

The Scottish government is conducting a consultation on a possible revision of the 1974 Rehabilitation of Offenders Act. The Government acknowledges that it can be counter-productive to require people to declare past offences, as doing so can increase the cost of insurance and make it harder to find work. We submitted a paper, following efforts, with Unlock, to improve the situation in England and Wales.

[*Time is Money*](#), our report on prisoners' finances, found that 60% of prisoners, and 59% of former prisoners, did not understand what the Act required of them. Our submission to the consultation recommended that information must be made available in easy read versions, and that the requirement to disclose a conviction should be made clear at the point of sentencing.

Evidence shows that an ex-offender who is gainfully employed is between a third and one-half less likely than an unemployed ex-offender to reoffend. Also, as Paul Cavadino stated to the All-Party Parliamentary Penal Affairs Group in 2010:

“If an offender stays out of trouble for two years, if they have no further convictions, then statistically their chances of reoffending are no higher than an ordinary group of people in the community who have not got a previous criminal record.”

Yet, despite this, in 2005, more than a third of employers in England (37%) said that they deliberately exclude those with a criminal record when recruiting.

Employment makes a substantial contribution to desistance, and desistance makes the public safer; conversely, measures that inhibit desistance undermine public safety. We believe that public safety can be enhanced by a more proportionate application of rehabilitation periods, but that over-long periods produce diminishing returns and may well undermine public safety. A proportionate length of time for requiring disclosures should recognise, in principle, that the period of disclosure should not exceed the length of a sentence.