access to resources and opportunities. Apaitia-Vague et al. (2011) also highlight the unfair position educators hold in having to make admission decisions based on the chances of the SWRB registering that person after they finish their four-year degree. This means making decisions on whether an individual is ‘fit and proper’ are actually conducted on an ad hoc basis by educators rather than by the SWRB. Crisp and Gillingham (2008) posit this also and say it is unethical to educate an individual if they have no real chance of working in the field once graduated. They say it is a waste of a person's time and money to invest in a four-year programme of study when there is no certainty at the end of gaining registration in the social work field. However, as Staniforth and Fouché (2006) highlight, social work students are not the people the social work profession supports. As Royse (2000) states: “We create difficulties for ourselves and are unable to perform the necessary gatekeeping when we view students as our clients” (p. 30).

One of the principles the SWRB is guided by, when assessing whether someone is “fit and proper” to practise social work, is to “conduct objective, non-prejudicial and evidence-based decision making” (p. 4). However, the list of offences that would lead “a reasonable person to conclude that a person is not fit to practise social work” (p. 7) is clearly not driven by a recidivism evidence-base. In fact, criminal conviction type is not a predictor of recidivism (Gendreau et al., 1996). Placing the importance on



criminal conviction type “contradicts criminological research, which generally relies on social, environmental, and personal characteristics to predict risk” (Brodersen et al., 2009, p. 360). It would perhaps be more apt for the SWRB to state they are making decisions on what “a reasonable person” would morally consider unacceptable. If the greatest barrier to education, employment and registration is moral outrage caused by crime type, then it contradicts the findings of existing criminological research (Brodersen et al., 2009).

The Criminal Records (Clean Slate) Act 2004 was created to erase minor convictions for individuals that have not reoffended in a seven-year period. This was done to allow individuals to wipe the slate clean so that minor convictions do not hinder their progress through life, especially in relation to employment. However, the SWRB has decided that, as a result of the Children's Act 2014 (formerly known as the Vulnerable Children's Act 2014), the “clean slate” provisions of the Clean Slate Act 2004 no longer apply when they undertake police checks of prospective social workers (Social Workers Registration Legislation Bill, 2019). Even if social workers' criminal convictions are not of concern under the Children's Act 2014, employers still can use their personal discretion, following a risk assessment, to decide whether or not to employ a person (Wilson, 2017). Ultimately, a trained social worker with criminal convictions could feasibly gain registration under the SWRB, be assessed under the Children's Act 2014 and pose no threat and yet still be declined for work in the social work profession.

The criminal history check undertaken by the SWRB is detailed. Not only does it look at actual criminal convictions but also court proceedings that did not result in a conviction. It is also interested in any other information the New Zealand Police have on an individual, including reported family violence history and infringement or demerit reports (SWRB, 2018). Of course, there is merit in getting this additional information as it could flag some issues that may be of concern to the SWRB. However, as Apaitia et al. (2011 p. 58) rightly contest, it could expose “a person's ‘story’ as a victim”. It appears such broad exposure places the person in a position of not only having their criminal convictions on show, but also other personal information that they may not wish to divulge.

This short overview and critique of the different professional and regulatory bodies that impact on the education and employment of social workers provides important context to the experiences of the participants detailed within this thesis. The next chapter analyses literature relevant to my research topic; social workers with criminal convictions and their experiences within the social work career pathway.

## 3 Literature Review

### 3.1 Introduction

Phenomenology is inductive in nature and is fundamentally geared to discovering the life-world of participants. As such, phenomenology does not lend itself to undertaking a rigorous literature review prior to data collection. However, it is also important to acknowledge that a review of the literature is needed to understand the gap that the research aims to fill and to gain a good understanding of the knowledge that exists on the topic. It was with this idea in mind that I undertook the literature review. It must be noted that I conducted a broad literature search prior to designing my data collection methods. It is also important to note that I did not produce a final literature review until after the study was completed. This was important as the literature gave me enough knowledge to conduct my research without seriously diminishing my ability to enter participant experiences with an open, reflective mind. I wanted to retain the ability to expand the scope of relevant literature in a reflexive way, bearing in mind the limitations of the research focus.

This chapter offers an in-depth analysis of literature related to individuals with criminal convictions, either employed as social workers or seeking admission into social work education. This research explores whether the social justice and human rights values contained within international and domestic social work policy documents are upheld when decisions are being made about the education and employment of people with criminal convictions in the social work profession. Importantly, this study develops some of the implications which flow from the following ethical stance: that people can and do change, that rehabilitation is possible, and that social workers with lived experience have unique strengths that cannot be taught in a classroom.

The search strategy was broad and encompassed English language, international, scientific and grey literature published between 1980 – 2020. The search covered an array of social work, sociology, criminology and law databases including: SAGE Journals, Scopus, Social Services Abstracts, Sociology Abstracts, Google Scholar, Social Care Online, Index New Zealand: INNZ, ProQuest Social Science Journals, MEDLINE (Ovid), Criminal Justice Abstracts, Criminal Justice Periodicals, ProQuest Dissertations & Theses, and LexisNexis NZ. Search terms included “social work\*”, “criminal convictions”, “incarceration”, “prison”, “criminal justice”, “social work registration board”, “professionalisation”, “New Zealand”, and “social work education”.

Nineteen pieces of literature were considered suitable for inclusion within this section of the literature review. The majority came from the U.K., U.S. and Australia with only one relevant piece of literature found from Aotearoa New Zealand. Actual experiences of social workers with criminal convictions navigating employment within the profession were scant. The majority of the literature focused on those with criminal justice involvement accessing social work education or in securing field placements. Research that involved interviews was mainly focused on the views of field placement supervisors and admissions staff from tertiary institutions. Only five studies canvassed the views of those with criminal convictions navigating admission to social work education, or on their experiences once on campus or employed. Much of the literature was theoretical and examined the challenges of social work educators in being the gatekeepers to the profession and how they navigated the space between upholding social work values, like social justice, while at the same time ensuring the safety of the profession and those they supported. There was only one study that examined past and present social work students with incarceration history and their experiences in social work education and subsequent social work employment.

### **3.2 Social Workers and Social Work Students with Criminal Convictions**

It seems that there are few studies focused on students with criminal convictions and their experiences within social work education and their career pathway. In fact, there were only five student-focused studies and one U.S. study (Runell, 2020) of people with criminal convictions who have gone on to work in social services. There was also a recent U.K. scoping review (Bramley et al., 2019) that explored current practices and the potential to employ people with criminal records in the social work profession in England. In their review the authors located eighteen relevant studies and identified two main themes within the literature. The first related to those with criminal convictions being able to access social work education and the second to people with criminal convictions accessing employment in the social work profession. The review found that evidence gaps exist in how decisions are being made by those educating and employing a person with criminal justice involvement into the field of social work. The authors also posit that more research is needed, involving people with criminal convictions and their experiences navigating social work education and employment.

One small U.S. study looked into the experiences of ten students with criminal justice involvement enrolled in social work, or human services college courses, and seven staff members from a variety of social work agencies that routinely supervised human services students (Rose et al., 2017 p. 106). This study highlighted the issues and dilemmas criminal justice involved students faced within the classroom and on field placement (Rose et al., 2017). The findings showed a dichotomy in students' experiences

of divulging their criminal justice involvement and explained it as, "...uncomfortable and arduous, healing, and profoundly helpful for their fellow students, and future clients" (Rose et al., 2017, p. 103). Even with academic success, the students spoke with apprehension about placement, licensing and their future career pathway (Rose et al., 2017). The students questioned why prejudices existed for those with criminal convictions and highlighted how a felony, or prison sentence, were a black mark for life. These concerns increased for older students who already felt alienated within the classroom due to their age (Rose et al., 2017).

Madoc-Jones et al. (2007) focused on the real-life experiences of two students who applied to undertake social work education and field placements as a way of contextualising how social work courses in England and Wales assess individuals with criminal convictions. One of the students was rejected from placement due to a 10-year old conviction for dishonesty. The other found that, even though her charges were seven-years-old, she experienced discrimination and stigmatisation throughout her education and field placements. As she stated: "I passed the social work course but I still wonder about social work's commitment to justice and fairness for all" (Madoc-Jones et al., 2007, p. 1393). Although these studies are very small, they raise enough concern to warrant further research into the ability of those with criminal convictions to access and navigate social work schools and access field placement opportunities.

Students with criminal justice involvement interviewed in Vliek's (2018) mixed-methods study articulated some of the challenges they faced in gaining admission to Higher Education Institutes (HEIs) and in securing a field placement. The U.S. study surveyed 23 individuals and 9 were interviewed using a Reflective Lifeworld Research phenomenological approach (Vliek, 2018). The participants discussed the differences between supportive and punitive admissions policies and most reported favourably about their experiences as students in Master of Social Work (MSW) programmes. Most noted the differences between their admission process and student experience. One student articulated this well, outlining that she found people to be "kind and understanding" once she was in the programme (Vliek, 2018, p. 68).

Halkovic and Greene (2015) held six focus groups (participants = 37) and interviews (n = 25) as part of a participatory action research project involving U.S. college students with criminal convictions. Insights were obtained from four students studying social work about the admission processes, supports and barriers on campus and the gifts that they brought to the classroom. One student spoke of not disclosing his criminal justice involvement within the classroom due to the risk of perceived stigma. Halkovic and Greene (2015) highlight how his fear of being stigmatised restricted the full expression

of his identity and the unique strengths and assets that he could have brought to the classroom. Another student spoke of the internal driver that propelled him to do more, in order to give back. This student spoke of needing to repay his family and community as a core factor for undertaking more responsibilities and tasks on campus (Halkovic & Greene, 2015). Another student spoke about the inherent knowledge held by those that have experienced the criminal justice system and how this could be used to create change within such systems. Finally, one student spoke of her sense of responsibility for helping others that had similar life experiences to her. She spoke of her understanding of what those in prison were going through and how her desire to help them motivated her to continue her education (Halkovic & Greene, 2015). These students illustrated the discrimination and stigma they faced in the education process, the motivating factors involved in choosing social work education and the gifts they brought to education and practice.

Another small U.S. study (Runell, 2020) involved past and present students of a HEI programme which gives those with incarceration history a chance to complete a four-year university degree, exploring how the education process could help them progress towards social work employment. Of the 17 participants, 13 worked with at-risk youth, people in prisons, or people reentering society after incarceration (Runell, 2020). These individuals all highlighted how being a social worker was a major factor in their continued transition from prison to being a law-abiding citizen (Runell, 2020). They spoke of the importance of education to their capacity to secure employment in social work and in their continued career development (Runell, 2020). Participants highlighted how education allowed them to deconstruct their criminal identities and also provided a buffer against the stigma of being in prison (Runell, 2020). Some of the participants spoke of the challenges of becoming a social worker due to structural barriers created by their incarceration (Runell, 2020). The main finding was the importance of education in helping these participants in securing a job and, in doing so, supporting them to desist from any further criminal activities (Runell, 2020).

### **3.3 Gatekeeping Within Education**

The majority of the literature highlighted the gatekeeping role that social work educators have in accepting those with criminal convictions into social work programmes. Cobb and Jordan (1989) were the first authors to discuss criminal convictions and entry into social work education. They believed that some types of crime, for example sexual offending, made enrolment into social work education untenable. The authors highlighted the importance of looking at a person's rehabilitation since the offending and how reputational risk to the School of Social Work was also significant to consider in the decision-making process. A common narrative within the literature on social work educators was about

the key role they play in determining whether an individual's criminal convictions preclude them from being a fit and proper social worker. Magen and Emerman (2000) were the only authors adamantly opposed to allowing individuals with felony convictions to access social work education and to practice social work. They propose that a convicted felon loses societal rights and privileges, including the right to an education within the social work field (Magen & Emerman, 2000). On the opposite side of that divide were Scott and Zeiger (2000) who wrote about accepting an individual, who had served prison time for sexual assault of a minor, into their social work education programme. In their argument they espouse upholding social work values and assessing a person's rehabilitation pathway, since the offending, as critical factors in their decision-making process (Scott & Zeiger, 2000).

In a U.S. study, Leedy and Smith (2005) spoke of how social work education is limiting access to education for criminal justice involved individuals. It appears that social work education providers hold significant power in determining whether a person's criminal justice involvement precludes them from the social work profession. Social work educators at a School of Social Work in New Zealand wrote about four core issues they identified relating to 'fit and proper' policies and field placements (Apaitia-Vague, Pitt & Younger, 2011). One of these was about how social workers are increasingly working in risk-adverse environments and they "find themselves in the uncomfortable position of being the 'expert assessor' of risk" (Apaitia-Vague et al., 2011, p. 61). This is because the SWRB will not give definitive feedback to prospective social work students on whether their prior criminal convictions makes them un-registerable. This leaves the risk assessment to the educators themselves.

Haski-Leventhal et al. (2010) propose that social work educators have power over three areas of entry to the profession; admission, education and graduation. The authors undertook a survey of Deans and Programme Managers of U.S. HEI's (138 out of 184 schools responded) in relation to admission policies, to find out what they were asking applicants in regards to their prior justice involvement and how that information was used in the decision-making process (Haski-Leventhal et al., 2010). Haski-Leventhal and colleagues (2010) found that over half of the programmes (54.3%) asked potential students about their criminal justice involvement, but that only 7% had established principles about how they used that information.

This disclosure can have negative implications for individuals and could be a factor in those with criminal convictions avoiding social work education programmes. In Aotearoa New Zealand it appears that all social work education programmes carry out police checks during the admission process (CSWEANZ, 2017). Several other studies also highlight how other social work programmes are

increasingly asking prospective students to disclose any previous criminal justice involvement (Madoc-Jones et al., 2007; Perry, 2004). Perry (2004) suggests there was a reduction of criminal justice involved students applying to social work programmes in Scotland following a requirement for all applicants to disclose any criminal convictions. This was introduced by the Central Council for Education and Training in Social Work (CCETSW) in 1989. Perry's (2004) conclusion is based on data from a Scottish education institute showing a significant drop in student self-reporting of justice involvement between 1986 and 2000. He proposes that the social work profession needs a recruitment strategy that counters this barrier to entry, saying applicants with justice involvement pose no more of a threat than those without (Perry, 2004). A U.S. study (Rosenthal et al., 2015) found that having to disclose criminal history during the admission process to HEI's results in a high number of applicants dropping out. The authors' research found that two thirds of applicants with criminal justice involvement dropped out of the application process (Rosenthal et al., 2015). They discovered that "the process of inquiry into an applicant's criminal history was a more formidable barrier than outright rejection by the Admissions Review Committee" (Center for Community Alternatives, n.d., para. 3).

The Deans and Programme Managers surveyed by Haski-Leventhal et al. (2010) said that offence type, the number of offences and the upfront disclosure from the person about the offending were the most important elements influencing their decision making. These findings were echoed in a 2019 study of U.S. MSW programmes' admissions practice and policies toward applicants with criminal convictions (Curran et al., 2019). Of the 146 responses (58.4% completion rate) those that accepted individuals with criminal convictions into programmes cited the nature and seriousness of the offending, the amount of time since offending and the ability to secure a field placement as key factors in deciding whether to approve or decline admission. Zellmer and Knothe's (2011) national survey described how U.S. HEI's use criminal background checks in the admission process. This study, while compromised due to a low response rate, indicated that concerns about field placement viability are a primary driver for the background checks.

The literature shows there is a lack of models and processes to guide social work programmes and admission staff on how to make admission decisions relating to criminal justice involved individuals. Leedy and Smith (2005) appear to be the only researchers, to date, that have created a theoretical model to assist decision makers in evaluating the suitability of criminal justice involved candidates. They propose two different decision-making models and a decision-making support system that incorporates principles from detection theory, intuitive decision-making models, and recidivism research. They claim that the models they present "are consistent with the social work value base" (Leedy & Smith,

2005, p. 2). They argue that if HEI's want to review applicants with criminal convictions then they need to have clearly explained policies (Leedy & Smith, 2005). This is a sentiment advocated by Haski-Leventhal et al. (2010) when they state: "In order to ensure legality of their decisions, social work educators must delineate specific, ascertainable admissions standards, as a basic requirement of equal protection under the law (p. 90)". It seems obvious that in order to minimise the risk of discrimination based on individual views and moral sentiment Schools of Social Work must have clear and explicit policies in place.

However, this is not often the case as highlighted in a U.S. study examining the challenges experienced by field placement supervisors in attempting to secure placements for MSW students with criminal convictions (Dottin, 2018). Her findings highlighted that admission and social work programme staff lack knowledge about the risk factors posed by students with criminal convictions. Curran et al. (2019) also found that the majority of respondents (78%) did not provide training or guidelines to the staff evaluating the risks posed by those with criminal convictions. It is concerning that Schools of Social Work lack proper evidence-based policies in order to support admission staff in their decision-making processes. Curran et al. (2019) recommended more training of administrators along with greater transparency and equity within the administration process. The authors also discovered that programme criteria for admission did not always correlate with criminal justice literature on predictors of recidivism (Curran et al., 2019, p. 1).

According to Crisp and Gillingham (2008), social work educators: "While quick to embrace the opportunities to promote social inclusion, social work educators frequently find ourselves policing entry and maintaining the exclusiveness of the profession" (p. 314). It appears that social work educators are making moral and ethical decisions in a vacuum that could ultimately be continuing the marginalisation of certain groups within society.

Several articles discussed the issue of educating those with criminal justice involvement and the differences in philosophy within social work education in Australia compared to other countries (Crisp, 2006; Crisp & Gillingham, 2008). Crisp (2006) wrote about the high priority the Deakin University in Victoria places on accepting people that had normally been socially excluded from university study. In Australia equal opportunities legislation includes the proviso that universities cannot discriminate due to a person's criminal background. In their study the authors found that, due to Deakin University's recruitment policies aimed at remedying social exclusion, some of the students they were teaching were incarcerated (Crisp & Gillingham, 2008). This was the only study located that examined incarcerated



individuals undertaking social work education from prison (Crisp, 2006). The main concerns noted were student access to course content via the internet whilst incarcerated and the challenges of finding a second field placement (Crisp, 2006). The author questioned whether it was the role of social work educators to weed out ‘unsuitable’ candidates and challenged educators to re-examine their “beliefs and practices” regarding who they believed was fit to study social work and graduate with a social work degree (Crisp, 2006, p. 9). Perhaps one of the reasons that the debate around who is fit and proper to study and practice social work continues is because there is no clear leadership from the IFSW on this dilemma and this translates into confusion on the ground at a national level.

### **3.4 Field Placements: Challenges and Opportunities**

Much of the literature discussed the challenges of securing field placements. Dottin (2018) found that over 80% of field placement supervisors said they faced challenges placing students with criminal backgrounds. For instance, securing a field placement in a school, or child welfare agency, would rule out 85% of students with criminal justice involvement (Dottin, 2018). Her findings showed that church-based services, work with academics, alcohol or drug (AOD) services and shelters were more viable placement options for those with criminal justice involvement because they “recognise and reward a person’s capacity and prediction for change” (Dottin, 2018, p. 12). Brodersen et al. (2009) found that government agencies and disability and aged care services were less likely to accept criminal justice involved students than substance abuse services, public policy and adult mental health agencies. However, just because the students had previous criminal justice involvement did not mean they necessarily wanted to work within the justice system. Half of those interviewed expressed an aspiration to work with children and young people (Rose et al., 2017). Vliek (2018) found the majority of participants in her study identified the field placement process as a significant barrier due to their criminal justice involvement. However, the author noted that all participants in her study secured quality field placements (Vliek, 2018). It appears from the literature that field placement supervisors are not taking participant preferences into consideration when making decisions about what pathways are open or closed to those with criminal justice involvement.

From the literature it seems that recidivism research, regulatory requirements and social work values are the main considerations Schools of Social Work use in order to justify whether or not to admit someone with criminal justice involvement. However, there is evidence that decision making is also based on what is morally deemed appropriate rather than on empirical evidence. Brodersen et al. (2009) found that field placement supervisors in their study viewed crime type and length of time since offending as important in the decision-making process, whereas education and employment since

offending were seen as not so important. This was also echoed in Curran's (2019) recent study, in that a stable employment history and recommendations from either a mental health provider or a corrections officer were not considered important factors during admission process. Brodersen et al. (2009) highlighted that these views went against empirical evidence that showed stable employment and education post-conviction were more important indicators of reoffending than crime type. This finding was echoed by Dottin (2018) who found that the type of crime was significant in securing a field placement. Any convictions that involved harming a child, homicide or rape are flagged as being particularly problematic in securing a placement. However, social and personal characteristics are seen as better measures to determine recidivism rather than crime type (Gendreau et al., 1996 cited in Brodersen et al., 2009).

It would appear that moral outrage may be driving decision making around admitting those with more severe offences into field placements rather than the fear of reoffending (Brodersen et al., 2009). Vliek (2018) challenges the assumption that social work students, or employees, pose a greater risk to the people they support than those without criminal convictions. The author states that: "there is no documentation in the literature that the validity of this assumption has been checked. However, this is the assumption used by the social work educators to develop policies related to criminal backgrounds and access to the profession" (Vliek, 2018, p. 3).

According to Crisp and Gillingham (2008) there is a diverse array of job opportunities within the social work profession and field placement supervisors could be doing more to develop pathways into differing fields for those with criminal justice involvement. In an earlier study Smith (1999) found that, theoretically, many social work agencies were open to employing individuals with criminal justice involvement. Crisp and Gillingham (2008) draw on this study to suggest that agencies may be more open to taking criminal justice involved students than social work educators and field placement supervisors believe. However, given the Smith (1999) study is now 20-years-old, the situation may be quite different today. Those with criminal justice involvement could be well-placed to work with sex workers, help in reintegrating offenders or provide peer support to the alcohol and drug rehabilitation field (Crisp & Gillingham, 2008). One re-entry agency specifically looked for people who had criminal justice involvement because "basically they've changed, they've gotten a second chance". (Rose et al., 2017, p. 110). Refusing entry to social work education to those with criminal justice involvement could be doing a disservice to these organisations and the people they support (Crisp & Gillingham, 2008). The experiences of those with criminal justice involvement navigating social work education and field placements, often done at social work agencies, shows a side of the social work profession that differs

from the values and beliefs that it posits to uphold. The other implication derived from the literature is that field placement supervisors should be advocating for more doors to open into social work agencies for those with criminal convictions.

### **3.5 Exclusion, Racism and Discrimination**

According to Lavalette and Penketh (2014), the phrase ‘anti-racist social work’ has almost vanished from the social work vocabulary. The authors also note that discussion about structural racism and the impact on minority communities is scarce within the social work community. Therefore, within this research project, it is important to recognise and discuss structural racism within the Aotearoa New Zealand criminal justice system and the implications on tangata whenua. In order to examine the issue of discrimination and racism within the literature reviewed, it is important to begin by outlining relevant statistics pertaining to Aotearoa New Zealand’s criminal justice system and to the structural racism pervading that system. As of March 2020, the prisoner population was at 9,928. The vast majority (93.2%) were males with women making up the remaining numbers (6.8%) (Department of Corrections, 2020). Over half (52.8%) identified as Māori (Department of Corrections, 2020). Approximately two thirds (63.6%) were the under the age of 40 (Department of Corrections, 2020). In 2019, there were 211,773 charges finalised in court (for children, young people and adults) and over 50,000 of these people received a criminal conviction (Ministry of Justice, 2019). Of that total 78% were male, 47% were under 30 and 44% were Māori (Ministry of Justice, 2019). This shows a significant decrease from a decade ago when 122,965 people were convicted of criminal charges in 2010 (Ministry of Justice, 2019). These figures are noteworthy given the number of New Zealanders that are receiving criminal convictions and the weighting that social work educators, employers and regulatory bodies place on knowing the criminal histories of potential social workers. Statistics released by the Secretary for Justice in 2018 showed that for every person born in Aotearoa New Zealand in 1978, a quarter would receive a criminal conviction, including one in every three men. However, the outlook was worse for Māori or Pasifika men as one in every two would receive a criminal conviction. It is important to point out that although many of these convictions will be for minor crimes, they still have the potential to create insurmountable challenges in accessing education and employment opportunities.

In Aotearoa New Zealand ethnicity is a crucial factor in how an individual will be punished within the criminal justice system. This project does not have the scope to adequately address all the historic and contemporary factors that contribute to the structural racism of our current criminal justice system for Māori. However, there are a considerable number of empirical studies and grey literature that discuss structural racism and the failings of the current criminal justice system for Māori (Brittain, 2016;

Department of Corrections, 2007; Fergusson, Horwood & Lynskey, 1993a; Fergusson, Horwood & Lynskey, 1993b; Fergusson, Horwood & Swain-Campbell, 2003; Hook, 2009; Jackson, 1988; O'Malley, 1973; Tauri, 2005; Webb, 2009; Workman, 2011). To ensure a deeper understanding of this issue prior to data collection I read the material referenced here. This is a philosophical, social justice issue that strikes at the core of the social work profession in Aotearoa New Zealand. As a profession that strives to practice in a manner consistent with upholding Māori rights under Te Tiriti o Waitangi it seems that any policies and practices aimed at regulating entry to social work education and practice need to focus on opening up pathways to Māori, not on closing them.

Several authors spoke of the potential for racial discrimination to occur within the processes of restricting or refusing access to Schools of Social Work and employment due to criminal convictions. As Dottin (2018) points out in the comparable U.S. context, there is a risk that overly cautious university admissions could reduce the number of black males coming into the social work profession because they have higher rates of conviction than other groups in society. This could see the trend of a profession dominated by white woman increasing (Dottin, 2018). This concern is identified in earlier literature that considers the potential for minority applicants and already marginalised people to be disproportionately affected by policies and criminal record checks (Apaitia-Vague, et al., 2011; Zellmer & Knothe, 2011). Apaitia-Vague et al. (2011) highlight the high rates of Māori and Pacific Island men incarcerated in New Zealand. If social work education administration policies are overly restrictive in admitting people with criminal convictions they could disproportionately impact Māori and Pasifika people. In New Zealand, as well as Australia, it is well documented that indigenous people have a history of exclusion from higher education as well as higher rates of imprisonment (Crisp, 2006). Brodersen et al. (2009) found differences based on ethnicity in a study of 280 field agencies and their willingness to take a student with criminal convictions depending on crime type and mitigating factors that reduced the chances of committing further crime. In some cases, field agencies were more willing to accept Caucasian students with fewer positive mitigating factors than minority students that had more mitigating factors (Brodersen et al., 2009).

Most of the students and social workers with criminal justice involvement spoke about the discrimination and stigma they were subjected to during the application process or whilst on campus or during field placement (Halkovic & Greene, 2015; Madoc-Jones et al., 2007; Rose et al., 2017; Rosenthal et al., 2015, Vliek, 2018). Vliek (2018) drew on stigma and labelling theory literature to illustrate the disadvantages those with criminal convictions faced and asserted that this had specific implications for social work due to the profession's commitment to social and economic justice. All of

the participants in Vliek's (2018) study commented on the stigma associated with criminal justice involvement and how they had experienced stigma at different points in their educational journey. The main areas they experienced stigma were during the admissions process and while securing a field placement (Vliek, 2018). They encountered stigma as students, but not to the degree they thought they would (Vliek, 2018). The issues securing field placement and discrimination by educators were additional barriers for students with criminal justice involvement while studying social work, according to Madoc-Jones et al. (2007).

Several authors speak about how restricting access to the social work profession is discrimination and impacts socially excluded, at risk populations (Madoc-Jones et al., 2007; Vliek, 2018). This is particularly important given the mandate of the social work profession to uphold social justice and human rights, especially for those marginalised and oppressed. Vliek (2018) also highlights how the social work profession aims to reflect the demographics of the people it supports within the social work workforce. In order to achieve this the profession needs to be more proactive in training and recruiting those from marginalised communities which are more likely to include those with criminal convictions. The impact of rigid policies that exclude justice involved individuals from social work education can create two separate groups: "Offenders are people who social work students have as clients" (Pomeroy et al., 2004, 1999 cited by Crisp & Gillingham, 2008, p. 313). This creates an 'othering' with defined walls between social work students, prisons and criminal justice involved individuals. Prisons are places that are visited in order to work, assess or visit individuals but not somewhere social work students would reside (Alexander & Brown, 2000; Noble & Severson, 1995; Severson, 1999 cited by Crisp & Gillingham, 2008). This separation, or elitism, within the field of social work is concerning given the relational nature of social work practice. It appears that there is a divide within the social work profession about who they are happy and willing to support and who they are willing to educate and hire.

It has been shown that the social work education curriculum has failed to teach about the stigma and oppression felt by social work students with criminal justice involvement. Rose et al. (2017) interviewed human service field agency supervisors in order to analyse their views on admitting and supervising criminal justice involved individuals. They found that the students "may experience discrimination and exclusion within the very profession that should advocate on their behalf...". (Rose et al., 2017, p. 104). They further found that there was a lack of understanding of the trials these students face on their education journey. Rose et al. (2017) question whether educators are challenging discrimination or "participating in the persistence of exclusionary practices that limit the social, economic, and

professional opportunities of students who have felony records?” (Rose et al., 2017 p. 104). As Perry (2004) succinctly states:

Social work is diverse. Some agencies interest may be willing to accommodate offense histories that others would want to avoid ... For this reason, the application of the lowest common denominator offending profile could work against the human rights interests of some aspiring social workers and, more significantly, the users and agencies in need of their services (p. 1006).

Curran et al. (2019) also highlight the critical role that field placement supervisors hold in securing placements for those with criminal justice involvement. They propose that field supervisors need to be proactive in finding out what criminal conviction histories field agencies are willing to accept and also, “given the empirical literature on recidivism, some advocacy may be warranted” (Curran et al., 2019, p. 11).

The social work profession needs to be careful it is not being discriminatory towards marginalised populations and buying into moral panic by introducing overly punitive measures to police those with criminal convictions.

### **3.6 Dual Tension: Combatting Social Exclusion Versus Protecting Clients**

The literature suggests that Schools of Social Work are ‘gatekeepers’ to the profession and that the admission processes for those with criminal convictions is often done in an ad hoc manner. Crisp and Gillingham (2008) define a real tension in this gatekeeper role with social work educators wanting to be seen to promote social inclusion while at the same time policing admission to avoid perceived risk to vulnerable clients and the profession. This could be seen as narrowing the social work profession and it runs the risk of excluding valuable social workers with lived experience of the criminal justice system. Crisp (2006) questions whether the social work education sector is only concerned with teaching about social exclusion rather than challenging beliefs and practices in terms of who is worthy enough to be allowed to study social work and graduate with a social work degree. It seems that the number of criminal justice involved individuals wanting to work in the helping professions is on the rise (Rose, 2015; Rose et al., 2017). This comes with a number of challenges with some authors stating that the social work profession, and those in higher education, need to step up and create more placement opportunities for those with justice involvement (Rose et al., 2017). They stress that client protection and the expansion of placement opportunities for justice involved students “should not be competing goals” (Rose et al., 2017, p. 114). As Vliek (2018) states: “This is an ethical dilemma the profession needs to address: how do we promote self-determination and equal access within our profession while also acting as gatekeepers to the profession” (p. 9).

There is the potential for a criminal justice involved individual to be accepted into a social work education programme only to fail to secure a field placement, graduate or to be granted social work registration (Apaitia-Vague et al., 2011). This could be seen as unfair and unethical as an individual may invest much time and money only to be told further down the track that they are not deemed employable by the social work profession. In their study Haski-Leventhal et al. (2010) established that schools that ask about criminal justice involvement were primarily concerned with upholding social work values and professional responsibilities to the school, students and clients. However, in their more recent study Curran et al. (2019) discovered that social justice issues were not a significant factor in programme practices and policies. Rather, decisions were made with a focus on client care and abiding by state licensing conditions.

A study examining the experiences of two criminal justice involved students navigating university admission policies and practices outlined the discrimination both believed they had been subjected to (Madoc-Jones et al., 2007). These authors posit that those with criminal justice involvement need support and opportunity in order to rehabilitate and that access to training and employment are critical elements in this process. However, they also suggest a cautious balance, as vulnerable individuals' rights to safe care must be protected (Madoc-Jones et al., 2007). This struggle to uphold social justice while protecting the public is echoed by other writers (Cowburn & Nelson, 2008). It appears there are several strands to this ethical dilemma. Firstly, the role social work educators have in providing access to education for criminal justice involved students as a way to provide education opportunities for marginalised communities. Secondly, should the gatekeeping role of the profession be left in the hands of Schools of Social Work or, is leadership needed from international and national professional social work bodies in order to provide clarity on educating and hiring those with criminal convictions? And finally, the current lack of clear and consistent admission policies and field placement policies allows for much uncertainty and a tendency to apply overly conservative decision making when deciding whether to admit an individual with previous criminal justice involvement.

### **3.7 Strengths, Assets and Second Chances**

The journeys of those that have traversed the corridors and cells of the criminal justice system provide insights and strengths and assets that those without such experience will never have. Through lived experience, rehabilitation and change these individuals possess insights and qualities that could be put to good use within the social work profession. This potential seems an important part of the puzzle in terms of assessing a person's fitness to practice. Accordingly, this aspect needs to be considered in any

decision making around whether or not to admit a person with criminal convictions to a School of Social Work, or to employment within the social work profession. According to Vliek (2018) those that have been incarcerated bring “rare and unique gifts” to Schools of Social Work and to the helping professions (p. 9).

The professional “use of self” is acknowledged as a critical element within social work practice (Cooper, 2012). The “use of self” recognises that one’s personal self, including personal qualities, beliefs and life experiences are important assets alongside the knowledge and skills gained through social work education (Miller and Koerin, 1998; Ruch, 2005 cited in Haski-Leventhal et al., 2010). Halkovic and Green (2015) list the following gifts that students with criminal justice involvement bring to universities:

Deconstructing stigma/teaching the university; the desire to do more and give back; intimate knowledge of how systems work on the ground; and bridging relationships between the academy and underserved communities (p. 759).

The authors suggest that “students with incarceration experience enhance the academic and civic environment of universities” (Halkovic & Green, 2015, p. 759). In her study, Vliek (2018) found that MSW students were able to teach the faculty about the impacts of having a criminal background and being on campus. These students were resolute in their commitment to giving back to their communities. They were knowledgeable about the criminal justice system and the realities of being imprisoned and were able to share this in the classroom and on field placements. As Vliek (2018) highlights: “In many ways, returning citizen students are the bridge between higher education and underserved communities” (p. 85).

Several authors recognised that students with criminal convictions instinctually display caring traits and an ability to advocate for the people they support. Scott and Zeiger (2000) recognised that people “in recovery from past behavioural difficulties [can be] potentially more sensitised and influential when helping people in crisis” (p. 410). Social workers that have undergone their own personal struggles are often best placed to understand the people they support and can be viewed as change in action. These students recognised that their experiences would be an asset to agencies they are doing their field placement with “because it would increase their capacities for empathy, compassion, and capacity to advocate on behalf of clients (Rose et al., 2017). A variety of students expressed that their criminal justice involvement was an asset in practice: “I was able to use my history to kind of relate to and understand what some of the clients were going through” (Rose et al., 2017). This view was echoed by field placement agency staff even though the majority were unaware that the students they were



supervising had justice involvement. Their statements highlighted the strengths they believed these individuals brought to the profession:

[It] really helps them to understand where they [the clients] are coming from and how complex all the issues are around it. Before, during and after. And the impact on the family. Like all of it I think is really important (Rose et al., 2017, p. 111).

A staff member aptly summed up the unique skills of these students when they said: “having gone through that experience which I cannot even imagine” (Rose et al., 2017, p. 111). It could be said that those who have not experienced the criminal justice system are in deficit in some ways compared to those that have. You cannot teach lived experience, it is a priceless gift that, if utilised well by social workers with a criminal justice history, can bring healing and hope to the people they support.

Second chances and the desire to uphold social work values is another common thread within the literature. Authors are often insistent that the profession is not upholding its belief system within how Schools of Social Workers assess the suitability of a person with criminal convictions to study and practice social work. Haski-Leventhal et al. (2010) state: “Social work educators should give people a second chance, as social work educators should believe in people’s ability to recover and change.” Numerous authors writing about admission to Schools of Social Work point out that the fundamental belief in the ability of people to change is at the heart of social work and, in excluding those with criminal convictions, the profession is not living up to that belief (Apaitia-Vague et al., 2011; Crisp & Gillingham, 2008; Dottin, 2018; Rose et al., 2017). Crisp and Gillingham (2008) consider that excluding all those with criminal justice involvement from social work education “suggests that as a profession, we don’t really believe in the potential for rehabilitation” (p. 315). Apaitia-Vague et al. (2011) query that by omitting those with criminal justice involvement are we as educators “eliminating some of the most effective practitioners who are able to empathise and build relationships with our client groups?” (p. 57). Dottin (2018) says that in order to uphold the social work belief in people’s ability to change a case-by-case approach to admitting those with criminal justice involvement needs to be followed.

Several fundamental questions are contained within the literature about Schools of Social Work and their part in regulating admission for those with criminal justice involvement. Key questions remain that are beyond the scope of this study but are pertinent to set out here. Is it ethical, and in the best interests of prospective students, to be asking about criminal justice history at the start of the admission process? How are Schools of Social Work making decisions on admitting those with criminal justice involvement? Are there clear, evidence-based processes that Schools of Social Work are abiding by

during the admission process? Are field placement supervisors fostering relationships with agencies that would be more open to taking students with criminal justice involvement?

Another gap that is noticeably missing within the literature is; what are the experiences of social workers with criminal convictions as they navigate their career pathway within the social work profession. It is this gap that this research study aims to fill. The aim of this study was to identify the barriers that social workers with criminal convictions have experienced within their education and career. Another gap was hearing from practicing social workers about the strengths and assets that they brought to the social work profession due to their experiences within the criminal justice system. A final gap within the literature that this research aims to address is how social workers with criminal convictions viewed mandatory registration and their experiences gaining registration through the Social Work Registration Board. This is considered particularly relevant given that mandatory registration of social workers in Aotearoa New Zealand comes into effect on the 27<sup>th</sup> February 2021 (SWRB, 2020a).

## 4 Methods

This chapter begins by outlining the research question and study aims. It then progresses into outlining the methods used to answer the research question. I also explore my positioning as a researcher in the project and outline the limitations of the research.

My initial research interest was to learn about the experiences of social workers with criminal convictions in the social work career pathway. As I engaged with this topic, the research moved into exploring how these social workers understood the impact their criminal convictions had in creating barriers and opportunities within their careers. Since the study was focused on the participants' individual experiences and the meaning that they attributed to those experiences, the logical research methodology was qualitative. To gain an understanding of the individual meanings and themes arising across the data, an Interpretive Phenomenological Analysis (IPA) approach, located within an interpretivist paradigm, was employed.

### 4.1 Methodology

This study is qualitative in that it aims to shed light on meanings that are not quantifiable by numbers and measurement. The questions posed in this study look to investigate the 'what' and 'how' dimensions in order to understand individual's life experiences. In essence, the aim is to explore, describe and interpret how a phenomenon reveals itself and exists for those experiencing it (Tuffour, 2017). Philosophically this study falls under interpretivism due to the focus on a phenomenon; as viewed through the perspective of those directly involved and how they interpret and give meaning to those experiences (Grinnell & Unrau, 2014, p. 529). The interpretivist framework holds the ontological perspective that there is not just one reality, but many, and this reality is dependent on how it is experienced and viewed by individuals. In this sense reality is not something external. It is internal and known on a localised socially constructed level (Denzin & Lincoln, 2000). Knowledge, therefore, is not an ultimate statement of what is real. Rather, it is the best understanding we have right now (Laverty, 2003). The interpretive philosophical approach differs from positivism in that pure positivists believe that when using the right measurement tools researchers can discover outright, irrefutable truths about their hypothesis (Leedy et al., 2019, p. 8). Although both philosophical worldviews employ diligent and strategic research methods to delve into and interpret knowledge, interpretive designs focus on drawing rich data from a relatively small number of specific cases (Patton, 2015).

### **4.1.1 Interpretive Phenomenological Analysis**

IPA is an integrative hermeneutic phenomenology (Finlay, 2011) which favours interpretation over description. It was designed by Jonathan Smith (Smith, 1996) as a new experimental and observational approach for use in psychology. Since its inception, IPA has become known as a methodology that provides a rich and nuanced understanding of the experiences of research participants. It is being embraced as a research method by the humanities, health, education and management studies (Smith, 2017; Tuffour, 2017). The main theoretical underpinnings of IPA are phenomenology, hermeneutics and idiography (Smith et al., 2009).

The approach in this research is phenomenological, as it focuses on providing a detailed examination of a participant's experiences of how they interact and perceive or give meaning to a particular phenomenon (Smith & Osborn, 2003). There are two primary aims to IPA; firstly, to examine in detail how a person makes sense of a particular event or object, and secondly, to then give a thorough interpretation of the person's account (Smith et al., 2009).

It is in this sense that the IPA researcher engages in a 'double hermeneutic' process, that is "making sense of the participants' sense making" (Tuffour, 2017, p. 4). The researcher is central to the role of analysis and engages with the text by probing it for deeper meanings and bringing to the surface what is not being said directly (Finlay, 2011). It is important for the researcher to locate their own beliefs and preconceived ideas during the phases of research (Eatough & Smith, 2008). In this sense it is an evolving conversation between the researcher, the participant, and the interview text; one that continues to mine the interview text for meaning as it spirals into deeper and deeper levels of understanding. The ultimate aim is to illuminate the phenomenon as the participant has experienced it, and how the researcher has interpreted it, for the wider world. At its core IPA is idiographic, meaning that it undertakes a detailed analysis of the phenomenon in question and ensures that any generalisations are grounded in this disciplined process (Smith et al., 2009; Tuffour, 2017).

## **4.2 Purpose Statement**

The purpose of this interpretative phenomenological study is to understand how criminal convictions affect social workers within the social work career pathway. In this study, the experience of social workers with criminal convictions is the phenomenon under scrutiny. Eligible participants were defined as people who worked within a social services field, performed social work tasks (SWRB, 2020c) and had received a criminal conviction.

### 4.3 Research Question

The main research question is: What are the experiences of social workers with criminal convictions as they navigate their career pathway?

A number of sub-questions were also developed;

- 1) Have they experienced discrimination within the social work profession and, if so, what impact has that had on them?
- 2) What strengths and benefits have their experiences in the criminal justice system brought to the social work profession?
- 3) How have they experienced personal change and how do they view this concept within the social work profession?

### 4.4 Sampling

Smith and colleagues (2009) state: “There is no right answer to the question of the sample size” although they do suggest around three to six participants for a student project. One of the reasons Smith et al. (2009) recommend a smaller sample size is the time required to undertake a detailed analysis of each transcript. However, due to the quality of the participant responses I received and a personal commitment to conducting thorough in-depth analysis, 11 participants were selected for this study. Smith and colleagues (2009) indicate that working with a larger sample size is doable, but it requires more work on the part of the researcher. Smith et al. (2009) also give insights into undertaking analysis when there is a larger number of participants, as in this study. This involves focusing on the generic themes across participants’ accounts and writing “at the level of ‘most of the participants reported’ or ‘many of the participants’” (Smith et al., 2009, p. 114). This is a good way to start to get a sense of the overall narrative from across the data before drilling down into the more nuanced levels of meaning from individual participant accounts (Smith et al., 2009).

Purposive sampling was decided upon as IPA researchers generally attempt to locate reasonably similar participants for the sample as they can provide insights into a particular experience (Smith et al., 2009). Purposive sampling recognises the value in selecting a limited number of people representative of the phenomenon under study (Terre Blanche, 2006). This allows for rich and insightful manifestations of the phenomenon to emerge (Patton, 2015). The focus of this idiographic mode of inquiry is to gain understanding and perceptions from a specific group, in this case social workers with criminal convictions, rather than attempting to make more generalised claims (Smith & Osborn, 2003).

## 4.5 Recruitment and Participants

**Table 1: Participant Demographics**

<b>Pseudonym</b>	<b>Gender</b>	<b>Age Range</b>	<b>Ethnicity</b>	<b>Level &amp; date of education</b>	<b>Years as a social worker</b>	<b>SWRB registration</b>
Tania	Female	60-69	Pākehā	1999 BSW	19	Yes
Phillipa	Female	40-49	Pākehā	1997 BSW	20+	Yes
Darren	Male	40-49	Pākehā	2010 BSW	10	Yes
Sarah	Female	30-39	Pākehā	2014 BSW	5	Yes
Chad	Male	20-29	Pākehā	2017 BSW	6	In progress
Luke	Male	20-29	Japanese Pākehā	2017 BSW honours	18 months	No
Iosefa	Male	40-49	Samoan	2004 DipSW Currently doing masters	16	
Mike	Male	40-49	Māori	1990 studies Post grad & masters	25	No
Whānui	Male	50-59	Māori Irish	1990s addiction studies diploma	25	No
Shaun	Male	30-39	Pākehā	2014 BSW honours 2017 MSW	4 months	Yes
Aroha	Female	40-49	Māori	2010 Bachelor of applied social work	19	Yes

Participants who had one or more criminal convictions and were working, or had worked, in the social work profession were selected. I determined what constituted ‘social work’ for the purposes of this study with reference to the guidance given by the Social Work Registration Board (SWRB) in determining whether registered social workers needed to apply for Practising Certificates (SWRB, 2020c). The Board policy states that a Practising Certificate is required if you are:

Working directly with clients; involved with casework decisions at any level; managing and/or supervising other social workers; teaching social work practice or theory; developing policy that impacts upon frontline social workers; calling yourself a social worker or have a job title as a social worker (SWRB, 2020c, para. 4).

Not all those who actively practice social work will be labelled a 'social worker' and I took this into consideration when selecting participants. Further, those that were selected did not have to be registered with the SWRB as, at the time of recruitment, mandatory registration was not in effect.

The recruitment of practicing social workers was achieved by advertising through the SWRB website and via a generic email sent by ANZASW and the Drug and Alcohol Practitioners' Association Aotearoa New Zealand (DAPAANZ) to their members (Appendix 4). Snowball sampling was also used in the recruitment of potential participants. Building a level of trust with participants was critical to this project as those that chose to take part were asked to divulge all their criminal convictions. This was an important component in being able to analyse the findings in a robust and honest manner. Interviewees were given the choice of doing interviews face-to-face, over online video conferencing, or over the phone. In this way the level of personal interaction was defined by the participants, to a degree. Although the participants were asked to divulge all criminal convictions, they could choose how much information to disclose as to the circumstances prior to, during and after the conviction/s. The interviews were recorded and then transcribed verbatim.

#### **4.6 Data Collection**

The most common data collection method for IPA is in-depth semi-structured interviews (Smith, 2017). The interpretive approach to gaining knowledge favours words over numbers. This means that the only meaningful way to find out how our research participants experience life is to ask them (Grinnell & Unrau, 2014). Conducting semi-structured interviews for the participants in this study was the best way to get rich data about their experiences as social workers with criminal convictions (Appendix 3). Semi-structured interviews allowed the scope to define the overall interview topics and predetermined questions, but also gave leeway to ask additional questions when I wanted to explore an answer more fully (Berg & Lunn, 2012). Smith and Osborn (2003) highlight the importance of producing a set of questions prior to the interview to force the researcher to think about what they hope the interview will cover. A semi-structured interview strategy gave me the flexibility to probe participant answers when I needed to explore subject areas in greater depth. It also allowed me to open new areas of inquiry that were not contained in the original interview questions (Morris, 2015). For example, in the early stages of interviewing, several participants talked about their frustration that the Clean Slate Act 2004 did not apply when working as a social worker. This exchange prompted me to explore this issue further with other participants and added an extra dimension to the findings and discussion.

Participants gave consent for a recorded interview and were also offered the opportunity to do a follow up phone call if upon receiving their transcript they wished to add or clarify anything. The interviews lasted between 20 and 60 minutes and were transcribed verbatim with 9 of the 11 participants wanting to review their transcript. None of the participants requested a follow up phone call.

#### **4.7 Data Analysis**

Smith and colleagues (2009) outline six specific steps to undertake rigorous analysis. However, Smith et al. (2009) recommend researchers be “innovative” in how they conduct the analysis and, with this in mind, I added in an additional seventh step to my data analysis. I drew from Colaizzi’s (1978) descriptive phenomenological method which incorporates seven laborious steps. The seventh step within this analysis method was of particular interest. It involves validating the “description of the phenomenon under study” by returning the core meanings the researcher has drawn from the transcripts to the participants (Morrow et al., 2015, p. 643). I chose to modify this step due to using the Smith et al. (2009) six-step method as my main analysis tool.

In steps four and five of that process the focus is on locating major themes and sub-ordinate themes within an individual participant’s transcript. It was at this point that I added in a modified version of step seven from Colaizzi’s (1978) method and sent four participants the major themes and sub-ordinate themes I had located within their transcripts. The participants were split by gender and then two participants were selected randomly from each small grouping. One participant did not respond to the request for feedback so another participant of the same gender was selected and agreed to take part. Participants were asked to give feedback on whether the summary of themes identified within their transcripts was accurate and adequately represented the meaning of what they said in their interviews. This was done for two reasons; firstly to check that what I had drawn from their transcripts was true for them, and secondly, it was part of the checking process in order to validate my findings. All four of the participants responded positively to the themes identified within their transcripts. None asked for changes or sought clarification at this stage of the analysis. An overview of the steps taken within my analysis process is outlined below.

Step 1: Is about “immersing oneself in some of the original data” (Smith et al., 2009, p. 82) by reading and re-reading each transcript. In order to get immersed within the participant accounts I did the first reading of each transcript alongside listening to the participant audio recording. This allowed me to hear the nuances within the language, the pauses, the laughter so that I became more cognisant to the depth of meaning behind their words. At this initial stage I kept a journal to write down anything that came to



my mind while reading the text. I also kept a journal as a way of ‘bracketing’ out how my own personal experiences linked to participant accounts. Bracketing is a methodological tool that demands the researcher deliberately casts aside their own beliefs and experiences of the phenomenon throughout the research process (Carpenter, 2007).

Step 2: This was the most time-consuming step as it involved a line-by-line analysis of the data with comments made against significant bodies of text. Sometimes these involved pieces of text having multiple notes as differing elements within the text were considered important for differing reasons. I applied Smith and colleagues (2009) outline of what to look for within the text. This includes three separate elements: descriptive comments that focus on the content of what the participant has said, linguistic comments which explore the use of language, and the third elements is conceptual comments, which engage the researcher at a more interrogative level (Smith et al., 2009, p. 83). This worked as it allowed me to stay close to the participants’ accounts and to draw accurate meanings from their transcripts. It also gave me the opportunity to use my own interpretative lens, especially when creating meaning at the more conceptual level of commentary. At times Step 1 and Step 2 merged. I allowed this to happen as some of my initial thoughts were worth capturing in this analysis rather than just within my reflective journal.

Step 3: This involved looking at the notes I had created in order to find emergent themes. The emergent themes were closely linked to participant accounts but also included my interpretation. This process is one of description and interpretation of the main elements within the transcript (Smith et al., 2009).

Step 4: The next step involved grouping together the emergent themes into how I thought they best fitted together. At this stage some of the emergent themes were discarded as they were not relevant to the overall research question. This section enabled me to create a structure that allowed the most important and interesting elements within participant accounts to be highlighted (Smith et al., 2009).

Step 5: This step required me to move onto the next transcript and repeat Steps 1 to 4. It was important to ‘bracket’ out my learnings from the previous transcript in order to view the following transcript with fresh eyes and without preconceived ideas of what I might find. Of course, this is challenging and naturally I could see links between the different transcripts. When this happened, I made note of the connections that I could see emerging within my reflective journal and parked those thoughts as best I could. Through this process, new emergent themes arose from participant accounts that were unique

and showed differing perspectives and contradicting accounts within and between interviews (Smith et al., 2009).

Step 6: This step incorporated elements of Colaizzi's (1978) analysis. Four of the participants were selected and asked if they would be open to reviewing the major themes and subordinate themes compiled from their transcript. This was done in order for participants to check that my interpretation of their interview was a valid representation of their experiences. The feedback from participants indicated that my interpretation was closely aligned to the meaning that they gave to the phenomenon in question.

Step 7: This step aligns with Smith and colleagues (2009) final step in which the analyst looks for emerging patterns across cases. At this point I made use of NVivo 12, a qualitative software programme, which enabled me to more easily manage the large number of emergent themes and group them into higher order nodes (Edhlund & McDougall, 2019). It was during this stage that I created a number of parent nodes (representing the higher order concepts drawn from the emergent themes) and a series of child nodes (emergent themes) linked to relevant parent nodes. This was an inductive process that took considerable time and also continued to evolve during the writing up of the findings. It also became apparent that, due to having 11 participants, I had to select elements of individual transcripts that represented several participant accounts. In this process I also selected some unique elements from participant accounts because they held rich language or added a contrasting, or unique viewpoint, within a theme (Smith et al., 2009).

## **4.8 Ethics**

I applied for ethics approval through the University of Auckland Human Participants Ethics Committee (UAHPEC). I received ethics approval (reference 022943) on 29 May 2019 for a duration of three years (Appendix 1). The Participant Information Sheet (PIF) (Appendix 2) outlined important information for participants, including the aims of the study and how their contribution would be used. In selecting participants, it came to pass that some interviewees were known to me. However, I had planned for this eventuality and made sure I maintained ethical and professional boundaries. I did this by refraining from engaging in dialogue about the project except in the confines of the interview and subsequent communication post interview i.e. sending a copy of the transcript. I made sure that I anonymised participant contributions and used extracts carefully in order to limit the risk of identification. I did outline in the PIF that, while every attempt would be made to protect confidentiality, there was a small

chance that what was said may be recognisable to other people. Anonymity could not be guaranteed as a participant's background could be well known by others, like their co-workers or managers.

#### **4.9 Researcher Reflexivity**

Through my personal experiences of the social work education system and profession as a woman with criminal convictions I already had knowledge of some of the barriers to practice. As Patton states, the "researcher is the instrument of inquiry" (Patton, 2015 p. 3). In taking a critical lens to the phenomenon, I identified certain areas that would likely be of relevance to the participants namely; experiences within education, any discrimination they have faced during their social work career, strengths and assets they bring to the profession as a result of their lived experiences associated with their criminal convictions, and, if registered experiences in gaining registration with the social workers registration board.

My research topic came about due to an 'aha' moment I had while sitting at a drug testing facility in Auckland. I had just completed my final year of study in a Bachelor of Social Work Degree with Honours at the University of Auckland and was applying for a role within the University of Auckland. During the interview process I was told that my conviction and addiction history were of concern to some within the faculty. Rejection seemed likely, but one of the leaders of the project pushed the HR department to facilitate a way for me to be hired into the role. Cue drug testing. It was while sitting in that waiting room, with more than five years of sobriety and time since my addiction related convictions, that my research project was born. At the time I remember feeling frustrated and belittled that the institution, where I had been a top student for four years running, was calling my integrity into question.

I was curious to find out if my experiences within social work education, and subsequent employment, were similar to others in the profession. As Marshall and Rossman (2016) contend "there is no such thing as research conducted with no preconceptions" (p. 44). I had my own preconceptions due to my experiences as a social worker with lived experience of the criminal justice system. I could not fully separate my own experiences as a social worker with criminal convictions from the design of the research study. I had experienced my own barriers within my social work education and career pathway. The backdrop to this study was my own application to the SWRB to become registered as a social worker. I feared that I would face exclusion and that my years of study and hard work had been for nought. I am now registered, but that fear and unease never quite left me during this time. In the crafting of my research question and objectives I wanted to ensure that, in addition to looking at the experiences and barriers of those with criminal convictions, I honoured the lived experiences, strengths and assets that they brought to the profession. For me the criminal convictions I received were from two distinct

chapters in my life; one was through my experiences as a political activist, the other was due to my alcoholism and addiction.

These different chapters have provided me with rich experiences which I can draw on during my practice. I wanted to know whether this was true for others. However, I also had to be careful not to project my experiences onto the participants. As Kockelmans (2017) states: “it is impossible to tear oneself completely away from that tradition, to adopt a “neutral” and “objective” attitude, and, in this way, to achieve an “authentic” understanding” (p. 42). I ensured that my own background and experiences were not made known to the participants during the course of recruitment and interviewing. Of course, not all of the participants came into the interview space unaware of some elements of my background. Two of the interviewees knew me at different stages of my life and had some knowledge of my convictions. These interviews were conducted face-to-face and it was made clear from the outset that a formal interview process would be taking place.

It was important for me to mitigate overlaying my experiences with those I interviewed. I did this by involving my supervisor at different stages of the process. He gave input into key phases of the research, for instance, in the crafting of the semi-structured questions to ensure they were broad and did not zero in on preconceived views that I might hold. In the writing of the literature review my supervisor challenged me to ensure I included experiences that were outside of my own personal reality, for example, structural racism. In the data analysis and writing up of my findings, I was encouraged to explore the differing themes within the data as well as the similarities. This enabled me to incorporate differing views and meanings attached to experiences different than my own.

#### **4.10 Limitations and Validity**

As Tuffour (2017) outlines, IPA is “fundamentally a subjective research approach” and two different analysts working with the data could reach different interpretations (p. 5). Interpretive validity is critical and I used different tools to ensure that the sense making process was in the right order. As Smith and colleagues state “participant’s meaning-making is first-order, while the researcher’s sense-making is second-order” (p. 35). However, I still needed to make sure my biases did not unduly influence the analysis and that it moved beyond simple description. Although the deeper understandings of a phenomenon gained in IPA can be transferable, they are unlikely to be generalisable (Smith et al., 2009). A limitation within IPA is that the reliance on verbatim transcripts of participant interviews can mean missing out on subtleties conveyed through non-verbal communication (Duminda, 2020). In recognition

of this. I wrote down my thoughts and notes in my reflective journal after the interviews and re-listened to the recordings while reading through the transcripts.

Within my methodology I have highlighted the tools I used to ensure my interpretation of each participant account was accurate. I did this through the use of reflexive journaling, participant checking, engaging with my supervisor throughout and, finally, through utilising a 'critical friend' (Kember, 1997). The idea of the 'critical friend' was first used within action research by Stenhouse (1975 cited by Kember, 1997). The role of the 'critical friend' is to give advice to the researcher in a partnership type relationship, different to that of the more formal supervisorial role. My critical friend was particularly useful as I worked through the later stages of data analysis.

## 5 Findings

**Table 2. Thematic Summary**

Major Theme	Subordinate Themes	Key Words
Walked through that door	Phoenix from the flames	Get alongside people Support unconditionally The story of hope Turning point
Once a criminal always a criminal	Black mark for life	Hangs over you Facing unreasonable barriers
	Judge and jury	I was judged Not going to get a shot
	Internalised oppression	Pigeon holed I'm ashamed Blocked off myself
	The unsafe and safe space	I'm pretty open about it Possibly a disadvantage I don't want to disclose
Smoke and mirrors	Depends on who you ask	What is the current screening? Giving workers a chance Got rejected
Social work has change at its roots, doesn't it?	Remember the days of the old school yard	Social work is about change
	To be or not to be...registered	Past is still blocking me

### Introduction

Analysis of the 11 interview transcripts revealed four major themes with each including up to three subordinate themes (see table 2). All participant accounts spoke of how their experiences within the criminal justice system had impacted their life journeys in some way. First, the major theme 'I've Walked Through that Door' is about the participants' lives and their criminal justice experiences. It looks at how those experiences have impacted them personally and, in many instances, have benefitted their work. The subordinate theme, 'Like a Phoenix from the Flames', dovetails into this major theme

and explores the change processes the participants have gone through and the meanings that they attach to those changes. The second theme, 'Once a Criminal Always a Criminal', is about the discrimination and prejudice the participants have experienced within their career pathways. There are four strong subordinate themes within this category. First, 'Black Mark for Life' is about the frustration some participants had with the current system as their minor convictions are like a black mark that has stayed with them throughout their careers. Second, 'Judge and Jury' frames the participants' experiences of being judged by others, or witnessing other social care professionals judging the people that the service provider supports. Third, 'The Unsafe and Safe Spaces' highlights the circumstances where participants have felt safe sharing their criminal convictions. Fourth, 'Internalised Oppression' incorporates experiences of shame and stigma associated with their criminal convictions. The third major theme, 'Smoke and Mirrors', is about the lack of transparency and clarity from social work professional bodies and employers that the participants experienced while navigating their social work and education pathways. The subordinate theme, 'Depends on who you ask', is about how employers differ in their responses to hiring those with criminal convictions. The final major theme, 'Social Work has Change at its Roots, doesn't it?', incorporates the participants' views about social work and the concept of change within the profession. The first subordinate theme, 'Remember the Days of the Old School Yard?', encompasses participant experiences of accessing social work education and the importance of this to their future career opportunities. The final subordinate theme, 'To be or not to be...Registered', gathers together the participants' experiences with the SWRB and explores their views of mandatory registration.

## **5.1 I've Walked Through that Door**

The participants' accounts suggested that they had a deep understanding of the people they supported. In part, this understanding was linked with their personal experiences within the criminal justice system. Aroha said that because she had her own criminal conviction that "when I hear about people having convictions...when I hear their stories of how they happen and how it came to be. It's like I get it now". Aroha understood that nuances within the criminal justice system existed and was able to make space for a client's own interpretation of events that resulted in a criminal conviction. Aroha was able to avoid playing 'judge and jury' due to the complex experience of her own arrest and subsequent conviction. Aroha discovered that talking openly about her criminal convictions to the people she supported could give them "a bit of a shock when they find out, no we've actually been on the same path as you and I'm not you know as squeaky clean as I may appear to be". This realness within practice has been an asset to Aroha and has allowed more relational and trusting dynamics within her relationships with the people she supports.

Based on their experiences the participants recognised their own capacities for humanistic responses such as “being able to empathise”, “understand what they're going through” from “a position of not being judgmental” [Tania]. It seems that for some participants the capacity for patience and understanding was increased due to changes within their own lives. Tania reflected on how her criminal convictions had held her back and said she “will talk to my clients about my own experience of that”. Tania gave meaning to her life experiences in being able to “talk to them [clients] about, you know, the way forward”. She said the ability to take her past experiences and evoke a story of hope had “informed my practice...I think I am able to get alongside people a great deal more...so that they can affect change in a positive way”. She said “if somebody walks away with a positive experience of you and they’ve made some small changes in their life you know that's good for social workers in general”. Tania saw her ability to connect at a relational level with the people she supported as a benefit to the social work profession. Tania held a sense of pride in her work, that what she gave to the profession was the ability to spark change within the people she worked with due to her own change experience.

Several participants talked about their experiences in relation to the cycle of change. They recognised their own experience of change was a process that had taken time and they could see this within the people they supported. This deeper level of understanding did not remove their frustrations. However, it did allow them to hold hope that people can, and do change. This understanding of moving through a cycle of change was referenced by Sarah who spoke of the repetitive nature of her drink driving behaviour:

they [her drink driving] were all pretty messy and lots of other things were involved and the third one when I went to court and the lawyer said “You’re actually...going to go to prison if you don’t go to...rehab” so that was my first stint.

This cycle of change took time and entering a social support service provided her with an opportunity to witness an alternative pathway. Even though Sarah did not take up that pathway immediately it gave her “a taste of what could be.” Sarah said her understanding of the concept of change is “kind of central to social work” and recognised change “to be true for myself and I see it with people [I support]”. Sarah states:

I did the same thing again and again and again for many years before I made a change and you know, I know that frustrates the hell out of people (laughs) but you know that’s, that’s people’s process and so maybe I have better understanding about that for other people yeah.



Chad talked about his time working within a prison and how “some people weren’t ready to change and that was okay” and how he would give them support so that “when they were ready [to change] they knew who to come to”. This ability to make space for people in a non-judgmental manner could be attributed to his own challenging experiences within the criminal justice system. Chad felt that people needed to be given the opportunity to change “without any judgment or discrimination” and that while their actions “might not have been okay” they need to be given “support unconditionally” in order to find solutions that supported them to change. Although Chad did not divulge his criminal convictions to those he supported his encounters with the criminal justice system left him more open minded to others’ experiences and gave him an ability to connect more fully to the people he supports. This deeper connection was expressed by several participants and gave a sense of a subconscious connection that meant words were not always needed in order to relate to the people they supported.

Darren spoke of a traumatic event involving the police in the following account:

I was free to go and then asked the police for a ride home and they said no, I said okay I’ll walk, but then they decided they’d pepper spray me and put me back in the cells overnight because I wasn’t safe to walk so you know I mean that to me was disgusting and illegal but I didn’t want to be telling anyone that I’d been arrested.

Darren’s silence in the face of police brutality illustrates a sense of his powerlessness. “I didn’t feel that, you know, I was in a position to really kind of challenge that but now I have had some thoughts.” He said the feeling of “I haven’t learnt anything” had moved into a place where he now valued this experience and saw that he had actually “brought a lot in terms of advocacy and social justice” to his practice. Due to Darren’s own negative experience within police custody he was able to see that the systems social workers operate within were flawed:

[I] supported a woman go through a police process and make sure she’s been heard because she was just getting so dismissed at the front counter, about three times I think, yeah that has huge value in persevering in the systems that you know are not perfect, and you don’t know that sometimes unless you’ve been in them.

Through helping this person navigate their negative experience with the police Darren was now in a position of power where he could turn his negative experience into a valuable helping tool within practice. This ability to look beyond face value, or to see systems as fallible, makes him a powerful ally to the people he works with. Darren embodies ‘the story of hope’ due to overcoming his own personal struggles and, while he chooses not to disclose his criminal justice experiences, there was a strong sense within his interview that he understood the people he supported without it being verbalised.

Shaun talked about gaining a deeper understanding of “why convictions arise and how kind of random the whole thing is” due to “having exposure to the criminal justice system” through his longstanding involvement with political activism. Being in the criminal justice system gave Shaun a new perspective on the experiences of other people navigating that system. He understood that shades of grey existed within people’s experiences and that the criminal justice system operated in a very black and white manner. “It’s probably made me much more...kind of accepting of criminal convictions in terms of not seeing them as a yardstick to measure whether or not someone is a good or bad person”. Shaun also understood “just how kind of nightmarish and stressful and degrading the whole process is” due to spending a lot of time in police cells and in court through his political activism. He spoke of having “a great amount of empathy for people that are going through the criminal justice system which I would have had no idea of...if I hadn’t gone through it myself”. Shaun has had experiences similar to some of the people that he supports. Although he had not been incarcerated, he had spent enough time in cells and courtrooms to appreciate how tough those experiences actually were. This crossing of boundaries, of straddling the space between the profession and the people he worked with, gave him a more critical viewpoint of the profession.

Shaun also recognised that his experiences of “being a white male and confident and engaging in activism which is socially acceptable” meant his experiences of the criminal justice system were very different compared to the majority of people entering court. Other participants also spoke of having a different pathway due to being “white”. Phillipa said: “I think because I’m a white woman I had a different experience anyway...quite possibly from a lot of people”. Sarah spoke about how her experience of multiple arrests and alcoholism was different to that of a colleague in this account:

There was a woman who had pretty much had the same thing she’d been on her third DIC...you know similar pathway and then drank again and went to prison...which may well have been my pathway as well. But I also wonder with all this stuff with registration and the fact that like the justice system is skewed towards you know like maybe I didn’t go to prison cause I’m white. She’s brown maybe she got a harsher thing and how is that going to affect like social work and who can be a social worker...I do think that thing about like who gets convictions in this country.

These participants pondered what it meant to be a white person navigating the criminal justice system. This awareness left Shaun and Sarah questioning how the diversity of the profession might be impacted given the move to mandatory registration.

Chad also talked about his experiences in the criminal justice system and how he felt that a “social injustice...was carried out”. He spoke of the process being “very black and white in terms of the law”

and that the court “didn’t really take in a lot of context around what had happened”. Chad had entered the court room quietly confident he would leave without a criminal conviction. He believed the sentence was “quite harsh” and “quite unfair”. What he saw as an injustice is now used as a motivating factor in the care he gives to the youth he supports. “I really kind of...go over the top with the work I do with them because I really want to make sure that they’ve been advocated for and they’ve got the appropriate supports.” Chad wanted to be able to give me the context of his conviction and was very eager to do this early in the interview. His desire to narrate the context of the events around his conviction appeared to reflect his belief that hearing the context of other people’s stories was critical. “I think it’s very important to...take their situation and you know obviously hear the context of it and their life story of what’s led to that.” Many of the participants expressed feelings and opinions about how their criminal convictions were a burden while, at the same time, recognised the benefits those experiences had brought to their practice. This duality meant the participants gave different meanings to the same event within their personal narratives.

### **5.1.1 Like a Phoenix from the Flames**

All the participants spoke about different parts of their lives that had been touched, or impacted, by their criminal convictions. For some, a criminal conviction was a result of bad decision making. For others a criminal conviction was part of a particularly challenging and traumatic period in their lives. Two participants made decisions to undertake illegal activities during political protest actions that resulted in criminal convictions. Both indicated that they would be involved in illegal protest actions again if they believed in the cause strongly enough. Many participants spoke of catalysts within their lives that provided pivot points in order to shift direction and make change. However, a criminal conviction was often just one part of the story. The meanings that the participants ascribed to their life events usually differed. One element that held meaning for several participants was the moment that led to significant change. Following his second alcohol related criminal conviction Luke said he “literally had a turning point” and that the change he made was “hard to measure”. Luke talked about having a massive personality shift that was “like night and day” and he was “no longer that person anymore”. He recalled the “wake up” call he went through when locked up for six hours in a prison cell:

Just being in that woke me up to being like I’m 18 I’m at a crossroads I literally...can achieve something different if I do something different you know...not being in that environment you know I just took myself completely away...I ain’t about that life anymore and then that led onto me doing humanitarian work and I just replaced that the money and the energy that I was doing with drinking and all that stuff to just humanitarian work which eventually led to social work.

This consequential thinking meant Luke followed a humanitarian pathway that ultimately led him to the social work profession.

Mike had over 20 years of experience as a youth worker and had taken on leadership roles at a national level when he received a criminal conviction for driving under the influence of alcohol. His journey of personal change was different to most other participants in that they had received their convictions prior to their social work career pathway. However, there were also pivot points within Mike's account:

I tried to go back to my current employer but they wouldn't have it...Ministry of Justice funding required that...you had a clear slate and you had no criminal conviction and at the time I'd already become quite a national facilitator for programmes for our youth justice kids....So when it, when I got that told to me...it was quite hard and then the same timing as well I think it might have been a bit of depression and then I went into my own health, health scare.

Mike spoke of three critical points that had a profound impact on him. The first was the loss of his job which had given him national acclaim, the second was depression, and the third was health related. These three catalysts appeared to bring Mike to a place of deep psychological reflection about who he was and where he was heading. In his account he talked about his journey back into studies and the impact of starting over again. Mike spoke of not "really knowing if it's worthwhile" going back into study and said he was "personally and psychologically" impacted by the feeling of "someone always watching you" after his criminal conviction. Mike said he had gone from "quite a renowned national level...to becoming nothing". The pain and shame that Mike went through due to "an utter mistake....was sad because other people that didn't realise why I had fallen out of the industry". The sense of Mike being under increased scrutiny and being judged by his former peers was a consistent thread that ran through his interview. Mike's story spoke about a fall from grace and one that occurred in quite a public manner. Mike "met" his "little tunnel of darkness" at a time in his life where he was able to get himself "focused and under control". This period of depression was a catalyst for recommitting to the field of practice through study and meant he was "more passionate and adamant" to complete his studies. Mike saw himself as being "on a better pathway" with "a better purpose" in his new career working with families. He saw himself as being on the frontline of making real change in a long term capacity. There was a strong sense that this had been a humbling experience and "it was something that I won't forget but it's something that I'm glad I've never judged others and just done the work". The stories shared by the participants about their criminal convictions and where they are now speak of resilience. There is a unifying theme of growing as a person through challenging times with those experiences being pivotal to making change.

## 5.2 Once a Criminal Always a Criminal

The majority of the participants spoke of the discrimination and prejudice they had faced on their journey into social work. This may have occurred during their education, the hiring process, or once employed in the field. Phillipa was one of only three participants who had not experienced discrimination during her career pathway. A New Zealander working as a social worker in the U.K., Phillipa received a criminal conviction during a holiday back home in New Zealand. Once she had completed her three-month periodic detention she flew back to London to continue her international social work career. Phillipa believed she had not received any discrimination within the U.K. profession due to her criminal conviction as she was already an established social worker and the conviction had happened on the other side of the world. Phillipa remembered “being in a massive panic ‘cause I thought I wasn't going to be able to carry on being a social worker”. She also “felt that...it would have been harder for me to get a job in New Zealand immediately after being convicted or within, within a couple of years of being convicted I think it would have been hard”.

The level of prejudice and discrimination differed for the remaining participants. Several excerpts have been pulled out to illustrate core themes identified within the participants’ stories. The first illustrates the major theme ‘Once a Criminal always a Criminal’, and highlights the differing levels of judgement that exist within the field. Whānui has nearly 30 years’ experience in the social work field. He has historic criminal convictions received prior to his social work career, with some resulting in prison. Whānui described where discrimination in his career came from in this account:

Mainly through the attitudes of other people, certain peoples sitting in certain places with power. That because of their power they can tick the ‘no’ box. I think that’s what happened to me with this job here because it took so long to...to get clearance.

Whānui had moved between cities in anticipation of beginning his employment as a social worker within a prison-based drug programme. Two days prior to his appointment he was told that his hiring had been held up and that his appointment needed to get further clearance. He said that the agencies involved “didn’t know what the hold-up was” but he later found out “that there were some people not happy” with him being hired. This delay meant Whānui was stuck, unable to access an unemployment benefit as he had not been given another start date. He experienced poverty while waiting for the delays to be ironed out. Whānui voiced his incredulity about the delay, especially given that his criminal convictions were “nearly 40-years old and I’ve worked for CYFs [Child, Youth and Family – now Oranga Tamariki] and I’ve worked overseas and I’ve worked within the prison service before”. This

delay was particularly frustrating as Whānui had been given a start date that was then pushed out seemingly due to “someone, sitting somewhere that’s just pushing it to the side”.

For Whānui being stuck in a position of uncertainty was frustrating, particularly as he had worked within the prison system before. Whānui recalled his time working at a prison in 2007 and said “a lot of the custodial staff were resentful towards me being there because I had been an inmate”. More than 20 years since his last criminal conviction, Whānui returned to that prison to help establish a drug and alcohol programme. He remembered how he would “get searched when the others would just get let through and I would always get singled out. Then there’d be questions about my qualifications I would be accidentally locked in cells and things like that.” Whānui only lasted six months because “they didn’t want me there” and although he did not give further specifics around his departure it appears that the bullying culture he walked into was not tolerable for long. Whānui talked about the racism he encountered and how it impacted his practice in the following account:

I have learnt to make sure I don’t make mistakes and if I do I take ownership of them. And why I do that is because when I first entered the field I got told that I shouldn’t because there are very few males and even less Māori males and so therefore I wouldn’t have a support network right? And I need a support network for the, for the field that I’m entering...and being Māori and...being aware of racism out there and attitudes...well I was always aware, that people were waiting for me to make a mistake. So I made sure that my assessments were the best there were, you know that my treatment plans were the best, like I still do that to this day.

This story of discrimination and prejudice was not unique. Iosefa was already working as a clinician when he was shoulder tapped for another role. However, “the manager at the time...she had returned and she had a meeting with me and she says “aww we’re not going to employ you””. He said the “rationale of me not getting the job...just stunk of her not knowing...what the processes are”. Iosefa has worked for many years in the mental health and addiction profession and has obtained a high level of expertise, knowledge and credibility within his field. His frustration and annoyance in this situation was apparent as he spoke of the manager “punishing a person for something that he’s already been punished for”. The word that Iosefa kept returning to throughout his interview was “conversation” and the need for conversations to take place in order to make credible decisions. There was a sense of futility about this incident. However, from his interview it appears as if Iosefa has learnt to play the long-game, exercising patience, discipline and perseverance. He ended up in the role once the manager, who originally declined him, moved on.

One interesting dichotomy within Whānui and Iosefa's stories is that, although they experienced discrimination due to their backgrounds, they were also asked to contribute to the social work profession due to those very same backgrounds. For example, Whānui acknowledged "there are very few in my position" and this uniqueness has meant he had been asked to "start influencing...the national strategic plan for the prisons nationwide". Whānui thought he had "been lucky enough" to be given that opportunity, perhaps not recognising the sector that had been discriminatory was also profiting off the back of the very circumstances they were discriminating against. Iosefa's insider-view of the criminal world was also used to get "some knowledge" for the sector he worked within. He "facilitated workshops with people that I knew from the past who were active criminals...I facilitated because of the need around getting some knowledge". Collecting his insider knowledge was at odds with the reception he received during an inter-sectoral meeting demonstrating collaboration between agencies:

I mean there was a case where I had to do a presentation and umm and it was fine cos I was sat at a table, sat next to these people and then I was the first speaker, or I was the second speaker and then when I had, when I spoke and I said my background I came back to sit down and people moved away from me.

When later asked about his feelings Iosefa said that "by that time I had a few of these experiences". He described feeling "low" but that he had been able to "snap out of it" due to the support he "continued to receive". The participants shared the belief that those in power saw them as criminals long after they had served their time.

The idea of being unfairly judged, long after a criminal conviction or prison sentence had ended, was a strong theme shared by many of the participants including those with lesser charges that had not resulted in prison time. Darren spoke of how he missed out on a secondment in another part of the hospital where he worked and that he strongly suspected it was because his "criminal conviction thing came up". This frustration was due partly to the current system where applicants have to fill in a standardised form which he thinks is "a barrier when it comes to screening and looking at suitable people". He says he has been in the hiring position and can understand that if someone ticks the 'I have a criminal conviction' box the person recruiting would be more likely to push their application to one side. He lamented the fact that he did not "just send an email" and he said there was a lack of opportunity to talk to those recruiting to "try and give them...context of what you know was going on". This experience within his workplace has stuck with him and he now grapples with the idea of moving on within the field, especially given the standardised forms he would need to fill in:

I think on the piece of paper...it is what it is but it's hard and it's actually put me off applying for positions, and I've had a chat to my manager about how I get around that and...it's very hard

for someone to understand if, if you don't actually have that and it does feel like a negative, well it is a negative.

He viewed the process within his current workplace as a significant barrier and saw this as unfairly penalising those with criminal convictions.

### **5.2.1 Black Mark for Life**

The subordinate theme 'Black Mark for Life' was referenced by many participants. They had a sense that the systems in place did not allow for minor convictions to be wiped, which meant a black mark remained with them throughout life. Eight participants had elements within their interviews that linked strongly to this theme. Several participants spoke directly about the Clean Slate Act 2004 and how they would only apply for positions where they are covered by that legislation. Others spoke about the Children's Act 2014 and how their criminal convictions were minor enough not to be of concern under that legislation. There was a common thread running throughout; the idea that the black mark of a conviction lasted forever, and, that there was a lot of uncertainty and a lack of clarity around the various legislation and how they were applied.

Chad said the Clean Slate Act 2004 "kind of give[s] you a false sense of hope." He thought the Clean Slate Act 2004 was "absolutely useless" and was "a crock of shit". However, he also expressed an understanding of why the "social work field needs to know about criminal convictions" but that there were "ways they can improve it". Chad admitted that would be challenging but acknowledged that he would "love for my one [criminal conviction] to just disappear and be gone". For Chad the frustration with a "black and white" system was about the lack of context being considered. He viewed his conviction as at the "very, very low end of the spectrum" and he admitted to feelings of frustration with the current system. He saw that the legislation held merit but felt he was being unduly punished in the way it was applied.

Shaun directs his frustration with the current system at the SWRB and how it currently screened those with criminal convictions:

My experience of that [registration] was very much the assumption that I had something to prove and had to prove to a much higher level than anyone else in terms of, that I was deserving of social work registration because of my conviction. I viewed it as a pretty serious black mark that was held against me and I believe I was subject to greater scrutiny because of it.



Shaun understood his application was viewed with more scrutiny as he had stated that he would continue his political activism which could include breaking the law. He felt that during the registration process criminal convictions were “disproportionately weighted compared to other forms of unethical behaviour” and “that a conviction is viewed as a very serious black mark that hangs over you pretty much forever”. Shaun talked about the Clean Slate Act 2004, but his frustration was with the SWRB and its policies that made “the purpose of the Clean Slate Act redundant.” Shaun outlined how the Clean Slate Act 2004 “was supposed to prevent people from facing unreasonable barriers for the rest of their life based on a minor conviction” and yet “the SWRB said no...we want to be the judges of that rather than your conduct...be covered by the clean slate act”. These feelings of the system being unjust were echoed by many of the participants. While they understood the need to check on criminal convictions there was concern about the checking process and the lack of clarity and certainty within that process.

### **5.2.2 Judge and Jury**

Many participants spoke of being judged by others, or of witnessing other healthcare professionals judging the people that were using that social service. Philippa believed she received a harsher sentence due to a judgement based on her role as a social worker as outlined in this account:

The judge said he was sentencing me to three months periodic detention, I thought I was just going to get a fine so I was quite upset about the sentence, but he was sentencing me to three months periodic detention because I hadn't shown any remorse for taking drugs in the first place and I should of because I'm a social worker. So he was quite judgey about me being a social worker and taking drugs.

This disapproval of her conduct, and the subsequent sentence, did not make Phillipa change her lifestyle. The observation of the judgment levelled at her speaks to an idea that social workers need to be ‘squeaky clean’ in order to be ‘worthy’. Phillipa’s experience brings Shaun’s views about ethical behaviour to life. Is Phillipa’s behaviour less ethical than someone who uses recreational drugs but who does not get caught?

Darren talked about a lack of respect and support from management when he disclosed his criminal convictions:

I got a page from my manager at the time asking me to come and see him and his first comment to me was, it was a bit cheeky, it was like you know “you’ve been naughtier than I thought” and I was just so embarrassed I was like what do you mean? You know and I am, it’s become a bit

of a joke...and then it was almost sort of like oh well it could have happened to any of us, so a bit dismissive I think of, kind of the, the impact and embarrassment that this is causing for me.

This experience was repeated by his current manager following checks due to the implementation of the Children's Act 2014. His criminal convictions and the experiences at that time appear to have left an enduring mark. His experiences were invalidated when the manager minimised or joked about them. The manager's flippant comments and light hearted jibes could be seen as insincere given the disparaging remarks that Darren recalled within his interview. Phillipa also experienced a manager joking about her criminal conviction: "when I got back to London and disclosed that I had a conviction no one seemed particularly worried about it to be honest. I remember in one, one job interview the manager saying as long as you don't sell drugs to the clients we'll be ok". While Phillipa did not indicate that this impacted her in the same way as Darren described, their accounts show that managers are making assumptions about the personal impact of an individual's criminal convictions.

For others, there was a sense of hopelessness and shame in how they were treated while applying for social work positions. Chad spoke about two interviews that "went really well and I felt like I was in with a shot" and how the interviewers "were very on board they were having me like take the position". Then when he declared that he had a conviction "it changed the dynamic of the interview it changed their expression I just felt like they, they thought it was too hard basket and the risk was too much". These experiences left Chad feeling "like I wasn't really going to get a shot and...I wasn't going to be able to practise in this profession". Chad used the word "opportunity" frequently within his interview. "I feel like I've been given the opportunity here...I'm moving on with my life." For Chad it seemed that entering the field of social work ran deeper than just getting a job. He spoke of "moving on with my life" that this opportunity gave him a feeling of escape from the bonds of his criminal conviction. After spending three years in what he called his "first opportunity" he said it "felt like that was really my ticket...into you know getting, getting other jobs". This statement, again, gives a sense of expansion, of getting a "ticket" and being able to move on with his life. It seems his criminal conviction held him back in many ways and the freedom this job gave him was all the more significant than just securing a job. The idea of having 'more skin in the game' due to personal experiences was a sentiment expressed by other participants. The ability to 'reach back' and help others that were experiencing challenges gave them a sense of redemption. They saw a social work career path as part of that redemption process.

Darren said he was selective about who he disclosed his criminal conviction history to: "one of my colleagues knows and she was really surprised...I haven't shared this very far I've only shared it as far as I've needed to". The topic of "stories" is embedded throughout Darren's interview; the value in his

personal story, the importance of listening to the stories of the people he supports to understand context and to build relationships, and the need to treat other's stories with care. He spoke of supporting a woman and how "listening to her story was a privilege" while others within his workplace had discounted her due to her drinking. Darren said: "I found it very difficult listening to how dismissed she was by the doctors involved in her care. They did not take the time to understand her situation which was enlightening to me as a new social work practitioner at the time." Sarah also spoke about "people's attitudes" and how "you hear a lot of people like you know drinking, drugging like people's attitudes towards that which are pretty poor at times especially given like supposedly holding hope about change". Several participants spoke of being discriminated against due to their own addiction or alcohol issues, or witnessing their colleagues stigmatising the people within their services who had similar issues. This made these participants very cautious about disclosing any part of their histories whether that related to their struggles with addiction or their criminal justice involvement.

Other participants spoke about being judged due to their criminal convictions. Luke said: "I was judged...based on what this conviction said about me rather than who I am now". He also said "if you knew where my heart was at...if you knew who I was now you'd see what a turning point that was". This feeling of not being seen was challenging for Luke. He wanted to be known for who he was now, not who he was years ago. For Luke this could well have felt like injustice or at the very least left him with a sense of not being heard. It leads to uncertainty about whether the changes he has made are genuine and long lasting. Whānui said the justice department still "view us like the ones behind the cells" and that it had extreme "cynicism" about the ability to change and then work within the prison system. Whānui viewed himself as the ideal person to work within this sector because of his lived experience and his experience within other social services.

### **5.2.3 Internalised Oppression**

Internalised oppression incorporates the shame and stigma the participants have experienced due to their criminal convictions. It appears that this internalised oppression keeps them stuck. They stay in spaces they may have outgrown without attempting to cross boundaries that could allow their careers to develop. Several participants talked about how their internalised mental barriers have held them back. Darren was open about the shame that held him back as shown in this account:

I...personally feel that...I'm ashamed of and I feel there is going to be a huge impact even applying for work in government departments I don't know if I would...now be considered there, I'm just, I don't know and to be honest I don't really wanna, it's just embarrassing.

Thoughts of ‘what could be’ radiate from this statement. There is a sense of not knowing but also not being willing to try.

“Worthy” was a word that came up several times within Chad’s interview. He spoke about being “given that opportunity, you know to, to prove myself worthy”. There was a sense that, due to his criminal conviction, Chad had feelings of ‘unworthiness’ and that he needed external validation within his chosen field of practice to become “worthy”. “I don’t feel like that staff at all at the university were judgmental or...you know kind of disregarding me as such as not being worthy.” For Chad, needing to prove his worth within the social work field has induced anxiety:

I still kind of get quite nervous and quite anxious about declaring that and how I’m going to you know portray...what I’ve done, what I’ve learnt. I just kind of get quite nervous that they’re going to take it the wrong way and...feel like I’m too confident maybe getting cocky.

It appears, for Chad, that there is a fine line between believing in himself and coming across as “cocky” while outlining his criminal conviction and the context surrounding it.

Darren also struggled with the internal battle between recognising the strengths and assets he had developed. “I certainly know my experience is invaluable” but he also “really regret[s] the fact I’ve got convictions”. This internalised dilemma has impacted Darren and he said he had “blocked off myself” from “future opportunities”. He also sounded frustrated and stuck as he did not “know how to overcome this...mental barrier of mine in relation to my convictions impacting me applying for other jobs”. Darren felt “pigeon holed” and spoke of needing to meet people in the hope that “they’ll just, you know, understand once they know me”. There was a sense that Darren also struggled to feel worthy and that even though he had a decade of social work experience he still felt trapped within confines partially of his own making.

Tania had regrets that her convictions had “kind of stopped me from doing a lot of things that otherwise I may have done”. The criminal convictions have held her back and she felt she “wasn't good enough” due to her past and that she “didn't want other people to know about [her criminal convictions] because of the way that they may see me”. This fear of being judged by others initially meant Tania wasn't “confident to chase jobs” and today she was still worried about “pursuing steps up the ladder to...more senior roles”. Tania has narrowed her career choices by applying for jobs covered by the Clean Slate Act 2004. She spoke of seeing jobs and thinking that she would need to “disclose my convictions on that” so ruled them out. This experience of choosing to avoid certain career pathways or jobs due to internal fears was echoed by Shaun in this account:

I probably limited them myself to a greater extent than possibly they would have been limited and that I kind of possibly viewed them as a greater barrier than they might necessarily have been. But a large part of my decision to stay involved in that academic world has been because I think it's much more accepting of that kind of thing.

Shaun spoke at length about his views on SWRB registration. He said a lack of clarity about registering social workers with criminal convictions “creates a culture of conservatism because you don't know where the lines are, where the boundaries are, so in order to avoid crossing them you engage in more and more conservative behaviour”. It appears that the fear of being vulnerable, along with the risk of rejection, is blocking the careers of some participants. This culture of conservatism is apparent in other participant interviews i.e. when uncertain of where the barriers are, they make more conservative decisions.

#### **5.2.4 The Unsafe and Safe Spaces**

One of the threads that runs through many participant interviews related to the circumstances where they felt that it was safe and appropriate to share their criminal convictions. Within this section I have selected participant accounts that illustrate that, often, the safe space to share is not within the professional bounds. Some said they limited disclosure to a few close friends and family members. Some appeared to be very open about their criminal convictions and did not censor who received that information, while others were more comfortable talking to the people they supported rather than to their colleagues or managers. Those that shared their conviction experiences with clients did so with that person front of mind. The sharing was not about them, rather it was about imparting pertinent information in order to bring hope, or practical knowledge to support that person in their change process. Aroha said she talked about her criminal conviction “simply because I’m an open book so I will, you know, openly say I’ve got a conviction. But I was often told...“don’t say anything” and I was like but why?” Aroha was told by her manager not to talk to other staff or other social workers about her criminal convictions because “she felt uncomfortable that I had a conviction...but did I keep quiet? No, I was pretty open about it”. Aroha pushed back against her manager’s discomfort by continuing to be open about her criminal conviction in the workplace. For Aroha her ‘safe sharing space’ was with the people she supported and that “we often get them to share their story with us and I think that it’s only fair that I share mine back”. Through this sharing of stories Aroha felt that the people she supported were “more open” which improved the relationship. However, Aroha recognised the tension within social work about sharing personal stories “some people think that’s a bit unprofessional to do” however, as a Māori woman “when I’m working alongside my own people that’s how I maahi you know”. Aroha saw her

storytelling as a way of shifting the balance of power. She humanises herself to the people she supports which allows them to feel more comfortable in sharing their stories.

Tania chooses not to divulge her criminal convictions to her workmates as “it's not something I want to disclose to them.” However, when “working with my clients” she outlined how her pathway could also be useful for them:

[I] reflect on my own experiences of having criminal convictions and how it's held me back...I will talk to my clients about my own experience of that and talk to them about you know the way forward...in a way it's informed my practice. It's given me life experience, it's given me the ability to empathise with some people.

Sarah on the other hand “discussed a little bit with colleagues” in her NGO position as there were “a few...people...in the same boat”. However, when she moved into a different sector “apart from having to disclose it when I was employed I've never discussed it with anyone”. Sarah spoke about how she felt there would not be “any advantage and there's possibly quite a disadvantage” in being open about her experiences. This unsafe feeling could be a result of seeing her colleagues judge the people that they were supporting. Sarah felt that “there would be judgment” if she disclosed within her new position.

### **5.3 Smoke and Mirrors**

The participants said there had been a lack of transparency and clarity from social work professional bodies and employers as they had navigated their social work education and career pathways. Most participants spoke with some uncertainty about the Clean Slate Act 2004 or Children's Act 2014, and the SWRB registration process. The majority of the participants saw value in having a registration body, although two participants were quite concerned about the registration process and how it could exclude certain groups of people. Several other participants expressed their concern about the registration process and how it had impacted them. When Shaun began the process of registration he looked on the SWRB website for “guidance around criminal convictions in terms of what was and wasn't acceptable”. When he could not find anything on the website “about how decisions were going to be made” Shaun got in touch with the SWRB and outlined his “conviction for civil disobedience” and the fact he was “still engaged in it” and asked for any “guidance on how the board would look at it”. The only “guidance” he was given was that they “would look at it with like from a social work perspective” which left Shaun wondering “what the fuck does that mean?” Shaun expressed dismay that he was unable to get a direct answer from the SWRB and, instead, had to enter into a process that lacked clarity. Shaun described a process of action which was unique among the participants. This capacity to openly confront

and question the SWRB could be attributed to his history of involvement as a political activist. For Shaun, the confidence and ability to speak out is an important quality and shows an understanding of the criminal justice system and the SWRB that is not common to the other participants. However, others shared his concerns about a lack of transparency and displayed an undercurrent of fear and anxiety when applying for jobs, or for registration.

Phillipa, when asked what she thought of the current screening of social workers with criminal convictions, replied: “what is the current screening? All I know is that I had to write to the Social Work Registration Board and then nothing else happened”. This sense of not knowing left some participants feeling anxious and concerned. Aroha was also unsure about how the SWRB assessed her criminal convictions and said they “weighed it up against whatever it was that they were looking at”. Some participants have held off applying for registration due to their criminal convictions as highlighted in Chad’s account:

I think I’ve kind of like put it off, because of that aspect, I feel like I would’ve applied for it a lot sooner...still to this day kind of still makes you a little bit more anxious and nervous about it all. So I’ve kinda just put it on the back burner I haven’t really like been in a hurry to get, to get registered because of that.

The sentiment of putting it on the “back burner” conveys the idea that registration was on his mind but he had avoided it due to his anxiety and nervousness about being rejected.

Another one of Shaun’s “deep concerns” was about the lack of “guidelines as to whether or not” people with criminal convictions would get registration before they began their social work studies. As he saw it “the person who has a criminal conviction has to weigh up...whether or not they’re going to spend all that time, effort, money, years only to find out whether or not they can become a registered social worker at the very end of it”. Shaun’s concerns about this system were also shared by Sarah:

When I started my degree and you know they said “you know registration will be coming”, and I started my degree in like 2009 and that you know they can’t tell you at the beginning that you are going to spend all that money and at the end potentially you won’t get registration.

Shaun described this concern from an outsider’s perspective, whereas Sarah described how she had personally experienced that fear. Sarah also spoke about her concerns for those entering study in the present day:

I think for people coming in now if you’ve got to have it, you finish your degree you’ve got to have it and if you’ve got anything like kind of funny just there you can’t kind of make that stretch of time either.

Sarah viewed the professional pathway with concern. She saw the possibility that the social work profession would begin to reject people with criminal convictions. Sarah's social work education, work and social work registration happened over an extended period of time. Due to this Sarah saw how the time factor worked in her favour. When Sarah graduated social work registration was not mandatory so she was able to secure a job without it. This enabled her to gather some experience and put a considerable amount of time between her and her last criminal conviction. She believed this helped her gain registration relatively painlessly. Sarah now worries that since registration is about to become mandatory others with criminal convictions wanting to study social work will not have the luxury of being able to get a decent amount of time between their criminal convictions and the need to get registered. This could prove a deterrent for those with criminal justice involvement pursuing a social work career.

Whānui waited three months for an additional level of clearance in a job he had already been hired for. When asked about the communication he received during this three-month delay Whānui spoke of having a "friend working in the prison that was communicating to me actually what was happening, which was they didn't really know". His original appointment date was moved by three months and he said "the only communication I was receiving was that just hang in there, no one's really sure what's happening". His frustration is understandable given the lack of communication over this time, and he said "I felt like walking away". Whānui experienced multiple stressors due to the delay in his start date. He was angered by the injustice of the delay in his appointment. Whānui held a lot of mana within the addiction community and from the communities he lived and worked within. He said he felt stuck and had to rely on patchy information and the kindness of community members to support him while he waited for the roadblock to be moved.

Aroha's transition from placement into a contract was complicated. It appears this was due to a lack of transparency by her placement supervisor when communicating with Child, Youth and Family (CYF) management. Aroha says she "made the full disclosure" about her conviction but the field agency supervisor "hadn't told management, she held back for whatever reason". The reason is not clear. It is possible her supervisor hid the information from senior management knowing it would be an issue due to CYF employment policies regarding criminal convictions. Whatever the supervisor's reason Aroha ended up in a precarious position of being investigated by CYF. Aroha said she "had to write to the manager explaining why I got the conviction". She was told by the manager that "it was a media thing" and that he was concerned "if the media ever got hold of this he'd be able to talk to it". All of this investigation happened while Aroha's field agency supervisor was on leave. When the supervisor



returned and discovered her secrecy had been exposed she “was extremely cutting...word for word she said to me, her whole demeanour changed, and she said to me “who the fuck do you think you are?”” This lack of transparency left Aroha fearing for her current and future employment. Aroha said she was truthful and that she continued to be upfront. The amount of stress and uncertainty that she experienced as a student on placement transitioning into a contract could well be the reason she is so vocal about her criminal convictions within her career today.

### **5.3.1 Depends on who you ask**

Alongside a lack of transparency, the participants said they experienced differing responses to their criminal convictions within their employment. Oranga Tamariki, and its predecessor CYF, came up often in the participant interviews. This was probably due its high profile as an employer of social workers. Chad undertook a placement with Oranga Tamariki and was offered a job even though he had a criminal conviction. Shaun was accepted onto placement, but only if he put his political activism and illegal activities on the “back burner”. Sarah was interviewed and rejected, even though she was viewed as an ideal candidate for the position. Luke was hired only to have that revoked after his police check was returned. He is now unwilling to reapply for positions within Oranga Tamariki. For others, the idea of even applying to Oranga Tamariki felt like a step too far as they were worried about the rejection that they would suffer due to their historic criminal convictions. Sarah spoke about her experience of being an ideal candidate who was turned down due to a criminal conviction in this account:

I’d applied for my registration but it hadn’t come through yet and they actually declined me for the position based on the fact that I potentially could-may not get my registration. So I actually got turned down for that job, even though there was a woman in the office that fought quite hard for me and she said you know you’d be great for it and blah blah blah and all those things. But I didn’t get it based on that...but yeah that was based solely on my convictions.

Sarah had tenacity and continued to apply for jobs even though she felt she missed out on other social work opportunities due to her criminal convictions. She had an inner confidence and self-belief that she would find her place within the social work field. Her determination secured her a place within a community NGO. Sarah outlined her different experience of being hired into an NGO in the following account:

It was that community agency...I kind of like them for that. Like they’re working in a really poor part of [town] with lots of people who are really struggling and they kind of were giving workers a chance to, like there was other people there in the same boat...and you know they were happy to, to employ them...yeah I feel like that was good.

Sarah liked what she saw within the NGO, experiencing compassion and a second chance to be hired into its service. Her work within the NGO allowed her to connect with others that shared similar pathways and engendered a sense of comradery within the team. She also understood that the NGO was upholding its commitment to social justice in that it was “giving workers” like her “a chance”.

Luke shared a similar experience when he was interviewed and commenced job training in a CYF facility only to have his tenure cut short when his criminal checks came back. He “got the job interview and they loved it and you know cool you know you’re doing your social work degree and [the] perfect candidate”. He said he was shocked when he was phoned by the manager and “got rejected...because they were so happy with my observation and the way I interacted with the youth ...I thought they were playing a prank”. This experience knocked Luke’s confidence and self-belief in his studies and in his thoughts about being employable in the social work field. Luke spoke of being “devastated” and was terrified he had “wasted two years” studying because, in his view, if he “couldn’t get a job at the primary organisation that people think of when they think of social workers” then he was unemployable. Although now working in the social work sector Luke’s CYF experiences left a lasting impact. Luke spoke of not wanting to apply for jobs at Oranga Tamariki and how he was “not sure if that’s because of that experience” or whether it is “subconsciously, internally, that I’m like well that door closed I’m not going to access it but definitely not a conscious decision”.

Tania made a conscious decision to avoid jobs where she would have to disclose her criminal convictions as highlighted in the following account:

It kind of limited what I, the confidence I had to kind of apply for different jobs you know like I would see jobs and I think aww no I have to disclose my convictions on that one like CYFs or Oranga Tamariki you know and I didn't want to have, have that hanging over me.

The term “hanging over me” evokes a sense of doom that the criminal conviction is permanently present, like a shadow, that she is unable to cast off. Her lack of confidence appeared to stem from the internalised shame she held around her criminal convictions. Unlike Aroha, she wanted to bury her convictions, possibly at the expense of career progression. Tania’s inability to reconcile her past with her present has kept her stuck in a place where she was unwilling to take risks. The participants’ accounts highlighted their different experiences navigating education and the workplace. There are differences between the approaches by NGOs and statutory agencies when it comes to hiring social workers with criminal convictions. However, a lack of consistency and clarity about hiring social workers with criminal convictions was a common thread in the participants’ accounts.

## 5.4 Social Work has Change at its Roots, doesn't it?

The majority of the participants spoke about social work and the concept of change within the profession. Chad said believing that people can change “is very important” and it was the “essence of what we’re doing within this work”. However, this idea of change as a central value within social work was not experienced by Chad in his interview processes as outlined in the following account:

I did feel like the interview was going really well and they were going to give me an opportunity. And...when I did the police vetting process they found out they said “aww we can't, we have to kind of end, end it there, the interview there because you know we can't accept anyone that has convictions”. Without taking any context or anything around it.

Throughout his interview Chad spoke about change that related to himself, his clients and the social work profession. His personal experiences appear to run counter to his personal beliefs about the profession. His interview experience left him feeling he had not been given a fair hearing or an opportunity to express the context of his experiences surrounding his criminal conviction. Chad's experiences within the criminal justice system where the context of the situation was not taken into account mirrored his experiences in this social work interviews. However, once Chad was employed within the social work profession his view shifted again to one of gratitude for the opportunity that was afforded to him. He saw that his view of the profession would have altered considerably if there had been a different outcome, as shown in this account:

I think it would've been quite easy if I was disregarded and said “nah you've got this conviction we don't want a bar of ya”. I think that would've really kind of, given me a real toxic outlook towards social work...that it would be quite hypocritical you know. Like they want to work with people, we wanna you know promote that everlasting change within people, but they weren't willing to give me a shot. I feel like that would've really kind of been real ironic towards me.

Chad made it into the social work field and regained a belief in the values that the profession holds dear. He understood the change concept promoted in social work. He also saw the potential for hypocrisy within the profession.

Whānui also experienced hypocrisy and viewed the processes for hiring those with criminal convictions as “unfair” as shown in this account:

I think it's unfair because it's saying that people can't change and yet social work is about change. Or social work has change at, at its root base doesn't it? And yet by, by discriminating against people with convictions it's saying except for these people they can't change...it's contradictory I think.

He viewed the social work profession as wanting to be seen as a change agent, and yet it held a bias against hiring those with criminal convictions. Whānui felt disgruntled with the ethics of the profession and has first-hand experience of the disconnect between the way the profession wanted to be viewed and how it actually practiced. He also saw the message of change that he was asked to promote to the people he supported within prison as hypocritical, as shown in this account:

When I was waiting for, to get employed in this prison. I was thinking, you know the programmes that we put them-these guys through, you know we say that they can change their lives around, and if you change your lives around well then magical things happen blah blah blah but here I am sitting 40 years later...my past is still blocking me which is contradictory to what we're trying to tell these guys.

Working within a sector that hindered his ability to genuinely support others with similar life experiences was frustrating. The discrimination and lack of respect he continues to face leaves him feeling disgruntled. He has lost faith in the message of change he is trying to sell.

Social work and change would appear to be closely linked but, in practice, that is not always the case. This awareness was not only expressed by the interview participants, but also by others that they had come into contact within the social work profession. Sarah recalled what she was told by a member of the hiring committee when she was declined for a role within a statutory agency due to her criminal convictions:

“You know like do we just say we believe in change or do we actually promote it by hiring people as well who have changed you know” and I thought...that was quite a good thing...I think some life experience in social work is useful you know whatever that life experience is.

Sarah's experience meant she was able to view the agency as the problem rather than just her criminal convictions. Her interaction with a person that was willing to be honest about the system, and the reasons why she was not hired, meant Sarah was able move on with her self-belief intact. She was able to process this feedback and realise that life experience was an asset to the social work profession. Rejection by the agency allowed Sarah to identify her strengths.

#### **5.4.1 Remember the Days of the Old School Yard**

The participants were asked about their experiences navigating social work education. Most spoke positively about their time in the classroom. Redemption through education was highlighted within participant accounts. Several participant experiences are of particular note due to the impact education had on their life trajectory and the access it gave them to the social work profession. Darren, Aroha and

Tania were employed in the places where they undertook their placement. Chad was offered employment from the agencies where he undertook his placements. Darren has been working for 10 years in the same workplace that hired him straight out of placement. He spoke of having a supportive field placement supervisor “who didn’t make me feel at all like this was going to be a barrier to my social work career...I found her to be amazingly and incredibly supportive”. Tania was also employed straight from placement. “I started out working with people with physical disabilities as a result of the placement from my social work course. I worked there for approximately five years”. The loyalty that Darren and Tania had shown to their employers was apparent. There was a sense of excessive gratitude and apprehension about moving on from jobs in which they felt valued. It seems that this experience has, paradoxically, fed into a lack of self-belief in their own capabilities; that their worth has been enmeshed with the first job opportunity that came their way.

Iosefa’s experience was different. He had dealt with considerable rejection before being admitted into a course of study with a social work education provider. He recalled that “when you apply...to be enrolled it asks you those questions do you have convictions and when you get bounced out of the thing you kind of automatically think aww they don’t like criminals”. However, due to his tenacity and getting a much-needed push from a “gentleman” he met that “advised me to...apply for their two social work programmes” he secured a position with the provider following a face-to-face interview. Iosefa seemed surprised about his journey into education and said “I didn’t really think I would enjoy education”. However, his education pathway took him into a deeper understanding of what culture was and what it meant in terms of people’s experiences. His education process allowed him to think more deeply and to start to question what the profession was missing and how social workers could ask more pertinent questions in order to better serve the people they supported. Iosefa found the process of learning exciting as he explained in the following account: “It’s the learning new things and that’s the part I get excited about is aww wow so education has been a wow it’s like, I’m like a little kid opening presents at Christmas it’s just wow wow (laughs)”.

It was through “getting the first qualification in social work and then being able to get employment after that”, that Iosefa’s world opened up. Due to those initial opportunities Iosefa became a valuable member of the social services and addictions professional community. Iosefa’s ability to create a workplace history and to develop relationships prior to the Children’s Act 2014 and the SWRB were integral in his career trajectory. Shaun spoke with concern that social work was “resting our entire profession on the current model of academic study” and that “we are going to be screening out those people well before they come anywhere near the profession”. These stories convey that getting enrolled as a social

work student is the single most important factor to starting on the social work pathway. Whānui believed that the “barrier is...being accepted for training” and that once trained the jobs are there. He thought “all barriers should be lifted if they’re done the training and have the qualifications”.

#### **5.4.2 To be or not to be ... Registered**

Participants were asked if they were registered and, if so, how they viewed the experience of the registration process. Participants that were unregistered were asked why they had not taken that step. All participants were asked what they thought of mandatory registration. These questions were deemed important given that compulsory registration comes into force in February 2021. Many of the participants viewed mandatory registration as important and reported they had experienced few challenges when registering. However, over half of the participants expressed concerns with registration and how it was applied in practice. Shaun and Sarah were particularly passionate and knowledgeable in their views about registration. This could be due to their involvement in political activism and a deeper understanding of the structural inequalities that exist within politics and society. However, when other participant interviews were analysed, there were connections to the experiences and concerns that Sarah and Shaun had expressed. Shaun outlined his views on mandatory registration in this account:

I'm deeply opposed to mandatory registration because it...exists within the current framework of four years' of study. The registration board is an incredibly conservative body that it will never challenge the government. That its disciplinary apparatus is used towards individuals rather than to hold organisations to account.

In Shaun's view the SWRB should be a body that challenges the government and social work organisations rather than disciplining and censoring social workers. Luke was disappointed that the SWRB was “definitely not what I had thought” it would be. He had assumed that it would provide a “barrier in the macro to protect you and to fight for you tooth and nail”. He avoided registration and only applied when his employer offered to pay the cost. Phillipa said the “cost is a bit extreme” when registering and Sarah was concerned that “for some people...who have kids...paying a lot of rent that's quite a stretch”. Sarah's insights of the financial impacts for less privileged social workers were shared by Shaun. Both are Pākehā, and project a sense of being strong allies and advocates for the people they support as well as for other social workers and people wanting to enter the profession.

Shaun shared his views about who he thought was more able to get the necessary qualifications in order to get registration in the following account:

The people who are more able to get social work qualifications are going to be white, privileged, middle class, and the people who get stuck in community worker positions are...more likely to be working class parents, people who can't afford to study, Māori people who face systemic discrimination.

Sarah questioned whether a four-year degree was “equally open to everyone” and wondered if before registration “were we getting different social workers from different avenues”. Sarah was concerned that the diversity within the social work profession would be reduced through the registration process. However, she also recognised that “better pay” had come with registration and that as someone who was able to be registered it was “all in my self-interest”. Sarah was aware of this duality and showed a deeper level of self-reflection. However, due to her own personal struggles, coupled with her activist views, she understood and empathised with those who were struggling to enter a profession that had barriers in place.

Shaun said that “what compulsory registration means is that there are going to be people who are called community workers who will have a much lower salary than somebody who's called a social worker”. Whānui is unregistered due to the barriers around needing a four-year degree qualification and has experienced the ramifications of this in his pay packet as shown from the following account:

At jail at the moment I've raised the bar another level right when it comes to clinical practise...my manager was mentioning it, that I've raised the bar and yet I'm on the lowest grade. So I've got 30 aww 20 something, 20 something years' experience in the field but I'm still on the bottom rate I think I'm on the...lowest rate for social workers.

Whānui was resigned to the position he found himself in. The position of being trapped within a system that did not recognise lived experience and work history as being equal to a qualification and registration within a professional body. It seemed that, for him, he was going backwards professionally as the social work agenda moved to increased professionalisation. Sarah voiced her concern about the professionalisation of social work in this account:

I hope that the registration board makes a good effort to kind of scoop up those people who have been doing good social work for years but don't maybe have the right qualifications and that. But actually really do good work.

Whānui said he had “stayed right away from registering because I haven't really been able to, because I don't have the qualifications”. SWRB regulations mean that because Whānui does not meet the level of education they require he cannot get registration. Shaun outlined his views about individuals with experience being excluded from registration due to a lack of education in the following account:

The idea that everyone should be forced to go and get a four-year social work degree at great expense and that that qualifies you to then be a social worker is absolutely absurd when there are people working in communities who have far more lived knowledge and experience and far more skill than I ever will.

Phillipa echoed this view and wondered “if some organisations will get away with it by not calling people social workers even though they are doing a social work kind of job”. The concerns that Phillipa, Sarah and Shaun expressed about registration were being felt in a very real way by Whānui.

Darren raised an interesting point about masters students being outside the four-year degree requirement in the following account. “I don’t know the idea of even people doing the masters of applied where they come in from different...backgrounds and then do a couple of years and call themselves social workers causes me some concern.” Two years’ of study is all that is required to gain registration for those with a degree in a different field. However, Whānui’s decades of experience and a three year diploma may not be enough to be registered by the same body.

Shaun spoke of the dichotomy within the ethics of the registration process for applicants with criminal convictions. He highlighted how many people used cannabis and pondered whether those that “happened to get a conviction for it [are] less ethical and should they be subjected to a higher standard than those who were lucky enough to...get away with[out] a conviction”. Shaun said during his application he was asked to disclose his conviction but that he “wasn’t asked to disclose other unethical behaviour I’d been engaged in”. This ethical dichotomy was also expressed by Chad in the following account:

I mean I know a lot of people that at university that did way worse stuff than me but didn’t get caught...I know doctors, I know lawyers, I know accountants, I know teachers, that did some real...bad stuff but didn’t get caught and that’s kind of the difference...between me and them.

Shaun’s theoretical ideas have been experienced by Chad in his education and career pathways. He understood first-hand how he had been unfairly deemed less ethical and “worthy” than his peers due to being “caught” when his peers had got away with “worse” actions. Chad’s clear articulation of this experience showed how deeply he felt there had been an injustice by the criminal justice system which had impacted his entry into the social work profession.

Among the participants there was a strong sentiment of support for the broad principles and ideals supported by the creation of the Social Workers Registration Board. Several participants said legalising the use of the name ‘social worker’ was good. Aroha said that “it brings us in line with other professions



that are kind of similar”. This view was echoed by Sarah who said “if you’ve done your social work degree, Joe Bloggs down the street who’s never done anything can’t say they’re a social worker”. Luke felt that the SWRB set the bar of where “you need to be” and that this is “way better”. Sarah said she was “kind of in two minds” about registration but she could see the benefits as it gave a certain amount of “accountability” which “hopefully it’s going to mean that social workers are of a certain standard”. Aroha had the view that registration improved the safety of clients and enabled them “to ... lay a complaint should they need to...if they feel that they’re not being, you know, treated fairly. I think that’s a good thing”. Sarah saw registration as providing a “kind of protection of title”. However, she also questioned whether “this professional bod[y]” was “getting us further away from the clients”. Overall, many participants viewed registration as positive. However, there were significant concerns lingering just below the surface.

## 6 Discussion

### 6.1 Walked Through that Door

Peer support services have been operational in New Zealand for decades. However, the benefits delivered to clients in the clinical setting by these services were acknowledged only recently (Barrenger et al., 2018). The participants' accounts within this study suggest that they relate on a deeper level to the people they support because they have had similar life experiences. Much has been written about the positive benefits of those with criminal justice involvement going on to work in the helping professions. The 'wounded healer', or the 'professional ex-', are able to navigate a pathway of self-forgiveness, increased self-esteem, and a heightened sense of purpose by becoming a helping professional (Brown, 1991; Heidemann et al., 2016; LeBel et al., 2015). A 'professional ex-' is a person that has shifted away from their deviant past and works in a profession where that deviant past is of benefit. 'Wounded healer' is the term given to helping professionals who have experienced similar traumas or significant struggles to the people they now support.

There is little research about the positive impact that a 'wounded healer' or 'professional ex-' can have on the people that they support. In this study participants were asked about the strengths and assets they believed they brought to the profession and, in particular, to the people they supported. Participant accounts suggest that lived experience is critical to embodying and authentically expressing humanistic traits such as empathy, understanding and being non-judgmental. These traits align with the person-centred approach that was developed over many years by Carl Rogers, the humanistic psychologist. He said creating an empathic and non-judgmental connection between the practitioner and client was the most important component in a therapeutic relationship (Rogers, 1950). Recall Chad who reflected a humanistic approach in how he worked. He spoke about supporting a client even when he did not support that person's behaviours. He and others in the study were able to reserve judgment, listen fully, and empathise with the people they supported no matter what the circumstance. This ability to be present and available in the moment denotes an ability to be immersed in the empathic process and to be present for the person's experience without being judgmental (Rogers, 1950 p. 444). Recall Tania's views on how she felt she was able to empathise with the people she supported due to her own struggles and interactions with the criminal justice system. This reflects the findings from a study of students with criminal convictions undertaking a field placement. One student spoke of how her history helped her to relate and understand what her clients were going through (Rose et al., 2017).

Participants did not say explicitly that they were better social workers because of their lived experience. However, they did speak about the ability to empathise more fully than some of their colleagues. Recall Darren's story of 'reaching back' to support other people who had similar experiences to his own. Darren listened to a woman with alcoholism when his colleagues "wrote her off". Taking time to understand the context of people's situations was an important factor in several participant stories. My interpretation was that their work tended to be aligned particularly with the relationship-based practice that is central to social work. Relationship-based practice is not a method in of itself, rather, "it is at the heart of whatever approach might be adopted across different client groups and domains of practice" (Ingram & Smith, 2018, p. 5). The ability to form relationships with the people they worked with was apparent through many participant accounts and highlighted how relationships remain a 'cornerstone' to effective social work practice (Alexander & Grant, 2009).

Several participants talked about witnessing the people that they support making the same mistakes over and over again and relating this to their own personal experiences of change. They did not experience change as a linear process, rather it was a back and forth process which was not easy and took time. Recall Sarah's experience as she moved through alcoholism and the process of moving into recovery. She showed a realistic understanding about the nature of change and was very aware that her colleagues often did not. Sarah, and other participants, showed a personal understanding that the Transtheoretical (Stages of Change) Model is flawed and that change is neither a linear process or one that can be segregated into tidy stages (Bhattacharya, et al., 2018; West, 2005). The compassion and unconditional positive regard demonstrated by the participants was not always shared by their peers. Several participants spoke about witnessing other professionals and peers who were judgmental or disparaging of people using support services, particularly those with substance abuse disorders. These participants appeared authentic and genuine in the support that they provided. This genuine provision of care appeared to provide its own rewards and gave the participants a sense that their lived experience was now providing a benefit to their social work practice and those they supported.

The participant accounts spoke of generating hope for the people that they supported through their own personal stories of overcoming past adverse experiences. Several authors highlight the transformative nature of hope and how it comes about through experiencing distressing situations born out of tragedy (Duggleby & Wright, 2009; Haugan et al., 2013; Thorne, 2012 as cited in Boddy et al., 2018). The majority of the participant accounts conveyed a sense of hope. Through their words, I interpreted that they give themselves fully to their practice and do so from a place of humility and love. Recall Tania who gives her story to the people she supports as a way of 'paying it forward'. She could take her

experiences navigating employment as a woman with criminal convictions and bestow this knowledge to the people she supports. In this way she is a living example of, not only a social worker, but a person leading a fulfilling life beyond her criminal convictions. The ability to be hopeful and to instil hope is powerful and can help people cope and rise above adversity to improve their quality of life (Benzien et al., 1998; Scott et al., 2015).

Several participant accounts suggested that they convey a “story of hope” and, due to this, have the ability to be an example of positive change in action. Scott and Zeiger (2000) have suggested that people “in recovery from past behavioural difficulties [can be] potentially more sensitised and influential when helping people in crisis” (p. 410). Social workers that have undergone their own personal struggles are often best placed to understand the people that they support. Due to the personal change they have undergone they instinctively recognise the capacity of people to change. This translates into a unique asset that these participants provide to the social work profession. Jackson (2001, p. 1-2) spoke of a ‘wounded healer’ as having lasting impacts from their own challenges that then become useful in helping professions. These experiences can enhance their healing capabilities within practice. Some participants spoke of understanding alcoholism and addiction due to their own personal struggles with substance abuse. Recall Darren whose back story was one of trauma, coupled with an increasing dependence on alcohol. Coming through this enabled Darren to “reach back” and support others who have experiences of trauma and alcoholism. This ability to connect due to a sharing of personal experiences appeared to give the participants the ability to listen and understand on a deeper and more empathic level.

Several participants articulated a connection to clients due to their own experiences within the criminal justice system. These experiences provided an awareness that the criminal justice system can be flawed. These realisations seem to create strong social work advocates. Recall Darren’s experience of police brutality during an arrest experience and how he felt powerless during the altercation. Through his personal change process, and his career as a social worker, he was able to change his internal narrative from powerless to powerful because he gained the ability to advocate for others. In accord with this finding, Barrenger et al. (2018) found that peer support specialists that had experienced mistreatment had unique tools they used to advocate for their clients and to create changes within the mental health system. This experience was shared by other participants and there was a shared realisation that they were now allies to the people that they supported in a more substantial manner due to similar lived experiences. The participants that experienced or witnessed unjust practices within the criminal justice system and their career pathways, developed an understanding that systems in society are not always

just and fair. In this sense they embody the social work values of social justice, human rights and inequality. Some participants were able to advocate for others in a way that they did not experience during their own interactions with the criminal justice system. This process had a restorative impact on them and enabled them to create meaning from negative past experiences.

Some participants talked about their experiences navigating the criminal justice system as Pākehā. Recall Shaun, a white political activist who had navigated prison cells, criminal law, lawyers, and court rooms on many occasions. Shaun recognised that he walked through the criminal justice system from a privileged position as a white man with resources. While not in the same space, but close to it, Shaun's experiences gave him an insight into how the criminal justice system favours some people above others due to the colour of their skin. Due to this acquired knowledge he was able to challenge the way the SWRB aligns with the criminal justice system in determining whether someone is fit and proper to practice as a social worker. This finding aligns with the Barrenger et al. (2018) study in which peer support specialists challenged dominant discourses of the systems that they worked within.

Several participants spoke about pivot points in their lives that caused a sudden and abrupt change in behaviour. You might recall Luke saying the epiphany he had was so abrupt it was like the difference between "night and day". Some have suggested that an epiphany "can inexplicably transform lives in an instant. It is a moment that changes a person so deeply that he or she is no longer the same" (Chilton, 2015, p. 15). This was an experience shared by several participants as they moved through the change process. In the case of Luke, it was not a staged event but rather a life changing moment that saw him decide on the pathway he was going to follow. Chilton (2015, p. 17) synthesised the literature on the phenomenon of epiphany and suggested the defining attributes include; seeing a situation with sudden and unplanned clarity, choosing a pathway, and the confidence and determination to journey in a positive direction. Several participants spoke of pivotal moments of change and how their pathway forward became clear and led them into the social work profession. Their stories suggested they were aware that "they have passed through a one-way door through which there is no return" (Miller, 2004, p. 456). Whether subconscious or deliberate, their move into a caring profession is echoed in literature about the redeeming nature of becoming a 'professional ex-' (Brown, 1991; Heidemann et al., 2016; LeBel et al., 2015). Social workers with criminal convictions that have successfully taken ownership of their personal histories appear to be unique in their ability to offer hope to others attempting to move through their own challenging life experiences.

## 6.2 Once a Criminal Always a Criminal

Although some participants chose to keep their criminal justice involvement private, all of them had divulged their offending history to at least one person. Once someone has a criminal conviction, they then have to contend with the stigmatising label of “offender”. Literature shows that those with criminal justice involvement experience discrimination and the stigma means they can be rejected for employment opportunities or for career progression (Aresti et al., 2010; Pager & Quillian, 2005; Uggen, 2000). Indeed, it appears from the participants’ accounts that the majority of them experienced stigma and discrimination, due to their criminal justice involvement, at varying levels and degrees of severity in their social work careers. Goffman’s (1963) seminal work on stigma has been instrumental in defining the differing types of stigma that manifest in relation to marginalised groups in society. Earnshaw et al. (2013) further developed those ideas and referred to three distinct categories of stigma that those with HIV, and other social devalued groups, experience. They are; enacted stigma (e.g. where the person is discriminated against or rejected); anticipated stigma (e.g. the person expects persecution, or being rejected so can avoid divulging information or engaging socially to avoid this risk); and finally internalised stigma, (e.g. where the person internalises the stereotypes and feels ashamed, worthless, and embarrassed) (Earnshaw et al., 2013).

Through analysing the literature on stigma, it was apparent that all the participants within this study had experienced stigma in one, or more, of these three categories. The findings show that many participants have experienced enacted stigma. Surprisingly, it was not just those that had been incarcerated, but also those with minor criminal convictions. This is an interesting finding as most of the literature to date has explored stigma from the perspective of those with prison sentences, rather than those with more minor criminal convictions. One notable exception is Uggen et al. (2014) who undertook a quantitative study to compare whether the stigma of a misdemeanour arrest affected the employability of African American and white men differently. The authors discovered that participants who claimed to have a misdemeanour arrest received more discrimination than those who claimed to have a clean record.

Two participants in this Aotearoa New Zealand study disclosed that they had been incarcerated prior to their social work career and spoke of the many instances when they had been subjected to enacted stigma within their social work career pathway. There was a sense within their narratives that, no matter how much time elapsed or how much they achieved within their field, they would always remain criminals in some people’s eyes. Maruna (2011) says that those with the label of “criminal” carry stigma in the form of “invisible stripes” throughout their lives (p. 12). Recall Whānui, a Māori man with a

history of substance abuse and incarceration. His experiences of enacted stigma changed as he navigated his way through various workplaces. His earlier discrimination appeared to come from colleagues within the addiction and corrections field. However, over time this seemed to shift to structural discrimination and stigma being imposed by those in positions of power or at an organisational level. This is an indication that participant experiences of enacted stigma may have changed over time as discriminatory practices have moved from a personal level to an institutional level.

Some of the participants disclosed struggles with substance abuse, mental illness and racism alongside their experiences within the criminal justice system. This intersectionality of socially devalued characteristics, can have a compounding effect and lead to higher levels of depression, anxiety and other mental health issues (Earnshaw et al., 2015). Recall Whānui who spoke about receiving enacted stigma due to his history of substance abuse as well as experiencing racism. There was a sense from Whānui, as well as the other participants, that they worked harder due to their criminal justice involvement. Whānui spoke about being Māori and how he felt watched by those around him, just waiting for him to put a foot wrong. Some Pākehā participants spoke about racism within the criminal justice system. Several participants raised concerns that Māori could be ostracised from the social work profession due to the entry criteria relating to an applicant's criminal conviction history. This concern is echoed in relevant literature that considers the potential for minority applicants and already marginalised people to be disproportionately affected by policies and criminal record checks (Apaitia-Vague et al., 2011; Zellmer & Knothe, 2011). Apaitia-Vague et al. (2011) highlight the high rates of Māori and Pacific Island men incarcerated in New Zealand. If social work education administration policies are overly punitive in excluding people with criminal convictions, they could disproportionately impact Māori and Pasifika people.

### **6.2.1 Internalised Stigma and Judge and Jury**

Several participants revealed feelings of shame, embarrassment and worthlessness when discussing their criminal justice involvement. Earnshaw et al. (2013) highlight that those types of feelings are signs of internalised stigma. Studies have shown that people living with mental illness and those that have been incarcerated develop internalised stigma and that this leads to poor functioning (Livingston & Boyd, 2010; Moore et al., 2016). Recall Darren's embarrassment and shame about his criminal convictions and how he felt trapped and "pigeon holed" by them. I interpreted a tension in this area where participants hoped to put their criminal conviction and the experiences associated with it behind them, while also knowing that it might come up at differing points in their career pathways. It seemed

that there was a sense of powerlessness within this place for the participants, due to a lack of control over when and how their criminal convictions would be raised and spoken about. These participants differ from those who have, what Goffman (1963) calls, ‘concealable stigmas’ where people have a choice about divulging them or not, e.g. addiction, mental illness or HIV (Frable et al., 1998; Quinn et al., 2004).

Anticipated stigma has been shown to lead to avoidant behaviours, like not applying for jobs, that can lead to stress and other mental health issues (Swan, 2016). Recall Chad who spoke about being “worthy” enough for the profession and how grateful he was for getting his first opportunity in the social work profession. This aligns with ideas put forward by Maruna and LeBel (2009) who suggest the biggest challenge for the ex-prisoner is to prove themselves worthy of forgiveness. It appeared that several participants had lost self-confidence and belief in their abilities to move into more senior or challenging roles. I interpreted that those experiencing anticipated stigma had an overly inflated sense of gratitude towards their current employers and tended to minimise the worth and value that they brought to their social work organisations. Those participants worried about how their disclosure might be received and made career decisions in order to avoid disclosure, effectively staying within roles and organisations that felt safe. Munn (2012) found that those that internalise their “unworthiness” are surprised when they encounter others “who do not hold, or act upon, the discredited status” (p. 155). It is possible they may have internalised their feelings of embarrassment and shame which instilled a level of trepidation in trying to move ahead within their careers. In a study of HIV positive individuals, who also had a history of incarceration, the author found that participants found the best way to deal with the stigma of their criminal justice background and health status was to remain quiet (Swan, 2016).

Another finding showed that participants were apprehensive about divulging their past histories and criminal convictions after witnessing the way colleagues judged service users with similar life experiences. Recall Sarah who spoke about keeping her past to herself because she believed she would open herself up for judgment and stigmatisation that could impact her career pathway. Her discomfort links to a study which found that people diagnosed with HIV, who witnessed stigmatising behaviour towards others with HIV, would not disclose their HIV status because they anticipated receiving the same stigmatisation (Swan, 2016). Some participants avoided disclosing their criminal convictions because they were fearful of the reactions of others. They believed that disclosing their convictions would put them at a disadvantage within their workplace. The experiences of individuals with justice involvement is explored in the findings of a U.S. study that highlights the barriers and assets criminal justice involved students bring to the classroom and to field placement (Rose et al., 2017). The findings



show a dichotomy in student attitudes to (and experiences of) divulging their criminal justice involvement. This is explained as “alternatively, as uncomfortable and arduous, healing, and profoundly helpful for their fellow students, and future clients” (Rose et al., 2017, p. 103).

Several participant accounts highlighted a dichotomy where they viewed their criminal justice involvement as both a burden and an asset. Those participants believed that the genuine understanding, empathy, and non-judgmental qualities they brought to the social work profession were unique. However, they also appeared to carry internal shame, regret and a lack of self-worth due to their criminal convictions. This dichotomy was apparent in the way they recognised the experience-centred assets and strengths they brought to the profession, while at the same time regretting the events that led to their criminal convictions. It appears, however, that being a social worker allowed participants to somewhat reconcile the negative impact of their criminal justice involvement because they were able to positively apply their experiences within the social work profession. This aligns with several studies that suggest becoming a ‘professional ex-’ can help reduce stigmatisation and allow ex-offenders to overcome their labels (Aresti et al., 2010; Brown, 1991; Lebel et al., 2015; Maruna & LeBel, 2009). For example, Brown (1991) highlighted how nearly two thirds of counsellors in substance abuse facilities in the U.S. are former substance abusers. All participants conveyed a sense of passion and commitment to the social work profession and many viewed their criminal justice involvement as a distinctive tool that they brought to their practice.

### **6.2.2 Black Mark for Life**

Many participant accounts implied that their criminal convictions, no matter how minor, were an enduring black mark. This aligns with the thinking of the majority of criminal justice scholars who believe that “a criminal conviction – no matter how trivial or how long ago it occurred – scars one for life” (Petersilia, 2003, p. 19). The participant accounts conveyed a sense of frustration about the differing legislation covering criminal convictions and how they were enacted within the social work profession. Recall Darren who believed standardised forms used within his workplace cost him a career opportunity. Darren viewed the forms as a barrier that unfairly persecuted those with criminal convictions as they did not allow for face-to-face conversations to occur where the context of the criminal convictions could be explored. This barrier stopped Darren from applying for other social work positions. In a study examining criminal history disclosure, Scherini (2018) found evidence that having to “check the box” affected the self-image of participants. The author surmised that having a check box on job applications could symbolise a sense of unemployability to those with criminal justice

involvement (Scherini, 2018). Many participants within this study spoke of the value of speaking face-to-face to potential employers in order to give context and have a conversation about the changes and growth they had undergone since their criminal conviction. Their sense that this positive personal connection made a difference as to whether or not they would be hired is echoed in a major finding from Pager's (2007) study, which found that "personal contact did go a long way in reducing the negative effects of a criminal record" (p. 104). However, participants have cause for concern if face-to-face contact is barred in the first instance. Studies show that those with criminal justice involvement are more likely to be discriminated against in workplaces where they are mandated to divulge their criminal history (Carlin & Frick, 2013).

Participants also expressed annoyance that the establishment of the Social Work Registration Board undid the ability to have their convictions wiped under the Clean Slate Act 2004. This led some participants to avoid jobs that were not covered by the Clean Slate Act 2004, or to delay getting their registration. Recall Chad; his hopes of having his criminal conviction wiped under the Clean Slate Act 2004 as he progressed through life were dashed as he entered the social work profession. His anxiety and fear were echoed by other participants which aligns with a study that suggested ex-offenders were constantly fearful of being judged and rejected when their criminal record was disclosed (Aresti et al., 2010). Several participants specifically referred to the Clean Slate Act 2004 and their frustrations with either not being able to have their convictions wiped, or with how the social work profession rendered the Clean Slate Act 2004 as meaningless. This sense of injustice was conveyed in several participant accounts and suggested a continued feeling of being under scrutiny, or surveillance, and that they needed to be prepared to defend themselves at any given moment.

### **6.2.3 The Unsafe and Safe Space**

Storytelling and owning the narrative around their criminal convictions was a common theme within the participants' accounts. Due to "jail tattoos" and the high-profile nature of their crime, some needed to take ownership of their criminal justice narrative and frame the criminality as just one part of their life story. Other participants, with lesser charges, were also open about their criminal convictions. Recall Aroha who saw telling her story as part of building a relationship based on reciprocity and as a way to reduce the intimidating power she held as a social worker. Aroha, along with some other participants, had qualities that aligned with Whānau Ora Navigators. Navigators have been positioned as a revolutionary workforce employed to work alongside whānau to achieve whānau led goals. Savage et al. (2017) identified six core skills that Navigators believed were essential to their role and many of

those align with the skills that the participants in this study revealed. One in particular resonates within this theme; that of sharing lived experience. Navigators say going through hardship and facilitating changes in their own lives provides rich skills that have given them valuable stories to share. Rather than viewing these lived experiences as shameful, their stories are valued within the role and are seen as part of the skill set they bring to practice. However, for Aroha the experience of shaming was placed upon her by her managers when they asked her to be silent about her criminal conviction. This was enacted stigma, where a person's discomfort with the space or group you inhabit causes them to stigmatise you as an individual.

Other participants explained that they spoke about their criminal justice involvement, but only selectively and at times when they could almost guarantee a positive outcome. Recall Tania who spoke to some of the people she supported about her experiences navigating her career pathway as a woman with criminal convictions. She did this to upskill people in things like the Clean Slate Act 2004 and to provide a story of hope to the people she supported. Tania did not speak to her colleagues about her criminal convictions. I found this interesting and interpreted that Tania felt more at ease with those she supported in the sense that she recognised that, in this setting, her story would be valued and useful. Tania felt that this would not be the case in her workplace and, rather than take a risk, she has avoided the threat of anticipated stigma by staying silent. The ability to share their personal histories in a safe manner was challenging for many participants and it appeared that they navigated their workplaces carefully to avoid anticipated or enacted stigma.

### **6.3 Smoke and Mirrors**

Many of the participants indicated support for mandatory registration of social workers. However, there were concerns about the lack of transparency in gaining registration for prospective social workers with criminal convictions. The participants' accounts suggested that there needed to be more clarity about the SWRB's decision-making process for registering or declining those with criminal convictions. Recall Shaun's concerns with his own registration process and the lack of information and clarity he received. The SWRB legislation states that it will exclude individuals from registration if it deems the person is not 'fit and proper' to practice. It makes this decision on the basis of how a reasonable person might judge that individual's ability to safely practice social work (SWRB, 2018). This felt "opaque" to Shaun and he was concerned that decision making happened behind closed doors. Other participants, while not expressing such a deep level of concern, spoke of the uncertainty about their registration experiences. As Staniforth and Fouché (2006, p. 12) point out, it is very challenging to determine "what a reasonable person would conclude" in relation to someone's suitability to be a social worker.

The participants were concerned that those with criminal convictions could not find out if they were suitable for registration prior to undertaking study. It is left to educators to decide whether they believe a potential social work student meets the SWRB Fit and Proper Person Policy Statement (2018) well before that person will go before the Board and apply for registration. Educators are left to second guess what the SWRB might choose to do based on what a reasonable person might conclude. Participants reflected on their own education and registration processes. They recognised that, in the future, people with criminal convictions considering social work may face additional challenges navigating the system when mandatory registration is introduced. As Crisp and Gillingham (2008) highlight, it is unethical to educate an individual if they have no real chance of working in the field once they graduate. It is also a waste of their time and money. The current process suggests that social work educators are inadvertently being placed in a gatekeeper role in terms of determining whether a person's criminal convictions will prevent them from being registered. A Council of Social Work Education (CSWEANZ) Working Group Report (2017) was developed to provide feedback to the SWRB following a review of its Fit and Proper criteria. This report expressed concern that the SWRB was unable to provide a definitive answer to students with criminal convictions about their ability to become registered once they had completed their degree. This appears to be an ongoing issue for social work educators. The SWRB Fit and Proper criteria was described as subjective and open to interpretation (CSWEANZ 2017).

There was also a concern expressed by the research participants about the lack of transparency within the social work field itself. Recall Aroha; she disclosed her criminal conviction and prior history with CYF to her field agency supervisor. However, her field agency supervisor withheld the information from her own managers. This resulted in a complex process for Aroha to navigate when she was offered an employment contract at the end of her field-placement. It appeared that Aroha's field agency supervisor had tried to hide Aroha's criminal convictions and this backfired when Aroha was later offered a job at the agency. This put Aroha in an awkward position of telling upper management about her past, something her field agency supervisor should have done. Some participants experienced a lack of honest communication about whether or not it was their criminal conviction that prevented them from being hired or progressed within their workplace. Some perceived that they were being discriminated against due to their criminal convictions when that may not have been the case. This was frustrating for them and highlighted the lack of a transparent, socially-just hiring process for people with criminal justice involvement within some professional / organisational systems. It appeared the participants experienced a lot of unnecessary stress due to a lack of clear processes and communication within their places of work. There is a sense within the participant transcripts about the changing shape

of the profession over time. The social work profession has been going through significant change over the last decades with a shift toward “economic rationalism, efficiency and risk management” (Randal, 2018, p. 25). It is important to understand whether the professionalisation and regulation of social work has changed the make-up of the social work workforce. Is it even possible for an individual with a similar history of offending and incarceration as the participants in this study to be able to access social work education and employment today?

### **6.3.1 Depends on who you ask**

There was considerable diversity within the participant data in terms of hiring, employment and on the job treatment. Several participants appeared to view their career progression as a process of ‘pin-balling’ between employers that were receptive to hiring people with criminal convictions and those that were not. Many participants had interacted with Oranga Tamariki, or its predecessor Child Youth and Family, through field-placement. They were either offered employment or rejected due to their criminal justice involvement. The common element within their experiences was the inconsistent way social workers with criminal convictions were treated during the hiring and employment processes at different Oranga Tamariki sites. This concern was also expressed within the 2017 CSWEANZ report in which an educator stated: “There is a lot of anecdotal evidence that different sites, even within the same organisation, will take students [field-placements] whereas others won’t” (p. 8).

This reported lack of uniformity suggests that different Oranga Tamariki sites are applying hiring policies differently or, that there is no clear hiring policy in existence. A letter released by Oranga Tamariki, in response to an Official Information Act request, appears to give the most publicly available insight into how Oranga Tamariki should be vetting those with criminal convictions. It states: “When considered persons for employment with us, if the position is determined to be a ‘children’s worker’ position under the Vulnerable Children Act 2014 (the VC Act), additional checks must be completed by the manager and a safety check risk assessment form completed prior to employment” (2018, p. 2). The document outlines that a Police check must be obtained and that if the person is applying for a social worker role they need to be registered or an applicant that Oranga Tamariki “consider[s] registerable” (2018, p. 2). It seems Oranga Tamariki is deferring to the current Children’s Act, 2014 (formerly known as the Vulnerable Children Act, 2014), the Children’s (Requirements for Safety Checks of Children’s Workers) Regulations 2015 and the vetting role of the SWRB.

It appears that the criteria are open to interpretation for those making decisions about whether someone with criminal convictions is registerable. Outside of this grey area, the Children's Act, 2014 is very clear in listing the offences that are deemed serious enough to prohibit a person from being employed as a core worker with vulnerable individuals. Those offences include sexual offending, child abuse, and violence convictions. However, two participants in this study reported they were not hired even though their criminal convictions were acceptable under the conditions of the Children's Act, 2014. Oranga Tamariki is the biggest employer of social workers within Aotearoa New Zealand. It would benefit current and prospective social workers if Oranga Tamariki had a transparent, accessible employment policy that was applied consistently across all of its sites.

Several participants had been welcomed into NGOs while rejected by Government agencies. Conversely, one participant was rejected for two NGO positions, due to his criminal convictions, but was accepted onto field-placement at CYF and later offered a job. There was a level of gratitude and loyalty that participants expressed towards employers that offered them an "opportunity" or were "giving workers a chance". Recall Sarah; it seems that her first social work position came about because the community agency that employed her was grounded in values around giving workers second chances. Another interesting undercurrent within many participant narratives was that they viewed a divide between NGO and Government agency hiring policies. This was formed by either enacted stigma, where they had been rejected for a position, or through anticipated stigma, where they believed that they would not be hired due their criminal convictions without actually applying for any positions within the agency.

#### **6.4 Social Work has Change at its Roots Doesn't it?**

The topic of change resonated with all the participants. Many acknowledged that a belief in the ability to change was fundamental within social work. The majority of the participants spoke about how their personal changes had increased their existing belief that people can and do change. However, they also questioned social works commitment to change as a core belief. This experience was something of a paradox, given the ethical commitments espoused by professional social services. Several participants were drawn to social work due to their own lived experiences and change processes. One participant spoke of how she believed that the social work profession would be more accepting of her criminal justice involvement than other professions might be. This aligns with other studies that propose that social work values and practices, based on countering social exclusion, are part of the reason the pathway to social work practice has opened up to those with criminal justice involvement (Crisp & Gillingham, 2008; Nelson & Cowburn, 2010).

When examining social work from a theoretical perspective the idea of change is a fundamental strand within the profession. Indeed, the first sentence within the global definition of social work, agreed by the members of the International Federation of Social Work (IFSW), includes the words “social change” (IFSW, 2014, para. 2). Social workers, who are members of the Aotearoa New Zealand Association of Social Workers (ANZASW), are expected to adhere to the ANZASW’s Code of Ethics (2019). This Code highlights social works dual focus on empowering individuals, groups and communities and to: “inform society at large about the injustices in its midst, and to engage in action to change the structures of society that create and perpetuate injustice” (ANZASW, 2019, p, 7). The SWRB has 10 minimum competency standards that registered social workers are meant to uphold, including the “competence to engage in practice which promotes social change”. The theme of social change and advocating for social justice, equality and anti-oppressive practices runs throughout the social work profession’s international values, national ethics and domestic registration process.

Ruth Stark, a former president of the IFSW stated that: “A social work definition can only be meaningful when social workers actively commit to its values and vision” (IFSW, 2017). It appears that all the participants within this study actively champion the values, ethics and competencies held and promoted by the IFSW, ANZASW and the SWRB. However, some participants reported treatment from social work employers, and some of their colleagues, that ran counter to those fundamental social work values, ethics and competencies. The participants’ experiences and views indicate that a gap exists between overarching social work values and beliefs and the hiring policies of social work organisations, be they governmental or non-governmental.

Social work bodies, social work educators and social workers appear to hold independent and relatively consistent views about how social workers should be operating within society. However, these core social work values become secondary once social workers are hired into government agencies or organisations reliant on government funding. At this point it becomes more about upholding the values of the organisation rather than of agreed social work values, ethics and competencies. As Apaitia-Vague et al. (2011) highlight, social workers are working in increasingly risk-adverse environments and, if decisions are being made about employing those with criminal convictions based purely on utilitarian principles of ‘protecting the greater good’, organisations risk the continued marginalisation of subordinate groups, such as those with criminal justice involvement. This raises a critical question. Are we, as a profession, closing our doors on potential social workers that may be best suited to advocate and help facilitate change for the people we support?

The judgments that were overtly and covertly levelled at these participants due to their criminal convictions, show a disconnect between what the social work profession aims to be and what it ‘actually is’ in practice. For some, this experience caused disillusionment with the profession and they spoke about situations which caused them to question the profession’s adherence and belief about social and individual change. Recall Chad speaking about being given an “opportunity” due to getting “a foot in the door”. The ability to get a foot in the door helped reduce his resentment towards his earlier interactions with the profession when he was discriminated against in interviews due to his criminal convictions.

Some participants highlighted the contradictory nature of the social work profession due to their personal experiences gaining employment within the field. Recall Whānui who highlighted the disconnect between what he tells the people he supports within the prison system and his most recent experience of gaining employment within that system. He said he talked to the people he supported about the opportunities and the ability to create change post-incarceration while, at the same time, he felt like he was being judged as a criminal due to his previous conviction history. The double standards sensed by some participants in relation to hiring those with criminal justice involvement, highlight the lack of a clear, or internally consistent, professional social work analysis of the justice system, prisons and the rehabilitation and change process for ex-offenders. It is as if ex-offenders have lost their right to ethical treatment. By contrast, several social work educators propose that social workers must rethink the purpose and place that prisons hold in our society and actively engage in reforming the criminal justice system at a structural level (Cox & Augustine, 2018; Davis, 2017; Jaldorn, 2020). However, the profession does not always open its doors to those with criminal convictions, citing the vulnerability of clients as a reason for what effectively amounts to disproportionately shutting out certain demographic population groups.

#### **6.4.1 Remember the Days of the Old School Yard**

In order to be considered for social work registration, applicants have to either complete a recognised Aotearoa New Zealand social work qualification or hold an overseas social work qualification equivalent to that in Aotearoa New Zealand (SWRB, 2020d). If they have extensive practice history, but no recognised qualification, they may also apply through the experience pathway (SWRB, 2020e). The majority of the participants in this study had the relevant qualifications and had no issue securing a place at an education provider. However, it must be noted, that most had completed their social work studies some time ago so their experiences would, no doubt, have been different compared to those attempting to access social work education today. As Sarah pointed out, the time between her criminal



conviction history, her social work education, her employment and gaining SWRB registration had been incredibly useful. Due to mandatory registration, Sarah sensed that those applying for social work education would not now have the buffer of time between education and registration. As noted in the Fit and Proper Person Policy Statement the “time that has elapsed since the offence took place” is an important factor the SWRB considers when deliberating whether or not to register someone with criminal convictions (SWRB, 2018).

Some participants voiced concerns that social work education providers could be putting barriers in place that would ultimately exclude those with criminal convictions. Several authors highlight that a belief in the ability of people to change is at the heart of social work and that by excluding those with criminal convictions from entry into social work education the profession is not living up to that belief (Apatia-Vague et al., 2011; Crisp & Gillingham, 2008; Dottin, 2018; Rose et al., 2017). Recall Iosefa who struggled to get accepted into a social work programme. His account resonated with the joy he got from the education process and he reflected on how that one opportunity opened a door into the social work profession in which he now excels. Today his criminal charges would meet the criteria for exclusion under the Fit and Proper Person Policy Statement (SWRB, 2018) and it is unlikely he would be accepted into a social work programme, let alone gain registration once graduating from that programme.

In an article reporting on feedback from key stakeholders within field-placement teams about their opinions and personal experiences of ‘fit and proper’, very few mentioned criminal convictions (Appleton et al., 2014). However, one comment from a field educator defining what it meant to be ‘fit and proper’ did stand out: “A person who does not have any criminal convictions or pending convictions and does not have any condition or dependence that would render them incapable of carrying out the tasks of social worker” (Appleton et al., 2014, p.135). This statement is alarming as it would rule out any applicants with criminal convictions and also those with mental health or addiction struggles. If access to social work education and registration narrows due to the emphasis placed on criminal conviction history, are we, as a profession, doing a disservice to the social work values we are mandated to uphold and, ultimately, to the people we support?

As alluded to earlier, reducing education opportunities for those with criminal convictions could also have the unintended effect of reducing ethnic diversity and lived experience within our workforce. This process could lead to an education system that ‘others’ those that have criminal justice involvement. Several authors have written about the process of ‘othering’ and how rigid admissions policies that

exclude criminal justice involved individuals from social work education can result in creating two separate groups: “Offenders are people who social work students have as clients.” (Pomeroy et al., 2004, 1999 cited by Crisp & Gillingham, 2008). This creates an ‘othering’ with defined walls between social work students, prisons and justice involved individuals. It is important that educating and hiring those from marginalised spaces continues to occur, otherwise we will end up with social workers that are not representative of the people we support. It is critical that we remain relatable and grounded within the communities that we work within.

Several participants spoke of being hired straight from their field placements into employment. This highlights the vital importance Schools of Social Work field educators play in securing placement opportunities that enable those with criminal convictions to get a foot in the door with prospective employers. Recall Darren, who felt heard and validated by his field placement supervisor, which helped him to see that his criminal convictions may not have been the barrier that he perceived them to be. Luke had a different experience. He believed that, due to his past mental health issues and criminal conviction history, he did not receive challenging and worthwhile field placements. It appeared that Luke was not advocated for by his field placement supervisor and that he had to take whatever field placement he was given. As Crisp and Gillingham (2008) note, there is a diverse array of job opportunities within the social work profession and they believe field placement supervisors could be doing more to develop pathways into differing fields for those with criminal justice involvement.

The reasons people undertake social work education are wide and variable. There is merit in being educated post-incarceration as learning can be a rehabilitative tool in its own right. Some of the participants were educated through the addictions’ pathway. Others began studying different subjects but moved into social work as it aligned more fully with their values. It could be argued that the ability to secure a field placement opportunity is the most important thing when considering an applicant’s suitability to study. That means social work programmes need to be locating agency work where having criminal justice involvement is not seen as a barrier. As Rose et al. (2017) states, client protection and the expansion of placement opportunities for justice involved students “should not be competing goals” (p. 114). A social work degree may not guarantee registration. However, it could help secure another role within another caring profession, for example, a peer support worker or a community support worker. It could also open up the door to academia and research opportunities, to the benefit of education providers and the social work profession. It seems small-minded to hang someone’s entrance to social work education purely on guessing whether they may, or may not, be registerable once they graduate.

Ethically, social workers are duty bound to advocate for social justice. Rose et al. (2017) state that this extends to the function that higher education plays in supporting individuals to enhance their wellbeing. They assert that educators need to advocate and support those that have been imprisoned so that they can gain access to employment. Recall Iosefa who secured a place on a social work programme through his face-to-face admissions interview. The value of meeting with a potential student and listening to the context of their criminal justice involvement so a decision can be based on more than their potential to be registered, is fundamentally important. Also, if an individual is involved in the decision-making process they feel that they have been heard and their rights have been upheld irrespective of a negative or positive outcome (Madoc-Jones et al., 2007). Those with criminal justice involvement should be made aware that they may not gain a field placement or registration. They should then be allowed some agency in making an informed decision on whether to proceed with the programme or not.

#### **6.4.2 To be or not to be ... registered**

The majority of the participants responded positively to mandatory registration with several saying that it brought social workers into line with other health professions, such as nursing. Participants also spoke of how registration provided extra assurance to the people we support that the social worker had met certain standards before being registered. They also discussed how it provided a level of accountability in that clients were protected and could report sub-standard care to a statutory body. These views about what professional registration should provide are similar to research conducted on a sample of members of the ANZASW in 1996 and then again in 2014. Randal (2018) found that social workers in 1996 hoped that statutory registration would provide a level of accountability in order to protect clients against poor practice. They also hoped that it would “strengthen social work’s professional standing, identity and reputation” (p. 22).

Two participants spoke about their history of political activism. Both indicated that registration would not keep them from activism in the future. Social justice, in the form of protest and non-violent direct-action, is an activity that is firmly entwined within the history of Aotearoa New Zealand. For these participants, the chance of arrest while championing causes they strongly supported was viewed as a risk worth taking and not at odds with the aspirations of the social work profession. Williams (2019) writes about the link between social work, social justice and non-violent social justice activism (NVSJA) and how a criminal conviction through NVSJA can risk a social worker’s registration status or ability to become registered. This author believes that the Fit and Proper Person Policy Statement (SWRB, 2018) needs to be amended to adequately reflect that NVSJA is an important right of social

workers in order to fight for social justice and human rights. This aligns with the participants' views and again highlights the disconnect between our social work values set by our international and national professional bodies and what the statutory SWRB decides is acceptable behaviour befitting a social worker. In omitting NVSJA from its Fit and Proper Person Policy Statement (2018) the SWRB is showing its allegiance and alliance falls firmly in the lap of the state.

Other views highlighted the clash between what the participants believed the SWRB should stand for compared to what was happening in practice. Several indicated concern that the SWRB was a statutory body focussed on disciplining individual social workers rather than an entity focussed on holding social work organisations to account. Comments were also made about the cost of registration being overly expensive and a barrier for those who had a multitude of other financial commitments. I interpreted a sense of displeasure with the SWRB and that they felt there was not much return for the cost of registration. Several other comments indicated a belief that access to the social work profession was narrowing due to the criteria set by the SWRB to meet mandatory registration requirements. It seems these concerns are valid especially given that the SWRB determined what social work qualifications were needed to gain registration. The SWRB also set the amount of prior experience required to be considered for registration (at least 10-15 years or longer) if a person lacks the required qualifications (SWRB, 2020e). Further, the SWRB (2018) are the ones that ultimately determine what it means to be 'fit and proper' to practise as a social worker. Recall Sarah who was worried about access to the profession and whether mandatory registration would reduce diversity within the workforce. This was echoed by Shaun who believed that the social work profession was becoming more accessible to those who were white and privileged and less accessible to those who were working class or Māori. These concerns are not new and were raised before the statutory registration process began. Concerns were expressed by members of ANZASW in 1996 about the potential for statutory registration to impact on Māori and cause them to be "marginalised by the process" (p. 22).

There were concerns expressed by participants about the potential for the registration process to create two differing streams of social workers: those that were registered and legally allowed to use the name social worker and those that were not registered but still preformed social work responsibilities under another job title. It appeared some participants were concerned about undermining the professional standing of social workers. Other participants were concerned about experienced social workers who lacked the necessary qualifications or whose criminal justice involvement was such that they are not able to be registered but were exemplary practitioners. Recall Sarah who said that registration had meant an increase in her salary. On the flip side Whānui, who was not registered, stated he was earning

significantly less than those who were doing the same job. This disparity in pay scale is concerning and illustrates that the participants' concerns about creating two differing streams of social workers could be occurring already.

There was a further concern raised about those that had a degree in another field being able to become a registered social worker through undertaking a two-year applied Masters' degree (SWRB, 2020d). This was viewed as not being long enough to develop a sufficiently robust sense of self to work within the social work field. It also creates a level of elitism within the process given that to be registered on experience alone 10-15 years plus is deemed preferable, but if you are educated it can be fast-tracked. The concern with statutory registration becoming elite and further distancing the profession and social workers from the communities they worked within was also raised by ANZASW members in 1996 (Randal, 2018). That group of participants raised similar concerns when they were interviewed again in 2014. Randal (2018) presented their views as highlighting the tension that exists between the statutory goals of professionalisation versus "social work's value base of social justice and human rights" (p. 25). These issues continue to be aired by social workers and it appears that little has been said or done to appease such concerns.

Finally, the concern about what it means to be ethical and how this is viewed by the SWRB was raised. Recall Chad who expressed frustration that the only difference between him and his peers, who had also been involved in unethical activities, was that he had been caught and received a criminal conviction. In a study of Scottish students, anonymously self-reporting about undertaking criminal activities, only 3% indicated that they had never committed one of the 11 offence types listed. The majority of those were for drunkenness, theft and traffic offences. However, over a third self-reported offences such as committing fraud, drug possession, smuggling or breach of the peace (Perry, 2004). Receiving a criminal conviction is not necessarily the only marker of unethical behaviour. Most of the participants experienced significant change through their criminal justice involvement. It appears they worked hard to ensure that they became ethical social workers and ethical members of society. Perhaps, as one participant noted, rather than looking at the criminal conviction as a measure of fitness to practice, the SWRB should only focus on the rehabilitative changes and growth the individual has made since their criminal justice involvement.

## 7 Limitations

It is important to consider some limitations to the above findings and recommendations. The participants were chosen intentionally to ensure that a detailed discussion occurred about what it meant to be a social worker with criminal convictions. While the idiographic method undertaken did not exclude generalisation, it meant making generalisations “more cautiously” (Smith et al., 2009, p. 29). I focused on the individual accounts of those on the receiving end, in order to make sense of how the social work profession (in its broadest sense) viewed those with criminal convictions and how it treated them within the field.

One limitation to the generalisability of this study was the time factor. Given that most of the participants with criminal convictions were older than the average graduate and / or had spent some time in practice, their experiences may have been very different to those of a person with recent criminal convictions attempting to enter the field of social work today. Many of the participants received criminal convictions prior to the introduction of the Children’s Act 2014 and the SWRA 2003. That meant that they had time to gain experience and develop personal relationships within the field. It would be interesting to research those with more recent criminal convictions wanting to study and practice social work and to compare their experiences.

The focus on social workers gave an overall insight into the lack of transparency within the social work profession and highlighted the different policies and processes, depending on the agency or site within that agency. However, due to the small size of the sample it was hard to specify exactly how and where that was occurring. More research is needed at a social work agency and non-governmental organisational level to get a better sense of the disparate policies and processes that are currently operating.

One of the limitations was the fear of disclosure and this would have had an impact on the number of people who were comfortable coming forward to take part in the study. Other limitations included self-selection by participants. The researcher hopes that this study encourages more discussion within social work professional bodies, at an international and a national level, about the issues contained within this project.

## 8 Recommendations

After conducting this research, I realised that my findings and recommendations were well-aligned with the participants perspectives on the future of the profession. With this in mind, I have extrapolated the main recommendations from the participants' accounts. Drawing from these participant accounts, I build on participants' recommendations to suggest how the social work profession could form some consensus around supporting those with criminal convictions entering the social work profession.

### Participant Recommendations

Most participants indicated they were unsure about the social worker hiring processes and some felt that the processes they experienced were unjust. The following summarised points highlight participant recommendations for changes regarding social work education, social work registration and employment of social workers with criminal convictions.

- ***Increased opportunities to re-balance dialogue at the upper echelons of the social work profession.*** Shaun highlighted the fact those discussions had not happened around mandatory registration showed a level of privilege operating within the SWRB, ANZASW and for social workers in higher positions of power:

Our profession is supposedly committed to systemic change in society to identifying inequality...what our profession is committed to and that we haven't even begun to look at these kinds of issues is kind of an indictment on our profession". (Shaun)

- ***The introduction of ethical, non-discriminatory hiring policies.*** Hiring policies need not discriminate against those with criminal convictions. To increase the ethical processes through which decisions about hiring a social worker with criminal convictions are made, he kanohi ki te kanohi (*face-to-face*) conversations need to occur before a final decision. As suggested by Iosefa: "Unless it goes to panel it's not a conversation...cause you can only say you won't be accepted into the role because of your convictions...after you've had the conversations." This should involve doing away with standardised form that ask people about criminal convictions prior to the opportunity of having a face to face conversation.

- ***Workplace cultures that support the capacity to change.*** This participants' accounts highlight the need for specific workplace initiatives that identify and eliminate employment barriers to those with criminal justice involvement:

Currently doing a bit of research around what would be the block points but not just like in paperwork but also around people's perceptions and then what would the solutions be addressing those kind of things...anything that allows the conversation to come forward (Iosefa).

Thus, if people with criminal convictions have changed, doors should be open. "If they've turned over a new leaf and...genuinely wanting to do good then I don't think that the doors should be shut on them" (Aroha).

- ***The SWRB challenging systemic racism within the criminal justice system.*** Shaun and others highlighted the racism within the Aotearoa New Zealand criminal justice system. It is important for social work regulatory and professional bodies to speak out against such injustices as stated below:

I think some bravery on the part of the SWRB is absolutely required...ideally the SWRB would come out and say "look the justice system is a racist system, Māori are disproportionately targeted by it...given that we're not going to weight criminal convictions particularly seriously...public leadership from...our professional body and also from the ANZASW would be helpful and useful" (Shaun).

- ***Reform the SWRB use of Clean Slate Act 2004.*** The Act is currently meaningless under the SWRB. A recommendation was made that at some stage a person's criminal convictions would be wiped and no longer visible within the social work profession. This would involve a more nuanced system where context was considered rather than just the nature of the offence.

- ***The need for pre-approval from SWRB before starting a social work degree.*** As Shaun said, a "conditional pre-approval type" indication from the SWRB for a person about their ability to be registered before they began studying would be worthwhile.

- ***Enhanced clarity and consistency around educating and employing those with criminal convictions.*** One consistent element within participant accounts was the need for clarity and consistency from the SWRB, Schools of Social Work and social work employers about educating, registering and employing people with criminal convictions.



We don't know why people are hired or not hired...we don't know why people are let into programmes or aren't let into programmes...we don't know why people are registered or aren't registered. And you can't prove whether or not the criminal conviction is the barrier because there's no transparency. (Shaun).

- ***Hiring and employee care must be at the centre in social work organisations.*** Employers need to proactively hire those with criminal convictions as well as create organisational structures to more fully support those social workers with criminal convictions upon employment to ensure their strengths are acknowledged and valued. "You'll have experiences that others won't, you'll have perspectives that others won't" (Iosefa).

[The profession] have to be open to it but at the same time vet people in a way that's not vindictive...but...kinda afi's [love/care] them, and if they don't suit give them feedback...you need to do this or do that...but really supportive of that learning process. (Tania).

I think that support needs to be identified...just having that chat...what support do you need because we're here as social workers and...I fully believe in change so how can we as an organisation support you with your history. (Darren).

People who have criminal convictions who've been through the justice system are going to have a whole lot of strengths and knowledge and I think the profession should be going out of its way to recruit those people and to lower those barriers. (Shaun).

## 9 Concluding Thoughts

The need for discussions at international (IFSW), regional and national levels of social work associations regarding the professional position towards smart decarceration, prison systems and views on rehabilitation post incarceration is critical. This is particularly important given the structural racism inherent within Aotearoa New Zealand's prison system, and reflected within similar systems of other countries in the world like the U.S. and Australia. A clearer stance must be carved out by the social work profession and associated regulatory bodies in order to provide a clearer framework for addressing the tension around educating, registering, and employing those with criminal justice involvement. It is vital to deconstruct the tokenistic practises which suggest the values that protect the people social work claims to support are being upheld. Instead, SWRB, ANZASW, the Tangata Whenua Social Work Association, Schools of Social Work, and social workers themselves, must pursue active reform of education, registration, and employment policies.

There is a need for research to help better understand the current policies and processes of Schools of Social Work for admitting individuals with criminal convictions. Adding to this would be research that performs a historical audit into decision-making around acceptance and rejection of those students with criminal convictions. This research could extend into exploring employment policies and processes for how social work organisations make decisions around hiring those with criminal convictions. Specifically, this research would need to be broadly framed to capture the perspectives of all of the major organisations that have the capacity to hire such employees. The aim of such a research study would be to gain clarity and note the distinctions regarding decision-making between and amongst organisations. Further work to build the pool of knowledge could involve a systemic review or meta-analysis on recidivism literature in order to establish an evidence-base that guides decision-making about the likelihood of those with criminal convictions to reoffend.

It appears that Schools of Social Work are trying to manage the tension of being gatekeepers to the profession with a focus on upholding policy formulated by the state sanctioned SWRB. Obviously, the guidance from the SWRB about Fit and Proper Person Policy Document (2018) is important when making decisions about those with criminal convictions being admitted into a programme. However, Schools of Social Work have the ability to be more radical in their approach and be open to admitting students with criminal convictions even if it is not clear they will gain registration at the end of their studies. Higher education is a significant factor in helping a person desist from criminal activity. Furthermore, Schools of Social Work should champion access to field placements for those with

criminal convictions. This could be a significant contribution to social advocacy for those with criminal justice involvement.

Only once the profession establishes a clear mandate on hiring those social workers with criminal convictions, can work commence to determine how the SWRB should assess those with criminal convictions. This work must consider the following ideas:

- This process should be transparent and should lead to an evidence-based Fit and Proper Person Policy Document. This would require document reform to ensure it is not overly risk averse and formatted in order to quell public ‘moral panic’.
- The SWRB should give registration pre-approval to potential social work students with criminal convictions prior to them undertaking study.
- The SWRB must be transparent about its decision-making – in what ways are people being judged on their criminal conviction/s compared to being judged on what has occurred after the criminal conviction? What social workers (and their subsequent strengths) are being barred from the profession? How are these decisions justified?

The social work profession must do more to acknowledge and value the unique gifts potential employees with criminal convictions can bring to the profession and the people they support. Such an action would acknowledge assets and strengths rather than the current deficit-focused approach. The idea of protecting vulnerable clients is touted as the main reason for creating more barriers to exclude those with lived experience and criminal convictions. I wonder how many vulnerable people are actually being done a disservice because the very people they can relate to, learn from, and grow with, are being excluded from the social work profession? The ability to ‘reach back’ and support others trapped in a cycle cannot be underestimated.

Ultimately, this research supports the need for higher-level discussions and analyses on the social work profession’s stance towards the criminal justice system. Such an action will give more clarity about how to proceed with ensuring the profession lives up to its values—supporting individuals on their pathways of change. It will also lead to more nuanced decision making at international and national levels about the best approach to educating, registering, and employing those with criminal convictions. A more radical approach is required. Anything less is just tinkering around the edges.

## References

- Alexander, C., & Grant, C. (2009). Caring, mutuality and reciprocity in social worker-client relationships: Rethinking principles of practice. *Journal of Social Work, 9*(1), 5-22.  
<https://doi.org/10.1177/1468017308098420>
- Alexander, R., & Brown, K. A. 2000. Field placements in correctional institutions: Issues, problems and benefits. *Arete, 24*(1): 40–47.
- ANZASW. (2011). *ANZASW submission to the SWRB on mandatory registration of social workers*.  
<https://anzasw.nz/wp-content/uploads/ANZASW-Submission-to-SWRB-Final-Sept-2011.pdf>
- ANZASW. (2014). *ANZASW social work practice standards: Enhancing competent social work practice*. <https://anzasw.nz/wp-content/uploads/Practice-Standard-Publication-Full-Nov-14.pdf>
- ANZASW. (2019). *ANZASW code of ethics 2019*. <https://anzasw.nz/wp-content/uploads/Code-of-Ethics-Adopted-30-Aug-2019.pdf>
- Apaitia-Vague, T., Pitt, L., & Younger, D. (2011). 'Fit and proper' and fieldwork: A dilemma for social work educators?. *Aotearoa New Zealand Social Work, 23*(4), 55-64.  
<https://anzswjournal.nz/anzsw/article/download/151/234>
- Aresti, A., Eatough, V., & Brooks-Gordon, B. (2010). Doing time after time: An Interpretative Phenomenological Analysis of reformed ex-prisoners' experiences of self-change, identity and career opportunities. *Psychology, Crime & Law, 16*, 169-190.  
<https://doi.org/10.1080/10683160802516273>
- Barrenger, S. L., Stanhope, V., & Atterbury, K. (2018). Challenging dominant discourses: Peer work as social justice work. *Journal of Progressive Human Services, 29*(3), 185-205.  
<https://doi.org/10.1080/10428232.2017.1399036>
- Beddoe, L., & Duke, J. (2009). Registration in New Zealand social work: The challenge of change. *International Social Work, 52*(6), 785-797.  
<https://doi.org/10.1177/0020872809342649>
- Benzein, E., Norberg, A., & Saveman, B. I. (1998). Hope: Future imagined reality. The meaning of hope as described by a group of healthy Pentecostals. *Journal of Advanced Nursing, 28*(5), 1063-1070. <https://doi.org/10.1046/j.1365-2648.1998.00820.x>
- Berg, B. L., & Lune, H. (2012). *Qualitative research methods for the social sciences* (8th ed.). Pearson.
- Bhattacharya, A., Kolovson, S., Sung, Y. C., Eacker, M., Chen, M., Munson, S. A., & Kientz, J. A. (2018). Understanding pivotal experiences in behavior change for the design of technologies

for personal wellbeing. *Journal of Biomedical Informatics*, 79, 129-142.

<https://doi.org/10.1016/j.jbi.2018.01.002>

Boddy, J., O'Leary, P., Tsui, M. S., Pak, C. M., & Wang, D. C. (2018). Inspiring hope through social work practice. *International Social Work*, 61(4), 587-599.

<https://doi.org/10.1177/0020872817706408>

Bramley, S., Norrie, C., & Manthorpe, J. (2019). Current practices and the potential for individuals with criminal records to gain qualifications or employment within social work: A scoping review. *Social Work Education*, 1-17. <https://doi.org/10.1080/02615479.2019.1699912>

Brittain, E. (2016). *Whai tikanga: In pursuit of justice. Māori interactions with the criminal justice system and experiences of institutional racism* [Doctoral dissertation]. Massey University.

Brodersen, M., Swick, D., & Richman, J. (2009). Risks and mitigating factors in decisions to accept students with criminal records. *Journal of Social Work Education*, 45(3), 349–363.

<https://doi.org/10.5175/JSWE.2009.200800081>

Brown, J. D. (1991). The professional ex-: An alternative for exiting the deviant career. *Sociological Quarterly*, 32(2), 219-230. <https://doi.org/10.1111/j.1533-8525.1991.tb00354.x>

Carlin, M., & Frick, E. (2013). Criminal records, collateral consequences, and employment: The FCRA and Title VII in discrimination against persons with criminal records. *Seattle Journal for Social Justice*, 12(1), 109-163. <https://digitalcommons.law.seattleu.edu/sjsj/vol12/iss1/4>

Carpenter, D. R. (2007). Phenomenology as method. In H. J. Streubert & D. R. Carpenter (Eds.), *Qualitative research in nursing: Advancing the humanistic imperative* (pp. 75-99). Lippincott.

Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015.

<http://www.legislation.govt.nz/regulation/public/2015/0106/latest/DLM6482241.html>

Children's Act 2014. <http://www.legislation.govt.nz/act/public/2014/0040/latest/whole.html>

Chilton, J. M. (2015). Transformation from within: A concept analysis of epiphany. *Creative Nursing*, 21(1), 15-20. <http://ezproxy.auckland.ac.nz/login?url=https://www-proquest-com.ezproxy.auckland.ac.nz/docview/1671219387?accountid=8424>

Cobb, N. H., & Jordan, C. (1989). Students with questionable values or threatening behavior: Precedent and policy from discipline to dismissal. *Journal of Social Work Education*, 25(2), 87-97. <https://doi.org/10.1080/10437797.1989.10672117>

Colaizzi, P. F. (1978). Psychological research as the phenomenologist views it. In R. S. Valle & M. King (Eds.), *Existential-Phenomenological alternatives for psychology*. Oxford University Press.

Cooper, A. (2012, January 13). *The self in social work practice: Uses and abuses* [Paper presentation]. CSWP/Essex University day conference 'How to do relationship-based social

work', Southend, U.K. <http://cfswp.org/perch/resources/papers/selfinsocialworkpractice-acooper.doc>

- Cowburn, M., & Nelson, P. (2008). Safe recruitment, social justice, and ethical practice: Should people who have criminal convictions be allowed to train as social workers?. *Social Work Education, 27*(3), 293-306. <http://shura.shu.ac.uk/593/1/fulltext.pdf>
- Criminal Records (Clean Slate) Act 2004.  
<http://www.legislation.govt.nz/act/public/2004/0036/latest/DLM280840.html>
- Crisp, B. (2006). Gatekeeping or redressing social exclusion: Expectations on social work educators in relation to incarcerated students. *Social Work Review, 18*(4), 4-10.  
<http://dro.deakin.edu.au/eserv/DU:30003802/crisp-gatekeeping-2006.pdf>
- Crisp, B. R., & Gillingham, P. (2008). Some of my students are prisoners: Issues and dilemmas for social work educators. *Social Work Education, 27*(3), 307-317.  
<https://doi.org/10.1080/02615470701380360>
- Curran, L., Sanchez Mayers, R., DiMarcantonio, L., & Fulghum, F. H. (2019). MSW programs' admissions policies regarding applicants with histories of criminal justice involvement. *Journal of Social Work Education, 1*-14. <https://doi.org/10.1080/10437797.2019.1661903>
- Daehn Zellmer, D., & Knothe, T. (2011). The use of criminal background checks in social work education. *Journal of Baccalaureate Social Work, 16*(2), 17-33.  
<https://jbsw.org/doi/abs/10.5555/basw.16.2.b44t18268523v76n>
- Denzin, N., & Lincoln, Y. S. (2003). *Strategies of qualitative inquiry* (2nd ed.). Sage.
- Department of Corrections, 2020. *Prison facts and statistics - March 2020*.  
[https://www.corrections.govt.nz/resources/research\\_and\\_statistics/quarterly\\_prison\\_statistics/prison\\_stats\\_march\\_2020](https://www.corrections.govt.nz/resources/research_and_statistics/quarterly_prison_statistics/prison_stats_march_2020)
- Department of Corrections. (2007). Over-representation of Māori in the criminal justice system. An exploratory report. Wellington: Department of Corrections.  
[https://www.corrections.govt.nz/\\_data/assets/pdf\\_file/0014/10715/Over-representation-of-Maori-in-the-criminal-justice-system.pdf](https://www.corrections.govt.nz/_data/assets/pdf_file/0014/10715/Over-representation-of-Maori-in-the-criminal-justice-system.pdf)
- Dottin, C. D. (2018). Admission of master's degree students with criminal backgrounds: Implications for field directors. *Field Educator, 8*(1). <https://www2.simmons.edu/ssw/fe/i/17-177.pdf>
- Duarte, F. (2017). Reshaping political ideology in social work: A critical perspective. *Aotearoa New Zealand Social Work, 29*(2), 34-44. <https://anzswjournal.nz/anzsw/article/viewFile/282/463>
- Duggleby, W., & Wright, K. (2009). Transforming hope: How elderly palliative patients live with hope. *Canadian Journal of Nursing Research, 41*(1), 204-217.

[https://era.library.ualberta.ca/items/1058174d-1be1-4a9e-842b-815d92b1ff56/view/51a70062-e3d1-45ca-add3-953b43d454e4/CJNR\\_41\\_2009\\_1\\_204.pdf](https://era.library.ualberta.ca/items/1058174d-1be1-4a9e-842b-815d92b1ff56/view/51a70062-e3d1-45ca-add3-953b43d454e4/CJNR_41_2009_1_204.pdf)

- Duminda, R. (2020). Interpretative Phenomenological Analysis (IPA) as a coaching research methodology. *Coaching: An International Journal of Theory, Research and Practice*, 13(2), 176-190. <https://doi.org/10.1080/17521882.2019.1694554>
- Earnshaw, V. A., Smith, L. R., Chaudoir, S. R., Amico, K. R., & Copenhaver, M. M. (2013). HIV stigma mechanisms and well-being among PLWH: A test of the HIV stigma framework. *AIDS and Behavior*, 17(5), 1785-1795. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3664141/>
- Earnshaw, V. A., Smith, L. R., Cunningham, C. O., & Copenhaver, M. M. (2015). Intersectionality of internalized HIV stigma and internalized substance use stigma: Implications for depressive symptoms. *Journal of Health Psychology*, 20(8), 1083-1089. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4753572/>
- Eatough, V. & Smith, J. (2008). Interpretative phenomenological analysis. In C. Willig., & W. Stainton-Rogers (Eds.), *The SAGE handbook of qualitative research in psychology* (pp. 179-194). Sage. <https://doi.org/10.4135/9781848607927>
- Edhlund, B., & McDougall, A. (2019). *NVivo 12 essentials*. Lulu.com.
- Eketone, A. (2015). Will the oppressed ever be able to participate in the social work profession? *Aotearoa New Zealand Social Work*, 27(4), 1-4. <https://anzswjournal.nz/anzsw/article/viewFile/431/509>
- Fergusson, D. M., Horwood, L. J., & Lynskey, M. T. (1993). Ethnicity and bias in police contact statistics. *Australian & New Zealand Journal of Criminology*, 26(3), 193-206. <https://doi.org/10.1177/000486589302600302>
- Fergusson, D. M., Horwood, L. J., & Lynskey, M. T. (1993). Ethnicity, social background and young offending: A 14-year longitudinal study. *Australian & New Zealand Journal of Criminology*, 26(2), 155-170. <https://doi.org/10.1177/000486589302600205>
- Fergusson, D. M., Horwood, L. J., & Swain-Campbell, N. (2003). Ethnicity and criminal convictions: Results of a 21-year longitudinal study. *Australian & New Zealand Journal of Criminology*, 36(3), 354-367. <https://doi.org/10.1375/acri.36.3.354>
- Finlay, L. (2011). *Phenomenology for therapists: Researching the lived world*. Wiley-Blackwell.
- Frale, D. E., Platt, L., & Hoey, S. (1998). Concealable stigmas and positive self-perceptions: Feeling better around similar others. *Journal of Personality and Social Psychology*, 74(4), 909-922. <https://doi.org/10.1037/0022-3514.74.4.909>

- Gendreau, P., Little, T., & Goggin, C. (1996). A meta-analysis of the predictors of adult offender recidivism: What works!. *Criminology*, *34*(4), 575-608. <https://doi.org/10.1111/j.1745-9125.1996.tb01220.x>
- Goffman, E. (1963). *Stigma: Notes on the management of spoiled identity*. Prentice-Hall.
- Grinnell, R., & Unrau, Y. A. (2014). *Social work research and evaluation: Foundations of evidence-based practice* (10th ed.). Oxford University Press.
- Halkovic, A., & Greene, A. C. (2015). Bearing stigma, carrying gifts: What colleges can learn from students with incarceration experience. *The Urban Review*, *47*(4), 759-782. <https://doi.org/10.1007/s11256-015-0333-x>
- Haski-Leventhal, D., Gelles, R. J., & Cnaan, R. A. (2010). Admitting convicted felons to social work programs: Conceptual dilemmas and practices. *International Social Work*, *53*(1), 87-100. <https://doi.org/10.1177/0020872809348949>
- Haugan, G., Utvær, B. K. S., & Moksnes, U. K. (2013). The Herth Hope Index—A psychometric study among cognitively intact nursing home patients. *Journal of Nursing Measurement*, *21*(3), 378-400. <https://doi.org/10.1891/1061-3749.21.3.378>
- Heidemann, G., Cederbaum, J. A., Martinez, S., & LeBel, T. P. (2016). Wounded healers: How formerly incarcerated women help themselves by helping others. *Punishment & Society*, *18*(1), 3-26. <https://doi.org/10.1177/1462474515623101>
- Hook, G. R. (2009). "Warrior genes" and the disease of being Māori. *MAI Review*, *2*, 1-11. <http://www.review.mai.ac.nz/mrindex/MR/article/download/222/222-1507-1-PB.pdf>
- Hughes, C., Staniforth, B., Adamson, C., Hancox, J., McNabb, D., & McKechnie, R. (2017). Report to CSWEANZ on behalf of the Fit and Proper Working Group. [https://unitec.researchbank.ac.nz/bitstream/handle/10652/4445/Hughes,%20C.%20\(2017\).pdf?sequence=3](https://unitec.researchbank.ac.nz/bitstream/handle/10652/4445/Hughes,%20C.%20(2017).pdf?sequence=3)
- Hunt, S. (2017). The social work regulation project in Aotearoa New Zealand. *Aotearoa New Zealand Social Work*, *29*(1), 53-64. <https://researchcommons.waikato.ac.nz/bitstream/handle/10289/11662/The%20SW%20regulation%20project%20in%20ANZ%20Aotearoa%20NZ%20SW.pdf?sequence=2>
- Hunt, S., Staniforth, B., & Beddoe, L. (2019). Establishing the qualification criteria for social worker registration in Aotearoa New Zealand: Conflict and compromise. *Social Work Education*, *38*(7), 894-907. <https://doi.org/10.1080/02615479.2019.1593957>
- IFSW. (2014). *Global definition of social work*. <https://www.ifsw.org/what-is-social-work/global-definition-of-social-work/>



- IFSW. (2017). *What is the potential of global social work solidarity to change the world?*  
<https://www.ifsw.org/what-is-the-potential-of-global-social-work-solidarity-to-change-the-world/>
- IFSW. (2018). *Global social work statement of ethical principles*. <https://www.ifsw.org/global-social-work-statement-of-ethical-principles/>
- IFSW. (2020). *About IFSW*. <https://www.ifsw.org/about-ifsw/>
- Ingram, R., & Smith, M. (2018). Relationship-based practice: Emergent themes in social work literature. [https://discovery.dundee.ac.uk/ws/files/20222281/insights\\_41.pdf](https://discovery.dundee.ac.uk/ws/files/20222281/insights_41.pdf)
- International Federation of Social Workers. (2012, March 3). *Global standards*. IFSW.  
<https://www.ifsw.org/global-standards/>
- Jackson, M. (1988). *He whaipanga hou: Māori and the criminal justice system - A new perspective*. Wellington: Ministry of Justice.
- Jackson, S. W. (2001). Presidential address: The wounded healer. *Bulletin of the History of Medicine*, 75, 1-36. <https://doi.org/10.1353/bhm.2001.0025>
- Keane, B. (2012). *Ngā rōpū tautohetohe: Māori protest movements*.  
<http://www.TeAra.govt.nz/en/nga-ropu-tautohetohe-maori-protest-movements>
- Kember, D., Ha, T. S., Lam, B. H., Lee, A., NG, S., Yan, L., & Yum, J. C. (1997). The diverse role of the critical friend in supporting educational action research projects. *Educational Action Research*, 5(3), 463-481. <https://doi.org/10.1080/09650799700200036>
- Kockelmans, J. J. (2017). Toward an interpretative or social science hermeneutic. In B. Babich (Ed.), *Hermeneutic Philosophies of Social Science* (pp: 25-50). De Gruyter, Inc.
- Lavalette, M., & Penketh, L. (2014). *Race, racism and social work: Contemporary issues and debates*. Policy Press.
- Laverty, S. M. (2003). Hermeneutic phenomenology and phenomenology: A comparison of historical and methodological considerations. *International Journal of Qualitative Methods*, 2(3), 21-35.  
<https://doi.org/10.1177/160940690300200303>
- LeBel, T. P. (2012). Invisible stripes? Formerly incarcerated persons' perceptions of stigma. *Deviant Behavior*, 33, 89-107. <https://doi.org/10.1080/01639625.2010.538365>
- LeBel, T. P., Richie, M., & Maruna, S. (2015). Helping others as a response to reconcile a criminal past: The role of the wounded healer in prisoner reentry programs. *Criminal Justice and Behavior*, 42, 108-120. <https://doi.org/10.1177/0093854814550029>
- Leedy, G. M., & Smith, J. E. (2005). Felony convictions and program admissions: Theoretical perspectives to guide decision-making. *Journal of Social Work Values and Ethics*, 2(1).  
<http://www.socialworker.com/jswve/content/view/16/34/>

- Leedy, P., Ormrod, J. E., & Johnson, L. R. (2019). *Practical research: Planning and design* (12th ed.). Pearson.
- Livingston, J. D., & Boyd, J. E. (2010). Correlates and consequences of internalized stigma for people living with mental illness: A systematic review and meta-analysis. *Social Science & Medicine*, *71*(12), 2150-2161. <https://doi.org/10.1016/j.socscimed.2010.09.030>
- Madoc-Jones, I., Bates, J., Facer, B., & Roscoe, K. (2007). Students with criminal convictions: Policies and practices in social work education. *British Journal of Social Work*, *37*(8), 1387-1403. <https://doi.org/10.1093/bjsw/bc1028>
- Magen, R. H., & Emerman, J. (2000). Should convicted felons be denied admission to a social work education program? Yes! *Journal of Social Work Education*, *36*(3), 401–405. <https://doi.org/10.1080/10437797.2000.10779018>
- Marshall, C. and Rossman, G. B. (2016). *Designing qualitative research* (6th ed.). Sage
- Maruna, S., & LeBel, T. P. (2009). Strengths-based approaches to reentry: Extra mileage toward reintegration and destigmatization. *Japanese Journal of Sociological Criminology*, *34*, 58-80. [https://doi.org/10.20621/jjscrim.34.0\\_59](https://doi.org/10.20621/jjscrim.34.0_59)
- Miller, J., & Koerin, B. (1998). Can we assess suitability at admission? A review of MSW application procedures. *Journal of Social Work Education*, *34*(3), 437-452. <https://doi.org/10.1080/10437797.1998.10778938>
- Miller, W. R. (2004). The phenomenon of quantum change. *Journal of Clinical Psychology*, *60*(5), 453-460. <https://doi.org/10.1002/jclp.20000>
- Ministry of Justice. (2019). Justice Statistics data tables: Notes and trends for 2019. Retrieved from 1 September 2020: <https://www.justice.govt.nz/assets/Documents/Publications/2vhv66-Justice-Statistics-data-tables-notes-and-trends-dec2019-v1.0.pdf>
- Moore, K. E., Stuewig, J. B., & Tangney, J. P. (2016). The effect of stigma on criminal offenders' functioning: A longitudinal mediational model. *Deviant Behavior*, *37*(2), 196-218. <https://doi.org/10.1080/01639625.2014.1004035>
- Morris, A. (2015). *A practical introduction to in-depth interviewing*. Sage.
- Morrow, R., Rodriguez, A. and King, N. (2015). Colaizzi's descriptive phenomenological method. *The Psychologist*, *28*(8), 643-644. [http://eprints.hud.ac.uk/id/eprint/26984/1/Morrow\\_et\\_al.pdf](http://eprints.hud.ac.uk/id/eprint/26984/1/Morrow_et_al.pdf)
- Munn, M. (2012). The mark of criminality: Rejections and reversals, disclosure and distance: Stigma and the ex-prisoner. In S. Hannem, & C. Bruckert (Eds.), *Stigma revisited: Implications of the mark* (pp. 147–169). University of Ottawa Press.

- Nash, M., & Miller, J. (2013). Social Work: Where have we been and where are we going. In M. Connolly & L. Harms (Eds.), *Social work: Contexts and practice* (pp. 329-345). Oxford University Press.
- New Zealand Parliament. (2019). *Social Workers Registration Legislation Bill — Third reading*. [https://www.parliament.nz/en/pb/hansard-debates/rhr/combined/HansDeb\\_20190221\\_20190221\\_12](https://www.parliament.nz/en/pb/hansard-debates/rhr/combined/HansDeb_20190221_20190221_12)
- Noble, D. N., & Severson, M. M. (1995). Marriages of convenience and purpose: Social work education and the community unite. *Journal of Social Work Education, 31*(1), 82-94. <https://doi.org/10.1080/10437797.1995.10778842>
- O'Brien, M. (2013). Social work registration and professionalism: Social justice and poverty-fellow travellers or discarded passengers?. *Aotearoa New Zealand Social Work, 25*(3), 50-59. <https://anzswjournal.nz/anzsw/article/download/73/169>
- O'Malley, P. (1973). The amplification of Māori crime: Cultural and economic barriers to equal justice in New Zealand. *Race, 15*(1), 47-57. <https://doi.org/10.1177/030639687301500103>
- O'Brien, M. (2005). A Just Profession or Just a Profession? Social Work and Social Justice. *Social Service Review, 17*(1), 13–22. <https://anzasw.nz/wp-content/uploads/Social-Work-Review-Issue-17-Autumn-05-Article-OBrien.pdf>
- Oranga Tamariki. (2018). *Official Information Act 1982 - Request*. <https://orangatamariki.govt.nz/assets/Uploads/About-us/Report-and-releases/OIA-responses/20181206-staff-facing-criminal-charges.pdf>
- Ostrander, J. A., Lane, S., McClendon, J., Hayes, C., & Smith, T.R. (2017). Collective power to create a political change: Increasing the political efficacy and engagement of social workers. *Journal of Policy Practice, 16*(3), 261–275. <https://doi.org/10.1080/15588742.2016.1266296>
- Pager, D., & Quillian, L. (2005). Walking the talk? What employers say versus what they do. *American Sociological Review, 70*(3), 355-380. <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.475.6589&rep=rep1&type=pdf>
- Patton, M. (2015). *Qualitative research & evaluation methods: Integrating theory and practice* (4th ed.). Sage.
- Perry, R. W. (2004). The impact of criminal conviction disclosure on the self-reported offending profile of social work students. *British Journal of Social Work, 34*(7), 997-1008. <https://doi.org/10.1093/bjsw/bch125>
- Petersilia, J. (2003). *When prisoners come home: Parole and prisoner reentry*. Oxford University Press.

- Pomeroy, E. C., Holleran, L. K., & Kiam, R. (2004). Postmodern feminism: A theoretical framework for a field unit with women in jail. *Social work education, 23*(1), 39-49.  
<https://doi.org/10.1080/0261547032000175692>
- Pomeroy, E. C., Kiam, R., & Abel, E. M. (1999). The effectiveness of a psychoeducational group for HIV-infected/affected incarcerated women. *Research on Social Work Practice, 9*(2), 171-187.  
<https://doi.org/10.1177/104973159900900203>
- PSA. (2016). Inquiry into the Social Workers Registration Act 2003: Submission to the social services select committee.  
<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiezpGwg4vsAhWOH7cAHf7xDXMQFjABegQIAhAB&url=https%3A%2F%2Fwww.psa.org.nz%2Fdmsdocument%2F85709&usq=AOvVaw1CDPlge1wuleuGvIxAmduy>
- Quinn, D. M., Kahng, S. K., & Crocker, J. (2004). Discreditable: Stigma effects of revealing a mental illness history on test performance. *Personality and Social Psychology Bulletin, 30*(7), 803-815. <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.835.7141&rep=rep1&type=pdf>
- Randal, H. (2018). Lifting the veil on the government's regulatory agenda for the social work profession in Aotearoa New Zealand. *Aotearoa New Zealand Social Work, 30*(1), 20-31.  
<https://anzswjournal.nz/anzsw/article/viewFile/469/557>
- Rogers, C. R. (1950). A current formulation of client-centred therapy. *Social Service Review, 24*(4), 442-449. <https://doi.org/10.1086/638020>
- Rose, L. H. (2015). Community college students with criminal justice histories and human services education: Glass ceiling, brick wall, or a pathway to success. *Community College Journal of Research and Practice, 39*(6), 584-587. <https://doi.org/10.1080/10668926.2014.926261>
- Rose, L. H., Äikäs, R. M., & Valoy, G. (2017). Human services/social work students with criminal justice involvement and internships: A closer look at the prison to college to career pathway. *Dialogues in Social Justice: An Adult Education, 2*(2), 102-117.  
<https://core.ac.uk/download/pdf/229871741.pdf>
- Royse, D. (2000). Teaching research online: A process evaluation. *Journal of Teaching in Social Work, 20*(1-2), 145-158. [https://doi.org/10.1300/J067v20n01\\_09](https://doi.org/10.1300/J067v20n01_09)
- Ruch, G. (2005). Relationship-based practice and reflective practice: Holistic approaches to contemporary child care social work. *Child & Family Social Work, 10*(2), 111-123.  
<https://doi.org/10.1111/j.1365-2206.2005.00359.x>
- Runell, L. L. (2020). Becoming a social work professional after incarceration. *Journal of Social Work, 20*(3), 307-320. <https://doi.org/10.1177/1468017318815293>

- Savage, C., Dallas-Katoa, W., Leonard, J., Goldsmith, L., & Fraser, W. (2017). Whānau Ora Navigation Initial Research for Te Putahitanga o Te Waipounamu. Ihi Research Social Change.  
<https://static1.squarespace.com/static/548669c2e4b0e9c86a08b3ca/t/5b1ef78c2b6a28e9472a9d1d/1528756122935/Whānau+Ora+Navigator+Report.pdf>
- Scherini, G. (2018). *Ban the Box: Outcomes of Mandatory Disclosure and Predictors of Voluntary Disclosure of Criminal History in Job Applications* [Master's thesis]. San Jose State University. [https://scholarworks.sjsu.edu/etd\\_theses/4953](https://scholarworks.sjsu.edu/etd_theses/4953)
- Schrader, B. (2010). *Parades and protest marches*. <https://teara.govt.nz/en/parades-and-protest-marches>
- Scott, C. V., Hyer, L. A., & McKenzie, L. C. (2015). The healing power of laughter: The applicability of humor as a psychotherapy technique with depressed and anxious older adults. *Social Work in Mental Health, 13*(1), 48–60. <https://doi.org/10.1080/15332985.2014.972493>
- Scott, N., & Zeiger, S. (2000). Should convicted felons be denied admission to a social work education program? No! *Journal of Social Work Education, 36*(3), 409–411.  
<https://doi.org/10.1080/10437797.2000.10779190>
- Severson, M. E. (1999). Social work education and practice in the jail setting. *Journal of Teaching in Social Work, 18*(1-2), 53-71. [https://doi.org/10.1300/J067v18n01\\_07](https://doi.org/10.1300/J067v18n01_07)
- Simmons-Hansen, M. (2010). *Lost voices: Why is Te Tiriti not named in the Social Work Registration Act (SWRA) 2003?* [Master's thesis]. Massey University.  
<http://www.scribd.com/doc/178796215/Lost-voice-5-AUGUST-pdf-Submissions-and-the-disconnectaround-the-Registration-of-Social-Workers-Act-2003>
- Smith, J. A. (2017). Interpretative phenomenological analysis: Getting at lived experience. *The Journal of Positive Psychology, 12*(3), 303-304.  
<https://doi.org/10.1080/17439760.2016.1262622>
- Smith, J. A., Flowers, P., & Larkin, M. (2009). *Interpretative phenomenological analysis: Theory, method, and research*. Sage.
- Smith, J. M. (1999). Prior criminality and employment of social workers with substantial access to children: A decision board analysis. *The British Journal of Social Work, 29*(1), 49-68.  
<https://doi.org/10.1093/oxfordjournals.bjsw.a011439>
- Smith, J.A. (1996). Beyond the divide between cognition and discourse: Using interpretative phenomenological analysis in health psychology. *Psychology & Health, 11*(2), 261–271.  
<https://doi.org/10.1080/08870449608400256>

- Smith, J.A. & Osborn, M. (2003). Interpretative phenomenological analysis. In J.A. Smith (Ed.), *Qualitative psychology: A practical guide to methods*. Sage.
- Social Workers Registration Act 2003.  
<http://www.legislation.govt.nz/act/public/2003/0017/latest/whole.html>
- Staniforth, B., & Fouché, C. (2006). An Aotearoa primer on 'fit and proper' - School version. *Social Work Review*, 18(4), 11-19. <https://anzasw.nz/wp-content/uploads/SW-Review-Summer-06-Articles-Staniforth-and-Fouche.pdf>
- Stenhouse, L. (1975). *An introduction to curriculum research and development*. Heinemann.
- Swan, H. (2016). A qualitative examination of stigma among formerly incarcerated adults living with HIV. *SAGE Open*, 6(1), 1-9. <https://doi.org/10.1177/2158244016629524>
- SWRB. (2016). *Code of conduct*. <https://swrb.govt.nz/public-and-employers/code-of-conduct/>
- SWRB. (2018). *Fit and proper person policy statement*. <https://swrb.govt.nz/download/fit-and-proper-policy-3/>
- SWRB. (2020a). *Mandatory registration*. <https://swrb.govt.nz/about-us/legislation/mandatory-the-next-step/>
- SWRB. (2020b). *Core competence standards*. <https://swrb.govt.nz/social-workers/competence/core-competence-standards/>
- SWRB. (2020c). *Practising certificate*. <https://swrb.govt.nz/social-workers/practising/practising-certificate/>
- SWRB. (2020d). *SWRB and education*. <https://swrb.govt.nz/education/>
- SWRB. (2020e). *Experience pathway: S13*. <https://swrb.govt.nz/social-workers/experience-pathway-s13/>
- Tauri, J. (2005). Indigenous perspectives and experiences: Māori and the criminal justice system. In R. Walters & T. Bradley (Eds.), *Introduction to criminological thought* (pp. 129-145). Prentice Hall.
- Terre Blanche, Durrheim & Painter, (Eds.). 2006. *Research in practice: Applied methods for the social sciences*. Juta and Company Ltd.
- The Centre for Community Alternatives. (n.d.). *Boxed out: Criminal History Stigma and College Admissions*. Bstigmafree. <https://bstigmafree.org/blog/boxed-out-criminal-history-stigma-and-college-admissions/>
- Thorne, B. (2012). The Counsellor and the lay canon: Different routes but the same journey. In B. Thorne (Ed.), *Counselling and spiritual accompaniment: Bridging faith and person-centred therapy* (pp. 293–305). John Wiley & Sons.

- Tuffour, I. (2017). A critical overview of interpretative phenomenological analysis: a contemporary qualitative research approach. *Journal of Healthcare Communications*, 2(4), 52.  
<https://doi.org/10.4172/2472-1654.100093>
- Uggen, C. (2000). Work as a turning point in the life course of criminals: A duration model of age, employment, and recidivism. *American sociological review*, 529-546.  
<https://doi.org/10.2307/2657381>
- Uggen, C., Vuolo, M., Lageson, S., Ruhland, E., & Whitham, H. K. (2014). The edge of stigma: An experimental audit of the effects of low-level criminal records on employment. *Criminology*, 52(4), 627-654. <https://doi.org/10.1111/1745-9125.12051>
- Vliek, A. S. (2018). *Examining the impact of a criminal background in social work education* [Doctoral dissertation]. Western Michigan University, U.S..
- Webb, R. (2009). Māori, Pacific peoples and the social construction of crime statistics. *MAI Review*, 3, 1-4.
- West, R. (2005). Time for a change: putting the Transtheoretical (Stages of Change) Model to rest. *Addiction*, 100(8), 1036-1039. <https://doi.org/10.1111/j.1360-0443.2005.01139.x>
- Williams, N. J. (2019). Social work and social justice: The relationship between fitness to practise and criminal convictions for non-violent activism. *Aotearoa New Zealand Social Work*, 31(2), 64-68. <https://anzswjournal.nz/anzsw/article/download/638/650>
- Wilson, S. (2017, April 12). *The Vulnerable Children's Act three years on - some key issues in conducting 'safety checks'*. Simpson Grierson.  
<https://www.simpsongrierson.com/articles/2017/the-vulnerable-childrens-act-three-years-on-safety-checks>
- Workman, K. (2011). Māori over-representation in the criminal justice system – Does structural discrimination have anything to do with it?  
[http://www.rethinking.org.nz/assets/Newsletter\\_PDF/Issue\\_105/01\\_Structural\\_Discrimination\\_in\\_the\\_CJS.pdf](http://www.rethinking.org.nz/assets/Newsletter_PDF/Issue_105/01_Structural_Discrimination_in_the_CJS.pdf)

# Appendix 1

**Office of the Vice-Chancellor**  
Office of Research Strategy and Integrity (ORSI)



The University of Auckland  
Private Bag 92019  
Auckland, New Zealand  
  
Level 11, 49 Symonds Street  
Telephone: 64 9 373 7599  
Extension: 83711  
[humanethics@auckland.ac.nz](mailto:humanethics@auckland.ac.nz)

## UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE (UAHPEC)

29-May-2019

### MEMORANDUM TO:

Dr Ian Hyslop  
Counselling, HumServ & SocWrk

### Re: Application for Ethics Approval (Our Ref. 022943): Approved

The Committee considered the application for ethics approval for your study entitled **Social workers with prior criminal convictions and their experiences in the social work profession**.

We are pleased to inform you that ethics approval has been granted for a period of three years.

The expiry date for this approval is 29-May-2022.

**Completion of the project:** In order that up-to-date records are maintained, you must notify the Committee once your project is completed.

**Amendments to the project:** Should you need to make any changes to the project, please complete an Amendment Request form in InfoEd, giving full details along with revised documentation. If the project changes significantly, you are required to submit a new application to UAHPEC for approval.

**Funded projects:** If you received funding for this project, please provide this approval letter to your local Faculty Research Project Coordinator (RPC) or Research Project Manager (RPM) so that the approval can be notified via a Service Request to the Research Operations Centre (ROC) for activation of the grant.

The Chair and the members of UAHPEC would be happy to discuss general matters relating to ethics approvals. If you wish to do so, please contact the Ethics Administrators at [humanethics@auckland.ac.nz](mailto:humanethics@auckland.ac.nz) in the first instance.

### Additional information:

1. Do not forget to complete the 'approval wording' on the PISs, CFs and/or advertisements and emails, giving the dates of approval and the reference number. This needs to be completed before you use the documents or send them out to your participants.

Please quote Protocol number **022943** on all communication with the UAHPEC regarding this application.



*(This is a computer generated letter. No signature required.)*

UAHPEC Administrators  
University of Auckland Human Participants Ethics Committee

c.c. Head of Department / School, Counselling, HumServ & SocWrk  
Ms Suzette Jackson  
Dr Barbara Staniforth

# Appendix 2



## EDUCATION AND SOCIAL WORK

### Participant Information Sheet

Social workers with prior criminal convictions and their experiences in the social work profession

Researcher: Suzette Jackson (Masters student).

Supervisors: Dr Ian Hyslop, Dr Barbara Staniforth.

Suzette Jackson is currently completing a Masters in Social Work through the Faculty of Education and Social Work at The University of Auckland. She has previously completed a BSW (Hons) through The University of Auckland.

### Overview of project

This research project will explore the experiences of social workers with criminal convictions and the impact those convictions have had on their social work career pathway. The research also aims to explore the strengths that these social workers bring to professional practice and to the social work profession due to their personal experiences surrounding their criminal convictions.

The research seeks to identify the barriers social workers with criminal convictions have faced. It aims to determine if these experiences undermine the social work values of social justice and the fundamental belief of an individual's capacity to change.

This research takes the view that the current professionalisation within social work practice in New Zealand, including mandatory registration, has the potential to exclude valuable employees. In excluding those with criminal convictions the social work profession could be potentially undermining its social justice mandate.

The research will involve interviews with up to 12 social workers who have prior criminal convictions and are currently employed in the social work profession.

Completed interviews will be transcribed by Suzette Jackson and analysed in order to identify common themes and significant issues. This analysis will form a core component of Suzette's MSW thesis.

### What is involved in this study?

If you choose to participate in this study you will be asked to take part in one semi-structured interview with the researcher, Suzette Jackson. The interview will take between one and two hours and will be carried out using video conferencing software (Zoom). If you live in Auckland you will also have the option of attending the interview in person, at The University of Auckland's Epsom campus. Alternatively, the researcher can meet you at your choice of venue, for example, at your place of work.

During the interview you will be asked a range of questions about your experiences relating to your criminal conviction/s and the impact on your social work career pathway. The interview questions are outlined in the accompanying questions document.

If you chose to be part of the study it is a requirement that you divulge all of your criminal convictions. This is an important component of being able to analyse the findings in a robust and honest manner. Nothing in regard to findings should normally compromise participant confidentiality or privacy. However, if any of the participants talk about any illegal activity that has not resulted in a conviction and that puts third parties at risk the information will be shared with the appropriate authorities (following discussion with the PI and co-investigator).

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Counselling Human Services and Social Work

#### Epsom Campus

Gate 3, 74 Epsom Ave  
Auckland, New Zealand

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#### The University of Auckland

Private Bag 92601  
Symonds Street  
Auckland 1135  
New Zealand

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Following the interview, you will be given the option to take part in a follow-up phone call (lasting up to 30 minutes) to discuss any ideas or thoughts which may have arisen from the interview. You will also have the option of reviewing your transcript for accuracy.

In total the expected amount of time you will have to commit to this project should not exceed 4 hours.

### ***Your rights if you choose to participate***

Participation in this study is on a voluntary basis and you will be free to withdraw from the project at any time leading up to, or during, your interview. During the interview you will be able to ask for the recorder to be turned off at any time, without having to give a reason.

When you participate in the interview you will be given the option of reviewing the interview transcript. If you choose to review your transcript you will have a period of two weeks after receiving the transcript to make any corrections to the transcript, or to choose to have your interview withdrawn from the research project. After this two-week review period has passed you will not be able to remove your transcript from the study.

While efforts will be made to use this material in context, and in a non-biased manner, it is possible that participants may disagree with findings drawn from this project. Participants will not be able to review or have input into findings before they are published.

### ***Will other people know what you have said?***

Your identity will be treated as strictly confidential and will only be known to the researcher and her supervisors. Any identifying information, or information not directly relevant to this research project, will be treated as confidential and not made public. Recordings and transcripts of interviews will be stored in a secure manner and will only be accessible to the researcher and her supervisors.

The material contained in your interview will be used in the researcher's masters thesis. Quotes from your interview may be used directly to illustrate significant findings. Your interview, and subsequent analysis, may also be used in future journal articles, conference presentations, and lectures.

When information you provide is reported/published, it will be done in a way that does not identify you as its source. This will include anonymising your contributions, and using extracts carefully so as to limit the risk of identification. While every attempt will be made to protect your confidentiality, there is a small chance that what you say may be recognisable to other people.

### ***Risk of adverse consequences***

Should matters arise during the interview which are personally distressing, or which relate to your ability to practise professionally, you will be advised to seek appropriate professional support services. Social workers are routinely provided with professional supervision within the work place many employees also have access to free counselling services through EAP (Employee Assisted Programmes) there are also limited free counselling and support services that can be accessed via general practitioners. There is also free support services available through lifeline and Antara (a counselling service in West Auckland). The Auckland Women's Centre also provides low cost counselling to women in the Auckland Area.

### ***Storage and retention of data***

Data obtained through the interviews will be stored on a password protected computer of the PI as well as the other researchers and stored on the secure University of Auckland server. Consent forms will be stored in the locked filing cabinet of the PI for six years, and will then be shredded. After six years, all stored information resulting from this project will be destroyed.

***If you wish to find out more***

If you would like to participate in this research project, or have questions about involvement, please contact the researcher, Suzette Jackson, for more information. All communication will be treated confidentially.

Email: [sjac455@aucklanduni.ac.nz](mailto:sjac455@aucklanduni.ac.nz)

Thank you for taking the time to read this Participant Information Sheet.

**Contact details for those involved in this project**

**Student researcher**

Suzette Jackson

School of Counselling, Human Services and Social Work

Faculty of Education and Social Work

University of Auckland

Email: [sjac455@aucklanduni.ac.nz](mailto:sjac455@aucklanduni.ac.nz)

**Additional Supervisor**

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**Main Supervisor**

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For any queries regarding ethical concerns you may contact the Chair, The University of Auckland Human Participants Ethics Committee, The University of Auckland, Research Office, Private Bag 92019, Auckland 1142. Telephone 09 373-7599 extn. 83711. Email: [humanethics@auckland.ac.nz](mailto:humanethics@auckland.ac.nz)

Approved by the University of Auckland Human Participants Ethics Committee on 29 May 2019 for three years. Reference Number 022943

## Appendix 3

### Interview Questions

These are the interview questions which you will be asked if you decide to participate in an interview. However further questions may be asked in order to gather more details about OR gain more insight into particular topics. It is your right to decline to answer any/all questions and you are free to leave the interview at any point.

#### Demographic Questions

What is your ethnicity?

What gender do you identify as?

What is your current role?

What qualifications do you hold and when did you receive them?

How long have you practiced social work and what year did you enter the profession?

Do you have SWRB registration?

#### Convictions and career pathway

Can you describe your career pathway and the fields of practice you have worked in?

Can you outline all of the criminal convictions you have received?

Were convictions received prior to practice? Or were some of them received during your social work career pathway?

Can you share the circumstances you were experiencing during the time of receiving those criminal convictions (please only share what you are comfortable divulging)

Can you describe any challenges within your social work studies that you've experienced due to these convictions?

In what ways do you think your criminal convictions have impacted your career pathway?

Can you give any examples of discrimination in your social work career pathway due to your criminal convictions?

If you have worked in both NGO and governmental agencies did you experience differing challenges in these two career areas due to your criminal convictions?

In your workplace(s) have you noticed changing attitudes towards your convictions? More or less tolerant...explain...(PROMPT: managers, HR and colleagues/clients)

The idea that people can change is thought of as being very central to social work. What's your understanding of this idea? And has this been reflected in your personal experiences in the social work profession?

Do you think your criminal convictions have played a part in your choice of career pathway? Were your career choices limited by your criminal convictions?

### **Registration**

What do you think of mandatory registration for social workers and has it caused any concerns for you?

Do you have any thoughts about how mandatory registration might impact on those with convictions?

### **IF REGISTERED**

What were your experiences of gaining registration and were there any issues gaining registration due to your convictions?

### **IF UNREGISTERED**

What is your understanding of the registration process?

What concerns do you have about the registration process?

Have convictions played a role in you not applying for registration?

### **Strengths and assets**

What learning and change do you think you're undergone as a result of these convictions?

What benefits and strengths do you think the experiences associated with these criminal convictions have brought to your practice, your clients and the SW profession?

**Closing questions**

Do you have any thoughts about how the social work profession should approach the hiring of social workers with convictions?

Do you think the current screening and hiring of social workers with convictions is fair and just?

In your view is there a lack of consistency in the hiring of individuals with criminal convictions into the social work profession?

Do you have any further thoughts about individuals with convictions working within the social work profession?

Do you have anything else that you'd like to say?

Approved by the University of Auckland Human Participants Ethics Committee on ..... for three years, Reference Number .....



# Appendix 4

## Advertisement

### **Participants wanted for research project exploring the career experiences of social workers with prior criminal convictions**

Practicing social workers with prior criminal convictions are sought for a research project examining their experiences in the social work profession. The project will explore the barriers they have faced and determine the assets and strengths they have brought to the social work profession.

Participation in this research will involve one interview which will be carried out in person (available for Auckland-based participants), or via video conferencing. This interview will take between one and two hours and you will be asked a range of questions about your experience relating to your criminal conviction/s and the impacts on your career pathway. Questions you will be asked are designed to explore the barriers you have faced and also the strengths and assets you have brought to the profession.

Social workers with, or without, social work registration are suitable for this project. Participation in this study is voluntary and without remuneration.

If you are interested in this study and would like more information in order to make an informed decision, please email researcher Suzette Jackson [sjac455@aucklanduni.ac.nz](mailto:sjac455@aucklanduni.ac.nz). All communication will be treated confidentially.

Approved by the University of Auckland Human Participants Ethics Committee on 29 May 2019 for three years. Reference Number 022943