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Constructing and maintaining a 'non-criminal' identity: a psychosocial narrative inquiry into the lives of people with convictions

Nicola Collett

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Keele University

Keele
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Abstract

Despite burgeoning interest in the field of collateral consequences research, there is little empirical research exploring the subjective experiences of people living with convictions (PWCs), particularly within the jurisdiction of England and Wales. Through in-depth analysis of interviews with fourteen PWCs, this research provides insight into the highly creative ways former lawbreakers navigate 'disclosure landscapes' (developed in this thesis), and manage the stigma attached to their criminal record in public and private life domains. A psychosocially informed narrative inquiry, this thesis examines the importance of storytelling for the management of stigma, highlighting how people attach meaning to life events, establish continuity between past, present and future, and construct a 'non-criminal' narrative identity to share with others. It explores the discursive investments of participants to illustrate the simultaneously agentic and socially mediated nature of narrative construction. It examines how some narratives help to facilitate forward mobility and the anticipation of a 'stigma free' future, whilst others act as a rubber band, drawing PWCs back to the harmful experiences of their past. A key argument of this thesis is that managing the criminal record constitutes a life-long narrative project, as people are required to adapt to changes to their life trajectories and social structures, and in the case of PWCs, to respond to shifts in socio-political attitudes regarding the management of 'risky' or 'dangerous' people. As a result, the thesis argues that more biographically informed research is needed to advance the field of collateral consequences further, recognising the highly subjective and complex ways people experience living with a criminal record.

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Introduction

Background and rationale

There are over 12.3 million people living in the UK with a criminal record (NACRO, 2023). Whilst the Rehabilitation of Offenders Act (1974) and Filtering Rules (2013) go some way to prevent the disclosure of historical and minor convictions, criminal record information is increasingly used to regulate access to various life opportunities. Indeed, it has been demonstrated that the widespread use of criminal record checks has led to a range of 'collateral consequences[1]' for people with convictions (henceforth PWCs) including, but not limited to, restrictions when finding employment and accessing higher education, conviction-based regulation when traveling, and discrimination when accessing the housing market (see Kurtovic and Corda, 2021: npn). Furthermore, due to the stigma attached to criminal records, many PWCs experience difficulty (re)integrating into society and establishing intimate relationships, having a detrimental effect on their mental health and personal wellbeing (see Stacey, 2019; Evans and Blount-Hill, 2020). Moreover, in the digital age, the 'Google effect' further reduces the privacy of PWCs, making criminal records publicly visible (see Lageson & Maruna, 2018; Corda and Lageson, 2020). Subsequently, even minor and/or isolated interactions with the criminal justice system, can potentially have a life-long impact for someone living with criminal record.

Despite growing interest in the field of collateral consequences, thus far, this research has predominantly been 'top-down' in focus. Indeed, current research has

[1] The 'Collateral Consequences of a Criminal Record' emerged in American literature in the 1950's and was officially adopted by the ESC Working Group researching in this area in 2019. Readers will be introduced to this field of research in chapter one.

broadly discussed: 1) approaches to criminal record retention and disclosure in different legal jurisdictions; 2) the various structural and affective consequences of a criminal record; and 3) the implications of such consequences for punishment and citizenship (Collett, 2022). Whilst this research has laid the foundations for collateral consequences research to develop, the field is yet to sufficiently capture the voices of PWCs. Subsequently, it has not yet developed a nuanced appreciation of the subjective ways people experience their criminal record. Furthermore, much of the research that has been conducted has come from continental Europe (see Larrauri, 2014; Kurtovic, 2017), the United States (see Harding, 2003; LeBel, 2012) and Australia (see Cherney and Fitzgerald, 2016), leaving England and Wales largely unexplored. This is particularly problematic as a recent international comparison of the provisions for dealing with childhood criminal records, discovered that England and Wales had the most punitive regime of all the jurisdictions studied (Sands, 2016). Finally, the vast majority of collateral consequences research focusses on post-incarceration experiences, demonstrating how a criminal record can be a barrier for reintegration and desistance upon release from prison (see inter alia Uggen et al., 2006; Pinard, 2006; Toyoki and Brown, 2014; Cherney and Fitzgerald, 2016; Keene et al., 2018). This is a problem, because the vast majority of PWCs will not have been incarcerated, and their experiences of collateral consequences may, therefore, be different.

Research aim:

The aim of this research is to explore the ways in which a criminal record acquired in early life, later manifests in the lives of former lawbreakers. It aims to explore how people make sense of their experiences, and the meaning(s) they give to their

criminal record as a result. To do so, it will consider the following research questions:

1. How do individuals account for the ways in which their criminal record has impacted their life trajectory?
2. How do individuals narrate their experiences of disclosure in different life domains (employment, education, relationships)?
3. How do individuals construct a narrative identity to defend against the potentially stigmatising effect of a criminal record?
4. What meaning(s) have individuals assigned to their criminal record (learning experience, catalyst for change, not able to shake it off etc.)?

To explore these research questions, a biographical approach focussing on the individual accounts of fourteen PWCs living in England was used. Specifically, a psychosocially informed narrative approach was adopted, focusing on the simultaneously agentic and socially mediated ways people make sense of their life experience(s), and attach meaning to them as a result. Indeed, Free Association Narrative Interviewing (FANI) was used to elicit the of life stories of participants, all of whom were interviewed twice (see chapter four). Whilst I have imposed a structure to the overall 'story' presented by this research (see below), it was the narratives shared by participants which dictated the focus of upcoming discussions.

England and Wales as a lively political landscape

Writing in 2011, Padfield noted that 'any likelihood of a formal process of judicial rehabilitation, in the sense of criminal record erasure, seems inconceivable' (page 36). However, since 2017, there has been growing support for criminal record reform by stakeholders such as the House of Commons Justice Select Committee (House of Commons, 2016), The Youth Justice Board (Charlie Taylor, 2016), and

Members of Parliament (see Lammy, 2017). Furthermore, changes to data protection via the introduction of The General Data Protection Regulation (GDPR) implemented in 2018, further emphasised the need for sharing of sensitive personal data to be legitimate, fair, and necessary, raising concerns over the widespread use of criminal record information (NACRO, 2018). Moreover, a landmark ruling by the Supreme Court in 2019 highlighted that two aspects of the current regime were incompatible with Article 8 of the European Convention on Human Rights. These were 'the blanket rules which require the automatic disclosure of all convictions where a person has more than one conviction, and the requirement that some childhood cautions be disclosed indefinitely' (Unlock, 2019a: npn). Changes to the disclosure rules were made in 2020 (discussed further in chapter one), but it is argued that these changes do not go far enough to protect PWCs from unnecessary and disproportionate disclosure (Unlock, 2022a). Subsequently, there are calls to further reform the regime, supported by national charities such as Unlock[2], Working Chance and NACRO, and encouraged by campaigns such as Ban the Box (Business in the Community, 2021), Fair Admissions Pledge (Unlock, 2023a) and Fair Checks (Transform Justice and Unlock, 2023). Importantly, these charities have been engaging with PWCs to establish an evidence base for their advocacy and campaign work. Subsequently, this is a timely piece of research which contributes to ongoing policy debate regarding criminal record reform in England and Wales.

Thesis structure

This thesis will be presented in two parts. Part one (chapter's one to four) will start with an overview of the criminal record regime in England and Wales, outlining the changing nature and scope of criminal record use outside of the criminal justice

[2] This research was supported by Unlock (see chapter four).

system. In doing so, it will demonstrate how the consequences of interacting with the CJS can extend beyond the scope of formal punishment, and manifest in unpredictable ways. Chapter's two and three will present the theoretical framework of the research – a psychosocial narrative inquiry into the lives of PWCs. In short, when engaging with participants' life stories, this approach encourages the researcher to explore what the narrative is 'trying to do' (Presser, 2016: 139), and to account for how it is shaped by personal biography, social categories (gender, class etc.), and the social-political conditions of the time. The research design and interview approach will be outlined in chapter four, alongside a reflection of power, knowledge, and the co-construction of narrative in the interview context.

In part two of this thesis (chapter's five to eight) the narratives of participants will be explored in detail. Specifically, these chapters will discuss *how* participants (re)constructed their past experiences to form continuity between past, present and future, in order to establish a meaningful life story, and fashion a 'non-criminal' narrative identity. It will be demonstrated how, in light of this identity work, participants attached different meanings to their criminal record. Throughout part two, the reader will be asked to engage with the illustration of 'negotiating disclosure landscapes', to help appreciate the complexities of sharing and revising narratives with different audiences (e.g. employers, partners and peers). Central to this discussion is an exploration of *how* narrative identity is worked and reworked in the telling of stories, over time. Indeed, criminal record regimes are not static, and policy and practice relating to criminal record disclosure evolves over time. Likewise, the lives of PWCs are ever-changing, and individuals must adapt their narratives, responding to changes to personal biographies, and to the changing socio-political environments in which they live. This is a crucial point which

underpins the logic of this research. Indeed, a central premise of this thesis is that the contemporary criminal record constitutes part of an individual's biography. The thesis will conclude with a discussion of '*subjectivity, meaning-making and agency*', and '*the criminal record as a life-long project*', drawing together the key arguments of this thesis, and demonstrating its original contribution to knowledge.

PART ONE:

Situating the Contemporary Criminal Record as a Feature of Personal Biography

Chapter One

The contemporary criminal record

The opening chapter of this thesis performs two key functions. First, it will provide the reader with a short history of the criminal record regime in England and Wales, outlining the key legislation which regulates the collection, retention and dissemination of criminal record information. To demonstrate how criminal records are disseminated *outside* of the criminal justice system, the chapter will briefly discuss employment, education, and access to social and financial support. Second, the chapter will introduce the reader to collateral consequences literature, focusing on two of the key issues highlighted by the research. They are: structural disempowerment and the denial of full citizenship, and the stigmatising effect of criminal records. To conclude, the chapter will outline the need for a biographical approach to researching criminal records, which focuses on the subjective experiences of PWCs.

The criminal record regime in England and Wales

> Criminal records were once a discrete item of personal information held in conditions of confidence by the police. They were used by the police and the judicial system for investigative or sentencing purposes. No one else was very much interested in them.
>
> (Thomas, 2007, xi)

Criminal record information was first considered worthy of being recorded and retained in the Victorian era, when the register of 'habitual criminals' was created in response to concerns over the 'criminal underclass' (Thomas, 2007: 9). As noted in the quote above, this register was for policing purposes *only*, and remained at a

local level for many years. In 1913 the Criminal Records Office centralised the 'habitual criminals' register and fingerprint data, which had begun to be collected by the Metropolitan Police with the aid of scientific developments. This was the first centralised database of its kind, but it was still used for policing purposes only (ibid.). Sixty-one years later in 1974, the Police National Computer (PNC) was developed, enabling centralised storage of data around the United Kingdom. Owing to advancements to technology and an increasing desire for efficiency, within the first decade of its existence the PNC had stretched in scope to include a range of information pooled from different databases (Thomas, 2007). Within the first three years, 3.8 million people had been added to this online repository (Henley, 2016). Now, the PNC holds data on all 'recordable offences' as informed by the National Police Records (Recordable Offences) Regulations (2000). As define by this act, recordable offences are any cautions, convictions, warnings and reprimands which relate to '…an offence punishable with imprisonment' (page 1). Data stored on the PNC is retained until the individual's 100th birthday (Beard, 2021). Whilst an individual can request that this information is deleted[3], removal of data is rare and usually only granted 'for cases involving non-conviction information (such as unproven allegations, or findings of innocence), or where it can be proved that the arrest was unlawful or where it is established beyond doubt that no offence existed' (Unlock 2019b: npn). As a result, those who are guilty of their offence(s) are unable to have their data removed, even after many years of not committing crime. A total of 1701 applications for information to be deleted from the PNC were received in

[3] The individual of whom the data belongs to puts in a subject access request under the Data Protection Act 1998 section 7. The request is sent to ACRO Criminal Records Office [ACRO] who deals with these requests on behalf of the police, acting as a conduit between the police and the individual (ACRO, 2020). The decision for data to be deleted is made with reference to the National Police Chiefs Council (2018) guidance on 'The Record Deletion', introduced in May 2015 as a replacement for the 'Exceptional Case Procedure' (ECP) 2009.

the financial year 2017/18 (Unlock, 2019b). Of these, just 9% of requests to remove cautions/reprimands/warnings were successful (ibid.).

Alongside the development of the PNC, the Police National Database (PND) was developed to store information electronically at a local level in 2011. The PND was developed after the murder of schoolgirls Jessica Chapman and Holly Wells by a school caretaker Ian Huntly[4] in 2002. This case received extensive media coverage and prompted The Bichard inquiry, set up by the Home Secretary in 2004 to assess '…the effectiveness of the relevant intelligence-based record keeping, the vetting practices in those forces since 1995 and information sharing with other agencies' (page 1). The report concluded that Ian Huntly, who had come to the attention of eight different police forces, had 'slipped through the net' due to 'errors, omissions, failures and shortcomings' with regards to intelligence sharing (ibid.). Subsequently, a key recommendation was the development of '[a] national IT system for England and Wales to support police intelligence […] as a matter of urgency' (Bichard, 2004: 13). Information stored on the PND might include allegations, fixed penalty notices, and instances where the police are called but no formal outcome is delivered (i.e. an arrest with no further action taken) (Unlock, 2022b). Information stored on the PND which does not relate to convictions -often referred to as 'soft intelligence' - is usually stored for at least six years, but potentially more depending on the severity of the offence and the risk associated with the individual (Beard, 2021). Larrauri (2014) has argued that this practice is problematic on human rights grounds, as those who interact with the criminal justice system but are not found guilty, may find their information is released in an

[4] Ian Huntly worked as a caretaker in another school. His partner, Maxine Carr, was a teaching assistant at the school Jessica and Holly attended.

'enhanced' check[5] and thus, have their 'right to privacy' (as protected by article 8 of the Human Rights Act 1998) breached. Further, those who accept cautions often have their 'right to a fair trial' (article 6) waivered without giving informed consent, due to a lack of understanding that cautions are recorded locally on the PND. These individuals are potentially subject to the same long-term consequences as those who have been found guilty in a court (see below), but without the same procedural safeguards (ibid.).

Furthermore, the often-indefinite retention of this information is problematic as it can lead to historical disclosures, many years after the interaction with the criminal justice system was first recorded. A recent FOI request conducted by the charity Unlock highlighted that, over 3.5 million youth criminal records, that is those attained between the age of 10 to 25, have been disclosed in the UK in the last five years (Stacey, 2018). Of these, almost one million were over thirty years old, and less than one million were less than ten years old (ibid.). However, it has been demonstrated by 'Time to Redemption' studies that after a period of time, approximately between seven and ten years, without a new arrest or conviction, a person with a conviction has similar 'risk' of offending as someone with no prior conviction (Weaver, 2018). This demonstrates that there is a large number of individuals living in the UK who are having historical records disclosed later in life, long after they can be deemed relevant for risk prediction purposes. To explore this in more detail, and to provide a detailed overview of the criminal record regime in England and Wales, the chapter will briefly discuss employment, education and access to social and financial support.

[5] An enhanced check is the highest level of inquiry and may reveal data from both the PNC and the PND. This is explained in more detail below.

Employment and volunteering

A criminal record check is a common recruitment practice, with all employers in England and Wales able to conduct a basic DBS check, and a significant number able to conduct standard or enhanced (see Henley, 2017; Unlock, 2018a). Established under the Protections of Freedom Act in 2012, the Disclosure and Barring Service (DBS) facilitates the sharing of such information to employers, guided by the Rehabilitation of Offenders Act (ROA) 1974 and the Filtering Rules 2013. The ROA aims to offer protections to those who have successfully desisted from crime for a set period of time and thus, are deemed legally rehabilitated with a 'spent' criminal record – see table 1. However, to safeguard vulnerable people from potential harm, the ROA Exceptions Order 1975 and Police Act 1997 have established a list of over 1000 occupations which are exempt from the protections of the ROA. This includes occupations pertaining to medical professions, social work and criminal justice work, and less obvious licence-based occupations such as taxi driving (ROAEO, 1975). For these occupations, either 'standard' or 'enhanced' level criminal record certificates may be required as a condition of employment, depending on the nature of the role. It has been argued that public protection agendas have increased the number of exceptions to ROA protections, undermining attempts to protect such data from being disclosed (Padfield, 2011). This will be discussed in more detail later in the chapter.

For non-exempt occupations, whether a conviction is 'spent' or not is important, as it dictates what should, and should not, be shared outside of the CJS via a basic, standard, or enhanced DBS check. As illustrated in table 2, a standard check will disclose both spent and unspent, cautions and convictions, stored on the PNC - bar those which can be filtered (see table 3). The 'filtering rules' were developed to

reduce the number of spent convictions/cautions disclosed on standard and enhanced criminal record certificates (Mason, 2011). Implemented in 2013, this system allows certain offences to be filtered out and thus, not disclosed, after a set period of time has passed (Mason, 2011). An enhanced check will also show unfiltered spent and unspent cautions/convictions, alongside information from the PND with the discretion of the chief constable. In some cases, an enhanced check will also show if there is any information pertaining to an individual on any 'barred lists', disqualifying them from working with children or vulnerable people. Of the 5.8 million criminal record checks conducted annually in the UK, 67% of these are enhanced (Unlock, 2023b).

TABLE 1: ROA 1974 'SPENT' TIME PERIODS

SENTENCE	ADULTS	UNDER 18'S
CUSTODIAL SENTENCE OF MORE THAN 4 YEARS, OR A PUBLIC PROTECTION ORDER	Never spent	Never spent
CUSTODIAL SENTENCE OF OVER 2.5 YEARS, AND UP TO/INCLUDING 4 YEARS	7 years	3.5 years
CUSTODIAL SENTENCE OF OVER 6 MOTHS AND UP TO/INCLUDING 2.5 YEARS	4 years	2 years
CUSTODIAL SENTENCE OF 6 MONTHS OR LESS	2 years	18 months
COMMUNITY ORDER OR YOUTH REHABILITATION ORDER	1 year	6 months

*excluding serious sexual, violent, or terrorist offences, that can never be spent

(Ministry of Justice, 2020a: 5)

TABLE 2: DATA DISCLOSURE AT DIFFERENT LEVELS

	Basic	**Standard**	**Enhanced**	**Enhanced+ Barring**
Unspent conviction	Yes	Yes	Yes	Yes
Spent convictions		Yes (unless filtered)	Yes (unless filtered)	Yes (unless filtered)
Cautions (reprimands and warnings included)		Yes (unless filtered)	Yes (unless filtered)	Yes (unless filtered)
Police intelligence ('approved' information from PND)			Yes (if police deem relevant)	Yes (if police deem relevant)
Inclusion on Children's Barring List				Yes (if specified)
Inclusion on Adults' Barring List				Yes (if specified)

(UNLOCK, 2018a: npn)

TABLE 3: FILTERING OF OFFENCES 2013 (UPDATED 2020)

	UNDER 18	**18 OR OVER**
CAUTION	Immediately	6 years
CONVICTION	5.5 years	11 years

*excluding a number of offences which can never be filtered. This includes robbery, safeguarding offences, violent charges, drug supply offences etc.

(Unlock, 2022c)

Importantly, there have been some notable changes to the regime in recent years. For example, the filtering rules were amended in 2020 after several years of campaigning from stakeholders such as the House of Commons Justice Select Committee (House of Commons, 2016), Charlie Taylor (2016) and David Lammy MP (2017). They argued that filtering rules did not go far enough to protect those with historical convictions, because if an individual had more than one conviction, their offences would not be legible for filtering. Furthermore, due to the automatic nature of the system, there was no room for discretion, and minor offences were routinely being disclosed with no consideration of age or seriousness of the offence (Unlock, 2022a). To advocate for legal change to the existing regime, four appeals relating to minor offences were heard in the High Court in 2016 and 2017[6]. This was an important foreground for deeming the current criminal record regime in the UK incompatible with Article 8 of the European Convention on Human Rights, 'the right to respect private and family life' (Unlock, 2019a). The Government appealed this decision in the Court of Appeal in May 2017, but the original ruling was upheld. In response, the Government appealed to the Supreme Court. Nonetheless, in January 2019, a landmark ruling was made by the Supreme Court noting that two aspects of the current regime in particular were incompatible with Article 8. They were, 'the blanket rules which require the automatic disclosure of all convictions where a person has more than one conviction, and the requirement that some childhood cautions be disclosed indefinitely' (Unlock, 2019a: np). Subsequently, the filtering rules were updated in 2020 so that warnings, reprimands and youth cautions would no longer be automatically disclosed on DBS checks, and that an individual could still have their information filtered out if they had more than one conviction

[6] The four appeals can be found in the Supreme Court Judgement On appeals from: [2016] NICA 42 and [2017] EWCA Civ 321.

(Ministry of Justice, 2020a). Whilst this was an improvement, the list of offences which can never be filtered was not amended (see above), meaning there is still a significant number of people having historical convictions disclosed as part of DBS checks (Unlock, 2022a). Indeed, due to the often indefinite retention of this information, '…cautions and convictions, including those for relatively minor offences, must frequently be disclosed for many years, and often for life' (Sands, 2016: 6).

This is important because employment is considered 'a prerequisite to full membership and inclusion', providing people with income, structure, social contact, and a sense of self-worth (O'Reilly, 2014; cited in Weaver and Jardine, 2022: 296). Moreover, modern-day neoliberal employment structures are subject to continual change, existing in a constant state of flux (Standing, 2011). This further disadvantages PWCs who, by virtue of their criminal record, do not have the same degree of labour security as the 'law-abiding' majority (see Karstedt and Farrall, 2006 for a critical discussion of this concept), and are required to do more 'work-for-labour' to succeed in modern day employment structures. This includes searching and applying for jobs, obtaining certificates and evidence, and dealing with bureaucracy (Standing, 2011). This results in a vulnerability which extends beyond financial survival, impacting identity, social positioning, and perceptions of future opportunities. Indeed, this can be a barrier to the attainment of *meaningful* employment, as PWCs are forced to rely on temporary and precarious work, unable to compete against non-criminalised people for 'higher-quality' roles (Augustine, 2019; cited in Weaver and Jardine, 2022: 304). For example, people with convictions may be unable to hold political or legal positions such as acting as the Police and Crime Commissioner (Henley, 2014). Similarly, there is the

disqualification of an individual with a conviction 'involving dishonesty of deception' from becoming a trustee of a charity as a result of the Charities (Protection and Social Investment) Act 2016 (Unlock, 2020b: npn).

Interestingly, there is some evidence to suggest that social attitudes towards hiring PWCs is changing. A YouGov survey conducted in 2016 found that 50% of employers 'would not consider employing an offender of ex offender' with 40% concerned it would 'damage the public image of the business', and '45%' believing 'they may be unreliable' (House of Commons, 2016). However, recent research by Working Chance (2022: 3) has found that more employers are *knowingly* hiring PWCs, and that 24% of employers in their research believed 'there could be advantages' to hiring PWCs compared to just 12% in 2016. Moreover, their research found that the proportion of employers unwilling to hire a PWC 'under any circumstances' has reduced from 50% to 27%. Additionally, in England and Wales well-known companies such as Timpson, Virgin Trains, Greggs and Marks and Spencer have become more public in their *active* hiring of PWCs, establishing recruitment programmes which target former lawbreakers (see Pereira, 2019). Emerging with an increased focus on corporate responsibility and community involvement (owing to their recruitment of ex-offenders Greggs was shortlisted for a Responsible Business Award in 2017 – see Groom, 2017), these programmes showcase to others the benefits of hiring PWCs, and encourage other employers to do the same (see Timpson, 2023). Nonetheless, Working Chance (2022: 4) also revealed that a significant number of employers (30%) would exclude an individual with an unspent conviction, despite just 15% saying it was in their organisation's policy to do so. Their research also highlighted that PWCs have the lowest 'income to hire conversion rate' when compared to other disadvantaged groups (page 4). This

demonstrates that whilst there is some evidence to support a change in employer attitudes towards PWCs, there is still considerable prejudice towards PWCs, leading to discrimination and exclusion from the workplace. Criminal record and employment research will be returned to later in this chapter when collateral consequences literature is introduced.

Access to Higher Education

Higher education is another example of where criminal record information is used *outside* of the CJS in England and Wales. However, the number of people impacted by this is unclear, as it is a lesser-explored area of collateral consequences research (Books, 2021). Research conducted by Custer (2018) found that across twenty-one different universities in England, 4,585 students indicated that they had a criminal record in 2014–15, compared with 3,986 students in 2015–16. Thirteen of these universities provided data on applicant rejections, and some had rejected no applicants declaring a criminal record, whilst others had rejected up 21%. However, it was unclear if applicants were rejected solely due to their criminal record, and more research is needed to find out *how* universities make such decisions (Brooks, 2021). Starting to address this under-explored domain of collateral consequences, Bald et al., (2022) found that notions of 'suitability' are used to gatekeep access to social work education in England and Wales, limiting the recruitment of PWCs. This problematic, contradicting social work's aim to be diverse and representative of the communities they work in (ibid.).

Like employment, higher education is subject to continual change, and there have been some important modifications to how criminal records are disclosed in the sector. Following consultations with charities such as Unlock and Prisoner's Education Trust, UCAS amended their application process for the 2019 entry cycle

removing a question requiring 'all applicants […] to declare whether they have any relevant unspent criminal convictions' (UCAS, 2018: npn). This was done to, 'ensure all individuals who wish to progress to higher education can do so in an appropriate and respectful manner…', and to prevent individuals being deterred from applying if they have convictions (ibid.). It was also to ensure data collection adheres to recent GDPR regulations. It is now advised that universities make 'specific and proportionate' decisions around when to ask for this information (e.g. for specific courses which require safeguarding) (ibid.). However, as already noted, there is a lack of research exploring how universities make such decisions, and if they are indeed 'specific and proportionate'. Nonetheless, following this amendment to UCAS, the charity Unlock launched a 'Fair Access' to university campaign, designed to encourage universities to amend their admissions policies, and improve access to university for people with convictions (Stacey, 2019). Universities can sign up to the campaign and access guidance created by Unlock, helping them make informed decisions on when to ask for criminal record information. However, it is important to note that many postgraduate courses and/or research funding opportunities do not use UCAS for their application process, but may still ask for criminal record information when considering potential applicants. Furthermore, students are often asked about convictions during the re-enrolment process, and it is not clear how this information is used.

Access to social and financial services

A final illustration of how criminal record information is used outside of the CJS is access to social and financial services. The Association of British Insurers[7] note that

[7] ABI is trade association concerned with the regulation and policy making in the insurance industry. This includes both house insurance and motor insurance. Their role is to "get the right people together to help inform public policy debates, engaging with politicians, policymakers and regulators

access to financial services is 'an important part of financial and social inclusion' (ABI, 2019: 4), and offers guidance on how insurance providers can make legal and appropriate decisions, in relation to criminal record information (ABI, 2019: 4; ABI, 2023). However, a significant number of insurers ask for the disclosure of unspent convictions during the application stage, leading to higher insurance premiums and, in some cases, application rejections (see Henley, 2018). Research by Wilson and Bellis (2017) highlighted that many ex-offenders in England and Wales live in 'temporary or unstable homes' post-incarceration, facing discrimination from *both* private and local authority housing as they struggle to provide formal documentation and financial backing. Indeed, both local authority providers and private landlords have been found to take prior offences into consideration when reviewing applications (see Unlock, 2022d).

People with convictions may also be unable to experience the same freedom of movement as people without convictions (see NACRO, 2022). This is because criminal record information is often used in international travel permit applications (e.g. visas), and in applications for leave to remain status in the UK (see Henley, 2014; Home Office, 2022). The withdrawal of the United Kingdom from the European Union in January 2020 led to increased uncertainty around international travel and settled status processes, with it being unclear how criminal record information would be used post-Brexit[8] (see BBC, 2020). In addition, Home Secretary Priti Patel's concerns over security at the UK border, and increasing levels of hostility towards refugees more broadly, has raised concerns over how 'foreign nationals' with convictions will be treated when entering the UK, or trying to

at home and abroad. be the public voice of the sector, promoting the value of its products and highlighting its importance to the wider economy." (ABI, 2023: npn).

[8] An abbreviation of "Britain" and "exit" – Brexit – is often used to refer to the withdrawal of the United Kingdom from the European Union.

maintain their occupancy here (see Home Office, 2020; Amnesty International UK, 2022).

Finally, criminal record information may also be used to assess applications for Victim Compensation. Indeed, it is noted that The Criminal Injuries Compensation Authority may 'refuse or reduce payment' on the basis of a criminal record, even when an individual is deemed 'blameless' for their injury (Ministry of Justice, 2020b: np). Specifically, criminal record information is used when assessing 'the applicant's character' and, even in the case of death, it could be seen 'inappropriate' to 'make an award or a full award' (ibid.). Largely, it is unspent records which are taken into consideration (ibid.) which means those who fall victim to crime whilst waiting for their convictions to be spent, may not be able to access the scheme. Those who will never have their convictions spent (see table one), may never be able to access the scheme. This denial of victimisation on the basis of 'bad character' is an act of othering, which places people with convictions 'outside of the normal rights and entitlements associated with full citizenship' (Bradford-Clarke et al., 2022: 368). The denial of full citizenship for PWCs will be discussed later in this chapter.

Researching criminal records: an introduction to 'collateral consequences' literature

The 'problem' of criminal records

As demonstrated above, what was once a small and restricted index of repeat offenders, is now a multifaceted electronic system which can store data indefinitely, for widespread dissemination outside of the criminal justice system. However, as explained above, this has not always been possible, nor seen as desirable (Thomas, 2007). Accounting for the changing socio-political attitudes towards criminal records, Feeley and Simon (1992: 449) observed a shift in criminal justice discourse

away from punishing individuals, and towards 'actuarial consideration of aggregates', and the management of 'dangerous groups'. During this shift, being able to 'identify, classify, and manage groupings sorted by dangerousness' became a dominant feature for effective control, focussing on the regulation of deviance (Feeley and Simon, 1992: 436). Subsequently, the collection and retention of criminal record data to monitor the individual, and manage whole populations, has emerged as a feature of contemporary surveillance (see inter alia Beck 1992; Critcher, 2002; Norris, 2007; O'Malley, 2010; Mythen et al., 2013). As criminal records have become a signifier of 'dangerousness', an increasing number of agencies and organisations have started to view this information as necessary for risk assessment processes (Critcher, 2002; Jacobs, 2006). This forms part of an electronic contemporary panopticon whereby 'the ongoing balance of "discard and forget" and "preserve and evaluate" has been skewed in favour of the latter' (Blanchette and Johnson, 2002: 43). Thomas (2007) argued that database development and the widespread use of criminal record data occurred with limited forethought, advancing faster than the development of legislation to protect PWCs This shift is not unique to the UK, and scholars have observed similar phenomena in other countries including the US (see Blanchette and Johnson, 2002; Lageson, 2020), continental Europe (Larrauri, 2014; Kurtovic, 2017) and Australia (Cherney and Fitzgerald, 2016).

Critically, these changes have led to an uneven and inconsistent approach to the treatment of former lawbreakers, outside of the government's control. Indeed, as noted by Corda and Lageson (2020: 256):

> The current state of affairs of criminal records systems resembles more a disorganized, consumer-based digital web of haphazard effects that do not neatly map onto information nor punishment functions.

Importantly, the long-term consequences associated with having a criminal record extend *beyond* the scope of formal punishment (see a discussion of 'disordered punishment' by Corda and Lageson, 2020). Indeed, as noted above, restrictions on former lawbreakers can be imposed via *de jure* discrimination dictated by law (e.g. barred lists), and/or *de facto* discrimination facilitated by institutional practice. The extra-legal *de facto* practices are *'below-the-radar sanctions [which] tend to be introduced in ways that bypass the main legislative channels for criminal legislation* [and] *have significant effects on the chances of offenders returning to normal life after completing their headline sentence'* (Bennett, 2017: 484). Subsequently, criminal records constitute 'invisible punishment', not formally qualified as criminal sanctions, and operating outside of the criminal justice system (Mauer and Chesney Lind, 2002). Researching in the Netherlands[9], Kurtovic (2017) referred to this as 'fuzzy law and jazzy structures', observing how administrative actors which do not hold the same normative legal frameworks as state actors, increasingly play a function of law without the same safeguards. The DBS (see above) offers an example of this in England and Wales, as whilst it offers guidance on the legal use of criminal record data, it is not accountable for ensuring criminal record information is used in accordance with law. Rather, organisations which use this service are responsible for ensuring that they request the appropriate level of check, and for using

[9] In the Netherlands, the formation of security provisions external to the criminal justice system has created a network of safeguarding authorities who can disseminate criminal record, data but without the same safeguards as alternative state-based systems would offer.

information responsibly[10]. If criminal record information has been obtained or used unlawfully, the organisation may no longer be able to apply for this information. However, there is no record of a registered body or an umbrella body losing their status, which *could* indicate the absence of a checking mechanism to monitor this.

Responding to the expanding scope and use of criminal record information, a distinct field of enquiry concerned with the long-term consequences of criminal records has emerged. Stemming from traditional criminological research fields like punishment studies and research on incarceration and prisoner re-entry (see Corda, Rovira and Kurtovic, 2023), this research is concerned with the unforeseen 'collateral consequences' that exist for PWCs (Thomas, 2007; Kurtovic and Corda, 2021). Originally coined as such by Demleitner (1999), Kurtovic and Corda (2021, npn) define collateral consequences as those '…additional legal and social barriers and disabilities that exist because of [a] conviction'. Collateral consequences manifest in 'restrictions that limit ex-offenders in exercising their full rights as members of the community, re-joining the work force and taking full advantage of economic benefits and other opportunities' (ibid). Indeed, the barriers faced by PWCs have implications for post-sentence social (re)integration and inclusion (see Jacobs, 2006; Aresti et al., 2010; Henley, 2014; Weaver and Jardine, 2022). This is particularly problematic for people who attain a criminal record at a young age, as they can experience difficulty in living 'positive lives', having only limited access to

[10] Any employer can request a basic check, but for an employer to request a standard or enhanced certificate, they must be a registered body or an umbrella body. Organisations apply to become either a registered or umbrella body and adhere to standards set by the Police Act Criminal Records Registration Regulation and the Data Protection Act. A registered body can make a direct application and an umbrella body makes an application through a registered body; both of which have to reach standards with registered bodies set by the Code of Practice for Disclosure and Barring Service Registered Persons and the latter by information on the Handling of DBS certificate information. The police act and the Data Protection Act both inform these standards.

social services, career opportunities, and access to further education and training (Lammy, 2017: 62). However, it has been argued that the word 'collateral' implies these manifestations are a secondary and less severe outcome than the sentence given, and that the word 'consequence' implies inevitability (Henley, 2019). Instead, Henley (2019) offered the phrase 'pains of criminalisation', highlighting that many of these manifestations can be felt to be *more* harmful than the original sentence, and are often the result of exclusionary policy and practice (Henley, 2019; Henley, 2022).

This chapter section will provide an overview of the nature and scope of collateral consequences research, introducing; 1) comparative research cross-examining different socio-legal jurisdictions, 2) research pertaining to structural barriers and the denial of full citizenship, and 3) research on the stigma of a criminal records. Whilst in reality many of these research areas overlap, this discussion will illustrate the most recent contributions to criminal record research, and outline the need for more qualitative research into the lives of PWCs.

Comparative research

The topic of American penal exceptionalism has prompted a significant amount of research on the collateral consequences of a criminal record in the US (see Demleitner, 1992; Whitman, 2003; Jacobs 2006). However, its growth *outside* of this jurisdiction only started blooming in the early 2010's (see Corda, Rovira and Henley, 2023 for an overview of its emergence). Whilst this is an important advancement in the field, this research has developed in a largely 'descriptive, scattered and compartmentalised' way (Corda, Rovira and Kutovic, 2023: 4). Subsequently, there is a growing need to develop 'a more systematic and comprehensive cross-national understanding of CCCR in non-US jurisdictions – in Europe and other areas of the

world – from an empirical, socio-legal and normative perspective' (ibid.). Indeed, it has been argued that other jurisdictions are becoming increasingly punitive when it comes to the management of former lawbreakers, and so a critical review of criminal record regimes on a global scale is necessary (Corda, Rovira and Henley, 2013). For example, whist the Netherlands is often used as a 'good' example of criminal record dissemination[11], Kurtovic and Boone (2023) demonstrate how it still leads to exclusions and stigmatisation in the labour market. This interrogation is necessary as the Dutch screening process is often used as an exemplary model, and could therefore influence policy and practice in Europe (ibid.).

A key contribution of this research field, is that it has helped to encourage research in lesser-explored domains including China (see Li, 2023), Argentina (Gaston and Carnevale, 2023), and Ghana (Baffour et al., 2023). It has also encouraged work which compares and contrasts criminal record regimes, developing ways of grouping approaches and exploring the specific socio-political conditions which shape them (see Cooper, 2015; Sands, 2016; Hadjimatheou, 2023). However, much of this research is macro scale in its analysis, and does not include the voices of PWCs (notable exceptions include the work of Gaston and Carnevale, 2023 and Baffour et al., 2023). Subsequently, whilst comparative research is a new and important branch within the field, it has had a limited role in advancing our understandings of *how* people manage living with a criminal record.

[11] The Dutch model of criminal record is deemed respectful of individual privacy rights because it works via a 'closed system' whereby 'the government is the sole manager of criminal history information and indiscriminate disclosure of criminal records outside the criminal justice context is strictly forbidden' (Kurtovic and Boone, 2023: 3). Under this system a Certificate of Conduct is provided by the government (comparative to the DBS certificate in England and Wales), and this does not contain information pertaining to the criminal record. Rather, it states whether or not the individual is 'fit' for the job (ibid.)

Structural disempowerment and denial of full citizenship

As this chapter has demonstrated, owing to the changing nature and scope of criminal record retention and dissemination, and the aforementioned shortcomings of the ROA and Filtering protections, PWCs face a significant number of structural barriers and exclusions as a consequence of their prior interaction(s) with the criminal justice system. Research exploring this structural disempowerment is multidisciplinary, approached from a range of areas including; normative/philosophical ethics (see Hoskins, 2014; Henley, 2019), socio-legal studies (see Larrauri, 2014; Meijer, 2019), and criminological fields of enquiry (see Kurtovic, 2017; Evans and Blount-Hill, 2020).

A considerable contribution of this research is the argument that PWCs experience a denial of full citizenship and thus, are unable to experience full rehabilitation. Indeed, punishment is used against those who have 'fallen below the standards expected of citizens' (Stark, 2022: 278). Nonetheless, once an individual has completed their sentence, they are considered to have 'paid their debts to society', and thus, should be restored to full citizenship status (see Hoskins, 2014: 33). McNeill (2014) argued that restoration of 'social status' is a key element of rehabilitation, facilitating integration back into society. However, having attained a criminal conviction, an individual becomes a denizen; a person with a more limited range of rights than full citizens (see Uggen et al., 2004; Standing, 2011; Drake and Henley, 2014). Subsequently, it has been argued that people with convictions experience 'social death[12]' whereby they are deemed less legible than other citizens (Henley, 2018: 76). Importantly, having breached the 'social contract' by virtue of

[12] Social death was first discussed by Patterson (1982: 41) who explained that social death would be experience by '…an insider who had fallen, one who ceased to belong and had been expelled from normal participation in the community because of failure to meet certain minimal legal or socioeconomic norms of behaviour'.

breaking the law, PWCs are seen to have *actively* given up their rights to full citizenship (Henley, 2018). This reinforces the problematic distinction between the 'law abiding' and the 'criminal', as most individuals only selectively comply with the law (Karstedt and Farrall, 2006).

Whilst this body of research offers important critique of the widespread use of criminal record information it largely remains theoretical in nature, with limited research engaging with the lived experiences of PWCs. By way of an exception, Stark (2022) conducted interviews with imprisoned men in England and Scotland, finding that many of those interviewed *anticipated* reduced citizenship, aware of the barriers they would face upon release. In England and Wales, charities and organisations are playing a crucial role in building an evidence base to challenge the current regime, drawing on the voices of PWCs to do so (see Stacey, 2018; Unlock, 2021). Research like this is important as it helps develop our understanding of the *subjective* experiences of PWCs, helping to promote meaningful change to criminal record policy and practice.

Due to its importance and the widespread use of criminal record information in this area (see above), employment is one of the most well-researched fields of enquiry relating to the structural barriers of a criminal record. This research *has* adopted more qualitative approaches to research, giving some insight into how PWCs navigate stigma and exclusion whilst navigating the labour market. For example, Weaver and Jardine (2022) explored the experiences of people subject to community supervision in Scotland, as they attempted to find and maintain employment. They found that participants were often involved in precarious work, but generally maintained a positive attitude towards employment, welcoming its distraction from other personal difficulties and appreciating the opportunity to

learn new skills whilst earning money. However, many had ambition beyond their current work, and shared concern and uncertainty over *how* they might achieve better quality roles offering greater financial security. Kurtovic (2017) conducted interviews with young adults living with convictions in the Netherlands over the course of 6-18 months post-sentencing. Focusing on the lived experiences of these young people, Kurtovic explored the social processes which shaped their criminal record disclosure, employment restrictions and experiences of re-entry. Through observations and interviews this research was able to explore the types of employment PWCs were excluded from, and under what circumstances. It also explored individuals' strategies for dealing with stigmatisation, and the longer-term consequences with regards to mental health and wellbeing. Research of this kind is important as it goes beyond mapping out criminal record regimes, exploring the lived experiences of PWCs as they navigate legal frameworks.

Importantly, criminal record and employment research has also offered an insight into how identity characteristics shape experiences of living with a criminal record. For example, whilst it is still a relatively underexplored facet of criminal record and employment research, the gendered nature of criminal record employment discrimination has started to be discussed in *some* research (see Collett, 2022 for an introduction to this work). This body of work has revealed that, owing to the gendered nature of some occupations (e.g. social work), women are more likely to undergo a criminal record check than men (see Norrie et al., 20019; Unlock, 2021). Indeed, between 2012 and 2019, 63% of criminal record checks in England and Wales were conducted on women (Unlock, 2021). Furthermore, there is some evidence that race and ethnicity can compound this exclusion. For example, Decker et al., (2015) found that women's chances of securing employment were negatively

impacted by *both* their race and their criminal record. In another study, Ortiz (2014) found that Hispanic women were viewed as 'unreliable' by employers due to stereotypes surrounding Hispanic women and their association with gangs. These examples demonstrate the importance of understanding disclosure as a complex and highly discretionary experience, warranting further empirical research into the lived experiences of PWCs.

Finally, research has also been conducted to see *how* employers conduct background checks, adding nuance to our understanding of criminal record screening practices. This research has revealed that individual and organisational practices can often stray from the legally mandated processes, reflecting societal attitudes and individual discrimination (Baffour et al., 2023). Exploring the reality of criminal record screening via research with employers sheds light on the strengths and shortcomings of different regimes (see Gaston and Carnevale, 2023 and Baffour et al., 2023). Research has also been conducted to explore the perceptions of employers, adding nuance by exploring *why* employers act in particular ways. For example, research conducted by Naylor (2011: 81) in Australia revealed that concern over reoffending, unreliability and 'challenging' behaviour were commonly cited reasons for employers not hiring people with convictions. Researching in America, Denver and Dewitt (2022: 6) also found that employers were concerned over risk of recidivism, and were concerned that the criminal record 'might signal other negative characteristics' such as untrustworthiness, or low productivity. Contrastingly, researching in England, Atherton and Buck (2021) found that some employers perceived there to be commercial and image-based advantages to hiring PWCs, and that some employers empathised with PWCs and wanted to give them new opportunities.

Stigma and moral exclusionary discourse

Importantly, many of the research studies noted above explicitly discuss stigma, demonstrating how many of these collateral consequences are underpinned by the stigma attached to criminal convictions. Simply put, stigma is defined as 'an attribute[13] that is deeply discrediting', and a stigmatised individual is denied full social acceptance (Goffman, 1963: 3). Importantly, a criminal record is an 'achieved' form of stigmatising condition, seen to be the result of one's own conduct (Falk, 2001; LeBel, 2008; Cherney and Fitzgerald, 2016). As a result, the criminal record becomes a 'symbol of deviance [and] a widely recognized sign of questionable moral character' (Murphey et al., 2011: 104). A 'notoriously sticky' source of stigma (Denver and DeWitt, 2022: 7), the criminal record is a signifier of unreliability, untrustworthiness, and risk, forming a 'negative curriculum vitae' (see Jacobs, 2006; Jacobs and Crepet, 2008: 177). Indeed, referred to as 'the electronic scarlet letter', the contemporary criminal record acts as 'a chronic and debilitating badge of shame', resulting in lifelong punishment for people with convictions (Murphey et al., 2011: 102). This is important because, in contemporary society, people increasingly rely on criminal record data in replacement of more traditional word of mouth character references (Murphey et al., 2011; Kurtovic, 2017).

Importantly, the criminal record is an invisible form of stigma, not immediately apparent to others unless actively disclosed (Cherney and Fitzgerald, 2016). As a result, PWCs may be able to 'pass' without their stigma being known to others (see Goffman, 1963; Cherney and Fitzgerald, 2016). There is a plethora exploring 'coping strategies' or 'identity management strategies', providing an insight into how

[13] Goffman suggested there are three types of stigmatising attributes; 'tribal stigmas' such as race and religion, 'physical deformities' including disabilities such as blindness and, 'blemishes of character' (Goffman, 1963). A criminal record falls under 'blemishes of individual character' signifying something about the individual themselves (LeBel, 2008).

people negotiate stigma (see LeBel, 2008; Cherney and Fitzgerald, 2016). Providing an overview of these strategies, Harding (2003) explained that techniques range from non-disclosure, conditional disclosure (disclosure in particular circumstances), and full disclosure (proactively disclosing before asked). Choosing not to disclose or opting for conditional disclosure can be a 'self-preservation' strategy, used to protect oneself against discrimination and judgement (Harding, 2003).

Such research on stigma and identity management is important, as it acknowledges the agentic capabilities of stigmatised individuals - such as PWCs (Cherney and Fitzgerald, 2016). However, stigma management is also shaped by other factors, including; 1) practical circumstances (e.g. social networks, criminal record legislation and available resources), 2) personal attributes (e.g. articulation and confidence) and, 3) past experience and biography (Harding, 2003; Cherney and Fitzgerald, 2016). Furthermore, people may have multiple stigmatising identities, exacerbating their experiences of discrimination, and adding complexity to their stigma management (LeBel, 2012). This is referred to as a double, or sometimes triple, burden of stigma (Cherney and Fitzgerald, 2016). This might include PWCs who have a history of substance abuse, or belong to a marginalised group denoted by gender, race or mental illness (see the discussion of gender, ethnicity and employment above).

Research in this area has highlighted the many consequences of criminal record stigma. Such consequences include; the internalisation of the stigma resulting in a feelings of shame, embarrassment, and low self-esteem (LeBel et al., 2008; LeBel, 2012; Unlock, 2018), the development of a distrust of people and institutions (Kurtovic, 2017) and, the feeling of lost potential and being devalued after labelled

as 'criminal' (Stacey, 2018). Research has also revealed that anticipation of stigma can also lead to a self-exclusion from legitimate opportunities (Cherney and Fitzgerald, 2016; Kurtovic, 2017), and that stigma by associated can negatively affect family, partners and friends of PWCs (see Clow et al., 2012; Evans et al., 2021).

Extending beyond the negotiation of disclosure interactions, research has revealed how stigma management has implications for the construction of identity. For example, desistance literature concerned with stigma management discusses an 'organic interactive process' whereby an individual creates a 'replacement self' (Cherney and Fitzgerald, 2016: 26), comprising of a 'new (pro-) social identity' (Harding, 2003). In his research Maruna (2001) discussed how, through the construction of 'redemption scripts', people were able to explain their past offending and attach purpose to it, in order to establish a meaningful future. For some, this process entails incorporating old aspects of identity and experiences, and interpreting them in a way which construct a narrative of 'personal growth or learning experiences' (Harding, 2003: 587). This can lead to the development of the 'Professional Ex-', who may become committed to using their own personal experiences and 'giving back' through peer support (Harding, 2003; LeBel, 2008). In some cases, an individual might reject their stigmatisation and transform it into 'a positive and viable self-concept', often through a process of 'coming out' (LeBel, 2008: 418

However, Taylor and Slater (2018) have argued that the conceptual understanding of stigma which often underpins research is grounded in 20th century understandings. Such understandings focus on stigma as 'generated in social contexts' leading research to explore effects and efforts to overcome stigmatisation through identity work, ultimately providing a highly individualised account of

stigma (Goffman, 1986; cited in Taylor and Slater, 2018: 729). Indeed, collateral consequences has been concerned with understanding the consequences of criminal record stigma, and exploring the stigma management strategies adopted by former offenders (see Harding, 2003; Lebel, 2008). Whilst Goffman did also acknowledge that stigma is historically specific and that it constitutes 'a means of formal social control', this aspect of stigma has largely been overlooked (Goffman, 1986; cited in Taylor and Slater, 2018: 729). This means that critical engagement with stigma as a form of governmentality, operating within distinct power dynamics and structural relations, has been underdeveloped (Link and Phelan, 2001; Taylor and Slater, 2018). Specifically, 'the political economy of stigmatization' is often overlooked, and the ways in which stigma can be *activated* to influence particular behaviours and attitudes is underexplored (Taylor and Slater, 2018: 738). This is problematic because mechanisms of crime control – such as the use of criminal record data – 'have always had less to do with the control of crime than they have to do with more general concerns with the government of moral order' (Rose, 2000: 321).

An example which does utilise this critical conceptualisation of stigma is that of Link and Phelan (2014). They drew on Bourdieu's account of 'symbolic violence' and discussed 'stigma power', accounting for how stigma is used to 'keep people down, in and/away' (2014: 30). Link and Phelan's work encompassed a shift away from thinking of stigma as exercised by individuals, towards stigma as part of the broader political economy, exercised through the state and institutions (Taylor and Slater, 2018). Indeed, it foregrounded how power is 'essential to the social production of stigma' (Link and Phelan, 2001: 382), and allowed an exploration of 'the role of stigma in the reproduction of social inequalities and injustices' (Taylor

and Slater, 2018: 736). A further example of how this conceptualisation of stigma has advanced our knowledge of criminal records is the work of Pollack (2009: 83) who, researching post-release experiences of women living in Canada, demonstrated how concerns over 'risk' contributed to their isolation and marginalisation. Drawing on the work of Rose (2000) Pollack explained that, owing to their former incarceration, the women became emersed in 'circuits of exclusion', deemed 'unable or unwilling to properly manage their own freedom' (Pollack, 2009: 85). Indeed, the conditions attached to their release (e.g. supervision arrangements) placed them firmly within social control mechanisms which undermined their ability to engage as full, agentic citizens. Positioning them as 'at risk' of offending put them at constant risk of being reincarcerated, and placed every aspect of their lives under surveillance by 'experts' who were placed in positions of power and deemed to 'know' about their lives (page 88). This presented barriers to their reintegration, and reproduced the inequality they faced exacerbating their exclusion. Another example is the work of Keene et al., (2001). Drawing on narrative interview with people recently released from prison in the United States, Keene et al., demonstrated how their stigmatised identities led to restricted access to housing and thus, material and symbolic resources necessary for establishing themselves as 'decent' citizens (page 799). They argued that they experienced a form of 'structural stigma' compromising their access to opportunities and resources, and impact on the overall well-being (page 800). Importantly, they show how the ongoing discreditation of former lawbreakers through lack of housing, works to reproduce inequality by preventing them from asserting themselves as 'decent and self-sufficient citizens', and having equal access to life opportunities (page 810). Indeed, incarceration becomes 'an enduring mark that serves to justify the ongoing denial of rights and resources for those who have been to prison' (page 811). Through

adopting a psychosocial narrative approach, this thesis seeks to attend to micro, meso and macro levels of analysis, to explore how PWCs experience living with a criminal record. This approach avoids producing an account of criminal record stigma that is highly individualised, situating participant within the socio-political contexts in which they live.

Chapter conclusion

Despite the intentions of the ROA and Filtering, this chapter has demonstrated the multitude of ways that PWCs can face stigma and discrimination as a result of their criminal record. Indeed, is has been argued that we live in a society 'where there is little social forgetfulness and little, if any, opportunity to move beyond one's past and start afresh' (Blanchette and Johnson, 2002: 43). However, as explained in the introduction of this thesis, and demonstrated in detail in this chapter, current research has not yet sufficiently captured the voices of PWCs in England and Wales, and often neglects the micro-level interactions which shape individual experience. Subsequently, this research seeks to explore the subjective ways people experience living with a criminal record, in a largely underexplored jurisdiction.

Chapter Two

Thinking psychosocially about criminal records

This is the first of two complimentary chapters outlining the theoretical framework of this research. That is, a psychosocial narrative approach to exploring peoples' experiences of living with a criminal record in England and Wales. Starting with psychosocial research, this chapter will outline how the approach offers useful conceptualisations for exploring human experience, attending to the simultaneously *psych* and *social* nature of human subjectivity. It will introduce the reader to the various psychoanalytical and discursive approaches which dominate the field, and demonstrate how a combined psycho-discursive analytical approach is most appropriate for this research. Ethical considerations regarding power, representation and knowledge creation will be introduced, for further discussion in upcoming chapters.

Psychosocial approaches to research

The aim and emergence of the psychosocial approach

Psychosocial Studies[14] (henceforth PSS) emerged in the 1990s as an analytical approach concerned with the interconnectedness of individual subjective experience and social life - a perennial problem for both sociology and psychology (see Stenner, 2014; Frosh, 2019). It was contended that neither discipline successfully theorised the 'human subject' of research as a product of *both* social structures and individual subjectivity, leaving this open for new conceptualisation and ideas (Frosh, 2019). Indeed, traditional psychology emerged with a focus on establishing knowledge around the individual, leading to criticisms of its positivist

[14] Some psychosocial researchers use an unhyphenated 'psychosocial' to illustrate and emphasise the 'dynamic interplay' of the inner and outer worlds (Frosh and Baraitser, 2008). Others use 'psycho-social', with the hyphen indicating the important of process between inner and outer phenomena (Holloway, 2011). This thesis uses the more common unhyphenated spelling.

methodologies and deterministic conclusions (Taylor, 2017). Adopting a post-structural approach to research, a more critical social psychology developed in the 1980s concerned with understanding systems of knowledge, and the influence of language and discourse (Taylor, 2017). Nonetheless, psychology as a discipline remained focused on the individual as the object of knowledge (ibid.). In contrast, sociology was criticised for failing to appreciate the complex and contradictory nature of human experience and subjectivity, abstracting individuals 'into rational social forms' (Frosh, 2019: 102). Indeed, Hayward and Young (2004) argued that the sociological contributions from the twentieth century which continue to inform contemporary research largely assume rational choice of the individual, and do not sufficiently acknowledge the role of emotion.

Responding to this prevailing issue, PSS set out to develop an approach centred on the dynamic and mutually constituted relationship between social structure and interiority (see Stenner 2014; Frosh, 2019). Whilst PSS is heavily influenced by both sociology and psychology, it emerged *outside* of these already established disciplines, seeking to offer its own approach to understanding human experience. Specifically, this approach seeks to offer a more nuanced appreciation of the relationship between human beings – the 'psych'-, and their material worlds – the 'social' (Frosh, 2019). Psychosocial research claims that it:

> [T]ranscends the dualism of the individual and the social, and takes seriously the realm of the intra-psychic, "the power of feelings" and the dynamic unconscious, but does so without engaging in either psychological or sociological reductionism.
>
> (Roseneil, 2006; cited in Frosh, 2019: 102)

To do this, psychosocial research (PSR) tries to acknowledge the importance of 'intersections between knowledge and power' predominantly associated with sociological research, *and* 'psychodynamic thinking' stemming from psychological fields (Gadd, 2012: 36). As such, research using this approach aims to explore problems '…in terms of the interconnections between subjectivities and societies, in contrast to more conventional research approaches which might separate "personal" and "social" or "micro" and "macro" as distinct categories and levels of analysis' (Taylor, 2017: 225). Indeed, the Association for Psychosocial Studies (APS) explains that, '[p]sychological issues and subjective experiences cannot be abstracted from societal, cultural, and historical contexts; nor can they be deterministically reduced to the social.' (2020: npn). In turn, '…social and cultural worlds are shaped by psychological processes and intersubjective relations' (ibid.). To summarise, psychosocial research maintains that:

> [I]t is not possible to really understand how people negotiate their lives without understanding both the unconscious and conscious elements of their personalities, their relationships with other people, and the social and cultural environments in which these transactions and understandings take place entwine.
>
> (Frost and McClean, 2014: 5)

However, despite its increased profile in some UK universities[15], PSS is a highly diverse and contested field, consisting of numerous, often opposing, theoretical and methodological approaches. In part, this diversity is due to PSS seeking to establish

[15] See, for example, The Centre for Psychosocial Studies at Birkbeck, The Psychosocial Studies Area at the University of East London (UEL), and the School of Social Work and Psychosocial Studies at the University of East Anglia.

itself as its own discipline, whilst also being heavily influenced by already existing disciplines and their acknowledged epistemologies (see Taylor, 2017). Stephen Frosh (2019), a key scholar routinely publishing within PSS, agrees that the field is unsettled and restless, but argues that it is performing important work decolonising existing disciplines (predominantly sociology and psychology), and paving a new transdisciplinary road for social science researchers. Furthermore, Frosh (2019: 102) has argued these analytical tensions are 'necessary' and 'productive', reflecting the difficult nature of the discussions within this field. Such discussions include 'genuine struggles over how best to understand the socially constructed human subject', a central component of this approach (ibid.). This will be returned to, later in this chapter.

Psychosocial criminology

There have been significant theoretical advancements in criminology in the last decade aiding with the integration of structure and agency (see Fleetwood, 2016; Winlow and Hall, 2016; Miller and Mullins, 2017). Prior to this however, criminology as a discipline had also been critiqued for struggling to capture the complexities and contradictions inherent to being a human being (Gadd and Jefferson, 2007). Gadd (2012) argued that research within the discipline had a tendency to focus on either the individual *or* society, limiting the potential for significant theoretical developments. Indeed, according to Gadd, criminological research often presented either, a fully agentic individual utilising rational choice without an appreciation of social context, or an entirely socially constructed individual who is a product of their circumstances. Accounting for this, Jones (2008) noted how concerns over the deterministic and positivist approaches dominating psychology led to criminology establishing itself as a largely sociologically informed

discipline, leaving detailed exploration of the individual to forensic psychology. However, this move towards a sociologically informed criminology was at the expense of psychological contributions and conceptualisations of human experience, which could have helped criminology to understand the internal emotional world of the individual, and how individuals self-construct in relation to others (see Hayward and Young. 2004; Jones, 2008). Indeed, as criminology became less concerned with the individual criminal offender, attention moved away from *how* we theorise the individual, allowing outdated assumptions around human subjectivity presupposed in established theories to go unchallenged (Gadd and Jefferson, 2007). This resulted in a criminological understanding of what it is to be human, which was '…unrecognizable as the complex and contradictory human being operating in often difficult and cross-pressured social circumstances we know to be the reality of all our lives' (Gadd and Jefferson, 2007: 1).

Jones (2008) warned that criminology needed to find a way of utilising key psychological contributions around identity and emotion, *without* succumbing to positivist methodological techniques. Indeed, drawing on psychology in this way would enable criminology to more easily account for how individuals are active agents with inner worlds, simultaneously shaped by a range of influences including society, culture, life histories and personal aspirations (ibid.). Offering a view of what psychologically-informed criminological research should look like, Gadd and Jefferson argued it must be:

> [S]ensitive to the anxious, desiring and contradictory qualities of human subjectivity; able to theorise the relationships between individuals and language, both the meaning making dimension and the aspects of power that are always imbricated therein; and open, methodologically and

> theoretically, to the connections among uniquely biographical experiences, the social patterning of inequalities, and the discursive realm.
>
> Gadd and Jefferson (2007: 183)

Criminology has indeed advanced to incorporate of psychological theory and concepts (see McGuire, 2004; Wortley, 2011.). However, Gadd and Jefferson (2007: 1) argued for the development of a psychosocial criminology specifically, to enable greater engagement with *both* 'the complexities of motivations, anxieties and contradictory feelings innate to being human' and, the influence of outer worlds. As an example, Binik and Verde (2022) adopted a psychosocial approach *combined with* narrative criminology[16] to explore how five Italian women convicted for murder and thus, stigmatised as 'bad women', redefined and negotiated their identities. Specifically, Binik and Verde drew on the concept of a 'defended subject' from psychoanalysis (see below), and attempted to 'go beyond' the surface of participant narratives to not only understand *how* they defended against the 'painful and anxious feelings' connected to their stigma, but *why*, taking into consideration their past biographical experiences (page 6).

However, it must be acknowledged that this critique of criminology has long been recognised, and that researchers have been addressing it *without* turning to explicitly psychosocial approaches. For example, desistance literature has also struggled to reconcile the structure-agency debate and has become divided, presenting theories which focus on ontogenetic explanations such as maturation, and theories which focus on sociogenic explanation such as social bonds (see

[16] As noted in the introduction, this research adopts a psychosocially informed narrative approach. *How* it does this will be addressed in detail in chapters three and four.

Maruna, 1999; Maruna, 2001). Seeking a more holistic understanding of distance from crime, Maruna (2001) adopted a phenomenological approach to explore how individuals rebuild their lives. This approach enabled the research to appreciate that 'different individuals exposed to the same environment experience it, interpret it, and react to it differently' (Maruna, 2001: 32). In turn, this placed greater emphasis on the cognitive aspects of social interaction, and how each individual experienced 'objective surroundings' in a highly subjective way (ibid.). Indeed, Maruna argued that *both* individual factors such as age and personality traits, *and* sociological factors such as social bonds and attainment of accepted goals, must be explored to understand the subjective experience of desistance for the individual. In doing so, this research was able to shed light on the role of *emotion* and *narrative* (see chapter three) for sustaining desistance from crime drawing on psychology, but without explicitly engaging with psychosocial theory and conceptualisations.

Adopting a psychosocial approach: positionality, analysis and ethics

The psychosocial subject

Despite the diverse nature of the field, Taylor (2017: 225) explains that *all* psychosocial research (PSR) centres on an understanding that, the 'psyche' and the 'social' are 'always implicated in each other', as opposed to two separate entities which can be explored in isolation. In addition, PSR is concerned with the 'extra-rational', and things which cannot be seen as discrete and measurable (ibid.). This is often referred to as 'the affective', and largely relates to feeling and emotions – both of which are often neglected due to being 'non-scientific' avenues of research (see Woodward, 2015; Taylor, 2017; Maruna, 2001). Indeed, as noted above, taking a psychosocial approach requires the researcher to acknowledge *both* sociological contributions around power and knowledge, *and* psychodynamic thinking focused

on the individual - without overemphasising one at the expense of the other (Gadd, 2012). Indeed, from *any* psychosocial perspective, psychic and social processes are to be 'understood as implicated in each other, as mutually constitutive and co-produced [...] always to be read together (Frosh, 2019: 101). This has led to the conceptualisation of 'a psychosocial subject', one that is *simultaneously* psychic and social (ibid.). Holloway and Jefferson explain that the psychosocial subject[17] is one whose:

> [I]nner worlds cannot be understood without knowledge of their experiences, and whose experiences of the world cannot be understood without knowledge of how their inner worlds allow them to experience the outer world.
>
> (Holloway and Jefferson, 2013: 4)

Defending the use of the word 'subject' which is usually associated with experimental psychology and positivist methodologies, it is explained that the word 'subject' is used to refer to the *person*, and how they have been theorised (Frosh, 2019). Indeed, the psychosocial *subject* is not seen as an 'object' of study, but instead reflects a series of ideas likened to contemporary poststructuralism studies. In this context, the term 'subject' reflects a series of ideas:

> ...slipping between the linguistic notion of the subject of a sentence, the psychological notion of the individual human entity with agency and subjectivity, and the social/political notion of being "subject to" something more extensive than oneself.

[17] Psychosocial studies routinely uses the word 'subject' to refer to participants due to the way human subjectivity is conceptualised in this approach.

(Frosh, 2003: 1549)

This quote highlights the ambiguous nature of 'the subject' and its complex relationship with language, human agency, and external forces. It is within this fluid and dynamic mix of 'criss-crossing lines of force', that individual subjectivity is shaped (Frosh, 2003: 1549). Indeed, Frosh identifies that the subject is 'the centre of agency and action', whilst simultaneously subjected to uncontrollable forces such as the internal unconscious, and external dynamics such as race and gender (2003: 1552). Indeed, individuals are influenced by social forces outside of themselves and thus, 'constructed by and in power', but also have agentic capability, enabling them to 'take hold of power and use it' (ibid.). From this perspective, the subject is 'constituted in and through its social formations, yet is still granted agency and internality' (Frosh and Baraitser, 2008: 349). The psychosocial subject then, is '…a meeting point of inner and outer forces, something constructed yet constructing, a power-using subject which is also subject to power' (Frosh, 2003: 1564). This conceptualisation, albeit complex and quite abstract, allows an engagement with subjectivity which does not reduce it to *either* agency *or* social construction. This is important, as it is agreed that psychosocial research should view *both* the psyche and the social as mutually constituting the human subject, being careful not 'collapse' the two into one another (see Frosh, 2003; Gadd, 2012; Frosh, 2019).

Due to the abstract and complex nature of such a conceptualisation, Gadd and Jefferson (2007) acknowledge that it is an ambitious task to move towards a new, psychosocial criminology. Indeed, Frosh himself acknowledges that PSR presents a subject which is very difficult to theorise, and which no research has worked out yet (2019). Moreover, there has been considerable disagreement on how to appropriately theorise the 'subject' of research and subjectivity itself, and questions

over *how* this relationship can be effectively researched still remain (see below). However, Gadd and Jefferson (2007) believe that a conceptualisation of the psychosocial subject which allows both the psyche and the social to be taken seriously, without reducing individuals to one or the other, is increasingly important for contemporary criminology.

Working with a psychosocial subject

As emphasised throughout this chapter, PSR acknowledges *both* the influence of social conditions, and the importance of power and agency exercised by the individual (Frosh, 2003). This requires an understanding of subjectivity and subject positioning which recognises a person's agency, as well as the influence of social context (Holloway, 2011). Therefore, psychosocial researchers must acknowledge *both* the psyche and the social, without making knowledge claims that objectify the participant, or reduce them and their subjectivity to a number of psychological or sociological 'factors' for analysis (ibid.). There are two dominant analytical approaches to this in PSR; one which draws upon psychoanalytical concepts, and one which focuses predominantly on discursive analysis. In psychoanalytic approaches, researchers focus on how '…talk is primarily mediated by relational dynamics and unconscious processes' (Frosh and Young, 2017: 126). In contrast, in discursive approaches, talk is viewed as 'mediated by the availability of discourses in the social and political realm' (ibid.). In other words, psychoanalytical approaches view talk as mediated by the interaction between the participant and researcher, and the unconscious feelings of the participant. Discursive approaches view talk as predominantly influenced by discourse and thus, is more of a social constructionist perspective. This discussion will provide a short summary of each approach, demonstrating how they each engage with ethical discussions around power,

knowledge, and reflexivity. It will then be explained how a combined psycho-discursive approach can be most effective when exploring human experience.

Psychoanalytical tools for psychosocial research

Psychoanalysis is so commonly used within psychosocial studies the two terms are often conflated (Frosh, 2019). Traditionally associated with clinical settings, psychoanalysis has been utilised by a considerable number of psychosocial researchers due to its historical interest in the 'psychic structures that organize individuals' internal worlds in particular ways' (Frosh and Young, 2008: 110). This ongoing engagement with the construction of identity through inner processes has enabled psychoanalysis to offer 'powerful and well-worked out' concepts for researchers to think about how, what is 'out there' (social forces external to the individual), comes to be 'experienced within the individual', and vice versa (Frosh, 2019: 104). In particular, psychoanalysis provides the researcher with a way of theorising the unconscious through conceptualisation of emotional investment, personal desire, and fantasy (ibid., page 105). This is useful for psychosocial research which has remained focused on the question of 'how we make sense of, and manage, ourselves in a world which social structures and events are felt, and have dynamic force, in the most intimate way' (ibid.).

There are several approaches to psychoanalytical psychosocial research, each of which hold different views on how we can 'represent knowledge about things that escape knowledge and representation[18]' (Redman, 2016: 84). However, all psychoanalytical perspectives have an appreciation of the 'unconscious' as a 'thing in itself' (Bateman and Holmes, 1995: 29). A psychoanalytical approach views the

[18] For a detailed discussion of the different approaches - including the dominant Lacanian and Kleinian approaches – see, Frosh and Baraitser, 2008, and Young and Frosh, 2010.

‘inner’ as something ‘informed by actual events and therefore social structures, but also “added to” from the unconscious’ (Frosh, 2019). The Kleinian approach in particular puts forward that the presentation of self and narrative, within any given interaction, is motivated by unconscious feelings and motivations (Bateman and Holmes, 1995). According to Craib (2000), the work of psychoanalysis has taught us about how individuals can maintain strong yet seemingly opposing emotions, and how maintaining a level of anxiety is inherent in the human condition, essential for survival. Indeed, psychoanalysis stresses the role of emotion, maintaining that ‘…we react emotionally to internal processes and objects which may be conscious or unconscious’ (page 70). As a result, we are not always reacting to immediate events, and we draw on old experiences, memories and emotions, often unconsciously. However, when people experience changing moods and emotions, they try to look for explanations of why, to ease feelings of anxiety. In doing so, they tell themselves stories ‘…where perhaps there is no story’ (ibid.). This is a fundamental part of making sense of life experiences(s). Gadd and Jefferson are in favour of a psychoanalytically informed psychosocial criminology, arguing that only in psychoanalytic theorising are inner world conflicts (such as anxiety and desire), emerging through both conscious and unconscious processes, ‘subjected to any sustained, critical attention’ (2007: 4).

Importantly, psychoanalysis is often used to move beyond re-description of the participant and theorising the observable, towards exploring the more unconscious dimensions at work (Frosh and Young, 2008; Taylor, 2017). Indeed, Billig (1997: 139-140) noted how psychoanalytic methods attempt to go ‘beyond’ language to discuss ‘hypothetical, and essentially unobservable, inner states’. This means researchers exercise a degree of ‘creative uncertainty’ in the analytical process,

allowing them to effectively engage with the psyche (Bateman and Holmes, 1995). However, this creative uncertainty cannot be purely speculative, and must be grounded in other, often psychoanalytical, concepts and theorisations. For example, to account for the unobservable influence of unconscious defences against anxiety, Holloway and Jefferson theorised their participants as 'defended subjects' (2000a: 19). The defended subject is one who will unconsciously manage anxieties, thoughts, and feelings, which threaten the individual's sense of self (ibid.). As such, viewing investment in discourse as indicative of the 'threats' participants were defending against, Holloway and Jefferson centred their analysis on identifying sources of anxiety, and exploring *how* participants defended against them in the interview context (ibid.). Gadd (2000: 431) also utilised this theorisation of the defended subject in his masculinities research, noting that it 'inhibits the reduction of individuals' subject positioning to single, unitary attitudes or types'. Rather, participants can be viewed as complex and multifaceted, influenced by multiple anxieties, at any given time.

Psychoanalytically informed approaches are particularly attuned to the role of the researcher. Indeed, throughout its development as an analytical field, psychoanalysis has contributed to our understanding of the 'unconscious communications which are negotiated in the research encounter' (Hunt, 1989; cited in Clarke and Hoggett, 2019: 4). For example, using the psychoanalytical concepts of transference and countertransference, Holloway and Jefferson (2000a) tried to acknowledge the influence of unconscious dynamics and emotional responses between themselves and participants. However, despite efforts to embed psychoanalysis in other grounded concepts, the 'individualizing tendencies' of the approach has been criticised, as has the production of 'top-down' expert knowledge

produced by the researcher, who claims to know the participant better than they know themselves (see Frosh and Baraitser, 2008). Furthermore, how, and the extent to which, the researcher's role can be accounted for is contested, as 'we can 'never reach a point where we can stand outside of our assumptions and our knowledge' (Young and Frosh, 2010: 519). As such, the researcher is encouraged to document their interpretations, so that they can be challenged by others throughout the research process (ibid.). This will be returned to in a later discussion of ethics, and in chapter four – research methodology.

Psycho-discursive tools for psychosocial research

Discursive approaches to psychosocial research are also highly diverse, consisting of a range of different approaches and styles (Edley, 2001). Nonetheless, the type of discourse analysis used within this field largely stems from critical and discursive psychology, which is concerned with social constructions, and the role of language and discourse in the formation of subjectivity (Taylor, 2017). Indeed, encouraged by the turn to language in social science in the 1980s, psychology became increasingly focused on how experiences and actions are bound to particular contexts and thus, how social context can be understood as constructing and reconstructing individual worlds (Branney, 2008). As such, a core principle behind this approach is that our understanding of the world, and how we relate to it, is socially constructed via historically and culturally specific discursive practices (Wiggins, 2017). From this perspective it is theorised that, 'phenomena which traditional psychological theories have treated as "inner processes" are, in fact, constituted through social, discursive activity' (Frosh and Young, 2008: 110). For example, discursive approaches view 'the self', fantasy, and emotion as entwined with power relations and discourse, informed by 'actual events and therefore social

structures' (ibid.). This represents a move away from theorising personality in psychology, and towards theorising the construction of subjectivity through discourse (ibid.).

Researchers using this approach view discursive analysis as offering 'a social account of subjectivity by attending to the linguistic resources by which the socio-political world is produced and reproduced' (Burman and Parker, 1993: 3). The way we can talk and behave, and the knowledge we consider as truth, is socially constructed by discourse (Branney, 2008). Subsequently, the role of language in shaping and limiting subjectivity, influencing how people make sense of their experiences, is central to discursive approaches. This requires careful consideration of the role of power. Foucault (1980) discussed discourse as constitutive of knowledge - knowledge which influences how people see and speak about objective reality. It allows meanings to be established in relation to individuals, transforming them into 'knowable subjects', playing a role in dividing and classifying a population[19] (Foucault, 1984). Indeed, language is viewed as 'the site where meanings are created and changed' (Taylor, 2001: 8). The focus of discourse analysis then, is 'what we do with language and what language does to us' (Branney, 2008: 575).

The effect of this is twofold; 1) a discourse regulates how something is spoken about by an individual, and 2) people can take up various 'subject positions', as constructed by discourse (see Branney, 2008; Taylor; 2001). Indeed, Potter and Wetherell (1987; cited in Holloway, 2011) argued that discourses provide meanings and subject positionings for people to make sense of their experience(s). This 'positioning' within discourses is a central concept for the discursive turn in social

[19] This links to the discussion of 'criminal' individuals in chapter one.

science (Holloway, 2011). Language provides the boundaries and frameworks for people to make sense of, and articulate, their experience and identities. In other words, people can only invest in the discourses made available to them by language, and these possible options are called subject positions. Self-subjectification can occur when an individual aligns themselves within a discourse, taking up a subject position which is logical and attainable to them, subjecting themselves 'to its meanings, power and regulation' (Hall, 2001: 80). Indeed, whilst taking on subject positions enables individuals to articulate their experiences and identities, it also governs what can be said, providing constraints and conditions to future behaviour and rationalities (Hildebrand-Nilshon et al., 2001). Importantly, '[t]he idea of positioning in discourse opened up the possibility of a multiple, fluid, shifting subjectivity'. (Holloway, 2011: 3). Indeed, investment in discourse is viewed as a fluid and dynamic process, influenced by the subject positions available, which are continually changing in response to fluctuations in power and knowledge systems. Moreover, discourse is temporally and spatially specific, and entwined within power relations. This appreciation of power and resistance is crucial for feminist researchers who see discourse as maintaining power inequality, but recognise an individual's ability to be, and act, otherwise (Thompson et al., 2018). Finally, such subject positions are influenced by the social groupings' individuals belong to, including class, gender, and ethnicity. For example, the gendered nature of subject positions in relation to desistance, has recently been highlighted by a number of desistance scholars (see Friis Søgaard et al. 2016; Stone, 2016; Hale, 2019).

However, discursive analysis has been critiqued by feminist scholars who argue that it does not sufficiently engage with politics of voice (Thompson et al., 2018). Indeed, feminist perspectives have drawn our attention to how language is not purely

descriptive or neutral, and instead is 'deeply implicated in the maintenance of power relations' (Gill, 1995: 166). As such, focusing on discourse as 'the primary site of power and meaning in identity construction and social relations' is seen as problematic, as it can further obscure marginalised voices (Thompson, et al., 2018: 94). Indeed, feminist concerns with the role of power, agency, and resistance, have revealed that discourse analysis has focused on broad discursive accounts at the expense of first-hand experiences (Thompson et al., 2018) This has led to approaches such as feminist critical discourse analysis, which seeks to 'advance a rich and nuanced understanding if the complex workings of power and ideology in discourse in sustaining hierarchically gendered social arrangements' (Lazar, 2007: 141). This requires an appreciation of intersectionality, and feminist perspectives have turned our attention to how, 'subject positions within the discourse are infused with gender, racial-ethnic and class inequalities' (Napels, 2003: 91). In addition, Gough (2009: 532) put forward that discursive analysis does not engage with personal life stories and their influence on meaning making, and so it 'omits meanings which may emanate from significant past events, memories and relationships'. As such, this can lead to an incomplete and depersonalised understanding of subjectivity (ibid.)

Furthermore, feminist researchers are 'particularly concerned with how the voices of participants are interpreted and represented', and how the voice of the participant can be retained (i.e., not oppressed by analytical techniques) (Thompson et al., 2018: 95). Rather than capturing 'single truth', researchers from a critical discursive approach seek to investigate the meaning and significance given to life events, whilst conceding that any interpretation is inevitably 'partial', due to the complex and dynamic nature of the social world (Taylor, 2001: 12). In addition,

it is argued that any knowledge claims made by research should be viewed as specific 'to particular situations and periods' (i.e., not universally specific), and relative, related to the researcher's world views and value systems (ibid.). The role of the researcher in the co-construction of knowledge will be considered at length in chapter four.

A combined psycho-discursive approach for researching human experience

Having attended to a critical discussion of both psychoanalysis and discursive analysis, this final chapter discussion will draw on existing research to demonstrate how a combined psycho-discursive analytical approach is most appropriate for exploring the experiences of PWCs. In short, a combined approach allows the researcher to acknowledge the role of inner workings such as anxiety, motivation and unconscious defences, whilst accounting for the role of language and external social structures.

Billig (1997; cited in Holloway, 2011: 5) noted that '[d]iscursive psychologists turn the person inside out, converting inner mental life into outward social activity, while psychoanalysts move in the opposite theoretical direction by turning social life outside in'. As such, using both psychoanalytical and discursive approaches together, requires 'theoretical adjustments' to be made on 'both sides', as the researcher must have a '…willingness to interpret "past" what can be easily transcribed as text' whilst also viewing the individual as 'socially produced in overt interpersonal activities' (Billig, 1997; cited in Frosh and Young, 2008: 111). Using both approaches requires the researcher to conceptualise the subject of research as:

> '…embedded in social and cultural contexts with socially acceptable and powerful ways of being, but also as individually oriented to these

> contexts, uniquely invested in discourses in different ways influenced by conscious and unconscious wishes.'
>
> (Frosh and Young, 2008: 124)

This understanding complements the views of Gadd and Jefferson (2007) who argue that both the inner and outer worlds need to be taken seriously to avoid reductivism. They note:

> Taking the social world seriously means thinking about questions to do with structure, power and discourse [and] taking the inner world seriously involves an engagement with contemporary psychoanalytic theorizing.
>
> (ibid., page 4)

This requires the researcher to be attuned to different influences, appreciating the fluid and dynamic nature of subjectivity, formed through *both* macro and micro level phenomena. Indeed, research using a combined approach takes a more nuanced view that an individual's position within discourse is influenced by social forces and external power relations, *and* through personal investment into them. Sclater (2000, 132) noted:

> …human subjects, far from passively slotting into the positions provided for them by a range of dominant discourses, are more likely actively to interpret and negotiate, or even challenge and resist, the prescriptions for acting, thinking and feeling that dominant discourses imply.

This understanding helps avoid reducing an individual to either the discourses available to them, or to their internal subconscious, and facilitates a more dynamic

understanding of discursive positioning (Holloway, 2011). Exploring the unconscious motivations and feelings behind an individual's alignment with a particular discursive position, allows the researcher to gain a more 'complete' interpretive account, exploring not only *which* discursive positions people take up, but also, *why* (ibid.). Indeed, discursive positioning is not fixed or static, and subjectivity is formed through an interweaving of different positionings which change over time. As people have new experiences and new discourses become available to them, their positioning within discourse changes, influencing the way they think, feel, and make sense of their lives.

An example of relevance to this research where a psycho-dynamically informed discursive approach has been used is Toyoki and Brown's (2014) research[20], concerned with how incarcerated men managed stigma through discursive positioning. They noted that men would 'empower' themselves in one of three ways; 1) through appropriating the label of 'prisoner', 2) by claiming other more coveted identities, or 3) by claiming to be an inherently 'good' person. This approach allowed them to see how men constructed their identities and understandings of themselves, in fragmented, and often contradictory ways. Furthermore, they demonstrated how some of the men in their study positioned themselves as a 'family man', or a 'good person', in order to deny prisoner status, and the knowledge claims and disempowerment that comes with it. Wetherell and Edley's (1999) work on negotiating hegemonic masculinity demonstrated how men reconfigured and negotiated their 'subordinate status', by taking up masculine 'subject positions' such as 'heroic'. Finally, using both psychoanalysis and discursive analysis, Gadd et al., (2015) demonstrated how an individual's understanding of domestic violence is

[20] Toyoki and Brown used a grounded theory approach to analysis – this research does not.

sociological implicated in gender and power, but also arising out of feelings of anxiety, which are culturally common but also specific to the individual and their biography.

Importantly, this research does not seek to perform in-depth psychoanalysis on any participant[21]. Furthermore, the thesis remains cautious of claiming specialist knowledge of the inner world of individuals, and is aware of the power imbalance associated with claiming to have access to insights the participant themselves do not (Frosh and Baraitser, 2008). Rather, the research is *influenced* by psychoanalysis and seeks to consider unconscious dynamics and the role of biography on discursive investment, giving the research space for 'creative uncertainty' to discuss *potential* motivations, anxieties and desires (Bateman and Holmes, 1995). Indeed, paying attention to *how* and *why* individuals invest in various discourses requires acknowledgement of the simultaneously agentic and socially mediated nature of positioning within discourse. To further support the research approach and establish a more robust analytical framework, narrative approaches have also influenced this research (discussed in chapter three).

Ethical considerations

For psychosocial research, ethics is not solely a methodological consideration. It also relates to the epistemological position taken by the researcher on the nature of the 'knowledge' produced by the research, and the subsequent claims that can be made from it (Frosh, 2003). PSR research requires a commitment to reflexivity, calling for researchers to outline *how* the complex relationship between power, agency and subjectivity is accounted for. Researchers are required to consider:

[21] My personal opinion is that detail psychoanalysis should be performed by those with professional training and/or a background in psychoanalysis.

> …how 'we' (as theorists and researchers) regulate ourselves in relation to others – how we deal with them, how we recognise their existence as 'subjects', how we acknowledge similarities and differences, what agency we ascribe to them and so on.
>
> (Frosh, 2019: 104)

This relates to the claims we make about the psychosocial subject, and how we theorise subjectivity and the process of meaning making as simultaneously psyche and social. It also refers to how we view ourselves and our relationships with our participants, and therefore, the data we produce from our research. Indeed, the research landscape itself must be viewed as a context which shapes meaning making and subjectivity (Frosh, 2003). Subsequently, the research must pay attention to how, 'participants and researchers alike work to make meaning' (Frosh, 2003: 1557). Researchers do not discover new insights based on what is already there, they contribute to the production of knowledge *with* their participants, through their research activities (ibid.). This is a particular understanding of reflexivity which requires an analysis of 'the conditions of emergence of knowledge as well as the apparent objects of knowledge themselves' (Frosh, 2019: 103). This acceptance and acknowledgement of how the researcher is implicated in the research is in opposition to traditional objectivism, which previously dominated much of the social sciences (see Frosh, 2003; Clarke and Hoggett, 2019). Only introduced in brief here, reflexivity and the co-construction of 'data' will be discussed further in chapter four.

Chapter conclusion

This chapter has explained how a psychosocial approach enables a thorough interrogation of discursive investment, as influenced by *both* inner workings and

social conditions. However, as previously noted in this chapter, it is recognised that psychosocial theorisations are still being worked out, and it is ambitious to apply such abstract conceptualisations to research (see Gadd and Jefferson, 2007; Frosh, 2019). Indeed, as noted by Frost and McClean (2014: 1) '[p]sychosocial thinking is an emerging art and is not finished'. Subsequently, it is common for psychosocial approaches to be combined with other theoretical perspectives to further strengthen research frameworks (Frost and McClean, 2014. Chapter three will discuss how narrative approaches provide further analytical tools to explore the subjective meaning making of PWCs. Discussions of reflexivity and the role of the researcher will continue, paying particular attention to the role of 'truth' in narrative research.

Chapter Three

Biographical approaches for understanding human experience(s)

Having identified the need to support psychosocial conceptualisations with other analytical tools (see chapter two), this second theoretical chapter will outline how a biographically informed *narrative* psychosocial approach has been used to understand the experiences of PWCs in this research. This approach enables an exploration of how people construct a self-narrative, attaching meaning(s) to past experience(s), and establishing continuity and meaning to their lives. Viewing these processes as developing *over time*, the approach acknowledges the influence of changing biographies and social conditions. This approach was deemed most appropriate, as the contemporary criminal record can permeate a range of life domains across the lifespan, becoming more or less salient over time (see chapter one).

The turn to biography and search for participant 'voice'

The turn to biography in the social sciences - also referred to as the subjective or cultural turn - emerged within a broader paradigm shift in the late 1990s and early 2000s (Chamberlayne et al., 2000; Wengraf et al., 2002). The turn to biography was prompted by recognition that, despite vigorous attempts to debate 'the relative effects of structure and agency' in social science research, discussions remained too abstract (Chamberlayne et al., 2000: 1). Drawing on the work of C. W. Mills, Stanley noted that a holistic approach to researching lives needs to attend to 'the symbiotic relationship between history, biography and social structure' (Mills 1970; cited in Stanley, 2013: 7). People are 'related to others, are constituted in and change over time, and are agentic although within constraints' (Stanley, 2013: 7). Indeed, central to the biographical turn was the re-discovered appreciation of individual agency,

and how individual biography is constitutive of society '…not merely made by it' (Rustin, 2000: 46). Structural theorisations were criticised for remaining detached from lived realities, and exploring 'the bedrock reality of everyday lives' became the focus of research (Chamberlayne et al., 2000: 1).

Accordingly, biographical methods sought to link micro level analysis of individual agency with macro scale analysis of power and structure, to elicit more nuanced understandings of human experience (Chamberlayne et al., 2000; Wengraf et al., 2002). In short, biographical approaches:

> '…reach for meaning and accounts in individual biographies to both confirm and complicate understandings of the working and emergence of social processes and relationships in place and through time.'
>
> (Bornat, 2008: 343)

Subsequently, biographies and their analysis are rooted in '… both social history and the wellsprings of individual personality' (ibid.). Rather than see the social world as determining individual experience, there was a move towards viewing the individual as *active*, and towards 'personal and social meaning as bases of action' (Chamberlayne et al., 2000: 1). Indeed, as noted by Stanley (2013: 5), 'people are active, competent interpreters and theorisers of their own lives', requiring a rejection of 'top-down determinacy'.

Crucially, biographical approaches developed from critical perspectives, concerned with illuminating hidden voices, and exploring marginalised experiences. Indeed, it was recognised in the1960s and 70s that the voices of marginalised people/groups were not being effectively captured in research, and that methods remained complicit in reproducing power imbalance between the researched, and the

researcher (Chamberlayne et al., 2000; Plummer, 2001). Chamberlayne et al. (2000) identified three key influences which facilitated the turn to biographical methods in the social sciences: 1) debates around memory and one's ability to recall experience, 2) the development of feminist theory with its interest in power, and 3) the influence of postmodernism with its emphasis on reflexivity. Due to these influences, biographical approaches engage deeply with epistemological and methodological issues regarding '…validity, memory, subjectivity, standpoint, ethics, voice and representivity amongst others' (Chamberlayne et al., 2000; cited in Bornat, 2008: 345). These three key influences will now be discussed briefly, in turn.

In the 1980s, debates around memory and the psychological and social dimensions of remembering intensified (Chamberlayne, et al., 2000). This led to increased recognition of subjectivity in the recalling of life histories (Chamberlayne et al., 2000). Critical of positivism, researchers concerned with biography argued that this forces the researcher to engage more explicitly with the speaker's subjectivity, enhancing the validity of the research (Portelli, 1981, cited in Chamberlayne et al., 2000). Moreover, responding to increasing criticism of interviews for being unreliable and not representative, those using them turned their attention to the *individual meaning* given to narrative accounts, by the individual speaking (Chamberlayne et al., 2000). Indeed, it is the meaning of the accounts and the speaker's subjectivity which is of most interest to biographical researchers - not the events themselves (Wengraf et al., 2002). More recently, memory work has identified that individuals re-remember and re-interpret their experiences, and so research methods need to be careful not to '[nail] people down to their current interpretations of past experience' (Stephenson and Kippax, 2008: 130). Rather,

recalling of experience is fluid and constructive (ibid.) This is a crucial point which will be returned to throughout the thesis.

Further encouraging the development of biographical methods, feminist interest in power, oppression and women's experience started to gain momentum the 1970s (Chamberlayne et al., 2000). Crucially, feminist historians and sociologists highlighted that traditional methods were failing to capture the voices and experiences of marginalised people (Chamberlayne et al., 2000). With a particular focus on working class women's knowledge and experience, feminist researchers argued that to challenge dominant accounts, power, hierarchy and assumptions, marginalised narratives needed further representation. This led to the development of a range of work from historians and sociologists, focused on women's experiences which had previously been hidden (for reviews of this work see Caine, 1994; Ware, 2010). Indeed, feminists 'redrew the maps of responsibilities and power, challenging assumptions with accounts that used women's words, women's knowledge, and women's stories' (Wengraf, 2002: 249). The work of Liz Stanley in The Auto/Biographical (1992) was particularly influential in the development of a *critical* biographical approach (Chamberlayne et al., 2000; Plummer, 2000). To crudely summarise, Stanley criticised how social science research upheld problematic dualisms of the self and other, public and private, and immediacy and memory, arguing that these classifications are a fallacy (Stanley, 1992; Stanley, 1993). Furthermore, Stanley emphasised that the author, or researcher, plays an active role in the construction of knowledge (Stanley, 1992; Stanley, 1993). This had significant influence on the ethics of research, and 'debates about the ethics of telling, hearing and representing' have continued to shape biographical work (Chamberlayne et al., 2000: 5). As such, central to biographical methodology is a

concern with listening, and minimising the power imbalance between interviewer and interviewee (Merrill and West, 2009). In chapter four, Free Association Narrative Interviewing (FANI) - the interview method chosen for this research - will be discussed in detail, paying close attention to power and the co-construction of narrative within a research context.

Finally, postmodernism and a turn to reflexivity in the 1980s and 90s, saw '…the celebration of freedom and arbitrariness of subjectivity and the denial of the determinism of alleged social structures' (Chamberlayne et al., 2000: 6). This encouraged social science researchers to think about *how* accounts are formed, without reducing individuals to social categories such as class and gender. Attention was moved to 'the viewpoint of the actor', and away from 'positioned categories' to avoid determinism (Chamberlayne et al., 2000: 6). Indeed, biographical approaches recognise the limitations of demographic categories (class, gender, race, etc.) when trying to explore human experience, which are inherently diverse and complex. Holloway and Jefferson (2000b) put forward that demographic categories are limited for three main reasons: 1) demographic factors are largely reductive, 2) such social categories have become more fragmented, and 3) a structural approach denies 'appropriate individuality and agency to subjects' (ibid., page 167). Subsequently, postmodernism, alongside feminism, drew attention to instances of multiple representation within groups of people (such as women), previously seen to have shared experiences.

Biographical methods now 'provide a sophisticated stock of interpretive procedures for relating the personal and the social' (Chamberlayne et al., 2000: 2). Indeed, 'biographical methods' has become an umbrella term for, '*an assembly of loosely related, variously titled activities [which] tend to operate in parallel, often not*

recognising each other's existence, some characterised by disciplinary purity with others demonstrating deliberate interdisciplinarity' (Bornat, 2008: 344). However, 'an essential problem' for biographical approaches is how to keep hold of sociological knowledge regarding social processes and structures, whilst also accounting for individual agency (Rustin, 2000). This has led to a range of different methodologies including oral history research, ethnography, biographical interpretive methods, and narrative methodology.

Narrative approaches: theory and ethics

For narrative researchers, storytelling is viewed as a communicative, emotion provoking, educational, and entertaining meaning-making device, fundamental to the human condition (Sandberg and Ugelvik, 2016). To remember and recall experiences people contain them within a story format, consisting of a sequential flow of events, and involving characters, plots and settings, which span different temporal spaces (Denzin, 2000; Porter, 2007; Bridgeman, 2007). McAdams (1996) explained that, through the process of narration, an individual establishes order and coherence to life events, making sense of them, and giving them meaning (see below). Whilst this meaning and order is constructed by the individual narrator, life story and 'real life' are intrinsically linked as 'part of the same fabric, in that life informs and is informed by stories' (Widdershoven, 2003, cited in Bornat, 2008: 348). As noted by Presser (2016: 138), when it comes to articulating life experience, narratives are our only way of describing 'lived time'. Subsequently, 'the form that experience takes when it is put into narrative' has become privileged (Denzin, 200: page xi). When approaching narratives, 'narrative theorists see the story as a greater sum of parts than the particularities of events, atmospheres, environments and relationships described' (Bornat, 2008: 348). Subsequently, narrative

approaches pay close attention to the stories people share, and how they share them, placing the participants narration of experience at the centre of analysis (see Denzin, 2000; Sandberg and Ugelvik, 2016; Presser; 2016).

Goodson (2013: 23) argued that a focus on individual narrative is essential, as social science researchers must update their methods to respond to new '...conditions of constant flexibility and disruptive change', which influence how people 'experience and manage their lives'. As grand narratives and structural explanations for human experience decline, personal narratives become increasingly important for individuals (Goodson, 2013). Indeed, 'we have to make our lives in a more active way than was true of previous generations, and we need more actively to accept responsibilities for the consequences of what we do and the lifestyle habits we adopt.' (Giddens, 1998: 37). As the social world becomes more unstructured and unpredictable, people are required to construct personal stories to make sense of their lives (see Giddens, 1991; Gadd and Jefferson, 2007). As modern society becomes increasingly chaotic and overwhelming, the way in which people craft narratives to maintain a sense of coherent and order becomes increasingly important (Giddens, 1991; King; 2014). Goodson (2013: 12) explained that these personal stories largely focus on the self, and people construct 'purpose stories', whereby their 'work' or personal development is given 'single integrated meaning', linked to a wider journey or goal. To study personal story then, is to study how individuals navigate their 'ongoing struggle for purpose and meaning' (Goodson, 2013: 20). The ongoing narrative project will be discussed in more detail later in this chapter, with a focus on how individuals (re)construct past, narrate the present and anticipate potential futures.

Narrative criminology

Despite taking a somewhat marginal place in criminology, research engaging with narrative theory and (auto)biographical methods has provided nuanced accounts of individuals' engagement will criminal activity (see, for example, Shaw, 1930; Sutherland, 1937; Hobbs, 1995). However, whilst the humanities and other social science disciplines have continued to explore storytelling as a vehicle for making sense of experience and constructing identity, narrative criminology has only recently resurfaced as a 'new' genre of research[22] (Presser, 2016; Sandberg and Ugelvik, 2016). Presser (2016) put forward that criminology's indifference to the self partly explains its fluctuating engagement with narratives. As noted in chapter two, criminology has been criticised for neglecting conceptualisations of 'the self' and 'inner worlds', as it developed into a largely sociological discipline (see Jones, 2008; Gadd, 2012). Indeed, social science researchers have aspired to 'scientific authority' which meant narratives were abandoned for being 'ambiguous, particularistic, idiosyncratic, and imprecise' (ibid., page 146). However, despite its late arrival, criminology raises 'unique interdisciplinary questions', paving way for 'methodological fusions', and the advancement of narrative theory (Presser, 2016: 147). Indeed, narrative criminology is closely connected to the work of critical criminology 'rooted in concern with harm, legal or illegal' (Presser and Sandberg, 2019; cited in Fleetwood et al., 2019: 6). Subsequently, narrative criminology is 'intrinsically critical', playing a crucial role in questioning 'established truths', to reveal power structures and 'hegemonies of consensus' (Fleetwood., 2019: 22). In

[22] 'Narrative criminology' was only coined as such in 2009 by critical feminist criminologist Lois Presser, who drew together developments in the field for an article in Theoretical Criminology (see Presser, 2009; Fleetwood et al., 2019). This sparked greater interest in the approach, attracting criminologists from a variety of research areas including terrorism, drinking, illegal drug use and violence, before reaching maturity with the publishing of the edited collection Narrative Criminology: Understanding Stories of Crime in 2015 (see Presser and Sandberg, 2015; Fleetwood et al., 2019).

doing so, narrative criminology recognises that some 'narrative conventions and patterns make available some kinds of realities whilst ruling out others' (ibid., page 27). Moreover, some individuals are empowered to speak and tell stories, whilst others are not (ibid.). In later chapters, the narratives of participants will be explored to see what kinds of realities are available for PWCs, and how this is influenced by personal biography, social conditions and identity characteristics (e.g. class, gender and race).

Importantly, narratives are complex and dynamic, performing a variety of important roles. Specifically, narrative criminology focuses on how narratives:

> …allocate causal responsibility for action, define actors and give them motivation, indicate the trajectory of past episodes and predict consequences of future choices, suggest courses of action, confer and withdraw legitimacy, and provide social approval by aligning events with normative cultural codes.
>
> (Smith, 2005; cited in Presser, 2016: 138)

Furthermore, for narrative criminologists:

> Narrative displays the goals and intentions of human actors; it makes individuals, cultures, societies, and historical epochs comprehensible as wholes; it humanizes time; and it allows us to contemplate the effects of our actions, and to alter the directions of our lives.
>
> (Richardson, 1990; cited in Presser, 2016: 138)

As such, criminologists value stories for their capacity to 'tell us about something else' (Presser, 2016: 142). Indeed, as already noted, biographical approaches focus

on *how* people make sense of their experiences and construct identity (discussed below), *without* seeking a factual and observable reality. In keeping with this, narrative criminology is uninterested in how 'real' or 'true' stories are, focusing instead, on 'what stories do', and the impact of them (Presser, 2016: 139). As noted by Craib (2000: 65) '…there is a rooting of our narratives, even if only minimally, in a reality external to the narrative'. Indeed, whilst narratives may stray from the *truth* they are anchored to real events and experiences. As noted by King, (2013: 151) 'narratives are constituted of subjectively meaningful life-course events, which are internalized and reconstructed to provide coherence and understanding to the life as a whole.'

However, whilst narrative criminology has undergone significant development in the last decade, Fleetwood (2016: 173) argued that narrative criminology 'tends towards a problematic dualism of structure and agency, locating agency in individual narrative creativity and constraint in society/culture'. According to Fleetwood (2016), to overcome this, narrative criminology 'needs the conceptual tools to analyse how structure shapes narratives and human actions, through an individuals' perceptions and representations of themselves and their world' (page 174). Indeed, individuals are not 'cultural dopes', and narratives do not exist 'in a social vacuum', so researchers need to find a way of understanding, 'how individual narratives are both shaped by social structure as well as being creative and agentic' (ibid.). Reflecting on the future of narrative criminology, Presser (2016) foresees it to be one that critically evaluates and explores stories, whilst simultaneously identifying the way in which the researcher influences its construction. Similarly, Wesley (2018; cited in Fleetwood, 2019) noted that researchers need to pay closer attention to how interview dynamics influence analysis and subsequent research

findings. Stanley (2013: 5) noted that, 'researchers are part of, not apart from, the social encounters and processed that comprise research'. Therefore, researchers must continually reflect on, and revise their own understandings, and consider 'whether the interpretational activities engaged in have produced appropriate and accountable knowledge claims' (ibid.). Those that are, 'appropriately and sufficiently supported by the data adduced and the conclusions drawn' (ibid.). Discussions around attending to *both* structural and individual processes, and how best to acknowledge the influence of interview dynamics, are where this research finds a psychosocial-narrative approach to be particularly useful.

Psychosocial-narrative research

As explained in chapter two, PSR offers some useful theorisations for engaging with *both* the structural and affective dimensions, which shape human experience and identity (see Gadd and Jefferson, 2007; Gadd, 2012). Fleetwood et al., (2019) noted that this interest in psychosocial approaches helped to spark the development of narrative criminology. This is because the narrative encapsulates an intersection between structural and agentic factors, avoiding the individual versus society dualism, making it appropriate for psychosocial research (Andrews et al., 2000; Denzin, 2000). Specifically, psychosocial narrative approaches view narratives as *actively constructed* by the individual, for a particular audience (see Norrick, 2007). Indeed, as noted by Freeman (2010: 263), 'there simply is no videotape' for us to draw on, and so, autobiographical narratives are not simple reiterations of memory. A storyteller has agency and the ability to self-reflect, and actively construct and shape their described reality (Freeman, 2010). Indeed, narratives are 'sites where agency is played out […] helping us make sense of the world when things go wrong' (Andrews et al., 2000: 1).

Importantly, psychosocial narrative perspectives, view individuals as '*constructed by* the stories they tell' (Denzin, 2000: xi emphasis added). Indeed, individual lives are seen as, 'constructed, lived, and presented to listeners in storied forms' (Bornat, 2008: 348). We 'live in stories, and do things because of the characters we become in our tales of self' (Denzin, 2000: xiii). As Andrews et al., (2000: 1) note:

> The self is a psychosocial, narrative production. There is no dualism between self and society. Material social conditions, discourses and narrative practices interweave to shape the self and its many identities [...] self and society are storied productions.

The quote above makes several key points which require further explanation. First, as explored in chapter two, a psychosocial perspective views the construction of self as simultaneously psych and social. Indeed, an individual has the ability to shape and mould narrative identity, but they are not entirely 'free' in their storytelling. The construction of self is contingent upon social conditions, discursive agency, and narrative construction (discussed in more detail below). Moreover, 'the self' is not one single unitary identity. Instead, people are made up of varying, sometimes contradictory, constructed identities. Indeed, rather than being fixed with a rigid certainty, individuals have a degree of flexibility in how they invest in discourse, and are able to occupy more than one discursive position at any time.

Making sense of experience and constructing of a narrative identity over time

For the purpose of this research, two key functions of narrative will be explored in detail: 1) the role of narrative in making sense of life experience, and 2) the role of narrative in the life-long (re)construction of identity. As explained in chapter one, owing to the current criminal record regime, PWCs must contend with structural barriers and stigma when navigating life with a criminal record. Exploring the

narratives constructed in interviews (see chapter four) provides insight into how they reconcile their sense of self in a society which excludes them from full civic participation, and requires them to continually explain the past when trying to access a range of opportunities and services. Indeed, as noted by (McAdams, 2008: 242):

> [T[he stories we construct to make sense of our lives are fundamentally about our struggle to reconcile who we imagine we are, and might be in our heads and bodies with who we were, are and might be in the social contexts of family, community, the workplace, ethnicity, religion, gender, social class, and culture writ large. *The self comes to terms with social through narrative identity.*

As captured in the quote above, we construct stories to reconcile different understandings of self, establish congruity between the self and the society in which we live, and craft a narrative identity. Stories are 'crucial for the way we live, and for the organisation of society' constructing our 'identity and sense of self' (Sandberg and Ugelvik, 2016: 129). Through constructing narratives and telling stories, people detail events and periods of their lives explaining what *meaning(s)* they have elicited from them (McAdams and McLean, 2013; Fleetwood, 2016). Indeed, by accounting for the impact events and experiences have had on their lives, an individual reconstructs past and imagines potential futures, allowing the creation of a life story which, 'synthesizes episodic memories with envisioned goals, creating a coherent account of identity in time' (McAdams and McLean, 2013: 233). In doing so, we forge a narrative identity, which then 'guides interpretations and actions, [as] we make choices on the basis of a self that is conjured as the protagonist in an evolving story' (Presser 2009; cited in Fleetwood, 2016: 175). Indeed, the

'narrated self' works like 'a map', which directs us moving forwards, connects us to other people and, helps us to establish morality (Denzin, 2000). Freeman (2000) discussed how a narrative consists of 'two-way temporal traffic' whereby 'one's view of the future conditions the meaning of the past and, one's view of the past conditions the meaning of the future' (page 81). Subsequently, our stories provide 'fundamental linkage across our lives' (Andrews et al., 2000: 78).

Maintaining a focus on the simultaneously agentic and social nature of narrative construction, Andrews et al., (2000) note that the reconstruction of past and reimagining of future, takes place *within* the material social conditions and practices in which the individual is bound. The construction of a narrative identity is a discursive activity and, as explained in chapter two, discursive positioning is shaped by personal agency and unconscious desires, as well as external social conditions. Sclater (2000) explained that narrative approaches enable the researcher to engage with the 'complexities of individual-social relations' exploring how, '…human agents forge their identities as subjects within the constraints and possibilities afforded by discursive frameworks' (page 131). As noted by Wetherell (2003), when communicating narrative, individuals will express themselves in ways that are familiar to them, and readily available within their social context. This draws our attention to the importance of language when taking a discursive approach to analysis. Indeed:

> Language contains the most basic categories that we use to understand ourselves; affecting the way we act as women or as men (in, for example, the sets of arguments that are given about the nature of gender difference deployed to justify inequality), and reproducing the way we define our

> cultural identity […]. When we talk about any phenomenon (our personality, attitudes, emotions), we draw on shared meanings…
>
> (Burman and Parker, 1993: 1)

Moreover, as noted above, narratives are implicated by power, and some realities are advanced above others (Fleetwood, 2019). Accounting for this, narrative research has explored the role of 'narrative templates' or 'meta-narratives' on the construction of narrative identity (Harding et al., 2016: 262). It is noted that people have a 'cultural stock of plots' to selectively draw upon, shaping them to their particular needs, influenced by motivation and audience (Harding et al., 2016: 265). Indeed, whilst the increasingly uncertain and non-traditional nature of modern-day life has been noted (see above), we are still provided with ideologically significant, and temporally and spatially specific, 'narrative lynchpins' and trajectories, shaping the way we structure our narratives (Goodson, 2013; Harding et al., 2016). These include romantic relationships leading to marriage and family, advancement to higher education, and progression through careers (ibid.). For marginalised groups - such as PWCs - how individuals reconcile the construction of a narrative identity in a society which imposes structural constraints and challenges, is of concern for narrative research (Harding et al., 2016).

Importantly, narrative theory views *telling* stories about our life history as an essential part of biographing. Indeed, the sharing of a life story is a 'normal human activity […] contributing to the maintenance of identity [and] the presentation of self' (Chamberlayne et al., 2000: 9). 'We make sense of ourselves and our relationships with others by sharing stories and through our individual on-going inner narrative' (Sandberg and Ugelvik, 2016: 129). Moreover, the sharing of a story is a *purposeful* act and, as indicated above, the elements of a narrative (e.g.

setting, plot and characters) are shaped to suit the interaction (Phelan and Rabinowitz, 2012). Indeed, narrative storytelling is 'a temporally ordered, morally suggestive statement about events and/or actions in the life of one or more protagonists' (Presser, 2016: 138). The narratives we form, and stories we tell, are fundamental when signifying moral matters, and help us to explain 'what we did and therefore what kind of being we are' (ibid.). Indeed, through storytelling, an individual is able to convey to others 'who they are now, how they came to be and where they think their lives may be going in the future' (McAdams and McLean, 2013: 233). Autobiographical narration then, is seen as a process whereby 'an individual presents him or herself to the world through a storied version of their life' (Bruner, 1995; cited in Wengraf et al., 2002: 10).

In some cases, the telling of a narrative '…can be a vehicle of moral recuperation' (Freeman, 2010: 269). Indeed, re-imagining the past provides an opportunity for self-renewal (Freeman, 2000). '*Making Good*' by Maruna (2001), is widely considered an influential piece of research for narrative criminology (see Rumgay, 2004; Fleetwood et al., 2019). Exploring the role of narrative in desistance, Maruna suggested that individuals need to be able to 'make sense' of their lives through the construction of a self-narrative, which provides their life story with a sense of 'unity, purpose and meaning' (page 7). He demonstrated how change to self-conception and thus, behaviour, is founded on the stories we tell ourselves, about our lives. Indeed, by reconstructing past experiences and neutralising the harms associated with their offending, 'successful' desisters were able to 'rebiograph', and construct a 'prosocial identity'. Neutralising the harm of offending may include techniques such as denial of victim or injury, and denial of responsibility (see Sykes and Matza, 1957; Maruna, 2001). Craib (2000: 67) referred to stories which deny agency and

thus, responsibility, as 'bad faith stories'. That is, 'stories not about what I do but what is done to me and what I am because these things have been done to me' (ibid.). By focussing on these external explanations, an individual can establish 'a new and successful identity to replace old miseries and failures' (Craib, 2000: 68). Whilst he did not discuss 'bad faith stories', Maruna (2001) demonstrated how reconstructing the past and linking it to the future in a way that provides meaning and purpose, helped former lawbreakers to defend against depression and anxiety, amongst other issues.

However, narratives are not passively accepted by the listener. Rather, stories are judged on how they adhere to the logics of the culturally prescribed meta-narratives (Harding et al., 2016). For example, post-incarceration scripts around reform and rehabilitation are often expected of former lawbreakers when incarcerated (see Toyoki and Brown, 2014; Warr, 2019; Warr, 2022), and when trying to secure opportunities upon release (see Harding, 2003; Harding et al., 2016). Some scholars have turned to the work of Bourdieu and 'field theory' to explore how narrative is imbued in power relations, as people craft narratives from broader, culturally accepted storylines[23]. For example, Goodson (2013: 14) argued that an individual must have a degree of 'narrative capital' to successfully deploy their narrative in any particular field. Similarly, Fleetwood (2016) explored the social conditions which permit or inhibit the construction of particular narratives, highlighting the influence of characteristics such as class, gender and race. Fleetwood explained that those who are 'successful' in storytelling are those with appropriate social conditioning and capital in that context (ibid., page 178). For researchers to engage with issues of power in narrative, Fleetwood suggests that analysis must explore '…what made

[23] For a more detailed discussion of field theory please see Bourdieu (1977, 1990).

this narrative intervention successful' (page 187), identifying participants social positioning, and the forms of capital available to them. Part two of the thesis explores participant reflections of trying to deploy their constructed narratives in various contexts, paying attention to the interactional elements of disclosure, and exploring how this shapes future meaning making and identity construction.

Finally, narratives are temporal constructions, influenced by culture, history and language (Freeman, 2010). Indeed, narratives are anchored in 'local institutional cultures and their interpretive practices' (Denzin, 2000: xii). Subsequently, changes to personal biography and shifting social conditions, influence the ongoing construction of narrative identity, and how people make sense of past experiences. Indeed, narratives are 'inherently temporal', unfolding and evolving over time (see Harding et al., 2016: 264). However, Harding et al., (2016: 262) note that narrative literature is yet to 'grapple with narrative change and stability when structural constraints or barriers challenge personal narratives and narrative identities.' In contrast, life course research developed with a concern with the influence of time and change across the life course. Gerontologists using narrative approaches highlight that storytelling and the narration of life experience is dynamic and contingent, continually responding to changing social and personal contexts as people grow older (Chamberlayne, 2000). Furthermore, life course research has encouraged social science research to acknowledge that, '…any point in the life span must be viewed dynamically as the consequence of past experience and future expectation as well as the integration of individual motive with external constraint' (Giele and Elder, 1998: 19).

Importantly, people have an ability to interpret and process new information in a way that is consistent with existing understandings of the self, and also take on new

understandings which may be contradictory (see Holloway, 2011; Harding et al., 2016). The storyteller is able to use hindsight to make sense of things anew, and to formulate meanings that were not previously available to them (Freeman, 2010). Indeed, narrative is a creative *retelling* of the past, connecting it to the present and the future, in a fluid and dynamic way (Fleetwood et al., 2019). Harding et al., (2016) explored the narratives of prisoners pre and post release, to see how they maintained and/or reconciled their narrative identity in the light of contradictory understandings and structural barriers. Wrestling with their past behaviour and attempting to construct a meaningful life story, the narratives of participants showcased the interweaving of structure and agency, whilst transitioning to post-incarceration life (Harding et al., 2016). Indeed, adding to the work of Maruna (2001) who focussed largely on the narratives themselves, Harding et al., (2016: 264) illustrated the role of 'social structures, institutions and networks', in conditioning changes to narrative. They argued that narrative change is contingent upon; the content of the narrative, an individual's structural circumstances, and the institutions and networks they are involved with (ibid.). Finally, commenting on the efforts required to respond to such changes, Jones explained that it requires 'considerable psychological energy […] to maintain the narrative of ourselves' (Jones, 2008: 249). This will be discussed throughout part two of the thesis.

Chapter conclusion

Situating the criminal record as a feature of personal biography, enables the research to explore how people make sense of their past experiences, narrate their present-day identity, and anticipate potential futures, *over time*. Taking a psychosocially informed narrative approach enables the research to explore how people make sense of their criminal record, and attach meaning to it as a result,

whilst responding to changes to biography (becoming a parent, changing motivations etc.) and external changes or experiences (CR regime, attitudes, experiences of rejection etc.). A focus on the fluid and dynamic nature of *positioning* within discourse allow the researcher to acknowledge the agency an individual has over their alignment with discourses whilst also appreciating the power structures influencing what discourses are available, and to whom.

Chapter Four

Methodology: meaning making through iteration

Having put forward the case for a psychosocially informed narrative approach for exploring the experiences of PWCs (henceforth PSN), this chapter will outline the specific methodology used for this research, and provide the reader with a detailed reflection of its application. First, the six-stage research process used for this research will be outlined, demonstrating how Free Association Narrative Interviewing (FANI) was used to elicit the life stories of participants. Second, how I engaged with participants and their stories at both the interview and analysis stages will be discussed, with a particular focus on ethics, power and the co-construction of narrative.

Eliciting life stories through Free Association Narrative Interviewing

This research sought to explore how PWCs make sense of their experiences and attach meaning(s) to their life events, through the construction of a narrative identity (see McAdams, 1996; Maruna, 2001; Goodson 2013). The construction of a meaningful life story enables PWCs to defend against the stigma of a criminal record, and to establish a permissible 'story' of their offending to access life opportunities (see chapter one and three). Importantly, PSN approaches are concern with *how* people construct and share their stories, viewing them as a site for investigating the intersection between structural and agentic factors (see Andrews et al., 2000; Denzin, 2000). To encourage the sharing of life stories, Free Association Narrative Interviewing (FANI) was used. As this chapter section will demonstrate, this is a less traditional and relatively un-structured method of interviewing which seeks to give the participant freedom in the interview, and minimise the influence of the researcher.

Established by Holloway and Jefferson (see 2000a; 2013) the FANI method comprised four key principles which help to attain rich and detailed narratives, without limiting or dictating the focus of conversation. They are: 1) only use open-ended questions, 2) elicit stories to anchor participant accounts to events or experiences that have happened to them, 3) avoid asking 'why?' questions and, 4) use the same ordering and phrasing as the participant when following up in the second interview (Holloway and Jefferson, 2000a). By adhering to these principles, the participant is encouraged to tell stories about their life and their experiences, making their meanings clear as they talk (ibid.). Indeed, this approach maintains that the 'meanings' underlying the narrative shared at the interview, are best accessed via spontaneous free association, which follows emotional, rather than cognitive logic (Frosh and Young, 2008). Following this emotional logic, participants are able to form new links between experiences, explain existing ones, and move around different temporal locations in their story freely as they progress through the interview. It is this emotional storytelling which 'points to a person's subjective meaning making' (Frosh and Young, 2008: 114).

It has been argued that FANI is more appropriate than more traditional structured interview techniques for exploring human experience and subjectivity. Indeed, it is argued that traditional interviewing techniques require the participant to be knowledgeable of their experiences, to understand the meaning(s) behind them, to be aware of their subconscious defences and motivations, and to convey this effectively in an interview setting (Holloway and Jefferson, 2000a). Often however, people are not aware of *why* they feel the way they do and thus, subconscious emotions play a significant role when storytelling and making sense of experiences (Craib, 2000). Further still, PSN research seeks to minimise the power imbalance

between the researcher and participant (see Chamberlayne et al., 2000; Frosh and Baraitser, 2008; Merrill and West, 2009). It is argued that, if the listener adheres to the FANI principles, then participants can share their narratives in a 'self-styled account', helping them feel listened to and taken seriously (Holloway and Jefferson, 2000a). Moreover, giving the storyteller freedom within the interview ensures they can explore the subjects most important to them, not the subjects perceived as important by the researcher (Holloway and Jefferson, 2000a; 2013). This is particularly important as this research seeks to explore the meanings individuals themselves attach to their experiences, and how they construct their own narrative identity as a result. Due to these benefits, the FANI approach to interviewing has been used by doctoral researchers from a range of research areas in criminology (see Alger, 2016; Murray, 2015; Wilkinson, 2018). It has also been used by researchers interested in adopting a psychosocial approach outside of criminology (see *inter alia*, Whitehouse-Hart, 2014; Hennessy, 2016; Ruksana, 2017; Dixon, 2019).

Ethical Considerations

Before proceeding with this research, ethical approval was sought from the School of Social Science and Public Policy Student Project Ethics Committee (SPEC). The application included a thorough outline of the research project, a discussion of sample and access, information regarding informed consent and researcher/participant safety, and an appendix containing all research material (information sheets, support sheets and consent forms). Appendix A contains a copy of research material, and evidence of ethical clearance granted by SPEC. How ethics was considered *throughout* the research process will be returned to later in this

chapter, but it is important to discuss some of the key ethical considerations included in the application process here.

Informed Consent

Informed consent is considered an important ethical consideration for any research with human participants (BSC, 2015). To ensure participants could provide informed consent to take part, they were provided with an information sheet *before* we arranged a meeting place for the first interview. The information sheet stated the aim of the research, made it clear there was no obligation to take part, explained the research process and what would be asked of them, outlined any potential benefits/risks of taking part, and provided information on use of information, right to withdraw and funding details. Contact details were also provided for myself, and for the university research integrity team. At the start of the first interview I read through this information with the participant, providing more detail and answering questions when asked. They were asked to sign a consent form for taking part, and a consent form for use of quotes. One participant (Jamelia) chose *not* to consent to the use of quotes and so her narrative has been paraphrased throughout this thesis.

Confidentiality and Anonymity

Confidentiality and anonymity were particularly important as I was talking to people with past interactions with the criminal justice system. Anonymity was preserved by establishing pseudo names, and ensuring any identifiable information was not included. In some cases, this meant giving a regional indication of their university or employment as to not identify them. Importantly, anonymity is to be carefully considered within the scope of this research thesis, but also for future publications/research outputs – both of which all participants consented for their data to be used.

Confidentiality was addressed on the information sheet, and participants were made aware before starting the interview that disclosure of *current or future* illegal or harmful behaviour, to themselves or others, may have to be reported[24]. Audio recordings, field notes and transcripts were saved electronically on password protected devices, and encrypted with passwords where possible. Any printed copies were stored in a locked filing cabinet, which only I had access to. Supervisors were *only* provided with transcribed material, and participants were made of this prior to taking part.

Minimising harm

Within the context of this research, minimising harm was considered with regards to emotional harm and physical safety. First, it was acknowledged that asking people to reflect on their past involvement with the criminal justice system and their subsequent experiences of living with a criminal record could be evoke negative emotions. Two support sheets were created and checked by a member of the team at Unlock. One provided details for criminal record related charities and information sources, whilst the other was broader in scope, providing contact details for a variety of charities including domestic violence charities, the Samaritans and drugs and alcohol support (informed by research on pathways to offending). This was appropriate as the topic of conversation could not be predicted by the participant (see the discussion of FANI) and so it was a way of ensuring as many services were signposted as possible. Support sheets were also sent to all individuals who contacted me offering to take part in my research, regardless of whether they participated or not. This was due to the acknowledgment that being prompted to think about their criminal record could be potentially harmful in itself.

[24] No disclosure of such information occurred

Asking Unlock to read over research materials ensured that language would be inclusive, cautious not to further stigmatise people. Furthermore, at the start of the second interview participants were given the opportunity to reflect on how they had responded to the first interview, and I emphasised again that their participation was entirely voluntary, giving them the opportunity to delay the second interview or withdraw entirely.

It was also important to consider the emotional toll of human research on the researcher. Garfield et al., (2010) discussed the reflective process that occurs when using FANI methodology. They highlighted that this method has particularly high demands on the researcher with regards to emotional and intellectual reflection. Furthermore, it has been noted that this method in particular is emotionally demanding of the researcher as it requires them to engage and often identify with 'toxic' material developed from the FANI method (Gadd, 2012). Indeed, as noted by Gadd (2012: 67) the 'wounded' parts of oneself which 'often underscore the interviewer-interviewee identifications' can be challenging when they come to the forefront of the data, when writing chapters, and when sharing research with wider audiences. I discussed this with a supervisor who had used this method before, and the field diary entries were used as a way of reflecting on how I responded to participant narratives.

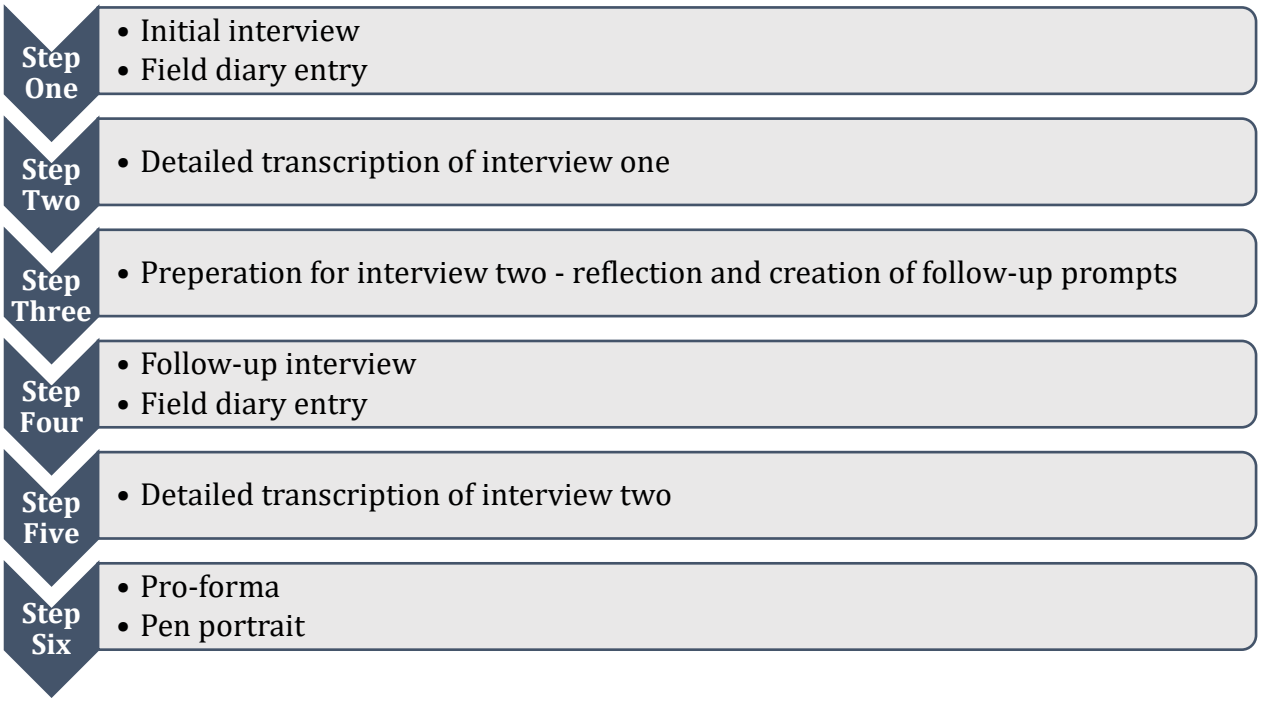
With regards to the physical safety of everyone involved, it was originally planned that interviews would be conducted in a public place such as a library or community centre. However, there were several occasions where the interview was conducted in the home of the participant. In one instance the participant was living in a residential home which had a book to sign in and out of. In another instance, a participant suggested their home address as they were concerned for their privacy

when discussing their interaction with the criminal justice system. Another participant I met at two different residential addresses, as they also wanted to ensure privacy when discussing their experiences. A fourth participant asked we use their home address for convenience. On all of these occasions my supervisor and one other individual was provided with the address and an estimated start and end time to the interview. Participants were made aware of this arrangement, and consented for their information to be passed on for this reason.

The six-stage research process

It was anticipated that each interview interaction would vary considerably, shaped by logistical factors such as interview timing and location, and influenced by the participant themselves, and their subjective approach to storytelling. Nonetheless, a rigorous six-stage research process was established - informed by PSN approaches and the FANI method - to maintain a consistent approach to interviewing and analysis.

FIGURE 1: THE SIX-STAGE RESEARCH PROCESS



After identifying an appropriate sample (see below) a pilot interview was conducted, and discussed with a member of staff at Keele University who had used the FANI method in her own research. This provided an opportunity to reflect on my use of the technique, and to ensure FANI was appropriate for the research. Choosing to continue with this approach, **step one** was to conduct an initial interview adhering to the principles of FANI. As noted above, informed consent was attained at the start of the first interview. However, for narrative interviewing and FANI in particular, informed consent is a relational process to be considered throughout the interview experience (Holloway and Jefferson, 2000a; Josselson, 2007). Whilst participants may have thought carefully about taking part and consented to an interview discussing their criminal record, the method encourages free association and the following of emotional logic. This means the interview is likely to stray onto topics not initially considered when giving consent. Contrastingly, in more traditional Q&A style interviews participants can choose not to answer individual questions, and would be able to consider their responses more carefully. Subsequently, during the interviews it was important to be attentive to both verbal and non-verbal cues, and to be prepared to stop the interview if necessary.

Moreover, with narrative approaches, the interview experience can be '…a catalyst for revisiting very private and/or unhappy experience' (Birch and Miller, 2000: 189). Nonetheless, it has been argued that FANI has ethical advantages as the self-directed nature of storytelling gives participants a higher degree of control over what is discussed, when it is discussed, and how (Holloway and Jefferson, 2000a; Drabble et al., 2016). Furthermore, it has been noted that narrative interviewing, when conducted in a safe and comfortable environment, can allow participants to

share experiences and concerns which they would not otherwise be able to do (Holloway and Jefferson, 2013; Josselson, 2007). Participants may, '…reflect on, reorder and give new meanings to past, difficult experiences', making the interview a therapeutic encounter (Birch and Miller, 2000: 190). At times, participants did have emotional reactions in the interviews, but when asked if they wanted to stop, they chose to continue. Several participants explained that they were grateful to have the opportunity to voice their experiences, and had 'emotionally' prepared themselves prior to the interview. I provided them with a support sheet with contact information for a range of services, including national charities with support ex-offenders, and services which support people with mental health and addiction (see appendix A). Participants were asked to keep the support sheet 'to read at a late date' to prevent it from influencing the topics discussed during the interview, and to avoid making the participant feel that I was suggesting they needed further support.

Adhering to principles one and two (see above) I started the interview with '*could you tell me about your experiences as an individual with a criminal record?'.* Adhering to principle three, participants were encouraged to tell stories through open ended verbal prompts such as, '*could you tell me more about that?*', and non-verbal prompts, nodding along and remaining silent during pauses. This helped the narrative to follow the emotional logic of the participant, rather than be directed by the researcher asking specific questions (Holloway and Jefferson, 2000a; Frosh and Young, 2008). Narrative interviewing relies on the interpersonal dynamics of trust and emotional awareness (see Holloway and Jefferson, 2000a; Josselson, 2007). Subsequently, it is essential that the researcher is able to listen empathetically, responding to the participants 'emotional space', not the researchers (Josselson,

2007). In practice, this means listening to the stories shared, mirroring the emotions shown by the participant without responding negatively, and allowing participants to express their feelings without fearing judgement, criticism or ridicule (Holloway and Jefferson, 2000a). To build a rapport and encourage participants to share their stories, I chose to record the interviews with a Dictaphone, and did not take hand-written notes (see Gadd, 2012 for a discussion of note taking during narrative interviews).

Reflection is central to PSN approaches and conducted throughout the research process, not reserved for the end (Gadd, 2012). As such, a field diary entry was recorded after the first interview documenting details such as, first impressions, a description of the interview location, and how the participant appeared in the interview (animated, hesitant, angry etc.). It also documented more subjective information such as how I was feeling on the day, the atmosphere in the interview, and any emotional responses I had to their narrative (see appendix C for an exemplar field diary extract). The purpose of the field diary was to account for how I may have influenced the co-construction of narrative in the interview, and how my thoughts/feelings towards the participant and their narrative could shape the analysis (see below). Indeed, interview dynamics (e.g. the ability to build a rapport) and unconscious bias can influence the narrative elicited, and shape the analysis of interview transcripts (Holloway and Jefferson, 2000a). Subsequently, acknowledging how the complex interactions between speaker and listener, reader and text, can lead to different readings of the same material, is an important part of narrative methodology (Walkerdine, 1997; cited in Holloway and Jefferson, 2000b: 45).

Step two was to transcribe the first interview. I transcribed the interviews without the use of transcription software to gain familiarity with the narratives shared. To ensure the interviews were transcribed consistently, a guide was created noting how, for example, I recorded hesitations, pauses and prolonged silences. Transcription was detailed including verbal cues (the 'yeahs' and 'mmms'), interruptions (e.g. environmental interruptions or researcher interjections), changes in the participant's tone or volume, and any body language I could recall (e.g. slapping the table, raising their arms in exclamation or shrugging). As noted by Gadd (2012), all parts of the transcript become important during analysis, and any editing should be minimal to preserve a more genuine version of the speaker's narrative. However, it is important to note that transcription itself is an 'interpretive practice' as 'language is not a perfectly transparent medium of representation' (Riessman, 2008: 50). In other words, transcription is an 'incomplete, partial and selective' construction, and can never fully preserve a narrative as-told (ibid.) **Step three** entailed a process of note taking and reflection, to prepare questions for the follow up interview. To minimise how I shaped the second interview with any early assumptions, notes were basic, used to identify tensions, inconsistencies or unexplored themes in the participant's narrative (Holloway and Jefferson, 2000a). A semi-structured follow up interview – **step four** - was conducted between seven and fourteen days later. Follow up questions also adhered to principles of FANI, largely consisting of '*could you tell me more about X*' style prompts. This allowed participants the same freedom to share narrative through emotional logic as they had in the first interview, albeit prompted by my lines of inquiry. All fourteen participants were interviewed twice, with one follow-up (Alice) being conducted over the phone due to logistical issues. The follow-up was conducted in the same location where possible, to help feel comfortable in sharing more detail, particularly

on those topics avoided or briefly mentioned in the first interview. Another detailed reflection was made in my field diary before **step five** - transcription of the follow-up interview.

Step six was to complete a pro forma and pen portrait for the participant, marking the start of the analytical process (see appendices D-R[25]). The pro forma was a basic template that I created, to record information such as a physical description, basic demographic information (e.g. pseudo name, age, and gender), and details on the logistics of the interview. It also performed the more important job of identifying the communicative elements of the narrative such as plots, characters and settings (Porter, 2007). Indeed, 'narrative lynchpins' were identified in the pro forma (e.g. becoming a parent, starting a job or moving location), highlighting the 'transitions and turning points' located within the life story (see Gadd and Farrall, 2004; Goodson, 2013). However, when a researcher tries to identify and draw out specific information, the overall narrative becomes fragmented and distorted (Holloway and Jefferson, 2000a). This is particularly problematic as FANI adheres to the *Gestalt* principle maintaining that, 'the whole of the person being interviewed is greater than the sum of any of their particular attitudes, experiences of other disclosures' (Gadd, 2012: 43). Subsequently, the pen portraits sought to provide an account of the individual as a 'whole', encouraging the researcher to engage with each participant like a case study, paying attention to the communicative elements and narrative lynchpins, but also the larger narrative told within the interview context, and the 'work' it is doing with regards to the narrative project and construction of selfhood (see Jones, 2008 and Goodson, 2013). Pen portraits drew together the

[25] A pro-forma sample has been included to illustrate the descriptive information that was recorded. A pen portrait for each participant has also been included. These were only minimally edited prior to submission, to try and preserve a genuine record of my early engagement with participant narratives.

‘inconsistencies, contradictions and puzzles’, enabling multiple readings and interpretations to be developed (Gadd, 2012: 43). However, they have been criticised for being more constructed than Holloway and Jefferson conceive, and for being too definitive, claiming to show the ‘real character’ of the participant (Gadd, 2012). As such, not every researcher using the FANI method chooses to use them, opting for more thematic analytical approaches, using quotes to present participants through their own descriptions (see Wilkinson, 2019). For this research, Pen portraits were used to establish a descriptive overview of the participants’ narratives, before turning to a hand annotated thematic analysis for more detailed work (see appendix S). This will be discussed in more detail, later in this chapter.

Identifying the research population and negotiating access

To capture the voices of adults living in England and Wales with a criminal record attained early in life (see the introduction), a set of inclusionary criteria were developed. Participants had to be aged twenty-five or over at the time of the interviews, and have at least one non-custodial sentence or out-of-court disposal received when they were aged 25 or younger. They would also have to be living in the Midlands or Northwest of England, to ensure the research was feasible within the time frame for a lone researcher. PWCs are part of a ‘hidden population’ as criminal record data is not public information in England and Wales. Whilst social media and personal contacts were used to advertise the research and recruit three of the participants (Paul, Simon and Yasmeen), it would have been ineffective to rely on these methods alone. Subsequently, I contacted the co-director of the independent nationwide charity Unlock, and they distributed my ‘call for

participants' via their mailing list, website and social media accounts[26]. Within the first few weeks of the call for participants being distributed, I had been contacted by forty-nine people - each of whom wanted to talk to me about their experiences. I used the pre-determined inclusionary criteria to establish a more feasible sample size, preventing me from making any subjective judgements on who I wanted to interview, and influencing my research findings. This also limited my role as a gatekeeper controlling whose voices were heard in the research process. Given the exclusionary nature of the criminal record regime (see chapter one), it was anticipated that many of those who had contacted me, may have experienced rejection or discrimination in the past. Careful to avoid evoking similar emotions, my supervisor and I crafted an email to send to those who did not meet the criteria. It was emphasised that their contribution would be valuable, but I was unable to interview them due to the logistical limitations of the research. Of the forty-nine people who contacted me via Unlock, eleven took part in the research. As noted above, building a rapport during the interview is important for FANI to be effective (Holloway and Jefferson, 2000a). Being supported by a well-known and respected charity could have helped position me as a trustworthy individual, helping participants to feel comfortable sharing their life stories with me. Indeed, several participants spoke to me about the work of Unlock, sharing their enthusiasm for their campaigns and associated research like mine. This point will be returned to later in the chapter. The overall sample is presented in table three. Notably, I did not explicitly ask for the information listed on their criminal records, and did not push for more detail on their offences. This was to avoid it feeling like a formal

[26] Unlock is an award winning nation-wide charity which provides support, advice and advocacy for people with criminal records. In return for supporting my research, it was agreed that I would develop a report after I had completed my PhD, contributing to their evidence base for their advocacy work.

disclosure interaction, creating a greater power imbalance, and potentially evoking negative emotions. Subsequently, the information produced in the table appeared organically in their narrative.

TABLE 4: PARTICIPANT INFORMATION

	Age	Gender	Nationality/Ethnicity	Religion (if stated)	Criminal Record Information (as explained by participant, in their own words)	ROA
Sally	65	Female	White British	Unknown	One conviction for possession of cannabis aged 20 - non-custodial sentence given	Spent – 45 years since last conviction
Glenn	65	Male	Mixed Scottish and Sri Lankan heritage	Unknown	Referred to himself as a 'career criminal'. Criminal record consists of both non-custodial and custodial sentences from the age of 16. Has tried to be 'retired' for an unspecified number of years	Unspent – unknown number of years since last conviction, but he mentioned relatively recent meetings with the Probation Service
Ahad	51	Male	British-born, South Asian heritage	Muslim	Convicted of several fraud offences at once, at around the age of 20. Convicted of possession of cannabis at around the age of 21. Non-custodial sentences given	Spent – 30 years since last conviction
Jamelia	50	Female	British-born, black Jamaican heritage	Unknown	Convicted of fraud and shoplifting between the ages of (approximately) 15-20 years old – non-custodial sentences given. Received a suspended sentence aged 20 for shoplifting, and was given a 6-month	Spent – approx. 25 years since last conviction

					custodial sentence. Conviction for benefit fraud aged (approximately) 25 – non custodial sentence given.	
Simon	49	Male	White British	Unknown	A number of non-custodial sentences for drug offences, theft, and violence offences, aged 14 - 21. Custodial sentence aged 25 for illegally importing cigarettes. Second custodial sentence aged (approximately) 32 for drug trafficking and money laundering.	Unspent – 15 years since last conviction. 6 years since he was released from prison.
Martin	49	Male	White British	Unknown	A number of non-custodial sentences for public disorder offences including theft and vandalism, aged 13 onwards. Attended youth custody aged 15. Received a custodial sentence aged 18 for a violence offence, and a second custodial offence aged 20 for a drug related offence.	Spent – 29 years since last conviction.
Louise	34	Female	White British	Unknown	Two convictions for shoplifting aged 16 and 19 - non-custodial sentence given.	Spent – 15 years since last conviction.
Kirsty	42	Female	White British	Unknown	One conviction for drink driving aged 22 - non-custodial sentence given.	Spent – 20 years since last conviction.

Ben	37	Male	White British	Unknown	A number of non-custodial sentences between the ages of 12 – 17. Under supervision with The Probation Service aged 17. Criminal damage offence aged 19 leading to more supervision, and a breach of this led to a 4-month sentence in a young offender's institution. At 28 he was given a suspended sentence for driving under the influence, and causing a collision.	Spent – 9 years since last conviction.
Megan	35	Female	White British	Unknown	A number of non-custodial sentences between the ages of 13 – 15 for public disorder offences. Aged 15 she had a conviction for a violent offence.	Spent – 20 years since last offence.
Rachel	31	Female	White British	Unknown	Approximately 7 non-custodial sentences for theft and public disorder offences, received between the ages of 14 and 18. One suspended sentence received aged 18 for witness intimidation with a weapon.	Spent – 13 years since last offence
Yasmeen	28	Female	British-born, South Asian heritage	Muslim	Two non-custodial sentences for fighting whilst in a care home, attained aged 14 and 15. One caution for neglect aged 18 – non-custodial sentence given.	Spent – 10 years since last offence
Paul	26	Male	White British	Not Stated	One GBH conviction aged 17 with no further action outcome. One drunk and	Spent - 5 years since last offence.

					disorderly conviction aged 21 with non-custodial outcome.	
Alice	25	Female	White British	Not Stated	One conviction for shoplifting aged 15 – non-custodial sentence given.	Spent

As table 4 shows, the sample captured an age range of twenty-five to sixty-five, and included six men, and eight women (see appendix B for illustrative graphs). Ten of the participants were white British, which limited the research in its discussion of discursive investment and subjective meaning making, as influenced by race and ethnicity. However, this research is exploratory, and sought to gain insight into *how* people make sense of their experiences and construct a narrative identity to defend against stigma and construct a meaningful life story. As such, it does not set out to be representative, or to offer a 'complete' picture of life with a criminal record (see research limitations section at the end of this chapter). Furthermore, as noted by Holloway and Jefferson (2000a), analysis based on demographic factors can lead to treating a demographic group as universal (e.g. the universal 'female'), and assuming people think and feel the same way.

Power, knowledge, and the co-construction of narrative: reflections on the research process

Having demonstrated the appropriateness of PSN approaches and FANI for this research, this reflective discussion will consider how their guiding methodological and ethical principles worked in practice. Specifically, this section will explore the co-construction of narrative during the interview, and the voice of the researcher throughout the analysis.

Narrating identity and making sense of experience in the interview

Importantly, a psychosocial approach views the narrative as actively constructed within the immediate context, for the specific audience (see Bornat, 2008; Freeman, 2010; Frosh, 2019). Subsequently, the narratives shared in the interviews must be viewed as constructed within the interview context, for me, the interviewer. Stories told during the interviews were diverse but, to varying degrees, participants each

reflected on; 1) the 'wider context' leading to their offence(s), 2) how their lives had progressed since their criminal justice involvement, and 3) their anticipation of future opportunities. In doing so, they established congruity between past, present and future, attaching meanings to their experiences(s), and to their criminal record (see chapters two and three). Some participants shared their story adhering to a chronological ordering of life events, using culturally prescribed narrative lynchpins such as education, employment and relationships to structure their narrative (see chapter three). Others used emotional logic to guide storytelling in the interview, sporadically moving between different temporal spaces, and often avoiding more emotional experiences until later in the interview. For example, Rachel (discussed in chapter seven) spent a considerable amount of time talking about her experiences of criminal record disclosure, but avoided talking about her offending until later in the interview. She noted that she had been 'skirting around' the topic as it was difficult to talk about. In contrast, Yasmeen (also discussed in chapter seven) spoke with a sense of urgency and started to reel off a list of things she wanted to talk about before I had chance to turn the Dictaphone on, counting on her fingers as she went. Similarly, I had to stop Ahad (see chapter five) to ask if we could talk through the information sheets and put the Dictaphone on, as he had already started discussing his criminal record before I had time to get the research materials out of my bag. Verbal declarations of '*I forgot about [X] until now*' and '*I hadn't thought about it like that before*', demonstrated how people actively reconstructed experience and attached new meaning to life events in the interview (see above). These examples go some way to illustrate the various ways participants approached the interviews, and how narrative lynchpins and emotional logic helped to guide their storytelling.

The interview environment also provided some participants with cues/props for storytelling. Objects, such as toys, books and photographs are given meaning by individuals, and thus, can provide important insights into subjectivity (see Reckwitz, 2002; Wilkinson, 2019). They can also work as prompts for remembering, as memory is entwined with time and space (see West, 2013). For example, Ahad's daughters let me into the family home[27] prompting him to discuss them, and their educational attainment. Having experienced an abusive childhood himself, he discussed how he supported them financially and emotionally, encouraging them to be high performers, and corroborating his investment in discourse around being a 'good parent' (see appendix J). Ahad also showed me around his garden, explaining how the space had been converted into a play area for his grandchildren. This was important as he positioned himself as a caring grandad who, due to his criminal record, was prevented from taking his family to Disneyland Florida (see chapter five). Glenn's interview was also conducted in his home, and he discussed his love of art and literature, drawing my attention to his book collection and floral decoration. This was interesting as Glenn positioned himself as a sophisticated and professional 'career criminal' in his narrative, condemning the actions of mindless, more amateur criminals, establishing a difference between him and them (see chapter eight). Louise conducted her first interview in her partners home where she discussed their recent engagement and plans to move in together. These positive life events were causing considerably anxiety for Louise, as she had not yet told her partner about her criminal record (see chapter seven). The second interview was

[27] Where interviews were conducted in private spaces my supervisor and one other individual were provided with the address, and an estimated start and end time to the interview. Participants were made aware of this arrangement beforehand, and agreed to their details being shared.

conducted in her mum's house where she discussed the complex nature of their relationship, and considered if her mum still thought about her past offending.

In contrast, Jamelia and Rachel both spoke in a hushed voice, acutely aware that they were sharing personal stories with me in public places (coffee shops). Indeed, Jamelia (chapter five) repeatedly looked over her shoulder and lent across the table to talk to me, despite the room being empty. As Rachel started to discuss the more traumatic periods of her life, she became increasingly uncomfortable with people around her, and so we moved to sit outside. It is evident that these participants were more cautious in their storytelling, which likely shaped the narratives they shared in the interview. Consequently, upon reflection, the interview location added to the richness of *some* of the narratives, whilst potentially limiting others.

As noted by Gadd (2012: 46), '[h]ow, when and why we identify with some research subjects and not others' needs reflecting upon. Those who felt most comfortable with me, would have been more likely to share personal details pertaining to their biography and life events in the interview, providing a richer narrative. As such, field diary entries were revisited to account for how interpersonal dynamics influenced the construction of narrative. This reflection revealed that the interview dynamics varied significantly in different interviews. For example, Paul and I had mutual connections and he greeted me with a big smile saying, '*I think I recognise you!*' providing an instant sense of familiarity. In contrast, Kirsty appeared quite closed off in her first interview, sitting with very guarded body language and showing me evidence to support her narrative (including internet information on her medical diagnosis, a graduation photo, and her degree certificate). In hindsight, as her narrative was about being seen as untrustworthy due to her mental health (mis)diagnosis, it is likely that she anticipated that I would not believe the stories

she shared with me (chapter seven). Indeed, in my field diary I noted that I was confused by Kirsty's transcript, and I was prompted to discuss feelings of distrust and the role of 'truth' in narrative research with my supervisor.

Reflecting on my physical characteristics, Martin told me I was not what he expected, noting that this was a good thing, as I was '*nicer*' and appeared '*less formal*'. This indicated that Martin felt more comfortable talking to me than he anticipated, and this could have enabled him to share a richer narrative in the interview. Presenting as a young female may also have influenced the narratives shared. For example, Yasmeen discussed how her caution for neglect made her look like '*a bad* mum', and she repeatedly asked me how I would feel in her situation, trying to relate to me as a young woman. In contrast, Simon (see chapter eight) called me '*babe*' throughout the interview, introduced me to his staff (all of which were women), and suggested that I contact him for a job after my PhD. Another interviewer with different characterises could have established a different relationship with the participants, and thus, elicited different life stories. This is important, as chapters seven and eight discuss the gendered nature of discursive investment in detail.

Finally, as noted above, some of those who took part had responded to the call for participants disseminated by Unlock. This could have influenced their storytelling in the interview as they perceived that the purpose of the research was to provide evidence to reform the current criminal record regime. For example, Sally took part to '*put a human face on criminal records'*, to help combat the stigma associated with criminal records, and to advocate for change (chapter six). Similarly, whilst Ben (chapter eight) and Alice (chapter five) maintained that their criminal records had not impacted them, they noted that the current regime can be a barrier to

rehabilitation and desistance from crime, and wanted to support change to help others. This demonstrates the motivated nature of storytelling, as some of the narratives were actively shaped to help advocate for criminal record reform.

Engaging with participant narratives for analysis

The focus of analysis was to consider, '*what is this narrative trying to do*?' (see chapters two and three). To explore this, a detailed hand-annotated thematic analysis of transcripts was conducted, drawing out details such as criminal record manifestations, pathways/trajectories, narrative lynchpins, discursive investment, reference to past, present and future, emotions, and significant others (partners, family, gatekeepers, hero figures etc.) (see appendix S).

Each participant discussed being labelled 'criminal' and, as will be demonstrated in part two of the thesis, their accounts reveal an attempt to reconcile their relationship with this stigmatising identity. This compliments existing research which explores how people manage stigmatised identities by; neutralising the harm of their actions, constructing a meaningful life story, and establishing a more permissible social identity (see inter alia Sykes and Matza 1957; Falk, 2001; Jacobs, 2006; Cherney and Fitzgerald, 2016; Rutter and Barr, 2021). Analysis revealed that participants aligned themselves with various pro-social identities, drawing on family roles (father, mother, grandparent) and professional roles (social worker, librarian, volunteer). Participants discussed discourse around criminality and, in most cases, evidenced how they were not 'criminal' by emphasising opposing personality traits or examples of moral behaviour. Participants validated these assertions through formal sources of validation such as university degrees and career milestones, and through information sources of validation such as character references from people of high standing in the community (e.g. probation officers).

All participants discussed experiences of disclosure, providing an insight into the interactional elements of managing criminal record stigma (discussed throughout part two). This was an unexpected finding, demonstrating how using FANI allowed participants to guide the focus of the research.

Transcripts were also annotated for psychoanalytical data. However, as noted in chapter two, I felt it would be inappropriate to try and conduct detailed psychoanalysis, having only met with participants on two occasions, and having no prior training in this field. Instead, I remained aware of how individuals are driven by unconscious dynamics, and looked for displays of emotion such as expressions of guilt, shame and remorse, to explore the influence of underlying anxieties. For example, shame and embarrassment surrounded Yasmeen's caution for neglect, but not around her violent offences obtained whilst living in care. This helped to understand the gendered nature of Yasmeen's narrative, and how her identity work revolved around defending against the stigma of being a 'bad mum'. Paul had recently had his application to join the police declined, and whilst he maintained this was a good thing in hindsight, analysis of his transcript revealed intricate attempts to reconcile the rejection (see chapter six). Due to using free association and not specifically prompting for biographical information, the degree to which participants discussed, and reflected on, their biographical experiences varied considerably. This further limited the possibility for psychoanalytically informed analysis and, in hindsight, the use of a prompt such as '*could you tell me about your life before your criminal record*?' may have been useful for understanding participant subjectivity, as informed by early life experiences. On the other hand, by not prompting I was able to look at those who did discuss this, and ask myself, '*why did the participant choose to discuss their past in such detail*?'. Furthermore, it has

been suggested that the application of psychoanalytical ideas outside of clinical psychology is flawed, as whilst interview material 'may be rich in detail concerning attitudes and thoughts', often it is 'relatively sparse in relation to background features and fantasies' (Frosh and Young, 2008: 117).

Importantly, it is recognised that any interpretation of narrative is highly dependent on the timing and nature of the research. Reflecting on psychoanalytically informed research in particular, Frosh and Young (2008: 114) explain:

> Psychoanalytic understanding depends on the subjective exploration of one person by another; by implication, this means that something different will occur wherever different analysts work, or when different theoretical perspectives dominate or when social contexts shift. Hence, any psychoanalytical finding can only be provisional, constrained by the conditions under which it has been produced.

Subsequently, analysis must include an 'in—depth examination of the researcher's own conscious and unconscious biographies, as well as the biographical similarities or differences between participant and researcher' (Garfield et al., 2010: 3). Indeed, the way the researcher interprets the narrative shared by the participant is a key site for reflection (Frosh and Young, 2008). It is noted that over familiarity with transcripts and immersion in the analysis can lead to blind spots (Gadd, 2012). As explained above, throughout this research, I completed a field diary entry after each interview to document my emotional and intellectual responses to participants, and early interpretation of narratives. Where possible, I discussed these with my supervisors, alongside the transcripts, and my analytical interpretations. As noted by Wengraf (2001), discussing transcripts allow any 'sleeping assumptions' held by the researcher to be disturbed, and forced to the surface for interrogation. Indeed,

the deliberation over transcripts is essential for allowing alternative readings and interpretations of the data to be explored (Holloway and Jefferson, 2013; Gadd, 2012).

However, it would be disingenuous to claim that adhering to the principles of FANI and engaging with researcher reflexivity, removed my voice from the research entirely. Even when a researcher has been as transparent as possible about their potential investments or experiences which might influence research findings, it is not possible for a researcher to account for their own unconscious bias (Frosh and Young, 2008). Indeed, the extent to which reflexive work can remove researcher influence is contested because, 'we can 'never reach a point where we can stand outside of our assumptions and our knowledge' (Young and Frosh, 2010: 519). In reality, whilst my field diaries and discussions with supervisors maintained a focus on reflexivity, the voice of the researcher is embedded through the analysis, and through the presentation of the thesis. Indeed, whilst the chapter discussions were directed by the narratives of the research participants, my voice as the researcher is present throughout this thesis. Simply put, just as the participants (re)constructed their narratives with me through storytelling in the interviews, each decision I made in the planning, interview, analysis, and writing stages of this research, each shaped the particular story told by this thesis.

Research positionality

The influence of my identity characteristics (e.g. age and gender) are discussed above, highlighting how my identity as a young female likely influenced the narratives shared, and the way in which different participants approached the interviews. However, it is useful to offer final discussion on researcher positionality. Positionality 'reflects the position that the research has chosen to adopt within a

given research study' (Savin-Baden and Major, 2013: 71). As noted by Holmes (2020: 2) 'positionality is normally identified by locating the researcher about three areas: (1) the subject under investigation, (2) the research participants, and (3) the research context and process.' (see also Grix, 2019; Berkovic et al., 2020).

First, with regards to the subject under investigation, my interest in criminal record stemmed from my work as a project coordinator for two youth groups in the west midlands. Funded by the respective Police and Crime Commissioner's in the local area, the youth groups hosted workshops and delivered talks, seeking to understand young people's experiences of crime and policing in their local areas. I spoke to a significant number of young people who had criminal convictions, and I was struck by their sense of despair anticipating future stigma and low-paid work, despite having committed relatively minor offences. Having had these interactions I initially approached this research with an entirely negative view, believing passionately that PWCs were completely disadvantaged, largely unable to secure and maintaining meaningful careers and relationships, and establish a positive sense of self. This was further reinforced by reading collateral consequences literature because, as noted in chapter one, much of it positions PWCs as subject to collateral consequences with limited agency.

However, when conducting the interviews and reflecting on the transcripts, I found that humour, hope and optimism could be found in almost all participant accounts. Indeed, whilst participants did indeed share stories around trauma, disadvantage and stigma, they also discussed the creative ways they negotiated disclosure, and shared examples of actively standing up against the stereotypes associated with criminal convictions (see chapter five). This, alongside conversations around agency and power with my supervisors, forced me to revisit my earlier assumptions,

and to recognise the creativity and agency of participants (to be discussed throughout part two). This is important because it formed a key part of my analysis, and significantly shaped the overall thesis conclusion.

Second, with regards to how I positioned myself and my research participants, I was informed by narrative theory's approach to truth (see chapter three). Indeed, I was not concerned with establishing facts, or challenging the accuracy of participant accounts. Rather, I approached the narratives of participants as meaningful in themselves, to be valued for what they could tell me about sense-making and identity construction whilst living with a criminal record in England and Wales. To approach the narratives with suspicion, or to challenge their accuracy would likely replicate their experiences of disclosure elsewhere (e.g. to employers), where their ability to provide a factual and permissible account would be tested. Instead, in line with narrative theory and concerned with power imbalance, I was concerned with understanding the experiences of participants, from their own perspectives. I positioned myself in this research as a lister, seeking to give voice to a marginalised group of people, and to offer nuance to the current field of study.

With regards to the analysis, psychosocially-informed narrative analysis goes beyond the surface to locate meaning in stories. However, I remained cautious of making expert claims around the emotional and subconscious of the participant. Indeed, as noted in chapter two, whilst I looked at emotions, motivations and defences, I did not conduct psychoanalysis on any participants. However, whilst I tried to alleviate it as much as possible, I recognise the inherent power imbalance of conducting research with marginalised groups, and was acutely aware that I was on a career trajectory that many participants felt were inaccessible to them. Indeed,

Kirsty remarked that she could never complete her PhD, Ben noted that he would want to me in my 'position' one day.

Finally, with regards to the research context and process, any findings related to narrative work should be seen as co-constructed by *both* the participants and the researcher (see chapter three). As noted above, just as the participants (re)constructed their narratives with me through storytelling in the interviews, each decision I made in the planning, interview, analysis, and writing stages of this research, each shaped the particular story told by this thesis. Whilst I was pre-warned about the 'DVD extras' that would accumulate during the writing stage of this thesis, at times it was extremely difficult choosing what to include, and what not to. For example, the use of metaphors and humour was something I found interesting, and I was interested in how participants maintained a sense of 'hope' in spite of their past experiences[28]. However, I was unable to find a place for the discussion of metaphors and humour, and the concept of 'hope' was only implicitly discussed in relation to the ongoing construction of narrative, and the creative abilities of participants to carve out new discursive possibilities over the life-course. Another researcher may have engaged with these more explicitly, changing the overall construction and argument of the thesis. For this research, decisions over what to include were informed by the research aims, supervisory meetings, and reflecting on the prevalence and frequency of the phenomenon within and across participant narratives (see the discussion of reliability and validity below for more).

[28] I presented on the topic of 'facilitating hope for PWCs' for the Prisons and Probation Research Hub at De Montfort University (see Collett and Williams, 2022).

Addressing potential research limitations

Whilst the analysis considered how participant narratives related to one another, each was treated as an individual case study giving a total of 14 case studies. Whilst this produced a considerable number of hours of interview data, it is not comparable to large scale quantitative research which could have engaged with significantly more people. Indeed, qualitative research is often criticised with regards to generalisability. However, as this research was concerned with subjective meaning-making, and the nuances of living with a criminal record, a quantitative study would have been inappropriate. Moreover, as argued by Draper (2004: 646) qualitative research can still offer insights with a 'wider relevance' empirically, theoretically, or conceptually. Throughout this thesis it is noted where participant accounts confer, challenge or enhance existing literature. In doing so, it explicitly notes its wider relevance, to be reflected on in detail in the conclusion.

Reliability – 'the consistency of a measure, or the degree to which scores approximate each other across multiple assessments of an instrument or multiple ratings of the same event (Syed and Nelson, 2015: 372) - is also often questioned when it comes to qualitative research. Indeed, another researcher may have drawn out different themes, narrative lynchpins, and emotional signifiers in the transcripts, leading to a different set of finings emerging. Furthermore, over the course of the research, I may have engaged with transcripts differently at different times. To minimise the influence of this, I ensured that I followed the six-step process with each participant, documented my engagement with them/their narratives after each interview, and kept a detailed log of my analytical work. Transcripts provided verbatim accounts to try and maintain a genuine account of the narrative (see above).

Finally, validity – the degree to which a researcher can be confident in the soundness of the claims and judgements made by research (Polkinghorne, 2007: 474) - is also often questioned with qualitative research. Polkinghorne (2007) argued that whether or not a piece of research is deemed valid is a matter of judgement, and that it is the readers who 'make the judgement about the plausibility of a knowledge claim based on the evidence and argument for the claim reported by the research' (ibid., page 484). As already noted, throughout the analysis and writing stages of this thesis supervisors provided feedback, and challenging me to evidence the claims insisting I must "demonstrate to the reader, not tell". Furthermore, by virtue of this research being undertaken for the attainment of a doctoral degree, examiners have been invited to interrogate and challenge the claims made as part of the oral examination.

Narratologists have argued that many of the prevailing assumptions underlying validity are not relevant for narrative studies, as they are based on realist and positivist assumptions (see Riessman, 1993; Meraz et al., 2019). In contrast, narratives are seen as continually constructed, and reconstructed, telling the researcher about the identities and perspectives they maintain *at that given time* (this links to the discussion of truth above). To address this unique nature of narrative work, Riessman (1993) proposed four ways narrative researchers can approach validity. The first – *persuasiveness* – refers to plausibility, and the way theoretical claims of the researcher are supported by participant accounts, and challenged by alternative interpretations. Throughout this thesis, claims are supported with excerpts from participant transcripts (see part two), and alternative readings of interview transcripts were considered at length (via discussions with supervisors). Second – *correspondence* – refers to the checking of theoretical claims

by participants (ibid). However, it has been noted that participant and researcher interpretations may differ, and that this does not confer a lack of validity (ibid.). In this research, participants were not invited to engage with the analytical stages of research due to time constraints, and concerns with disrupting or challenging their constructed narratives with my own inferences. Third – *coherence criterion* – refers to how the narratives are situated in larger structures (e.g. social and political). However, Weaver (2013) highlighted that this is not easily applied to narrative interviewing, and instead discussed assessing the internal consistency of narratives. If a narrative has internal consistency, then it makes sense temporally (i.e. narrative components of past, present and future have a coherence to them) despite the contradictions inherent to storytelling. Whilst I was unable to provide a chapter focussing on each participant to maintain the internal consistency of their narrative, the pen portraits enabled engagement with the narratives as a whole. Fourth – *pragmatic use* – refers to the overall trustworthiness of the research, and links to research transparency. A rigorous six-stage research process (see above), transcribing the interviews verbatim, documenting the research process via field diary entries, and providing a detailed explanation of the analytical approach ensures that readers can engage with *how* findings were established. This rigorous and transparent method of data collection and analysis strengthens what Maxwell refers to as interpretive validity (Mazwell, 1992; cited in Meraz et al., 2019). Pragmatic use is also *forward looking*, and considers the extent to which the study will become the basis for future research (see McKelvey, 2014). This study was conducted for a PhD, and provides the basis for post-doctoral work on the lived experiences of PWCs.

Chapter conclusion

This chapter has outlined the specific research approach and explored how FANI was used to elicit life stories from participants. The reflective discussion aimed to demonstrate how the narratives were co-constructed during the interview, and through the analysis stage. Having done so, the reader can engage with part two of the thesis, with an insight into how these findings were established. To help the reader engage with participant narrative, part two of the thesis will contain quotes from the interview transcripts. Grammatical edits have been made for ease of reading, but incorrect phrasing (e.g. pacific instead of specific, use of 'me' instead of 'my', 'of' instead of 'have' etc.) and accents/regional pronunciation (e.g. use of t' instead of to, 'laff' instead of 'laugh') have been retained. This was to try and preserve the voice of the participant, whilst also ensure the excerpts are easily read.

PART TWO:

The ongoing construction of a ‘non-criminal’ narrative identity

Chapter Five

Navigating disclosure landscapes

Criminal record disclosure is shaped by macro level law and legislation, meso level institutional policy, and micro level interactions and discretionary practice (see chapter one). As will be demonstrated in this chapter, the coming together of these continually evolving logics, results in the emergence of complex and dynamic 'disclosure landscapes' – a term used throughout part two of the thesis. To manage these potentially stigmatising interactions, PWCs engage with a range of identity management techniques, defined in stigma literature as, '*one way that people with concealable stigma can cope with the prospect of social rejection and exclusion [through] deciding when, how, where and to whom potentially stigma-inducing information will be disclosed*' (Cherney and Fitzgerald, 2016a: 18). As noted by Goffman, there is no unitary approach to overcoming stigma, and disclosure interactions require people to decide, *'to tell or not to tell; to let on or not to let on; to lie or not to lie; and in each case, to whom, how, when, and where'* (1963; cited in Grace, 2022: 65). Stigma research has demonstrated that the use of different management strategies is contingent on *both* individual dynamics and motivations, and the contextual dynamics of the disclosure (see Harding, 2003; LeBel, 2008; Cherney and Fitzgerald, 2016a; Cherney and Fitzgerald, 2016b). In doing so, it provides a framework for exploring the simultaneously agentic and socially structured ways PWCs manage potentially stigmatising interactions. This chapter is a starting point for understanding how participants made sense of past experiences, established a narrative identity, and attached meanings to their criminal record in the interview – all of which are discussed in more detail in upcoming chapters.

Navigating disclosure landscapes with non-disclosure strategies

Non-disclosure as a means of accessing opportunities

As explained in chapter one, a criminal record is a 'concealable' form of stigma, and an individual may 'pass' through a disclosure landscape without their past involvement with the criminal justice system being communicated to others (Cherney and Fitzgerald, 2016a; LeBel, 2008; Grace, 2022). A number of participants recalled instances where they had actively chosen not to disclose their criminal record, sometimes in situations when it was legally required of them[29]. This is a form of concealment, and considered a defensive management strategy, used to 'reduce the impact of stigma' without trying to challenge it (LeBel, 2008). This strategy was particularly common in the domain of employment, where DBS checks are increasingly common practice (see chapter one).

It has been noted that personal networks can be important for managing criminal record stigma and accessing opportunities (see Munn, 2012). For some, these personal networks provided employment opportunities, enabling participants to avoid more formal application processes, and thus, to conceal their criminal record. Reflecting on her experiences trying to secure employment in her late teens and early twenties, Rachel[30] discussed being rejected 'even for things like McDonalds' when disclosing that she had a criminal record on application forms. On one occasion she had an offer of employment revoked when her DBS check revealed her past convictions – something she referred to as 'a bit of a kick in the teeth'. However, through her personal networks she was able to secure work as a graphic designer.

[29] None of the participants interviewed disclosed that they were illegally withholding their criminal record from employers, at the time of the interview.

[30] As noted in the chapter introduction, participant narratives will be explored in full, in later chapters. Indeed, this chapter only draws on the experiences identified by participants in the interviews. Chapter's six, seven and eight contain a more thorough analysis of participant narratives as a whole.

Their existing relationship meant 'he wasn't going through the motions' of a full application process, and she remained there for several years. Whilst studying at university, Paul was able to secure work at a local gym, having built up a rapport with the centre manager when using the facilities himself. This meant the application stage was 'lax', and he was never asked about any prior convictions. These examples demonstrate how non-disclosure was made possible through using informal mechanisms to secure employment. Indeed, interpersonal relationships functioning at a micro level meant employers bypassed the institutionally mandated recruitment practices, which *could* have led to rejection. This mirrors how people traditionally secured work via community-based references, prior to the vast expansion of criminal record checks (Mulder, 1955; cited in Kurtovic, 2017).

Non-disclosure can also be made possible due to micro level interactions, even in circumstances where the gatekeeper is not part of a personal network. Kirsty recalled an occasion when an application was completed on her behalf, providing an unexpected opportunity for non-disclosure. She explained:

> [T]his woman, she fills in the form, and when it got to that question she just ticked 'no' without even asking me [laughs]. Cos' I don't look like a criminal - whatever a criminal is supposed to look like.

Kirsty chose not to correct her, and subsequently 'passed' through the disclosure interaction concealing her criminal record. Interestingly, Kirsty attributing this to the form-fillers personal bias, and Kirsty not fitting the physical stereotype of 'a criminal'. In her research exploring criminal records and employment in the Netherlands, Kurtovic (2017: 95) found that a '*don't ask don't tell approach*', was used by participants, who would take the opportunity to conceal their criminal record if the employer did not ask. However, this strategy was unpredictable,

relying on luck and inaction on behalf of the employer (ibid.). Similarly, Grace (2022: 79) found that women would commonly cite, "*if they don't ask, don't tell*" when explaining how they would try and conceal their criminal records from employers. This was often supported by attempts to '*keep the conversation going'*, directing the conversation onto topics other than their criminal records (ibid.).

However, participant accounts show that non-disclosure strategies can become increasingly difficult to use when trying to achieve career progression – a key feature of contemporary employment (see Arulmani et al., 2014). LeBel (2008: 419) explained that changing strategies over time is often necessary, referring to people as having a 'stigma career'. Rachel was not satisfied earning minimum wage as a graphic designer for a small company, so left to find a career elsewhere. Believing she would 'get absolutely nowhere' based on her past experiences of rejection, Rachel had to reconsider her approach to disclosure. At first, Rachel eliminated jobs which asked about prior convictions at the application stage, including well paid roles in the financial sector which she had relevant experience for. She considered contacting some companies to inquire about their use of DBS checks, but 'didn't have the courage to', concerned that it would be 'a red flag' and raise suspicion. This reduced her opportunities and left her 'struggling', so she 'started lying', and actively withholding her criminal record. This enabled her to secure higher paid work which she enjoyed, but her employer begun asking her to visit their American office and deliver talks in schools. Fearing that she would be '*exposed*' having concealed her criminal record, Rachel left to find alternative work. This ongoing disruption to Rachel's career projection caused a significant amount of emotional 'stress' and 'work for labour' (Standing, 2011), but she explained that she was unable to ask people for advice or support, as she had not told them about her past

(see chapter six for a more detailed account of Rachel's narrative). Subsequently, Rachel's use of non-disclosure strategies resulted in her being fearful of exposure, and prevented her from attaining a meaningful career in the field she had trained for. LeBel (2008) noted that whilst non-disclosure enables people 'pass' without having to disclose information which might lead to rejection, it can lead to excessive worry over 'risk of discovery', and limit opportunities to gain social support from other similarly stigmatised individuals (LeBel, 2008: 417).

Reflecting back on his life, Martin also explained that his career progression was limited as a result of his criminal record. He explained that he 'came out guns blazing' when he graduated university with a criminology degree, eager to secure meaningful employment with young offenders (chapter six). However, he found that 'hinderances and obstacles' were 'put in his way', and he was unable to establish the career he wanted. Subsequently, Martin spent several years working in factories where his criminal record was not an issue, before establishing his own companies where he could avoid disclosure landscapes altogether (see below). Having recently graduated from university himself, Paul anticipated that he would share similar difficulties. He explained:

> If I hadn't of done university [then] a lot of the jobs that I'd be goin' into probably wouldn't care as much. You know, if I did a trade, if I worked for a building' site I'd imagine, I mean, I've got mates who ave' got criminal records n' they're work on building' sites [laughs] I don't think that woulda' been an issue. The issue is that I've gone to uni. So the jobs that lead on - graduate jobs - tend to be a bit more niche. You know what I mean? So how far down the line can I get away with not havin' to declare it? You know what I mean? It keeps bringin' me back to, you know, am I

> gonna' get to a high up position in any of the jobs, and then have to declare it? Is it gonna' hold me back in every single high paid job?

Furthermore, Paul explained that he would be competing against 'graduates who have got clean records', making things more difficult. Whilst Paul had only experienced rejection from one graduate job at the time of the interviews (see chapter six), he was predicting difficulty in the future, and questioning how his potential earnings would be impacted. This demonstrates how the nature of employment is an important factor shaping disclosure strategies, as higher paid jobs like those in the financial sector, or jobs working with vulnerable people within or on the periphery of the CJS, often require an enhanced DBS certificate. Subsequently, PWCs often have to accept lower-paid and less meaningful work, as a result of their criminal record (see, Standing, 2011; Ispa-Landa and Loeffler, 2016).

In contrast, for some participants, non-disclosure was made possible due to the protections afforded by the ROA (1973) and Filtering Rules (2013) (see chapter one). As a social worker, Louise had always been required to disclose her convictions, but the implementation of the Filtering Rules meant that she could begin to opt for non-disclosure strategies. This change was unexpected, and when a DBS certificate came back 'clean' she believed there was a mistake, and called to inquire why her convictions were not showing. Whilst this was a 'relief' for Louise, she discussed her 'anxiety' over further changes happening without her knowledge. She explained that if things were to change without her knowing, she might accidentally withhold the information illegally, and lose her professional registration. Alice explained that her childhood conviction was 'spent' under the ROA 1974 and so she was able to conceal it when applying for jobs. Subsequently, she felt 'lucky' that her criminal record had not limited her employment, and,

working with a charity supporting ex-offenders, tried to covertly use her lived experience to inform her work. However, whilst legally permitted concealment can help PWCs secure work, it has been referred to as granting the permission to 'legally lie' (Unlock, 2023c). Indeed, Alice deliberated whether delayed disclosure would have implications for the relationships she had built at work. She explained:

> Rationally, I know that there wouldn't be any, uh, it's a spent conviction, I legally don't have to declare it […] but if I was to tell them now, would they be like, disappointed? […] I work in like, a really accepting environment where I know for a fact that other staff have convictions […] I know that I'd come against no resistance or like, I wouldn't be shamed or anything like that, it would just be like "oh, ok cool, yeah sure", and it would be no big deal, but it still fills me with that dread of thinking […] if I was to say something, would that affect my relationships at work? Would it change people's views of me?

Notably, Alice was conflicted with her 'rational' belief that she would not experience resistance or shame, and her feeling of 'dread' that it might change her relationships. In Grace's (2022) research, participants discussed a fear of being seen as dishonest for concealing the criminal record. The longer they went without disclosing and the further they advanced in their careers, the more they had to lose, and the deeper in the *'lie'* became (ibid.). Louise explained how concealment had led to a 'horrible' experience with her manager when she applied for a promotion. She explained:

> I'd been there for about five years at the time so I knew the people that were interviewing me […] they'd started asking the question at interview, 'do you have any convictions?' And I obviously had to say yes, and that was *so so* hard to have to admit that to somebody who was

> completely shocked, absolutely floored by the fact that I would have [laughing] a conviction […] it was just horrible.
>
> [Interview one]

> [T]hat question really side swiped me. I wasn't expecting it because I'd worked for the organisation for about five years and was DBS checked regularly and never had an issue, you know, with the DBS, my convictions had never been questioned before […] her pen hovering over no because obviously she knew me […] I remember looking up, and her being really startled […] you don't ever want to have that conversation with anybody, but to have it with your boss [laughs], um, when you're trying to get a promotion was just the absolute worst time for that to happen. I think it's a bit different if I was somebody coming into the company and, kind of, they had no knowledge of me, it would have been a bit different, um, but yeah. That was horrible.
>
> [Interview two]

Louise explained that having already established a relationship with her boss, the disclosure was 'horrible', and recalled her pen 'hovering' over the 'no' box anticipating that she did not have any convictions. Importantly, it was Louise's desire to advance in her career which led to disclosure as the job role, and thus the dynamics of the disclosure landscape, had changed.

The fear of delayed disclosure at work was also experienced by other participants, even those who had originally disclosed their criminal records on their applications. Indeed, due to DBS checks being conducted in privacy, and disclosure being contained to the recruitment process, PWCs can conceal their criminal record to

colleagues once employed. Yasmeen disclosed her criminal record to secure her current work with the Department of Work and Pensions, but chose not to disclose it to her colleagues. Subsequently, she feared them finding out, and becoming 'the talk of the office'. Jamelia[31] shared the same concerns after hearing her colleagues discuss another co-worker's dismissal, speculating that it may have been due to a hidden criminal past. Berkley et al., (2019: 436) discussed how concealment of an invisible stigma can lead to 'emotional exhaustion' due to the ongoing fear of being 'outed' as they develop relationships over time.

Interestingly, participants' reflections on their use of non-disclosure stigma management strategies provided an insight into how disclosure landscapes change over time. Reflecting on when she was starting her career as a school librarian, Sally knew she was 'on dodgy ground' trying to seek employment in the education sector. However, having received her conviction whilst at university studying librarianship, she had already embarked on her career trajectory. Subsequently, Sally withheld her criminal record despite being legally obliged to disclose it on applications. However, after eleven years she was 'caught out' when a new employer conducted a DBS check and revealed her conviction. She explained how the changing socio-political context of criminal records led to this:

> I lied […] I had graduated in 1980 […] and nobody was checking in those days, so I was fine […] and then I got caught out because the law or the checking tightened up. Partly triggered by a couple of incidents - I can't remember the first incident - but also the school caretaker Ian Huntly. Urm, suddenly my lie, I got found out. So, umm, it was a bit of a shocker.

[31] Jamelia did not consent for quotes to be used.

As noted in chapter one, the Soham murders brought more attention to criminal background checks, and schools became more thorough in their safeguarding procedures (Thomas, 2007). Whilst she was allowed to retain her position at the school, Sally explained that it was a 'humiliating' experience, causing her considerable 'anxiety', and placing her relocation with her partner at risk. After this experience, Sally started to use active disclosure strategies (see below).

Now in his fifties, Ahad also reflected on the importance of timing, and changing socio-political attitudes regarding criminal record checks. Ahad had worked for his local council as a law enforcement officer for many years, and appeared very proud of this work, highlighting his numerous awards and promotions in the interviews. Ahad explained that he entered the health and safety sector at a time when criminal record checks were not conducted, noting that he was 'lucky' that things were different then. He explained:

> I'm lucky that they didn't do CRB checks […] they wouldn't have given me the job I'm assuming […] I'll never know, but I don't suppose that they'd give me a job in law enforcement.
>
> It wasn't asked on [the application form]. You know, I mean I'm talking [thinking] ninety-six no, ninety-five no, before that ninety-two, before I did the degree. And they never asked me, and because of that I went to college. […] when I qualified, they asked me to teach the course, and I used to teach about exotic fruit and veg- vegetables for years.

Indeed, he received funding from the local council to support his college degree, and this snowballed into employment as a teacher, and later as a health and safety officer. This shows how a more informal recruitment process with lesser concern

over DBS checks enabled Ahad to embark on his career, without disclosing his criminal record. More recently however, when he started training new Environmental Health Officer students he was asked if he had a DBS certificate. Reflecting on the nature of the interaction, Ahad explained that, rather than the topic being approached in a team meeting, he was asked directly, making him fear that 'they had found out'. Like others already mentioned in this chapter, he was unable to discuss his concern with others, having concealed his past from colleagues and friends.

Non-disclosure and the avoidance of disclosure landscapes

Non-disclosure was sometimes achieved through avoiding or withdrawing from disclosure landscapes altogether. These are still considered 'defensive' strategies, as they do not involve challenging the stigma (LeBel, 2008). This self-exclusion was a means of bypassing disclosure and, for some, did not result in reduced access to opportunities. For example, as a teenager Ben worked as a painter and decorator for his father, enabling him to learn a trade. He explained how nature of his employment meant he did not need a DBS certificate:

> [H]aving a trade, er, something that I was skilled in [...] I didn't have to give any of me background. They didn't have to do any checks it was just a straightforward - "there's the job".

By not disclosing his criminal record, Ben was able to negotiate employment landscapes and maintain financial stability, without his previous offending presenting a barrier. However, it was unclear if he had always been honest when asked about his criminal record:

> I've been accepted on, like, sites, and working in places that you need a DBS check, is it a DB? [R: Yeah] yeah, a DBS check. It's never affected me, whether that's the times been spent, whether it's been like, because it's been five six years but, [thinking] no, it's never. I've been honest about it when I think I need to be honest about it, but if there's a job application and it's asking me a question, I probably have ticked no in the past as well, so I suppose it's depending on how I've looked at it at the time. Erm, but no, it's never it's never affected me.

Ben asserted that his criminal record 'never stopped [him] from working' and maintained that he was taking part to advocate for change for others (see chapter eight). However, uncertainty in his transcript indicates that he may have withheld his criminal record when asked in the past, and this could have also helped him with employment. Glenn's account further demonstrates the relationship between the nature of employment, and the opportunity to utilise different disclosure strategies. Glenn was a self-defined 'career criminal' who spent his interview sharing stories about his offences, and discussing his experiences with The Probation Service (chapter eight). Despite having a number of serious convictions, and having spent a significant amount of time in prison, Glenn explained that the nature of his work meant his criminal record was not a barrier. He explained:

> I think they'd have something to say if I said I was the shower master at, um, a fifteen-year-olds school, I think they'd go, "well, that would be completely inappropriate [Glenn]" but, umm, I've never had that sort of job. Umm, my jobs are, umm, usually the car sales, that sort o'thing.

Subsequently, Glenn did not face the same employment difficulties that many of the other participants did, including those who had committed fewer less serious

offences. Helping to explain this, it has been noted that, due to the gendered nature of work, men are less likely to undergo criminal background checks than women for employment (Unlock, 2021). Indeed, women are more likely to work in occupations such as care and support services which require a DBS check, whilst men are more likely to work in manual labour positions which are often more flexible, and not vetted (Denver et al., 2017; Grace, 2022).

Ben also discussed how establishing his own company provided him with financial stability and job security, without needing to disclose his criminal record. Indeed, self-employment - an increasingly popular form of modern-day employment (see Philpott, 2012; Giupponi and Xu, 2020) - enables the avoidance of disclosure and thus, is attractive for PWCs who are trying to avoid labour market discrimination (Finlay et al., 2003). Whilst there is limited research on this, some studies have found that PWCs are more likely to be self-employed than people without criminal records (Fairlie, 2005; Finlay et al., 2023). The influence of gender on this is unclear, and research is often contradictory. For example, researching in the U.S. Finlay et al., (2023) note that women and minorities with PWCs are more likely to start their own businesses, due to facing more discrimination by employers. In contrast, researching in the UK, Sciulli (2013) found that males with convictions were more likely to establish self-employed work, whilst women were more likely to experience periods of unemployment.

In this research, it was Ben, Martin and Simon who discussed their experiences of self-employment. Indeed, having saved money and built up a good reputation working for agencies, Ben developed his own painting and decorating business. This enabled him to avoid disclosure and continue to work whilst studying at university as a mature student. When Martin was unable to secure work with young offenders,

he spent several years working in factories before establishing his own sandblasting company. After the UK recession in 2008 he declared bankruptcy, but established a coffee van business years later which he was still running at the time of the interviews. He 'thoroughly enjoyed' working for himself but had to reconcile not 'reaching [his] potential' (see chapter six). Simon had established a Community Interest Company (CIC) where he was self-employed, opting for active disclosure strategies to validate his role as a service provider (see below).

However, avoiding disclosure can also result in self-exclusion from legitimate opportunities, and increased social isolation (see Miller and Kaiser, 2001; LeBel, 2008). Megan's criminal record contained a number of convictions from her youth, received whilst she was in foster care, and going through a 'traumatic' period of her life (see chapter seven). Now in her mid-thirties, Megan reflected on how she had been legally required to disclose her criminal record for work, but had tried to avoid disclosure in social and leisure life domains. Indeed, people do not tend to have one unitary response to stigma management, and instead, adopt different strategies in different contexts (see LeBel, 2008; Grace, 2022). For example, Megan recalled how 'a strange barrier […] cropped up out of the blue' in her running club causing her to miss a series of coaching sessions. She explained:

> [M]y running club do like a specialist coached session […] with some of the juniors on their group [and] recently, they've invited a group of the adults to come and be coached on that session. [You] have to fill out a self-disclosure form [and], because my background is law, I sort of read all the terms and conditions, and I'm not convinced that, if I fill out that self-disclosure and send it off with my passport, that what I sign - the way that they're written it - that they could just send that off for a DBS […] I

> really want to go to this training session, it would benefit me, but I really don't want to explain [it] to people in my running club.

Megan decided not to join the coaching session or to challenge the self-disclosure process, as she feared they might question 'what else is she hiding?'. Explaining why she excluded herself from this opportunity, she explained that she would not 'go through that emotionally' for a running session, explaining that it did not carry the same importance as a job opportunity. The weighing up of risk of disclosure versus the importance of opportunity, also led to Megan 'missing out' on volunteering to support school trips at her child's school.

> I've never volunteered because I think that's gonna' involve a DBS check and I'm not willing to, for as much as I'd love to go and help out on the trips and things, I'm not gonna' […] undergo that […] rigmarole basically of somebody finding out, and then me having to explain it, and then sort of exposing myself, putting myself as risk of them saying no to me basically, if that makes sense? Erm, to go on a school trip [laughs] so I sort of feel like I miss out a little bit on that.

Subsequently, for Megan, bypassing disclosure landscapes allowed her to conceal her criminal record, but prevented full engagement with opportunities in her family and leisure life. Similarly, Rachel also discussed how her fear of exposure impacted her ability to engage socially. As a mother to a child of school-age, Rachel feared other parents finding out, noting that she would become part of 'the gossip'. She explained:

> It's the way people gossip about other people. I've been in groups where it's like "oh you'll never guess what he or she's done", and it's always

> quite mild in comparison to what I've done in the past […] then it's seeing how people react to it […] yeah, I think it's just knowing how the gossip works […] and I know this sounds bad for saying it, but a lot of it, I feel like that more with mums, because sometimes, if they're not working, it feels like they haven't got much else to do apart from gossip about people and spread rumours.

Due to this fear, Rachel explained that she is 'quite guarded' and 'distant' with people, making it difficult to form 'true friendships'. By 'creating social/emotional distance', PWCs are able to avoid divulging personal information and thus, disclosing their past convictions (Munn, 2012: 168). However, using different strategies in different life domains can lead to the 'two-worlds' phenomena whereby, in one world the people around them know of their stigmatised status, and in another, they do not (see Jones et al., 1984; LeBel, 2008). In Grace's (2022) research, a number of women discussed living a 'double life', with some knowing about their convictions, and others not (page 79). For these women, the concealment of their criminal record often required further lies, as they had to 'leave certain parts out' when discussing past experiences (Grace, 2022: 80). Louise and Rachel both explained that they had withheld details around their criminal record to partners and employers, meaning they had to provide a vague and less accurate account of their past.

Travel was another life domain which was avoided through self-exclusionary strategies. Whilst Ahad's family had visited America, he chose to stay at home explaining that 'with the Trump administration', he would not 'have a chance' at securing a visa. Importantly, Ahad anticipated discrimination on the grounds of his criminal record and due to his identity as a Muslim from Indian heritage. Indeed, he

recalled how his father - who had 'a big beard' - was previously denied entry to America and returned to the UK, despite having attained a visa in advance. It has been noted that having multiple stigmas can lead to greater discrimination, and that more research is required to understand how stigmas interact and compound the harms felt by an individual (Pager, 2003; LeBel 2008). In this case, Ahad believed that having multiple stigmatised identities would make it impossible to navigate this particular disclosure landscape. Subsequently, Ahad explained that he was unable to take his granddaughter to Disneyland Florida, and explained how this reduced his participation in family life as a grandfather:

> I really wanted to, I *really* wanted to take, I mean, can you imagine how much I love my granddaughter and how much I been *dying* to take her to Disneyland? You know, oh *so much.* I mean, if you look at our house I mean, that's just a little bit [nodding towards a collection of toys in the corner of the room], when I take you outside and I show you what I've done for her, you'll beggar belief, you'll think, "bloody hell, I don't remember any grandparent doing this for their grandkids". Cos' that's what I care about.

To contextualise this within Ahad's wider narrative, he had experienced abuse from his own grandfather, and so being a good grandparent was important for his sense of self. It has been noted that Disneyland has become increasingly symbolic of family identity (Epp and Price, 2008), and so this was important to him. Rachel also discussed how she avoided travel to America, and thus, was unable to take her daughter to Disneyland. Rachel had been granted a visa but feared being denied entry and being separated from her child at a foreign airport. This prevented her from going and, at the time of the interview, she was still trying to 'overcome' her

fears. Whilst Unlock (2020) have acknowledged that a criminal record can have wider consequences for the families of PWCs, this is still largely unexplored within criminal record research.

Interestingly, the United Kingdom had just voted in the Brexit referendum to leave the European Union at the time of the interviews. This meant that the domain of travel was in a state of flux, and participants reflected on how they may soon be required to disclose their criminal records more often, for travel purposes. Several participants reflected on how this could disrupt '*normal*' travel if new restrictions and processes were implemented.

> [M]y worry now is just travel really, and Brexit, and if we are gonna' have to apply for visa's - which they're saying we're not at the moment but who knows […] - is criminal records gonna' be a factor? And is it gonna' stop me, you know, going to Spain or just on, you know, normal kinds of holidays?
>
> Louise

> I think I'd read an article […] talking about [how] they'll bring American style ESTA travel restrictions, and that people would have to pay like, twelve pounds for a visa waiver or whatever it was, and I thought fuck sake, because that's gonna' effect me now. And then I was reading a lot of the comments on it and they were like, "oh just pay, it'll be fine to pay twelve pounds, what's the issue?" and I thought […] that felt a bit unfair cos' […] it shouldn't feel like it's going backwards, like it's getting worse as time goes on, I feel like it should be getting better at least […] I would be pissed off with that because it's just yet another restriction and even

> more so, you know, I'm used to going to Spain or wherever, and then all of a sudden it's restricted.
>
> Rachel

Louise and Rachel were anxious and frustrated at the prospect of changes to their 'normal' travel, and discussed the unjust nature of this in their interviews. Sally had experienced a recent visa rejection and, prior to the second interview, had attended the embassy in London to discuss a waiver application[32] (see chapter six), Like Ahad, Sally noted the influence of 'the Trump administration' on this experience, as she had travelled to America six times in the past with no issues. Subsequently, Sally reflected on the potential impact of Brexit and her visa rejection for her future travel opportunities:

> [R]estrictions will come in after Brexit so countries that we can normally go to […] umm, I think if I don't get [the waiver] I have to start exploring countries that will let me in, because rejection from a visa application for the states has quite an impact […] we would have to think carefully about where we could travel. Some countries will be very laid back and won't ask the question, and some countries will be tighter, and I just won't be able to go. So I'm guessing that precludes a lot of long haul, maybe South America, maybe I don't know, Canada, Australia and the US is out of bounds for me, and there's no appeal to this waiver, if I don't get it that's it […] um, to be honest we haven't really thought through it all […] we

[32] A waiver allows a person to travel to the United States without a visa for tourism or business visits, for 90 days or less. However, a waiver is generally valid for a shorter period of time, and covers fewer visits.

> would have to look very carefully at the entry requirements for any country if we were interested in going.

Sally was concerned that if her waiver was denied, it would be noted on her record alongside her visa rejection, and she would face difficultly traveling to places she 'normally' visits. This unforeseen visa rejection and change to the socio-political conditions regarding international travel had implications for her retirement plans, as her and her partner had been saving up to travel together. Sally explained the 'guilt' she felt about this, explaining that she was 'stopping him from going to the states as well.'

Having opted for non-disclosure strategies (see above), Rachel discussed being unable to talk about her travel concerns openly:

> [A] friend asked me why I was getting frustrated by it […] cos' if you don't have a record, it doesn't effect anything, and so I had to kind of back off from being annoyed by it cos' I thought, there's not a way I can explain why I'm annoyed about this kind of thing.

Alice also discussed having to be careful when engaging in conversation more broadly, noting how she has to 'catch [her]self' when conversations come up amongst friends about criminal records. She noted the 'bizarre' nature of this, explaining that she had 'come to terms with [her past]', but still concealed it from others. Partially, this concealment was a means of protecting her mum from stigmatisation. She explained:

> [P]art of me is not bothered, but part of me at the same time is like, ah yeah, I'll probably get judged, you know? And if even if it wasn't me being judged, possible like, my mum […] for how she brought me up […] I guess

> it's probably worse because I had like, a single parent household, that sort of thing […] yeah, I just, I'd never want […] for her to be questioned cos', if anythin', she dealt with it amazingly, and it's not that she'd let me down, it's more I'd let her down.

Alice feared that her mum, who already might face stigma due to being a single mother, would experience stigma by association as a result of her criminal record (Bos et al., 2013). This demonstrates how identity management is also negotiated in relation to social networks and relationships.

These accounts demonstrate the fluid and dynamic nature of disclosure landscapes, and how changes to macro-scale socio-political conditions can influence the lives of PWCs. Importantly, PWCs are acutely aware of the stigma associated with the criminal records (Munn, 2012; Grace, 2022). Indeed, participants were aware of how unpredictable these changes can be, causing stress and anxiety at the potential of having to adapt to new stigma management strategies. Indeed, Rachel reflected on how policy is 'sort of swinging almost one way or the other' between protecting the rights of those with criminal records on the one side, and safeguarding vulnerable people on the other. Rachel explained that this leads to 'worry' and, repeating the words of the Bichard report (2004), noted that if someone '*slips through the* net' with a criminal record and does 'something bad', it could result in the government 'tightening everything up'.

Navigating disclosure landscapes with active disclosure

Participants also recalled instances where they had actively shared their criminal record in contexts where they were not legally required to, or in a way that exceeded the expectations of the disclosure audience. This active disclosure is referred to as a 'pro-active coping strategy' in stigma literature (LeBel et al., 2008; Cherney and

Fitzgerald, 2016a), and the benefits of the strategy include not having to worry about future disclosures, and being able to access support (Miller and Major, 2000). Notably, there were far fewer examples of this in the stories shared by participants.

Simon hosted his interviews at his workplace and spoke openly about his involvement in the research to his staff. After serving two custodial sentences Simon had founded a Community Interest Company (CIC) to 'empower' individuals - such as those with criminal records – by helping them to develop skills and find employment (see chapter eight), Simon shared that he actively disclosed his past experiences of criminality on various TV and radio interviews as a means of sharing his life story, and promoting his CIC. In Simon's case, active disclosure was essential for transforming his criminal record from a stigmatising attribute, to a signifier of credibility, acting as a 'professional-ex' (see Brown, 1991; LeBel, 2008). As will be discussed in chapter eight, this mastery of the stigmatised status turns 'weaknesses and downfalls', into acquired knowledge and skill (Meisenbach, 2010: 273). However, whilst Simon had created the CIC, his son was listed as the director to ensure Simon's criminal record – which included an offence for fraud – did not limit access to financial support. Indeed, Fairlie (2005) noted that whilst self-employment can help PWCs overcome labour market discrimination, they may still experience discrimination from financial services such as lenders and funding providers.

Similarly, Ben volunteered for The Probation Service alongside his undergraduate degree, and discussed how he would use his own experience of criminality and alcohol addiction to help others. Taking a different approach to Simon, Ben explained that he would only actively disclose his past when he felt 'it was the right time', having got to know the service user and developed a rapport with them. In his

interviews he discussed wanting to develop a counselling service, to continue helping people with similar experiences as himself, on a self-employed basis (see chapter eight). At the time of his interview, Paul was considering applying to work for The Probation Service and utilising an active disclosure strategy, hoping they would be 'more understanding' than other employers, and recognise the benefit of lived experience (see chapter six). Kurtovic (2017) found that proactive disclosure was seen to be the most 'tactical' way of managing the stigma in certain circumstances. This included when the participant wanted to be open and honest about their past, when they believed the criminal record to be irrelevant, or when they anticipated that their criminal record would inevitably be disclosed at some point in the future. Participants in Grace's (2022) research explained that they opted for active disclosure to demonstrate honesty and trustworthiness, counteracting the negative stereotypes associated with criminal convictions. This complements the work of Harding (2003) who noted that often, active disclosure is conditional, only seen as a viable option in certain circumstances.

Having been 'caught out' illegally concealing her criminal record on job applications (see above), Sally explained that she had started opting for active disclosure, approaching her conviction in the interviews before asked. She explained:

> I went for a job two years ago at a school invigilating […] only this time I thought right, I'm gonna' come in ahead. So in the interview, at the end of the interview, I said "right, I've got a criminal conviction." I handed them the letter and I said, "if you want to, urm, reject me on the basis of this, then that's fine, but this is a letter for the governors, all the details are in there about this".

This change in approach demonstrates fluidity in Sally's use of stigma management strategies, something she noted was the result of having more experience in the job. Furthermore, since to her visa rejection and interview experience at the embassy, Sally had started to actively disclose her criminal record in social and leisure settings as a way of challenging perceptions around offending. LeBel (2008) noted how pro-active strategies, such as active disclosure, can be used for social activism and public education when the individual challenges the validity of the stigma. Doing so often involves a 'coming out' process, whereby the individual shares their stigma openly with others (LeBel, 2008: 418). Comparing humanising criminal convictions with homosexuality, Sally explained:

> I used to work in schools and kids would start using inappropriate language to describe people who were gay [...] I would say, "I find it offensive on a personal level because my brother is gay" and that's the one thing that would stop them in their tracks [...] because the librarian that they liked, respected, and got on with, was suddenly saying, "I don't like that because you're insulting me". That had more of an impact than me being a librarian and saying, "you're not allowed to use that language". And so, by the same token, I'm putting a human face on a drug offence "Yes, people do look like me who have taken drugs." Do you know what I mean? It's that, "I look normal!" You wouldn't know on the street.

Sally also explained that she advocated for mental health, making a further comparison between different types of stigma:

> I've been interviewed on Radio Four about [...] having a mental health condition. So, it's about normalising and putting a human face on stuff, and I feel it quite strongly about this - the drug conviction [...] it's not

> something I feel I should be ashamed of, so I'm not going to be ashamed of it.

Importantly, Sally explained that she was able to adopt this strategy as she does not feel 'shame' in relation to her drug offence, in the same way she does not feel shame towards homosexuality or mental health. Kurtovic (2017) found that not being ashamed of one's past was a key condition which active disclosure was contingent upon.

However, active disclosure does not always result in access to opportunity and successful advocacy for PWCs. Yasmeen had volunteered for six months with a social justice charity who were researching crime and policing in her local area. She was encouraged to join and reassured that her lived experience would be an asset to the group. However, six months later she was asked to leave when her DBS check revealed her criminal record, causing her to fail the vetting process. This example shows a disconnect between the micro level interactions which had led her to believe she could join, and the meso level institutional practices which later rejected her. This delayed rejection led to Yasmeen feeling 'used', as she had already disclosed personal events from her past and participated in the group for a considerable period of time, prior to being dismissed. Jamelia and Louise also discussed experiences where they had secured employment and started training, but then been dismissed when their DBS certificates were returned. In both cases this caused confusion and frustration, and they were not paid for their time.

Finally, any form of disclosure – including active disclosure - often entails sharing a particular version of the truth and thus, 'playing honesty' (see Grace, 2022: 80). This might include downplaying the charges and the gravity of the harm caused, or emphasising present-day attributes and pro-social identities, directing the

conversation in a motivated way (Grace, 2022). For example, when Louise had to disclose her criminal record for employment purposes, she explained she would frame her convictions as immature childhood offences, not the consequences of her childhood depression and anxiety (see chapter seven). Sally explained that in her interview at the embassy, she emphasised her role as a school librarian, eager to demonstrate that she was reliable and trustworthy. How participants positioned themselves in their narratives and shared a more permissible narrative identity, will be explored in more detail in upcoming chapters.

Navigating disclosure landscapes over time: chapter discussion

This chapter has explored participants' accounts of approaching and navigating criminal record disclosure, in various public and private life domains. Notably, employment and travel were the most discussed areas of disclosure, reflecting the widespread use of criminal record checks in these domains (see chapter one). A lesser explored area of collateral consequences research, several participants discussed their stigma management in social and leisure settings, regulating their engagement in conversation and social groups (Rachel, Alice and Megan), and being hesitant when developing meaningful relationships (Megan and Martin). This final chapter section will discuss the simultaneously agentic and socially mediated nature of criminal record stigma management, and draw further attention to the influence of time. This is an important foreground for engaging with participant narratives in chapters 6, 7 and 8.

Paying attention to macro, meso and micro levels of power, this chapter has illustrated the fluid and dynamic nature of criminal record stigma management. Indeed, conditions of disclosure continually fluctuate responding to changes in law and legislation (e.g. Filtering Rules and Brexit), institutional policy and practice (e.g.

the tightening of criminal record screening post-Soham), and changing biographies and motivations (e.g. establishing new relationships or seeking promotions). To illustrate, changes to the Filtering Rules in 2020 (see chapter one) had a real-life impact on Louise as she no longer needed to disclose her convictions for her Social Work role. However, her desire to seek a promotion led to a particularly difficult disclosure with her manager, with whom she had already established a relationship with. Rachel, Paul and Martin also reflected on how their evolving career aspirations meant they had to disclose their criminal records, ultimately leading to difficulty securing meaningful and/or high paid employment. Explicitly discussing the influence of time and changing socio-political attitudes towards PWCs, Sally noted that she was able to illegally withhold her conviction until checking mechanisms tightened up after the Soham murders (see chapter one), and Ahad speculated that he would not have been able to secure his career as a food safety inspector if contemporary checking mechanisms had been in place when he was applying for work in the 80s. These reflections are important because they illustrate the continually fluctuating dynamics which PWCs have to negotiate. They demonstrate how disclosure landscapes are temporally and spatially specific, and that each disclosure experience is unique and increasingly unpredictable. Forthcoming chapters will discuss the emotional work and narrative labour required to meet these changing demands/expectations.

Providing an insight into the agentic capabilities of PWCs, participants explained how they negotiated disclosure landscapes through legal and illegal, voluntary and mandated, disclosure and non-disclosure. Decision making regarding when, how and to what extent they would disclose their criminal record was informed by legislation and policy (e.g. ROA and visa guidelines), but also more subjective factors

such as the interaction itself, their motivation for disclosure, and their anticipation of acceptance or rejection – the latter informed by their own experiences, and/or knowledge of the experiences of others. Some disclosure was carefully considered and pre-meditated (e.g. Sally's disclosure at her recent job interview), whilst other disclosures were more opportunist and highly reactionary (e.g. Kirsty's choice to withhold her criminal record when the 'no' box was ticked on her behalf). This adds to our understanding of criminal record disclosure as highly unpredictable, and demonstrates how different people can approach and experience very similar disclosure landscapes in highly subjective ways.

Interestingly, participants also reflected on the consequences associated with adopting different approaches to stigma management, explaining how it shaped their future behaviours and expectations of disclosure. For example, whilst legal non-disclosure enabled Alice, Jamelia and Ahad to secure work, it led to longer-term fears over being 'exposed' or 'caught out' withholding their past to their employer. For Jamelia, this fear continued after her delayed disclosure to HR (see above), highlighting the difference between a disclosure to the employer/institution, and a disclosure to the colleagues worked with on an everyday basis. It was the latter that most participants discussed in most detail, fearful of being 'the talk of the office' (Alice), or having colleagues use their past against them (Ahad). Fear of being 'exposed' was also discussed in relation to informal social situations and conversation, with Rachel and Megan sharing examples of having to avoid opportunities or conversations which could lead to them disclosing their past to friends and/or acquaintances. The excluding effect of concealing the criminal record was clear, with participants moving jobs and facing career instability (Rachel), and experiencing difficulty with social integration and forging personal relationships

(Alice and Megan). Moreover, these examples demonstrate how stigma management extends *beyond* the initial disclosure interaction, and reveals the everyday self-regulation and identity work required of PWCs.

Overall, this chapter has moved beyond a figurative mapping out of individual stigma management strategies, paying attention to the macro, meso and micro level forces which shape how PWCs experience criminal record disclosure. This is important because, as noted in chapter one, stigma operates within distinct power dynamics and structural relations (see Link and Phelan, 2001; Taylor and Slater, 2018). By paying attention to these power dynamics and structural relations, this chapter has started to demonstrate how, for many participants, structural barriers have compromised their access to various life opportunities and limited their engagement across private and public life domains. Despite the creative and agentic ways participants approached disclosure, for many, this has resulted in an unequal ability to carve out meaningful and financially secure futures, when compared to people *without* convictions. Maintaining this critical focus, upcoming chapters will explore participant narratives in more detail, illustrating how they crafted 'non-criminal' identities in the interviews, and reflected on their experiences of living with a criminal record. Building on this chapter, the influence of time will be discussed in more detail, illustrating how changes to macro, meso and micro levels of power require people to continually revisit and revise life narratives, and understandings of self.

Chapter Six

Reconfiguring identity over time: disclosure landscapes as a catalyst for the reconstruction of narrative

Chapter five explored the creative ways participants navigated disclosure landscapes, utilising different stigma management strategies, as they responded to various changes over time. The next three chapters will discuss participant narratives in more detail, exploring how they situated themselves in their storytelling, and constructed a 'non-criminal' narrative identity. To start, this chapter will explore the narratives of Paul, Martin, Rachel and Sally – four participants who reflected heavily on their past experiences of disclosure, and having their narratives challenged by others. Indeed, narratives can be validated or refused by others (see chapter three), and this chapter will demonstrate how disclosure landscapes can be a catalyst for identity work - the process of '…producing, maintaining and strengthening a sense of coherence of self' (Sveningsson and Alvesson, 2003; cited in Gilmore, 2018: 93).

This is important, because PWCs are increasingly asked to explain their past offending when trying to access opportunities, owing to the proliferation of criminal background checks (see chapter one). Desistance literature has demonstrated how narratives have an external utility for convincing others of the legitimacy of their reform (Harding et al., 2016; Maruna and Liem, 2021). Indeed, narratives are deployed as part of a shame management process, allowing individuals to realign with mainstream society having been stigmatised (Maruna and Ramsden, 2004). For example, in the case of employment, the criminal record is a signifier of unreliability, untrustworthiness, and riskiness, forming a 'negative curriculum vitae' (Jacobs and Crepet, 2008: 177), and undermining efforts to secure employment (House of Commons, 2016). Subsequently, former lawbreakers are

required to share personal stories signifying a transition to more employable selves, helping to manage the potentially stigmatising interaction, and to convince an employer that they have 'changed their ways' (Cherney and Fitzgerald, 2016b: 27). Similarly, people are required to demonstrate they are a 'non-threat' when applying for international travel permits[33].

Narrative identity as a vehicle for signifying 'non-criminal' morality

We are told that, when sharing a life story, a person is conveying 'who they are now, how they came to be and where they think their lives may be going in the future' (McAdams and McLean, 2013: 233). Indeed, as explained in chapter three, narrative storytelling is 'a temporally ordered, morally suggestive statement about events and/or actions in the life of one or more protagonists' (Presser, 2016: 138). Narratives help us to make sense of life events, and to establish a sense of order and coherence to them (McAdams, 1996). However, far from static, 'identities are forged, sustained, discarded or re-worked over-time' (McAdams, 2008: 247). As such, narratives should be viewed as 'on-going works-in-progress' (Fleetwood 2016: 175), continually 'in process rather than complete' (Gilmore, 2018: 94). Life-course events – such as disclosure interactions - can 'alter the internalized autobiography in ways that can have an impact upon future behaviours, actions and identities' (McAdams, 1985; cited in King, 2013: 151). Some life events 'will allow for continuity within the identity and narrative, whereas others will prompt re-evaluation, revision and questioning' (ibid.).

[33] Specifically, when applying to travel to the US, an experience discussed by participants in this section, if your offence is considered 'a Crime Involving Moral Turpitude' (CIMT) then an application for a visa from the US Embassy is required (Unlock, 2022e). These are crimes which the US have identified to 'involve conduct that is shocking to the public conscience; vile or depraved or contrary to the rules, morality, and duties of society' (Unlock, 2022e: npn).

Importantly, as explained in chapters two and three, narrative constructions are simultaneously agentic and socially structured (see Maruna, 2001; Fleetwood, 2016). Indeed, '…human agents forge their identities as subjects within the constraints and possibilities afforded by discursive frameworks' (Sclater, 2000: 131). As such, personal life stories should be viewed as partially scripted - 'a combination of archetypal stories derived from wider social forces and the personal characterisations the life storytelling invokes' (Goodson, 2013:15). As such, whilst the life story is an 'individualising device' allowing the storyteller to focus on themselves, it is constructed in 'specific historical circumstances and cultural conditions' (Goodson, 2013: 31). Fleetwood (2016: 181) put forward that the culturally available discursive frameworks, alongside 'narrative formats, tropes and subject positions', are internalised as part of the 'narrative habitus'. The narrative habitus then shapes how an individual will interpret and represent future experiences (ibid.). To explain their past offending and defend against negative feelings such as shame, guilt and remorse, participants invested in discourse and drew on various techniques of neutralisation (see inter alia Sykes and Matza, 1957; Maruna, 2001, Maruna and Copes, 2005). Further, as will be demonstrated, they each alluded to their sense of agency at different points in their narrative, highlighting significant changes to their life trajectories, and identifying key 'turning points' (see Laub and Sampson, 1993; Maruna, 2001; Friis Sogard et al., 2016). This chapter will first explore the narratives shared by Paul, Rachel, Martin and Sally, before discussing their experiences of deploying them in disclosure landscapes, and the identity work this prompted.

Paul: 'I'm not a criminal. I made a mistake, and I came from a hard background.'

Paul was in his mid-twenties at the time of the interview. He spoke with enthusiasm, making grand arm gestures and laughing out loud whilst recalling his experiences. His narrative was about 'reinvention' having undergone a transformative 'journey', establishing a clear distinction between past and present. When providing an account of his past, Paul noted the cumulative disadvantage of suffering from mental health difficulties and ADHD, experiencing family breakdown and subsequently losing his 'male role model' aged fifteen, and being excluded from mainstream education. Paul explained how this cumulative disadvantage led up to his arrest for GBH, having organised a fight which resulted in the victim having a broken jaw. Sharing contradictory understandings of this fight, Paul referred to it as 'deep as anything' and something he 'wouldn't wish on anyone', whilst simultaneously investing in dominant discourses of masculinity whereby, 'a proclivity for violence, aggression and physicality' is expected (Roberts, 2012: 2). He explained:

> Sometimes people get punched once n' die from fallin' on a pavement - it doesn't mean anythin' […] for me, that's what boys do, especially at sixteen, seventeen - you're all fightin. Look at London, a lot of the people gettin' stabbed is by fifteen-year-olds. It's not by people who are twenty-six years old. It's youngsters. So, it does happen at that age.

This shows Paul utilising a '*boys will be boys*' script whereby problematic behaviour such as violence, is framed as an expected response to conflict (see Thomson, 2002; Roberts, 2012: 2). Comparing his fight to more serious examples, Paul was engaging in techniques of neutralisation, not denying that there was a victim (Sykes and Matza, 1957), but by minimising the harm caused. Downplaying the severity of the

fight further, Paul explained his frustration at it remaining on his criminal record[34] despite the charges being 'dropped', and the case concluding with 'no further action after eight months'.

Paul continued to have various 'run-ins' with the police throughout his teenage years, up until his 'reinvention' started. Whilst Paul recognised the influence of his mother, noting how she 'pushed him' and 'supported' him in the 'initial phase' when he 'couldn't give a shit', he spent a considerable amount of time in the interview discussing the influence of male role models. Indeed, having lost contact with his father at fifteen, the influence of newly identified male role models appeared to be paramount to his transition. He explained:

> One of the [biology] tutors I got on well with was a gym instructor […] he was like, "look, if I can't teach you, let's get in the gym together" so I started in the gym with him n' then after that, decided I had to try n' enrol at a college or something. So, I went to the local […] vocational college and I wanted to do sport. I had a meetin' with one of the lecturers who was like, some ex Royal marine, n' he run the public services course n' he was like "look, you ent gettin' into sport, you need five GCSE's at A to C and you got none […] but if you can tell me in sixty seconds why I should let you on my course, I'll let you on" n' I basically just said "look, there's nothin' that I can say to you, for you to let me on. I have no track record, if anythin' I've got a poor track record, but if you give me respect, which is what I've lacked from all the other teachers I've ever had, you will get

[34]Arrests with no further action can be disclosed as part of an enhanced DBS check. See chapter one for more details.

> it back. You treat me well, I will work hard for you. But I need that initial respect [knocking table] otherwise I cannot do it." So, he agreed.
>
> [The ex-Royal marine] sat me down, no bullshit, it is what it is. He did not care about my record at all, all he wanted me to do was t' work ard' for him, and then he would do the same, an' that, for me, was the first time I had a role model. The first time I wanted to do well and really work hard. I was motivated.

For Paul, this was a defining moment, marking the start of a process of 'self-change', and the transition to a more agentic sense of self (Aresti et al., 2010: 175). The quotes above also provide further insight into Paul's investment in hegemonic masculinity, where power, strength, dominance, and authority are highly valued (see Connell, 2005). Furthermore, they highlight the importance of respect for Paul, and notions of respectability and honour are often entwined with masculinity and social status (see the work of Wilkinson, 2001 on masculinity, respect and 'street code', and Hochstetler et al., 2014). Motivated by the introduction of a male figure of authority which was previously absent in his life, Paul continued his reinvention after college, taking evening classes to attain the qualifications needed to be accepted onto a Foundation course at university. The drive to study criminology to learn more about 'the self' and past experiences is not unique to Paul (Trebilcock and Griffiths, 2021), but he reflected on how his time at university was a 'personal' experience:

> I was gettin' the answers, you know, about my own life. I was like, "yeah, it makes sense now I know that there's a cop culture, now I know that there are certain laws, now I know that I shouldn't just accept a caution." So, for me, it was quite personal.

Interestingly, Paul cited examples of 'cop culture' and understanding his rights regarding cautions, revealing how he had drawn on his studies to further validate his narrative around being disproportionately criminalised for what he considered to be a minor offence. Furthermore, Paul noted that he had been awarded a prize for overcoming hardship which was 'hard hitting' as the 'uni recognised [his] struggles.' A 'defining moment', the attainment of this award shifted Paul's perception of his 'positioning in the world' (Aresti et al., 2010: 175), confirming that his 'reinvention' and 'journey' of 'overcoming' had been successful.

Finally, having framed his offending as the consequence of being from 'a hard background' and 'struggling', Paul explained that he was not 'a criminal', despite having a criminal record. He compared himself to his friends to make this point:

> I've got mates who, I guess you would call them serial offenders [...] and pffft, I just know them as like, pfft, criminals. I mean [...] we would be sittin' down chillin' and some of these guys, you know, normally you're talking about "where we gonna' go this weekend?", and he'd be thinkin' like '"ah, what am I gonna rob?". And it's such a different mindset, d'ya know what I mean? Like, I never really used to get it. I'd think "mate just chill like, let's just relax, lets ave' a lil' bit of weed or whatever, let's just chill out and play a bit o' Fifa, yeah?" but nah, these guys are, yeah, they're what I'd call criminals.

In this excerpt, Paul was using defensive othering; a form of identity work whereby individuals seeking membership in a dominant group (e.g. the law abiding) deflect the stigma they experience to others (Schwalbe, et al., 2000). Indeed, by comparing himself to his 'criminal' friends who had a different 'mind set' to himself, Paul strengthened his position as a 'non-criminal' individual. However, when Paul had

his job application to join the police rejected, he was confronted with the realisation that others may not accept his narrative of 'reinvention', and was forced to reconsider his future career aspirations. This will be discussed later in this chapter.

Rachel: 'I just used to lose my temper like, a lot, and I didn't really care [...] I was dealing with a lot of stuff at home.'

Like Paul, Rachel also established a clear distinction between past and present-day, but she narrated a more gradual transition centred on maturity and age-related development. Aged thirty-one at the time of the interviews, Rachel explained that she was 'nervous', and found it 'difficult' to explain the circumstances that led to her past offending. Nonetheless, she explained that she lived with her mum and her mum's boyfriend as a teenager. She explained that her mum's boyfriend was often violent, and 'a nasty piece of shit'. She explained that she was 'very stressed' at this time, 'just waiting for something to happen'. Emphasising the severity of her situation, Rachel recalled an occasion where she 'ended up losing it', and punched the wing-mirror of a police car to get arrested so she could spend a night away from home. To cope with the 'stress' of her home life, Rachel truanted school, avoided home, and started to socialise with a 'friendship group that wasn't the best'. In this friendship group crime was 'normal' and there was no 'stigma' attached to it, so she started to commit 'minor' offences including burglary and criminal damage. However, she explained that due to 'the circumstances' she was in, things 'escalated' and soon, 'it was out of [her] control'. Framing her offending as the result of her peer associations and experiences at home, Rachel was denying individual autonomy and personal responsibility for her actions (see King, 2013; Friis Sogaard et al., 2016). Nonetheless, reflecting on her sensibilities at the time of her offending, Rachel explained that she '*didn't give a shit*', and did not consider the consequences or harms of her actions.

When Rachel secured council housing and began living independently at the age of eighteen, 'things got a bit better', and she attended university to study a foundation degree in graphic design. However, she was in an 'in-between stage', still socialising with the same friendship group and periodically 'getting into trouble' with the police. Still positioning herself as having limited agency, Rachel explained that she 'wanted to do something', but still had 'everything holding [her] back'. It was at the end of her foundation degree that Rachel received an eighteen-month suspended sentence for witness intimidation with a weapon[35]. She recalled how this was a turning point in her life:

> I didn't know what the fuck was happening […] being in magistrates court they were saying it passed the threshold or something to make it go to crown, and I think that's when I was like, really freaking out, and I think that was like the scariest part for me, and especially when I got suspended sentence it just, I don't know, it just it made it feel a bit more real, like, I'm not gonna' get away with it [laughs] do you, do you know what I mean? Cos' even though [in the past] I'd ended up on tag and like, community service and a few other things like, with the Youth Offending team […] it didn't feel like anything ever really bad happened.

Rachel explained that things became 'serious', and extended beyond the punishments she was used to, as part of her 'normal' life with her peer group. Unable to 'trust' herself 'to not do anything', Rachel left university to seek employment, not wanting to 'waste money on student loans' if she was later incarcerated. Despite her initial difficulty in finding work (see chapter five), Rachel recalled how she started

[35] Rachel had been involved in an altercation when her best friend stabbed someone. To try and protect her friend, Rachel approached a witness with a weapon, to try and prevent them from giving a statement.

full-time employment and began socialising with different peer groups who were, 'a lot nicer and […] well rounded'. Having identified her peer group as a key driver behind her offending, this social mobility was an important backdrop for her maturation and development. Indeed, desistance literature has noted that in the narratives of former offenders, there is often a discussion of 'severing themselves from harmful environments [and] undesirable companions…' (Maurna and Roy, 2007: 104). It was at this point in her narrative that Rachel recognised her agentic capabilities, noting that she was 'very determined', and had to 'fix' the situation she was in. However, she did not narrate her transition in the same way that Paul did. Rather, she noted how, 'naturally, when you grow up you change', and reflected on how her life changed over time in accordance with culturally prescribed life events such as motherhood. Reflecting on her life at the time of the interview, Rachel compared her family unit to the one she grew up in. She explained:

> [W]e've just got a typical boring family well, I say boring, but we don't really do much outside of work and going out occasionally, and mostly just going out with [my daughter] and things like that, you know? So, it's just very, very different.

Reference to her 'typical boring family' provides a stark contrast to the violent and 'stress' inducing household she grew up in. However, whilst desistance literature has highlighted how a 'mother' identity provides a conventional script, facilitating self-efficacy and integration into society (see Rumgay, 2004), it was a source of tension for Rachel. She explained:

> [T]here are some mums that probably wouldn't care, and they'd probably have known people, or even themselves been like that when they were younger. But then, there might be other mums who are

> a bit […] I don't know, uptight about it, and they might not be used [to it] because they've not grown up that way […] a lot of the people that I do associate with now, they're not really from the background that I've lived in. I think they're probably just a bit more [hesitation] they've just come from better backgrounds […] so, I almost feel like it's a bit of an imposter syndrome sometimes.

Reference to 'imposter syndrome' shows a conflicted sense of belonging having experienced social mobility from a deviant peer group in her youth, to a group of mothers from 'better backgrounds'. At the time of the interviews Rachel had stable employment and had tried to establish a more conventional lifestyle. However, her sense of sense was further disrupted when she applied for her DBS check as part of a visa application to travel to America, and was confronted with a hardcopy of her DBS certificate. This will be discussed in detail later in the chapter.

Martin: 'I was never a hardman or a fighter […] I was a harmless idiot.'

In his late forties at the time of the interview, Martin constructed a narrative which bore many similarities to that of Paul and Rachel. For example, he made a clear distinguished between past and present, noted the influence of peer groups, and highlighted the absence of a father figure to shape his early-life experiences. However, his narrative identity appeared more ambiguous, and he positioned himself as meandering between different peer groups, life trajectories and personal desires. Martin explained that, up until the age of thirteen, he lived with his parents in the 'really nice side of town'. However, after a 'traumatic divorce' he moved with his mum to 'a mad council estate' of 'lower working class or troubled families'. He explained he was 'quite intelligent' and performed well at school, but 'had this edge'

which he 'enjoyed exploring' on the estate. Subsequently, Martin was torn between two conflicting peer groups. He explained:

> I was always torn between the guys I grew up with on the estate, the sort of people who didn't have parents and didn't have vision, [and] other friends […] the sixth form people who were always like, "why'd you hang around with them?" […] and it bothered me that I was always in the middle.

Being 'in the middle' Martin had a conflicted sense of belonging, and was torn between the two groups who, as he explained, were on different life course trajectories. Nonetheless, Martin positioned himself as being very naïve and having little agency in his youth, noting that he 'didn't know the rules', and was 'sucked in' to 'the friendship group on the estate'. Indeed, he explained that he was 'vulnerable', having come from a 'sheltered existence'. Subsequently, 'in a sort of attempt to fit in [he] became a bit of a teenage scrote', getting involved in petty crime such as vandalism and theft, which he remembered to be 'fun' and 'exciting'. Having little contact with his own father, Martin explained that he found 'role models' in 'slightly older football hooligans […] party planners or dope dealers', who continued to encourage his involvement in crime. Emphasising his youthful naivety and lack of intent to cause harm, Martin explained that him and his friend were 'daft as fuck', rather than dangerous or calculated. Positioning himself as young and unaware, he noted that the police knew 'what [their] future was and where [they] were heading', whilst they were 'still learning about life'.

After failing his GCSEs, Martin tried to 'rebuild [his] life' by attending college to re-sit his exams. However, Martin's offending continued into early adulthood, and he received a custodial sentence for a violent offence aged eighteen. In the interview

he maintained his innocence, explaining that him and his friend were defending themselves whilst trying to leave a pub after a fight had broken out. Martin's solicitor had advised him that he would likely receive a twelve-month sentence, but he received a three-year sentence instead, and served eighteen months. Reflecting on his incarceration Martin explained:

> [I]t was just so obvious that […] the judges and the solicitors didn't care, the barristers didn't care, no, we were just meat in a machine grinder - that's exactly how we felt […] it was only on retrospect, looking back on it, and you realise like, wow, you know, we never actually stood a chance, you know? […] we were just part of the cog in the system, you know? And, um, once you get swept into it, you are just a a twig in a stream really, yeah.

Reference to being 'part of the cog in the system' and being 'a twig in a stream', demonstrates how Martin maintained his position as having limited agency and control over his life outcomes into early adulthood. Using passive phrasing such as being 'caught up' in the criminal justice system, Martin framed his incarceration as 'something that could happen to anybody' - a 'sudden outcome' of a series of life events (Ospal, 2011: 148). Subsequently, in the interview Martin noted he was 'bitter about [the offence] to this day'. When he was released at around twenty-years old the 'rave scene came along' which was a 'bad distraction', but 'very, very therapeutic', allowing him to dance the 'angst' away. However, approximately six months later Martin was found with ecstasy tablets on his person, and he return to prison for a further three years. Reflecting on this, Martin noted how 'the timing could not have been worse', as the socio-political atmosphere around drugs had become more punitive with the death of Leah Betts attracting a significant amount

of media attention[36]. He noted that he was 'guilty as fuck', but that 'somebody being caught with the same amount now would get probation'. Like with the fight, Martin was emphasising the consequences of 'bad timing', and positioning himself as being somewhat passively drawn into wider societal issues.

In contrast, Martin's account of life after prison showed a transition to a more agentic sense of self. Having been incarcerated, he 'watched' his friendship group from sixth form 'go off with their lives'. Subsequently, he wanted to change and, like Rachel, he described removing himself from harmful environments, choosing to relocate to a new area to avoid his old peer group and the police (see Maruna, 2001). He explained how he felt when he left prison for the second time:

> [T]his time I decide outright, I'm not going back to Stafford. They offered me parole and I ripped it up and threw it back in their face and said, "you haven't listened to a word I've said". I said, "you send me back to that estate, I'm gonna' get back". He said, "where'd you wanna' go?". So, I went and threw a a dart at a map.

He relocated to another town and lived in 'a half-way house', where he worked for a charity and found 'a sense of pride' for a few years. He returned to Stafford but found himself torn once again, 'wanting something a little bit challenging', but not having 'the confidence to go for one of those suited and booted office-y sort of jobs.' Aged twenty-six he embarked on a criminology undergraduate degree with the

[36] Leah Betts had just turned eighteen when she died after taking one ecstasy tablet on a night out in 1995. Scholars have noted the media coverage led to a 'moral panic' around drug use (see Cohen, 2011; Murji, 2020).

intent to work with young people and, in his words, 'make good' from his past experiences. He reflected on his time at university:

> I loved my time at university, it was the one place in the world I truly felt I fitted in and belonged. [There were] people of all walks in life, creed, colours, but everybody accepting. I didn't think I would be able to match them intellectually, or even do the course or anything like that, but I had a great few years, and it did a lot for my confidence.

Having established a sense of belonging, no longer feeling torn between two conflicting peer groups, Martin was able to develop a sense of agency and confidence at university. However, he explained that when it came to applying for work he 'stood no chance', and was 'hindered'. He attributed this to his criminal record *and* having lived an 'undocumented life', meaning that he was unable to recall and evidence his 'life story' to employers in interviews. He explained:

> It's soul destroying because you're getting asked these questions that, maybe somebody a little bit more organised with a documented life can fill the gaps in a little bit more, but I've always tended to stick a rucksack on me back every time I got a couple of hundred quid in m' pocket, and just go off. One, to get me away from influences around me and two, just for the sanity and, for me, I just love being on the open road.

As noted earlier in this chapter, sharing a personal story can help to manage the potentially stigmatising disclosure interaction, and convince an employer that they have 'moved on' and 'changed his or her ways' (Cherney and Fitzgerald, 2016b: 27). However, Martin was unable to provide evidence to support his personal story having done short stints in 'crappy factory jobs' before travelling whenever he had

the money to. Again, Martin reflected on how he had always been torn, leading to his transient lifestyle:

> I'm a Gemini. There's the devil [points to one shoulder] and the angel [points to the other shoulder], and this way [indicates to one side] or that way [indicates to the other side]. It's *always,* that has *got* to be a factor in all of this that we've talked about […] I have *always* had yes and no, left or right, and yeah, I don't know.

This reflection shows how Martin maintained his subscription to limited agency, even at the time of the interview. Unable to pursue a career working with young offenders, Martin established a sand blasting company which '…was going really well and then the recession came along and destroyed [him]'. Recovering from this years later, Martin developed a coffee van business which he had been running for four-years at the time of the interviews. However, whilst being self-employed gave Martin a sense of 'pride', he had to reconcile 'not reaching his potential' in the interviews (see below).

Sally: 'I don't believe I was doing anything wrong. I wasn't hurting anybody, it was just cannabis for my own personal use.'

Sally was a sixty-five-year-old woman who was approaching retirement, but still working short-term contracts at the time of her interview. Sally's account provides an interesting contrast to the others discussed in this chapter, as she did not narrate a transition away from crime and deviance, establishing a clear distinction between past and present understandings of self. Rather, Sally's narrative was about 'injustice', and she positioned herself as 'a moral person' who had been subjected to unfair criminalisation. Sally had a conviction for the possession of cannabis in 1974

when she was 20 years old, living in student accommodation in Exeter. She explained the circumstances around this offence:

> My flat was raided […] and there was always a feeling that there wasn't *much* going on in Devon, so the drug squad had not much to do […] I know I was breaking the law, I accept that, but at the time, and to this day, I don't believe I was doing anything wrong. I wasn't hurting anybody - it was just cannabis for my own personal use […] the upshot was I went to court, and I received two-year's probation and a forty pounds fine […] in 1974 it was a lot of money and I was a student, so I had to pay it off in instalments. Apart from the humiliation of sitting in court, I do have one overriding memory [which] is that the guy that was up before me […] had attempted to glass somebody in a nightclub [and] my overriding memory is the fact that he got a twenty-five pound fine [laughing] and I got a forty pound fine. And I remember sitting there thinking that that was just *so* wrong.

There are several points to consider in this quote. Firstly, similarly to how Martin contextualised his drug offence in the aftermath of Leah Betts' death, Sally highlighted how she was caught up in the socio-political context of Devon's 'drug squad' having 'not much to do'. This framed her arrest and subsequent conviction as 'something that could happen to anybody' living in that area (Ospal, 2011: 148). Secondly, by noting that she 'wasn't hurting anybody' as it was for 'personal use', Sally was neutralising her offending by positioning it as a victimless crime. In his research on the narratives of cannabis users in Norway, Sandberg referred to this neutralisation as a 'risk denial technique', where it is emphasised that harm can only be done to the user (2011: 7). Thirdly, having denied there was any harm done by

her offending, Sally framed her criminal conviction as disproportionate, noting how she 'wasn't hurting anybody', but received a greater fine than the violent offender on trial before her. To validate her narrative of being disproportionately punished for a minor offence, Sally recalled the response of her probation officer:

> I had two years of meeting this guy once a fortnight and it was *so ridiculous*, but I do remember […] he just went through the formalities in the first meeting and he said "right, this is how the two years are gonna' pan out, I think you shouldn't be here" - and this was 1974 - he said, "this is a complete waste of time you *shouldn't* be here…" […] and I mean, that was 1974, so even at the time it was seen as disproportionate by people in the, umm, people in the sort of industry if you like.

Referring to it as 'ridiculous', Sally was further emphasising the disproportionate nature of her criminal conviction. She validated this by quoting her probation officer who agreed that her engagement with The Probation Service was 'a complete waste of time'. Throughout the interview Sally continued to support these assertions, spending a large amount of time reflecting on the circumstances, and the harmlessness of her offending. Indeed, later in the interview Sally compared the drug market in the 1970s to how it is now. She explained:

> I don't think I did anything wrong. I mean, I know in the wider scheme of thing my partner says, "the sale of drugs - people have to bring them you know, people pay a price, the growing, the selling, the drug industry" and I understand all that. He said, "you were part of that" and he was playing devil's advocate […] but the drug trade has changed and […] it was pretty minor when I was, everybody did it you know? It was […] quite low key

> in terms of, the stuff is laced with all kinds of unpleasant stuff now, it's a lot more dangerous. It's a bigger business.

By noting how the drug trade had changed from being 'pretty minor' and 'low key', to a 'more dangerous' business, Sally was emphasising the situational context of her offence to support her denial of harm and thus, construction of a narrative around unjust criminalisation. Further, by noting that 'everybody did it' Sally was normalising her offending – another 'risk denial technique' (Sandberg, 2011: 7), and utilising culturally available scripts regarding recreational drug use amongst students (see Holm et al., 2014; Russell and Arthur, 2015). She then compared it to a more recent driving offence which she did consider potentially dangerous:

> I came off the motorway too fast - I was doing forty-six in a forty. I feel bad about that in as much as I was in the wrong, actually, and they were right […] I feel worse about that, in as much as I think they were justified, than I do about the drug conviction. I think yes, I was wrong, I took my eye off the ball, speeding can endanger people's lives - absolutely right to do me for it […] I hold my hands up to that, and I actually feel, I felt so ashamed at speeding. I didn't tell anybody. And I'm not ashamed about the drug conviction, I tell anybody, but I said to my partner, "please don't, I am so embarrassed that I've been done for speeding, please don't tell anybody." So, I feel, I still to this day feel bad about that.

Through this comparison, Sally was alluding to her moral sensibilities, and her perceptions of 'harmfulness' regarding her offences. In doing so, Sally was further reinforcing her narrative of being unfairly criminalised for what she considered to be a victimless offence.

Graduating in 1980 with a degree in librarianship, Sally noted she was on 'dodgy ground' looking for employment in the education sector, causing her to experience some difficulty securing and maintaining work (see chapter five). Nonetheless, at the time of the interview Sally had established a twenty-seven-year long career working in different schools, which she used to further validate her position as 'a moral person'. Indeed, drawing on her decades of experience, Sally noted that she has 'proved' that she is 'no danger to anybody', and quipped that aside from her 'bad jokes', she is 'quite safe' to be around children. To evidence this, Sally listed some of the positions she had held including being a school counsellor, helping 'vulnerable and distressed children', and providing support assistance for children with learning disabilities. This is a highly gendered investment drawing on notions of femininity, closely associated with a 'natural' ability to care (Kelly-Gadol, 1976; Holloway, 2006). Indeed, employment within a school setting, particularly in a non-managerial position, has long been considered a feminine enterprise due to its association with care duties (see Drudy, 2008; Ullah, 2016). However, shortly before the first interview, Sally's online visa application was rejected, and she had been invited to attend an interview at the US Embassy in London for her case to be considered in more detail. The follow-up interview was conducted shortly after her visit to the embassy, and she revealed she had not been granted a visa, and was waiting to see if an application a waiver of ineligibility would be accepted.

Criminal record disclosure as a catalyst for identity work

Having constructed narratives centred on reinvention, natural maturation, and unjust criminalisation, Paul, Rachel, Martin and Sally had each made sense of their past events, and established a sense of order and continuity to their life story (McAdams, 1996). This helped them to defend against the internalisation of stigma,

guilt and shame (LeBel, 2008; Maruna, 2001). However, as noted above, identity work can be prompted when an individual's sense of self is 'disputed or doubted' (Glimore, 2018: 94), and they each recalled experiences where their narratives were challenged by others in disclosure interactions. In the same way that sources of validation can strengthen narratives, interactions which result in an existing narrative being challenged, can result in re-evaluation to maintain overall coherence (King, 2013). Their transcripts reveal attempts to reconcile this narrative disruption with identity work. Identity work is a reflexive process requiring people to repair and potentially discard prior understandings of self, to maintain self-esteem and defend against negative stereotypes and labels (Toyoki and Brown, 2014). When re-evaluating existing narratives individuals 'engage in forming, repairing, maintaining, strengthening or revising the constructions' to preserve a sense of coherence and distinctiveness to their accounts (Sveningsson and Alvesson, 2003; cited in Watson, 2008: 126). This section will demonstrate how the identity work of Paul, Rachel, Martin and Sally led to different outcomes, with Paul and Sally strengthening their narratives, Rachel deliberating and revising her understanding of self, and Martin reflecting back and reconciling his life achievements.

Strengthening and maintaining narrative identities

Five months prior to the interviews, Paul had his job application for the police rejected. Indeed, Paul explained that he disclosed 'a hell of a lot of personal information' in his application, but was rejected after failing the vetting process. However, as this discussion will demonstrate, Paul was able to maintain his narrative of 'reinvention' through identity work, and defend against the rejection. He explained:

> [T]hey said that I had failed at the vetting process you know, so before they'd even read anythin', they'd vetted me, and they looked at "ah you've got a mark down on your name" bang! [hits table] Pfft, "you're not comin' in."
>
> I appealed it [but] the guy who rejected my application in the first place was also the guy who decided whether my appeal went through or not [….] he didn't try to understand […] he wasn't ready t' have an educated discussion about it - there was no discussion.

Paul explained that he was denied the opportunity of a fair appeal process, noting that he had limited power in this interaction. Positioning the gatekeeper as 'unwilling to have an educated discussion' and framing the rejection as a knee-jerk reaction to his criminal record, Paul was indicating that a more carefully considered and educated appraisal of the application *could* have resulted in a different outcome. Subsequently, he was framing the rejection as the result of illogical institutional process, not reflective of his ability or appropriateness for the job role. Indeed, Paul discussed how his life experiences made him *more* suited to the job than most:

> [Y]ou're menna portray the public that you serve now, and if you all ave' squeaky clean records, then *how can you* walk into the most poverish places, you know, n' expect them to understand people? People aren't gonna' wanna' talk to you. Even less so if you're all these people from, you know, perfect backgrounds like, that's not reality for a lot of people! Reality is a struggle.
>
> I don't even wanna' be in the police anymore bcause that's not me [...] I'll end up goin' in there and just end up hatin' everyone in there, cos' I'll be

> the one guy who goes "actually, let's not charge him, let's take him back to him mum, n' let's see what family problems he's got. Let's try n' deal with the root cause of it, cos' he's probably not got a male role model" same way I didn't, n' I know how that feels, but these guys? Nah, they just didn't care.

Comparing himself to those who are accepted to work for the police, Paul was 'discrediting one's discreditors', devaluing their positions, and placing himself above them (see LeBel, 2008). Indeed, Paul referred to the police as 'squeaky clean' and unrepresentative of 'the public', having not experienced the 'struggle' that is 'reality'. Subsequently, he positioned them as unable to understand people, and unwilling to address the 'root causes' of crime. In contrast, he noted how his past experiences led him to be more caring and empathetic, able to relate to people who the police interact with. Meisenbach (2010: 284) refers to this as a 'logical denial' where the stigmatised individual 'questions the credibility of those promoting the stigma'. This helps Paul reframe the rejection as good for him in hindsight rather than as exclusionary, explaining that he would have 'hated' those he worked with. Noting 'that's not me', Paul was explaining that his identity was fundamentally incompatible with the police, and thus, he remarked that he no longer wanted the job anyway. The influence of his alternative education and his military male role models was clear in this reasoning:

> I'd, you know, been taught by soldiers - that was my mentality, you know? Like, you're there on time, you do your stuff, you make it professional, you don't judge, you're not bias. Whereas police seem to be the complete opposite of that. Bias, unprofessional, lazy, umm, not very knowledgeable of what they're meant to be doin' cos', you know what I mean, if you're meant to be enforcin' the law

> an' you're arrestin' people, you need to know what you're doin'. So even with that pod incident[37] where the guy didn't know the law, just a *clear* example again – unprofessional, lack of knowledge, lack of care. Just literally ego-central where everyone there seems to have a huge ego, an' a huge chip on their shoulder against people like me.

Similar to how he explained that he had a different 'mind set' to his 'criminal' friends (see above), Paul explained that he had a different, more professional and educated, 'mentality' when compared to the police. Noting that he had been 'taught by soldiers', he was continuing his investment in hegemonic masculinity, appealing to notions of respect, and power (Wilkinson, 2001; Hochstetler et al., 2014). Moreover, reference to 'everyone' in the last excerpt and positioning himself as 'the one guy' who would act differently, shows Paul framing the police as a collective institution, grouping everyone together, and denying complexity and nuance within the sector.

Finally, to further defend against the rejection, Paul depersonalised it, and attributed it to being labelled a 'risk' in a 'judgemental society':

> We seem to be quite a judgement society, don't we? […] I mean, you know all the research on things like risk, and all that sort'a stuff like, so I mean yeah, we are more risk aware as a society, and I think people now want to narrow down the sort of people who do well in society.

By referring to research on the risk society which he believed I would be familiar with as a criminology graduate, Paul was drawing on shared understandings between storyteller and listener to evidence his interpretation of the rejection (see

[37] Earlier in the interview Paul had recalled an interaction with the police where they tried to seize his moped, believing he was uninsured, and riding it illegally in a residential area. When he was able to prove that he was insured, he insisted on receiving a telephone apology from the police officer.

chapter four). Furthermore, he was drawing on 'expert knowledge' from a higher education institution to validate the depersonalisation.

Having framed the rejection in a way that offered continuity to his narrative, Paul discussed finding an alternative career which might further support his 'reinvention' story. Indeed, having established that his narrative identity was not suited to the police, Paul discussed The Probation Service as a potential employer.

> [T]heir whole ethos is "we believe people can change", and one of their criteria when filling out the application is experience of workin' with challengin' individuals [...] I put down on my bit that I haven't worked with challenging individuals, but I have been one, so surely that's gotta' count for somethin'? Cos' that's my own experience. I'm hoping that probation see it as something where, "yes finally" n' I would have thought that, if I have the education and that experience, then it's great like, cos' there's not a lot of people who woulda' been able to go to university from my position.

Paul discussed how The Probation Service might accept his past and *value* his 'reinvention' story, viewing his criminal record as a positive asset, rather than a source of stigma. Furthermore, noting that 'there's not a lot of people' who could have achieved what he had, Paul was positioning himself as a unique and valuable asset to The Probation Service. Indeed, as discussed in chapter one, it has been noted that people who have engaged in deviant behaviour - such as crime or drug and alcohol use - can utilise a 'professional ex' identity script, positioning themselves as 'experts having been there', and legitimising their involvement in particular careers (see Brown, 1991; Maruna 2001: 120). This 'generative phenomenon' can be a means of managing the shame and stigma associated with

past experiences (Maruna, 2001: 117). However, Paul explained that his 'instinct' told him not to apply yet, cautious to avoid experiencing further rejection. Subsequently, at the time of the interview Paul was uncertain of his next steps, unsure how he would reconcile 'two of the biggest avenues' that he thought would be open to him with a criminology degree, being closed.

Sally was also able to perform important identity work, maintaining her constructed narrative despite the disruption caused by her recent visa experience. Importantly, beyond maintaining her narrative, Sally strengthened it, making sense of her recent visa experience as a continuation of the disproportionate and unjust treatment she had been subjected to at the time of her conviction. In the second interview which took place *after* the embassy visit, she reflected on the 'humiliating' interview process she had endured, likening it to being 'still on trial'. She explained:

> [W]hilst that may not be a big thing for some, you know, it's a big thing for me psychologically, and we're back to this business of why am I still paying the price for something from *forty-five years ago*? Because it's drugs. That's the reason I've been rejected, doesn't matter how major or how minor the offence is, it's drugs - there you go.

In this excerpt Sally highlights the arbitrary nature of *all* drug offences being treated the same in this disclosure landscape, with no distinction between major and minor offences. In addition, she emphasised the amount of time that had surpassed, further framing her experience as disproportionate and unjust. Continuing to emphasise these points, Sally noted that the question on convictions for drugs appears alongside terrorism, child trafficking and genocide on the visa application. She noted that it is 'interesting' that 'they categorised a minor drug offence' with these, and referred to herself as being unfairly 'lumped together' with these more

serious and harmful offences. Furthermore, in the same way that she quoted her probation officer at the time of her conviction (see above), Sally quoted the embassy interviewer to further validate her interpretation of the experience. She explained:

> [H]e said, "I'm going to put in a *strong* recommendation [for a waiver] cos' I've never had anybody in front of me that I feel is entitled to one as much as you are." The basis he gave me was the forty-five years no other offences, umm, and that I'm retired. […] I thought, I can still be a criminal [laughs] criminals retire, umm, I'm a retired school librarian, I got that one in, "I'm a school librarian".

This interaction with the embassy official was important for Sally, enabling her to validate her sense of injustice regarding being 'put on trial' again. It also provided her with further discursive investment around ageing, as the interviewer had noted her retirement as a justification for her waiver. Interestingly, in the first interview Sally had remarked that whilst she personally does not think 'being a pensioner makes you respectable', she recognises that it 'adds a level of respectability' when interacting with others. Subsequently, whilst her narrative was heavily supported by her career (see above), Sally's age and position in the life course was presenting new discursive possibilities.

Having made sense of her visa experience as a continuation of her narrative around injustice, Sally had strengthened her belief that the stigma she was facing was unjust and illegitimate. Subsequently, she discussed being an activist and 'raising awareness' by 'talking openly' about her experience, and 'putting a human face on the offence' (see chapter five). By engaging in social activism Sally continued to challenge the validity of the stigma, giving her experience meaning, and protecting her self-esteem (see Link and Phelan, 2002; LeBel, 2008; LeBel, 2011). This enabled

her to maintain a sense of agency and control over her situation by 'coming out' to those around her, challenging perceptions of people with criminal records, and how they should be treated in society (ibid.). Sally highlighted the reactions she has had from others, noting how 'even the most conservative' of her friends have been 'shocked' at her experience.

Deliberation of narrative identity

Unlike Paul and Sally whose identity work had helped them to maintain and reinforce their existing narratives, Rachel discussed a difficult period of deliberation and personal reflection. Whilst Rachel's visa application to travel to America was successful (see chapter five), being confronted with her DBS certificate prompted her to question the narrative she had constructed regarding personal development and maturity. To prepare for the application Rachel had looked through online forums and was expecting to receive a DBS certificate on one side of A4. Subsequently, it 'struck her' that hers was two pages long, and she explained that 'it just looked like another person'. This was 'quite a hard time' for her and she became 'quite depressed'. Reflecting on why receiving a hardcopy of her DBS certificate had prompted such an emotional response, Rachel explained that she had 'suppressed' her past experiences, and so it made her feel 'a bit shitty' when 'it all came back'. She reflected on her identity as a mother, noting that at the time of her convictions she 'couldn't give a shit' and didn't think about the consequences, but looking *back* from the perspective of a mother was 'difficult to process'. She explained:

> I've got a family now, and I've got a daughter, so when I was having to rehash everything I felt so bad because, to me, like the burglary thing, the intimidation thing, if someone was doing - do you know what I mean? If someone came in my house, it's like the implications of it […] you know,

> them *not* feeling safe in their home. I think it was like, *that* realisation, which I hadn't taken that into account when I was younger […] it just made me feel *so shit* like, really shit […] it was like, *really* hard to process to be honest.

Having matured and started her own family. her past actions did not fit with her present-day identity as a mother, causing feelings of guilt and shame to surface. She explained how this 'messed with [her] head', and disrupted her sense of self:

> I did get a bit like, down for a few weeks, cos' it kind of, it made me think […] it just threw like, how I identify with myself, it just kind of threw all that into question again […] it was kind of making me forget a lot of the good things and the good traits that I've got now, which was a bit weird. It was making me focus quite a lot on the negative things from being that age, and then making me feel as though they still existed. I know I'm not like that anymore.

Being presented with her criminal record on paper caused Rachel to focus on the 'negative things', shifting her focus to her past experiences. Nonetheless, Rachel maintained that she was 'not like that anymore', establishing a 'replacement self' which was 'fundamentally incompatible' with her 'old self who participated in deviant behaviour' (Giordano et al. 2002; cited in Opsal, 2011:151). However, despite this claim to be a different person, there was an undercurrent of uncertainty in Rachel's account:

> I think the reason why I'm the way I am now is because I got a good job, I got a nice family, but what if that never happened? […] I sometimes think I enjoy making money, I enjoy working for promotions and getting

> more money, and I think, would I have been satisfied with just a crappy minimum wage job? And then it's that question of […] I think I'm a good person now, but if I didn't have any money, what would I be doing? Would I still be, I don't know […] I've kind of got that constant battle I think where it's thinking, I don't know, I'm not…it's just circumstances, isn't it?

Reference to a 'constant battle' shows an ongoing tension in Rachel's narrative, where she is unable to reconcile whether her change in trajectory was the result of agentic decision making, or the passive outcome of a fortunate change in circumstances. Indeed, on the one hand, Rachel described herself as 'a dog with a bone', and noted how 'determined' she was to secure employment after receiving her suspended sentence (see chapter five). Referring to values and ideals such as personal responsibility, determination and agentic decision making when narrating desistance from crime, enables people to establish a sense of empowerment (Friis Sogaard et al., 2015). However, after her recent visa experience, Rachel began to question if she had 'genuinely changed or not', and if her desistance from crime was as circumstantial as her involvement in it. As noted by Fleetwood (2015: 372), 'the sense of one's self in the story' is not fixed, and Rachel's visa experience prompted her to question her agentic capabilities, and her ability to actively shape her life course. Subsequently, she questioned whether the collateral consequences she had faced were 'unfair' or deserved. She explained:

> I've sort of battled […] I kind of feel sorry for myself about like, the visa thing, the employment thing, it sort of switches between "oh, this is really hard, this is unfair" and then it's like, well, is it unfair? Do you know what I mean? […] it's a bit of a tough one to be honest, but I don't know […] I

> always think this, if it was someone who just got caught stealing once, or someone who got […] like a weed possession thing which isn't really doing anything to anybody else […] I feel sorry for people like that, but then, I don't know, it's hard, especially in my circumstances, I think, well, it's been a long time, I'm not the same person, but then I think well, is it just one of those things where it's just like, the consequence that we just gotta' deal with, I guess? So, it is a tricky one.

Here, Rachel is questioning the validity of her criminal record stigma, comparing herself to people who have committed more minor offences – like Sally, LeBel (2008) notes that if the stigma is perceived as legitimate, then an individual is less likely to challenge and resist it. Having recently been confronted with her DBS certificate, Rachel was uncertain as to how legitimate the stigma was, and thus, how much she could challenge or resist it.

Reconciliation

Finally, Martin's identity work showed attempts at reconciliation, coming to terms with what he *had* been able to achieve, compared to what he believed his 'potential' to be. Indeed, it had been a number of years since Martin had faced disruption to his narrative in the form of a formal rejection. As such, rather than reflect on a recent experience of disclosure, he spent a large amount of time in the interview reflecting *back* on his life to date. Having been 'in the middle' of two very different peer groups, Martin was acutely aware of the different paths he could have taken, and where they might have led him (see above). At the time of the interview, Martin still considered himself to be different to his sixth form and university peers, noting how he was 'still on this side of the tracks, and them on that side of the tracks'. Subsequently, he compared himself to them, and considered *how* they had been able to secure their

achievements by adhering to mainstream trajectories and getting 'lucky'. For example, he noted how they had capitalised on unforeseen changes to the property market having bought houses 'at the right time' and thus, benefited from the increase in value over the years. In contrast, he explained that he had more 'vision' than them, prioritising alternative ambitions around travel, which resulted in him working short contracts and not settling in one place. Similarly, reflecting on being unable to secure work with young offenders, Martin compared himself to the girls who *were* successful in their applications. He noted that he had a genuine desire to help people, and the life experience to inform his work, but they 'just liked the idea of meeting some bad boy'. He reasoned that they had come from more privileged backgrounds having 'worked with daddy' and thus, were able to give employers the evidenced life story they wanted (see above). Subsequently, his peers 'who had no concept of the background or the life that [he] got […] walked straight into these jobs' whilst he was rejected. In making these comparisons, Martin was positioning himself as unfortunate and underprivileged, rather than undeserving or incapable which depersonalises the experience (see Paul above). Indeed, in the same way that he narrated his offending as situational, he framed the achievements of his peers as the product of environmental factors, not based on meritocracy.

Having framed his comparative lack of achievement in this way, Martin reflected on what his coffee van business *had* enabled him to accomplish over the last four years. He explained that working for himself helped him improve his confidence and self-esteem, noting that he was able to develop 'dignity and self-respect', and an 'element of pride'. He explained:

> I might not be earning the money in this one that I should be, *but* I'm much more comfortable and happy in my everyday life, and with who and

> what I am. I interact with the public on a daily basis and I think the majority of them do like me, they certainly all seem to keep coming back to my stupid jokes and things, umm, you know? [laughs] I got a couple of blue rinse brigade admirers, I think.
>
> …so that angst about where you fit in and about having this like, career path or whatever, that's dissipated […] I don't know whether that's because I'm happy and content in what I'm doing, and maybe a lot of that which I felt resentful about before, because I hadn't found my little niche or where I fit in, or maybe I just got older and don't care anymore.

Here, Martin was noting how he had developed a good relationship with customers and was no longer concerned with trying to 'fit in', contradicting his discussion of still being on 'a different side of the tracks' to others. Nonetheless, replacing mainstream goals with more personal achievements enabled Martin to identify sources of fulfilment in his life. Indeed, he explained that his coffee van business had enabled him to 'shed a lot of the negativities and despondent feelings he used to have' when he was younger. However, he noted that he was not earning the money that he 'should be', and did not manage to secure a 'career path', continuing to compare himself to his sixth form and university peers. Further, there was still a sense of being deprived of what he *could* have achieved, had his life circumstances had been different. Indeed, he noted himself that his achievement had been limited:

> I've been self-employed in three different businesses which I've thoroughly enjoyed […] but I've always been like, I've been cheated of the chance of reaching, or finding out what my true potential was, and I would of *loved* t-, and still would in some ways, to of worked with young offenders. To of taken the negative and turned it into a positive. You

> know, that would of, it would of done a lot for me as much as it would of them like, you know?

Reference to being 'cheated' of reaching his 'full potential' and working with young offenders, Martin continued to deny himself agency, positioning himself as being subject to forces outside of his control. Furthermore, he explained that he was unable to 'redeem one's self' (Maruna, 2001: 95) through formal employment structures. Like others in this chapter, he considered this to be unfair:

> Every saint had a past, every sinner a future, d'ya know? […] I believe people should be given a second chance and, um, I feel like that has always been denied of me, and especially like, having gone to the trouble of getting a degree […] I mean, as far as I'm concerned, I'd done everything right. I come out of prison, I'd moved out of town, I worked for a charity […] gone to college which, I think I was about twenty-five then, which was a hard thing to do, you know? All sixteen, eighteen-year-olds. And you know, you'd […] feel like you done everything you're supposed to do, and then you find that these doors are still shut in your face, and that opportunity isn't forthcoming like it is for other people […] it would have been nice to of found something meaningful to of done with life, or to of made good from bad.

Like Paul, Martin felt he had earned the right to meaningful employment having 'gone to the trouble' of achieving a university degree. Highlighting that he had worked hard but opportunities were not 'forthcoming' for him like they were for others, further supports his position as unfortunate and underprivileged, rather than undeserving or incapable. However, whilst he noted that he had not been able to find 'something meaningful' to turn his past into something 'good', he did reflect

on how he had drawn on his past to help others in informal ways. Becoming a positive role model for others in their social networks, enables PWCs to 'give something back' to those close to them (Maruna, 2001; LeBel et al., 2015). Indeed, behaviours once deemed deviant or harmful can become sources of legitimacy when acting as a reference for others to learn from (Maruna, 2001). Martin discussed how his position as an uncle had provided him with the opportunity to be a 'really good influence', enabling him to put his 'experience […] to good use'. Furthermore, he explained that he was 'taking the negative and making it into the positive' when his Godson started to engage with recreational drug use. To deter him from this, he took him to 'meet his friends' in the cemetery to illustrate the consequences of abusing substances. However, the desire to turn his past into a positive through informal means did not always provide Martin with a sense of fulfilment. For example, he reflected on how he returned from Canada when an old girlfriend claimed he had fathered her child, and supported them financially for almost fourteen-years. He explained that he 'took the job on' despite not knowing if he was the father, having had a challenging relationship with his own dad, and wanting to be a better parent.

> If it wasn't for [my son] I don't think I would ever of come back. I loved Canada - it was phenomenal. Maybe that would have been the new start but, as far as it happens, I came back to Stafford, took the job on with bringing him up, and did that for fourteen years. Then he got to sixteen and I told his mum I'm not paying any more board now […] we had a big argument, [he] took his mums side, and I haven't seen him in five years. I don't kn- was that a mistake? Or me tryin'a do the good thing? Was that me tryin'a do the good thing as a hang-up and a self-justification because of my past? Because I wanted to be able to say to people, "I'm doing

> something good?" People said to me, "but your mad, why are you doing that?" […] If I knew the way it was gonna' turn out I possibly wouldn't have done that. Unfortunately, I've spent my whole life leaving and getting dragged back one way or another. It's absolutely mental.

Questioning his own motivations, Martin deliberated whether he was trying to demonstrate that he was a 'good' person, challenging the stigma attached to this criminal record. However, in this example the sense of loss is twofold, with Martin noting that he had lost contact with his son, and that he had lost an opportunity to have 'a new start' away from Stafford. Noting how he had 'unfortunately' spent his life 'getting dragged back', Martin was still denying his agentic capabilities, and positioning himself as being subjected to forces outside of his control. The prevalence of this in his narrative demonstrates its importance to Martin, enabling him to make sense of his life as a fairly successful, despite the conditions he was up against.

Whilst Paul also discussed facing rejection and the possibility of limited achievement, he was in his early twenties and thus, still *looking forward*, rather than back. As noted by Elder (1994: 6), 'the personal impact of any change depends on where people are in their lives at the time of the change.' This helps to explain why there was less reconciliation in Paul's identity work, despite also discussing issues with employment. Indeed, time is an important structural force imposing a rhythm to the life course, shaping our understanding of ageing, and the significance and ordering of life events (Settersten, 2003). As such, different opportunities and expectations are associated with different parts of the life course, shaping decision making, and the evaluation of life events (Elder, 1994; Settersten, 2003). Drawing on the life-course perspective, Gadd and Farrel (2004) note that employment and

the pursuit of a career is an event which happens at a particular time in the life-course. Indeed, it has been noted that early stages of life are often devoted to training and establishing careers (Paul), whilst the 'middle segment' is associated with 'continuous work activity' (Martin) (Settersten, 2003: 82). However, Paul did reflect on what his future might look like if he was unable to secure work with The Probation Service, and discussed the possibility of travelling and living on the periphery of mainstream society, 'getting rid of the whole academic thing and thinking all the time'. He explained:

> I just wanna' enjoy my life [...] I just wanna' sort of have dogs, n' be outside like, wake up in the mornin' with a beard, chop my firewood for the day [laughs] I'd *love* that livin', you know? It's just peaceful. No one can tell you anythin', it's natural, I'm outdoors, I'm with the animals, and I can just care. Care for my nature. Care for my animals. That's it. No one tells me anythin', I don't need to pass no DBS check to work with my rotties, you know?

Relieving himself of mainstream career aspirations would enable Paul to avoid disclosure landscapes (see chapter five) and 'enjoy' life, developing a more naturalistic way of living. However, this reconciliation is contradictory, as throughout the interview Paul had discussed the difficulties of knowing 'what it's like to be the outsider', implying a desire to establish a sense of belonging.

The ongoing construction of 'non-criminal' identities: chapter discussion

This chapter has explored how Paul, Rachel, Martin and Sally, each constructed a 'non-criminal' identity in their interviews, accounting for their past interaction(s) with the criminal justice system and establishing continuity to their life story. Adding nuance to our understanding of how collateral consequences are

experienced by PWCs, it has shown how disclosure can be highly disruptive to an individual's sense of self, prompting identity work to reinforce or reconstruct their narrative identity. By way of a concluding chapter discussion, this final chapter section will discuss the role of agency in the forging of socially permissible identities, and explore the narrative capital required to construct, share and maintain permissible life stories (see Goodson, 2006; Goodson, 2013).

First, the chapter has illustrated how the construction of a 'non-criminal' identity is highly subjective, shaped by personal biography and life experiences. Indeed, participants invested in discourse and drew on culturally available scripts, situating themselves in specific temporal and spatial locations as they made sense of their lives. For example, when explaining their drug offences, Sally and Martin drew on the socio-political conditions at the time of their offending, noting that the 'drug squad' had little else to do (Sally), and highlighting how the death of Leah Betts led to a punitive attitude on class A drugs (Martin). Reflecting on their position in the life course at the time of their offending, Martin and Rachel reflected on the influence of immaturity, and Paul, Rachel, Martin and Sally noted the influence of peer groups and social pressures in their youth. Furthermore, they each differentiated between criminal act and wrongdoing, alluding to their moral sensibilities around offending and drawing on notions of 'harm'. Finally, whilst Sally did not differentiate between an old and new self, Paul, Rachel and Martin each maintained that their involvement with the criminal justice system was at least *partially* owing to conditions outside of their control. In doing so, they differentiated between an old, less-agentic self at the time of offending, and a new, more agentic self at the time of the interviews, identifying different spaces in their narratives.

However, as explained in chapter three, a person may have more or less 'narrative capital' – the ability to craft the right kinds of stories (Goodson, 2013: 14). Furthermore, narratives are not passively accepted by the listener, and stories are judged on how they adhere to the logics of the culturally prescribed meta-narratives (Harding et al., 2016). This means that gatekeepers (such as employers and embassy interviewers) have particular expectations of the stories shared by PWCs, and they will be judged upon how they meet these. Subsequently, the story of one's offending becomes important, having value on an individual level (with regards to self-esteem and internal stigma management), and on an external level (with regards to navigating disclosure landscapes). To demonstrate this, the chapter has focussed on those examples where participant narratives were *not* confirmed by the listener. By exploring their reflections of having their narratives challenged, this chapter has demonstrated the fragile and precarious nature of these constructions (see Toyoki and Brown, 2014 for a comparable discussion of prisoner identity work). Identity work techniques included; condemning their condemners and/or peers who *had* been successful (Paul, Martin), noting other sources of formal and informal validation which supported their constructed narratives (noting awards and reciting the words of professionals), drawing on their experiences working with vulnerable groups (Sally), and claiming other pro-social identities (Rachel and Martin).

Interestingly, whilst Paul and Sally were able to maintain and reinforce their narratives, Rachel experienced a difficult period of deliberation and disruption to hers. This reveals how identity work and the ongoing construction of narrative is highly subjective and complex, resulting in different outcomes for different people. For example, the influence of age becomes clear when comparing the accounts of

Sally and Martin, to the accounts of Paul and Rachel. Looking *backwards* and having decades of experience working with a vulnerable group, Sally was able to reinforce her narrative of disproportionate and unjust treatment as someone with a criminal record relating to a minor offence. This enabled her to move towards proactive disclosure strategies, and become an advocate for people with minor convictions. Martin was able to draw on alternative sources of achievement to *partially* reconcile feelings of lost potential, retrospectively looking back on his life to establish meaning and continuity. In contrast, *looking forwards* and speculating on his life, Paul was hesitant to put himself forwards for the Probation Service, aware that further rejection could lead to more significant disruption to his sense of self. This was despite his complex identity work reinforcing his narrative of reinvention. Having worked in marketing and sales where she withheld her criminal record from others, Rachel was unable to draw on her professional occupation or standing with others to assert her narrative of maturation and personal development. To further illustrate the highly subjective and complex nature of constructing and deploying permissible narratives to explain the criminal record, the following two chapters will explore the two most common 'types' of narrative evident in participant accounts: stories of trauma and victimisation (chapter seven), and stories of entrepreneurialism (chapter eight).

Chapter Seven

Narratives of trauma and victimisation

Thus far, this thesis has started to demonstrate the complex ways in which participants negotiated disclosure landscapes, and subsequently managed the stigma of their criminal record. More specifically, it has demonstrated how participants utilised different identity management strategies (chapter five), and how they deployed and (re)constructed their established narratives with different audiences (chapter six). In doing so, it has started to illustrate how participant narratives were crafted from a range of culturally available scripts, shaped to fit their own biography and social position (see Fleetwood, 2015; Fleetwood et al., 2016; Maruna and Liem, 2021). Furthermore, it has started to demonstrate how, owing to the particular conditions of the disclosure landscape (social, political, institutional etc.), a narrative can be deemed more or less suitable, and disclosure can prompt identity work when existing understandings of self are challenged. This is important because, as demonstrated in chapter six, 'the story one tells about oneself is of little use if it is deemed untellable or unverifiable by others' (Stone, 2016: 965).

To explore this in more detail, the following two chapters will discuss the most prominent 'types' of story which emerged in the interviews: narratives of trauma and victimisation, and narratives of entrepreneurialism (see chapter eight). Starting with narratives of trauma and victimisation, this chapter will explore the stories shared by Louise, Megan, Yasmeen and Kirsty, who each made sense of their offending as a *direct consequence* of experiencing trauma and victimisation early in life. Importantly, for these women, their stories of victimisation and offending were deeply entwined, and they explained how disclosure required them to revisit

harmful experiences from their past. Whilst gender is not the only aspect of identity shaping narrative construction, this chapter will illustrate the considerable influence it had on the stories shared by these participants. Furthermore, this chapter will discuss the ongoing narrative labour required to sustain such narratives, and consider to what extent these stories provide a vehicle for forward mobility.

Narrating offending as a response to trauma and victimisation

It is widely acknowledged that female pathways to offending are complex, often stemming from personal life circumstances such as poor mental health, domestic abuse, sexual assault, and substance abuse (see Katz, 2000; Bloom et al., 2004; Hirsh, 2005). Further still, women are more likely to experience financial insecurity, whilst simultaneously being more likely to be the primary care giver (Bloom et al., 2004; Hale 2020). Subsequently, pathways to crime for women are often based on survival (Bloom et al., 2004; Belknap, 2007), and women who offend are likely to have experienced trauma, without receiving specialist support (Unlock, 2021). Importantly, pathways to female offending literature has 'blurred the boundaries' between victims and offenders, by exploring the wider context of gendered criminalisation (Pollack, 2007). Nonetheless, women who commit crime face increased stigma when compared to their male counterparts, even when they have committed similar offences (see Worrall, 1990; Barlow, 2015; Unlock, 2021; Grace, 2022).

Accounting for this increased stigmatisation, desistance scholars have argued that women face several forms of stigma due to: 1) their offending behaviour, 2) their transgression of female norms, and 3) their experience(s) of victimisation (see Rutter and Barr, 2021). Furthermore, despite their increased likelihood to have

experienced trauma and victimisation prior to their offence(s), it has been noted that female offenders often experience higher levels of guilt and shame for their offending, when compared to their male counterparts (see McIvor et al., 2004). Furthermore, it has been argued that feelings of guilt and shame can be exacerbated by feeling like one has 'failed' to display personal resilience and maintain a sense of control over their circumstances (see Hart, 2017; Rutter and Barr, 2021). Such expectations develop as neoliberal ideals regarding individualism and responsibilisation permeate the criminal justice system, placing a gendered expectation on women to 'overcome' past experiences of trauma, and master the social conditions which shape their lives (Hart, 2017). Indeed, the notions of 'risk' which are embedded within neoliberal governance have shaped how society deals with *both* victimisation and offending, promoting 'self-regulation' as a part of modern-day key correctional discourse (Pollack, 2007).

Importantly, gender, alongside other intersectional aspects of identity such as class and race, shape one's 'narrative repertoire' (Presser and Sandberg, 2015: 295). Indeed, to defend against their cumulative stigma, the women discussed in this chapter constructed culturally permissible narratives to explain their offending, and thus, invested in highly gendered discourse. However, it has been noted that when compared to men, women have a narrower range of neutralisations to draw upon when explaining their offending behaviour (see Sykes and Matza, 1957; Klenowski et al., 2011; Fleetwood, 2015). Subsequently, to use the words of Presser and Sandberg, their narrative repertoire is more limited, and there are fewer permissible scripts to draw upon. Further complicating their construction of a permissible narrative identity is their dual status as both a 'victim', and an 'offender'. Indeed, whilst the women discussed in this chapter had experienced trauma and

victimisation, they also had a 'spoiled identity' as a result of their offending[38] (Goffman, 1963). Consequently, the women interviewed did not meet the expectations of an 'ideal victim', which is those 'individuals who – when hit by a crime – most readily are given the complete and legitimate status of being a victim' (Christie, 1986: 18). This is important because, as well as shaping how narratives are constructed, gender also shapes how narratives are likely to be received (Presser and Sandberg, 2015). This means that both the construction and sharing of life stories are implicated by gender, influencing how female offenders establish a meaningful life story, and a construct a defensible narrative identity.

Louise: 'I didn't have love or affection. My parents didn't spend time with me.'

Louise was a thirty-four-year-old female who had two convictions for shoplifting, received aged sixteen and nineteen. Louise contextualised her offending by discussing her 'neglectful childhood' and subsequent mental health issues – namely anxiety and depression. Indeed, she explained that whilst she 'had everything materially […] nobody bothered with [her] at home'. Consequently, she 'didn't have those social skills to go into school and be able to build those friendships', and was bullied by her peers. Highlighting the severity of her mental health issues, Louise explained that she had attempted suicide at fifteen years old, when she was struggling with isolation at school, and feeling 'like a mistake' at home. She explained how this led to her offending:

> I had nothing in my life. I had absolutely nothing. Didn't have friends, didn't have, you know, parents that I could talk to, didn't have parents

[38] As explained in chapter one, an example of how this manifests structurally in the UK is the victim compensation scheme. Within this scheme access to victim compensation can be limited for those with criminal records, denying victim status for former lawbreakers, and rejecting claims on the grounds of 'bad character' (see Henley, 2018; Bradford-Clarke et al., 2022).

> that would do anything with me, so I was just on my own all the time [draws breath] and when I started stealing it was exciting and it was, umm, I had this secret, and I just had something in my life, even though it was a negative thing – well, at the time it was a positive - it was something to do. I know this sounds ridiculous [laughs] but it was something to do, and it was kind of a release of stress because you'd get an adrenaline rush, and I didn't feel bad about it at all, and it got to the stage where I was not even stressed about doing it.

This excerpt shows how Louise framed her offending as an emotional response to isolation, neglect, and poor mental health. Emphasising the causal link between her mental health and offending, Louise highlighted that both offences were in the month of September, when her anxiety and depression would be exacerbated by the start of a new academic year. Indeed, her first conviction occurred just before she started college to study for her A levels, and the second occurred at the start of her second year at university, when she was studying for her bachelor's degree in Childhood, Youth Studies and Social Work. After this second conviction her depression worsened, and she took a leave of absence for eighteen months. She returned to her studies and went on to complete a master's of social work degree, joking that she 'got stressed, but didn't get depressed that time'. Interestingly, unlike other participants (e.g. Paul and Rachel - chapter six), Louise did not identify a key 'turning point' in her life story, nor did she discuss the development of a new self. Rather, she noted 'something just changed' and shrugged as she said, 'I can't really explain it'.

Louise explained that her experience of parental neglect and poor mental health had '*completely* influenced' her career choice, motivating her to become a social worker.

This is common, and research has highlighted that a significant proportion of social work students have experienced psychological trauma in their domestic environment as a child (see Wilson and McCrystal, 2007; Lyter, 2021; Cavener and Lonbay, 2022). Indeed, personal experience is a commonly cited reason for students to embark on social work degrees (Furness, 2007). Importantly, this career choice helped Louise to construct a narrative which was supported by specialist knowledge (see Paul and Martin - chapter six). Louise explained:

> [O]ver the years, things just kind of slotted into place for me. I think, probably because of what I do - because of my social work training - that's helped [...] for a long time I didn't make the connection, um, between childhood experience, and my behaviour , and the way I was feeling , and then developing mental health problems, um, and I really blamed myself and I had a lot of regrets, and was really thinking "why were you so stupid?" and "why did you do that?" Um, but now, it kind all fits together like a jigsaw, and you can kind of see the timeline of things, um, getting worse and then kind of coming to a head, getting arrested and yeah, [sigh] so I can see how it all fits together now. And I do- I don't blame myself anymore - obviously it was my choice to do what I did but, um, and I don't blame my parents really, just now I see it as, um, I didn't get the parenting that I needed, um, and that kind of led to all those things happening.

By retrospectively drawing on her social work training to make sense of her offending, Louise was able to reconcile her self-blame, and no longer engaged in self-depreciation over her offending. Reconciling 'blame' and accountability for actions is common in the narratives of former lawbreakers (see Dewey et al., 2017). Indeed, as noted by Butler (2005: 10), "we start to give an account of ourselves because we

are interpellated as beings who are rendered accountable by a system of justice and punishment". However, there is a discord in Louise's account, with her framing her offending as a natural response to her life circumstances, whilst simultaneously maintaining that she did not place 'blame' on her parents, noting that it was her 'choice' to offend. Subsequently, there is a tension between Louise positioning herself as a non-agentic, blameless victim, and positioning herself as someone who had 'taken responsibility' for her past choices and behaviour (for a discussion of gendered responsibilisation for victimisation see Pollack, 2007; Hart, 2017). This gives an insight into how Louise negotiated notions of accountability in hindsight, aware of *both* her agentic capabilities, and her vulnerabilities at the time of offending. Indeed, accounts of blame and accountability often contain tensions and contradictions as the storyteller accounts for the social structures which shape their lives, whilst also attempting to maintain a degree of control and agency (Dewey et al., 2017). This deliberation was evident throughout Louise's transcripts, and, like Rachel (chapter six), she reflected on whether her subsequent experiences of collateral consequences were disproportionate, or justified.

Louise discussed several different experiences of criminal record disclosure in the interviews, recalling the 'anxiety' and 'stress' she felt when applying for a visa, and reflecting on the 'horrible' experience of disclosing her past to her existing manager during an interviewed for a promotion (see chapter five). However, she spent a considerable amount of time discussing her apprehension towards disclosing her conviction to her partner, who she had recently got engaged to after being together for two years. Whilst it has been noted that close social networks, such as partners and family members, can help individuals to manage their stigma by providing resources and assistance (Cherney and Fitzgerald, 2016b), disclosing convictions to

new partners can be a significant source of anxiety for people with convictions (Unlock, 2022). Louise explained that 'if [she] didn't have to, [she] wouldn't tell him', but their recent engagement had made it a prominent issue as they wanted to travel abroad for their honeymoon[39]. Whilst Louise was confident that he would 'understand', and that it 'wouldn't change anything' between them, she explained that the wider context of her offending made it difficult to approach:

> I've been with my partner for two years and he doesn't know any of it [laughs]. And I have been, I have been meaning to tell him, um, all of that, that I've told you today about, you know, childhood experience and upbringing and stuff and, um, he doesn't know about my mental health or that - cos' it all ties in. So, I have been meaning to, um go through all that with him and tell him about the criminal record stuff, but it's just, um, [sighs] it is a bit of embarrassment that stops me, and I know it's not gonna' effect anything, but it's more picking the right time. And you know, I *so* enjoy being with him and I don't want to ruin an evening by bringing up all this horrible, depressing stuff that's happened, but I know that I've gotta' tell him.

Having made sense of her offending as a direct consequence of her neglect and mental health difficulties, Louise explained that disclosure would require her to share this 'horrible and depressing' contextual information. This decision was likely influenced by the disclosure landscape itself, as within intimate relationships self-disclosure of personal feelings and information is considered an important part of establishing closeness and maintaining trust (see Derlega et al., 1993; Laurenceau

[39] Louise had previously discussed travelling abroad with people who were unaware of her convictions, noting that it made her feel anxious and stressed (see chapter five.

et al., 1998). There is some research emerging on the disclosure of criminal records to *potential* partners on dating websites (see Evans and Blount-Hill, 2020; Evans and Vega, 2021), but disclosure in an already formed intimate relationship has been largely overlooked. Indeed, Louise and her partner had made meaningful commitments to one another and were in the process of selling their individual houses so they could move in together. In the first interview Louise explained she was going to use taking part in this research as a prompt to start the conversation, but when asked if she had told her partner in the second interview, she explained she had been unable to:

> We'd gone out celebrating on the Saturday cos' we were so happy about how I'd had the offer on my house, so that wasn't the right time. And then Sunday wasn't the right time because I was just, I was just *so* upset [that the offer had fallen through]. I'm still planning on telling him, but it's just picking the right moment. Now Game of Thrones has finished [laughing] we've got nothing to do on Monday [both laugh].

Whilst Louise used humour to manage her anxiety over the situation (Dickinson and Wright, 2017), her account demonstrates how disclosure can be an emotionally difficult experience. Indeed, the importance of finding the 'right time' to disclose an invisible stigma[40] has been recognised by some, with it being noted that it can cause a significant amount of stress (see Ward and Winstanley, 2005; Ragins, 2008). More broadly, it has been noted that the ongoing decision making regarding when, where and how to disclose, can lead to stress and anxiety prior to the disclosure event itself (see Clair et al., 2005; Harvey, 2019). These 'negative feelings' can 'build up over

[40] Invisible stigmas are those which are not automatically visible to others. This might include sexuality, hidden disability, mental health etc. See chapter one for a more detailed discussion.

time' as people prepare for, and anticipate, the upcoming disclosure interaction (Stamper, 2020: 164). Overall, whilst Louise had been able to secure and maintain a meaningful and professional career, her reflections illustrate how, for PWCs, criminal record disclosure is highly unpredictable, and requires ongoing management in both public and private life domains. This will be returned to at the end of this chapter, where the emotional nature of disclosure will be discussed in more detail.

Megan: 'I didn't care about myself, or anybody, or anything. I was just this really angry teenage girl.'

Megan was a thirty-five-year-old female who had a 'lengthy criminal record' consisting of thirteen non-custodial convictions, most of which were committed whilst she was living in foster care between the ages of thirteen and fifteen. Megan did not discuss the circumstances of her foster placement in detail, but briefly noted that 'some things happened' when she was a child, leading to a criminal investigation which continued for several years. Reflecting back on this period of time, Megan explained:

> I was in care for, erm, a little bit of time […] and I was hanging around with a lot of older people […] I was excluded from school, so everybody was sort of, sixteen, eighteen and over that I hung around with, and they were heroin addicts and things like that so, erm, I don't wanna get upset, it was just like, a really chaotic period as, erm, there were quite a few older men involved.

This quote highlights Megan's vulnerability as a thirteen-year-old girl who was excluded from mainstream education and associating with an older, male dominated peer group who were abusing Class A drugs. Reflecting back on this time,

Megan explained that she was 'an angry teenage girl' who 'didn't care about anything', framing her offending as an *emotional* response to victimisation, rather than a carefully considered or strategic mastery of her environment (see chapter eight). Research into looked after children has demonstrated that those in care are more likely to attain a criminal record for various reasons including; pre-care experiences (such as trauma and victimisation), structural issues pertaining to care institutions, and greater surveillance meaning their actions are more likely to be noticed, and formally documented (see Staines, 2016; Fitzpatrick, 2017; Lammy, 2017). Indeed, Megan explained she would often 'go missing' for 'weeks at a time', which added to her frequent engagement with the police (see Howard League 2016; Hunter et al., 2023 for a discussion of policing looked-after groups). Reflecting back on this period of time, Megan referred to it as a 'traumatic period in her life'. However, at 'about fourteen' Megan narrated a turning point in her life after being registered as missing for six weeks. She explained:

> [I]t was sort of at the end of that six weeks period that I'd had enough. I'd sort of hit what felt like was rock bottom really, erm, and then I thought I can't really do this anymore, so I started just, erm, conforming, playing the game, doing what I was supposed to be doing, just because I was sick of, erm, that lifestyle. So, erm, I did that for a bit and then I went back home […] I went to a public referral unit and then went back to school from there.

Megan's decision to conform and 'play the game' was a stark transition from being 'an angry teenage girl' acting on emotion, to a 'conforming' individual engaging with mainstream society. Importantly, Megan narrated this as an agentic decision to change her lifestyle, explaining she wanted to 'stop letting [her] emotions take over'.

Megan was engaging in 'self-regulation' discourse endeavouring to replace emotional reactions with 'responsible' behaviour, in order to conform with society (Pollock, 2007; Hart, 2017). Importantly, whilst narrated as highly agentic, this change was also supported by her being able to return to her family home to live with her mother and brother again. Megan started to attend school and make 'some normal friends' for about a year until she 'had a bit of a blip' aged fifteen, when she was told the Crown Prosecution Service (CPS) were not going to prosecute the ongoing case from her childhood which had resulted in her foster care placement. She explained how this led to two further convictions for fighting:

> I found out from the CPS that these prosecutions that were supposed to be happening as a result of [some things that happened when I was a child] weren't going to happen, so they'd just sort of dropped the case and that, erm, made me turn really angry for about, hmmm, well about a year. So, I got two convictions then for fighting with girls my own age at school. Erm, so I think that that sort of triggered off that anger really, erm, that that wasn't gonna' happen and I'd spent all those years as a young teenager being arrested and sentenced and stuff.

Megan explained that her final conviction was 'quite serious', and she feared that she could receive a prison sentence disrupting her newly established school and living arrangements. Subsequently, she 'didn't do anything again', re-emphasising that she was trying to 'sort [herself] out and stop letting [her] emotions take over'. Continuing with her 'gradual' transition returning 'back to a normal life' which she had before foster care, Megan was studying for her A levels when she fell pregnant with her first child. This further motivated her desistance as she was 'scared of him turning out like [she] had turned out'. Motherhood as a 'hook' for desistance has

been widely discussed as facilitating the realisation of a new, prosocial 'replacement self' (Maruna, 2001; Giordarno et al., 2002; Sharpe, 2015). Indeed, it has been noted that motherhood provides a skeleton script for women, providing guidelines on how to enact a new pro-social identity (Rumgay; 2004). Importantly however, this requires both structural and agentic resources, and not all mothers will have their identities 'socially validated' (Stone, 2016: 958). Nonetheless, Megan demonstrated her commitment to this script, explaining that she wanted to make sure they could 'live somewhere half decent', where he could attend a good school and stay 'out of trouble'. Reflecting on her own return to school, Megan explained that she found academic achievement 'addictive', and went to university aged twenty-one to study Law. She then completed her master's degree in Criminal Law and Criminal Justice Studies, and was working on her PhD at the time of the interview.

Due to this significant change in life trajectory, Megan noted that her 'world is completely different now'. She explained that those around her, including her partner, close friends and children, did not know about her past, and that she largely self-excluded from opportunities which might lead to disclosure (see chapter five). However, she had been required to disclose her criminal record for employment purposes which she explained to be a difficult experience:

> I can sort of deal with it cropping up internally, but when I have to talk to other people about it [draws breath] I just feel like, although they might like, not know the context of it, like I say, I feel like that piece of paper, because of my age and the, um, amount of convictions, people must look and think "there's something else that's gone on there". You know, it's not like I've just, erm, gone shop lifting one day and then that's it, I've never done anything again. Or, I've got drunk in a park and got taken

> home by the police. It's a bit more than that. So, I feel like people are not stupid really, are they? They sort of will look at that and think, "something else has gone on" erm, so that piece of paper shows that part of my life, which is hard.

Interestingly, in the same way that Rachel unknowingly compared her experiences to Sally's (chapter six), Megan was unknowingly comparing her experiences to other participants like Louise, who, as noted above, had two convictions for shop lifting. This highlights a shared understanding between participants around the severity of the offence, and how this influences the way collateral consequences and criminal record disclosure are, and should be, experienced. Continuing, Megan explained that criminal records can often link to 'deeper experiences' for people – those which are 'a bit more intense'. To manage this, Megan explained that when asked on an application form about criminal convictions she would write 'discuss at interview', enabling her to share her narrative and explain the offending in-person at the interview stage. This demonstrates how Megan tried to control the timing of disclosure like Louise, albeit in a professional disclosure landscape. However, she reflected on how the disclosure of victimisation requires careful management:

> [I]t's just having to manage trying to be professional about it, and then trying to explain it, but then also not wanting to give the impression that I don't take responsibility either.

Like Louise, Megan was drawing on a neo-liberal discourse regarding responsible victimisation. Reflecting on this further in the second interview, Megan explained that she was 'very aware' that people often had 'black and white views' regarding the punishment of offenders. Consequently, she felt she had to, 'try to balance explaining the context that all this had happened in', whilst ensuring they did not

think that she 'wasn't taking responsibility for what [she'd] done'. This highlights the difficulty of trying to reconcile having a dual identity as both a victim and an offender, within a professional employment disclosure landscape.

Megan's account also provides an insight into the work that is required to maintain a particular self-representation *after* a narrative is shared. Warr's (2019: 3) research on indeterminant life sentences, rehabilitation and identity, draws our attention to 'the outward facing elements of identity work' - the *narrative labour* - required to portray oneself as disciplined. He noted that the presentation of self is of particular importance to incarcerated individuals, as they are required to appear reformed, rehabilitated, and disciplined, to progress through the carceral state (ibid.). Megan's presentation of self as someone who committed crime due to her circumstances *and* took responsibility for it, extended beyond the interview context. Indeed, discussing her conduct at work, Megan reflected on her perfectionism and how this manifested from trying to prove herself:

> [I]f I look back my last job that I was in full time, um, I started as a lecturer and I got to programme manager quite quickly, and I think that was because I sort of, gave a lot of myself to the job [...] I used to take a lot of it home, and I'd be working on weekends and evenings, and it's almost like I'm trying to prove something, I think, which lots of other people don't feel that need to. So, I think sometimes I need to let stuff go, like, I've nothing to prove, like, I don't need to work triply hard, what I do is alright [laughs].

This demonstrates how identity management is an ongoing process which continues beyond the construction and sharing of a narrative. Reflecting on how she worked 'triply hard' Megan was comparing herself to those without convictions,

revealing a compensatory element to her behaviour having started the job with a stigmatised identity. It has been noted that PWCs often have to 'prove' themselves to others, to have their claims around personal change and rehabilitation validated (see Kurtovic, 2017; Grace, 2022). Toch (2010, cited in Maruna 2012: 75) noted that 'the ex-prisoners dilemma […] involves trying to prove to employers and others in their social world that "I am not now who I was then".' Whilst she had not experienced incarceration, Megan's narrative was centred on demonstrating considerable personal change from being excluded from school and not engaging with mainstream society, to being 'addicted' to achievement and 'working triply hard' when compared to non-stigmatised others.

Yasmeen: 'I should have had more support […] I wasn't like any other normal person.'

Yasmeen was a 28-year-old female who had received three non-custodial sentences between the ages of fifteen and eighteen. Like Megan, Yasmeen had spent time in care as a teenager, and was living with foster parents at the time of her first two convictions for shoplifting and assault. Interestingly, Yasmeen discussed these convictions very briefly, explaining that 'when you're a teenager you do these things', and referring to them as 'normal stuff'. In contrast, she spent the majority of her interviews discussing what she referred to as 'the major incident', which resulted in her receiving a caution for neglect aged eighteen. Recalling this 'major incident', Yasmeen explained that her abusive ex-partner arrived uninvited at her home one evening, approaching her and her friends who were sat outside. Fearing for her own safety but confident he was not a threat to their children, Yasmeen left the property, and he subsequently contacted the police. She explained the wider context surrounding this event:

> I was going through a lot of domestic violence. I was with […] my children's father and I'd known him since I was fourteen so, he was a lot older than me, so there was a lot of control and domestic violence involved, and stuff. Ummm, and I was also under the care of the local authorities - the social services, right? – and, umm, […] he used to literally, umm, terrorise me, and control me, you know, in everything that I used to do and stuff. And then one time I was having a couple of drinks - and he didn't like me drinking[41] – and, umm, I seen him, I was on my front [garden], I was with my friends, and I knew he was gonna' come into the house, and I knew my kids were gonna' be perfectly fine, d'ya know what I mean? Uh, I didn't want him to basically grab me and do something to me, and physically hurt me. So, uhh, what I did was basically, umm, I left, and when I left, he called the police on me and said that I left the kids when really, I left when he turned up cos' I was terrified of him […] like oh my god like, you know, I was terrified of him. Was like walkin' on eggshells around him and I just, um, I was *really, really* scared of him. I can't tell you how scared I was of him.

This quote demonstrates how Yasmeen identified several signifiers of vulnerability leading up to the offence, including that she was a young mother experiencing domestic abuse by an older partner, and that she was under the care of the local authority. Indeed, Yasmeen explicitly referred to herself as 'vulnerable' in her interviews, emphasising that she 'wasn't like any other normal person', as she was 'estranged' from her family and 'going through the most horrific time of [her] life'. Highlighting the role of maturity, Yasmeen later explained she was 'young and

[41] Yasmeen explained that he disapproved of her drinking as she was 'a practising Muslim'.

stupid' at the time of the offence, and that owing to her vulnerabilities, she was unable to make 'proper' and 'right decisions'. Speaking passively, Yasmeen explained that she '*ended up with* a caution for neglect' and was 'criminalised', positioning herself as being subjected to further victimisation from the criminal justice system. As noted in the chapter's introduction, women's offending is often based on survival, and attempts to leave harmful environments are often criminalised (Bloom et al., 2004; Belknap, 2007). In the quote above, Yasmeen stressed how 'terrified' she was, and how she left the property for fear of psychical violence.

Importantly, this caution held greater significance for Yasmeen than her other convictions as it was incompatible with her identity as a mother. Indeed, Yasmeen explained how it made her 'feel like a bad mum'. She explained:

> You know, like, I've got other things on my record, like fighting, you know when I was in a children's home and stuff like that, but those things, you know, for myself, I felt like it wasn't as embarrassing as being accused of neglect. Do you know what I mean[42]?
>
> [I]magine someone reading that about you, and the way it was worded yeah? [laughs] on the DBS yeah, "she was pissed out of her head, she left her kids" - that's what [my ex-partner] said to them. Do you understand? You know, the police didn't see me drunk, that's what [my ex-partner] said to them, to make me basically look like, um, a neglectful mother. Do you know what I mean?

[42] Yasmeen continually used the phrase 'do you know what I mean?' throughout her interviews as part of her idiolect. At one point she paused and said she needed to stop saying it, as it could sound 'passive aggressive'. We both laughed and she continued sharing her narrative.

It has been noted that mothers who offend can face considerable stigma long after they have desisted from crime, as their identity as 'a good mother' is challenged by their past offending (see Schur, 1984; Daly, 1994; Sharp, 2015). Indeed, some of the women who took part in research with Unlock (2021) explained that being a mother with a criminal record leads to further stigma. This stigma can be internalised with women feeling they have fallen short of being a 'good' mother, exacerbating already existing feelings of guilt and shame (Leverentz, 2014). In Yasmeen's case, being under the influence of alcohol added a further layer of stigma, as it further breaches the social expectations of 'good mothering' (Stone, 2016). Indeed, efforts to protect children from exposure to harms associated with drugs and alcohol has encouraged idealised images of motherhood, dehumanising those who fall short of these expectations based on notions of being unable to care for their children (Brownstein-Evans, 2004; Stone, 2016). Finally, Yasmeen's age at the time of the offence is also important, as young mothers may already be seen as unable to fulfil maternal roles in full, and thus, their offending can be more heavily stigmatised (Sharpe, 2015). Subsequently, Yasmeen's construction of narrative had a dual purpose: to defend against the stigma of her offending, and to defend against the stigma of being labelled a 'bad mum'. Whilst it is noted that Muslim women in particular can face considerable stigma for drinking alcohol (see Bradby, 2007), Yasmeen did not indicate that her identity as a Muslim was a compounding source of stigma.

Importantly, Yasmeen's narrative was co-constructed with the help of her foster mum – given the pseudo name Sara in the quote below. Yasmeen explained:

> Sara would say to me, "you was being domestically abused, somebody was playing with you psychologically, mentally, do you know what I

> mean? He knew what he was doing, he was a lot older than you". You know, when someone repetitively says that to you, then you understand ennit'? Actually, you know what, I was vulnerable, basically, and that's what Sara kept on tellin' me […] she helped me a lot with the with the supporting me, going over it, and telling me that the social worker should have been present with me during the interview […] that I shouldn't have been alone […] the local authority were my corporate parents so, uh, yeah, where the hell was the support? I was just like, *in it,* you know what I mean? I was a victim of domestic violence - I hate saying that word - but I was a victim of domestic violence.

This demonstrates how her foster mother had helped her construct a narrative around victimisation, enabling her to explain her offending and defend against the stigma. However, Yasmeen's identity as a 'victim' appeared ambiguous, and the excerpt above shows Yasmeen rejecting the label of being a victim of domestic abuse. Reflecting further on her status as a victim later in the interview, Yasmeen used the phrase 'victim personality' to try and reconcile this tension, questioning if this was still too 'dramatic'.

> I was a victim then, do you know what I mean? I had the victim personality. Well, actually, I think that was a bit dramatic, when I say – "I was a victim" - I was going through a lot of DV, do you know what I mean?

Warr (2019: 3) explained that narrative labour (see above) can often require considerable 'emotion work' when individuals find that who they are required to be, does not 'fit' their own sense of self. Subsequently, they are faced with the emotional burden of trying to reconcile competing identities, leading to frustration and a disrupted or uncertain sense of self (ibid.). To reconcile this tension around

being 'a victim', Yasmeen explicitly noted that she was a victim of domestic violence, isolating her victimisation to just one temporal and spatial location in her narrative. This demonstrates a reluctancy to identify with a victim identity, despite being able to acknowledge and articulate the layers of structural disadvantage she had faced.

Research into female victimisation has revealed how some women avoid the 'victim label' as it is associated with a lack of control and personal agency (Langan, 2016; Rutter and Barr, 2021). Indeed, the 'victim label' is a source of conflict as women are encouraged to see themselves as 'survivors' who can overcome structural inequality (Rutter and Barr, 2021). Nonetheless, whilst there was discomfort evident in her self-identification as a victim, Yasmeen narrated her experiences of victimisation as fundamental to her overall 'journey', developing from a 'weak and timid' individual who was 'disempowered' by her personal circumstances, to a 'determined' and 'resilient' person. Indeed, she explained how she was 'stronger' because of her experiences, having 'stood strong and persevered', refusing to 'let it get [her] down'. Asserting that she was stronger *because* of her experiences, Yasmeen was defending against more negative emotions, and framing her experiences of victimisation as having a 'silver lining', maintaining that her adversity had led to something more positive (see Maruna and Ramsden, 2004: 131). This discussion of resilience appeared several times throughout the interviews indicating the importance of it to Yasmeen:

> … you just have to find it within you, and uh, some people aren't as strong as me […] I'm fully aware of that - not many people are as strong and resilient as me […] I've always had people tryin'a put me down and I think that's just made me rise up.

> …nobody used to make me get up and wait at the bus stop at seven o'clock in the morning - I chose to do that. I sorted my kid's childcare out, I had nobody, no family, I have no friends, I was in a DV relationship - I just wanted to set myself free, you know? And then I used to get like, four busses a day, probably more even […] it's about how motivated you are as well, and how you wanna' change your life […] you can go through some really bad things ennit', but the only thing that's gonna' take you out that situation is how determined you are, how resilient you are. Do you know what I mean?

Like Paul (chapter six), Yasmeen positioned herself as a unique example of someone who was able to 'rise up' and overcome the disadvantage she had experienced. Discussing 'freeing' herself from domestic violence through determination and resilience, Yasmeen was positioning herself as highly agentic and in control of overcoming her own vulnerability, despite previously having explained the severity of the situation, and being let down by several different social institutions (local authority, police etc.) As discussed by Langan et al., (2016: 229) claims to independence and investment in a 'stand on your own two feet discourse' reflect a broader investment in neoliberal discourse around responsibilisation. Indeed, Yasmeen's narrative is deeply rooted in neoliberal discourse around responsible victimisation, and self-reform (Pollock, 2007; Hale, 2017).

Finally, alongside her investment in discourse around resilience and independence, Yasmeen noted the role of 'luck' in her 'journey'. Recalling her experiences of criminal record disclosure for employment and volunteering in the years following her conviction, Yasmeen explained that two key gatekeepers 'saw past it', and 'took a chance on her'. This was unexpected as Yasmeen anticipated than no one 'would

understand' the circumstances around her offending, leaving her feeling 'paranoid' and 'anxious'. Anticipated stigma and a lack of belief that employers will provide 'a second chance' have been identified as significant issues for people seeking employment (Cherney and Fitzgerald, 2016: 22, see also Kurtovic, 2017). However, having been 'lucky' to secure opportunities due to these particular gatekeepers, Yasmeen explained she was able to 'draw a line underneath it all'. She explained:

> I was *very, very* lucky [they] gave me that opportunity, and that's what I say to people, "well I can't be that much of a danger can I?" […] if I'm with old people - elderly people, sorry - who are uh, in you know, vulnerable situations […] they're medically ill and I'm allowed to be around them. How can I be a danger to society? How can I neglect my kids? How can they paint me in that sort of light? Do you know what I mean?

Having secured employment working with vulnerable people, Yasmeen explained she was able to gain formal recognition of being a 'non-risk'. She explained that she could use this to provide a counter narrative to her criminal record, helping her to access other opportunities. This is important because when trying to secure and/or maintain employment with a criminal record, PWCs are assessed for the 'risk' they pose to the institution, staff and customers, and on how trustworthy they appear (see Anazodo et al., 2019). Extending beyond employment, Yasmeen was using this experience to demonstrate her ability to care, which is a highly gendered characteristic associated with norms of femininity and motherhood (this is similar to Sally drawing on her employment in schools to demonstrate non-risk for international travel - see chapter 6). Indeed, Yasmeen was building up a formal documentation of 'non-risk' to help validate her narrative, and defend against the stigma of her caution for neglect.

Kirsty: 'I know what I did was wrong, but I did what I thought I had to do at the time.'

Kirsty was a forty-two-year-old female who shared a complex life story, having experienced victimisation in both childhood and adulthood. As this discussion will show, Kirsty made sense of her criminal record as *compounding* her status as a victim, exacerbating already existing feelings of stigma and discrimination. Subsequently, unlike Yasmeen and Megan, Kirsty did not show conflicted feelings towards the label of 'victim'. Kirsty attained a criminal record aged twenty-two for driving under the influence of alcohol whilst trying to escape domestic violence. Explaining she was acting on 'instinct' to 'save [her] own life', Kirsty recalled this event in detail:

> I was trapped in domestic violence for years and the police would not do anything. They did nothing, they'd come round and they'd just laff at me, and they'd side with him […] they just left me there, and our little daughter as well. And that's the bit that really hurts, that they all left my little girl to suffer […] it had a really bad effect on my mental health - it drove me totally mad […] I knew I couldn't get any help off the police, so I just accepted that I was just gonna' die. And the medical profession? They wouldn't help me. They were putting things like "patient is having problems with her husband" and things like, "is having difficulties in her relationship" […] and one day I'd had enough, and I just snapped […] I got in m' car […] then, cos' I was so distraught about everything, I ended up crashing […] the police noticed that I was upset and I smelled of alcohol - cos' I'd had a few drinks earlier that day - I mean, that was something I never did. If I'd had even one drink I wouldn't drive anywhere. And that

> was it, it was all over. They put me in a police van and took me to the police station and arrested me.

In this quote Kirsty's narrative is 'doing' two things (see chapter 3). First, like Yasmeen, Kirsty contextualised her offence as a desperate and spontaneous attempt to escape danger, having been placed in a vulnerable and dangerous position by social institutions – in this case, the police and medical profession. Indeed, Kirsty explained that she had been 'very badly shafted' by a number of different professionals including the police, who would 'not do anything' when called to instances of domestic violence prior to her conviction. Subsequently, like Yasmeen, Kirsty explained that she had been responsibilised for her own victimisation, and made sense of her conviction as an example of unjust criminalisation. Indeed, Kirsty was critical of the police throughout the interviews, noting how they charged her whilst she was intoxicated, and 'forced her' to sign documents she did not understand. She also criticised the courts, explaining that they made her 'stand there alone, basically representing [herself] whilst mentally ill.' Like Yasmeen, Kirsty spoke passively about her conviction noting that, having been 'let down by the whole criminal justice system', she was '*given* a criminal record and sent back to [her] man again'. Beyond her criminalisation Kirsty explained that she was 'left to die' and 'given a death sentence', as she developed an addiction to alcohol and continued to struggle with poor mental health and domestic violence for several years.

Second, like Yasmeen, Kirsty was a mother at the time of her conviction, and she noted in her explanation that her daughter was also 'left to suffer' due to the failure of these social actors (see the above quote). By denying her agentic capabilities (see Matza, 1957 and Craib, 2000), Kirsty was defending against the stigma of being a

mother who offended, positioning herself as *unable* to fulfil her role as a parent, rather than unwilling. Indeed, by identifying her daughter's suffering as 'the bit that really hurts' Kirsty was maintaining her emotional attachment to her child, and demonstrating her desire to care for her daughter. Later in the interview she emphasised that her 'little girl [was] forced to suffer', witnessing 'her daddy battering mummy all the time', and 'mummy drinking herself unconscious and vomiting into a bucket'.

A short while after her conviction, Kirsty sought help from the local authority and was given a place in a women's refuge with her daughter. It was here that she started to 'rebuild' her life. After a few months her daughter returned to live with her father - something she noted was due to not having the finances to 'fight using solicitors' - and Kirsty was able to find a flat. She started studying for her A levels and went on to attend university, successfully completing an undergraduate degree in a science-based discipline. However, despite her efforts to 'rebuild' her life, Kirsty explained that her criminal record is 'massive confirmation' that she is 'bad', reflecting on the affective consequences of her conviction. When prompted to discuss this further in the second interview, Kirsty explained that she had been 'labelled' as 'a bad person' on several occasions prior to her conviction, and that her criminal record exacerbates those feelings. She explained that her parents were 'always telling [her] from childhood that [she] was a bad person'. Then, when she began to receive help from the medical profession[43] in her youth, she explained that she was 'diagnosed with personality disorders that have never existed', and was told she was 'attention

[43] Throughout the interviews Kirsty discussed 'the medical profession' and did not explicitly name the services she had accessed.

seeking'. Later, her 'domestic violence perpetrator' continued to tell her she was 'bad', and she explained the culminating effect this had:

> I lost all status as a human being years ago and [my ex-partner] actually used to say to me, "you're not human, you aren't even human." And that's just been replicated by the criminal justice system, the medical profession - the whole lot of them.

Reference to being treated as 'non-human' appeared several times in her interview, including when Kirsty discussed police attendance at her address prior to her conviction, and when she discussed her treatment throughout the sentencing process (see above). This demonstrates how Kirsty felt dehumanised by her experiences, and subsequently stripped of full citizenship and personhood (see Henley, 2018; Hoskin, 2018; Kurtovic and Corda, 2021). These feelings were exacerbated when trying to seek mental health support and thus, navigate the disclosure landscape of psychiatry as an adult with a criminal record. Indeed, in the second interview Kirsty explained that she had been given a formal diagnosis of Borderline Personality Disorder (BPD), but had diagnosed herself as suffering from Complex-PTSD as a result of her experiences. It has been noted that there is significant overlap between BPD and Complex PTSD, making diagnosis difficult[44]. However, Kirsty explained that complex PTSD was more likely in her case, as the condition is more closely linked to past experiences of trauma and abuse. Nonetheless, attempts to discuss her misdiagnosis with mental health professionals had been dismissed, and she believed this was largely due to her conviction. She explained:

[44] See Lewis and Grenyer (2009) for a critical discussion of BPD and Complex PTSD diagnosis issues.

> [H]aving a misdiagnosis like that *and* a criminal record, they absolutely loved it, and they were like "well you must have this cos' you're a criminal, and you're this, and that" […] it is really bad, and once you've got something like that on your file then you can never escape it, and you're just treated badly by every health professional you come across.

Kirsty explained that 'a lot of people with the [BPD] diagnosis also have a criminal record', and so it is commonly known as 'a bad person diagnosis'. Subsequently, she felt her criminal record was seen as evidence of BPD, and that the narrative she had constructed was not accepted by those she had interacted with. Instead, her medical history and criminal record *combined* provided a different narrative – one which was deemed more reliable within a psychiatric disclosure landscape. Noting 'they absolutely loved it', Kirsty was positioning herself as subjected to purposeful discrimination, sharing a similarity with Paul who noted that 'people want to narrow down the sort of people who do well in society' (chapter six). Interestingly, Kirsty reflected on the narrative labour required to challenge the misdiagnosis, without further reinforcing the perceptions of the medical professionals. She explained:

> [T]he whole system's just wrong and if you say that, then you're being paranoid, and that's a symptom of your mental illness. And if you say - like I do – well, "I've been misdiagnosed my symptoms fit this rather than that" then "you have a lack of insight into your condition" [laughs] so you're like, *so* mad that you don't know you're mad. It's just ridiculous, and like I said, the criminal record mixed in with the whole thing just makes things a hell of a lot worse.

In this quote Kirsty was explaining her difficulty managing her interaction with the medical professions, trying to advocate for herself without presenting herself as mentally incapacitated.

Having linked these different experiences together, Kirsty explained how they had a cumulative effect, and prevented her from having a 'normal life'. She explained:

> I can tick like, all these boxes, and it's all because of stuff that abusive people put me through. If they hadn't abused me, then I wouldn't of ended up mentally ill, I wouldn't of ended up an alcoholic, I wouldn't of ended up a criminal, I wouldn't of ended up any of these. I wouldn't of ended up bankrupt, I wouldn't of ended up all these things, and I would have been able to go on and have like a normal life.

Subsequently, her interactions with these medical professionals further reinforced her account of institutional victimisation, and added to her cumulative experiences of trauma and abuse. Indeed, when discussing a lack of empathy and compassion in 'the system', Kirsty explained that 'the medical profession basically blames the victim'.

Like many other participants, Kirsty's narrative had been formed retrospectively, influenced by conversations with others and the ability to access new information online. For example, in the interview Kirsty routinely referred to things she had read online, and she brought news articles and information sheets to the interview with her[45]. When talking about her experience of victimisation, Kirsty explained:

[45] Amongst these was an Unlock post about a woman who also had a conviction for driving under the influence, who Kirsty believed had received more support than herself. She also brought fact sheets on BPD and Complex PTSD with her to support her discussion of these conditions.

> I read somewhere that *half of all women* in the criminal justice system, like as offenders and ex-offenders, are there because they've been victims of domestic violence, not perpetrators, *victims*. Either he's forced them to commit a crime with threats of death if they don't, or they've had to steal because he won't give them money for food for the kids, and things like that, *or* a situation like what happened to me.

Here, Kirsty was situating herself within this wider context of female pathways to offending, supporting her status as a victim rather than a perpetrator. Like Sally (see chapter six), Kirsty also drew on the opinions of professionals to support her narrative of wrongful conviction. For example, she explained that an advisor from NACRO had told her that, due to 'all the circumstances surrounding [her offence]', that she had been subject to a 'miscarriage of justice'. Further supporting this assertion, Kirsty explained that a solicitor worked on her case 'pro-bono' because they 'felt so sorry' for her. She provided a particularly favourable account of this:

> [B]ecause of all the circumstances surrounding my case – the miscarriage of justice thing, being wrongly convicted, domestic violence, being the victim of crime, mental health problems, the police not doing what they should properly and following procedure, all the rest of it - I ended up with a solicitor who was trying to like, overturn the conviction, and they ha-, they ended up actually doing the work for me pro-bono cos' they felt so sorry for me, even though I did try to pay them [laughs] and so it wasn't like they saw me coming and, "let's rob her of loads of money to take the piss". They did try to help me, and they did it for free and everything, but the conviction couldn't be overturned because it was too late, and all the court documents had been destroyed.

Importantly, alongside this account, Kirsty's narrative contained other potential exaggerations which must be addressed. We are reminded that narratives are not to be judged on how 'truthful' they are, and instead, the purpose of analysis is to ask what the narrative is trying to do (Presser, 2016: 139). Moreover, even though stories may stray from the truth, they are anchored in real events (Craib, 2000). Furthermore, rather than question the 'truth' of accounts, the researcher should be more concerned with 'What does the informant's statements reveal about his feelings and perceptions and what inferences can be made from them about the actual environment or events he has experienced?' (Dean and Whyte, 1958; cited in Sandberg, 2010: 448). When discussing the disproportionate nature of her criminalisation, Kirsty explained:

> I know loads of people who've driven drunk loads and loads of times when I did it *once,* and they've never been caught […] they've never been given a criminal record, they've never lost their driving licence, they've never - any of that. And they have, they have good jobs, and they earn loads of money, and life's so great and everything, and they do things like driving down the motorway pissed, swigging from a bottle of vodka and all sorts […] They should be in prison. Why aren't they in prison for doing things like that? And yet, I have to be punished for the rest of my life, when I was basically *trying* to save my own life.

In this excerpt Kirsty further emphasised the disproportionate and unjust nature of her punishment noting that she had been unfairly criminalised for trying to 'save [her] own life', whilst others avoid punishment despite 'driving down the motorway pissed, swigging from a bottle'. Furthermore, when discussing how she had been unbale to establish a meaningful career of her choosing, Kirsty recalled several

instances of being told by professional 'others' that she could not achieve things. She explained:

> I spent eleven years studying science before finding out that I couldn't get anywhere in science because of my criminal record, because scientists have to travel to conferences all over the world, and I wouldn't be able to do that. So, my PhD supervisor advised me to quit my PhD, which I did, and so that was the end of that. So, what the hell do I do now?
>
> I had the opportunity to study medicine years ago, but I knew that I couldn't do it because it's like [a] CRB check course and career so, I mean, they don't want doctors who've got that on their files, do they? Cos' it'll bring the profession into disrepute and all that. And I would of made a good doctor cos' I like helping people, and I was, and I am interested in like, medical stuff, and I had the A level grades as well, but I couldn't do it […] I could of been doctor on like, hundred odd grand a year by now.
>
> I was told I could never be a civil servant, never work in the criminal justice system, never do any kind of proper professional person with good standing in the community type jobs. Cos' I'm not of good character and I will never be of good character again.
>
> One day I was asking [the doctor] about what jobs I could do […] based on his knowledge of actually working for the NHS, and he said that I was banned from that [because] most trusts would not employ anyone with a criminal record at all. I later found out that that's not necessarily true, but that's what he told me, and I thought well, he knows cos' he actually

> works for them. I was discussing like, different things like, different jobs, and he went to me, "you can't work in this building. You'll never work in this building!" [mimicking his authoritative and abrasive tone].

When prompted in the second interview on why she had come to the conclusion that she would not be able to work as part of a professional body, Kirsty explained that she had read it online, and had been told this was the case by friends of hers. By providing these particular accounts, Kirsty was reinforcing her position as disempowered, explaining that she had routinely been treated as inferior by people in authority, and denied access to opportunities despite her intellectual capability and willingness. Whilst these instances may have somewhat embellished and reconstructed in the interview for me, a researcher interested in the influence of a criminal record, they revealed authentic feelings of loss and discrimination, owing to her multiple sources of stigma. Indeed, Kirsty explained that her experiences continued to limit her potential, and gave her a lower 'status' in the community.

Reflecting on her experiences overall, Kirsty recalled a conversation with her therapist where she was told 'you're still grieving for what you lost over those years, and [for] what you could have been.' For Kirsty, this 'really hit home because she was exactly right'. She explained:

> People are like, "well, you should have been over such a thing by now" cos' it happened in whatever year, but they don't understand what it's like […] if can't grieve, cos' you're not allowed to, cos' society won't let you, cos' people don't just grieve for dead people, they grieve for stuff, other losses, stuff that has been taken away from them, or even stuff that they could have had but never had, because of what people have done to them, and things like that.

Kirsty explicitly noted that she was 'grieving' for the life she had lost *as a result of* 'what people have done' to her, further emphasising that *other* individuals were responsible for her victimisation, and her subsequent criminalisation, mental health issues and alcohol abuse. Henley (2018: 70) argued that the 'pains of criminalisation' (see chapter one) can result in 'social death', and a 'sense of bereavement and mourning for both the 'past self' which has been lost, and the potential 'future self' which cannot be'. Kirsty explained that she was grieving for the things that had been 'taken away', alongside grieving for what she 'could have had', had these experience not happened to her. Indeed, despite her attempts to 'rebuild [her] life' (see above) Kirsty explained that she was unable to have the 'normal' life she wanted, and that she was 'just running on a treadmill'.

> I love m' [administration] job but it pays so little that I don't have to repay m' student loan and I'm on working tax credit […] I'm working *all* week and absolutely knackering myself for very little money, and I can't afford to like, save up and go on holiday and, you know, things like normal people can.
>
> [Interview one]

> I basically work and sleep, and that's it, and I'd just love to have like, even though I'm glad that things are a lot better than were, I'd just love to have like, a normal life, like normal people, and do all the things that normal people take for granted.
>
> [Interview two]

This reference to not living a 'normal' life and being denied the same opportunities and experiences as 'normal' people, alongside her reference to grieving for her past

and future (see above), makes Kirsty's narrative unique. Indeed, whilst other participants discussed being denied the opportunity to reach their 'true potential' (Ahad and Martin) and questioned if they would be able to have the professional careers they wanted (Paul), they attempted to reconcile their perceived losses by focussing on other sources of happiness, status, or income. This enabled them to maintain a sense of agency over their life trajectories, and assert that their life still had meaning. In contrast, Kirsty did not engage with these same techniques of reconciliation and, when asked about the future, very briefly noted that she 'honestly don't know [and] it depends on how they change the laws'. Continuing to position herself as disempowered and subjected to forces outside of her control, there was very limited scope for alternative endings or triumphant changes to trajectory in Kirsty's narrative. Craib (2003: 1) explained that the construction of a narrative which denies agency can 'keep people in passive positions [and] inhibit possible change', even when change might be possible in reality. Referring to this as 'narrative foreclosure', Freeman (2008: 83) explained that people can come to 'the premature conviction that one's life story has effectively ended', and that such conclusions can lead to 'a kind of living death', whereby individuals foresee the future as 'an inevitable reiteration of one's present suffering'. However, as discussed throughout this thesis, narratives should be viewed as 'on-going works-in-progress' (Fleetwood 2016: 175), and whilst Kirsty did not foresee a 'normal' life for herself at the time of the interview, narrative theory informs us that she will continue to revise her understandings as she has new life experiences.

The retraumatising rubber band of disclosure: chapter discussion

Thus far, this chapter has demonstrated how Louise, Megan, Yasmeen and Kirsty, each invested in highly gendered discourse and culturally permissible scripts

regarding trauma and victimisation to explain their offending, and to defend against the stigma of their criminal record. This concluding discussion will discuss how, having made sense of their criminal record as a direct consequence of these experiences, Louise, Megan, Yasmeen and Kirsty, each discussed disclosure as a highly emotional and difficult experience. This is important because, whilst literature tells us that self-disclosure of trauma in *some* settings (in a clinical setting, for example) can be experienced as therapeutic (Corcoran, 2000; Farber, 2006), forced disclosure can be experienced as harmful. Indeed, 'narratives are renowned for their capacity to transport storytellers and audiences in both space and time' (Perrino, 2015: 140), and this concluding discussion will demonstrate how criminal record disclosure can have a rubber-band effect, drawing people *back* in time, and forcing them to revisit harmful events from their past.

Whilst there is a plethora of literature discussing the re-traumatisation of victims through criminal justice proceedings (Sanders and Jones, 2011; Graham-Kevan et al., 2015; Ellison and Munro, 2017) and in the research process (see Goodey, 2005; Becker-Blease and Freyd, 2006; Campbell et al., 2021), there is a lack of research into the experiences of victims who are *also* offenders, when asked to revisit harmful events from their past. Subsequently, how criminalised women experience disclosure in *any* setting has been overlooked, despite the complexity of female pathways to offending, and the multiple layers of stigma they often face (see above). In fact, research on the emotional aspects of criminal record disclosure has been overlooked in general, with only a limited number of scholars paying attention to *how* people experience disclosure interactions affectively (see Stamper, 2020). Exceptions to this include research by Berkley et al., (2019), who highlighted that the disclosure of an invisible stigma - such as a criminal conviction – can be highly

emotional. McGuinness et al., (2013: 1) also noted that disclosure can have a detrimental impact on the 'psychological and general well-being' of individuals, and explained that the disclosure interaction can prompt feelings of anxiety, stress and powerlessness. More recently, Wilcox and Taylor (2022) briefly noted that disclosure can be 'retraumatising' for people. Megan discussed the emotional harm of disclosure quite explicitly in her interviews:

> There were other things associated with my offending […] it was a really traumatic period of time in my life so, when I have to disclose it or talk about it, not only I've got the actions of the things I've done wrong, I've got the context of it all as well which, for me. feels worse. It's like, I don't know, a little bit re-tr-[hesitation] re-traumatising. I don't want to use those terms, official terms, but it just [laughing] the feelings of what I went through come back if that makes sense? And then having people look at that, and judge you just on that piece of paper as well, then I feel like they can see into ya soul.

Megan

> I just feel like I don't want people to look at me and know what I've been through. That's the one thing, I just want to feel like a normal person [laughs] that hasn't had all these like, experiences.

Megan

These excerpts demonstrate how Megan's dual identity as a victim and an offender resulted in a 'worse' disclosure experience as there was more to explain. Discussing the 'painful' nature of disclosure, Megan hesitantly referred to it as 're-traumatising', prompting old feelings to resurface. For Megan, this was exacerbated

by fear of judgement, and feeling like she does not present as a 'normal person'. Stamper (2020) put forward that disclosure of a criminal conviction requires people to relive painful memories and thus, reminds them of an unescapable past. Indeed, disclosure can be 'a painful trigger', reminding them of past failures and harmful experiences (ibid., 165). Moreover, Megan's reference to feeling as though the interviewers can 'see into ya soul' highlights the deeply pervasive and revealing nature of disclosure, exposing Megan's most personal experiences to external scrutiny. Similarly, Kirsty explained how, prior to filtering, applying for jobs which required the disclosure of her 'painful and hideous past' 'would have made [her] ill and withdraw [her] application'.

Yasmeen also discussed feeling as though she is 'reliving' her past when asked to explain her convictions. Indeed, Yasmeen explained that she has had to 'overcome' a lot in her life, but that her criminal record still 'sticks', and she has to keep explaining herself. She explained:

> [T]his caution had an effect on me for years! Literally for years. You know what it was, was it caused me a lot of grief in the sense that, I had to re-live that situation over, and over again.
>
> [I] feel like I have to always have to justify myself. And I keep going through it, and they keep sinking you back into that that feeling.

Stamper (2020: 188) highlighted that negotiating disclosure requires considerable 'emotional energy' as people are forced to explain themselves and their pasts to others. Indeed, Yasmeen explained that having to 'justify' herself to different people caused her to 're-live' her experience of domestic violence and criminalisation 'over, and over again', 'sinking [her] back into that feeling'. Yasmeen referred to her

criminal record as 'an albatross around your neck' several times in her interviews, explaining how it was 'weighing [her] down' (particularly in the immediate aftermath of her caution). Reference to the criminal record as an albatross is not unusual, with it being noted that the current disclosure regime in England and Wales means a criminal record can 'never be shaken off' (Carr, 2019: 260). Using these words herself, Yasmeen noted that 'it's like once you've got that label […] it's very hard to shake it off".

Similarly, whilst Louise was able to legally conceal her criminal record due to the implementation of Filtering rules in 2013 (see above), she explained that due to travel regulations there is 'no escape' from her criminal record. She explained:

> [M]y life is so different now and I've, you know, it was half my lifetime ago and it's still there, and it's still hanging around in the background and it comes up at these times, and it means that I have to tell people, um, and it's embarrassing, and it's horrible, and it's stressful […] to me, it was two mistakes that I'd made as a kid that are just never gonna' go away. And they were so minor, but still they will follow me around for the rest of my life.

In this quote Louise was explicitly making reference to her criminal record drawing her back in time, forcing her to revisit her childhood 'mistakes' which is 'embarrassing', 'horrible' and 'stressful'. Noting that a considerable amount of time has passed since her conviction, and that her life was 'so different' at the time of the interviews, Louise was distinguishing between the time that had passed in reality, and the rubber band of the criminal record. Also reflecting on how travel can prompt the resurfacing of past trauma, Kirsty explained that if she wanted to travel abroad

she would 'have to mention [her criminal record], and it would bring it all up and everything'.

Interestingly, Louise also reflected on how her mother – who was her appropriate adult for her first shoplifting offence – may also be forced to revisit painful experiences of the past. For example, whilst not a formal disclosure scenario, Louise discussed how watching TV together can become 'uncomfortable' when shoplifting is depicted. In the second interview she explained:

> I think we touched on this last time it just, it even happened to me yesterday, I watch a lot of, you know, police programmes and there was one on yesterday and there was a shop lifter on it, and it still brings that emotion up, and I was thinking actually, I'm glad my mum isn't here watching it with me […] I wouldn't have said anything to her, urm, cos' I wouldn't draw attention to it, but I'd just be embarrassed and be cringing inside, just wanting the scene to be over, and to move on and forget about it.

Similar to how Alice discussed not wanting her mother to experience stigma due to her shoplifting offence (see chapter five), Louise explained that she was worried that her mother would 'be reminded' of what she had done, causing feelings of 'shame and embarrassment' to resurface. However, Louise explained that she would never discuss this with her, as she did not want to 'trigger that memory' herself.

Finally, as noted in chapter four, the interview itself is a disclosure landscape, encouraging participants to share stories and thus, revisit harmful experiences of

the past[46]. At the start of the second interview, each participant was asked how they are feeling, and how they had been since the last interview. Prompted by this, Kirsty explained:

> I volunteered for it […] it was my choice, my freewill and all the rest, informed consent and all of that, [but] I've been feeling a bit shit about it. It's like, bringing up loads of stuff, but I think about it every day anyway because of the effect that it's had on me, and so many things remind me of things, and trigger it anyway.

Whilst Kirsty actively chose to participate in the research, she explained that it was 'bringing up loads of stuff', and prompting her to reflect on the past. In contrast, Megan explained that she would usually have 'a bit of a lull' after speaking about her past, but that she had been busy and so did not experience that after her interview. Whilst not discussed in this chapter, Rachel also narrated her criminal record as the consequences of trauma and a hostile domestic environment (see chapter five). When asked how she was at the start of the second interview, she said that it had made her 'think about quite a few things' but that, 'because [she'd] already gone through it with the visa thing, it wasn't as much of a shock to the system to […] open up about things'. These reflections highlight how people respond differently to disclosure, even in very similar contexts, warranting further research by collateral consequences scholars.

To conclude, whilst they had each constructed culturally permissible narratives to explain their past offending, Louise, Megan, Yasmeen and Kirsty, discussed the

[46] As explained in chapter four, this thesis attained ethical approval before interviews were conducted. Moreover, steps were taken to ensure participants were supported (including support sheets, debriefing, pauses in the interviews), and at no point did any participant share that they felt harmed by taking part.

affective impact of discussing their past, and reflected on how disclosure of their criminal record was an emotionally difficult experience. Indeed, the excerpts above demonstrate how disclosure pulled them to different temporal and spatial places in their narratives. Temporally, it forces them to revisit the past, and re-tell it in the present. Spatially, it forces them to visit private space, when disclosing in public settings (for example at work and with social groups). Subsequently, this chapter has demonstrated how disclosure causes the blurring of boundaries between past and present, public and private, having a rubber-band effect, and drawing PWCs *back* to more harmful parts of their narratives.

Chapter Eight

Narratives of entrepreneurialism

This chapter will explore the second most dominant 'type' of story that emerged in the interviews – narratives of entrepreneurialism. The chapter will demonstrate how three male participants – Glenn, Simon and Ben - constructed highly gendered narratives around entrepreneurialism to 'work with' their past and manage the stigma of their criminal record (Maruna and Roy, 2007: 117). In short, entrepreneurialism is characterised by a range of particular actions and behaviours centred on the pursuit of business enterprise and profit, through highly individual, organised and creative means (see Scharff, 2016; Gottschalk, 2019). This chapter is not concerned with how much these participants 'fit' definitions of entrepreneur and indeed, they each narrated a very different relationship with their entrepreneurial identity, influenced by their personal biographies and life circumstances at the time of the interviews. Rather, the discussion is interested in *how* they crafted their narrative identities, drawing on entrepreneurial discourse to position themselves as highly agentic and skilful individuals, whose offending was part of adapting to their environment. The concluding chapter discussion will demonstrate how Simon and Ben attached value to their criminal record, appropriating it as 'capital' for their future entrepreneurial endeavours.

Narrating offending as mastery of disadvantage

There is no unitary definition of entrepreneurship (see Bruni, 2004; Smith, 2009b). Davey et al., (2015: 243) conducted a review of entrepreneurship literature and highlighted that the entrepreneur is depicted as multiple things including, 'a hero, wealth generator, value extractor, creative destructor, opportunist trader, bad-boy, a/immoral, self-serving, risk-taking, uncertainty-bearing, -co-ordinator, innovator,

arbitrator or craftsman'. Nonetheless, dominant discourse around entrepreneurialism is that of a working-class male[47] activity, focused on the acquisition of wealth, power and status (Smith, 2009a; Smith, 2013; King and Cummins, 2015). Indeed, the entrepreneur is often viewed as a 'working-class man-made-good' who has risen-up to become an achiever (Smith 2009b; Smith, 2013; Scharff, 2016). Importantly, for these individuals, 'empowerment is thus framed as an individual endeavour' distinct from the wider socio-political contexts in which they live (Scarff, 2016).

Sociological literature exploring the criminal entrepreneur nexus, and how the 'organised' or 'professional' criminal has been likened to an entrepreneur of the underworld, has been emerging since the early 1900s (see the work of Sutherland, 1937, Bell, 1953; Hobbs, 1988). For example, Hobbs (1987; cited in Smith, 2013: 318) highlighted how young men presented themselves as 'boys doing the business', investing in discourse around hegemonic masculinity and entrepreneurial criminality. Subsequently, it has long been recognised that 'often criminals and entrepreneurs come from the same 'societal pool' with regards to their working-class origin (Williams 2006; cited in Smith, 2009a: 163). In other words, it has long been recognised that there is considerable overlap between pathways to crime, and pathways to enterprise (Smith, 2009a). Indeed, Smith (2013) highlighted that the criminal entrepreneur discourse is that of an untrained and uneducated working-class male, who takes risks and establishes a business-like model of offending. Baumol defined the criminal entrepreneur as someone who will pursue profit by any means accessible in their immediate environment (Baumol 1990; cited in McElwee and Smith, 2015: 5). McElwee and Smith (2015) offered more detail,

[47] See Bruni et al., 2004 for a critical discussion of gender and entrepreneurialism.

explaining that a criminal entrepreneur is a creative, innovative and risk aware individual, who is alert to opportunities for profit in their immediate environment. Common to all definitions is how the criminal entrepreneur is motivated by financial gain, and will engage in illegitimate acquisitive behaviour to accomplish this (Smith, 2009b; Bolton and Thompson, 2000).

Glenn: 'It was business, you know? It was a means to an end.'

Glenn was a sixty-five-year-old male from a mixed Sri Lankan-Scottish background who, at the time of the interviews, was 'trying to be retired' from his 'criminal career' as a 'freelance professional burglar'. Interestingly, his narrative bore many similarities with traditional sociological literature regarding the criminal entrepreneur. Indeed, recalling how he first became involved in crime, Glenn framed it as the consequence of experiencing deprivation and growing up in Scotland - 'a very violent society'. He explained that his parents were 'absolutely awful', unable to 'juggle money' and provide financially for him and his siblings. Subsequently, he explained that he grew up 'doing the business' and making money the best he could, in light of his upbringing and social environment (see Hobbs, 1987; Baumol, 1990). He explained:

> I think I drifted into crime as I was always able to open locks, and it was said to me at one stage that I could open your car with my keys, quicker than you could open yours with your own keys. I could open Volkswagens which were very, very difficult to do. Part of it was brutality - you've heard that phrase brute force and ignorance? [R: yep] That's what I used to do, and people used to go "nice one, I'll let you do it" [mimics breaking a car door lock] and I'd snap the lock but, umm, yeah, I drifted into it.

Explaining that he 'drifted into crime', Glenn was positioning his early offending as a somewhat passive response to his environment, not a pre-meditated or individually motivated activity. Nonetheless, having found that he was 'good' at breaking locks, he developed a reputation and became a frequent offender. He attended Borstal aged sixteen and, having 'blotted his copybook', moved to London. Living in London he continued his offending into adulthood, whilst simultaneously maintaining legitimate employment in the manufacturing industry. It was here that he became a life-long 'active criminal', always looking for opportunities to make additional money as a 'freelance' 'professional burglar' 'in the business'.

Young and Canter explain that, when an individual narrates crime as a 'professional' activity, they are telling the story of '…the protagonist's victorious mastery of his or her environment' (2012: 300). A professional recognises their criminality, but perceives it to be a job requiring a particular skillset, level of intelligence, and competency (Ioannou et al., 2015). Glenn was able to use his skillset and competency to earn money illegitimately, having realised his ability to open locks and thus, embark on a 'professional' burglary career. Revealing more about how he operated as a professional criminal, conducting his 'business' whilst adhering to a distinct moral code (see Davey et al., 2015), Glenn explained that he would only target houses which he thought to be empty. Reflecting on occasions where he had mistakenly entered properties whilst people were home, Glenn explained:

> I leave. I don't get too excited about that. I think to myself, that's my fault, I'm not doing my job right, you know? I should be checkin' other things, but I've got a bit complacent, I've gone yeah, they're definitely dead. I should be phonin' up, I should be knocking the door […] I've been in when they are literally dead, I've said "oh they've got a lovely ring on" [my

> partner] went "leave that" he said, "don't touch em'" he said, "take the [jewellery] box, take anything you like" he said, "but don't touch the body." And he was right, it's just a little bit of respect. A little bit of respect from people that really have no respect.

Here, Glenn was alluding to his moral code when discussing not touching the body of the deceased, and trying to reduce the chances of someone being home when committing burglary. Furthermore, he discussed the responsibility he has when doing 'his job', and trying to show 'respect' - albeit within the limits of his career as a criminal. Taylor (2014: 489) explained that, alongside their risk to reward calculations, burglars 'construct a self-schema that is moralistic and conscientious'. Indeed, Taylor's research with domestic burglars demonstrated how they operate within 'complex moral codes' which influence who they target, how they conduct their operations, and the items they might steal (ibid.). Reflecting on the victims he had created he said:

> I mean, unfortunately, I've had to use, umm, considerable violence. I regret that. Probably not as much as they regret it, you know, the victims, um, but as I said, it was business.

By noting the creation of victims to be an 'unfortunate' part of 'business', Glenn framed it as an occupational hazard - an unintended but unavoidable part of being a professional burglar. This shows an attempt to neutralise the harm caused by his offending, and helped him to reconcile the consequences of his actions *within* his narrative of criminal entrepreneurialism. However, Glenn's storytelling revealed that his adherence to this moral code was somewhat ambiguous at times. For example, in the excerpt above he explained that it was his partner (who he was involved with romantically and professionally) who asserted that they would not

touch the body of the deceased. Moreover, whilst he engaged with techniques of neutralisation around the victims he had created, reference to using 'considerable violence' in the past illudes to significant harm being caused by his offending.

Further illustrating his investment in discourse regarding entrepreneurial criminality, Glenn made a distinction between himself and other, more amateur, offenders. Interestingly, this is the opposite of how Paul compared himself to those of a 'criminal mindset' to position himself as 'non-criminal' (see chapter six). Glenn explained:

> I'd written in [to the Inside Times] and I said, "if you're indoors and somebody breaks in at night" I said, "switch a light on and shout downstairs the police are on their way". Now, I think this from perspective of a professional burglar, I don't think from the perspective of a drunken robber or a hooligan.

Writing into the Inside Times – something he had done frequently over the last eight to ten years – Glenn was positioning himself as someone with expert knowledge to be passed down onto others (see Clark, 2006). Furthermore, comparing himself to a 'drunken robber or a hooligan' he was establishing a difference in mindset and motivation, further supporting his investment in the professional burglar narrative. In the interviews he also recalled an argument he had with 'a drug dealer' acquaintance of his, who referred to burglars as 'scumbags'. Glenn explained that he considered this to be hypocritical because, in his opinion, those who engage in the drug market have limited understanding of 'the damage' they cause. He also discussed an online article written by a prolific ex-bank robber who explicitly referred to people who 'rob houses' as 'scumbags'. Again, Glenn explained that this was 'hypocritical', and asserted that he himself had attained 'more from

one burglary than he's had in his entire career'. These reflections show how Glenn further differentiated himself from amateur or less successful criminals, reinforcing his position as a careful and calculated professional. This was a motivated narrative, as positioning himself as a criminal entrepreneur allows the development of a more nuanced and attractive identity, when compared to that of an amateur or petty criminal (Smith, 2013). This is because the criminal entrepreneur is an organised and intellectual individual who takes advantage of opportunities in a calculated and risk-aware way (see Smith, 2013; Davey et al., 2015). However, it was clear than Glenn did not take issue with other criminally involved people in general, only those who questioned or challenged him. Reflecting on the people he had associated with Glenn explained:

> It's not for me to criticise what you do for a living. I even spoke to what we called whore masters that had brothels cos' I thought, well, that's not my business. But I think people who are so ruthless look hard to find somebody else to look down upon, you know? I'm not really interested in lookin' down on anybody - you know what I mean? I just think crack away, do your thing.
>
> I've met convicted murderers and I've met one or two that hadne' been convicted […] but I can't hold that against them, what's done is done, umm, I'm sure in some cases they quite like me too [laughs] I was always a con's con you know? I'd always support the con - though I might go in private "I think he's fuckin' wrong" - but, we got to stand fast 'ere

Glenn condemned his condemners (see Sykes and Matza, 1957) and depersonalised their comments, dismissing them as 'ruthless' individuals trying to 'find somebody else to look down upon' - not a legitimate criticism of the harm caused by his house burglaries. Further, his discussion of 'supporting the con' publicly even if he

disapproved in private, shows the establishment of a criminal 'us', and law-enforcing 'them'. Potentially influenced by his experiences of incarceration, Glenn was maintaining his association with the criminal 'us' – demonstrating investment in a specific 'inmate code' around loyalty and honour (see Ugelvik, 2016; Mitchell et al., 2021; Bell et al., 2022).

Finally, similar to how he positioned his victims as an 'unfortunate' but unavoidable part of 'doing business', he framed his involvement with the Criminal Justice System (CJS) as an expected consequence of his business operations. In Clark's (2006) research, inmates also discussed prison as an 'occupational hazard' reciting, 'if you can't do the time, don't do the crime' (page 213). Subsequently, he remarked that he was a 'compliant' and 'polite' prisoner, who did not 'cause any grief'. Nonetheless, he viewed the criminal justice system as a self-interested business of its own. He explained:

> I said that on Inside Time as well, I said, "it's a business" […] I think I worked it out there's two percent o' the workin' population employed in the prison service, the police service, insurance companies, courts, whatever […] so, they don't want to reduce crime you know, crime and the fear of crime.

He asserted that the British judicial system is 'absolutely corrupt' and discussed at length the high wages enjoyed by 'incompetent' CJS workers. Framing the criminal justice system as a money-making corrupt business, Glenn continued to condemn his condemners (see Sykes and Matza, 1957), by questioning their integrity and motivations. This was not to deny the seriousness of his offending – indeed, he referred to himself as an 'active criminal' and acknowledged the victims he had created - but it allowed him to situate himself as a professional burglar, conducting

business in an already corrupt society. As explained in previous chapters, narratives are highly motivated, and Glenn's frequent condemnation of those who had criticised him, or been involved in his formal punishment, showed a considerable attempt to defend his narrative identity. Indeed, having invested in discourse regarding the professional working-class burglar, Glenn's identity work was very different to those discussed in chapter six. Rather than defend against the stigma of being labelled a 'criminal', Glenn was defending against being labelled a particular kind of criminal – a careless amateur, devoid of any moral sensibilities. Nonetheless, there was also a playfulness in his storytelling at times. For example, he disclosed that he had 'burgled eighteen judges houses', framing *some* his offending as a comical cat and mouse tale between him and the authorities.

Simon: 'I was always money-orientated cos' when we were kids, we didn't have nowt.'

Simon was a forty-nine-year-old male from Liverpool who appeared very confident in his interviews, calling me 'babe', introducing me to his employees, and offering me future employment opportunities. Like Glenn, Simon framed his offending as strategic mastery of his social environment and life circumstances. However, Simon narrated an evolution of entrepreneurial identity, starting with his involvement in crime, and extending through to his formation of a legitimate Community Interest Company (CIC). Starting with his offending, Simon explained that he lived on a 'chaotic' and 'crazy' council estate, where committing crime and resisting police control were 'part of growing up' in 'a mad, mad criminal world'. Referring to this estate as Beirut, Simon noted he was 'surrounded by heroin', and that violence was a weekly occurrence due to the council estate being located between the Liverpool and Everton football grounds. Simon situated his offending in the socio-political

conditions of the late 1970s/early 1980s, highlighting there was 'not much' there for 'the 120 lads at the time'. He explained:

> [W]hen we grew up Maggie Thatcher was in her reign in the eighties. Obviously, as you've seen, all her paperwork's come out as she's died - she actually said "give Liverpool fuck all", so Liverpool got nottin'. There was no jobs here for people - the unemployment rate was horrendous, so what else could you do? If you're tryin'a live up to peoples' expectations and want a pair of trainers or, want a coat or, want sort of trousers that your mates in school are wearin' cos' their mum and dad can afford it then [shrugs]. My mum and dad couldn't afford it.

Whilst the consequences of Thatcher politics were experienced elsewhere in Britain, Liverpool became a focal point for working-class resistance (Ehland, 2007; Marren, 2016). Subsequently, narratives of mass unemployment, poverty and social decline through this period is a core part of Liverpool's socio-political history and thus, part of a Scouser's collective identity (Boland, 2008). This was an important backdrop for his criminal entrepreneur narrative, as he explained there were very few opportunities for him to succeed through legitimate means:

> [O]n our estate it was chaotic. Now, there was only three ways to go, and it was either football and school - I didn't really like goin' school but I was good at football- heroin like all me mates - well seventy percent of me mates - or criminality - where these were driving nice cars nice shoes nice trainers nice trackies. I wanted to go that way, so that's the route I took.

Explaining that he was always 'money orientated' and experiencing relative deprivation, Simon was framing his offending as a logical consequence of the socio-political conditions in Liverpool during his formative years. Subsequently, he was able to utilise the criminal entrepreneur script and position himself as finding creative and innovative ways to make money from a disadvantaged position. Indeed, as noted above, an entrepreneur is alert to opportunities for profit in their immediate environment, and will take risks to establish a business-like model of offending (see Smith, 2013; McElwee and Smith, 2015). Simon recalled his first experience of making a sizable amount of money when he was just twelve years old.

> I used to play football on Everton's pitch […] and I remember one night […] the old caretaker […] he's chased us round the pitch throwin' us out, but on the way out I'd seen a bunch o' keys in the door […] I've gone back to the grounds the next day and I've found a big master key for all the main doors [….] this one key gained me four hundred people every week, or every two weeks, going in to watch Everton […] I used to have m' mate stand there with a bobble hat collecting all the money […] I used to come away with about seven hundred quid every game. I was twelve. And […] we had control of all the car park areas, so we'd have people on different estates collecting money from random cars […] and we'd probably come outa' that with four, five hundred quid as well. So, at twelve or thirteen, we were earning really good money.

When sharing this story, Simon explained how he seized an opportunity and established a carefully orchestrated business operation for relatively long-term financial gain. Importantly, he positioned himself as the one in charge - the protagonist who had mastered his environment, owing to his intelligence,

competency and skillset (Young and Canter, 2012; Ioannou et al., 2015). Indeed, he shared several stories positioning himself in this way, recalling how he stole and sold season tickets for Everton, before capitalising on 'the acid rave scene' of the late 80s as a young adult, organising raves, selling drugs, and running nightclubs. Reflecting back on this time, Simon explained that he had never had a business 'one hundred percent on the ball'. Rather, it had been 'criminality, criminality, criminality, with a few businesses along the way to hide a bit'o money'.

Like Glenn, Simon's investment in professional criminal discourse was revealed further when he discussed operating within a particular moral framework. For example, Simon explained that he would 'never ever go near anybody's house', limiting his theft to factories, and shops out of trading hours. He explained this in more detail in the second interview:

> We were always brought up never to grass on people and never rob houses. But nowadays it's just the norm, ennit? I fuckin' hate people who rob houses. That's all your like, life-long possessions that you've saved up for, and then you's are robbin' them. I don't like it me, it's not good. Hate house robbers. And I hate people now, who I see now, who are goin' in with machetes and bats and stuff, and actually terrorisin' people for watches and stuff, I just don't like it. It's a bad crime […] I think that the effect it leaves on families is just horrendous.

This excerpt shows Simon using two different techniques to try and neutralise the harm of his offending. First, like Sally (chapter six), he made a distinction between crime at the time of his offending and crime now, highlighting how modern-day crime had become more serious. Secondly, he discussed the nature of his targets – shop and factory owners who were not present at the scene – and engaged in

techniques of neutralisation regarding denial of injury (see Sykes and Matza, 1957). Indeed, by noting that he would never target homeowners Simon was positioning himself as a more 'moral' offender, careful not to create innocent victims of crime. However, like Glenn, Simon's adherence to his moral code was ambiguous, and sometimes contradictory. For example, he discussed getting a name for himself for 'terrifying people' with guns, and giving them 'a fuckin' good hiding' to reclaim money owed. Whilst he 'regret[s]' this, it was 'part of growing up' and maintaining his various businesses (see Glenn's discussion of victims as 'unfortunate' consequences of business above).

Simon narrated a turning point aged twenty-four, when he fully immersed himself in organised crime after his mum passed away. He explained that it 'changed [his] life forever', and 'kicked [him] up the arse'. He wanted to 'get [his] head down and make some serious money, instead of 'fucking around [with] guns and stuff like that'. Subsequently, to no longer 'get [his] hands dirty', he started to 'pay people to go out and do [crime]' for him. Clark (2006: 210) explained that evolution into a 'career criminal' often involves a decision to be 'more professional', and no longer 'waste time' on offences with limited monetary reward. Simon stopped taking drugs and became involved in an 'international mafia ring importing cigarettes', where he 'ended up takin[g] over the whole operation'. Simon explained:

> I started working on five hundred pounds a day workin' for some guy, but I didn't like the guy, [he] was robbin' the people from a different country so, for me, I don't like people who rob off em'. It's not me. If you work for someone and they supply you with stuff and you're earnin' money, then you work with them, and you be straight with them. So I ended up takin' over the whole operation and I had all me own team

> workin' for me […] the international team phoned me up and asked me to go see them abroad […] so I've come back home [and] I've got a container with cigarettes in. I've collected all the money in, I've paid all the money out, and then I'm sittin' there with a big bag o' cash. […] I just made eighty-five thousand pounds in one day […] that's where my life started beginning.

Referring to this as where his life 'started beginning', Simon was highlighting the significance of this change in life trajectory. He continued to invest in discourse around professional crime and respect, discussing his ethical stance on theft within organised crime operations. Furthermore, he positioned himself as being in control once again, taking over the operation and having his own team. An entrepreneur is motivated by dominance and autonomy as they are goal-oriented, self-confident intuitive leaders, striving for achievement and recognition (See Kropp et al., 2008; Seet et al., 2008; Gottschalk, 2019). Indeed, running through Simon's narrative is the desire for success, recognition and status.

After a period of about five years where Simon made 'several millions', the operation was discovered by HM Revenue and Customs. However, owing to the complexity of the case the prosecution took several years and thus, Simon received a relatively short prison sentence having already spent a considerable amount of time on bail (he was sentenced to six years and served three). On release, Simon continued to engage in the international drug scene and received a second custodial sentence (this time he was sentenced to fourteen years, and served nine). Reflecting on his experience of incarceration, Simon explained that he 'fucking really enjoyed prison' and 'made the most of it', choosing not to 'be vulnerable and […] sit down and cry' (see Ugelvik, 2016 for a discussion masculinity, identity and incarceration).

Notably, he only briefly noted that he 'wouldn't want to go back' and did not discuss any negative experiences of prison in the interviews, maintaining a focus on constructing his narrative of successful entrepreneurialism.

Like Martin (chapter 6), Simon temporarily relocated to a new area after prison to remove himself from the environments and companions which encouraged his involvement in crime (see Maurna and Roy, 2007 for a discussion of 'knifing off' past influences for desistance). Having relocated, he was able to develop his[48] Community Interest Company (CIC) which he had already started planning whilst in prison. Entrepreneurship as a way *out* of crime is being increasingly recognised, with educational programmes being introduced to encourage rehabilitation (Smith, 2009a; Irankunda, 2020). Research in this area maintains that 'entrepreneurial propensity appears to provide the criminal with an alternative legitimacy' (Smith, 2009a: 163). Simon explained that the purpose of his CIC was to help vulnerable individuals – such as prison leavers - develop essential life skills, access education, and secure employment. This marked a further point of evolution in his entrepreneurial life-story. He explained:

> I'm taking people off the streets, I'm taking people out of, umm, the veterans, I'm taking people out of prison, I'm taking kids now […] I'm putting them in care homes and in a better environment…

Interestingly, whilst he explained the purpose of the CIC was to 'empower' service users, in the excerpt above Simon was positioning the CIC, and thus himself, as *doing* the work. This shows how he maintained focus on his own entrepreneurial achievements, and in the interview, sought individual recognition as the

[48] Due to his criminal record, Simon could not be the company director, and the CIC was registered in his son's name.

orchestrator of others' success (See Kropp et al., 2008; Seet et al., 2008; Gottschalk, 2019). Moreover, Simon positioned his CIC as an alternative provision to state-aligned support services, purposefully operating outside of the criminal justice system. In doing so, he was maintaining a focus on his individual achievements, framing them as highly autonomous and self-constructed. Entrepreneurial identities are seen as highly autonomous and individual, with an emphasis on being 'self-made' in business (Smith and Anderson, 2003). Indeed, he explained that he funds the CIC with limited involvement from the government:

> We're all self-funded. Whatever grants we can get out the government then, yeah, we'll try our best and get what we can, but what can we do with a five- or ten-thousand-pound grant? We're well surpassed that. So I just developed the app […] I needed to find different ways to sort of, uh, get self-funding, so I got a couple of investors to invest in the app…

Simon was referring to the development of an App for smart phones, designed to help people experiencing financial hardship to save money, helping them to 'bulk buy' and find low prices. He explained that the Government were trying to create one themselves but, as they are 'too straight', they 'haven't got a fuckin' clue'. Simon's narrative is centred on maintaining a degree of deviance and autonomy, where even his legitimate endeavours (using unspecified amounts of government funding), are framed as highly independent and alternative. Noting that his CIC had 'surpassed' what the government could offer Simon was emphasising how successful his CIC was and, to emphasise this even further, he compared his work to The Probation Service:

> [A]t the minute there's just too many people earnin' money out of not doing their jobs properly, and that's what I dislike. Even probations - the

> probations are shit. Why have they got probations running? I don't know, because it just doesn't work […] I just find they're just all full of shit […] I've had six different officers in six months, and they're all on the sick. So how many other people are on the sick? You know, the stats of sickness for probation is *horrendous.* Because they can't do the jobs […] they're tickin' boxes and, to me, tickin' boxes ain't gonna' work. They need to just do *actual* stuff and get it out there. Fuckin' horrendous. I hate it me.

As noted above, when explaining the function of his CIC Simon positioned himself as *doing* the work, and being highly active in supporting people. In contrast, he discussed The Probation Service as being inadequate, with too many people 'on the sick' and 'ticking boxes' instead of *doing* 'the job'. Subsequently. He was positioning his business as *more* legitimate and more successful than The Probation Service. Indeed, in contrast to the 'horrendous' statistics of The Probation Service, Simon explained:

> [T]he amount of people we've got now comin' on to us, offerin' us jobs to give out to people - it's just astronomical. So, for us, stats won't lie at the end of every year. It'll tell us how many we took off the streets, it'll tell you how many people we've housed, it'll tell you how many people've been in jobs.
>
> [T]he first year of this we'll be taking an awful lot o' money, but we'll be building staff up with it. So, if we've got - it's a not-for-profit company - so if we've got four hundred thousand pound at the end of the year, to me, that's another ten twenty staff. And then them ten or twenty staff will just take you to another dimension, and you'll just run it all off the same.

> I'm goin' round the country me. I'm not staying in one place. Everywhere I go there'll be, you'll see an [CIC name]. And I reckon, in five-year's time, I reckon we'll be all over the place.

Here, Simon was demonstrating his self-sufficient business skills, speaking in entrepreneurial terms regarding accumulating and distributing resources, coordinating/organising enterprise, and managing finances (Davey et al., 2015). Indeed, having constructed a narrative centred on entrepreneurialism, Simon discussed his achievements in terms of financial earning and business-growth, not in relation to generative activity such as 'giving back' or 'making good' (see Maruna, 2001). Subsequently, his CIC enabled him to evolve his entrepreneurial identity, transitioning from criminal entrepreneurialism, to post-crime legitimate entrepreneurialism. In doing so, he was able to maintain aspects of his deviant identity, but use them for legitimate means to avoid further incarceration. Indeed, directly drawing on his past, Simon reflected on how he still 'has a chink in his armour', and is 'still a bit radio rental', but uses his skills and anti-establishment attitude for legitimate means. He explained that he runs his company 'like a drug empire […] but straight':

> I run my business like a drug empire if you get what I mean? I was always the head of my operations, I was always the brains and the head, so I'm like that now. I have to have people I trust around me like [notes names of staff]. I have all me little lieutenants around me and then we work with sort of, the punters I call them, where they're not punters, but they used to be punters who'd buy bits and bobs, well they're the people who come in off the streets so, to me, I just run it like a straight drug dealing' business. It works as well, you know what I mean? […] it's very similar to

> the way I've always worked but it's straight, and instead of payin' all your key pins, you're payin' the fuckin' tax man, or you pay the VAT man, or you pay your staff.

In this analogy he is the 'head show' and has surrounded himself with 'little lieutenants' he can trust, in order to supply 'the punters coming in off the streets'. Thus, once again, Simon positioned himself as having power and control over the business, giving orders to the 'little lieutenants' who worked for him, mirroring the way he discussed his involvement in both petty and organised crime (see above). Furthermore, he did not disavow his old life completely. He explained:

> I've got a lot of people all over the country who ave' got a lot of respect for me, and they all know what I'm doing now, and they've all sort of supported me. You know what I mean? So, for me, I'd never be a grass and tell any o' my story, cos' there's a code of silence […] I'll never tell [the media] about people or what I've done in my past, only the stuff I've been nicked with.

Dowling and Copeland (2015: 270) explained that the 'code of silence' is central to 'maintaining one's position of respect, autonomy and masculinity'. Similarly, Ugelvik (2016: 57) explained that stories of 'not snitching' were often used by prisoners who were establishing themselves as 'real men' within the context of prison – an 'emasculating and infantilizing environment'. Simon's adherence to the code of silence, despite having desisting from crime, demonstrates how he sought to retain the respect, autonomy, and sense of masculinity that his earlier peers had given him. Throughout his narrative he discussed the accumulation of new sources of respect, autonomy and masculinity whilst maintaining the old. Indeed, Simon was

careful to explain that, whilst he had gone straight, he had not gone soft, or started to conform to mainstream society.

As noted at the start of this discussion, Simon's narrative was about an evolution of entrepreneurial identity, spanning three key temporal spaces in his narrative. Indeed, he started out as a local entrepreneurial criminal in his youth, before transitioning to an international professional criminal in his early adulthood. He then evolved further, developing a (somewhat) independently funded CIC for legitimate entrepreneurial endeavours at the time of the interviews. Despite having only been released two years prior to the interviews, Simon was confident in his future success, predicting that he would make considerable profit and develop more CICs around the country (this will be returned to later in the chapter). Nonetheless, as expected, there were contradictions and tensions embedded in his narrative, as he tried to placate some of the harm caused by his offending, and reconcile his transition to a more legitimate entrepreneur, whilst simultaneously maintaining his investment in autonomy and deviance.

Ben: 'Drink related thefts, robbing from shops - that just became me, it was part of who I was.'

Ben was a thirty-seven-year-old self-employed painter and decorator, also from Liverpool. At the time of the interviews, Ben was coming to the end of the final year of his undergraduate degree in psychology, and starting to consider his post-graduate opportunities. Ben's narrative was complex, drawing on meta-narratives around addiction and neoliberal responsibilisation to explain his offending and desistance, then discourse around entrepreneurialism for his present-day aspirations and future career. Like Paul (chapter six), Ben explained that his offending was the result of 'little things' that accumulated and 'led up to going off

the rails', and committing a number of offences as a teenager. This included his parents' divorce, being excluded from mainstream education, negative 'peer influence', and being exposed to alcohol at a young age. Indeed, having started drinking and using drugs from the age of twelve, Ben explained he was led 'down a certain path', where committing crime under the influence became 'part of who [he] was'. He explained the relationship between his addictions and his offending:

> [T]he alcohol, the drugs, and the offences, and the behaviour - the criminality side of it - was all just part and parcel. That was just what I knew, erm, I knew nothing else. As I said, all me mates done it, you know? I look up to my dad, he done it, erm, me auntie similar, she went away - same type of thing, petty theft -and it was all drink and drug related […] so yeah, it just come hand in hand, and that's all I knew […] everyone was like that, that was the normal.
>
> …peer influence is a big one definitely. I've highlighted that m'self, erm, wanting to fit in, wanting to be part of a group, that's definitely there. And dad being [hesitation] getting divorced when I was younger, that's another box ticked if you know what I mean? […] I pinpoint me dad to blame really because, uh, I've got kids and it's down to the parents to guide them in a certain direction, or at least try to, do you know what I mean?

Contextualising his offending in this way, Ben positioned himself as a product of his environment with very little agency. Indeed, Ben explained he was 'not choosing to do it', but that it was 'a case of surviving and […] adapting' to the environment he was living in. He also reflected heavily on the role of 'biology and genes', discussing how his family had a history of alcohol addiction and offending. He explained that

growing up, he was often told 'you're gonna' inherit it, you're gonna' be the same'. Subsequently, there was a sense of inevitability in this narrative, similar to that told by Martin (see chapter six). Nonetheless, Ben defended his family, asserting that they were not a 'criminal family', but 'it was just the way it was', when they were drinking and using drugs. This explanation of his offending shows a merging of discourse around crime as circumstantial survival (similar to Glenn and Simon), and investment in scripts regarding alcoholism, where 'all the individuals life problems' are attributed to the disease (Marsh, 2011: 54). Indeed, narratives of alcoholism often include reference to 'the It' (Maruna, 2001; Marsh, 2011) – framing the addiction as an 'unwanted part of the self', which 'takes control of the individuals' actions' (Marsh, 2011: 55).

Ben explained that he entered the alcohol addiction services in his early twenties but was torn between 'wanting to stop and wanting to change, but just not having control over the addiction'. Showing contradictory understandings of his past, Ben acknowledged the influence of his addiction and placed blame on his dad, whilst simultaneously investing in neoliberal discourses of responsibility and free choice. He explained:

> I think I was very negative. I think that's a lot to do with the drink and blaming others […] being in a depressive state of mind. And, as I said, I was searching for an answer. The answer was, I was drinking. There's nothing wrong with me. I can look back now, I was sat in the doctors chair many o' time wanting them to say 'you've got this, you've got that', I wanted that label so I could justify why I was acting in that way, and deep down, I knew there was nothing wrong, but I just wanted that label, and I just knew it was the drink.

In this excerpt, Ben was investing in specific alcohol-related neoliberal notions of free choice, rationality and self-regulation, which frame alcohol and drug abuse as individual choice, rather than responses to wider socio-economic issues (see Atkinson and Sumnall, 2018). Indeed, people who have experienced addiction are often encouraged by addiction services to 'develop a sense of personal responsibility for past, present and future actions' (Marsh, 2011: 61). Demonstrating this investment further, Ben narrated a turning point aged thirty-one where he 'took responsibility' for his addiction, recognising it was 'the end of the road', and that he would 'lose everything' if he did not change. He explained this to be a transition from being 'passive' to 'assertive', highlighting a shift in his perceived agentic capacity:

> [W]hen you're an addict you're very passive. You become very passive and what I learnt - which I learnt on a probation course - was about passive and assertive, and I just started to apply being a bit more assertive and trying to find myself. It was a case of trying to change me identity, definitely.
>
> [C]hange is *hard*. It's very hard and like, there were times early on that I struggled, but I created that support network, I had family, friends, the alcohol workers, the structure and that, so, I was able to do that, and everyone can do it, you just gotta' have that fight in ya, and that's what it boils down to.

Similar to other participants (see Martin and Simon), Ben detached himself from his old peer group and avoided pubs noting, 'it has to be done, you have to break away from that'. Maruna and Roy (2007) explained that former addicts are often told to avoid the people and places associated with their addiction, in order to help

maintain sobriety. Continuing to position himself as a neoliberal subject who had successfully engaged in a process of self-help (see Turken et al., 2016), Ben noted that whilst family, friends and addiction services had supported him, he himself had created this support network. This allowed him to view the support he received as part of an individual achievement. Subsequently, Ben's narrative of addiction is highly contradictory as he tries to reconcile his investment in discourse around responsibility and free choice, with the authentic feelings of limited agency and powerlessness that he experienced whilst suffering from addiction. Continuing to contradict himself, he framed this as a highly individual and stark transformation, whilst simultaneously noting that 'everyone can do it', downplaying the difficulty of overcoming addiction.

Interestingly, whilst he discussed taking responsibility for his actions, Ben explained that he did not feel 'guilt' regarding his offending, having attributed it to the addiction:

> For me [crime] was an effect of the alcohol and drugs. It was always a consequence of that, it wasn't me going out and committing a crime to hurt anyone, or for personal gain. It was always an effect of being young, naive [hesitation], what everyone else was doing, and it was always under the influence.

This further demonstrates his use of techniques of neutralisation, distancing himself from the harm caused, and attributing it to the 'It' (Maruna, 2001; Marsh, 2011- see above). However, it also reveals further sources of tension in his narrative. For example, an important part of addiction narratives is 'moral reflection' and a 'tangible sense of remorse' (Marsh, 2011: 65), but his neutralisations were about distancing himself from the harm caused, and maintaining his moral integrity by

attributing his offences to the addiction. Further tensions were revealed when he reflected on the impact that his alcoholism and offending had, on his partner:

> [It] was a journey for me, and it was a journey for her, and I think it's only now she's starting to discover who she is. Erm, it probably took about two years to gain any kind of trust […] it did literally take two years I'd say, two years before like m' partner could actually say, I do [trust you]. That's gone now, that feeling of that, that anxiety, that feeling anxious, you know? These, the thoughts that she'd conditioned herself to think because it would happen time, after time, after time, so I think, erm, yeah, we were both on our own little journeys erm […] but I also knew that in her family there was a lot of anxiety, her mum suffered with it, her brother, so I sort of, from a biological point of view it [hesitation] it's in their genes I suppose, and I just didn't make that any better, so I sort of well, you know, yeah, I I'll take that one on the chin, I did have a lot to play, but she needs to understand her family history, and why she feels this way. So, as much as it was a journey for me, it was a journey for *her*, and I think it's only now she's starting to discover who she is […]as I said, I don't blame m'self because I haven't drank for about six year's now so […] yeah, I suppose, where I can sit here and say 'no, it hasn't affected me' maybe, looking back, it had more of effect on my, you know, close network.

As noted by Rodrigo and Antonio (2017), neoliberalism provides a framework for governing oneself and others, based on the adoption of individual freedom and neoliberal values and desires. In this excerpt, Ben was positioning his partner as responsible for her own anxiety, and, in the same way that he attributed his

addiction to his 'biology and genes', he attributed her anxiety to her 'biology'. Whilst he acknowledged that his actions were an influencing factor, there was a careful negotiation of blame and responsibility, with him ultimately deciding he would have to take it 'on the chin'. However, switching between past and present tense reveals an ongoing reconciliation at the time of the interviews and, once again, shows the fragility of such investments and neutralisations. Indeed, towards the end of the reflection he recognised that 'maybe', upon reflection, his actions had real impact on those around him.

In the same way that Paul and Martin embarked on a criminology degree to develop a greater understanding of themselves, Ben explained how he 'needed the facts' around addiction and crime. He enrolled at the Open University for a part-time foundation degree in psychology with counselling, before applying for a full-time undergraduate degree in psychology (at a different university). He was proud to mention that he was working towards an award at the university, formally recognising his volunteering hours at various organisations such as The Probation Service and Through the Gate. Reflecting on his volunteering he explained it was 'a natural thing' to want to 'wanna give back' in light of his 'personal experiences' (see LeBel et al., 2015). On the surface, Ben's narrative shares many similarities with 'the wounded healer' narrative - someone whose '…personal experience of illness and/or trauma has left lingering effects on him in the form of lessons learned', which can then help them support others (Jackson, 2001: 1). Indeed, for the wounded healer, the desire to 'reach back' is common, often leading to a career based on helping those who are not as far along in recovery as oneself (LeBel et al., 2015). However, Ben's continued investment in neoliberal discourse regarding individual choice and responsibility, alongside a focus on personal achievement and goal

setting, revealed an investment in entrepreneurial discourse (see Scharff, 2016). Indeed, when asked about the future, Ben explained that he wanted to develop a counselling 'business' in the most efficient way possible:

> Ultimately, I want to have m' own business like, with being self-employed for fifteen odd years, […] so yeah, the plan really is to leave uni next year with, I don't know, a 2:1 […] and when I leave, I think I wanna' go down the counselling route […] I think the quickest route is a masters in some kind of a counselling - I think that's for like, a year - and then once I've got that name, or whatever it is, them letters after me name, I think that's when I can develop what I wanna' develop, business wise.

As Ben explained in this excerpt, he had already worked as a self-employed painter and decorator for several years. This enabled him to avoid DBS disclosure (see chapter five), but it also meant he had previous experience of highly independent and somewhat precarious work and thus, entrepreneurialism 'fitted' with his 'habitual self-narrative' (Fleetwood, 2016: 184).

Having narrated a highly autonomous and independent 'journey', Ben envisioned his future to also be highly autonomous and self-directed. Like Simon, he discussed how The Probation Service had not been successful, and explained that he wanted to develop alternative provisions:

> I don't wanna' work in the criminal justice system anymore [sigh] I do, and I don't. I want to, but I don't wanna' work for a big corporation that, or, you know, a smaller company that have the same views or the same - I can't explain it, erm, yeah, I've just, I've just seen a lot, and I've just seen

> how it is. I've seen it from the other side, and it hasn't worked for probation.

Despite having only limited exposure to the criminal justice system in a professional capacity (through his volunteering), Ben positioned himself as having knowledge of 'both' sides – from the perspective of the offender, *and* the perspective of the probation officer. Indeed, Ben positioned himself as having a unique viewpoint, and whilst he struggled to 'explain' why he felt this way, he asserted that current efforts to support former offenders were not working.

Similar to Simon, when reflecting on his experiences of addiction, offending and sobriety, Ben referred to it as a 'journey' which was 'one hundred percent a good thing' overall. He explained he had been through 'a process of change', starting with his sobriety, and continuing with his return to education through the Open University. Despite alluding to some very difficult periods of his life, his overall narrative was centred on a highly individual and positive self-transformation. He offered several reflective points:

> [I]t could of went horrible wrong and, erm, it did at times, but it was ju- where it's got me now, and what it's brought me, I wouldn't change it for anything.

> [F]or me, it's done me no harm. At the time, obviously it would have been chaotic and hurt a lot of people around me, but I've used that to turn it around where obviously, you know, a lot of people don't have that chance, or don't do that. But all I can do is give something back, to try and make me wrongs a right in a way. And, as I said in the last [interview], I don't really, I don't regret it, I don't. I can't change it, so I don't regret it

> […] I can only do what I can do now […] it's just about going forward and not looking back on the past.

As the quotes above show, Ben repeated several times that it was 'a good thing' and that he 'wouldn't change' it, despite the 'harm' it caused others (see above). As noted by Maruna (2001: 87) to desist from crime people rewrite 'a shameful past into a necessary prelude to produce a productive and worthy life'. Like Simon, Ben explained he had retained some qualities from his past. For example,

> I [was] taking the piss, two fingers to authority type of thing, and I'd duck and I'd dive work, and still, that mentality, I suppose I still got that today. Do you know what I mean? Yeah, I've still got that inside me.

> I've still got sets of beliefs from them times […] am I a risk taker still? Yeah, I think that's engrained in me. I will take risks. I'm a gambler. I'll gamble in the sense of, sensibly, I'll way up me the positives […] I'm not someone whose gonna' sit back and worry about something.

Ben explained that he was still a risk taker with a propensity to 'duck and dive'. However, having been through his 'journey', he had become a better and more regulated version of self, keen to establish a legitimate counselling business, and to make money from his past.

Criminal records, entrepreneurialism and neoliberal subjectivity: concluding discussion

Thus far, this chapter has demonstrated how Glenn, Simon and Ben, each constructed a narrative centred on mastery of their environment and life circumstances, investing in discourse around entrepreneurialism as they went. Importantly, the way they did this was different, reflective of their personal

biographies, and their situations at the time of the interviews. Glenn narrated his life-long 'criminal career' as an entrepreneurial endeavour, identifying as a 'professional burglar', and demonstrating his somewhat selective adherence to a 'professional' criminal moral code. Simon discussed *both* his offending and his current CIC as entrepreneurial, explicitly linking the two together with his analogy of running the CIC like his 'drug empire'. Finally, Ben narrated his offending as a consequence of his relationship with drugs and alcohol, but his self-employment and desire to set up a profit-based counselling company showed investment in entrepreneurial discourse around self-reliance and profiteering. Overall, Glenn's narrative enabled him to establish a more nuanced and attractive identity, when compared to that of an amateur or petty criminal (Smith, 2013). However, for Simon and Ben, the investment in neoliberal entrepreneurialism allowed them to anticipate meaningful and highly successful careers, *using* their criminal records for financial gain. This final chapter discussion will demonstrate how they established present-day entrepreneurial selves by appropriating their criminal record, defending against the prospect of failure, and positioning themselves as embarking on a life-long neoliberal project.

Central to Simon and Ben's anticipation of future entrepreneurial success was the re-framing of their criminal record as something of *value*. Bolton and Thompson (2000: 16) define the entrepreneur as, '[a] person who habitually creates and innovates to build something of recognised value around perceived opportunities'. Similarly, Gottschalk (2019: 327) noted that, 'where others see problems and obstacles, entrepreneurs see opportunities and drivers'. To transform the criminal record into an opportunity, Ben and Simon reconstructed it into a form of 'capital' - something that, 'in one way or another can be a source of future income' (Foucault,

2008; cited in Rodrigo and Antonio, 2017: 604). Indeed, Simon and Ben reframed their past experiences as *valuable* for their businesses, providing them with expert knowledge and a particular skillset, which cannot be learned or purchased by others. Scharff (2016) explored entrepreneurial subjectivity under neoliberal conditions, and explained how the individual themselves become the 'product', with participants in their research referring to themselves as the Unique Selling Point (USP). As explained above, Simon discussed how he runs his CIC 'like a drug empire, only straight', using the knowledge and skill acquired from been involved in an international illegitimate enterprise, to be more successful than his 'straight' government competitors. He explained that he had given radio and television interviews to promote his CIC, sharing his past involvement in crime to legitimise his enterprise to others. Ben asserted that, 'you can't buy' the experiences he has had, explaining they are 'good experiences' as they provide him with a unique insight from 'both sides' (see above).

Reframing the criminal record as a source of capital enabled Simon and Ben to maintain a sense of control over their lives, helping them to foresee successful futures as entrepreneurs, despite the barriers created by a criminal record (see chapter one). Indeed, according to Ross (2008: 32), 'entrepreneurial selfhood' emphasises autonomy, competition and creativity, helping people to negotiate an increasingly unpredictable and non-standardised job market. Reflecting on their perceived futures Simon and Ben explained:

> I'm startin' to make noises now which is good, people are starting' tu' take notice, and obviously, I been out just over two years now, but I reckon, in four years, all the stigma'll be gone.
>
> Simon

> [L]ooking back I have no regrets. I have no regrets whatsoever, and I probably hurt a lot of people along the way, but I've sort of turned it around - that's all I can do […] I don't live in that past […] I wouldn't be doing what I'm doing now if I didn't have them experiences, one hundred percent.
>
> Ben

> [W]hen I set out [at university] at thirty-one, I set meself a goal of, by the time I'm forty, to be in that position when I've created what I wanted to create. I'm four years in, five years in, it's going good. You know what I mean? It's where I wanna' be, erm, so yeah. Yeah, so, I'm good.
>
> Ben

> [I]t's just about going forward and not looking back on the past.
>
> Ben

These quotes reveal a sense of hope, and the anticipation of a successful, stigma-free future, having reframed their experience, and thus, their criminal record, as an integral part of their entrepreneurial identities. As explained by Toyoki and Brown (2012: 723), the appropriation of a potentially stigmatising label – such as 'prisoner' or 'former offender' – by maintaining that it has 'significant positive associations or implications', can enable otherwise stigmatised people to exercise agency, and maintain positive self-esteem. Indeed, it has been argued that, through engaging in entrepreneurial practice and discourse, former-lawbreakers can 'exploit and manipulate their life-stories in an entrepreneurial manner thus discursively extracting value from their environment (Anderson, 1995; cited in Smith, 2013:

320). Specifically, the story of entrepreneurship is a 'socially accepted life changing narrative' which allows offenders to 're-script their moral biographies and reposition themselves in the public domain, thereby achieving a veneer of legitimacy' (Smith, 2013: 27). Positioning themselves as entrepreneurs and reframing their criminal record as a source capital, Simon and Ben anticipated highly agentic and successful careers, *using* their criminal record to facilitate their forward mobility. This shows the power of narrative for constructing a meaningful life story, and for altering 'the direction of our lives' (see Presser, 2016: 138).

Having engaged in a considerable amount of identity work to construct these narratives, Ben and Simon protected against the risk of failure by presenting themselves as responsible for their own success, but not others. Indeed, neoliberal governance involves management and, where necessary, avoidance of risk (McNay, 2009). Simon and Ben avoided risk by positioning themselves as *providing* a paid-for service, which people can use to facilitate their own neoliberal self-help project (see Turken et al., 2016). They explained:

> I can install something in them, whether it's something positive, or it's to boost their self-esteem, or it's to give them information about why they're acting or feeling or behaving in a certain way - that's my part that I play. The rest, really, is up to the individual. I've said, "I'm going nowhere" when I'm working with these people, I'm there, I've taken responsibility for the role that I've got. So, if I can give that support to them, I feel like it's down to them.
>
> Ben

> I'll take anyone now me. As long as they wanna' change, and they want a better life, then I've got no problems takin' them, you know what I mean? But if you wanna' start smokin' weed or drugs [shakes head]. You get one chance with me, we'll put you in a property, we do, urmm, supported living [but] if we come and check on you one day, and you got a spliff or anythin' in them properties, then bang, you're straight out of em'
>
> Simon

Ben explained that, whilst he wants to help, he can 'only do so much' as 'ultimately, it's down to them'. Indeed, he asserted that, 'you can't change people, people *have* to change themselves'. Subsequently, Ben positioned himself as someone with valuable wisdom to instil on service users and, framing this in a professional way, he noted he had 'taken responsibility' for his role. Nonetheless, he noted that this is the limit of his responsibility, as it is 'down to them' to change. Simon explained that he would not support someone still using drugs, believing they had 'the prime example to come off drugs while in prison', seeing other people abusing them. He explained this to be for the 'simple reason' that, 'if you wanna change your life you'll come off drugs'. Indeed, he explained that anyone using drugs whilst accessing his services would be 'wasting [his] time', and not deserving of his support. This is highly contradictory as he had previously made a profit from the mass distribution of drugs, but he did not acknowledge this in the interviews. Having positioned themselves as having gone on a highly agentic 'journey', Ben and Simon expected others to do the same, projecting their investment in neoliberal discourse onto their service users, promoting individualism, self-discipline, and responsibility for conduct (Rodrigo and Antonio, 2017).

Overall, having narrated a neoliberal success story whereby they 'disavowed vulnerability' and managed their conduct to become an entrepreneurial subject (Scharff, 2016: 109), Simon and Ben positioned themselves as having been on a transformative 'journey', and turned their criminal record into a source of 'capital' to defend against the stigma of their criminal record. For Ben, this involved overcoming addiction - which he framed as autonomous and highly independent - and embarking on a 'journey' into higher education and volunteering. For Simon, this involved overcoming structural inequality and poverty under Thatcherism, reconciling the death of his mother, and developing a CIC upon release from prison. Subsequently, they both reflected on the temporal and spatial distance travelled in their narratives:

> [T]he other day I bumped into a lad I haven't seen for, it must be thirty years […] I've shouted him and he went "yeah? Who are ya?" I went, "it's me, Simon" he went, "fuckin' hell [Simon]" he said, "I didn't even recognise ya" […] but a lot of my mates from that estate now are dead […] you know, I don't think there's anyone, I can't think of anyone who's been on that estate, who's done what I've done.

Simon

> I'm still living in the same area. I drive round and still see mates doing the same thing, and I just think, it's sad that that's the way it is […] if you ask any of me mates, I'm probably the worst out of them with the drink and the drugs, erm, and then to see me now […] they probably don't recognise me as I'm a totally different person. Do you know what I mean? It's mad, so like, when I have bumped into them, I try and [hesitation] I try and get back on their level, but I moved on do, you know what I mean?

> And it's like, I suppose with the psychology side of it, it's me identity, like, I've had to kill an identity that I identified with, and create a new one.
>
> Ben

Whilst this is a somewhat contradictory distancing of past – indeed, they each maintained a relationship with their 'old selves', discussing how they retained deviant characteristics from the past (see above) – they positioned themselves as unrecognisable, emphasising the gravity of the 'work' they had done on themselves as neoliberal entrepreneurial subjects. Moreover, they positioned themselves as unique, noting that their old peers had either died, or continued to engage with harmful behaviours, not having gone on the same transformative journey as them. McNay (2009: 63) argued that central to neoliberal subjectivity is self-management and discipline, and thus, 'discipline and freedom [are] intrinsically connected'. Indeed, despite their retention of deviant characteristics, Ben and Simon shared narratives centred on self-regulation to become more disciplined individuals, in order to free themselves from their pasts. Demonstrating their commitment to ongoing self-improvement, they both noted how their hobbies were meaningful, helping them achieve their future aspirations. For example, Ben discussed his interest in self-help books and explained that he was seeking out a mentor to help him identify strengths and weaknesses for future development. Simon discussed how he goes to the gym to stay physically and mentally fit, wanting to be in the best shape he could. McNay (2009) argued that neoliberalism encompasses subjectivity itself, encouraging individuals to view life and identity as a type of enterprise. Indeed, the self as business requires ongoing attention, and 'various aspects of the self – physical, mental and spiritual – are worked upon for optimization.' (Scharff, 2016).

To conclude, this chapter has further demonstrated the complexity of crafting and maintaining 'non-criminal' identities, exploring how several male participants established narratives centred on entrepreneurialism. It has shown how the crafting of an entrepreneurial identity is highly contingent, resting upon the biographies, motivations, and perceived opportunities of the individual constructing them. As noted above, there is no unitary definition of entrepreneurialism, and the entrepreneurial investments of participants spanned different temporal spaces in their narratives. For example, Glenn maintained a life-long investment in criminal entrepreneur discourse at the time of his interview, whilst Simon narrated an evolution of entrepreneurial propensity from illegitimate crime in the past, to legitimate endeavours at the time of the interview. Ben showed *some* engagement with it in the past as a self-employed painter and decorator but envisioned greater entrepreneurial propensity in his future. Importantly, there are tensions throughout their accounts as they reconcile the past, present and future, and try to forge continuity and meaning in their life stories.

Nonetheless, the chapter has demonstrated how establishing an entrepreneurial identity, particularly in the context of neoliberalism, allows one to position themselves as highly agentic, able to move on to live a successful and meaningful life *with* a criminal record, not despite of it. This is a highly agentic and creative way of overcoming the barriers of a criminal record, and offers an important contrast to those narratives shared in chapter seven. Indeed, it is important to recognise that not all participants were able to utilise entrepreneurial scripts to make sense of their past and/or present and construct a meaningful narrative. Indeed, only three male participants narrated an entrepreneurial identity, one of whom was not seeking legitimate employment (Glenn). One other participant – Jamelia (see

appendix) - briefly discussed wanting to establish a business, but dismissed it as an unrealistic idea when asked to elaborate on this further.

Conclusion

Thinking biographically about criminal records

Taking a biographically informed narrative approach has enabled a thorough exploration of how people with convictions; 1) reconcile a 'criminal' identity, 2) negotiate the contextual and interpersonal dynamics of disclosure and, 3) continually revise understandings of self, in light of new life experiences and changing social structures. Exploring each of these in more detail, this concluding chapter will outline the key contributions of this thesis. The overarching premise is that the innovative application of biographical methodology leads to more nuanced understandings of how people navigate life with a criminal record providing, in turn, analytical depth to the current field of study.

The need for biographically informed research

The development of so-called 'collateral consequences' research has sparked new interest in the long-term implications of criminal justice involvement, and focused attention on how the widespread use of criminal record checks has led to a range of barriers and exclusions for PWCs (see chapter one). However, the research has not emerged evenly and, owing to its legitimate importance, studies on criminal records and employment have dominated the field (see Thomas, 2007; Decker et al., 2015; Bennett, 2017; Weaver and Jardine, 2022). Whilst these studies discuss the wider implications of employment issues for other life domains (e.g. impact on family and social integration), they still place employment at the centre of analysis. However, as demonstrated by stigma management research, PWCs are required to negotiate (non)disclosure across various public and private life domains, often simultaneously (see Jones et al., 1984; LeBel, 2008; Grace, 2022). Where research does take a broader focus exploring on issues around citizenship, rehabilitation, and

integration (see Henley, 2014; Hoskins, 2014; Henley, 2018), it does so through a theoretical lens, and does not include the voices of PWCs (see Stark, 2022 for an example which does). As noted by (Stamper, 2020: 212) '[r]esearchers, politicians and government officials speak 'about' criminal record holders', often without listening to their life stories and experiences. This is problematic, as it is through listening to the stories of PWCs that we can 'better understand the lived impacts of disclosure' (ibid.).

Running through much of the collateral consequences literature is an interest in *how* PWCs try to negotiate the stigma of a criminal record (see, for example, Kurtovic, 2017; Maruna, 2001; Harding, 2003; LeBel, 2008). This research begins to account for the simultaneously agentic and socially mediated nature of managing a stigmatised identity. However, on the whole, collateral consequences literature tends to position people as *subject to* structural barriers and stigma, and thus, does not fully acknowledge the highly creative and agentic ways people navigate life with a criminal record (see Toyoki and Brown, 2014 for a similar argument). Furthermore, it does not sufficiently explore the disclosure interaction in detail (Stamper, 2020) which is problematic, given the expanding use and scope of criminal record information in contemporary society (see chapter one). A significant limitation then, to the current top-down approach dominating the field, is that it has only partially captured the voices and experiences of PWCs, and is yet to explore how they simultaneously navigate various aspects of life with a criminal record (e.g. employment, family, travel, social and leisure).

Responding to these limitations, this thesis makes the case for, and demonstrates the value of, taking a biographically informed research approach to understand how people experience their criminal record(s). Indeed, a biographical approach to

criminal records foregrounds aspects of criminal record experience that have not been fully explored before. First, a biographical approach enables exploration of *how* criminal records permeate the lives of PWCs across different life domains, often in unexpected ways. Second, a biographical approach facilitates an exploration of *macro* (structure and culture), *meso* (institutions and gatekeepers) and *micro* (personal biography and motivation) levels of analysis, which, as noted by Kurtovic (2017), is key to developing a comprehensive picture of how criminal records influence peoples' lives. Third, a biographical research approach acknowledges how changes to *both* personal biography and social structure influence the ways in which a criminal record are experienced. Relatedly, fourth, a biographical approach recognises the complex ways in which people continually revise their understandings of past, linking them with the present, and with the future (see Maruna, 2001; McLean, 2006). These points will be discussed further in the sections below: '*subjectivity, meaning-making and agency*', and '*the criminal record as a life-long narrative project*'.

Subjectivity, meaning-making and agency

This thesis extends collateral consequences research by demonstrating how, when reconciling the stigma of a criminal record, PWCs are active agents in the crafting of meaningful narratives, to forge more permissible social identities. It demonstrates how these processes are temporally and spatially specific, and illustrates the range of social (social identities, discourse and meta-narratives) and psychological (motivations and anxieties) forces that are implicated in narrating particular versions of the 'self', at particular points in time. Importantly, PWCs forge their identities within a socio-political backdrop of what it means to be 'criminal' and, as explained in chapter one, a criminal record can be highly stigmatising, signifying

untrustworthiness, dangerousness, and riskiness. Finally, it accounts for the ongoing identity work and narrative labour required to actively manage different constructions of self, to convince others that these stigmas are not real frames of reference (techniques demonstrated in part two of the thesis).

To illustrate: a key insight provided by the research is how participants invested in culturally available discourses and utilised techniques of neutralisation, to establish a permissible narrative identity, and construct a meaningful life story in their interviews. As explained in chapter four, the analytical focus was to explore what these narratives were 'doing' for the storyteller, paying attention to how they situated themselves in their storytelling (see Jones, 2008; Goodson, 2013; Presser, 2016). Interestingly, aside from Glenn, Martin and Simon, all participants maintained that they had never been 'criminal' individuals. Instead, they positioned themselves as 'non-criminal' individuals who had engaged with crime due to immaturity, victimisation, and addiction, or for 'survival' and mastery of their environments. These narratives of 'circumstantial criminality' enabled participants to defend against the stigma of their criminal record, and craft culturally permissible stories to deploy when providing an account of their offending to others. To legitimise their position as fundamentally 'non-criminal', they drew on their own moral sensibilities regarding the 'seriousness' of their offences (Sally, Paul, Alice), quoted criminal justice professionals (Sally and Kirsty), and compared themselves to more 'criminal' others (Sally and Paul). They also drew on sources of validation to support their narratives, quoting the words of professionals (Sally and Kirsty) and family members (Yasmeen), drawing on knowledge learned from higher education and professional training (Paul, Martin and Louise), and recalling findings from independent research on the internet (Kirsty). Partly, this research finding

was made possible by researching a lesser explored population – those individuals with cautions and/or convictions who had *not* experienced incarceration (see below).

A second insight with respect to the agentic construction of identity is that, having accounted for their offending, most of those interviewed gave an account of how and why they 'desisted' from crime. This was interesting given that so many of them refuted the 'criminal' label (see above). Nonetheless, both age-related 'natural' desistance (see Laub and Sampson, 1993) and techniques of 'redemption' scripting (see Maruna, 2001; McLean, 2006) were evident in participant narratives. Furthermore, the various reflections on personal resilience, motivation, and drive, provided insight into how they ascribed varying degrees of agency to themselves, at different temporal spaces in their narratives. Indeed, chapter discussions demonstrated how the realisation of greater agency *later* in their narratives enabled participants to project their experiences in terms of developing 'better' selves through the life-course. For example, in light of their past experiences, participants explained they were pushed to take risks, improve themselves, and become highly agentic and self-motivated individuals. In doing so, they were able to realise more professional and legitimate selves (Simon and Ben), wise and experienced selves (Martin and Paul), and more resilient and agentic selves (Yasmeen, Rachel and Megan). These narratives help to mitigate against feelings of shame and guilt, and reframe negative aspects of the past, as meaningful for the future (see Maruna, 2001; McLean, 2006).

Extending this discussion further, chapters seven and eight illustrated how several participants constructed highly gendered narratives, aligning themselves with contemporary discourse regarding responsible victimisation (chapter seven) and

burgeoning entrepreneurialism (chapter eight) – another key contribution of the thesis. Exploring the potential implications of this sense-making, the chapters also demonstrated how this shaped the anticipation of future selves and opportunities. This is important because, as noted in chapter three, 'one's view of the future conditions the meaning of the past and, one's view of the past conditions the meaning of the future' (Freeman, 2000: 81). Indeed, stories connect the past with the present and the future, shaping the way we interpret new experiences, and how we anticipate potential futures (Fleetwood, 2016). Having made sense of their criminal records as a consequence of their prior victimisation, Louise, Yasmeen, Megan and Kirsty envisioned life-long retraumatising disclosure, and expressed frustration at being asked to revisit their past when trying to access opportunities. In contrast, having made sense of their criminal record as 'part of the job' or as a valuable commodity to draw upon, Glenn, Simon and Ben did not envision that their criminal record would present and issue for them in the future. Indeed, the narratives of trauma and victimisation had a 'rubber-band' effect, drawing Louise, Yasmeen, Megan and Kirsty back to harmful experiences of their past. For them, disclosure was an emotionally difficult experience, prompting the resurfacing of past trauma. In contrast, entrepreneurial narratives propelled Ben and Simon forwards, as they reframed their criminal record as a signifier of 'having been there', further validating their career trajectories. Subsequently, whilst the narratives of Louise, Yasmeen, Megan and Kirsty, enabled them to envision more responsible and 'good' selves – particularly good mothers – the embodiment of an entrepreneurial identity enabled Simon and Ben to maintain their 'deviant' characteristics, and draw on the past as a source of wisdom for their legitimate career endeavours.

Thirdly, thorough exploration of participant narratives highlighted how the management of criminal record stigma is highly subjective – another key contribution of the thesis. Indeed, the narratives constructed by participants varied, influenced by the nature of their past conviction(s), their present-day life-circumstances, and their motivation for disclosure. For example, now a mother, Yasmeen's stigma management was highly gendered, and revolved around defending against being a 'bad mum' after receiving a caution for neglect (chapter seven). Now running a Community Interest Company (CIC) to 'empower' young people into employment, Simon's stigma management was about reframing his past involvement in crime as a valuable resource to draw upon, not something to discredit him (chapter eight). Glenn referred to himself as a 'career criminal' who was 'trying' to avoid crime at the time of the interview. Having spent the majority of his life in and out of prison, his stigma management was about positioning himself as a 'professional burglar', not an 'amateur' criminal (chapter eight). This is important because, thus far, current collateral consequences literature has discussed the plethora of ways a criminal record *may* influence *any* one person. Research which takes a more nuanced approach is necessary to advance the field, and avoid reducing PWCs to a homogenous group, overlooking the complexities of criminal record experience which, as this thesis has demonstrated, is highly subjective.

Participant reflections on *how* stigma was experienced enabled a second significant contribution with regards to collateral consequences and stigma research. It has been argued that contemporary conceptualisations of stigma need to be attuned to power, and acknowledge the function of stigma as a weaponised form of social control (see Link and Phelan, 2001; Taylor and Slater, 2018). The narratives

discussed in this thesis demonstrate how criminal record stigma reproduces inequality via the imposition of structural barriers across various life domains. Unable to access the same opportunities as people without convictions, participants discussed being unable to reach their full potential (Paul, Ahad, Kirsty and Martin) and having to work harder than others to improve their lives (Yasmeen, Megan and Jamelia). Importantly, participant accounts show that stigma was often experienced as a *purposeful* means of exclusion, denying them equal access to opportunities having been marked as an ex-offender and, using the words of Yasmeen, having placed an 'albatross' around their necks. Indeed, several participants, including Paul and Ahad, made reference to 'them' or 'the system' keeping them from achieving their potential and/or enjoying life freely without further sanctions. Martin's account of not being able to secure work due to living an 'undocumented life' demonstrates this vividly, as he was unable to demonstrate his responsible conduct via a checkable CV. Indeed, participants discussed feeling anything but ordinary citizens, subject to technologies of control, and unpredictably subject to exclusionary practices.

Finally, the narratives shared by participants were imbued with tensions and contradictions as they attempted to reconcile different understandings of the self. For example, Martin reflected back on his life's achievements and tried to reconcile his feelings of loss and enduring 'difference' to his peers, with the pride and feelings of content he had found with his coffee van business (chapter six). Having been confronted with a hard copy of her DBS certificate, Rachel tried to reconcile resurfacing feelings of guilt and shame around her offending with her present-day identity as a mother. This left her deliberating if her criminal record experiences were unjust and disproportionate, or a deserved consequence for the harm she

caused others (chapter six). Unlike Kirsty who firmly asserted herself as a victim in her narrative, Louise, Yasmeen and Megan showed a reluctancy to identify as such, reconciling this by; isolating victimisation to one epoch in their life history, maintaining a sense of control by 'taking responsibility' for their actions, and using language such as 'victim personality' to detach it from their identity. Importantly, these narratives are fragile and, as demonstrated by chapter six, are open to being challenged and refuted by others. These reflections provide insight into the complex nature of constructing identity over time, further enhancing our understanding of how people navigate agentic and socially mediated constructions of self. Indeed, as will be discussed next, the construction and maintenance of narrative identity is an ongoing and highly reflective life-long project.

The criminal record as a life-long narrative project

This thesis demonstrates that, despite the protections of the ROA (1974) and Filtering Rules (2013), managing disclosure in different life domains is a key aspect of living with a criminal record. Therefore, a key argument of this research is that the criminal record constitutes a life-long narrative project, whereby PWCs are persistently required to engage in identity management as they construct, share and revise their understandings of past events and present-day identity, with others. This contribution adds a further layer of intricacy to an already complex topic. Importantly, whilst several participants identified major disclosure events in their life (e.g. job rejections, visa rejections, and disclosures to partners), they also recalled more ordinary and indistinct examples of everyday disclosure interactions (e.g. regulating social conversation and engagement in leisure activities). This highlights the importance, and prevalence of, everyday processes of stigma management – an underexplored area of research.

The phrase 'negotiating disclosure landscapes' was used throughout part two of the thesis to help illustrate the coming together of individuals (storytellers and listeners) and social structures (disclosure landscapes), and to capture how *macro, meso and micro* level forces converge to shape disclosure interactions. For example, chapter five illustrated how, when choosing whether or not to disclose their criminal record, participants engaged in risk to reward calculations, responded to the actions of others, and drew on past experiences. Whilst several participants discussed how their actions were informed by the ROA and Filtering rules, many explained that they had previously withheld heir criminal record illegally[49], or self-excluded from the opportunity to avoid disclosure. Subsequently, legal frameworks appeared to have lesser influence than other, more personally informed considerations. This further complicates understandings of criminal record experience, highlighting that whilst further legislative reform is necessary to protect PWCs from disproportionate and unjust disclosure of their criminal record, more research is needed on *how* people engage with these frameworks to facilitate meaningful change.

Further illustrating the agentic nature of navigating life with a criminal record, participants reflected on how they managed the disclosure interaction itself, deciding in what detail to share the 'wider context' of their offending, and how to frame their stories to 'fit' the interaction. As noted in chapter three, disclosure entails a creative re-telling of the past, shaped to the context, audience, and motivation of the storyteller (see Denzin, 2000; Herman et al., 2007; Bornat, 2008; McAdams, 2008; Freeman, 2010). Indeed, each time a story is shared, the storyteller is reflecting back, establishing and embellishing facts, and noting the importance of

[49] As noted previously, none of the participants revealed that they were illegally withholding their criminal record at the time of the interviews.

some events over others. For example, Megan discussed finding a balance between explaining her victimisation and 'taking responsibility' when discussing her criminal record in a professional job interview context. Distinguishing between disclosure in public and private domains, Louise explained how she would avoid sharing the wider context of her offending with employers, but wanted to share it with her partner in a more intimate and personal disclosure interaction. However, as discussed in chapter five, these disclosure dispositions are fluid and dynamic, continually evolving to changing social structures and life experiences. Indeed, after being 'caught out' illegally withholding her criminal record, Sally moved to active disclosure strategies, disclosing her conviction for cannabis possession before asked to do so in job interviews. Evolving her strategies further after her experience with the embassy in London, Sally proceeded to actively disclose her criminal record in social settings to 'put a human face on' criminal convictions, and challenge the validity of the stigma (see chapter six).

Importantly, like disclosure dispositions, narratives are also fluid and dynamic, evolving and changing as people respond to significant life events, and reconfigure understandings of the self (Maruna and Liem, 2020). Indeed, as noted by McAdams (2008: 246), there is a 'temporal instability' to narratives, and life stories evolve in response to new experiences and changes to social positioning. Viewing the criminal record as a life-long narrative project, enables an exploration of *how* people respond to these changes, reconfiguring meanings and reconstructing identity over time. Specifically, this thesis has highlighted two key sources of *potential* disruption to narratives: 1) engagement with disclosure landscapes, and 2) natural age-related progression through the life course. First, as illustrated in chapter six, when accounting for offending within disclosure landscapes, narratives and thus, 'claims

to self' (Gilmore, 2018: 94), are exposed to being disputed or rejected by the listener. For example, Paul's narrative was challenged when applying to work for the police, leading him to question if The Probation Service would be more accepting of his story of 'reinvention'. Moreover, new experiences and disclosure interactions give rise to new discursive possibilities. For example, the interviewer at the London embassy explained that he would support Sally's waiver application due to her age (see chapter six). This afforded Sally new discursive possibility regarding ageing and harmlessness, but Sally rejected it and joked in the interview that even 'criminals' retire.

Second, people experience changes to their personal biography as they grow older. Examples captured in this research include becoming a parent (Rachel), becoming a grandparent (Ahad), getting engaged (Louise), approaching graduation from university (Paul), and approaching retirement (Sally). As these events occur, frameworks of reference change, and outlooks on potential goals and aspirations are adjusted. For example, taking on new family roles gave Ahad and Rachel the motivation to travel to Disneyland, Florida. However, they both explained that they were unable to go due to their criminal record, and discussed the impact this had on their ability to engage in family life (chapter six). Similarly, getting engaged and wanting to travel abroad for her honeymoon prompted Louise to consider telling her fiancé about her past. These reflections demonstrate how the sharing, maintaining, and revising of understandings of the self, requires ongoing narrative labour and emotion work, throughout the life course (Warr, 2019).

Listening to a hidden population

Thus far, collateral consequences, and post-criminalisation research more broadly, has predominantly focused on post-incarceration experiences. Consequently, it has

failed to capture the voices of the majority of PWCs – those who have only received minor, non-custodial convictions or cautions. Subsequently, these individuals form an ambiguous group, 'criminal' enough to have received a criminal record and thus, experience the aforementioned collateral consequences, but not 'criminal' enough to attract the attention of criminology research. Moreover, having focussed on post-incarceration narratives, literature concerned with processes of desistance and rehabilitation has generally been used to explore these experiences (see Maruna, 2001; Grace, 2022). However, as demonstrated in this research, many PWCs are not actively trying to desist from crime, nor are they going through a formal rehabilitation process. Indeed, only Ben and Glenn provided narratives which could 'fit' quite neatly onto existing literature. Therefore, the argument for further research into the experiences of those individuals who have *not* experienced incarceration is two-fold. First, it helps to 'give voice' to a marginalised group of PWCs, and second, it has the potential for theoretical advancement of the field.

Concluding statement and implications for policy and legislative reform

This research demonstrates that there is much to be learned by taking a biographical approach, placing the voices of PWCs at the centre of research. Whilst this research does not seek to minimise the seriousness of the structural and affective collateral consequences experienced by PWCs, it is important to develop a more nuanced understanding of criminal record experience - one which recognises the simultaneously agentic and socially mediated nature of navigating life with a criminal record. Indeed, contrary to how PWCs have been positioned in current literature, there is agency and creativity in navigating life with a criminal record.

As noted in the introduction, England and Wales is a lively political landscape with calls to reform the current criminal record regime supported by scholars, public

figures, and charities and organisations. Having engaged with an overlooked population and placed the narratives of PWCs at the centre of analysis, this research has two key implications for policy and practice. First, having illustrated the wide-reaching effects of criminal record disclosure in public and private life domains, this research supports calls to reduce the frequency and scope of criminal record disclosure. Indeed, having demonstrated the retraumatising nature of having to revisit one's past, and illustrated the narrative labour and emotion work that goes into the everyday management of criminal record stigma, this research supports a reduction in the widespread use of criminal record information. Second, by exploring *how* participants approached and negotiated disclosure of their criminal records (deciding when, where, how and in what detail to disclose) this thesis highlights the importance of ensuring PWCs are involved in making *meaningful* changes to policy. To illustrate, several participants chose to withhold their criminal record despite being legally required to disclose it, whilst others chose to disclose despite it being spent and filtered. This was due to other more subjective factors influencing their decision making, such as their perceived importance of the opportunity, and their past experiences of disclosure. Subsequently, in order to ensure that changes to the criminal record regime are meaningful, it is important to engage with those navigating existing legislation and policy.

To conclude, this research supports several key arguments put forward in the existing literature. First, it supports the ongoing criticism that people are rarely, if ever, restored to full citizenship after receiving a criminal record (see inter alia., Hoskins, 2014; Bennett, 2017; Bradford-Clarke et al., 2022). Developing this further, this research has demonstrated that even those with minor convictions and cautions experience collateral consequences, often in profound ways. Second, this

research supports the argument that collateral consequences are the result of macro level structures and cultures, meso level institutional practices, and micro level interactional processes (see Thomas, 2007; Bennett, 2017; Kurtovic, 2017). Through exploring the role of narratives in criminal record disclosure, it enhances our understanding of how these forces come together to shape criminal record experience, and more specifically, sheds light on the currently overlooked interactional elements of disclosure. Finally, this research supports a third emerging argument – that the 'collateral consequences' of a criminal record are not inevitable 'consequences', and, far from 'collateral', can often be felt as more harmful that the original sentence (Henley, 2019; Henley, 2022). To explore this further and develop a more nuanced understanding of how criminal records permeate the lives of PWCs, more biographical research is needed.

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Appendices

Appendix A: Ethics Resources and Approval

Appendix A1: Information Sheet

Research Information Sheet

Study Title: Understanding the influence of an early life criminal record on adult life courses.

Invitation

You are being invited to consider taking part in the research study 'The right to a fair future: understanding the influence of an early life criminal record on adult life courses.' This project is being undertaken by Nicola Collett, a PhD researcher at Keele University. This research is being supervised by Dr. Mary Corcoran.

Before you decide whether or not you wish to take part, it is important for you to understand why this research is being done and what it will involve. Please take time to read this information carefully and discuss it with friends and relatives if you wish. Ask us if there is anything that is unclear or if you would like more information.

Aims of the Research

This research seeks to explore the lived experiences of adult men and women aged 25 and over who have lived, or are living, in the UK with a criminal record relating to one or more non-custodial sentence(s) or out-of-court disposals attained between the ages of 10-25. This record would hold data potentially disclosable on an enhanced DBS certificate for purposes such as employment, attaining a visa etc. This may include, but is not limited to, information relating to cautions, conditional cautions, fines, behaviour orders and suspended sentences.

The aim of this research is to explore the ways in which individuals think their youth criminal record may have impacted them:

a) in relation to their identity and sense of self;

b) in relation to their life chances and right to a fair future

Why have I been invited?

You are being invited to take part because you have identified yourself as having obtained one or more non-custodial sentences between the ages of 10-25. Your record may be 'spent', but you may have found that it impacted on your adult life, For example, it may have to be disclosed on an enhanced DBS certificate, or for other purposes, such as employment, obtaining finance, tenancies, etc. It may have also helped you or had a positive influence on your life.

Do I have to take part?

You are free to decide whether you wish to take part or not. If you do decide to take part you will be asked to participate in two interviews. The first is expected to take between 60-90minutes and the second around 45 minutes which will be conducted in a public place, where possible, within your local area.

You are free to withdraw from this study without providing an explanation, up until 30 days after the second interview has been conducted. If you chose to withdraw from the research all information provided by yourself will be securely disposed of.

As a token of appreciation or your time, and for sharing your experiences, you will receive a £10 voucher at the end of the second interview.

What will happen if I choose to take part?

If you agree to take part then on receiving the completed consent form, an interview will be conducted with me, the researcher in an agreed location. The interview will begin with another opportunity to ask any questions. The interview will consist of questions which ask you to tell the research about your experiences through the telling of stories.

At the end of the interview you will have the opportunity to ask any questions and raise any concerns you may have. The interview will be recorded and the researcher may make a few notes on paper whilst the interview is being recorded.

Approximately 10-14 days later, a second interview will be conducted which will be more structured in style. Again, this will be recorded and the researcher may make a few notes on paper. You will have the opportunity to ask questions and raise any concerns you may have.

What are the benefits (if any) of taking part?

This research aims to add to an emerging evidence base which is being used to advocate for changes to current criminal record disclosure practices in the UK. It also aims to add to discussions over the targeting of young people by criminal justice practice and policy. Taking part would aid in the success of this research.

What are the risks (if any) of taking part?

During the interview you may find you discuss some difficult or challenging experiences, or you may begin to ask questions about your criminal record you had not previously considered. In the event this happens you will be reminded that you are able to use the support leaflet provided to help find the support services available to you. The services listed on this sheet include Unlock, a nationwide charity which helps to provide information and support relating to criminal records, APEX, NACRO and CLINKS which all provide more specific information, such as that on housing or employment. Information for the Samaritans and NHS help is also provided. There will be time after the interview to discuss this with the researcher.

How will information about me be used?

Any data collected may be used in this thesis and subsequent publications such as academic articles. In these instances, data will only be used where relevant. It will not be used for any future research.

Who will have access to information about me?

Only I, the researcher, will have access to original audio recordings. Myself, and my supervisors will have access to the interview transcripts. Your personal data will not be discussed with or shared outside of these individuals. For the thesis and any subsequent publications, names will be replaced with pseudonyms and any specific details (e.g. company names, locations) will be replaced with unidentifiable descriptions. All data will be treated with strict confidentiality and kept on password protected devices. Any paper materials stored in a locked cabinet within a locked room.

I do however have to work within the confines of current legislation over such matters as privacy and confidentiality, data protection and human rights and so offers of confidentiality may sometimes be overridden by law. For example in circumstances whereby I am concerned over any actual or potential harm to yourself or others I must pass this information to the relevant authorities.

Who is funding and organising the research?

This research is being funded by Keele University in Staffordshire, and is being conducted by Nicola Collett under the supervision of Dr. Mary Corcoran.

What if there is a problem?

If you have a concern about any aspect of this study, you may wish to speak to the researcher(s) who will do their best to answer your questions. You should contact Nicola Collett at n.collett@keele.ac.uk . Alternatively, if you do not wish to contact the researcher(s) you may contact Dr. Mary Corcoran (+44) 01782 7 33104 or m.corcoran@keele.ac.uk

If you remain unhappy about the research and/or wish to raise a complaint about any aspect of the way that you have been approached or treated during the course of the study please write to the University's contact for complaints regarding research at the following address:-

Research Integrity Team

Directorate of Research, Innovation and Engagement

IC2 Building

Keele UniversityST5 5NE

E-mail: research.governance@keele.ac.uk

Tel: 01782 733371

Contact for further information

Nicola Collett
E: n.collett@keele.ac.uk
T: 07494240387

CONSENT FORM

Title of Project: Understanding the influence of an early life criminal record on adult life courses.

Name and contact details of Principal Investigator: Nicola Collett, Keele University, E: n.collett@keele.ac.uk T: 07494240387

Please initial box if you

agree with the statement

1. I confirm that I have read and understood the information sheet dated 15/01/2019 (version no 1) for the above study and have had the opportunity to ask questions ☐

2. I understand that my participation is voluntary and that I am free to withdraw up until 30 days after the second interview has taken place. ☐

3. I agree to take part in this study ☐

4. I agree to allow the dataset collected to be used for future research projects* ☐

Name of participant	Date	Signature
Researcher	Date	Signature

CONSENT FORM

(for use of quotes)

Title of Project: The right to a fair future: understanding the influence of an early life criminal record on adult life courses.

Name and contact details of Principal Investigator: Nicola Collett, Keele University, E: n.collett@keele.ac.uk T: 07494240387

Please initial box if you

agree with the statement

1. I agree for my quotes to be used ☐

2. I do not agree for my quotes to be used ☐

Name of participant	Date	Signature
Researcher	Date	Signature

Appendix A3: Support Sheets

LOOKING FOR SUPPORT?

Thank you for participating in this research.

If you have been affected by any of the issues discussed in this research there are sources of support available to you.

HAVE QUESTIONS?

If you want to **understand your criminal record** more, or **understand UK disclosure policy**, Unlock, a UK based charity provides information online at www.unlock.org.uk
You can also join an **online forum** to talk to people who also have experience of criminal records http://forum.unlock.org.uk. If you still have unanswered questions, contact their **helpline** by calling 01634247350 or emailing advice@unlock.org.uk. Other contact details are available online.

If you need help in **seeking employment, finding accommodation or accessing social services** there are a variety of UK based charities which can help you including NACRO www.nacro.org.uk, Clinks www.clinks.org and ApexTrust www.apextrust.com. You can also find out information using www.gov.uk

WANT SOMEONE TO TALK TO?

If you do not want advice but would still like to talk to someone there are other services available for you.

The Samaritans offer an anonymous and confidential helping open 24hours a day. You can call free anytime, from any phone on 116 123

You can also go to www.nhs.co.uk and search for mental health support in your local area

LOOKING FOR SUPPORT?

This support sheet is designed to highlight a broad range of support services that are available to you both nationally, and locally.

NATIONAL SERVICES

Alcoholics Anonymous - 0800 9177650 www.alcoholica-anonymous.org.uk

Gangsline - 01375 483 239 or www.gangsline.com

National Debtline - 0808 808 4000

National Domestic Violence Helpline

- For women only call **women aid** 0808 2000 247 or email **refuge** at helpline@refuge.org.uk
- For men only contact **mens advice line** via 0808 801 0327 or info@mensadviceline.org.uk or, contact **Mankind** on 01823 334 244

NHS Direct 24 hour medical helpline - 111

Narcotics Anonymous - 0300 999 1212

LOCAL SERVICES

Alcoholics Anonymous and **Narcotics Anonymous** may hold meetings in your local area. Use the information overleaf to find out.

The Survivors Trust offers local support. Call 0808 801 0818 or search www..thesurvivorstrust.org to find out more

To find other local support services visit www.gov.uk/find-a-community-support-group-or-organisation and type in your postcode. **Talk to Frank** also lets you search using your postcode www.talktofrank.com/get-help/find-support-near-you.

Appendix A4: Evidence of Ethical Approval from Keele University

SCHOOL OF SOCIAL SCIENCE AND PUBLIC POLICY

Keele University

Date: 04 February 2019

Dear Nicola

Thank you for submitting the research proposal of your dissertation for ethical review to the School of Social Science and Public Policy *Student Project Ethics Committee* (SPEC). The Student Project Ethics Committee (SPEC) is responsible for ensuring that all research, **involving human participants**, and conducted by undergraduate and postgraduate students in the School of Social Science and Public Policy, takes due consideration of the relevant ethical and safety issues in social research. The SPEC is part of the University's research governance framework, which may be consulted @ https://www.keele.ac.uk/research/raise/governanceintegrityandethics/researchethics/humssfacultyresearchethicscommittee/

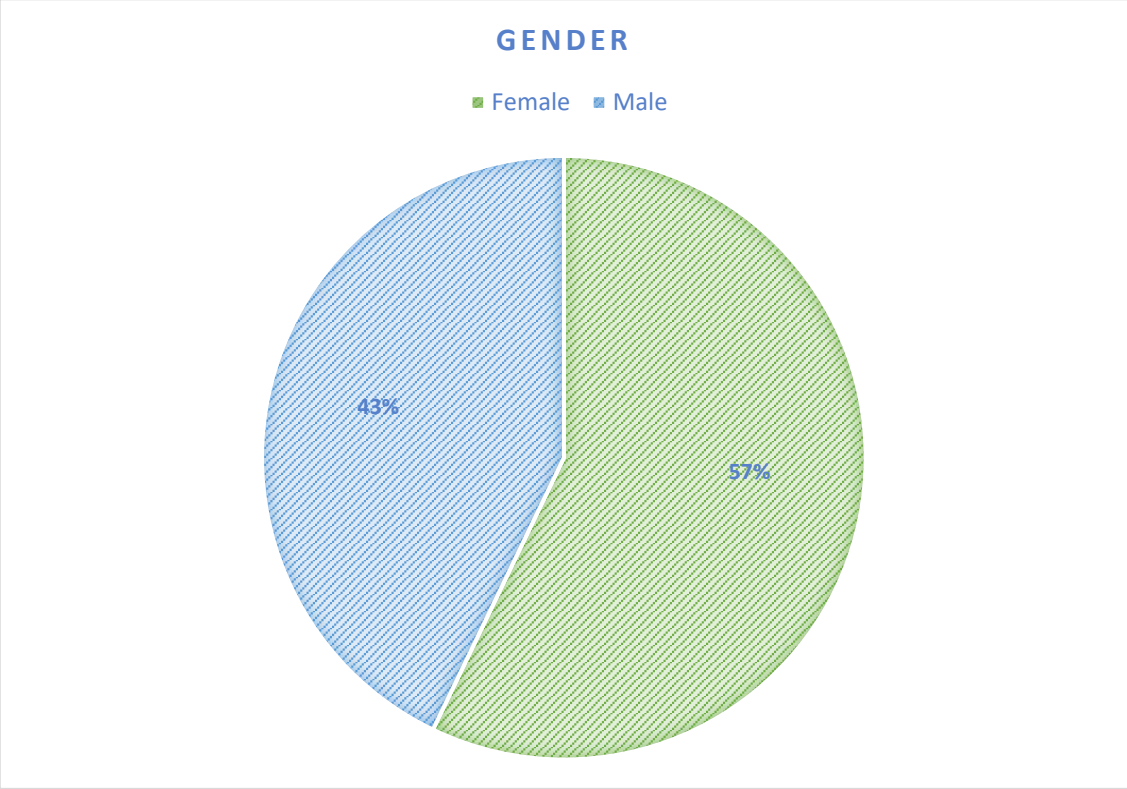
Your revised project proposal has now been reviewed by the School SPEC. On the basis of our discussion on your submission, I am pleased to say that you may proceed with your project.

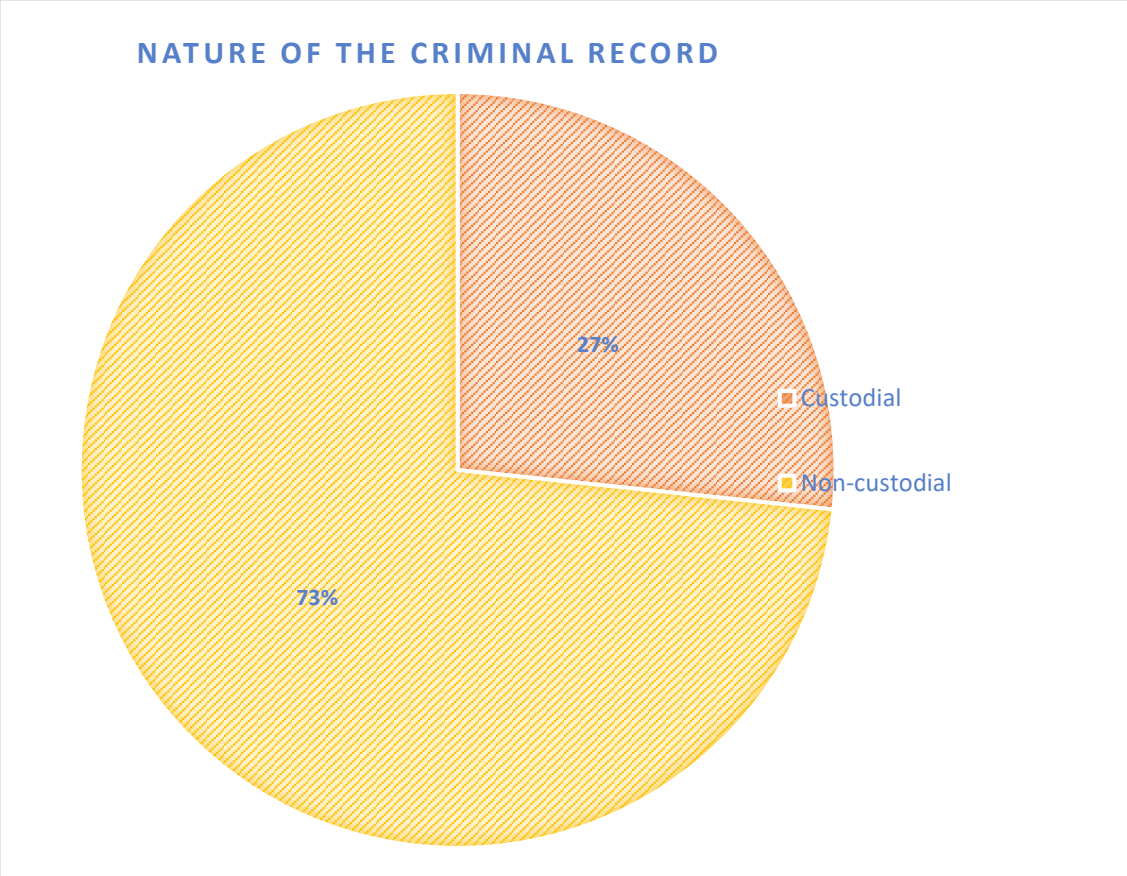
Please note that if your research design changes subsequent to approval and in a way whereby **the ethical questions of your work change**, you will need to discuss this with your supervisor and submit an amendment document for further approval by the School's SPEC committee.

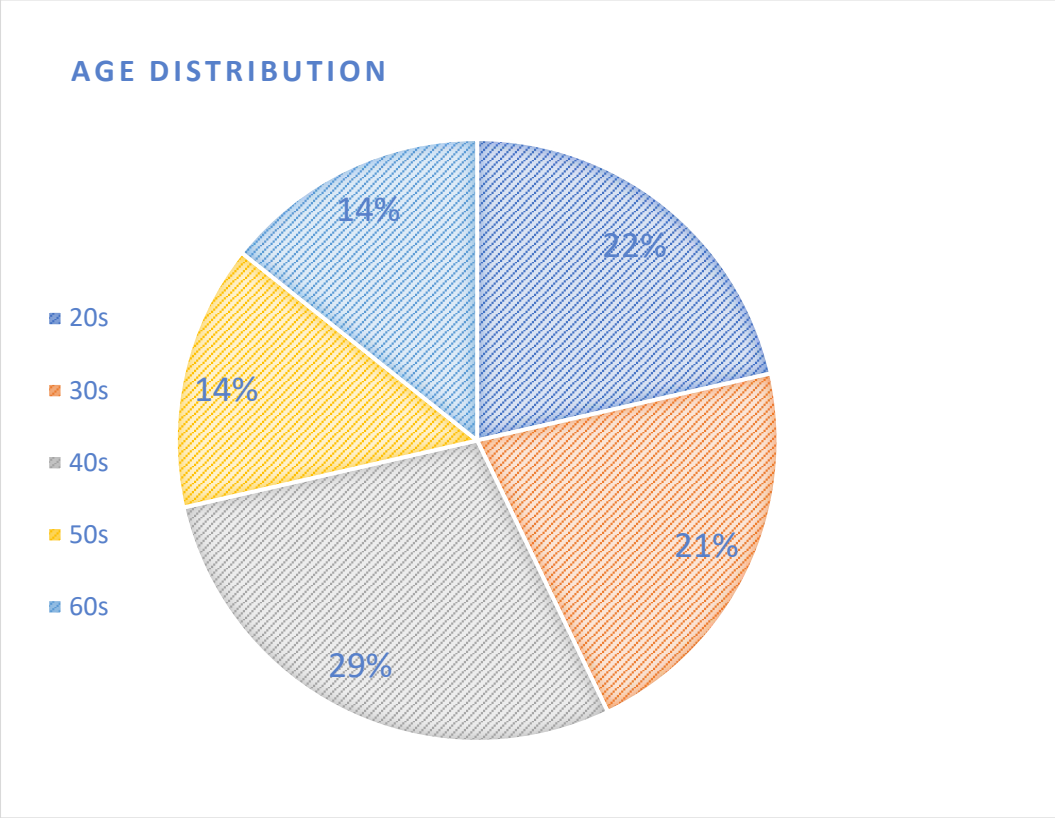
If you have any queries about the ethics relating to your project please do not hesitate to contact me, in writing, at M.Corcoran@keele.ac.uk. For minor queries, please talk with your supervisor.

Best wishes,
Dr Mary Corcoran
Chair of the Student Project Ethics Committee
School of Social Science and Public Policy

Appendix B: Sample Demographics






AGE DISTRIBUTION
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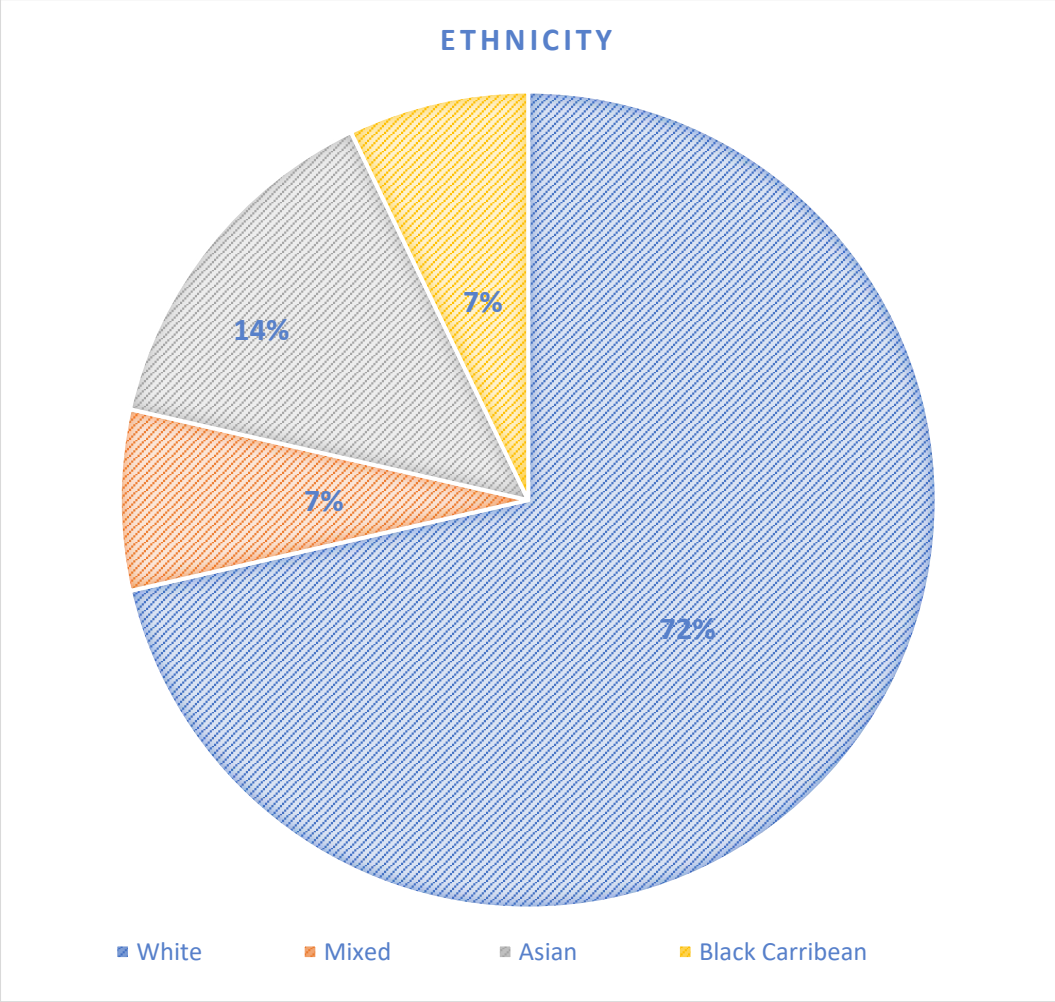
40s
50s
60s
22%
21%
29%
14%
14%


ETHNICITY
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7%
14%
7%
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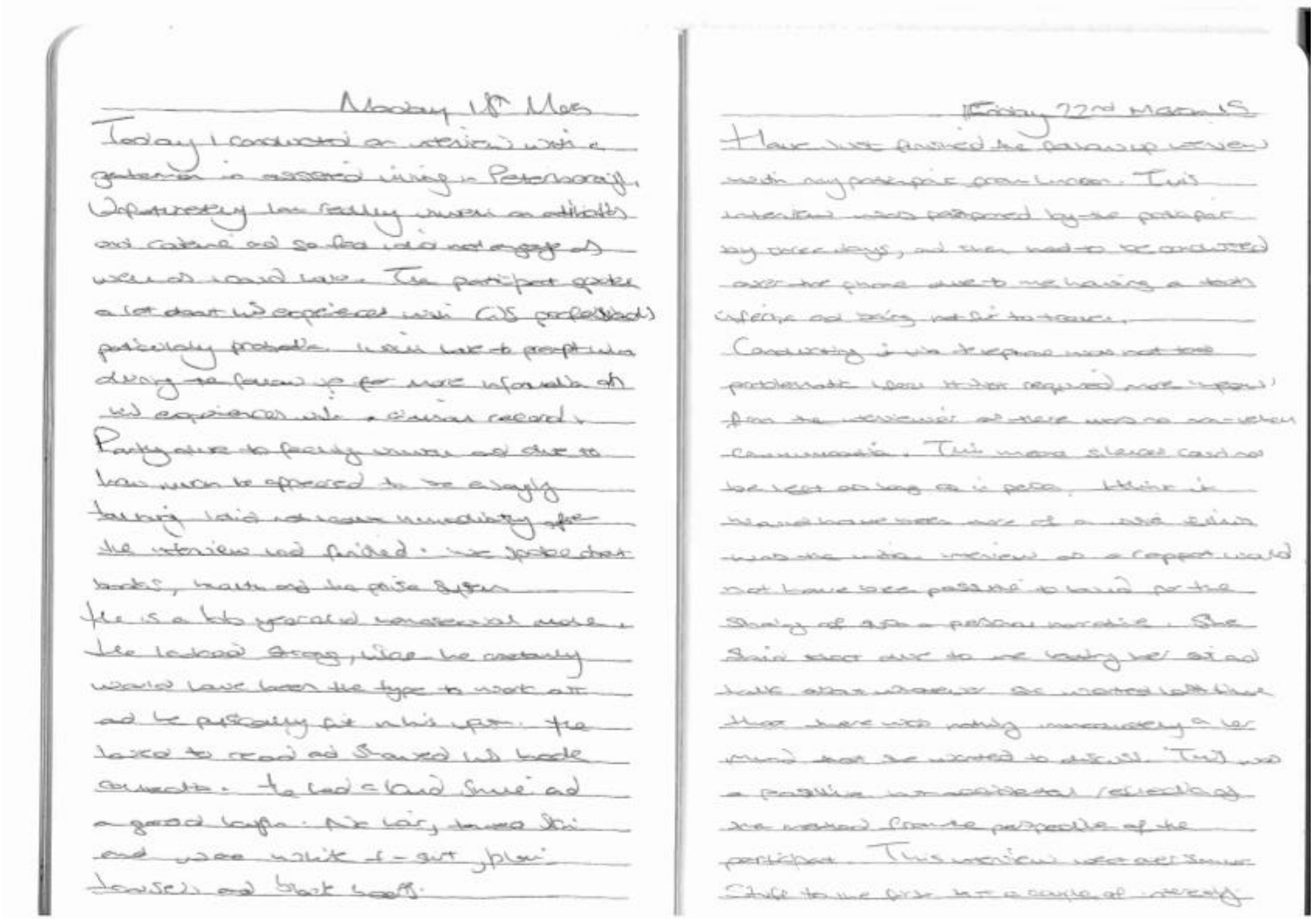
Mixed
Asian
Black Carribean

Appendix C: Field Notes Example



Monday 18th May

Today I conducted an interview with a gentleman in assisted living in Peterborough. Unfortunately has really severe mobility and cognitive and so he did not engage as well as I would have. The participant spoke a lot about his experiences with CJS professionals particularly probation. I was able to prompt him during the interview to get more information on his experiences with a criminal record. Partly due to hearing issues and due to how much he appeared to be struggling I did not record immediately after the interview had finished. He spoke about books, health and the prison system. He is a bit paranoid conspiracy nutter. He looked strong, like he certainly would have been the type to work out and he physically fit in his upper. He liked to read and showed us books around. He had a hand shake and a good laugh. His hair, beard thin and was white & ginger, blue jeans, trainers and black coat.

Friday 22nd March 19

Have just finished the follow up interview with my participant from Lincoln. This interview was postponed by the participant by three days, and then had to be conducted over the phone due to me having a bad cold and being not fit to travel.

Conducting it via telephone was not too problematic (saw it as required more 'upfront' from the interviewer as there was no non-verbal communication). This means silences could not be left as long as is ideal. I think it would have been more of a rapport building with the video interview as a rapport would not have been possible to build for the sharing of such a personal narrative. She spoke about due to me looking her at and talk about whatever she wanted to talk about there was nothing measurably a lot more that she wanted to discuss. This was a positive interviewing / eliciting technique from the perspective of the participant. This interview was over 1 hour. Still to me first hand a couple of weeks

Appendix D: Proforma Template and Example

Proforma template created March 2019

Basic details

Pseudo Name:

Location:

Age:

Gender:

Ethnicity:

Physical Description:

Employment:

Education:

Marital Status:

Life history

Family:

Victimisation:

Convictions:

Characteristic/personality notes:

Key points/transitions noted by the participant:

Atmosphere in the interview:

Other:

Paul as a pro forma example

Pseudo Name: Paul

Interview location: Paul's university library, North Staffordshire

Age: 26

Gender: Male

Ethnicity: White British

Physical Description: Paul was a short male approximately 5f1 in height. He had broad shoulders and was athletically fit. He had short black hair with a short beard and moustache. He had olive skin and wore jeans and t-shirt on both interview occasions. He noted that he had tattoos but there were not visible to the interviewer.

Employment: Employed at his university's sport centre for the last two and a half years. Seeking post-graduate employment at the time of the interview.

Education: Studying for a degree in criminology at a university in the Midlands.

Marital Status: Single

Family: Close relationship with his mum. Described his dad as a friend who has no authority over him as a result of his affair - something Paul discovered the day before his fifteenth birthday.

Victimisation: He recalled an occasion where people attacked his home and the police offered very little support.

Convictions: His first conviction was for Grievous Bodily Harm and his second was for Drunk and Disorderly. The GBH conviction resulted in no further action, but he was warned by his solicitor that the outcome could have been worse due to Paul's role in arranging the attack. The no further action outcome was a result of the charges being dropped after approximately eight months. The Drunk and Disorderly conviction was due to him and his friend being denied entry to a nightclub. He explained this was because there being too many females inside, and he felt this to be unfair. Paul told me that a police officer put a hand on his friend, provoking Paul to grab the officer. This was interpreted by the police to be violence and hostility towards an officer.

Characteristic/personality notes: Paul described himself as a 'man of the earth' who did not like borders and enjoyed meeting different people. He wanted to master his mind, body and soul by the time he was sixty, and aspired to be self-sufficient one day. He said he loved the environment and joked that maybe he would 'even go vegan' one day. He was very interested in history and politics and held many opinions on recent global issues such as the bombing of Syria, the Trump presidency and Brexit. His main hobby was snowboarding which he regularly travelled to Manchester for - whenever he could get the money together. He had recently been on a holiday to snowboard in the Alps, and commented on how much he enjoyed travelling by car through the scenic landscape. He explained that he tried to stay positive and tried to maintain the belief that everything happens for a reason. He did however, comment on feeling like an outsider who had experienced a life of continual rejection.

Key points/transitions noted by the participant: Paul highlighted several key points in his life which had either a significantly good or bad impact on him. He told me he had been diagnosed with ADHD causing his parents to send him to a private school for smaller class sizes. However, he hated this school and found he was bullied. He was in counselling around the age of fourteen, but he did not tell me why. He did however tell me he had always struggled, and had a couple of suicide attempts at as early as five years old. Whilst in counselling he had suspicions that his dad was having an affair which led to him and his dad having counselling sessions together. A day before his fifteenth birthday he had a 'feeling' about this, and when a text came up on his dad's phone, he looked. This message revealed his dad was having an affair, and it caused a family separation. This is something Paul attributes to not caring about school, although at the time he did not realise the impact it had on him. Paul was eventually kicked out of school with the last straw being him shouting abuse at his form tutor using derogatory words about her heritage. At this point he had not got his GCSE's. He had a series of 'run ins' with the police which covered a range of incidents including his convictions, being a victim of crime, and being falsely accused. This led to him having a negative view of the police overall. After being kicked out of school, his biology teacher, someone he referred to as a positive male role model, kept in contact with him encouraging him to go to the gym with him, and offering him support. Later things changed for the better with Paul meeting an ex-military soldier who ran a vocational sports

programme at the local college. Having a new male role model, and learning based around physical activities, trust and team building, was of great benefit to him. This is what he referred to as his turning point where things began to change for him and his outlook on life. He did this for two years to get his diploma but then found recruitment freezes to public services meant he was unable to find employment. Aged nineteen, Paul worked for car manufacturer doing valeting for ten months, but did not want to stay in a job which he felt had no progression, and which he felt was 'mundane'. He attended a university for an open day after a friend recommended it to him, but was told he did not have the UCAS points required. He spent the year going to evening classes at two different colleges to get his Maths and English. This allowed him to enrol on a foundation year, and then the undergraduate degree. Paul discussed this time to be of understanding the events of his life and was awarded with a prize for overcoming his struggles. Whilst at university, Paul manged to find employment at the campus sports centre, due to everyone knowing him and therefore not requiring him to formally apply and be vetted. It was also through attending university he has met 'life-long friends' and his partner who he is planning a future with. A significant point of anger and upset for Paul is his rejection from the police, a role he wanted so that he could use his experiences to help others. He discussed the application form to be very personal and detailed. After not hearing back for a while he called, and was told over the phone he had not passed the vetting. He was advised not to appeal this but did, and was able to have a phone call with the person who had rejected him. He found this experience very upsetting as he felt he was judged by the individual he spoke to, and that they did not take the time to consider the circumstances behind his convictions. This cemented a firm lack of trust in the police for him which was already forming due to the experiences he had with them as a young adult. Looking ahead, at the end of the first interview Paul was considering applying for probation by sending off an application which was already completed. At the beginning and throughout the second interview however, he had changed his mind and discussed a job in employment where he could avoid further rejection and instead earn money and form some stability in his life.

Atmosphere in the interview: In the interview Paul was very friendly and said he recognised me from a mutual friend. At many points in the interview he was smiling and laughing with me, and added me on social media after the first interview. I did not accept this invitation until the second interview had been conducted which he

understood was necessary for the research process. During the interviews he would get very emotive when talking, and he put on different voices and use hand actions to emphasise his points. I found him to be a very engaging storyteller.

Other: He explained that his experiences had made him more aware to how unfair the 'system' is, and how the agencies (i.e. the government and the police) are unjust. He believed that it has given him a better work ethic, and noted that people would often comment on how he worked harder than anyone else, and is very regimented. He reflected on how his criminal record could have encouraged his involvement in crime, made him disengaged from politics/society, and stopped him from engaging with current issues such as environmental degradation and importance of recycling. He often discussed how those in prison and those with records have a lot in common, and discussed what he felt would be effective rehabilitation based on his experiences. For him, education was a vital part of this wider social change which he felt needed to happen.

Appendix E: Paul Pen Portrait

An Introduction

Paul was the first participant to be interviewed, but his relaxed persona and opening line of 'I think I recognise you' gave us an instant familiarity. I had made contact with him through a mutual friend and we arranged an interview at his university campus. We met in a small meeting room in the library which was quite dim and basic, accommodating a small round table and four chairs in the middle. A desktop computer sat in the corner and a whiteboard was pinned to the wall. There was a large, frosted window which looked out to the foyer below, and the door looked out to a quiet corridor. We met here on both occasions. Paul, aged 26, was a short man with broad shoulders, clearly in good physical shape. He had short black hair with short, neatly trimmed, facial hair. He had olive skin and wore jeans and t-shirt on both interview occasions. He noted that he had tattoos but there were not visible to me in interviews. Paul was engaging as he spoke, often putting on voices to mimic those he spoke about. and using hand gesture to emphasise his points. He often used phrases like 'd'ya know what I mean?', and laughed out loud at what he was telling me, making it feel like an informal conversation. Despite the very difficult experiences he shared with me, he tried to remain optimistic and discussed the positives that have come from his experiences. He spoke about wanting to master his mind, body and soul and, to '[find] out his purpose for being here'. He was thoughtful, reflecting on wider societal issues such as changes to societal views, political contentions and environmental degradation. Paul spoke fast and animated, swapping from different topics continually, often mid-sentence. He needed little prompting and told me he was pleased to be able to take part.

Paul's experience of crime

Paul did not start by talking about his experiences with crime, instead he started with a discussion of his time at university, and how his work was going. He first referred to his experiences with crime by referring to having a 'mark' on his name. When asked if he could expand on this, he revealed a conviction for battery and GBH with intent, relating to a fight that he organised when he was seventeen. He referred to this as being 'deep as anythin'', and explained that it led to a guy getting 'pretty badly beaten up'. Nonetheless, whilst he remarked that he 'couldn't wish that on anyone', he explained 'that's what boys do specially at sixteen […] you're all fighting'.

After his arrest he was bailed, and the case went on for around nine months before the charges were dropped. As a result, Paul maintained that he is 'technically innocent'. Moreover, he explained it was 'a mistake', commenting that had it of been a year earlier it would have been dealt with by the school. This event occurred at a time when he 'didn't give a shit' and 'didn't care about life' something he attributed to his father having an affair, and him not having a positive male role model.

Once he had started to discuss his involvement in crime, Paul then revealed a caution of being drunk and disorderly when he was twenty-one. He explained that him and his friend were denied entry to a club due to there being 'too many girls in there' – something he thought was unreasonable and bordered on discrimination. Later in the interview Paul revealed, 'they said that I was bein' abusive towards officers', but defended himself stating his actions were a result of an officer who 'grabbed' at, and was 'puttin' his hand on [his] mate'. Similar to his conviction for GBH, Paul felt angry at how he was treated, commenting in the interview that he wasn't breathalysed despite being charged for drunk and disorderly. This adds to his lack of 'faith in the police', and his belief that 'they do not give a shit'.

Paul continued to discuss the various 'run-ins' he'd had with the police, including stories of victimisation. Indeed, he explained that they did not adequately protect him and his family during a particularly violent event when he was eighteen, where people came to his house with guns, and he had to warn his mother to leave for her safety. He also discussed an experience of being stopped whilst carrying a friend on his moped, being told he was breaking the law. He was pleased to note that he was insured appropriately, and requested a phone call apology. As a result of his experiences of breaking the law, being a victim of crime, and being wrongly accused of breaking the law he has 'almost no respect for [the police]'

Paul's experience of living with a criminal record

Paul's discussion of his criminal record appeared to revolve around his (non)conviction for battery and GBH with intent. Paul asserted that he is not a 'criminal', and he just 'made a mistake […] and came from a hard background'. His 'hard background' included him finding his dad cheating when he was fifteen, and being kicked out of school around a similar age for shouting at a teacher using a

racial slur. He went through a process of 'reinventing himself' where he 'left that life behind', influenced by his old biology teacher who encouraged him to use the gym, and then the ex-royal marines he was trained by during his college course. Reflecting on this he explained that when applying for college one of the ex-marine's 'sat [him] down no bullshit [and] did not care about [his] record'. This was of particular importance to Paul as 'it was the first time [he] had a role model - the first time [he] wanted to do well'. He continued his 'reinvention' after college by taking two evening college classes in order to be accepted onto a Foundation course to study Criminology at University. Here he was able to '[get] the answers […] about [his] own life', and he explained 'it was so nice learning things that were relative to [his] life'. He took part in volunteering and received an award from the University for overcoming difficulty. He noted that it was 'hard hitting that the uni recognised [his] struggles.' Despite his criminal record he secured work at the University campus gym - something he acknowledged he was able to do due to being known by them. and it 'being lax' allowing him to bypass the application stage.

However, five months prior to the interviews Paul had an application to join the police rejected due to failing the vetting process. He explained that this 'set [him] back a lot', and makes him think that he has been 'labelled'. Discussing the rejection in detail, Paul explained that he tried to appeal the decision but found 'there was no discussion' about it. Overall, Paul found the process, and particularly the man he spoke to, to be 'belittling'. Paul now has 'no patience with the police' and thinks it is good he didn't get the job, as he would 'end up hatin' everyone'. In the interviews he compared himself to the police noting that he is empathetic and would use his experience to understand others. In contrast, he noted that the police are from a 'perfect background' and 'don't care' about people, conforming to 'the system' and set on reaching arrest targets and enforcing laws, regardless of right and wrong. Reflecting on the impact of this experience Paul explained:

> I try n' stay positive but, like I say, it is hard. It is hard. When it's brought up and it seems to count for more than anything you've ever done - d'ya know what I mean? Especially when I *wasn't convicted*, that's the main thing that's annoying, it's that *I wasn't convicted* [raises voice]. And yet it's been held up as something that can prevent me from being in that job.

Reflecting on the 'journey' he has taken to attend university Paul explained that he sometimes thinks 'what's the point if [he is] just gonna' be rejected by every employer?'. Indeed, when he sees a job requiring a DBS check 'it makes [him] not wanna' bother [applying]because […] being rejected sends [him] back so far'. This makes him want to 'sell [his] soul a bit and then […] focus on the money game for a bit', and apply for 'a standard boring office job where [he] don't have to do these checks…'.

Paul reflected on the impact of his criminal record overall:

> I kind of get it but at the same time, I learned my lesson, you know? An' I haven't really been in trouble since, but like I say, you do feel like 'the other' [finger quotes] you feel like you're left behind, you're not included, umm, and even, you know, that you don't want to share it with people anymore. I used to like talk to a lot of people about it but now, I don't really like tellin' people [laughs] cos' it's almost like you know you're gonna' be judged on it. Urmm, whereas before I didn't really care, now it's sorta' like, I do care, you know what I mean? I do care about it cos' now, it's really affected me, whereas before, I was sort of, you know, at the start I didn't care cos' I didn't have anythin' anyway, so, to me, it was just another rejection, and then as I've built up my CV an', you know, worked, n' I got uni, n' held positions in societies an' whatever, you start to look at ya CV an' ya life n', pffft I got a lot there, and then to have all that washed away because of one mistake, yeah, you feel like [laughs] you're not part of it, d'ya know what I mean?

He also reflected on how having a criminal record has had an impact on him personally. He said:

> [I]t has a *huuuuge* impact, particularly on the mental wellbeing, d'ya know what I mean? Cos' it starts making' you think that you're just a failure […] and that you can't escape it, no matter what I do.

Expanding on not being able to escape it, in the second interview Paul stated:

> At school you get rejected – cool - it only lasts for a certain amount of time, n' then you do somethin' else, I mean, I left school n' then I did somethin' else, an' then no one knew me, so the rejection didn't carry on […] but this rejection, it follows you, don't it? And it's like another, you know, establishment sort of rejection where you just, you don't feel wanted, d'ya know what I mean? [laugh] An' it's sort of it's like, the last rejection, there aren't really anymore after this you know? It's somthin' that just follows you around and it just plays on that, like I say, it plays on that notion of just being rejected throughout your life, whereas this time you can't really escape it, you can escape all the other rejections, you can move school you can leave your job - you can't run away from this you know? Like I said, even when you're lookin' at job interviews the moment I see, oh, this is this needs background check [sigh] so, I guess that really, it's a continuation of the rejection I've always know, but this time, like I say, you can't escape it, it's stuck with you for life.

As a result of his experiences growing up, having ADHD, and his criminal record, Paul 'know[s] what it's like to be the outsider [and] feel[s] sympathy with a lot of people with a criminal record'. In the second interview when asked about being the 'other', Paul said 'people don't really wanna' try n' understand […] you feel a bit outcasted.' However, whilst the majority of the experiences discussed were negative, Paul did 'turn it on its head' and explained 'there is some positive out of it' such as, 'you realise what the system really is' referring to the law, society, 'the establishment'.

Reflecting on other careers, Paul was 'hoping that [his] experiences will lead to some sort of employment' with probation because 'their whole ethos is […] we believe people can change'. Indeed, in this case he thinks 'it could play into [his] arms'. Reflecting on how he would perform in that profession Paul emphasised how he would 'put the extra effort in' to help and understand the people he was working with. Paul stated that he would 'kick up a fuss' if he was rejected from probation because the case 'was dropped' and so, he did not have a trial, and was not found guilty. This made him 'technically innocent'. Indeed, Paul stated that, 'if [he] got rejected again n' [he] knew that two of the biggest avenues that [he] thought I was

getting' into after [his] studies were closed off for me, [he would] need a break'. This 'break' would involve working as a sailing or ski instructor. In the second interview Paul also discussed the possibility of moving to Portugal (where he has family) as he believed he could get into the police force there. Deliberating this in the interview he explained:

> The only thing that holds me back is the language barrier but there are a lot of countries who don't see criminal records the way we do. So, I would definitely consider, and again, you know [laughs] that's a *huuuge* thing that one moment [laughs] of a policeman judging can lead to me havin' to move the country, spend three years learnin' a language, pffffft its *huge. It's absolutely huge*.

When reflecting on criminal record checks more generally, Paul explained it is linked to having a 'judgemental' and 'risk aware' society, where people want 'to narrow down the sort of people who do well'. He noted that every job he sees requires a DBS check, making him wonder 'is it gonna' prevent [him]' from attaining a career. Nonetheless, he 'don't blame people', and understands he is competing against 'graduates with clean records'. Referring to this point in the second interview, Paul noted 'you just don't feel on the same page as everyone else' and asked 'why would [employers] pick him?' Reflecting further on this he believes, 'it's just finding' that balance ennit between, you know, what they should know, n' what they shouldn't'. He also discussed the difference between what is illegal and what is morally wrong.

In the second interview Paul discussed how. 'the uncertain bit now is […] the future', not knowing if he will be able to reach his goals and aspirations. He discussed how 'you can't fully commit', using an analogy of a birthday meal to explain this;

> …it's your birthday or summin' and you go right, for me anyway, the most important thing about my birthday is a nice evenin' meal, yeah, I love an evenin' meal [both laugh]. So, I will sit there all day either lookin' to cook somethin' or to go out somewhere, and I'll usually figure that out before lunchtime [both laugh] so, I get about eight hours to sit there and go, right

> I know what I'm getting, and you know, I'm fully thrown' myself into it I'm like right, I'm gonna' have the gravy, I'm gonna' get the mashed potato, I'm gonna' pour the gravy in this certain direction [mimics pouring gravy] [laughs] It's a bit stupid yeah, but I go like, all out. And it's like that where, because I know what I'm havin', I can fully set my stomach to get ready for what's comin', do you know what I mean? Even with a dominoes you're like right I'm gonna' have some of that dip, I'm gonna' pour some of that chilli oil all over it. Do you know what I mean? You *know* what you're gettin'. With a record it's like you can't fully commit to the job. You don't want to fully commit because you don't know if down the line, somethin' might come up, and it's almost like not knowing if the restaurant's gonna' be open or closed. It's a bit like, do I set my belly on a pizza? Do I set my mind on that? Or do I gotta be flexible n' maybe a Chinese is another option? Maybe a curry? Do you know what I mean? But deep down a want a pizza. Deep down I want the job, but I gotta keep all these other avenues open.

I found this to be a really interesting analogy demonstrating the uncertainty and lack of direction Paul had at the time of the interviews.

Appendix F: Sally Pen Portrait

An Introduction

Sally was a 65-year-old retired school librarian who responded to my all for participants posted by Unlock. We met at a University Campus which we were both familiar with, as individually, we knew people who worked there. We sat in a small study room which was enclosed by glass doors, allowing the space to feel open and informal, but also private. Sally was a stylish woman, dressed for the first interview with black flared trousers, a leopard print jumper, gold shoes, and a leather jacket. Her spikey short hair and purple glasses completed the look. In both interviews she wore bold makeup consisting of thick black mascara and silver glitter eyeliner. She was an expensive looking woman, with a slim frame and youthful look. Sally was very friendly and spoke very confidently through the interviews sure of her opinions and keen to share her experiences. By virtue of what Sally referred to as 'good' timing, her interviews with me coincided with her visit to the London embassy to have her visa application discussed (see below). The first interview was conducted less than a week before the US Embassy interview, and the second interview was conducted after. Sally used humour throughout the interview because, in her own words, 'what else can you do?'. During debriefing we spoke about common interested such as the gym and music, and it was clear we had several things in common. I instantly liked Sally and after the interviews I found myself wondering how she was getting on. When she contacted me two months after the interviews to tell me that she had been granted the waiver of ineligibility, we meet informally for coffee.

Sally's experience of crime

Due to it being 'sort of the starting point', Sally began the interview by telling me about how she attained her criminal record. Sally had a conviction for the possession of cannabis in 1974, when she was 20 years old and living in shared accommodation with several students in Exeter. She received an out of court disposal consisting of two-years on probation and a forty pound fine. Sally discussed her 'pretty grim' experience in detail, disclosing how she was subjected to an invasive strip search, and that the police attempted to get her to confess to other offences which she had not committed. She explained her court experience to be 'humiliating'. Her 'overriding memory' was that the man on trial before her was

charged with attempting to bottle someone, and received a twenty pound fine. She noted this was 'so wrong' because her fine was more, and her conviction would not be wiped due to it being a drug offence. Sally highlighted how 'even at the time it was seen as disproportionate' noting that her probation officer said to her, 'this is a complete waste of time you *shouldn't* be here.'

When talking about her offence Sally repeatedly stated, 'I still don't think I did anything wrong', comparing her offence for the possession of cannabis to her driving offence in the second interview. She explained:

> I feel worse about that […] I feel bad about that in as much as, I was in the wrong actually, and they were right. I got sent to bad drivers school – it was a bit patronising. But I feel worse about that in as much as, I think they were justified […] I think yes, I was wrong, I took my eye off the ball, speeding can endanger people's lives – *absolutely right* to do me for that.

Sally also reflected on the time of her offence noting, 'the irony of my conviction as well of course, is that they wouldn't bother now', recalling a conversation she had with a solicitor who said, the police 'have bigger fish to try', and are not interested in possession of cannabis now. Sally also reflected on where she was living stating, 'I lived in Exeter at the time […] and it was always a feeling that there wasn't *much* going on in Devon so the drug squad had not much to do'.

Sally's experience of living with a criminal record

Sally largely discussed her criminal record in relation to work and international travel. After graduating from university in 1980, Sally explained that she knew she was on 'dodgy ground' looking for employment in the education sector. Believing that the Rehabilitation of Offenders Act prohibited her to work with vulnerable adults and children, Sally illegal withheld her conviction, and managed to secure work for several years because 'nobody was checking'. When 'checking tightened up' due to 'a couple of incidents' – including the Soham murders – her 'lie got found out'. This was after working in schools for eleven years, and at a time when she had left her job to move to Nottingham with her now husband, and so it was 'a big shocker' leading to a 'dreadful few weeks' fearing losing her new job. Under the advice of her solicitor friend, she pleaded in her HR interview that she did not know

her conviction was not spent. She was told that her employment status was for the employers' discretion, and she was able to keep her new job in Nottingham.

However, discussing the enduring nature of her criminal record Sally explained that she is 'interviewed every time [she] change[s] jobs'. Indeed, she explained that she is interviewed 'again, again and again', asked questions such as 'what would you do if a child asked you for drugs?'. Whilst she appeared frustrated by this, Sally explained 'the discomfort is more on the other side', 'especially the older [she] gets and the more experience [she's] got.' Distinguishing between different schools and how they perceive people with convictions, Sally noted how those which asked her to declare her criminal record before the interview stage – including a private school and church school – did not give her an interview because 'they freaked'. Discussing her most recent interview for a job invigilating school exams, Sally opted to 'come in ahead', and handed them a letter explaining her conviction. She asserted, 'if you want to reject me on the basis of this then that's fine, but this is a letter for the governors, all the details are in there about this'. The interviewers, 'two of which were half [her] age…squirmed'. Sally's last permanent position before retirement ended in 2005 when a new boss - 'who was a bully' - came to the school. Sally feared he would be given all HR records, find out about her conviction and say, 'you're out'. Discussing this further, Sally said it was 'quite a worrying time' when 'it came back to haunt [her] again' as she felt that he could say, 'I don't care what's gone before, I don't want you in my school'. This could result in her being fired, and, 'whilst [she] could have appealed it' it, 'probably would have been a very difficult and painful process.' Subsequently, Sally took early retirement on grounds of ill health, noting that this experience 'contributed' to the exacerbation of her mixed anxiety and depression disorder.

Reflecting on these experience Sally stated, 'I mean, I suppose you could argue that I went into the wrong job area, but I don't think, I really don't think I'm unfit to work with children.' Sally also highlighted how her criminal record prevents her from taking on other job or volunteering roles which she, and others, feel she would be good at. She explained:

> I got friendly with somebody, urm, who is a magistrate and she said to me, 'you know, you'd made a great magistrate, would you not think about doing it?' and I had to say 'no I can't be a magistrate, I can't sit on a jury' and somebody said to me, 'god you're the most law-abiding person I know'.

Discussing this further, Sally explained that, 'they're crying out for certain groups' such as women, and that her 'experience of working or being a school librarian […] would be quite good [as she is] not someone who would go in with an agenda.' Highlighting other avenues that are blocked off to her Sally explained:

> I can't be in the police force, I can't work in social services, I can't work with vulnerable children and young adults - and that's my area – and I would like to, uh, somebody told me, a retired deputy head teacher, 'oh by the way, umm, there's a job in my area going, working with vulnerable victims of crime, and I think you'd be really good at it', and I had to say, 'can't do it'. Because of this I'm not allowed to work with, I wouldn't be allowed to work providing support to victims of crime. I just think this is well [laughs] I just think it's a farce [laughs].

As noted above, these interviews coincided with Sally going through a application and appeal process with the US embassy, trying to secure a VISA for an already-booked holiday to America with her partner. Reflecting on why this experience was different to the other six times she had travelled to America, Sally noted how, 'good old Donald Trump has tightened up the rules' joking that she is an 'undesirable alien', and how it is '[her] and Muslims' who are not wanted in the country. As a result of these tightening rules, Sally was subjected to greater costs for her application in comparison to her husband, an interview process in London, and the feeling of being 'still on trial' and thus, 'humiliated'. She explained that her experience is one '[she] shouldn't have to be put through' and discussed feeling nervous about the interview process, 'being treated as a criminal.' In second interview with me, Sally revealed that the embassy worker had applied for a waiver of ineligibility on her behalf, believing she had 'a strong case' for one, owing to her age, and the time that had lapsed since her conviction.

Over the last few months whilst her embassy interview had been ongoing, Sally had been 'deliberately telling people […] trying to put a human face on the sort of person that […] they're trying to protect.' Sally discussed how, since her interview, she had begun to think about travel after Brexit if she was not granted the waiver. She explained:

> [T]his is gonna' have a long term impact on the rest of my life so actually, *for me*, it's a big thing. I know somebody said to me 'well, just don't go on holiday abroad' – no. We love travel, and I love travel, and the thought of not being able to, to be restricted from some countries over something so ludicrous, is just a bit daunting to be honest.

Reflecting on her experiences of having to declare her conviction for employment ,and her recent experience of attempting to gain entry to America, Sally explained that she had, 'not come across anybody who didn't think it was a joke.' Speaking about risk and danger, and reflecting on the use of criminal record, Sally explained:

> Urm, I think there are people out there that should have to be vetted, that's fair enough, but someone like me no. Not when I've got twenty seven years of working with vulnerable, you know, young adults and children. and I've done counselling so I, you know, I've had autism training, I'm counselling, I've been, I acted as a counsellor in my last school counselling vulnerable and distressed young people and yet, I'm still being treated as a criminal really.

Further drawing on how her experiences show her character and contradict her record she explained:

> Forty-five years and it's never spent - *never spent*. I think that's, uh, you know, it's always, it's always there, and I think that's what I feel strongly, it needs to be changed, and I *do* understand, because I've worked with vulnerable young people, and I do understand that they need protecting. I feel very strongly about that - I'm quite a [laughs] moral person. But um, but enough is enough, I think, with *historic minor* offences like this, where I have *proved* that I am no danger to anybody.

I just think it’s a farce, and I try to laugh about it, but underneath, I'm fed up about it to be honest. I think, you know, everybody is entitled to some kind of rehabilitation [laughs] but I feel it's never gonna' come, eighty-five I will still be sitting here saying [laughing] I've got, you know, I'm a criminal. And you know, it’s just, everybody, it seems in every other area, people are allowed a chance with whatever they've done, and yet I'm not. I still have to sit in front of people and say. ‘I have a criminal conviction’. So [laughs] I would like the law to change.

Appendix G: Yasmeen Pen Portrait

An Introduction

Yasmeen was a 28-year-old Asian female with brown eyes and medium length, thick, dark-brown hair. She wore natural looking make up allowing the small freckles around her mouth to show, and her perfectly straight teeth emphasised her smile as she spoke and laughed. She wore grey and black clothing at both interviews, presenting herself in a smart way. Overall, she was a very confident and passionate young woman, who spoke of overcoming difficulty and challenges, in order to make a better life for her and her children. I made contact with Yasmeen via email, after a mutual contact put us in contact. We had a short telephone conversation and arranged to meet up in Leicester, where she was living at the time. The first interview was conducted in a quiet corner in the downstairs of a Premier Inn, seated in round padded chairs. Aside from the TV above us, we were undisturbed. After arriving at the Premier Inn for the second interview we found building work made the area too noisy, and so Yasmeen suggested relocating to the train station café. This was not as quiet as the first location and had more footfall, causing Yasmeen to speak in a hushed voice. Yasmeen was particularly enthusiastic about the research, commenting several times how important she feels it is that somebody is 'trying to make things better for young people' with criminal records. She thanked me for taking an interest in the topic, and for allowing her to take part. As we left the second interview Yasmeen turned to me, and asked me to make sure that when I share her story, I am sure to put across that her experience of a domestic violence, family estrangement and, being a lone mother. This is because they were all fundamentally important, shaping her experiences of crime.

Yasmeen's experience of crime

Yasmeen discussed three non-custodial sentences which she received between the ages of fifteen to eighteen. Her first offence was for shoplifting at fourteen, which she described as 'normal stuff anyway […] when you're a teenager you do these things.' Her second offence was a reprimand for fighting with another girl when living in a care home aged fifteen. During this incident Yasmeen said she 'must have picked up a chair and whacked her', but defended herself by noting that the other girl started it, and 'pushed her against the wall and tried to strange [her]', despite

Yasmeen being pregnant. Yasmeen feels she 'just defended' herself and explained that she herself 'had a right' to call the police, but did not. She explained:

> [We were] two underage girls having a fight, you understand? And somehow, I'm the one who's got, I'm the one whose reprimanded […] she gets away scot-free, and why? Because I chucked a chair at her, that's why, and that's assault [laughs]. Do you know what I mean? It's ridiculous.

In the second interview Yasmeen discussed her lack of trust in the police, believing them to be capable of discrimination on the grounds of ethnicity, Yasmeen highlighted how this may have influenced her experience with the criminal justice system, but she was not sure. She explained:

> I mean, I don't know whether, I don't know whether I was treated badly because of my ethnicity or whatever, but interestingly, [she] was white and I was Asian, do you know what I mean?

Whilst she did not discuss her ethnicity at any other point in her interviews, she did discuss other examples of being treated poorly by the police. For example, Yasmeen recalled an incident where she was 'punched in the face' by a middle-aged woman whist walking to the shops with her kids. She 'defended' herself by punching her back, but she had her phone in her hand which caused the other woman to sustain a minor injury. Yasmeen tried to run from the police but was caught and interviewed in the back room of a nearby store. Yasmeen explained that the police 'did try to arrest [her]' but when she insisted that they look at the CCTV footage, they 'didn't pursue it' further.

Notably, Yasmeen largely focused her attention on her a caution for neglect. She received this because of a 'major incident' which occurred when she was in an abusive relationship, aged eighteen. She explained:

> I was having a couple of drinks and he didn't like me drinking, umm, I seen him, I was on my front, I was with my friends, I seen him, and I knew he was gonna' come into the house, and I knew my kids were gonna' be

> perfectly fine, d'ya know what I mean? Uh, I didn't want him to basically grab me and do something to me, and physically hurt me, so uhh, what I did was basically, umm, I left. And, um, when I left, he called the police on me and said that I left the kids.

Yasmeen was arrested, questioned by the police, and given a caution. She explained that she accepted the caution as a 'get out of jail free card' as she 'never knew the significance of a caution', and 'was already scared […] already alone'. Subsequently, she wanted to 'just take it and get out.' Yasmeen thought the alternative would be to '[sit] there and dispute everything, and [she] don't think [she] was wise enough, or knowledgeable enough, or strong enough' to do that. Indeed, she highlighted her vulnerability at the time, noting that she had been in the abusive relationship for several years after falling pregnant aged fourteen, and leaving mainstream education. Furthermore, she was 'estranged' from her family and 'was going through the most horrific time of [her] life', feeling 'terrified', and not 'sticking up for [her]self'. Reflecting on this experience further, Yasmeen discussed the ways in which she felt 'let down' and 'criminalised'. For example, she explained that she did not have a social worker in her interview despite being under the care of the local authority, and it being known that she was in an abusive relationship. Indeed, in her opinion, the police failed to 'identify what he was doing to [her]'.

Yasmeen's experience of living with a criminal record

As noted above, Yasmeen entered the first interview with a clear idea of what she wanted to discuss. This included her experiences of having to disclose her criminal record-particularly her caution for neglect - when applying for both paid and voluntary work. Yasmeen explained:

> [T]this caution had an effect on me for years. Literally for *years*. You know what it was, it caused me a lot of grief in the sense that I had to re-live that situation *over and over again* whenever I was [applying for opportunities] and this wasn't even for jobs, this was for voluntary work [laughs]. D'ya know what I mean? [..] it was *really really* difficult like, to I felt really like, uhhh, I don't, can't like, even just talkin' about it now, I can feel those emotions comin' back to me because I used to, uh, I used to be

> really like, uhh, umm, I used to be paranoid and anxious all the time from the start of the process cos' I *knew* what was comin' up, you know, the DBS is gonna' come up, do you know what I mean? [laughs] Is this even worth it Yasmeen? [laughs] Do you know what I mean? That sort of thing.

Yasmeen was explaining how the process of applying for something with a criminal record was an emotional and harmful experience for her. Indeed, when recalling instances where she has had to explain the caution to people, she explained how it makes her feel she is 'reliving it again', causing her to feel 'embarrassed'.

When prompted in the second interview on why she focussed on her caution for neglect when talking about how her experiences of having a criminal record, Yasmeen said, 'it made me feel like I was a bad mum […] that I had done something wrong.' Furthermore, she highlighted how, for her, the record for neglect is linked to a wider more harmful experience of domestic violence which sets it apart from her other convictions. She stated:

> I've got other things on my record like fighting, you know, when I was in a children's home and stuff like that, but those things, you know, for myself, I felt like it wasn't as embarrassing as being accused of neglect, do you know what I mean? And the way it was worded, you know, the whole situation, the whole way the whole thing had come about.

Reflecting on how she had been able to 'overcome' her criminal record, Yasmeen explained that achievements are due to *both* her personal attributes, and due to meeting key individuals who helped her access opportunities. For example, discussing her personal attributes and circumstances, Yasmeen explained that she 'preserved' and 'stood strong'. She 'wanted to do [well] for […] [her] kids and [her] faith and [her foster parents]'. Simultaneously, Yasmeen stated that she 'could consider herself lucky', and highlighted two key individuals who helped her significantly. One she met when she was applying for a voluntary position working with 'vulnerable' people in a hospital. She said she, 'had to explain to [her], you know, exactly what had happened, and the fact that it was very badly worded […]

but thankfully [she] saw past it'. Continuing to reflect on this opportunity, Yasmeen explained:

> [W]hat helped me was somebody decided to take a chance on me […] I could consider myself as lucky, you know? I mean, what if she didn't take that chance on me? I'd still be stuck. I would never have been able to work […] at the hospital you know? And to build up my CV sort of thing to try and make my life better, for myself and my kids.

Yasmeen shared this same degree of gratitude with another individual she met after a particularly negative experience. Yasmeen had been part of a youth project for six months when she was asked to leave, despite them seeking out people who had experiences of crime and/or victimisation. She was not sure exactly what led to her being asked to leave as they would not tell her - something she felt 'was *even more* unfair'. She explained that they agreed to provide her with a reference, but said that if asked, they would explain she was asked to leave due to her DBS. She noted that this 'was really messed up'. However, one of the organisers approached her and 'took [her] on', accepting her onto a different set of projects which did not require the same level of police vetting. She explained how these two people provided her with a launchpad to change her life:

> [I]n terms of like, [the women], I think they gave me a lifeline to kind of move on from it all, and uh, you know, draw a line underneath it, and just kind of move forward.
>
> [T]hese connections with [the women] […] without them you can't do anything, you're just at a standstill […] I was really lucky to be able to have these people, like, to be able to get these opportunities.

She explained that her foster parents also played a key role as they 'saved [her] life', and 'showed [her] what it is to really be part of a family'. They gave her 'that motivation and kick started [her]' providing her with 'a lot of love support and listening […] and […] advice'.

Nonetheless, she referred to the criminal record as 'an albatross' and highlighted that:

> [I]f you don't have a degree of determination and motivation and just, you know, that desire to want to do something with your life […] then you're not gonna' get anywhere because of that thing, because of that record.

Talking about people with convictions Yasmeen explained, 'we're not bad people […] at the end of the day, everybody makes mistakes'. Yasmeen noted that depending on the nature of the crime (i.e. not paedophilia or murder), childhood crimes should be expunged:

> I feel like they need to [...] sort it out, they need to put something in place where it doesn't tarnish your reputation for life, do you know what I mean? It's a lesson sort of thing, like it shouldn't even be on a record.

Appendix H: Alice Pen Portrait

An introduction

Alice was a twenty-five-year-old woman with pale white skin and wavy brown hair. She was taller than me with a slim build, wearing a flower dress. Interestingly, she reflected on her very natural and 'innocent' looking appearance, commenting that she doesn't look like a 'stereotypical' offender. After she responded to my call for participants via Unlock, we met at her old university where she had studied a sociology degree. Whilst the interview was conducted in a public place, Alice spoke with confidence about her experiences and was happy to spend time talking without needing to be prompted. Alice was working full time with a charity helping people who are transitioning through the criminal justice system. She spoke about both the positives and the negatives that have come with having a criminal record and, overall, considered herself to be 'the lucky one' when compared to those she works with. Alice spoke very positively when talking about the future and did not anticipate her record would affect her moving forwards. After the first interview I was unsure how Alice's narrative would help me to understand criminal record experience, but on reflection, she was the first participant to prompt me to seriously consider how a criminal record may not always be of detriment to an individual. She also prompted me to reflect on how a spent record can lead to feelings of anxiety around perceived dishonesty. The second interview was conducted over the phone as she had to cancel, and then I became unwell. I feel the interview was still successful as we had already built up a rapport on the first meeting.

Alice's experience of crime

Aged 'fourteen or fifteen' when she started to commit crime, Alice viewed her behaviour as closely related to her friendship group. She explained how her 'best friend' had influenced her to get involved with petty offending:

> [T]hrough being friends with that person, I kind of met with that crowd that wasn't too fussed about breaking the law, taking drugs, that sort of thing. So, uh, quite quickly truancy, smoking, uh, dabbling in drugs and things like that became the norm, and it soon led to shop lifting.

Alice attained her first and only conviction aged fifteen, when she was caught shoplifting whilst shopping with her 'best friend'. She recalled the experience of

being arrested in public by two uniformed officers, and then being 'left to ruminate' for hours in a police cell. She explained that she was not given any information by police on when her parents would arrive, or on what was happening. When she was interviewed, she received a caution, and was told that it would stay on her record either until she was eighteen, or five years from the date - whichever came first. For Alice, this was 'the wake-up call' and she 'buckled down a bit'. She explained that she had the 'lovely story where you do the one eighty turn and suddenly, you get good grades and [become] a model student and everything'. This was due to being 'scared by that whole scenario and situation.' However, despite the positive impact this had on her education, it left her feeling a significant amount of stress and anxiety. She explained:

> I worried about everything. I didn't put myself out there or do anything while I was at school because I was terrified of people finding out, or people judging me for doing things, or being associated with that kind of thing again.

Alice's experience of living with a criminal record

Alice explained that her anxiety around her criminal record was largely due to what she had ben told by the police. She explained:

> The police had kind of drilled into my head that no, this is on my record, if I apply for a job, they are going to know that I shoplifted, and I got caught, and arrested.

As a result, Alice experienced 'five years of panicking and worrying' whilst she was waiting for it to become spent. Her mum helped her try to understand the rules around disclosure when she began applying for jobs aged sixteen, but she found that she 'didn't really get anything'. She applied for university but then deferred her place for a year as she was still suffering with her anxiety. She explained:

> I just wasn't ready for uni. Everything that had happened, everything like, it was almost like that offence then snowballed into my emotional state, to just like, turn me into this like, person that internalised everything, and was anxious about everything.

Continuing, Alice explained:

> Yeah, it was kind of more the anxiety in those years after, where it was always something that loomed over my head a bit, where it was like, well, ok, do I need to say anything about this? Do people care? Do people mind? You know, obviously I minded at the time, but again it was sort of like, that perceived stigma that I'd be labelled as something I wasn't.

During this year out of education Alice 'drifted through part time jobs' where she met her current boyfriend, and began to 'gain confidence again'. When she disclosed her conviction to him, she was relieved to find that 'oh, actually he doesn't care'. She went to university at the end of her deferral period and chose not to tell anyone about her previous experiences. Her criminal record is now 'in the filing cabinet somewhere like, down at the bottom, I don't know where, between lots of other files, that just comes out when it's needed.' Alice also chose to exercise her right to not declare it when applying for her current job, which she came across through volunteering whilst at university. She is employed by a charity who works with ex-offenders and openly employs people with criminal records, which is a 'weird sense of comfort' for her.

Reflecting on her decision to not disclose her record, and what would happen if anyone at work found out, Alice said:

> I know that I'd come against no resistance or like, I wouldn't be shamed or anything like that, it would just be like, 'oh right cool, yeah sure' and it would be no big deal, but it still fills me with dread of thinking, well, ok, well if I was to say something , would that affect my relationships at work? Would it change people's views of me?

Reflecting on *why* she fears this workplace disclosure Alice explained:

> It still seems like deceit or lying even though it's, you're legally allowed to, so I wouldn't necessarily worry about being judged for having a conviction or a caution, I'd be worried I'd be judged for not telling earlier […] I feel like that would sort of undermine some of that trust almost.

Reflecting on the silencing nature of living with an undisclosed criminal record, Alice noted her frustration at people who make 'sweeping statements about people with convictions, or disclosure, or things they see in the news about DBS checks or something'. When debating with them, she explained that she wants to 'give [her] arguments some gravitas' by discussing her experiences. Nonetheless, she 'catches [her]self' and does not because, whilst she has 'come to terms with it', she 'know[s] for a fact that other people won't'. She explained:

> I could be the nicest person now, but as soon as someone says, well, you know, I spent two-three years shoplifting, and funding a small drugs habit, sort of thing, they would be like 'ooh ok, you've changed' and it's like no, no, I haven't changed at all, or if I have changed it's for the better like so, yeah.

However, there have been instances where she has challenged people. She explained:

> [E]veryone thinks I'm this innocent nice person now, and it's […] quite fun sometimes to spring it on people, and just provide a bit of a, ok, you think you know everything, you think you can judge people and everything, you think I'm nice, and especially when people are saying bad things about people with convictions, and like tarring people with the same brush, I'm like, I'm one of those people, like, what have you got to say now, come on, say it to my face sort of thing.

Alice reflected on the way in which she is 'weirdly grateful' for her experiences, as whilst she doesn't 'wear it like a badge of honour or anything', it gave her an interest in the criminal justice system, and now helps her in her role. Whilst working with people with convictions makes her 'conscious' of her record, she spoke about the positives. and how 'it's actually something [she] can use as a tool to [her] own advantage'. She explained:

> [I]t helps me *relate* to a lot more people, umm, in that I can actually say, well yeah, no, I kind of went down that path myself, and you know, it's not the end of the world sort of thing.

However, in the second interview Alice told me that her choice not to declare it means it 'makes it awkward', as she wants to use her experiences, but has to be 'very cautious about how it's done.' Instead, she can use it to 'empathise with people's experiences', rather than vocalise her own experiences. When reflecting on whether she would decide to share her experiences, she highlighted uncertainty over peoples' reactions and the 'lack of control' she would have after disclosing.

Overall, when reflecting on her experiences, Alice explained that she considers herself 'the lucky one' in comparison to those she works with, commenting on how she got her conviction at a time when policy around cautions and disclosure had both improved. She explained:

> [I]t just makes me feel then for the people that get more serious convictions, and then have to carry that around for however many years until it's spent. And, even if they want to make that conscious change, they can't. Because they are then judged systematically - they have a stigma attached to them.

And;

> I think it's so unfair that *one mistake*, especially when you're talking about youth, one mistake can follow people through their whole life. And why should someone be denied, you know, no one is the same at fifteen as they are are twenty-five thirty thirty-five onwards, so it's like, if someone was to sit and judge me for something that I did ten years ago, I would be so angry.

Alice stated that she wants to see change to the way criminal records are treated, suggesting training for employers, and greater support for people with convictions to work out when their conviction will be spent, and the ways in which it might

impact them. Thinking about family and if she had children, Alice hopes that her experiences will help her to 'be patient and understand and listen'. She feels her experiences 'fuel [her] to change' the things she does not agree with, such as terminology of 'convict or criminal or offender'.

Appendix I: Glenn Pen Portrait

An introduction

Glenn - a sixty-five-year-old male - was the first participant I spoke to who, by his own acclaim was a 'career criminal'. Indeed, he explained that he was 'for the cons' having been involved in crime from childhood and being on probation at the time of the interviews. Glenn responded to my call for participants via Unlock and, due to his difficulty emailing, we spoke on the phone to arrange the interviews. Glenn was tall – likely more than six foot - with a broad frame, maintaining a sense of dominant masculinity despite his slightly hunched posture. He had no hair and a shaven, kind looking face. Dentures on the top row of his teeth gave him a friendly smile even though he had few teeth remaining on the bottom - something he commented was due to the lack of care given by the prison service. He wore jeans, t-shirt and heavy black boots in his interview. His mother was Sri-Lankan and his father Scottish giving him a strong Scottish accent. Indeed, he grew up in Scotland where his involvement in crim began, and then moved to London in 1969 at around sixteen years old. In the interview he mentioned living in at least seven different locations including several different areas of London, Norwich and then Peterborough. His mobility was partly due to his prison sentences, and partly due to wanting to stay mobile to avoid being known to the police or other criminals in the area. The interviews were conducted in his ground floor apartment which was located within an assisted living housing site which I signed in and out of. He was welcoming and offered drinks throughout the interview making it clear I was welcome to stay for as long as I wanted. By his own accord, Glenn was 'very domesticated' and, prompted by his surroundings, spoke about his love of flowers - 'a gay thing' - figurative art, and books. He spoke fondly about his partner who had passed away, laughing out loud as he shared stories, often about their criminal activities. I found Glenn really interesting to talk to and he had a lot of stories to share about the things he had done and the people he had met. The first interview was conducted when I had a tooth infection and so I was drowsy from pain and medication but still, his stories and enthusiasm when telling them kept me engaged. A couple of months after the interviews he wrote to me to share another experience of disclosure with me. Receiving a hand written letter from him was a nice experience and I appreciated he had taken the time to share more with me.

Glenn's experience of crime

For Glenn, there had 'never been a before' crime, as he 'started off when [he] was eleven'. He 'drifted' into crime through being good at breaking locks on cars when he was living in Scotland. Reflecting on his experience growing up in Scotland Glenn explained that it was a 'violent society' and that he would often 'carry a big butchers knife'. Glenn noted how he and a friends had often joked that, 'in Scotland you're expected to kill somebody sometime' and so life sentences were shorter. Growing up he had a difficult relationship with his parents, noting that they were bad with money and unable to support him and his siblings. He noted that it 'shouldn't be like that' growing up, and that he and his sisters moved out as soon as possible. Glenn explained that he was pleased he had not had children himself, believing he would have been as 'self-centred' as his father, and as 'childish' as his mother.

Aged (about) sixteen and still living in Scotland, Glenn was 'nicked' for stealing a car and sent to Borstal. He then moved to London as he has 'blotted his copybook' and was known to authorities and other criminals. When in London he continued to commit crime and build up a reputation in his local area. He recalled how, when he and his friends were committing crime together, it was he who received formal sanctions. Indeed, he explained that they 'were all let off because […] they judge assumed [he] was leading them around London'. Briefly reflecting on this Glenn noted that he will 'never know if it's been a racial issue', but this was not something he returned to in his interview. Glenn's criminality continued throughout his life as he developed into a self-proclaimed 'professional burglar'. Subsequently, he had served numerous different prison sentences -including four years in solitary confinement - and been imprisoned in several different institutions. Glenn commented on how he was always a 'compliant prisoner' who was 'always polite' and didn't 'cause grief'.

Glenn openly discussed his experiences of crime, recalling stories as if he was talking to an old friend. He noted the people he had met along the way including gangsters, drug dealers, murders and 'whore masters'. He referred to crime as 'a business' - a way to earn a living and feel the 'excitement' he desired. Whilst he referred to himself as 'ultimately dishonest', Glenn reflected on his moral

sensibilities regarding crime stating that as a kid he would '*never ever* have a go at old people' or 'touch the [dead] body' of a person at a house he was robbing. He explained his to be 'just a little bit of respect from people that don't really have respect'. Furthermore, he noted that he had never used guns as a shot 'doesn't destroy one life, it'll destroy two'. He also noted that he had never be involved in the drug scene unlike several of his friends. He noted that whilst he 'destroyed his life', he had no regrets other than having to use 'considerable violence' at some points.

Glenn also reflected on his experiences with the criminal justice system noting the 'bent' police officers he came across. He maintained the view that criminality is 'keepin' prison officers and policemen in […] a job' meaning, 'they don't want to reduce crime'. Glenn was very knowledgeable of the criminal justice system and we had lengthy conversations about his opinion of sentence tariffs, prison recall terms, the different probation workers he has had, and the privatisation of the probation service. He told me he has represented himself on occasion and took pleasure in being able to 'wind [the judges] up'. His first-hand experience and knowledge allowed him to put in appeals, and offer to support other people.

Glenn's experience of living with a criminal record

In the interviews Glenn largely spoke about his experiences with probation and the police rather, than his experience with a criminal record. This reflects his life experiences and his continual involvement with the criminal justice system throughout his life. Indeed, in the first interview he stated, 'I think maybe it was more my reputation that caused me more grief.' This was in context of being known to criminal justice professionals, leading to false accusations, tense relationships with his probation officers, police targeting and, as noted later in the interview, being wrongly involved in large scale police operation. When asked to differentiate between his reputation and the influence of his criminal record in the second interview Glenn explained that, once he had a few 'under his belt' he thought, 'who cares?'

When he did talk about his criminal record Glenn asserted that it did not make a difference to him in the domain of legitimate employment. This was because he

either found jobs within the motor industry where enhanced DBS checks were not required. He stated:

> I think they'd have something to say if I said I was the shower master at, um, a fifteen-year-olds school. I think they'd go, 'well that would be completely inappropriate Bill' but, umm, I've never had that sort of job. Umm, my jobs are, umm, doin' various usually the car sales that sort o'thing.

However, Glenn did recall two experiences of losing employment due to his criminal record. The first occasion was, in 1969 when, aged 15, Glenn was working for an alarm fitting company. He was called into his boss'office as police had arrived at his work place to arrest him for theft. He cannot remember if he was guilty or not, but chose to move away from Scotland after being released from Borstal thinking, 'oh fuck this' as 'there was no chance of re-employment'. It was after this he chose to move to London. This mobility once he has 'blotted [his] copybook' is a repeated behaviour. On another occasion several years later the company he was working for 'suffered a lot of shrinkage'. and the police suspected him of being involved. They came into the workplace and spoke to his manager then, four weeks later. he was told 'the insurance companies wouldn't 'suffer [him] workin' there'. Glenn went 'stormin' in' to the office and demanded six week's pay to cover the delay in getting support from the job centre. This was granted and he had a large pay packet but, when he reflected on this further, Glenn explained it was a shame as he really enjoyed the job.

Importantly, criminality is not something Glenn has tried to forget about. or put behind him. Rather, he spoke fondly of the people he had met, and laughed and joked about things that had happened. He had notebooks with the names and contact details of those he had met, many of which he still keeps in contact with despite trying to avoid taking part in crime. He told me how he wrote to Inside Times sharing his views on topical criminal justice issues, and how he now responds to the comments on online forums because 'sometimes people don't know' and 'because some people are just startin' out on this road'. Overall, whilst he noted that he has 'destroyed his life', he maintained that he really had no regrets.

Appendix J: Ahad Pen Portrait

An introduction

Ahad was a 51-year-old Muslim male from Indian heritage, who was actively involved with his local Mosque as a volunteer committee member. He contacted me to take part in my research after seeing my call for participants via Unlock. After a short email exchange we arranged to meet at his home in Rochdale for the interviews. On the day of the first interview he was running late, and so I was met by his daughters. They welcomed me into their home via a security gate, and I was struck by how beautiful it was. After removing my shoes and being led to the front room, I was given a coffee and a plate of chocolate. We sat and spoke about education and what they want to do after completing their A levels whilst we waited for Ahad to arrive. When Ahad returned home they left the room and, perhaps cautious of being late, he began to talk about his experiences before I had chance to read through the consent form, or turn the Dictaphone on. I asked him if we could slow down and read through the documentation before the interview continued. Ahad was a similar height to me - around 5ft2 - and wore jeans and t-shirt for both interviews. He had short black hair, a trimmed beard, a rounded face, and glasses.

Ahad was a complicated man of many contradictions who reflected on being both unlucky and lucky, in different ways. He spent time discussing his traumatic childhood experiences, and the emotionally complicated relationship he has with his parents now as a result. He contrasted the experiences he had growing up with his own children's, highlighting how different they are, and how much he has supporting his children to be high achievers. He noted that he 'didn't stand a chance really' as a result of this treatment, and he said he feels like his 'life has been a waste'. '[W]ithout wanting to blame others' he explained that he had to work extremely hard to get to where he had. He also had a complex medical history including diabetes, asthma, a hole in the heart, and rheumatoid arthritis. He spoke quite directly and he himself commented on how he can be firm when needed, something I had already suspected. There was interesting juxtaposition here between a firmly spoken almost intimidating side of him and a friendly, welcoming and family orientated grandad. He took well to the interview style and spoke at length requiring very little prompting often going off on tangents at one point sharing his

views on conspiracy theories and corruption. He was an interesting man who had a lot to share, and I enjoyed interviewing him and learning about his life experiences.

Ahad's experience of crime

Ahad received to convictions from when he was 'nineteen-twenty, something like that, maybe even twenty-one' - he couldn't remember for sure. He had a conviction for fraud relating to when he worked in a post office, and was forging signatures to withdraw money. On his record these appear as four separate offences. Reflecting back on his experiences of being interviewed by the post office staff in the back of the sorting office, and then later arrested by police, Ahad asserted that had he known then what he knows now, the case would have been thrown out under PACE (see below). Around a similar time he was caught with possession of cannabis with two of his friends. Ahad noted that the judge was considering a custodial sentence, but he and his social workers made the case that, if he went to jail 'there [was] no coming back', and that it would be 'goodbye world'. He is 'thankful' he wasn't sent to prison believing 'it wouldn't have helped anyone'. However, he said that in hindsight, he should have asked one person to take the blame and paid them off. Despite this logical calculation of how he could have got away with it, Ahad said he was 'ashamed' of his offences, and was 'scared of it coming out'. He noted how at the time his probation officer said to him, 'you don't really need to come you're doing all the right things'.

Importantly, Ahad explained that his convictions occurred due to the 'traumatic' experiences he had in childhood, and being 'deprived of everything'. He discussed his experiences of violence and sexual assault in the interview, but not in great detail. Rather, he mention specific events – such as being stripped naked and hosed down outside - before moving on to other topics. Reflecting on his experience as a whole Ahad remarked, 'what did society expect of me?'.

Ahad's experience of living with a criminal record

Aha discussed at length how his criminal record prevents him from travelling to America and having fantastical life-experiences such as doing Route-66 and seeing the Grand Canyon. He also spoke about how he would want to see how CBD 'works' for him, given the widespread use of it for chronic illnesses (see above). He

explained that his family had visited America without him leaving him at home, and he spoke about a time when he had won tickets to go to America, but had to sell them instead, missing out on an opportunity that 'would have been brilliant'. To find a compromise, Ahad explained that he had to take his children to Disneyland in Hong Kong stating, 'honestly it's not the same', it's 'nowhere near'. He explained:

> I really wanted to, I *really* wanted to take, I mean, can you imagine how much I love my granddaughter? And how much I been *dying* to take her to Disneyland? You know, oh *so much.*

In the interview he repeated several times how much being a Grandad meant to him and how much he loves his granddaughters, showing me their toys and how he has designed the garden with them in mind. This helped him provide clear contrast between the treatment he received as a child from his grandfather, and how he is treating his own grandchildren. When asked how he knew about these restrictions, and if he had attempted to apply for a visa, Ahad explained he did not want to pay for a police certificate. Moreover, he explained that his dad had been sent home from America shortly after 9-11 due to his 'big beard', despite having attained a visa in advance. This 'reaffirmed it' for him, that it is 'impossible' to go. He also noted how under 'the Trump administration', he wouldn't 'have a chance' because he 'don't think that they like […] Muslims'. In the second interview he appeared to be being more positive stating that, 'the worlds large enough for [him] to go to loads of other places'.

Ahad explained that he is seen as a risk due to this criminal record but joked that 'if [he] went to America the *biggest* threat is to [his] credit card'. He further refuted that he was a risk explaining that he is a chronically ill retired man, who has worked in law enforcement for several decades. Indeed, his employment as a law enforcement officer was discussed at length in the interview, and he was keen to share the praise he had received, and the number of prosecutions he has made. He talked about this at length recalling incidents where he had performed well, sometimes prosecuting those in powerful positions. He also discussed how he has 'helped *so many* people' with legal advice as he feels sometimes it is 'unfair', highlighting the difference between something being illegal and something being

immoral with some things people find themselves in trouble for 'not really *that* bad […] so [he'd] help them'. He is 'protective of the small man' whilst making sure when he goes into a 'big place […] they know their responsibilities'.
Because of these experiences Ahad explained:

> I don't know if ironic is the right word but, the fact that I've worked in law enforcement and I've been *very very* proactive […] I wouldn't have that kind of I don't know authority if I wasn't of that mindset […] they wouldn't give it to a criminal, if you know what I mean?

He explained that he was not asked about his criminal convictions when he first applied to be an enforcement officer, and thus considers himself 'lucky' they did not to CRB checks. He explained:

> [T]hey wouldn't have given me the job, I'm assuming, I mean, how equal is equal opportunities I'll never know, but I don't suppose that they'd give me a job in law enforcement.

He is also thankful no-one within his field of work found out about his convictions, particular anyone's defence lawyers, and 'used it' to question how trustworthy he is.

He noted that not only was he a law enforcement officer, but he was good as his job. For example, he recalled how he was the first person in in the country to prosecute a shisha lounge - one which belonged to a barrister. He explained that his adding to the irony of his situation, and compounded the sense of unfairness around his conviction. He discussed how he has friends who work in the HMRC and UK border agency, noting how they come over for dinner. When they are together he is 'on the same side as them' but then outside of that, 'that line is moved'. Another sense of irony comes from the fact that he cannot go to America 'even though they're the only ones that are making [cannabis] legal now'.

Ahad recalled being asked if he had a CRB check for having students work shadow him. He did not know why this has been asked but he thought 'woah, have they

found out?'. He tried not to 'stir it' by not talking about it with anyone. When talking about this Ahad appeared to feel this was unethical asking;

> [W]hy would they ask me that question unless they'd got the criminal record? And secondly, they didn't need my permission to get one, so where does data protection come in to that? Where does the human rights act come into that? You know, where's civil liberties come into that?

Whilst it appeared nothing further came of this Ahad did then go on to talk about how he feels they had 'tried to get rid' of him a few times. Ahad had recently retired early on grounds of ill health.

Ahad referred to his criminal record as his 'only regret' noting that he was '*such* a different person then'. Indeed, he explained that it is '[his] only black mark' which is 'not easy to eradicate […] or dilute'. He reflected on how age should be taken into consideration with regards to criminal record retention and disclosure stating:

> I don't think I was mature enough to make a decision like that at that age. And I don't think that I accomplished maturity till *after* these incidents. So, realistically, I think anything under 25, because I don't think 21 is the right age I think 25 is a more, you know what's what. Up to the age of twenty-five you know, I don't think anything matters. But, you know, if they said 'look, between twent- one and twenty-five we don't really keep it forever, but we keep it for ten years or something, or five years or something' - fair enough.

He speaks about the law as 'a money-making scam' and commented that criminal record policy works as a means of 'control, nothing else'. When prompted to return to this in the second interview he noted that a criminal record is 'how people can divide other people into categories, to allow or deny access to certain things, certain benefits certain whatever'. He explained that people like himself have worked hard to live an 'industrial life' but, 'they don't want that' instead they believe 'from now on, you're a criminal, the end'. He explained there is no attention paid to 'the solution' in order to help people, and there is 'no system of equity' in the criminal

justice system. He believed spent convictions were 'a joke' believing, 'it doesn't make a difference' because employers would still check, and then say 'you lied' or 'find another way' to not employ you. Indeed, he noted that criminal records are 'about exclusivity […] not about inclusion'. For him, 'justice is a word that's not very easily swallowed […] justice is something for something for a book'.

Highlighting again how he had to overcome the 'adversity' of a traumatic and unsupportive upbringing, he explained that he had to rise up from his past. Ahad explained:

> [M]y *only* regret is that criminal record […] I've never raped anybody, I've never hurt anybody, never hit anybody, never stabbed anybody never - *none of that. None* of that *none* […] I would *never even think* of doing that. You know? because of these [mimics signing paper] and that [mimics smoking] I'm suffering now.

He wished that he had have 'thought about' things more at the time of his conviction. Indeed, he explained that 'hindsight is a beautiful thing', and that looking back, he wished that he 'knew then what [he knows] now' as he 'wouldn't have really *suffered* any repercussions'. For example, he explained that there was 'so many faults' in his fraud prosecution from being questioned without caution and evidence being collected poorly. If questioned, Ahad asserted that 'they'd just fall apart'.

Reflecting on the punishment he received Ahad believes he has 'repaid his debt' but that both his prosecutions and his 'remorse counts for nothing', as he is still 'a criminal'. He questioned in the interview 'where does equality come into all this?' noting how he only feels these consequences because he 'got caught', and other people get away with crime. This is 'the bug bare' which 'rubs [his] fur the wrong way'. He explained that there could be millions of people who have committed crimes and not been punished, and not had to live with a criminal record. In contrast, his long-term consequences were felt 'because [he] got caught not because [he] did something wrong'. He explained:

> [H]ow would I feel about criminal rec- if *everybody* that did something wrong got caught, erhaps I wouldn't have that much of an issue with it.

Subsequently, Ahad explained that he is paying 'the price for something [he] did for the rest of [his] life'. Hee questioned the purpose behind his punishment stating;

> Why did I get punished for something I did when they knew that wasn't gonna' be the end of my punishment? Why didn't they say 'right, you know, you're not gonna' be able to go to America or Australia, let's just leave it at that' […] Why did I have to pay all the money back? Why did I have to do all the probation? You know, all of that carry on. Why did I have to do any of that? They could have just said 'look, you can't do this from now on, you can't do this, you can't do that'.

Questioning the punishment effect of having a criminal record further he stated, there is 'absolutely no incentive to make you want to better yourself' when you have a criminal record. He also commented on how his probation officer 'was pro-cannabis' recommending societies for him to join.

Reflecting on how he will be seen by others using the idea of someone looking back on the family tree as an example, Ahad questioned in the interview if he would be seen as 'a criminal who saw the light' or 'criminal who used it' to excel. He considered if people would choose to ignore all the good he had done and just focused on his record and how that would make him look in history.

Appendix K: Simon Pen Portrait

An introduction

Simon was a forty-nine-year-old male with olive skin and an athletic build. Despite being relatively short - around 5ft7" - his manner and physical fitness made him appear very masculine. I had first spoke to Simon in the early stages of my PhD as we were put into contact by a mutual friend. We had a brief conversation over the phone, but further communication was put on hold until after I received ethical clearance from the university. I contacted him again to see if he wanted to take part in the research, and he invited me to visit him at his CIC's office in Liverpool. He greeted me with a hug and called me 'babe' throughout, something which took me by surprise until I realised this was how he engaged with his female colleagues. He took time to introduce me to his staff, and the first half hour of our time was spent having a group discussion about social issues and criminal justice. Simon and I then moved to another room which had a large table and chairs in the middle, with computers around the outside. We sat on chairs next to one another but turned our bodies to be face-on, shuffling around to get comfortable in our seats as we spoke. Simon was very open about his experiences and, despite my assurances over anonymity and confidentiality, asserted that he would be happy to be identified in this research. He was unphased by this as his 'story' is already available online, and he has talked openly for media before. Simon spoke with a thick scouse accent and laughed when talking about the minor offences he committed as a teenager. When talking about his more serious offences he remained confident, and reflected on how it was always business.

Simon's experience of crime

Simon spoke about his childhood at the start of the interview, discussing his experiences growing up on a 'chaotic' council estate between the Liverpool and Everton football grounds in the late 1970s early 1980s. He spoke about the socio-political conditions he grew up in, highlighting how the political rule of Thatcher meant Liverpool was left to go into decline, and there was 'not much' there for the '120 lads' there at the time. This shaped his childhood and thus, his involvement in crime. He was always 'money orientated' and aspired to have the material things that his parents couldn't afford, but that his friends always had. He was 'surrounded by heroin' and, due to the council estate's location between the football grounds,

violence for fun was a weekly occurrence - mainly aimed at passing football fans. For him and his friends, committing crime and resisting police control in the estate was 'part of growing up'. He noted:

> If you're sort of, hanging around with people who are in college, then you're gonna' go to college. But if you're hangin' around with a load o' friggin' lunatics, then you're gonna' end up a lunatic yourself, aren't ya?

When talking about the council state he said that 'it was called bay route and bay route for a reason' noting, 'once you're there it's hard getting off'. He had his first experience with cannabis aged eleven, and he then started committing theft of shops and businesses to fund this new habit. He noted in the interview that 'you were always brought up that […] you don't rob people's houses' showing a degree of moral consideration.

Growing up on the estate Simon said, 'there was only three ways to go, and it was either football and school [..] heroin […] or criminality'. He was 'good at football' but 'didn't really like' going to school, and 'seventy percent' of his 'mates' were taking heroin. Impressed by the 'nice cars, nice shoes, nice trainees nice, trackies' those committing crime were able to acquire he chose heroin. Simon learned that he could make money through illegitimate means at twelve years old when he stole the keys to Everton's ground, and used them to let people in on match days for a fee. At the same time him and his friends took control of the nearby derelict land and charged people to park. At this point he was 'takin[g] three, four, five hundred quid a week'. He noted that he still owned the key at the time of the interview 'because to [him] that was a *big* part of [his] life'. He continued making money by selling stolen season tickets which he found whilst breaking into a print shop. He quickly formed a lifestyle by the age of seventeen of stealing cars and committing crime. The 'rave scene and acid music' emerged around this time, and he started 'selling ecstasy tablets' in a local club. Simon painted a picture of his lifestyle at the time of his offending in his youth:

> [W]e used to just take cars for fun because after the clubs you'd want to have a little birdie with you or something like that wouldn't you? But

> you'd have a decent car outside. And *every single* week without fail we had a different car.

He noted that throughout this time period he 'had a few little silly charges' noting that he 'had [his] hand smacked' by police when he was younger. By 'sort of fourteen, fifteen sixteen, seventeen' him and his friends were 'using guns […] terrifying people' - mainly those who owed money or became competition for drug sales. He noted that whilst he 'definitely' does 'regret' the stuff he done, 'it was just part of growing up'. He soon started 'getting a name for [himself]' and was 'working for people all over the country' terrifying people. He received 'a few convictions' and was 'pulled […] in a couple of times for […] guns'. He recalled one occasion where he was arrested and kept in custody under suspicion of murder, as it was known to the police that he used weapons. However, the charges were dropped when the real perpetrator was caught. There were some contradictions in his storytelling as, despite his discussion of using weapons, Simon stated that, up until the age of twenty-five, he only caught for 'minor stupid offences' like theft, GBH and drug offences.

When Simon was twenty-four his mum passed away at a young age which 'changed [his] life forever' and 'kicked [him] up the arse'. He decided he no longer wanted to be 'fucking around [with] guns and stuff like that' and instead wanted to 'get [his] head down and make some serious money'. He stopped taking drugs and, now in his mid-twenties, became involved in an 'international mafia ring importing cigarettes'. He explained that he 'ended up takin[g] over the whole operation' until they were caught by customs. He was on bail for three and a half years before receiving a custodial sentence for a further four years. When he was released 'ended up getting into the drug scene […] importin[g] weed and stuff from abroad'. When caught, he was received a six-year custodial sentence. He explained that several of his family members were also being sentenced for money laundering at the same time so he took the charges for them, adding another five years to his sentence. Overall then, Simon served 'just over twelve years'. He spoke about his experiences within different prison institutions noting that he had a 'good reputation', recalling how he made significant changes to the catering for visitors at one prison – changes which

are still implemented now. Reflecting back he said, 'since I been the age of ten, I always knew I was going to jail'. He explained:

> I fuckin[g] really enjoyed prison […] it's one o[f] them, you can go there and you can be vulnerable, and you can sort of sit down and cry, or you can go in there and you can have a fuckin' laugh.

Simon finished serving his last prison sentence in 2017. He did not talk at length about his family, but highlighted he was the 'black sheep'. He briefly acknowledged the effect his crime had on them, noting his mums fear to sleep at night through worry, and the stress his dad felt having the police coming to the house 'every ten minutes'. He also recognised that his family, including his daughter, were punished for his crimes as they had to go to visit him in various prisons. He referred to that as 'the worst [he] ever done'.

Simon's experience living with a criminal record

When Simon was released from prison he found that he was not allowed in the city of Liverpool 'after five o'clock, Monday to Friday'. Consequently, he decided to move to Kent which he found to be 'amazing' - 'a totally different world than what [he] grew up in and knew'. He explained that he went to an estate agents looking for somewhere to rent and they 'gave [him] a chance' noting thar the woman he rented from 'knew everything about [him]'. Here he built his company 'sitting in a two bedroom apartment', something he had already started planning whilst in prison. This is where he 'totally changed [his] life'. Nonetheless, he explained that people he knew from his engagement in crime still 'have a lot of respect' for him and what he is doing, and have 'supported' him. The largely 'self-funding' Community Interest Company helps vulnerable individuals develop essential life skills, access education and secure employment. Simon explained:

> I'm taking people off the streets, I'm taking people out of, umm, the veterans. I'm taking people out of prison, I'm taking kids now outa' care homes, I'm putting them in our care homes and in a better environment than like, the care home system. It helps ex-prisoners, the homeless, and children in care.

He explained in the interview that he runs his company 'like a drug empire […] but straight'. He explained that he is the 'head show' surrounding himself with 'lieutenants' he can trust, in order to supply 'the punters coming in off the streets'. Originally his CIC was established to help prison leavers, but he asserted that it will 'take anyone now […] as long as they wanna' change and they want a better life'. However, he 'won't take' anyone on drugs believing 'if you wanna' change your life you'll come off drugs you got the prime example to come off drugs while you're in prison'.

Reflecting on his life at the time of the interview Simon explained that he was happy with a 'nice and mellow' life, happy to not be 'looking over [his] shoulder' worrying about police. No longer caring for materialistic things, Simon explained that he was happy 'living in a small little house'. Whilst his charity was located in Liverpool, Simon explained that he still returns to Kent 'every four weeks' for a week at a time, as it is 'lovely down there'. He highlighted the difference between Kent and Liverpool noting that in Kent people are more 'career minded' and there are better employment opportunities. Reflecting on if he would return to crime Simon explained:

> I've still got a chink in me armour, but I'll never go back to criminality. You know, I'm a bit radio rental, but I that's the way I am. I'll never change just because I've changed in life, I'll always be me, but I just won't do nottin' dodgy no more. Got too much to lose now. I'm not goin' back to jail and leavin' me kids again, they already had ten years without me ain't they?

Simon did not spend much time talking about his criminal record and did not mention it at all during the first interview. However, in the second interview he began to discuss how 'politicians' and 'the law' is 'just building and building and building […] making it harder' for him. Indeed, he explained that his sentences have doubled in length, and that not paying proceeds of crime is an imprisonable offence. Continuing to discuss proceeds of crime, Simon stated 'they price it up, it's not fair' highlighting how the value of drugs changes significantly as it is passed down the

line. He explained that due to proceeds of crime he will 'go through it for the rest of [his] life still'.

Simon did reflect briefly on how his criminal record has resurfaced in related to banking. He explained that he 'only had a basic account', but that they upgraded him to an 'advanced account' without him requesting it. This led to them conducting a check on him and revealing him offence for money laundering, and him being 'thrown [...] out the bank'. When he phoned to complain he was told that they attempted to upgrade him because he was 'doin[g] [his] bank so well'. He explained that he had heard the same bank had been doing the same to other people and questioned, 'how are you supposed to get on in life?'. He appeared angry about this and repeated 'how do you win?' when discussing how he has to keep money in the bank and is then regulated, despite it being his earned money. For example, he recalled how the bank phoned him to query why he had withdrawn a large sum of money in order to pay for a van to which he replied, ' what the fuck's it got it do wit[h] you?'. He then had an issue with getting house insurance when he was told a company would not insure him due to his record, but explained that they were reluctant to put it in writing. He highlighted his frustration with this noting how the same company had been insuring his car, and how he had held house insurance for 'fifteen twenty years of [his] life' without making a claim. After recalling these instances he said:

> [T]his is the thing we have to deal with every day, and it's not just me, it's a lot of people, you know what I mean? So, the way I see it is, how do people want you to change and get on with your life when you got all that stoppin' ya?

When discussing his future plans Simon spoke about an app he is developing to help people save money. He asserted that 'in five years the government and stuff are gonna' have to come and buy it' noting that they had tried to create something similar but 'people who're straight try to do stuff they haven't got a fuckin' clue what goes on behind doors'. He noted that he keeps his ideas quiet, aware they could be stolen by people who have 'the Ministry of Justice behind them'. He noted that he does no receive government backing because 'we're criminals they don't want to give us fuck all'. Despite not having this support, Simon asserted that:

We are startin[g] to make noises now which is good […] people are starting' tu' take notice and obviously I been out just over two years now but I reckon I four years all the stigma'll be gone.

Appendix L: Jamelia Pen Portrait

An introduction

Jamelia was a British-born Black Caribbean woman in her fifties. Jamelia responded to my call for participants via Unlock, stating in her very first email that she refuses to let her past define who she is, and that she would like to take part to highlight some of the challenges she had faced. Indeed, she explained that it is in her nature to challenge injustice, and that she wants to use her experiences to help others overcome difficulty. We met on a bank holiday weekend in a Premier Inn in Bradford. We were undisturbed aside from a repetitive slot machine song playing on loop in the background. The first thing I noticed about her was her perfectly done, colourful make up. Her eyeshadow consisted of several different colours - perfectly blended - and she wore thick black eye liner and false lashes. Her false nails were long and bright, but a couple missing, probably having broken off. At the start of the first interview Jamelia was cautious to go over details regarding confidentiality and anonymity, highlighting that she was cautious of her identity being revealed. We discussed this at length, and I assured her that no quotes or identifiable information would be used. At the beginning of the interview Jamelia appeared nervous, speaking slowly with lots of pauses, and a slightly Shakey voice. To help make her feel more comfortable I bought us a pot of tea each, and took time to pour it out giving her what felt like a natural break. As the interview progressed Jamelia became more confident and required less prompting, often remembering other incidents and experiences as she spoke. She was very passionate when talking, and showed both anger and sadness when storytelling. Due to unforeseen circumstances she had to bring a young family member to second interview. She set them up on a table nearby with some exercise books and it did not appear to disturb the interview - aside from being slightly more cautious of time. Jamelia came across as a very strong-minded woman, confident to voice her opinion and stand up for what she believes in. She work as both a recovery coordinator and a drugs practitioner at the same company, requiring her to do work in the community. Jamelia asserted that everything happens for a reason, and reflected on how her experiences - both negative and positive – have got her where she is today.

Jamelia's experience of crime

It was difficult to understand Jamelia's involvement with crime as she did not explicitly outline her offences in the interviews, and chose not to disclose some personal details. However, she explained that, as a teenager, she associated with a group of women who were experiencing very similar life circumstances to her. Specifically, these were people who had young children, wanted material goods, and wanted to make sure their children were well looked after. They struggled financially and were reliant on benefits placing her under pressure. To overcome this, Jamelia committed fraud, and would go out shoplifting, keeping some things and selling others. This soon escalated and crime became a regular occurrence. The women in the group were caught frequently, and they each accumulated a number of non-custodial sentences such as community penalties and unpaid work. Jamelia was given a suspended sentence for shoplifting when she was around twenty years old, but breached the terms and received a custodial sentence of eighteen months. She appealed and the sentence was reduced to six months. Jamalia explained that whilst she had her own autonomy and cannot blame the women she was spending time with, they influenced her involvement in crime. Furthermore, she explained that if she did not provide for her children then social services could become involved, and remove them from her care.

Jamelia began to work for the probation service and worked there for fifteen years having declared her previous convictions with no issue - she was not asked about her previous convictions by anyone after the application stage. However, when she first started she was a relief worker without a stable income, so continued to claim employment benefits. After approximately six months she secured a full-time role, but did not declare this to the benefit agency. Explaining why, Jamelia revealed that she was going through a traumatic time with her family. However, when she was asked in the second interview if she could share more about this she became visibly upset and said she did not want to – she was not prompted further on the subject. After several years she was found out and received a community penalty. She explained that this brought negative attention to the organisation and she was asked to leave. Whilst it upset her to have to leave the probation service, she explained that it encouraged her to embark on higher education, and she later

attained a degree in Criminal Justice and Criminology. She also felt relieved as she had been living with fear of being found out. Since her degree Jamelia has worked for several different organisations within the field of domestic abuse, and drug and alcohol related support.

Jamelia's experience of living with a criminal record

When initially asked about her experiences as an individual with a criminal record, Jamelia said that she had not had many issues with it in the past. However, by the end of the second interview Jamelia had recalled several instances - largely relating to employment - where her criminal record had caused her a problem. One issue which she discussed at length was a recent disclosure at work. She explained that she originally worked for the NHS, and that it was her understanding that a DBS check would be conducted every three years to see if any new offences have been committed. This is something she understood and accepted. A short while later her and her colleagues experienced a Transfer of Undertakings when a company merger happened, and she provided her DBS to the then manager with no discussion or action required. However, three years later a colleague of hers was asked to an interview to discuss her record which Jamelia found to be incorrect and unnecessary as she had been employed for three years without issue, and nobody had questioned her when she started.. After this Jamelia nervously waited for the same to happen to her, and a couple of months later she asked if she had returned her DBS, and if it had been checked. She said no, and a few months passed before she was asked again. Feeling uneasy about the situation she insisted that she would only discuss her DBS with the area manager, escalating the situation itself. This was party because she did not feel comfortable with her office colleagues, having heard them speaking unkindly about another colleague with previous convictions in the past. Jamelia shared her concerns with the area manager and there was a period of deliberation over the policy. She asked why her and another colleague had been asked when others had not, but they insisted everyone was being treated fairly. She was asked to attend a formal interview about her DSBS and, at Jamelia's request, it was conducted by someone from another office. Indeed, she was reluctant to have anyone from her office involved, not wanting to impact the relationship she had with her team leader.

There was no action taken against Jamelia after the interview, but she reflected on how the experience brought up a lot of difficult emotions, and highlighted discrepancies with policy and practice in the organisation. She was feeling exhausted from the process and, after taking a few months to reflect on things further, Jamelia raised it to her team leader. She explained how she felt she was the target of discrimination as there were other members of staff with previous convictions who had not had to have an interview. A checking task conducted by the team leader proved this to be true, but no investigation or disciplinary was conducted. She also felt it was unnecessary as her offences were a decade old, noting that she would have understood if they were within the last three years. Another issue Jamelia raised was that the managers were unaware of the appropriate action and policy (noting that a named member of staff should be contacted), which resulted in more people knowing about her record than necessary. Subsequently, Jamlia put herself forwards to work as part of a group to improv the company policy and prevent others from having the same experience as her. She explained that she will be able to contribute and be heard by doing this, and that it will be a positive outcome from a bad situation. However, at the time of the interview she was still waiting for the group to be officially created.

After discussing this main incident, Jamelia recalled other experiences which, in her opinion, were not based on personal judgement/discrimination. For example, she explained that she was trying to secure work through an employment agency and had taken time off her temporary work to attend an interview for permanent position. However, whilst she was on-route the agency cancelled the interview on her behalf as they had changed their minds about putting her forward for the job, due to her convictions. She as distressed by this as she had to travel a long way, and felt angry that the employers were not given the opportunity to make their minds up for themselves. She complained and received an apology from the manager, and reimbursement for hours missed, travel and the emotional impact it had. She did not go to the media about this discrimination due to this apology and reimbursement, but that hindsight she wished that she had. Comparing this to other experiences she has had with employment agencies, she said that they would ask about previous convictions and she would be honest, understanding that the type of work she was involved in, and that she had to declare it. Reflecting further on why

this happened Jamelia explained that it had occurred soon after her conviction for claiming benefits whilst employed in 2007, and so this could have been an influencing factor.

A third incident occurred when she applied for a probation officer of training vacancy, and was shortlisted for an interview. She had worked for The Probation Service years earlier but was asked to leave when she was caught claiming illegally receiving benefits (see above). She struggled to remember the details during the interview, but shared that she chose not to disclose why she had left probation previously on the application, noting instead that it was due to personal reasons, and saying she would only discuss it in the interview. She received a telephone call to enquire about this, but she maintained that she would not share any more details fearing discrimination. The woman she was talking to was surprised by this, and whist she did have an interview, she was not given the job. She believed that it was because she did not disclose this to them, and noted that they are gatekeepers who do not want people with convictions to be part of the organisation. She wrote to a probation CEO and was told they had considered her feedback, and she should wait six months then reapply for another job. However, she decided that she did not want to work for them again as her friends and family work in probation, and they have shared that it is very different now. Reflecting on The Probation Service Jamelia explained that they are different to how they portray themselves publicly, and that they do not truly commit to rehabilitation principles. She explained that they are gatekeepers, monitoring who they let into the organisation.

Jamelia explained that she does not feel ashamed of her past as her offences as were not involving children, and were not serious. Rather, she viewed them as a part of survival. Furthermore, she rejected the idea that her experiences define her and instead believed they were part of building up her character. She said that she tried to hide her daughters from what they were doing, but that she did have a conversation about it with them when they were older to ensure they knew she did not want them to do the same. She does not regret her actions and instead only regrets having to discuss it with employers and face potential judgment. She believed that whilst people may claim not to judge, it is part of human nature, and people inevitably will. She does however highlight differences between people

noting that when she applied to be on a Youth Offending Team panel, and when she applied for her job with the NHS, she felt no embarrassment. This lack of embarrassment was due to how the people interviewing her at the time made her feel. Reflecting on having to discuss her past she explained that whilst it is not embarrassing, she feels frustrated when she has to talk about her past. She feels it is behind her. and the focus should be on her present day actions. This frustration is increased when she has already secured a role and has to talk about it with people she has already built relationships with such as with the recent issues she has had.

Jamelia discussed criminal record legislation focusing on the Rehabilitation of Offenders Act as she researched it at university. She believed that whilst there had been some improvements, it still requires significant amendments. She explained that it is illogical how offences are only spent if applying for certain occupations, but when applying to work with vulnerable people the legislation no longer applies. She also discussed how some offences will never become spent. but that only those which inflict harm should remain and minor offences should be wiped from record when ninety-nine, as most people do not live to that age. She noted that whilst people are alive and able bodied, they should have the ability to move on from their record. She also believes individuals need to change how they think about people with convictions as she has met some people with integrity who have previous convictions or have been in prison. She feels people need to understand the reasons behind criminality and the circumstances that can lead to it.

She spoke about her working life and how she has always worked with vulnerable people who may have addictions or previous convictions themselves. Due to professional boundaries she does not share her experiences with them, but ensures she instils in them that their past does not need to define them and that it need not be a barrier to employment. This is something she feels strongly about. When asked about the future, Jamelia shared that she wants to continue to help people make a positive change to their lives, but in the future, would like to have a company which helps those with previous convictions and helps advocate for them. However, when asked about this further she dismissed it as something she would never be able to achieve.

Appendix M: Rachel Pen Portrait

An introduction

Rachel was a thirty-one-year-old female living in Rochdale with her partner and young daughter at the time of the interviews. She contacted me after seeing my call for participants via Unlock, and we met in a Premier Inn local to her. Whilst the restaurant itself was comfortable, we found we were disturbed as it ran into lunch time and became busy. For the second interview we met earlier and sat outside as it was a sunny day. Rachel had short bleached-blonde hair which had been straightened. She wore natural looking make up consisting of mascara and black, filled-in brown eyebrows, highlighting her large brown eyes. She had a nose piercing accessorised with a small gold hoop, and wore jeans and t-shirt for both interviews. She suited the casual look and could have passed for someone in their twenties. In the first interview Rachel explained that whilst it was difficult to talk about her past, she did not want to be 'too guarded' in her interviews, as she really wanted to be able to help me and my research. She became upset when talking about the circumstances she was living in when she attained her convictions in the first interview, but appeared calmer and more confident on the second.

Rachel's experience of crime

Rachel did not start by discussing her criminal record, and instead began to talk about how her criminal record had affected her (see below). When asked if she could talk about the time when she was attaining her convictions, she became nervous, and struggled to talk. Her hands shook slightly as she spoke, and she apologised as her eyes started to water. She explained that she had been 'skirting around it a little bit' due to it being difficult to talk about. Rather than outline her convictions she began by talking about her home circumstances when she was living with her mum and her boyfriend was 'a nasty piece of shit really', violent to her mum, and verbally aggressive towards her. She explained that her mum's boyfriend was accused by his daughter of sexual assault, and she was being 'constantly asked' to tell them about things at home about him. She shared that she found him 'creepy', but felt he was more likely to be violent towards her than sexual, which made her feel 'secure, in a weird way'. Throughout this period of time Rachel was under 'constant stress' either witnessing him 'screaming threatening [her] mum', and was

just 'waiting for something to happen'. She didn't want to be around the house or go to school, which led her to socialise with a 'friendship group that wasn't the best'. Her first arrest was for breaking into a house to steal money for trainers - an explanation that to her now is 'not even a proper reason'. When arrested she 'didn't' really care [she] didn't really give a shit' and so was arrested again a week later for criminal damage after an altercation with 'some guy' led to her 'smashing up his car'. She then listed off her other seven convictions, largely for 'public order offences', and noted that she had been arrested approximately fourteen times between the ages of fourteen and eighteen. She recalled that her offending occurred when she would 'lose her temper', as she was 'dealing with a lot of stuff' and 'didn't care', 'give a shit about […] the police' or 'have much faith in the end'. Rachel stated that 'it was just escalating from there', and she would carry a knife - something she received a community penalty for - as part of a 'lifestyle amongst the people [she] was hanging around with'.

When she was sixteen and trying to study for her GCSE's her mum 'ended up kicking him out the house' which was an 'absolute nightmare', as he would return to the house causing an argument. She recalled how, on one occasion, an argument escalated and her mum threw a hairdryer at her down the stairs. When the police would not give her a lift elsewhere she 'ended up losing it', and punched the wing-mirror to get arrested. She explained the significance of this event:

> I don't know, it's just remembering all that [voice shaking] it's like, the fact that I would have rather of slept in the police cells, do you know what I mean?

When she turned eighteen Rachel secured a council flat and moved out. Whilst 'things got a bit better' she was 'still hanging around with the same sort of people'. She attended college 'at some point' studying for a foundation degree in Graphic Design, but was still 'getting in trouble periodically'. It was at this 'sort of in-between stage' of 'wanting to do something' but felt she 'still had everything sort of holding [her] back' when she received her conviction for witness intimidation. She recalled that her and her friends had been drinking, and that an altercation with the neighbours led to her friend 'stabbing one of them' during 'a lot of shouting and arguing'. The group were arrested and whilst she 'wasn't too worried at the time'

about her own arrest, she was 'worried for her' friend. She later went to the witness's house with a male friend and tried to 'threaten em' basically not to go to court'. She was arrested for this the following week, and remembered thinking 'shit' when she was told she would not get bail. She appeared in a Magistrates Court and was told it would be escalated to Crown Court and 'that's when [she] was like, really freaking out'. Looking back on this experience she 'feel[s] like a bit of a dick cos' [she] still didn't give a shit' about the woman, only 'how it was affecting [her]'. She received a suspended sentence of approximately eighteen months and has not been involved in the criminal justice system since. Rachel was now living with her husband and young daughter at the time of the interviews and, 'apart from sort of old friends', she explained that 'a lot of people who know [her] now […] don't know anything about [her] past' and would never 'be able to guess'. She explained that she had a 'typical' family, and that things are 'very, very different'.

Rachel's experience living with a criminal record

Rachel began her interview by mentioning her 'most recent issue […] with the visa' before stopping herself to 'go back' to discuss difficulty finding employment. After collecting her thoughts, she began by sharing how, during the period of her suspended sentence, she could have stayed on her foundation degree to start a bachelors but, 'didn't trust [herself] to be able to not do anything'. Ratjer than 'wasting all the money on […] student loans' she began to search for employment, but found she couldn't find any, even for 'easy work' like McDonalds, despite previously working for them. On one occasion she was offered employment by Greggs, butthey took the offer away after finding out about her criminal record which was 'a bit of a kick in the teeth'. She recalled other job rejections and, whilst she could not be sure, 'part of [her] knew' these rejections were because of her record. At the time she explained that she didn't 'know how to separate that out' from herself, and it had a negative impact on her self-esteem and wellbeing. She began to do freelance work and found employment with someone she already knew. This was a minimum wage role, but it gave her essential work experience. After a short period of time, Rachel decided to look for jobs elsewhere, but didn't apply for jobs that required a DBS as she thought she would 'get absolutely nowhere'. She began to lie on applications as she was 'struggling' (she also began to lie when applying for insurance as they were 'coming back with ridiculous quotes'). Lying

was ‘easy enough to do’, but Rachel explained that the graphic design industry was impacted by the recession with experienced people taking entry level jobs making things still very difficult. Due to difficulty finding stable employment Rachel began to claim job-seekers allowance whilst continuing to do freelance work. She explained that she was ‘kind of coming out with the same or maybe a little bit more […] doing like, the odd jobs here and there’. Her working patterns received attention and she was questioned by the council on why she was working freelance if she was not earning much, and made to bring in evidence of bank statements. She felt she was being accused of benefit fraud which was ‘really hard’, as she felt she was ‘tryin'a do something and people [were] tryin'a screw everything up’.

Rachel was eventually able to find employment working in the field of digital technology and was headhunted by different financial employers who wanted to hire her due to her experience in cash handling. However, she explained that she was unable to take these offers as she was uncertain what level of check they would require, and could not think of a way to ask ‘without them thinking it was a bit of a red flag’. She stayed with the company but, having withheld her criminal record, decided to leave when she felt she was at risk of ‘something exposing’ her. This was prompted by her being asked to go to their New York office, and being asked to go give a talk at a school. She decided to look for employment which did not carry the ‘risk’ of ‘getting exposed’. She went for a job with EE as they are ‘British based’, and asked her friend for advice on if they would show up on a DBS. Her friend told her that they would and so she attempted to research DBS legislation online to see what companies are entitled to do each level of check. She found the information was unclear and often contradicted itself. This period ‘did stress [her] out’ as she was worried that he was start at EE and then, months later whilst still on probation, the DBS would come back with her convictions on them, and she would lose her job. This would result in her being left unemployed and without references. She explained:

> [E]ven if it turns out that that’s alright […] yeah, it's a lot of stress because it's, you try and plan stuff, but it's always there, it's like the information's always there for *somebody* to potentially get.

Despite her difficulties in finding employment in her twenties, Rachel had 'forgotten about everything', and was reminded of it when she was going through the ESTA application to go on holiday to America. She found that she would have to apply for a visa due to her criminal record. She said the questions were 'vague' and it was based on moral turpitude as to whether or not the visa would be accepted. For Rachel it became a 'whole big thing […] trying to research other people that had done it […] trolling the forums' to see how people had been successful. After reading about people with historical convictions being denied entry due to minor possession charges, she decided there was 'absolutely no hope' and 'left it for a few years' until she had her daughter who she wanted to take to Disneyland Florida. This prompted her to 'try and overcome it' and so she began the application process by requesting her police certificate. This was 'quite a hard time' for her and it 'struck' her that hers was two pages when online people had discussed a single page certificate. To her, her certificate 'looked like another person' and she was 'quite like depressed' about it. When talking about her feelings during this time she said she had 'suppressed' her experiences, and so it made her feel 'a bit shitty' when 'it all came back'. She explained:

> I did get a bit like, down for a few weeks, cos' it kind of it made me think, I don't know, it just threw like, how I identify with myself, it just kind of threw all that into question again […] it was kind of making me forget a lot of the good things, and the good traits that I've got now which was a bit weird […] it was making me focus quite a lot on the negative things from being that age, and then making me feel as though they still existed […] I know I'm not like that anymore.

She recalled her partners reaction to the certificate when he saw it, saying he was 'shocked'. She explained that his reaction made her 'feel a bit shit' as he had previously told her he was fine with it, although he didn't think he 'would have liked' her when she was younger. However, she asserted that they had a 'good relationship' and so it did not cause any issues. It did however 'validate' her belief that if people found out, then they would react negatively, and with 'shock'. She had an interview at the embassy and found her juvenile offences would not be an issue. She noted that it was somewhat ironic that that witness intimidation was not an

issue of moral turpitude, but nonetheless, she was granted a visa which was a 'massive surprise'. However, she had not planned her travel as she was still 'a bit nervous of them not letting [her] in even though [she's] got the visa'. She explained that she was considering going alone first to see if she would be let in, as she does not want to risk 'potentially being separated' from her daughter if they travel to America as a family. Thinking to the future Rachel said that Brexit is 'a worry' and explained that if travel was to become more restricted then it would 'feel like it's going backwards, like it's getting worse as time goes on' when instead. 'it should be getting better at least'. Indeed, she argued that it would be 'unfair' if new restrictions were brough it, and explained that she would be 'pissed off' and 'nervous' booking holidays, wondering if it would be 'another embassy thing' requiring her to do 'all that crap' again. However, when a friend asked her why she was so frustrated by it she had to 'back off from being annoyed', explaining 'there's not a way to explain' why she was angry without disclosing her record.

Rachel was very reflective throughout the interviews weighing up different arguments and perspectives as she spoke. Reflecting on the harm caused by her crime Rachel said, 'it wasn't until getting the visa thing, when I was looking back […] when I was having to rehash everything, I felt so bad'. She reflected on how she had a daughter, and questioned how she would feel if her and her family were victim of the same crimes. She explained that these reflections caused her to 'battle' with herself, having previously felt sorry for herself with 'the employment things' thinking 'this is really hard this is unfair', and retrospectively accepting it is a 'consequence' she has 'just gotta' deal with'. She discussed how she 'feel[s] sorry for people' who have committed crimes that are not 'really doing anything to anybody else' - like 'weed possession' - who have these issues. Continuing to deliberate she explained that her offending was 'a long time' ago and that she was 'not the same person'. She continued to reflect and singled out 'the employment thing' as a point of deliberation noting that not finding a job could have changed her life. She explained that she 'wouldn't of got anywhere' without lying on applications, but that it was her life now that 'makes [her] a good person'. She believed that if she didn't find employment, she 'wouldn't of been able to grow from it' [and] would of just been exactly the same'. Indeed, without being able to earn money she would not have been able to have her 'good job and nice family', so even though she thinks

she's a 'good person' now, she questioned what would have happened if she didn't secure employment. In the second interview she considered this further and questioned if her change had been agentic or circumstantial. She explained that now, she 'couldn't risk doing *anything*' due to having a daughter and having 'too much to lose'.

Interestingly, Rachel discussed being assaulted on a night out by a young girl, and explained that she decide not to press charges. She explained that she didn't want to 'put that on somebody', them 'getting either a caution or a conviction and going through all that'. She recalled having a debate with her partner over her decision, as he felt she should have pressed charges. She explained that said she could have a history of violent offences, and asked her how she would feel if she then went on to hurt someone else. Nonetheless, Rachel explained that she 'always felt so sorry' for people with records who wanted to work with children, and that this was one of the reasons she did not press charges. However, she was conflicted, also understanding that children need protecting and asserting that it is best to know about people's past experiences and so, perhaps they 'just need to choose a different career path'. For her, this deliberation 'is a tough one'. Continuing to deliberate on the protection of children further Rachel said, 'we've gotta' be really strict', and noted that she 'don't want that to change', but 'would at the same time'. This was because she is 'one of them people who's not allowed to be around children and that feels […] not great'. She also discussed how she was 'paranoid' with her daughter and was 'very strict' when it comes to having a DBS checked childminder and so, can 'see it from *that* point of view'. She explained that it had 'struck' her before that other parents do not know about her past, and had previously wondered if they would let their children play at her house if they did know. She explained that this 'feels a bit weird'. This makes her feel 'paranoid' and feel like 'you can't trust' anyone.

Reflecting on how she had overcome barriers in her life Rachel commented on how someone 'less determined' or 'stubborn' 'might not have bothered'. She felt she had to 'fix it', believing that she had 'created [her] own mess'. However, despite her life circumstances having changed considerably, Rachel discussed her anxiety over people finding out. Rachel explained that they might think she had been able to 'manipulate everyone into thinking that [she] is a really nice person'. She worried

that it would appear she is 'conning people', trying to be 'trustworthy', but having a 'background of not being trustworthy'. She explained that this caused her 'anxiety' as she knew how the 'gossip works' - particularly with other mums. Furthermore, Rachel explained that they were from 'better backgrounds', and so they wouldn't be 'quite used to it'. She explained feeling like she has 'imposter syndrome sometimes' fitting in with these people, noting that she had 'cut-off' most friends from her past, and had started to befriend 'nicer' and more 'well-rounded' people. This contrasts with when she was younger where, to her friendship group, '[crime] was just normal', and there was 'no stigma' to it. Instead, it 'felt a bit weird if you hadn't got arrested for something'.

Finally, Rachel briefly reflected on how policy changes in response to events happening, such as 'the Millie Dowler thing'. She explained:

> [A]s a mum, I kind of want some, I want like, the sort of most enhanced checks possible and it's like, I do feel sorry for people but, you know, she comes first, and kids come first ultimately. But then I worry that we sort of get pulled into that, so it's like I worry that in the future, if something really bad happened and they said well actually, all this liberal crap of, you know, tryin'a make things better [let's not], do you know what I mean?

Continuing, Rachel discussed how 'there's always something that can potentially happen' which could lead to people 'tightening things up again' such as with travel.

Appendix N: Martin Pen Portrait

An introduction

Martin was a forty-nine year old male living in Stafford. He contacted me in response to my call for participants via Unlock, and we agreed to meet in a hotel beer garden for coffee. Fortunately, the weather was pleasant on both days, and we could sit outside comfortably. When I arrived Martin was already was sat with his cap on reading a book, one foot crossed over and resting on his other knee. I asked if he wanted to move further away from the other customers, but he insisted that he was comfortable how we were, and went to buy us coffee. Martin had a smart looking outdoors coat on and wore t-shirt and jeans. He had fluffy hair thin in places, and had a mischievous youthful smile, often referring to himself as a 'harmless idiot'. He breather heavily through his nose and had a slightly raspy voice. When talking about his experiences with crime Martin referred to himself as having had a 'criminal career' and spoke about his lifelong experiences with petty crime, and one incident of being falsely convicted for a fight he was not involved in (see below). He spoke about his treatment by police and provided well-balanced reflections, taking responsibility for the things he had done, but also highlighting the ways he was targeted by police. At the time of the interview Martin had desisted from crime where possible viewing crime as 'a last resort', saving up money and maintaining a romantic relationship with a woman he had known since he was younger. He was self-employed, running a mobile coffee business from his van. Whilst he was happy with his current circumstances, he spoke about wanting to be mobile and go on an 'adventure' like he used to do. He spoke about his love of nature and travel, but commented that he was always drawn back to Stafford. He had a love of reading and, after the second interview, we stayed for a second coffee to discuss books. I enjoyed talking to Martin and felt he was a bit of a 'big kid' with lots of enthusiasm and passion. He explained that he was 'still full of dreams and ambitions', and I left feeling hopeful for him, and wanting him to reach his goal of one day moving to the Lake District.

Martin's experience of crime

Martin began the interview by discussing his 'for want of another word […] criminal career' which started aged thirteen when his parents divorced, and he moved from 'a really nice side of town to this mad council estate' of 'lower working class or

troubled families'. '[I]n a sort of attempt to fit in [Martin] became a bit of a teenage scrote'. In the interview he explained that, in hindsight, he was 'vulnerable [...] to this world' coming from a 'sheltered existence', didn't know the rules, and was 'sucked in'. He became involved in petty crime such as vandalism and theft which was he remembered to be 'fun' and 'exciting'. Stealing was 'the way to get *the* trainers *the* tracksuit top' and he enjoyed 'pushing [himself] to the limits'. He found 'role models' in 'slightly older football hooligans […] party planners or dope dealers', and soon became known to 'the local bobby' as it was the time of community policing in the mid-eighties. At thirteen he was caught breaking into houses and, 'being young and dumb', confessed to all charges. A year and a half long court case led to him being sentenced at fifteen to six months custody where he was sent to a 'regular prison' being 'too old to go to youth custody, and too long a sentence to go to borstal'. He spoke about his experience in prison noting that had they of given him 'a glimpse of that world, showing him the prison and telling him he would end up there, if then it 'would have been enough to stop [him] *ever'* reoffending. However, he explained that 'once you've crossed over the threshold and you immersed yourself into this world' it is no longer 'a shock' and instead, 'was quite entertaining'. He served eleven weeks and then attended youth custody for a week whilst his appeal was considered, noting there was still 'a major gap' in age between him and the other 'lads'. When his appeal was successful he was sent to borstal which was he explained to be 'harsh [..] but you had respect for that'. After borstal he returned to the estate where he was 'an easy target for the old bill'. He had a 'quite stable and more mature' period where he had moved to a nicer neighbourhood, got a girlfriend, and attended a Youth Training Scheme. Whilst he 'never actually said to [him]self I'm never again' committing a crime, he was determined to beat the two-year return to prison statistic, and he did.

He moved out of the estate to a 'nice neighbourhood' and began to focus on 'trying to rebuild [his] life', resitting his GCSE's at college, securing a part time job at a bar, and forming a serious romantic relationship. However, aged eighteen he was in a pub on Boxing Day when a fight broke out. He explained that he was 'only defending himself against others whilst attempting to leave the pub', but that he was arrested and charged with serious offences such as attempted murder, array and public disorder. He explained that he was 'bitter about [it] to this day' because he was

'totally innocent' and 'did not deserve any of that'. When charged he was put on curfew causing him to lose his job and girlfriend. Withdrawing, he began to lose interest in his GCSEs which he was resitting at the time, and his 'studies went downhill'. Told he could 'get life' he 'went guilty on all these stupid charges' and was given three years instead of the twelve months expected. This is something he continually discussed as being 'bitter' about, because he had only committed what he saw as 'victimless crimes' during his 'criminal career'. He served eighteen months of this sentence but found that it damaged his confidence, and it 'took [him] a while to fit back into society'. When he was released at around twenty the 'rave scene came along' which was a 'bad distraction' but 'very very therapeutic', allowing him to dance the 'angst' away. He was found with ten ecstasy tablets on him one evening for him and his friends, and got a three-year sentence, as he was 'technically a dealer'. Whilst he was 'guilty as fuck' he reflected on the timing of this, explaining that a young girl – Leah Betts - had recently died from an ecstasy overdose causing a moral panic and crackdown on drugs. Martin believed that the same offence now the same would be met with probation.

Martin explained that he was not 'even ashamed of [his] background', but was 'ashamed' that they robbed houses which would have had an impact on people. Indeed, he explained that it 'disturbs' him, but at the time of the offences, 'wasn't even a concept'. Reflecting on being young and committing crime with his friends, he believed the police 'knew what [their] future was and where it was heading'. They were 'just meat in a machine grinder' noting that 'once you get swept into it you are just […] a twig in a stream really'. Interestingly, in the second interview Martin noted that he sometimes wonders if he makes justifications or excuses for his past actions.

Martin's experience of living with a criminal record

When Martin was released from prison for his ecstasy offence (see above), he insisted that he relocated outside of Stafford to avoid committing crime again, having felt 'bothered' seeing other people from school 'go off with their lives'. He went to York where he worked in a charity shop for prisoners working in the community. This gave him 'a sense of pride' for a while, but then he decided he wanted to move on and 'establish a career'. However, he did not have the confidence

to go for 'suited and booted officey sort of jobs', and was unsure of what he should do. He returned to Stafford where he spent a couple of years working and playing football, before finishing college and going to university to study criminology at the age of twenty-six. He did not believe that he would go three years without something going wrong and preventing him from graduating, but he wanted to try. His 'loved' his time at university feeling he 'fitted in', and by the time he graduated in criminology he had a lot more confidence. With his qualifications he sought employment with ex-offenders as he wanted to 'make good from [his] past experience' but he found he was unable to (see below).

Martin highlighted how every couple of years 'on a clock cycle' he had been targeted by police, not necessarily due to a criminal record disclosure, but through being known in the local area, or them being able to access his record online during interactions. He provided several examples of this including being accused of arranging an organised fight in Stafford, even though he had already relocated to York. Nonetheless, this prompted the police to raid his home and turn up to his workplace to arrest him. On another occasion he was giving his friend a lift and was pulled over by police. They were both searched and the police found the passenger had a 'wrap of cocaine in his pocket'. Martin was bailed and his house searched, despite him not having any drugs on his person. He felt the police had targeted his car after his name appeared as 'a person of interest' on their system, noting how they treated him and his friend as uneducated 'neanderthal' types. As he was on bail he was unable to go and teach English in Thailand for a year – something he was already in the process of applying for. After recalling this incident Martin explained how he felt this targeting, and the fact that he is 'haunted', was due to his sentence being three years and thus, placing him on Interpol being 'up there with the armed robbers and the Ian Huntley's in life'. He was 'bitter and angry' about this, as he was no threat to 'anybody in life' despite doing some 'stupid things'. He explained that, the way 'they have [him] down on paper] 'is a totally different concept' to how he really is, noting that particularly it makes him look a 'violent person'. He explained that his record would make you 'look twice' at him and question 'is that really that person', and this was something he could not 'shed'. More recently, he recalled how, when he was self-employed with his sandblasting company, he was pulled over during a routine check when police were pulling over white vans. He explained that

the incident highlighted the difference between him and 'the paper thing of who and what [he is]'. He explained:

> [T]he others all took me at face value - I was a legal legitimate business. - like, ok, I had got previous, I had got background, but I'd been alright with them, so they responded, but this one - the second the second he went off to that office, his whole demeanour changed when he came back [and] he'd obviously put my name through some PNC thing and come back and thought "right we'll have this".

He was made to unload a bucket of sand to ensure that he was under the legal weight limit, and then told to return to collect it to avoid a fly tipping charge. Martin asserted that since attaining his degree and becoming more knowledgeable and confident, the police would not be able to target him and get him to confess like he did when he was 'young and dumb'. He also commented on how it is a new generation of officers in Stafford now who have no knowledge of him as a 'criminal'. Instead, he is known as 'the coffee man these days'.

Martin explained that his criminal record was a barrier to him when he left university, and attempted to find work helping ex-offenders. Despite his degree in criminology, he found that he 'stood no chance', and was 'hindered'. He explained that whilst he understands 'the safeguards about people from [his] background working with young vulnerable kids', he reflected on how Ian Huntly could get a job in a school, and he couldn't find work. It really 'peed [him] off' that his mates 'who had no concept of the background or the life that [he] got […] walked straight into these jobs'. This was particularly in relation to girls who he felt were interested in 'meeting some bad body or something', and a male friend who 'got it purely and simply because he was black'. He was 'bitter' about this, as he had tried to 'move on', graduated and 'proved to the world and [he] was ready'.

He took 'crappy' factory jobs, but found that when he tried to seek employment outside of agency work, the process would take a long time, and require information he found difficult to provide. Indeed, reflecting on difficulty finding employment in general, Martin highlighted that 'they want your whole life story'. However,

recalling where he had been and when was difficult for him, as he had travelled abroad frequently in his youth and 'smoked a lot of dope in those days'. He discussed how his mobility, and being asked why he travelling to places like Cambodia and Thailand, makes him appear 'like a paedophile'. He said, 'it's so fucking difficult' to prove that he was just a backpacker and a traveller, not that he meets the perception 'of these middle aged men going out there'. Nonetheless, he explained that he does not have 'a documented life [...] that [he] could write down like they wanted' as he liked to travel to 'get [...] away from influences', for his 'sanity', and to be on 'the open road'. This lack of documented life is something he returned to several times throughout the interviews, and he explained that he does not blame the interviewers themselves. Indeed, he understood that they needed to '[d] everything by the book' with regards to hiring and background checks to protect themselves. However, it mean that for him 'career opportunities [had] *never* been forthcoming, [and had] never presented themselves'. Subsequently, martin explained that he was trapped in a cycle of feeling hopeful then being knocked back again which he found to be 'soul destroying'. He noted that 'the more times you tried the more you got knocked back'.

Whilst he 'tried to shed' his experiences and put them behind, him he had not been able to, as that 'always come back to haunt [him]'. He was more 'bitter' about than, that he was his wrongful sentence. He explained:

> I've always known, I've always been told by everybody I'm capable of so much more [draws breath] but, I've never been able to shed the insecurity that comes from being labelled as a violent ex-con. Mud sticks, if you get told you're stupid often enough, you will suddenly start looking at yourself in the mirror, and start saying "wel,l am I? I don't know."

He explained that even if he moved to Canada – an aspiration of his - he would carry his record and ex-con identity with him, and not be able to 'shed it, not totally, not properly'.

He compared this going to Broadmoor pretending to be insane, but then not being able to leave once a diagnosis is given. Martin told me that he had 'always been [..]

cheated of the chance of reaching or finding out what [his] true potential was'. However, he was still 'full of dreams' and had managed 'to shed a lot of the negativities and the despondentness that [he] used to have' when he was struggling to find employment in his twenties, back when he felt he was 'due a break' and to be 'accepted back into mainstream society'. Nonetheless, he felt the 'ex-con' identity is something 'you carry with you your whole life' due to having to disclose it. For example, he spoke about building personal relationships and how he would 'subconsciously' bring it up, even through 'there is so much more to [him]'. He exaplined:

> [T]hat justification and that identity [...] it never goes away. Its never gone away it's, yeah, I meet somebody new and I feel at some point in time we'll have to sit down and [I'll have to] say "hey, look, I've been in prison, I'm an ex-con". And this girl that you've met, maybe you're getting on great and she thinks you're, then all of a sudden she's looking at you like "ooh, have you been?" [looks surprised] d'ya know? [...] I don't know whether it's my own insecurities and doubts that sometimes encourages that or, but it's a very difficult thing to shed, urmm, both in reality of exclusion into society, and in your own trigger mechanism in your head.

Martin reflected on how some of his choices may have been influenced by 'a hang-up and a self-justification'. For example, he discussed staying in Stafford to raise a child who he was told was his son for fourteen years, despite no DNA test being conducted. He deliberated:

> ...I don't know, was that a mistake? Or me tryin'a do the good thing? Was that me tryin'a do the good thing as a hang-up and a self-justification because of my past? Because I wanted to be able to say to people, "I'm doing something good?"

He also deliberated if his motivation for working with ex-offenders was be partly to have 'taken the negative and turned it into a positive'. He explained that 'it would of done a lot for me as much as it would of them'. Reflecting back on the work he did with the charity shop he explained that he 'took pride' in this, 'thinking [he] was

doing something good' as 'part of [him] wanted to make amends as well'. Motivations aside, he took pride in being 'a really good influence' on the young lads in his family, helping them stay away from drugs and alcohol through using his own experiences. Again, he liked to think of this as 'a little bit of taking the negative and making it into a positive'. Martin discussed how he often wondered 'would life of been different if [his] parents didn't divorce?' resulting in him moving to the estate, but reflected on how being a Gemini and being torn by the devil on one side and the angel on the other 'has *got* to be a factor in all of this'. He noted that he had 'always been drawn a little bit to the dark side' and explained that even if he was given the opportunity to have a career he 'would have rebelled against it or messed up', but 'at least that would have been [his] choice' and he may have 'found something meaningful […] to make good from bad'. Reflecting on what he had achieved through his coffee business Martin said:

> I feel I can look people in the eye a lot more these days and say ok, it's not a thrivingly successful business, but it's my business. It allows me to save a little bit every week and live, it allows me dignity, self-respect and an honest living, and an element of pride as well […] and a lot of those things are things I was missing for a lot of those years where I felt I was always defined as either a criminal statistic or an ex-con.

Finally, whilst Martin did not discussing having any issues with travel, he reflected on how this was largely due to luck, recalling how he relied on having 'blonde hair blue eyes'. Indeed, recalling his experiences travelling to Canada he shared how he had to build a rapport with the woman checking his passport becuase 'if something had pricked up on her instincts and she'd of put [his] name in the computer [he'd] of been straight on the plane back'. Going to New Zealand has however 'eluded him' which is 'one of the biggest regrets about having a criminal record'.

Appendix O: Louise Pen Portrait

An introduction

Louise was a thirty-four-year-old female living in Southport. She had long blonde hair and dressed casually in jeans and t-shirt with minimal make up - if any at all. She had pale skin, a rounded face, and straight white teeth. Louise looked very young and when she answered the door and I thought for a second it could have perhaps been her daughter, before remembering she said she would be on her own. Louise contacted me in response to my call for participants via Unlock, and suggested we conduct the interview at her home. However, her mother had to move in with her unexpectedly, and so she arranged for us to meet at her partners house so we could have privacy. We met whilst he was at work as she had not yet told him what the interview were about, or about her criminal record (see below). During the first interview we sat together on the same sofa with our feet up, slightly facing each other, and drinking a cup of tea. It felt more like a couple of old friends having a catch up than an interview. Louise started the interview by disclosing several important events as if she was nervously offloading, before becoming quieter which required me to use prompts. As a result, it was like a follow up and initial interview combined. Louise laughed a lot throughout the interview despite discussing some difficult experiences, and she came across as a very kind and optimistic person. The second interview was conducted at her own home as her mum was out, and we sat on armchairs next to one another – again, with our feet up and a cup of tea. Louise was well educated with an undergraduate degree in in Childhood and Youth Studies with Social work, and a master's degree in Social Work. She had been a social worker since graduating and moved to London in 2014 to gain experience in child protection referral and assessment, having struggled to find employment locally. Returning to Southport in 2016 she continued with social work, moving around to different areas of specialism. I could imagine her to be a good social worker, and felt she would be a reassuring presence to have in a difficult time. At the time of the interview she was currently moving to a different field of social work and trying to find a house to move into with her fiancé

Louise's experience of crime

At first Louise brushed over the details of her offending simply noting that there was a 'wider context' to it. When prompted about this later in the first interview,

Louise disclosed she 'didn't have the best upbringing', and explained that she had experienced a 'neglectful childhood'. Whilst she 'had everything materialistically […] it was quite neglectful in terms of attention and love'. She 'really really struggled socially' at school as 'nobody bothered with [her] at home', resulting in her not having 'those social skills […] to make build those friendships'. Louise was bullied and, on reflection, believed that she 'was suffering from depression from childhood'. This contributed to her stealing 'completely inconsequential things' as it 'was exciting', and made her feel like she 'had something in [her] life even though it was a negative thing'. She would get 'an adrenaline rush' from it which 'was kind of a release of stress'. Importantly, these were retrospective understandings, and she noted that through her social work training she learned that 'stealing is a sign of depression children'. Specifically, Louise had two convictions for shoplifting received aged sixteen and nineteen, both attained in the month of September which was a 'trigger' for her. Indeed, highlighting the significance of September, Louise explained one was received just before starting college and A levels, and the other was when she was going into the second year of her undergraduate degree. Indeed, Louise explained that 'stress is a trigger for [her] depression'. The second conviction was at a particularly difficult time where she was receiving psychiatric treatment and was on medication. She took a leave of absence to seek help with this, but 'suffered with depression' until she was twenty-seven, Nonetheless, she was able to return to finish her degree during this time and then continued to complete a master's in social work. Whilst she did 'get stressed', she joked that she 'didn't get depressed that time'.

Louise explained that experiencing 'that kind of neglectful parenting […] had a massive impact […] throughout [her] life' with regards to her criminal record, mental health and experience with 'unhealthy relationships' with friends and partners. Reflecting on her chosen career path she explained that it 'completely influence [her] career choice'. Louise noted that not many people were aware of her convictions. Her mum knows of the first conviction as she had to be her appropriate adult, but was not aware of her second. Her dad and her aunt also knew about this first offence as her mum told them at the time. Only one person knows about both which was a close friend who she sought advice from regarding a visa application (see below), knowing he wouldn't 'judge' her or 'tell anyone' Importantly, she

explained that her fiancé was unaware of her criminal record, and was also not aware of the 'wider context', including her 'neglectful' upbringing and mental health issues.

Louise's experience of living with a criminal record

Louise began the interview by stating:

> Urmm, so there are two things on my criminal record, so one when I was sixteen, [and] one when I was nineteen, urm, and they, even though the first one was more than half my lifetime ago - cos' I'm thirty-four now – umm, it's still affecting me now.

However, she continued to say she had been 'quite lucky in terms of jobs' as 'there's only ever been one job that [she] had, that it was a problem for' noting that 'the convictions were quite fresh at the time'. This 'problem' occurred when she was twenty and had secured a job as a home carer during her leave of absence from university. Having done a week induction, she received an 'instant dismissal' when her DBS was returned, and received no payment for the work she had done. To justify this, she was told that the money 'needed to go towards cost of the training'. She highlighted how there was 'no conversation, there was no […] opportunity to explain or give any context'. It was 'just like a brick wall', and it made her feel 'really upset'. She could not 'put [her] side across' and, to her, it felt like 'what was written down on paper was more important than what [she] had to say about it' which 'was horrible'. At first, she thought it may have been an issue with the form and that 'they thought [she] didn't have any convictions [but] something had come up on the DBS', but it was due to the nature of the offence 'that was the problem'. She reflected on how if they had 'gone through it with [her] in a bit more detail' at the application stage, then it would have been a 'quicker and easier process', and she would have known they could not employ her without having done a week's work.

As a social worker Louise explained that she used to have enhanced DBS checks conducted, but that 'luckily' her offences are now filtered. However, she explained that she 'live[s] in fear of the government changing the law' without her knowledge, resulting in her not disclosing her offences when legally she is required to. In the

second interview she explained how illegally withholding her convictions could appear as an attempt to hide her convictions and be dishonest, causing her to lose her professional registration and therefore, her ability to be a social worker. Explaining why she was worried about this, Louise explained that when was implemented without her knowledge, she phoned thinking they had made a mistake when her DBS came back without her offences on. On the one hand she recognised this 'probably will never happen', and referred to it as an 'irrational fear'. She also noted that, 'because they're so long ago' and do not relate to 'violent or aggressive' offences, her record 'probably wouldn't be an issue' even if they were not filtered. Nonetheless, Louise explained that when she read an update from Unlock and heard they were challenging the filtering system, it 'really worried' her that they may be arguing 'everything should be on DBS checks'. She explained that 'every government changes things when they come into power' and if it was decided everything had to be disclosed, it 'could potentially be a problem.

Louise discussed her experience of applying for a promotion within her company after working for them for five years. One of the people interviewing her was her line manager who she was familiar with, and so the disclosure of her criminal record was particularly difficult. She explained;

> [T]hey'd started asking the question at interview 'do you have any convictions?' And I obviously had to say yes, and that was so *so* hard to have to admit that to somebody who was completely shocked, absolutely floored by the fact that I would have [laughing] a conviction, and then have to go into the context and explain it all. It was just horrible.

Louise compared this experience to that of providing her DBS to HR saying;

> [B]efore then it was a case of, umm, HR dealt with all the DBS stuff […] and obviously they knew, but HR were these kind of faceless, nameless people, sitting in an office that you never had anything to do with, that you had no *personal* relationship with [draws breath] and obviously they're seeing *lots* of these come through […] for them it

> was probably, you know, completely routine, and nothing out of the ordinary.

Comparing this to her experience in the interview Louise explained that 'it's bad enough already' in an interview with adrenaline and anxiety. She noted how in the interview her line manager hovered her pen over the 'no' box when asking Louise about previous convictions, and was 'really startled' when she answered yes. In the interview she 'played it down' and didn't go into the wider context. Louise felt it would be 'a bit different if [she] was somebody coming into the company and […] they had no knowledge of [her]'. She felt she was 'put on the spot', and it caused her to worry about if she would get the promotion, or lose her job. Fortunately, Louise did get the promotion, and 'still had a really good relationship' with her line manager afterwards.

When discussing the nature of her employment Louise explained that she 'struggle[s] to work with teenage girls', as she can often 'completely over empathise with them', wanting to 'save them'. This she referred to as a 'rescue complex' and explained that she wanted to 'kind of go back to when I was that age and h- rescue that child'. She discussed an example when she was assessing a woman of a similar age to herself, who wanted to be a foster carer. This individual had committed her offences at a similar time as Louise and she felt they 'were probably going through a lot of the same stuff at the same time'. Subsequently, Louise was able to 'empathise with her a lot more'. She explained:

> I could just see the shame, I could *feel* the shame coming off this woman, um, and I was trying to reassure her and say "don't worry about it, it was 20 years ago, it's not gonna' affect anything", and I wanted to say, um, "you know, I feel the same, you know, I'm the same" but obviously, I can't say that because of professional boundaries.

Louise discussed how her criminal record 'is an ongoing problem' with regards to travel, and asserted that 'it always will be'. Whilst it has not yet prevented her from travelling, it has caused her considerable anxiety and worry in the past when travelling with people who do not know about her convictions. For example, in 2013

she travelled to Australia and, one arrival, she had to 'go to a separate desk' having to tick 'yes' to having previous convictions on her boarding card. Her mum and her aunt went through the 'normal queue' and Louise explained the 'embarrassment factor of [being] the different one'. It was 'embarrassing' but 'thankfully', they didn't ask why she had gone to another queue, and there was 'no problem at all getting in'. Indeed, she explained her convictions to the member of staff and was waved through. However, Louise explained that, had her aunt asked her why she had to go through a different queue, she thinks 'it would have been very different', as this aunt did not know about her convictions and was from the side of the family that are more 'strait laced'.

In 2018 she travelled to New York where the official advice is, 'if you've got *any* offence however long ago it was, or how minor, you should apply for a visa'. However, when going through the electronic authorisation process online where she answered 'completely honestly', she found it only asked about 'terrorism and violent things'. This meant she was able to travel on the ESTA without declaring her convictions. Nonetheless, she explained:

> I was *still* worried, still thinking they're gonna' stop me, they're gonna' know something about me, they're gonna' stop me at the airport, they're not gonna' let me in, it's gonna' be this massive scene in front of my family, I'm gonna' get deported, I'm gonna' get interview by immigration, and it's gonna' be horrendous.

Again, Louise explained that it was 'absolutely fine' when she travelled there, but she had spent time worrying, and deliberating between using the ESTA and risking the above, or 'declaring everything' and getting a visa which would be expensive and time-consuming. It would also have required her to explain to her family why she was travelling on something different. Louise explained that she found it 'just so stressful', and had six months of 'constant constant worry' feeling 'so so stressed that […] some big red flag' would show up against her name. She found her 'mind just spiralled' thinking about if she couldn't get in, thinking about the wasted expense and what she would tell people. She thought about how she would have to 'hide and not leave the house for a week', to 'just pretend' that she did go. She spent time googling the process and what happens on arrival, and confided in a close

friend for further advice. She explained whilst he was 'absolutely fantastic' about it, telling him 'everything' was 'really really difficult', as it was 'really cringeworthy [and] really uncomfortable' having '*that* conversation'. Having chosen to go with the ESTA she 'stressed over it literally until [she] got [her] passport stamped in the airport' which was a stressful experience in itself as the journalist before her had been pulled out the queue for questioning, making her think the same would happen to her. Louise then discussed how Brexit makes her 'worry' her criminal record will be a 'factor' which may prevent her going to Spain, and force her to declare it to go on 'normal kinds of holidays'. Discussing this she said, 'even though it's something that happened when I was a kid, it's kinda' like it's never gonna' go away'. Indeed, in the second interview she explained how having to declare it with travel makes her feel like the 'two mistakes that [she'd] made as a kid are just never gonna' go away'.

After speaking about travel, Louise revealed that her fiancé did not know about her criminal record, and that she was going to use hosting the interview at his home as a prompt for starting the conversation. She explained that she had 'been planning on telling him - cos' it it's in a *wider* context', but noted that 'those conversation[s]' and going 'over it again and again and again' is 'just embarrassing […] just horrible'. Indeed, it was largely 'embarrassment' that had stopped her from telling him, and she explained that she had struggled 'picking the right time', worried that 'bringing up all this horrible depressing stuff' might 'ruin and evening'. She did however assert that 'telling him is not gonna' affect anything between [them]'. Her motivation for telling him was that they were planning their honeymoon and she was having to think 'am I gonna' be allowed into the country?' when considering different destinations. She said in the second interview 'if [she] didn't have to declare it for visas, then she may not tell him' about her convictions. In the second interview I asked if she could tell me about the conversation and she said she had not told him as they had an offer fall through on her house and 'was not in the right frame of mind […] to tell him'. Whilst 'if [she] didn't have to [she] wouldn't tell him' she believes it 'will make it easier' once she has as she won't 'have to explain it again'.

Louise spoke about how her 'family relationships' have not been impacted by her convictions, but explained that when prompts about 'shoplifting or theft or anything' come up - such as on TV - it has an effect on her. She explained:

> If you see something on TV about, um, it can be, I don't know, somebody shoplifting, or theft, or anything, my automatic thought is, "that's what they think about me". That's kind of, I don't really know how to put it, um, if they were thinking about me, that's gonna' be, kind of, the overriding factor that they would think about. You know "she's a thief, she's got a history of theft" um, and it I know that logically it's not, but I still do feel like that.

At the start of the second interview Louise told me, 'it even happened yesterday' recalling how there was a shop lifter shown on a police programme she was watching. She explained that it 'brings that emotion up', and she was 'glad' that her mum wasn't there watching it with her. She explained that it 'would remind her what [she's] done' and that would have made her feel 'embarrassed', 'cringing inside […] wanting that scene to be over'.

Reflecting on the nature of her conviction and why she finds it 'embarrassing', Louise explained that she 'don't come from a family that has police involvement'. Furthermore, she believed that if someone found out she had a theft offence it 'would change their perception' of her, making them feel she is 'dishonest', meaning they 'wouldn't trust' her. She compared this to a motor offence explaining:

> Theft is kind of, um, seen as part of your character, or it has an impact on your character and the way people see you, you're not a trustworthy person.

Appendix P: Kirsty Pen Portrait

An introduction

Kirsty was a forty-two-year-old female. She responded to my call for participants via Unlock, and was keen to be involved in the research. We met at Keele University Library after difficulty finding a suitable interview location in her local area, and so I was careful to I reimburse her petrol costs. Kirsty arrived late for the first interview and appeared a bit flustered. She was smaller than me - around 5ft - and had a larger build. She had short brown hair pulled back with a hair tie, and wore no make-up. We made small talk as I showed her to the bathroom, and then to the small meeting room that we had been allocated. The meeting room was only large enough for a desk and two chairs, but a big window let in natural light and made it feel comfortable. When the interview started, Kirsty seemed nervous, and was unsure what to discuss. She had brought with her a couple of news articles which I used as a prompt, asking if they resonated with her own experiences, and if she could talk to me about them. This was effective and Kirsty began to talk more openly. Throughout the interviews she played with the curls that had escaped from her headband, and maintained quite guarded body language, often looking down at the desk. Kirsty spoke largely of negative experiences including being 'trapped in child abuse', becoming 'mentally ill', being a victim of domestic violence leading to her traffic offence (see below), and having long-term issues with alcohol and mental illness. She also explained that she suffered from self-diagnosed complex PTSD, but had received a 'misdiagnosis' of borderline personality disorder. Despite this, she also shared how she was able to attend university and began a PhD at one stage. At the end of the first interview, Kirsty showed me a photo of her at her graduation, and I noted she looked very different. She told me she would show me her DBS and insisted that she was not lying about her experiences (I assured her this was not necessary). At the time of the interviews, Kirsty was working in an administrative role for the Department of Work and Pensions. She took this job seriously, noting that she could not tell me much about it as it was 'confidential'. I found it more difficult to build a rapport with Kirsty, and suspected that this was due to her distrust of professionals, and the difficult of recalling past trauma.

Kirsty's experience with crime

Kirsty spent a long time in the interview discussing her experience with domestic violence and alcohol. When discussing her experience of domestic violence, she exaplined 'the police would not do anything' recalling how 'they'd come round and they'd just laff […] and they'd side with him'. She relayed the things her husband and officers would say to her, calling her a 'mongoloid', and using her self-harm, alcohol consumption and mental health issues to discredit her allegations of domestic violence. She explained that he had a shotgun and would often threaten to kill her, claiming he could make it look like suicide and asserting - 'I'm not going to prison for you'. Several times in the interviews Kirsty exclaimed that, 'no-one would help [her] escape'. Kirsty explained that, aged twenty-two, she 'had enough and […] just snapped'. She explained:

> I thought, I'm not letting him shoot me, I'll escape. So, I got in me car, and I can still I can still picture his face through the windscreen in front of me as I put the car in reverse, and I still get flash backs of it and everything, and so I backed out of the drive and I just drove off. And then, cos' I was so distraught about everything, I ended up crashing me car, and someone phoned the police - not an ambulance - the *police*.

In the second interview, Kirsty explained the day's events in more detail. She shared that earlier that day she had been 'forced' to have a contraceptive injection by her GP. She explained that 'three months of PMT hormone' was injected into her when she was 'already mentally ill […] under a lot of pressure' with domestic violence and childcare responsibilities. She also had 'a substance abuse problem' - although she was not aware of this at the time. She worked at the pub her father owned and so, she 'went to the pub and [she] ended up drinking'. She could not remember if she was 'on medication' at the time of the offence or not.

When the police 'noticed [she] smelled of alcohol' she was arrested. She recalled the process in detail highlighting several things she was unhappy with. This including the police 'really hurting' her when pressing her fingers down for fingerprints, being 'forced […] to sign all the charge sheets' whilst 'drunk', not being given an appropriate adult despite her 'mental health problems', and having 'bad legal

advice' from the 'duty solicitor […] who didn't know [her] at all, and knew nothing about [her] life or [her] circumstances'. Kirsty received a non-custodial sentence for driving whilst under the influence of alcohol, and explained that they had originally charged her for several other offences inclding driving without a licence, driving without insurance, and driving without an MOT, 'even though there was no proof'. She received a driving ban and driving licence endorsement which was then extended as it drew attention to her 'medical problems', namely alcoholism (see below). She noted that she was 'bailed back to the house of domestic violence' and, 'the best bit of it all', was that she was dropped off at a pub by police later as her father was working there. She went in and had 'a drink cos' [she] was in just so much shock'. Indeed, she explained that the experience left her feeling suicidal. She feels she was '*really* badly shafted' by 'the system' and this 'still makes [her] angry today'.

Kirsty had to attend probation and believed she would be given help, but found it was '*absolutely awful*' noting, 'all you did was go there have a cup of tea and get sent home […] then if you didn't reoffend, they got all the credit for it.' She recalled being shown a video of a domestic abuse survivor being helped by police, giving her the message that whilst other women would be helped, she 'can die' as no one would 'save' her. She explained that she turned to alcohol thinking, 'its given me a criminal record, its wrecked everything so it is going to make me feel better', and help her cope with the domestic violence. At one stage she did receive treatment for alcoholism but had a bad experience, noting that her home environment made detoxes difficult, but probation 'wouldn't do anything' to help her. She recalled being 'discharged for [her] allegedly taking the piss' from the alcohol programme and noted how they 'broke confidentiality' by informing her probation officer. When her probation order finished 'life just continued' and she felt she was 'left to die' in her circumstances.

Kirsty conducted extensive online research years later, noting that she 'didn't have the internet' at the time and 'wasn't allowed' to, or could not afford 'a solicitor to tell [her] these things' then. Kirsty explained that her case would be 'thrown out of court' as 'it's not justice', because they did not adhere to the Police and Criminal Evidence Act, and made her 'go through all these […] legal proceedings and things […] not of sound mind' due to being 'drunk'. She also noted that it is a 'valid defence

in law' to be 'committing a crime in order to stop a *worse* crime from happening such as murder'. Reflecting on her experiences overall, she explained that she was 'literally sentenced to death […] for a traffic offence', and that her 'human rights' were not considered by anyone. She asserted that she was 'let down by the whole criminal justice system […] and […] the medical profession'. She sought advice from a charity was told that, due to the 'circumstances surrounding it', there had been a 'miscarriage of justice', and that she would 'need a solicitor' if she wanted advice or help. She explained that she did have a solicitor work to 'overturn the conviction […] pro-bono' at one stage, but found 'it was too late and all the court documents had been destroyed'. This 'annoys her', and she explained that, had she of had access to google at the time, she would have 'had it overturned'.

Kirsty 'luckily […] managed to escape', finding a place in a women's refuge after seeking help through a charity. She was unable to take her young daughter who was also 'left […] to suffer', as the father threatened to 'fight using solicitors' which she did not have the money for. She tried to 're-build her life' and believed 'no one's gonna' bother about a traffic offence', but later found she did come across barriers (see below). She 'threw [herself] into her studies' and did her A levels before going to university. She started a PhD but did not complete it (see below) and, at the time of the interview, worked assessing benefit entitlement. Reflecting on her experiences, she explained that she was 'lucky' to have a good relationship with her daughter.

Kirsty's experience of living with a criminal record

Kirsty began the interview by noting that her experiences have been 'mostly negative'. She explained that, 'whilst some people might see past it', the record highlights 'you're a bad person'. She noted that, since the introduction of filtering, 'things now are not as bad as they used to be', but explained 'in the past [she's] been treated very badly […] because of it'. She said:

> I do think about it *every single day* - for the last almost twenty years. And, I actually spent years wishing that the night I got arrested, that I'd actually been murdered, or died in some other way, cos' for years I just lived a kind of like, living death.

Having explained the circumstances of her offending, Kirsty explained that she was unfairly 'marked as a criminal'. She explained:

> I mean, I know what I did was wrong, but I did what I thought I had to do at the time, to try and save my own life. It was like instinct, it was like self-preservation […] and now I'm marked as a criminal for the rest of my life. I am in this group of offenders or ex-offenders for the rest of my life, and I have to live with the stigma attached to that forever.

Recalling how her criminal record had influenced her, Kirsty discussed her attempts to apply for volunteering opportunities and courses, in order to help her 'get a job'. She explained that, when asked on application forms about previous offences she 'left it blank', not wanting to share her 'very shameful hideous private stuff' with people she did not know, and had never met. She enjoyed science and, having 'got professional career advice' reassuring her that she would have no issues being a scientist, she spent 'eleven years studying', before 'finding out' she 'couldn't get anywhere […] because of [her] criminal record'. She explained this was because she would 'have to travel to conferences all over the world' noting, 'even if a country lets [her] in now, in the future they might change their laws'. She explained that she was advised by her supervisors 'to quit [her] PhD which [she] did' aged thirty-seven. Seeking further career advice, Kirsty explained that she was told that, as a result of her mental health and criminal record, 'if [she] was lucky' she would be able to 'get a job at Poundland'. She also noted that an opportunity she had to 'study medicine' was squashed, noting that she 'couldn't do it because […] they don't want doctors who've got that on their files', as it would 'bring the profession into disrepute'. Subsequently, she noted she 'could be a doctor on like hundred odd grand a year by now' but instead, is struggling financially, and unable to do things 'normal people can'. She explained that she would be 'stuck at this level for ever and ever'. She also noted that whilst she had training in accountancy, she could no longer do this as she was bankrupt by her domestic violence. She explained that she was 'just running on a treadmill', 'banned' from 'so many job opportunities'. Her criminal record added to these wider exclusions and injustices.

When discussing the job opportunities she was 'banned' from in the second interview, Kirsty explain that it could be 'for legal reasons', or due to needing to travel internationally. She also highlighted that she has to continually renew her licence on medical grounds as a result of alcoholism, and so cannot have a driving job as their insurance 'might not cover [her] whilst it's being renewed'. In the past she had 'withdrawn' from opportunities when asked about previous convictions, felt 'lucky' at the time of the interview, commenting that 'the filtering law was invented for [her]', making things '*slighty* easier than they were'. Reflecting back she suspected that she had disclosed it in the past without legally being required to, attributing this to the 'bad advice' she was given by The Probation Service.. This included on her university applications but 'luckily […] they weren't bothered' as they were not ones which required safeguarding like 'medicine or social work'. Despite filtering improvements, Kirsty was still concerned about her record. She explained:

> [I]t still crops up, and I still think, what if, what if anyone finds out? What will they think of me? And will I get fired for it? And things like that, even though I've not done […] anything wrong on the applications.

Before filtering she was told she could never take on a 'proper professional person with good standing in the community type job', such as be a civil servant or work in the criminal justice system. This was due to being 'not of good character', and she noted that her criminal record means she 'will never be of good character again'. However, she had recently applied to work for The Probation Service with 'the intention to help people' who have 'been where [she's] been so they don't have to suffer as much as [her] and [her] poor little daughter' did. She got through to the assessment centre but failed on one element, so will 'have to apply again in the future'.

Kirsty explained that her experiences were unfair as she broke the law 'once' when 'trying to save [her] own life', and is now 'punished for the rest of [her] life'. Reflecting on the nature of her offence and the influence it has had Kirsty said:

> I mean, I know I did wrong one night once, but should I be punished for the rest of me life? For a traffic offence where no-one got hurt? No-one got injured, no-one died, nothing really bad happened except I wrote me car off and well, I mean, I didn't go out and murder anyone, I didn't go raping little kids, I didn't steal, I didn't - all these kind of things, I didn't go breaking into old ladies houses and battering them, and stealing all the jewellery and all things like that, and it's, I just feel like the punishment doesn't fit the crime almost.

She continued to note that her 'life' was not as 'valid' and 'worth saving' as the 'hypothetical non-existent people who *could* have, in theory, died that night'. In contrast, she explained that she knew 'loads of people' who had driven drunk 'loads and loads of times'. She explained:

> [T]hey've never been caught, they've never been given a criminal record, they've never lost their driving licence, they've never - any of that, and they have, they have good jobs, and they earn loads of money, and life's so great and everything, and they do things like driving down the motorway pissed, swigging from a bottle of vodka.

She continued to highlight how she had 'made a mistake once and [her] entire life was ruined by it', whereas 'other people choose to drive drunk, choose to batter their kids, choose to steal, choose to do all sorts of things, and they just get away with it'. She explained how that 'really annoys' her.

Importantly, Kirsty explained that criminal record was 'massive confirmation that you're so, so bad'. When explaining this, Kirsty returned to talking about her experiences as a child. She explained that her parents were 'always telling [her] from childhood that [she] was a bad person'. When she began to receive help from the medical profession and CAMS, she was 'diagnosed with personality disorders that have never existed', and told she was 'attention seeking'. Later, her 'domestic violence perpetrator' continued to tell her she was bad. Subsequently, she exaplained:

> [A]ll my life I've been bad, and I was very bad, and I was always bad, bad, bad, bad, bad bad, bad […] if you've had all these people saying that you, end up believing it, and you end up thinking "yes, I am bad, I should die" and all the rest.

Kirsty discussed at length her experience with the medical profession, highlighting the poor treatment she had received such as being shouted at for her driving offence, told she was 'bad', and being 'blamed' for her partner's violence towards her. She noted that her criminal record was an influence on her misdiagnosis, as those with borderline personality disorders are 'unstable and impulsive', and so her having a criminal record made them say, 'you must have this, cos' you're a criminal, and you're this, and that'. She explained that 'they tar you with the same brush', and that 'a lot of people with the diagnosis also have a criminal record' so professionals see a record as proof of the disorder. Kirsty wrote to the DVLA about this believing that if she did not, she 'would of just been pulled by the police loads of times'. However, I asked Kirsty to clarify why she had to continually renew her licence with the DVLA and she explained it to be 'a combination' of 'alcoholism' and 'the offence', not due to her diagnosis.

Kirsty had spent time researching criminal record policy and believed 'there's a big problem' with 'disclosure', highlighting the importance of the ban the box campaign as employers 'use it to filter out' people. She highlighted that a limitation with the filtering act is that, if you have two offences then neither of them can be filtered. She explained the effect this could have on her in the future:

> [I]f […] something happens in the future and, I mean, I try my best to not commit crimes like normal people, but say if something like that happens again and I'll have two convictions, they both will have to be disc-disclosed, and it would be like "wait a minute, you were committing crimes twenty years ago and now you're committing crimes now, you've obviously not rehabilitated".

She also noted that employers use 'illegal' application forms asking for conviction information when they should not. She noted that her current employer did not ask

for a DBS check, but then she 'was told just the other day' she needed to have one, but only if she was to do home visits. She explained her frustration with this saying it's 'done [her] head in', question how they can switch between needing it and then not when, 'either you do or you don't by law'. She noted that whilst she had recently seen some jobs seeking people with criminal records, 'a lot of people […] hold it against you. She felt strongly that policy needed to change, and that 'they should change how they treat […] those who accidentally commit crimes, or have no option but to commit crimes because they're a victim of another crime' such as domestic violence. She also noted that she might have issues traveling as a result of Brexit, but 'no-one knows exactly what's happening with it all'. Whilst Kirsty said that she had no intention to work or live in another country, she'd 'like to occasionally go on the odd holiday' but, did not know if she would be 'trapped in this country forever'.

Kirsty spoke about her 'status' and not being able to have 'a future'. Reflecting on her experiences overall, Kirsty recalled a conversation with her therapist where she was told 'you're still grieving for what you lost over those years, and what you could have been'. For Kirsty this 'really hit home because she was exactly right'. She explained:

> [P]eople are like "well, you should have been over such a thing by now" cos' it happened in whatever year, but they don't understand what it's like. So, if you can't grieve, cos' you're not allowed to, cos' society won't let you, cos' people don't just grieve for dead people, they grieve for stuff, other losses, stuff that has been taken away from them, or even stuff that they could have had but never had, because of what people have done to them, and things like that.

Highlighting how her criminal record was part of a wider picture, Kirsty explained in the second interview that she can 'tick boxes' for having a criminal record, financial problems, mental health conditions, and addiction. She explained:

> I can tick like, all these boxes, and it's all because of stuff that abusive people put me through. If they hadn't abused me, then I would of ended up mentally ill, I wouldn't of ended up an alcoholic, I wouldn't of ended

> up a criminal, I wouldn't of ended up any of these, I wouldn't of ended up bankrupt, I wouldn't of ended up all these things, and I would have been able to go on and have like a normal life.

She said:

> [I]t's important that you know all these kinds of things, cos' as you'll now, no-one is just an offence or a crime or whatever [takes drink] cos' its' all holistic, and what's gone on that's made that happen? and made them go on and do what they did?

She discussed how people try to understand and excuse serial killers, but 'people who aren't exciting, people who've committed other crimes like minor offences' are just seen as 'bad'. For example, she discussed Ruth Ellis, and explained that she was deemed 'a cold blooded killer' with her wider circumstances and victimisation ignored.

Finally, Kirsty highlighted that having a 'criminal mum' is 'shameful' for her daughter. She felt she was 'named and shamed' in the local media at the time of her conviction, but was thankful that she committed her offence at a time when it was not put on the internet noting that it 'would have been a whole lot worse'.

Appendix Q: Ben Pen Portrait

An introduction

Ben was a thirty-seven-year-old male with a strong Merseyside accent. He invited me to his home in the Wirral to conduct our interviews, and we met here on both occasions. He had responded to my call for participants via Unlock, and was my second-to last interview particiapnt. He wasn't much taller than myself, but his broad shoulders and athletic build gave him a masculine look. He had dark hair and a short well-kept beard, and in both interviews he wore sports shorts and t-shirt – despite the house being cold as a result of having the windows open. He offered tea and coffee but drank bottled water throughout the interview, something which I thought was possibly due to avoiding caffeine after he revealed his problems with alcohol and drug addiction. Pictures of his partner and his two young children were placed around the nicely decorated front room and when I complimented his home, he said he had given it a clean ready for the interview. Ben appeared open and confident when talking about his experiences with crime, alcohol and drugs, but as he spoke he picked at his water bottle, looked down at his lap and often hesitated saying 'erm' as he thought.

Ben's experience of crime

Ben began the interview with 'yeah, so when I was younger, I probably started drinking n' taking drugs when I was about twelve or thirteen […] then that obviously leads ya to down a certain path I suppose.' He then went on to explain that as a teenager he was 'getting picked up by the police regularly', receiving his first formal caution at fifteen for breaking into a school. For him, committing crime 'sort of come part and parcel' with taking drugs and alcohol. Evidencing this he told me that the 'first time [he] properly got arrested' for 'petty things criminal damage' was 'alcohol related drug related' and, his first appearance in youth court at seventeen for theft was 'drink related'. This behaviour continued and became 'part of who [he] was.' From seventeen onwards, he explained:

> I was in and out of the magistrates getting probation orders, getting community service, but so was all my mates, and that was just what we did. It was just, that was the norm.

Early in the first interview, Ben highlighted several 'little things that […] led up to going off the rails.' First, he discussed how he 'got with the wrong people […] mixed with the wrong people' as a result of 'wanting to fit in, wanting to be part of a group'. He then highlighted his parent's divorce, and explained that his dad - a drinker - would take him to the football at weekends before taking him to pubs, so he'd 'be mixing round these types of people.' Ben maintained that 'it's down to the parents to guide [their children] in in a certain direction' and whilst his mum 'tried her best', he 'pinpoint[s] [his] dad to blame really'. Explaining this he recalled how they would 'bump trains [and] run away from ticket fellas', and how his dad would 'go robbing and [do] cash in hand work.' Another influence was being excluded from school, and being 'away from the mainstream things.'

At nineteen he was arrested for racially aggravated criminal damage which, when the racial element was dropped, led to him being found guilty of criminal damage and given unpaid work. Reflecting on this Ben said:

> [T]hat *still* wasn't enough to deter me it was like, I don't know whether I wanted to go to jail, I think, I don't know whether that was, you know, everyone else has, or this is the, you know, the courts, the probation, the unpaid work, the orders, the suspended sentence, it was all just like a cycle to get to jail, do your jail, and then see where you're at type of thing.

Almost ironically, a week after this Ben was caught on camera breaking into a shop when drunk, leading to a four-month sentence (of which he served around six weeks) in a young offenders institution. When released, he continued with drinking and 'was still getting into fights, was still doing stupid things, but not getting arrested' and so, from around twenty to twenty-nine, he stayed out of trouble with the police. He entered the alcohol services at twenty-four but found himself in a cycle explaining:

> I'd get me'self sorted and then I'd kid me'self n' think I could drink again, and then it would just lead on, and then might go on for another year back and forth in the alcohol services, so that was so twenty-four up to, up to about thirty really.

During this time - aged around twenty-eight - he crashed a work van into a bus stop during the day whilst he 'was off [his] head.' He received a suspended sentence for this but was 'still drinking [and] turning up for probation not really caring' and was subsequently recalled for breaching the order. Under the advice of the judge, Ben hired a solicitor and was able to avoid prison, receiving more unpaid work instead. This was his last offence.

After this, Ben explained that he 'tried to turn [his] life around' deciding, 'it's about taking responsibility.' He went to hospital on a detox at thirty-one, and asserted that he had not drunk alcohol since. Ben volunteered with numerous organisations including 'addiction places', Through the Gate, and The Probation Service as a mentor explaining 'when you've been through that and see like, people around you, well, you wanna' give back it's just like a natural thing.' He explained that he 'needing the facts [and] want[ing] to know *why* people do it' so he enrolled at the Open University for two years part time studying Psychology with Counselling. He then continued onto a full time undergraduate degree at studying Psychology, and was in his final year at the time of the interviews. He was proud to note that he was working towards a university certificate recognising his volunteering hours. When discussing the future, Ben explained that he wants to be self-employed working in counselling. Indeed, alongside his studies Ben owned business in the area of building and decorating. Overall, Ben asserted that 'it's been a good little journey.'

Ben's experience of living with a criminal record

In the interviews, Ben asserted that it was his relationship with drugs and alcohol that had a lasting effect on him, not his criminal record. He explained:

> [W]hen I read the sheet and when I read the question, I ca- I can honestly say it *hasn't* affected me really, so it, it hasn't. It *has* in the way of, I've been through the system, but it hasn't stopped me from doing what I wanted to do. I'd say the alcohol and drugs, that's what's had a grip of me, and the criminal side of it was a consequence of living that life, and participating in that in them behaviours.

Moreover, when he discussed how his current situation and future plans were influenced by his past experiences, Ben did not discuss his criminal record. Rather

as highlighted above, he reflected on how his experience committing crime and living with addiction made him want to 'give back', and know 'the facts'. Further, he believed that he can be 'a sort of role model' for his daughter, as she had seen him 'turn it around'.

When he did talk about having a criminal record, Ben stated:

> [A]s far as the criminal record has affected me early on, erm, I don't think it ever did, it didn't, it never stopped me from working, erm, it never, it never stopped me doing anything that I wanted to do.

In the second interview he was prompted on this again, and he reflected on why his record had not impacted him, discussing his outlook on life, personal attributes and the nature of his employment. Indeed, Ben explained:

> [I]t *hasn't* really affected me *dramatically*, and I don't know whether that's down to me as a person, it's made me more resilient, to bounce back, and I haven't *let* it affect me.

Continuing, Ben said that he believes 'society doesn't […] put barriers up', and 'you've always got a second chance, a third, a fourth. a fifth chance'. Indeed, he explained that 'it comes down to the individual […] it's made me more resilient and […] determined to to carve out a a good life for meself.' However, Ben did acknowledge that 'having a trade' meant he 'didn't have to give any of [his] background they didn't have to do any checks it was just a straight forward there there's the job.' He also noted that he 'probably' has ticked no in the past when asked about convictions on application forms, 'depending on how [he's] looked at it at the time.'

At one point, Ben did reflect on how it can influence a person's anticipation of future opportunity. He explained:

> I suppose it plays on your mind, a lot of people that I work with now are always asking me 'can I travel? can I do this?' So, it's more of that burden

> of feeling that you can't do certain things, it's stopping them from doing something, so having that criminal record it, you know, maybe they can't travel, or they're on probation for two years and part of their order is that they can't do certain things.

When asked to clarify whether he felt this himself, or if he was discussing the views of those he supports as a mentor in probation, he stated:

> It's more to do with the thought I think, I think it's that thought of 'it can affect ya' or 'it will affect ya' or 'can it affect me?' rather than it actually happening than anything.

Finally, Ben explained that he had spent time reading about people such as John McAvoy who have had 'a history of criminality and have turned it around'. He explained that:

> If you can see them […] and think to yourself […] it's not stopping them from doing anything, and they're living a normal life, and they've got, you know, mega convictions, and there's you with […] petty things.'

Subsequently, he explained that 'if [the media] show the positive side of it, these characters changing their lives, then maybe you wouldn't get as many people worrying about it'.

Appendix R: Megan Pen Portrait

An introduction

Megan was a thirty-five-year-old female living in Leeds at the time of the interviews. Megan responded to my call for participants via Unlock, and we arranged to meet at a library familiar to her. Both interviews were conducted in a glass-walled private study room, which gave us privacy, without feeling too formal or enclosed. We sat opposite one another with the Dictaphone on the table in front of us. Megan had medium length brown hair with some blonde highlights - worn down on the first interview, and tied-up in the second. She had small brown eyes and wore very little make up. Due to my own interests in fitness, I noticed her athletic build and defined arm muscles immediately, and was not surprised to hear she was part of a running club. She was slightly taller than me and dressed casually in both interviews. Megan had a friendly smile and calm demeanour, despite becoming nervous in her first interview, shaking a little as she spoke. In the second interview she appeared less nervous, no longer shaking, but still shuffling with her hands as she spoke. At the start of the second interview she told me that she would usually have a 'lull' after talking about her past experiences, but due to the interview feeling like an informal conversation, she did not. Megan had a degree in law, and had previously worked as a teacher in a college for several years. At the time of the interview Megan had temporarily moved away from teaching, and was currently researching within the area of criminal justice. She was a self-confessed 'perfectionist', joking about how she always goes overboard, but also reflecting on jobs she had' given too much of herself too' as a result. She had two children and was married to someone she met in her early twenties. I felt I had a lot in common with Megan and that had we of met through our work, we would have possibly developed a good friendship.

Megan's experience of crime

Megan began the interview by introducing her 'quite […] lengthy criminal record', consisting of thirteen non-custodial convictions attained between the ages of thirteen and fifteen. They were 'mainly supervision orders, and they progressed in length'. In the second interview she clarified that these were for offences such as shoplifting and assault. Megan did not discuss the 'context' of her criminal record at the start of the interview, but noted that 'there were other things associated with [her] offending', and that it was a 'really traumatic' period of her life. It was only

when prompted halfway through the first interview that Megan discussed this in more detail. She shared that she was 'in care' between the ages of twelve and fourteen and excluded from school, resulting in her hanging around with people aged sixteen and over who were often heroin addicts. Getting visibly upset in the interview Megan said, there 'were quite a few older men involved' and it was a 'chaotic period'.

Her 'spate of offending' whilst in care ended after she 'went missing for six weeks'. At this point she 'had enough' and 'hit what felt like was rock bottom'. This was a turning point for Megan as she felt she was 'sick of that lifestyle'. She started 'conforming, playing the game, doing what [she] was supposed to'. She moved back home aged fourteen and attended a pupil referral unit so that she could return to mainstream education. She moved around friendship groups trying to fit in, able to hide her past experiences from peers and noting in the second interview that 'friendship groups really were a big influence on [her]'. Whilst she continued to misbehave at school she kept out of trouble with the law until, aged fifteen, she was told that the prosecutions relating to her experiences in childhood were not going to take place. This 'triggered' her anger and she received a conviction for fighting with 'girls [her] own age at school'. As it was 'quite a serious assault' she was scared she would go to prison, and after that, 'didn't do anything again'. She explained that she decided she needed to 'sort [herself] out and stop letting [her] emotions take over'. Focusing on her GCSE's she found achieving 'a bit like an addiction' and 'then just went through sort of the normal pathway education wise'. Throughout A-levels 'having a goal' and 'receiving praise' made her 'feel good about [her]self'. Another key motivation came when she fell pregnant during her A-levels. She was 'scared of him turning out like [she] had turned out' and wanted to make sure they could 'live somewhere half decent' so that he could attend a good school to prevent him from getting into trouble. She continued to achieve academically and went to university aged twenty-one to study Law. She then completed her masters in Criminal Law and Criminal Justice Studies, and was working on her PhD at the time of the interviews.

She noted that her 'life is completely different' and that 'looking back, [she] would have never expected to be where [she is] now'. Reflecting on how much she had

developed, and how she had exceeded her own aspirations of getting a 'normal job' she explained:

> I think if I got in touch with any […] social workers I had, or anything like that, […] they wouldn't believe it.

However, despite these positive changes, Megan explained that in all aspects of her life she feels 'it's almost like [she's] trying to prove something', acknowledging that 'a lot of other people don't feel that need'.

Megan's experience of living with a criminal record

Megan explained that her sentences had 'impacted upon [her] in different ways throughout [her] life, in ways [she] didn't think they would'. The first time it 'came back to haunt [her]' was when she went to university to study law with the hopes to become a solicitor, but was told that her criminal record could be an issue when attempting to register with the Law Society. She had 'a completely different life and group of friends' and so 'nobody was aware' of her past, and she had 'nobody really to talk to about it or share [her] concerns' with. She contacted the solicitor she had as a young person, and he told her that he thought she would not be able to practice law. This made her feel 'quite upset', although she wasn't 'too bothered' as a work experience placement had made her think that she wouldn't have 'got on really well in the environment'.

Still at university aged twenty-one, Megan applied to do another work placement for the Crime Prosecution Service. She was rejected by an 'apologetic and frustrated' man, who questioned why the organisation which is 'about giving people second chances and protecting the public', couldn't allow Megan to work there. Megan reflected on this stating:

> I couldn't do the work placement even though I'd had this when I was thirteen, fourteen, fifteen, and then I was twenty/twenty-one when I went back to university, so it was quite a long time, erm, and I'd gone and done my A levels and my degree and, you know, completely changed everything about my life, erm, so that was the first time I sort of, got rejected, erm, officially, erm, because of it, and I was quite upset about that.

Continuing, Megan discussed the emotional effect of disclosure at that time. She explained:

> It's quite *painful* to disclose it anyway because, not only do you have this [stigma of having a criminal record, also I feel that people will look and see the amount of convictions and the age I was, and they'll think 'ooh, what else has gone on there?' You know?

Adding to this, Megan explained:

> People are not stupid […] they sort of will look at that and think, 'something else has gone on', erm, so that piece of paper shows that part of my life, which is hard.

As previously noted, Megan's offending occurred during a 'traumatic period' of her life. She reflected on how this makes disclosure difficult.

> When I have to disclose it, or talk about it. not only I've got the actions of the things I've done wrong, I've got the, erm, context of it all as well, which, for me, feels worse. It's like, I don't know a little bit re-traumatising. I don't want to use those terms official terms, but it just [laughing] the feelings of what I went through come back if that makes sense? And then having people look at that and judge you, just on that piece of paper as well, then I feel like they can see into ya soul.

Meghan then applied to work as part of a drugs intervention programme where her record 'wasn't really an issue' as the organisation was open to recruiting people with criminal records. This made her feel 'quite comfortable' during the time she was working there. After this, Megan worked for the Youth Offending service where she had to disclose her record to Head of Service who conducted a 'quick check over the phone'. She explained that this was 'quite good actually', and 'there was no face to face […] awkwardness'. During this period, Megan recalled how she felt 'quite powerless' and 'identified quite a lot' with some of the people she worked with, as they were 'the people who […] used to be part of [her] friendship group and [her] social group'. This led to 'trigger moments' and she 'used to take things home quite a lot'.

She then decided she wanted to go into teaching and applied for a job at the local college where she disclosed it 'straight away' by ticking the box and putting 'please discuss at interview' on the form. She explained that this was something she had

always done, as she feels 'a big list […] doesn't show the context'. The interview 'which was really awful' was difficult for Megan, as whilst talking to 'strangers', she had to 'manage trying to be professional about it, and then trying to explain it, but then also not wanting to give the impression that [she] don't take responsibility either'. She explained that in an interview you're trying to 'sell yourself', but discussing the criminal record is 'cutting through what you're trying to achieve'. Having two men on the panel made her 'struggle even more' talking about her experiences. She recalled leaving the interview feeling that she had 'definitely not got that job', and thinking that they felt she was 'bad inside'. However, she did get the job and was put through her teaching qualifications which allowed her to then become a part time lecturer before starting her PhD. Megan discussed how the nature of her PhD research requires her to have a DBS check which had 'been on [her] mind since [she] started' two years ago. She was currently waiting to hear back to see if this would be an issue, and was concerned that 'everything [she's] worked for in the past year and a half nearly two years could just disappear'. She explained that if it was rejected, then it isn't just her, but also her family who have 'given up that time and put in that effort', with her partner taking on more hours at work to support her loss of income.

Outside of employment, Megan shared that there had been instances where she had to decide between taking part in opportunities and disclosing her record, or not putting herself forwards. One example she gave was wanting to volunteer at her child's school which she had to 'miss out' on. She explained that she had not volunteered due to it requiring a DBS check and thus, would require her to 'undergo that […] rigmarole basically of somebody finding out […] and then […] having to explain it and then sort of exposing [her]self, putting [her]self at risk of them saying no'. A second example she gave was wanting to attend a specialist coaching session with her running club. This required people to fill out a self-declaration form provided by UK Athletics as the session was open to all ages. Megan noted that, having studied law, she was critical of the form she had to complete, and was not satisfied that they wouldn't take her information and conduct a full DBS check on her. She did not attended the sessions as a result of this, and referred to it as 'a strange barrier that's cropped up out of the blue that's stopped [her] accessing something that [she] really wanted to go to'. Megan explained that she wanted to

challenge the form, but didn't want to draw attention to herself as her running club 'have no idea about things like this [and have] a really old fashioned black and white view of people with convictions'. She stated in the first interview that she though 'they wouldn't expect me to have them in a million years' and when asked how they perceive her, she said as 'a nice normal person […] two point four kid's sort of thing'. In her opinion 'they think people like that don't have or never have had any experience with, uh, the criminal justice system'.

Megan also recalled instances where she wanted to use her experiences to validate her knowledge, but felt unable to. Recalling her experiences working at the Youth Offending Service she explained that another colleague who had been to prison would 'disregard [her] opinion', and would openly say that she was '…a young girl that had just come from university with no life experience'. She explained that this was inaccurate, and 'made [her] so angry', but that she did not want to challenge him. Furthermore, reflecting on being a 'younger researcher' and having people question her motivations and relevant experiences, Megan expalined - 'I really want to shout stuff from the rooftops […] I feel like if I talked about my experiences then people would listen to me straight away'. However, when asked where her interest in the research comes from, Meagn explained that she just says 'I find it really interesting'. Noting how other people in a similar research field have used their experiences, and how she would like to engage in discussion with them, she said '…but I can't without exposing myself again'. She deliberated that she may be able to discuss things more openly as she gets older and 'a bit more confident' but, at the time of the interview, she wanted to feel like a 'normal person […] that hasn't had all these experiences'.

Finally, Megan explained that most people in her life - including her husband – did not know the 'full extent' of her experiences. As her life had changed so much since her officing, she explained that they 'wouldn't believe' her if she did tell them. Indeed, Megan explained that her life had changed significantly, asserting that '[her]' world is completely different now'. Subsequently, she explained:

> I sort of really separate out the convictions from me as a person […] obviously they do impact on the way that I view certain things, and the

> way that I think about things, but [...] on another level, I feel like they are not me'

When asked to expand on this in the second interview Megan said, 'I probably don't separate them as much as I think I do', and she deliberated the 'difficult separation' of acknowledging 'they're [her] life experiences […] so they must have impacted [her] somehow', but also that she is 'not the same person now'. She explained how the 'thoughts and the values [she] had then are so far from everything that [she's] got now'. She wrote a blog post about her experiences for a charity as she felt that it was important to share and 'put [her] point across', but she did this anonymously.

Appendix S: Thematic Analysis Example

Table created to keep track of hand annotations

Of interest	
Pathway/Journey. Highlighting a move from old-self to new-self. A point of transition.	
Juncture in the construction of narrative/sense of self.	
Construction	
Disruption	
Themes	
1. **Difference/atypical** (to law-abiding mainstream and/or different to criminal)	
2. **Wider Context OR old self?**	
Victim	
Reputation / morals of crime / lack of confidence — Immature/young	
Let down my professionals	
Peer Influence/Social group	
Struggling financially/deprived	
Let down by care givers	
The norm	
Exposed to abusive behaviours	
A result of life circumstances	
Addiction	
3. **Manifestations of the CR** (blue highlighter). Meanings/experience.	
Anchoring/Reliving emotion	
Banning — Mental Health	
Uncertainty and lack of control (past/present/future)	
Stigma/Judgement	
Issues with company policy	
Effected by their crime(s)	
Conspiracy/purposeful	
Discrimination	
Trapped/stuck/limited	
Being treated differently	
invasive / Perverse interest in CR	
4. **Negotiating pathways with a CR OR new self** (pink highlighter) Can't really be separated into two themes because negotiating and establishing new self and interconnected and ongoing	
Resilience/Positive personal attributes	
Luck/gratitude	
Giving back/Using experiences for good/Helping old-self	
Empathy/Understanding	
Challenging publically — Ownership/Control	
Denial of harm/Minimising offence/Difference between illegal and wrong	
Sense of injustice	
inevitable disclosure — Imposter (when passing)	

Note to self: the sub-themes overlap into different categories. For example, victim and deprived are also thin experienced for some in their current circumstances not just with regards to the wider context.

Liar/Dishonest/Deceitful (when passing)	
New self wouldn't have been convicted/hindsight	
Respected by peers	
Unable to be a threat/danger/risk	
No regret/acceptance	
Fear of exposure	
Disclosure context important	
CR like another person	
Confused sense of self	
Wanting answers	
Role model	

Table created to record important information

Participant Attributes

		Paul	Sally	Yasmeen	Alice	Glenn (H)	Ahad (H)	Simon	Jamelia	Rachel	Martin	Louise (L)	Kirsty	Ben (H)	Megan
Gender	Male	✓				✓	✓	✓			✓				
	Female		✓	✓	✓				✓	✓		✓	✓		✓
CR details	Offence(s) and sentence(s)					Pro. burgl									
Age Now	25-29	✓ 26		✓ 28	✓ 25					✓ 31		✓ 34		✓ 37	✓ 35
	30-39							✓ 49			✓ 49		✓ 42		
	40-49						✓ 51		✓						
	50-59														
	60+		✓ 65			✓ 65									
Time lapsed	Less than 5					✓		✓							
	6-10 years														
	11-20 years										✓				
	20+														
Ethnicity	White	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓
	Asian								✓						
	Black														
	Mixed					✓	✓								
Religion	Muslim			✓			✓								
	None stated	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
	Athiest														
	Christian														

		Pawl	Sally	Yawneen	Rice	Chen	Ahmad	Sinan	Jonesia	Rashed	Matin	Louise	Kirsty	Ben	Nuesa
ROA/Filtering	Spent?														
	Filtered?														
Custodial?	Yes					✓		✓	✓		✓				
	No	✓	✓	✓	✓		✓			✓		✓	✓	✓	✓
An 'event'	Yes	one of them							one of them				✓		
	No		✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓
Number of convictions Stated	1		✓		✓								✓		
	2											✓			
	3			✓											
	4+	✓				✓	✓ Over a multiple counts	✓	✓	✓	✓			✓	✓

Themes

		Paul	Sally	Yasmeen	Alice	Glenn	Ahad	Simon	Jamelia	Rachel	Martin	Louise	Kirsty	Ben	Megan
Different	From law abiding/Mainstream	✓		✓		✓	✓	✓			✓		✓		✓
	From Criminals and serious offenders	✓	✓	✓	✓		✓			✓	✓	✓	✓	✓	✓
Wider Context	Victim	✓		✓			✓			✓			✓		✓
	Immature/Young	✓		✓	✓		✓	✓		✓	✓				✓
	Let down by professionals	✓		✓		✓					✓		✓	✓	✓
	Peer Influence/Social Group	✓			✓	✓		✓	✓	✓	✓			✓	✓
	Let down by care givers	✓				✓				✓		✓	✓	✓	✓
	The norm	✓	✓			✓		✓		✓	✓			✓	
	Exposed to abusive behaviours			✓			✓			✓		✓	✓		✓
	A result of life circumstances	✓		✓		✓		✓	✓	✓	✓		✓		
	Addiction												✓	✓	
	Deprivation	✓						✓	✓	✓	✓				

		Paul	Sally	Yasmin	Mike	Gavin	Mund	Sinh	Jonathan	Rachel	Martin	Mark	Lucy	Bob	Morgan
Manifestations of the CR	Anchoring/Reliving old emotions	✓	✓	✓	✓				✓	✓		✓	✓		✓
	Mental Health (Anxiety/Stress)	✓	✓	✓	✓					✓		✓	✓		✓
	Uncertainy/Lack of Control/External change	✓	✓				✓		✓	✓		✓	✓	✓	✓
	Stigma/Judgement	✓	✓	✓	✓		✓			✓	✓	✓	✓		✓
	Issues with company policy			✓					✓		✓				
	Effected by their crime(s)			✓		✓				✓					
	Conspiracy/purposeful	✓				✓	✓				✓				
	Discrimination								✓						
	Trapped/stuck/limited	✓									✓		✓		
	Being treated differently		✓							✓	✓	✓	✓		
	Perverse interest in CR								✓						
	Resilience/Positive personal attributes	✓		✓			✓			✓			✓	✓	✓
	Luck/Gratitude			✓	✓		✓	✓		✓		✓	✓	✓	✓
	Giving back/Using experiences for good/Helping old-self	✓		✓		✓		✓	✓		✓	✓	✓	✓	✓

Negotiating pathways/presentation of self	Paul	Sally	Yasmeen	Alice	Glenn	Brad	Sara	Jonathan	Rachel	Mark	Jade	Kirsty	Zoe	Megan
Emapthy/Understanding	✓			✓				✓	✓	✓	✓		✓	✓
Ownership/control		✓	✓	✓	✓			✓				✓	✓	✓
Denial of harm/Minimising offence/Difference between illegal and wrong	✓	✓	✓	✓	✓	✓		✓		✓	✓	✓	✓	
Sense of injustice	✓	✓	✓		✓					✓	✓	✓		
Imposter (when passing)									✓	✓				
Liar/Dishonest/Deceitful (when passing)				✓					✓					✓
New self wouldn't have been convicted/hindsight						✓				✓		✓		
Respected by peers	✓	✓				✓	✓							
Unable to be a threat/danger/risk		✓				✓								
No regret/acceptance													✓	
Fear of exposure			✓	✓		✓		✓	✓		✓			✓
Disclosure context important	✓	✓		✓				✓			✓	✓		✓
CR like another person			✓						✓	✓				✓
Confused sense of self									✓	✓				✓
Wanting answers	✓												✓	
Role model	✓		✓				✓			✓			✓	

Presentation of Self

		Paul	Sally	Yasmeen	Alice	Glenn	Ahad	Simon	Jamelia	Rachel	Martin	Louise	Kirsty	Ben	Megan
Old Self	N/A		✓												
	Victim	✓		✓			✓		✓			✓	✓		✓
	Yound lad	✓				✓		✓			✓			✓	
	Different	✓		✓							✓	✓	✓	✓	✓
	Vulnerable	✓		✓			✓			✓	✓		✓		✓
	Addiction												✓	✓	
	Deprived	✓		✓			✓	✓	✓	✓	✓	✓	✓		
	Powerless	✓		✓			✓		✓	✓	✓		✓	✓	
	Isolated			✓	✓					✓		✓	✓	✓	
	Immature			✓	✓		✓	✓		✓	✓			✓	✓
	Targetted	✓	✓			✓					✓		✓		
													✓		
New Self	Victim										✓		✓		
	Different						✓		✓	✓	✓		✓	✓	✓
	Good Parent		✓				✓				✓			✓	✓
	Educator						✓								
	Law Enforcer						✓	✓	✓	✓		✓			
	Trustworthy						✓	✓	✓		✓	✓	✓	✓	✓
	Educated										✓		✓		
	Innocent	✓		✓			✓	✓			✓		✓	✓	✓
	Risen Up			✓			✓		✓					✓	✓
	Volunteer														

	Paul	Sally	Tanveer	Julie	Gavin	Donald	Simon	Jennifer	Rachel	Megan	Leslie	Kirsty	Gill	Vaughn
Hopeful										✓				
Positive Influence	✓						✓			✓				
Role Model							✓			✓			✓	
Pro. Experience		✓				✓	✓	✓			✓			✓
Respectable		✓					✓	✓						✓
Respected by peers		✓					✓		✓					
Pensioner		✓												
Mature	✓		✓	✓					✓	✓			✓	
Trusted with vulnerable people	✓	✓	✓				✓	✓	✓		✓		✓	
"normal"		✓							✓					✓
Challenger	✓	✓	✓	✓	✓	✓		✓						
Poweful/Strong			✓			✓	✓							
Stable		✓	✓	✓	✓		✓			✓				✓
Helper/Advisor				✓		✓	✓	✓	✓	✓		✓	✓	✓
Fearful of change		✓		✓					✓		✓	✓		
Achiever	✓		✓			✓	✓					✓	✓	✓
Vulnerable (e.g. unwell)		✓				✓						✓		
Intelligent					✓	✓	✓					✓	✓	✓
Survivor			✓			✓						✓		
Might return to crime					✓					✓				

PATHWAYS	Education	Employment	Volunteering	Family	Addiction	Criminal Career	
Paul	H.E. Criminology Award	Sports Centre	DJ society	✓	Recreational drugs use	✓	
Sally	H.E.	Retired Librarian E.A.	✓	Wife	Previous recreational drug use	✓	
Yasmeen	H.E.	H.R.	Youth groups Local Health Hospital	Mother	✓	✓	
Alice	H.E.	CJS Charity	CJS Charity	Partner	Previous recreational drug use	✓	
Glenn	Limited	Cars	✓	✓	✓	Started aged [illegible] Probation	
Ahad	H.E. Training Courses	Health & Safety Retired	Mosque Board	Father Grandfather Husband	✓	✓	
Simon	Limited	Owns Charity	✓	Father			
Jamelia	H.E. Criminal Justice	Probation NHS Drugs + addiction	Youth panel	Mother	✓	✓	
Rachel	H.E.	Freelance Design IT	✓	Mother Fiance	✓	✓	
Martin	H.E. Criminology	Business owner factories	✓	Partner Uncle Father?	Recreational drug use	Started aged 13, would cause crime if needed	
Louise	H.E. Social work	Social worker	✓	Fiance	✓	✓	
Kirsty	H.E.	H.M. Revenues	✓	Mother	Previous addiction	✓	
Ben	H.E. Psychology	Labour Business owner	Probation Addiction Service Out award [illegible]	Husband Father	Alcohol addiction	✓	
Megan	H.E. Law	Vet Teaching PhD	Solicitors	Wife Mother	Previous recreational drug use		