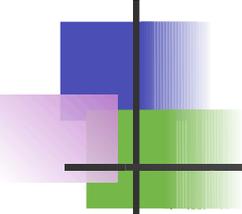


***Navigating the
challenges of
inclusivity for students
with a criminal history***

Dr Sue King
University
of South

Research thanks



Thank you to those who contributed to this research.

16 Universities were represented by

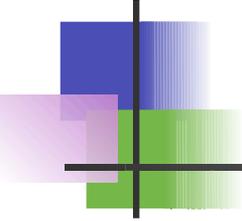
FE /Liaison officer
Manager/Director/Coordinator

11

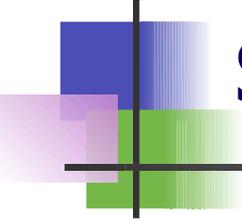
Lect/Snr Lect/Ass
Prof/Head of school

8

Outline of paper



- Background to the issue of students with criminal histories and identification of research focus
- Presentation of findings from research
- Discussion of issues relating to social inclusivity and good practice principles

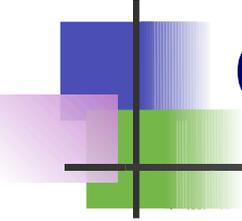


Working with diversity: the student with a criminal record

Alongside diversity of culture, age, gender ability and sexuality are a range of other characteristics that distinguish students and can result in social exclusion.

Despite the extensive data collection undertaken when students enrol, no data is collected about the prevalence of

The era of criminal history checks

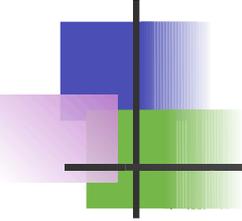


Criminal history check – an umbrella expression to cover

- Blue card
- Working with children check
- Police criminal records checks
- National police checks

Not only are a variety of police checks used by employers in the human services

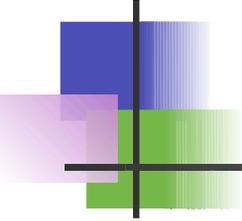
Social inclusivity



Commitment to the values of respect for persons and social justice (AASW 2010; ACWA nd) challenge us to think about a person's right to err, be punished and move on.

Exclusion from social benefits (including access to employment and education) constitutes an additional punishment, not sanctioned by our criminal law.

Ethical dilemmas



The conflict created by choosing between two or more principles or 'goods' (Cowburn and Nelson 2007:7)

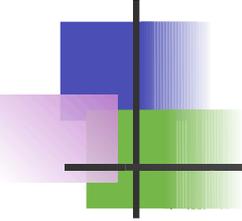
In this case

Protection of the community

VS

Rights of individual students

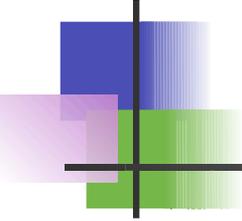
Method



Focus of enquiry was on actions of the University or its agents.

- 📁 Stage 1 – review of publicly available documents that communicate with potential and enrolled social work students
- 📁 Stage 2 interviews with staff in social work schools/departments to explore processes used within the University

Pre-enrolment practices



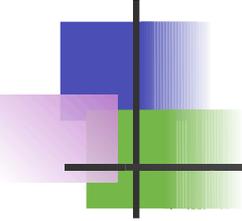
Tertiary Admission Centres

- 📖 Only 5 universities advised students through the TAC of the necessity of undertaking a criminal history check. 4 more Universities made an indirect reference to such a check.

University website information on need for criminal history checks

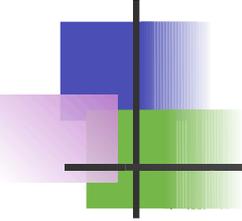
| Availability | No of Universities |
|---|--------------------|
| Identified on social work webpage | 12 |
| No reference in social work webpage | 5 |
| Not on social work webpage but elsewhere in University site | 4 |
| No reference on social work webpage but can be found in field education documents linked to the webpage | 4 |

Post enrolment processes



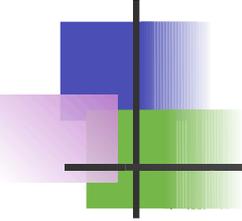
- Information giving
 - Heavily influenced by timing of Field Education
 - Many universities provide at point of enrolment
- Frequency of checks
 - Sometimes a second check required for second placement – depending on student

Cost bearing



Dependent on nature of check

- Government (in states where Cards issued)
- Students in some states (no interviewee reported that this was a problem for students) – sometimes resulted in duplication by agency



The question of proceeding with placement

Student consequences of negative reports

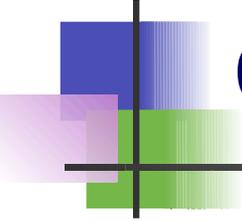
- 9 interviewees identified that at least theoretically it may be impossible to place a student

- 3 believed a student would always be able to find a placement

Documentation and decision-making

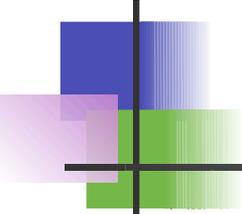
- Very few interviewees reported formal school protocols and processes

Factors influencing University decision-making



- Length of time since the offence
- Point of life that offence occurs eg whether the student was a juvenile at the time of the offence
- Nature of offence eg driving offences vs assault
- Post offence history
- Extensiveness of the criminal

Communication with the field

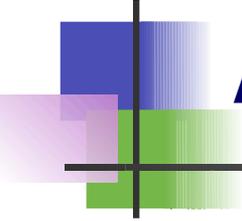


Blue card and working with children card
- agency advised student has or does not have.

Police checks

- Agencies know checks undertaken and can ask student to sight it (majority of universities)

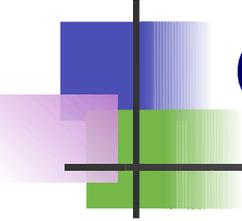
OR



Diversity of practices around Australia

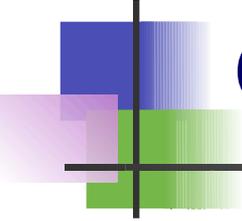
Resulting from

- Different legal contexts
- Different values and perspectives of Field Education and academic staff
- Very limited formal documentation of decision-making processes and precedents



Social inclusivity and pre-enrolment practices

- Social work staff emphasise
 - Being 'upfront' with students about need for criminal history checks
 - 'working through' with effected students potential consequences and how they can be managed
- BUT
- Unaware of University information provision prior to enrolment
 - Not addressing possible gatekeeping effect

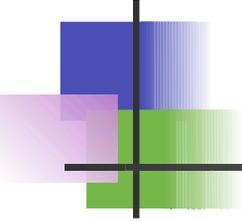


Social inclusivity and post-enrolment processes

Enhanced if social work staff have control of the decision-making process and in most cases have already established a relationship with the student.

Limited by lack of publicly available information for the student – no case precedents, no discussion in public forums of how matters are dealt with.

The ethical dilemma



Protection of the community

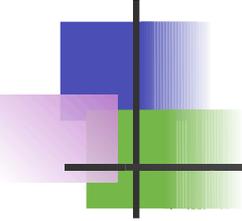
- Gatekeeping entry into the profession
- Acting as critical friend to agencies

Vs

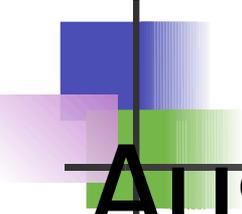
Rights of individual students

- Privacy and
- Acting as advocate for the student

Good practice principles



- Uniformity
 - Same eligibility to study whatever state or university a student seeks to enrol in
- Accountability and communication
 - Creating standards against which decisions can be measured – diminishing the discretionary field
 - Clarity about field expectations and rights to information



Australian Association of
Social Workers (AASW)

References
(1999). *Code of Ethics*.

Canberra, Australian

Association of Social Workers.

Australian Association of
Social Workers (AASW)