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ORIGINAL ARTICLE

Criminal record and employability in Ghana: A vignette experimental study

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Abstract

Using an experimental vignette design, the study investigates the effects of criminal records on the hiring decisions of a convenience sample of 221 human resource (HR) managers in Ghana. The HR managers were randomly assigned to read one of four vignettes depicting job seekers of different genders and criminal records: male with and without criminal record, female with and without criminal record. The evidence shows that a criminal record reduces employment opportunities for female offenders but not for their male counterparts. Additionally, HR managers are willing to offer interviews to job applicants, irrespective of their criminal records, if they expect other managers to hire ex-convicts. The implications of these findings are discussed.

KEYWORDS

criminal record, employment, experiment, human resource (HR) managers, vignettes

1 | INTRODUCTION

Criminological evidence suggests that desistance depends not on the actions of criminal justice systems but on wider structural conditions. Among the factors consistently found to aid desistance from a life of crime is employment (Maruna, 2011; Sampson and Laub, 2003; Uggen, 2000). The evidence shows that employment provides an avenue for people to earn a living, develop and

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maintain a certain structure to life, build new social relations, achieve self-fulfilment and improve self-esteem and mental health, which, in turn, help offenders move away from criminal activities (Decker et al., 2015 Sheely, 2020).

However, the research evidence suggests a paradox: while there is well-established evidence that employment aids desistance, having a criminal record increases the likelihood that ex-offenders will be denied employment (Pager, 2003; Santos, Jaynes & Thomas, 2023). Consequently, individuals with criminal records are caught in an offending-employment trap. In recent years, policymakers in some countries have sought to break the trap through legislation, such as California's Fair Chance Act 2018, which makes it illegal for employers to ask about the criminal records of job applicants before a job offer is made. The aim is to offer ex-offenders an opportunity to be judged on their qualifications and experiences rather than on criminal history, especially when that history might not have a direct bearing on the job in question.

The current study extends past scholarship in three ways. First, that scholarship on criminal records and access to labour has relied almost exclusively on data from the USA and Europe (Agan & Starr, 2017; Santos, Jaynes & Thomas, 2023). Comparable research in the African context is lacking. Yet, it is an important site for such research. Criminologists have documented the role of neo-liberalism in societal responses to criminal behaviour. Neo-liberalism has emphasised reduced state role and increased focus on risk management, especially risks posed by offenders (Feeley & Simon, 1992). Consequently, rehabilitative interventions that might aid desistance are underemphasised. Comaroff & Comaroff (2006) note that the influence of neo-liberalism on law and order is much more pronounced in post-colonial settings. Neo-liberalism in Ghana, our study site, has increased economic inequalities and reduced job opportunities (Obeng-Odoom, 2012). This makes it potentially fruitful to investigate how employers respond to ex-convicts in the African region. By using experimental vignettes, the study contributes to the literature exploring causal links between criminal records and employment opportunities (Pager, 2003; Rovira, 2023; Uggen et al., 2014). The literature had hitherto relied entirely on data outside the African context. We test not only the consequences that a criminal record portends for employment but also the contingent conditions under which such effects likely occur. Specifically, we test attitudes towards offenders and expectations concerning how other managers are likely to do moderate employment consequences of criminal records. Third, most studies on criminal records and job prospects use data from male samples. We move beyond this approach by testing whether the effects of criminal records are gendered.

2 | CRIMINAL RECORD AND EMPLOYMENT

The locus classicus of research on criminal record and employability is Schwartz & Skolnick's (1962) studies on the consequences of 'legal stigma'. A total of 100 prospective employers were invited to consider job applications by individuals – all men – of varying criminal record backgrounds. Four different resumés were assigned: an applicant sentenced for assault; an applicant acquitted for assault; another applicant acquitted, but has provided 'a letter from the judge certifying the finding of not guilty and reaffirming the legal presumption of innocence'; and an applicant whose resumé is silent on criminal record (p.135). The results showed a 'graphic indication' of criminal record effects on employability: only 4% of employers who reviewed applications by people with a criminal record expressed an interest in hiring the applicant; 24% would consider the applicant acquitted with a letter from the judge, and 12% would offer a job to the acquitted applicant. For those without a criminal record, 36% of employers offered a positive response. Thus, having a criminal record significantly reduces job opportunities for ex-convicts.

Schwartz & Skolnick (1962, p.136) concluded that ‘conviction constitutes a powerful form of “status degradation”, which continues to operate after the time when, according to the generalised theory of justice underlying punishment in our society, the individual’s “debt” has been paid’. Several studies have sought to test this conclusion, starting with Pager’s (2003) pioneering research that used an experimental audit approach to assess the employment prospects of ex-convicts across a range of entry-level jobs in Milwaukee (USA). The experiment involved sending two matched pairs of white and Black male applicants to apply for 350 real job openings – this enabled observation of employer behaviour in real-life situations. Pager (2003) found that the effect of a criminal record was 40% larger for Blacks than for whites. White testers with a criminal record were more likely to receive a call back from employers than Black testers without a criminal record. Pager’s study is important in establishing not only the causal effects of criminal records on employment outcomes but also in demonstrating that these consequences are uneven across social groupings.

Sugie, Zatz & Augustine (2020) invited 2,841 hirers from a variety of industries to evaluate the job application materials of male applicants. The hirers were randomly assigned to one of four experimental conditions: an applicant with no indication of prohibited contact; an applicant with a social media indication of prior drug use; an applicant with social media signal of prior drug use but no arrest; and an applicant with a social media presence about prior drug use resulting in a conviction. The researchers found that employers were significantly less likely to hire applicants with prior drug use. The employers expressed particular aversion to those whose drug use brought them into contact with the criminal justice system. Thus, a criminal record was a salient consideration for these employers. However, the researchers did not find evidence of variability across demographic characteristics of job applications, such as their racial background. They conclude that employers’ aversion to criminal records is attributable to repetition risk and the stigma attached.

More recently, Santos, Jaynes & Thomas (2023) requested 591 hiring managers across the United States to choose between a candidate with a criminal record and a nearly identical candidate without a criminal record who have applied for entry-level positions. They further randomised one additional characteristic of the applicant with a criminal record based on their education, references provided, wages or experiences. This enabled the discovery of characteristics that could overcome some of the limitations of having a criminal record. Overall, their findings chime with the empirical literature about the reduction in employment prospects for individuals with a criminal record. Indeed, when employers were presented with candidates with the same credentials, the applicant with a criminal record was significantly unlikely to be hired. When the applicant with a conviction had not completed a degree, had references from criminal justice professionals, or willing to work without wages (wage discount), this did not improve their chances of being hired. However, when the applicant with a record had at least one year of relevant experience, a college degree or references from a former employer or professor, it improved their chances of being hired by 50%. However, the study did not explore whether the gender of applicants affected the hiring decisions of the managers studied.

The negative effects of criminal records on the employment prospects of individuals with offence histories have led to the promulgation of various policies to address this issue. Typical policies include Ban the Box (BTB) which removes the employment checkbox on job application forms. This policy has seen expansive implementation in various states in the United States in particular as means of overcoming employment obstacles for individuals with criminal histories.

In an analysis of the impact of BTB policies on the employment prospects of various social groups in the United States, Doleac & Hansen (2020) found that BTB significantly reduces the

employment of low-skilled Black men aged between 25 and 34 years when compared with their white and Hispanic counterparts in the Northeast, Midwest and West of the United States. However, this ethnic effect was not found among low-skilled females with criminal records. Among women with college degrees, however, BTB increases employment prospects of Black women when compared with their white and Hispanic counterparts. The authors observe that this is not attributable to employers' preference for hiring women but due to intrahousehold substitution of labour or statistical noise since college educated women and without college degrees likely work in different labour markets. Furthermore, when a time gap analysis was executed for 1,2,3,4 years and later years following the implementation of BTB in various states, they found that BTB effects on white males is almost zero but its effects on Black men is large and grows significantly over time indicating a permanent effect on their employment prospects over time. For male Hispanics, although this decreases employment prospects in the first and second years, after the third year, the effect declines to almost zero.

Other policies include the expungement of criminal records after a certain period of criminal inactivity also known as 'clean slate' initiatives to improve employment prospects of people with convictions. In the state of Michigan, for example, individuals with criminal records can formally apply for expungement of their criminal records after staying crime-free for five years following completion of probation, discharge from parole or a term of imprisonment. An evaluation of the Michigan expungement initiative by Prescott & Starr (2020) indicates that despite a discouragingly low uptake of expungement for 6.5% of eligible candidates, such individuals have a very low rearrest and reconviction rate compared with the Michigan population. There is also an improvement in both their employment prospects and wages. Within a year, those who can attain expungement receive a 22% wage increase compared with their pre-expungement wages. They explain that this phenomenon is mainly driven by previously 'unemployed people finding jobs and minimal employed people finding steadier or higher-paying jobs' (Prescott & Starr, 2020, p.2461). Thus far, despite efforts to improve the employment prospects of people with criminal records, these policies despite some successes have not completely erased the effects of criminal records. The effects have been mixed with differential impact on various social groups with criminal records continuing to be an important marker preventing people from gainful employment and earning decent wages.

A distinctive feature of the literature on the consequences of a criminal record is the reliance on data from male samples. The male dominance reflects their global disproportionate representation in the population that encounters criminal justice systems. The few studies that explore gender effects have produced mixed findings. Thus, utilising data extracted from administrative records in Illinois state (USA), Lalonde & Cho (2008) found that women's criminal records did not adversely affect their employment prospects. Giguere & Dundes (2002) also found that the gender of the ex-convict, as well as the length of incarceration, was irrelevant to employers' decision to hire ex-offenders in the United States city of Baltimore. At the same time, the Prison Reform Trust (2015) in England and Wales established that women who experienced short-term sentences had employment outcomes three times worse than their male counterparts. Similarly, although ex-offenders who received community job skills training programmes, had comparable employment and wage prospects compared with non-offending counterparts, gender differences were found with males more likely to secure jobs earlier and having better starting salaries compared with females (Formon, Schmidt & Henderson, 2018).

In light of the preceding evidence, we hypothesise thus:

H1: *Applicants with criminal records will be less likely to be employed.*

H2: *A female with a criminal record will be less likely to be employed than a male with a criminal record.*

2.1 | Mechanism underlying criminal record effects

As we have seen from the literature, there is reduced employability for individuals with criminal records. However, what remains unexplored are the mechanisms that account for how and why criminal records have these effects. We investigate two possible moderators of the relationship between criminal records and employers' hiring intentions: *attitudes to offenders* and *expected hiring decisions of other employers*.

First, we consider that the effect of criminal history on employment opportunities depends on how prospective employers perceive offenders. We are here concerned with the ideologies or theories that employers hold about offenders. On the one hand, offenders may be viewed as socially or biologically pathological, and their conditions are immutable. In other words, there is something inherently and distinctly wrong with them which makes them untrustworthy; 'once a criminal, always a criminal', they would likely say. Prospective employers will, therefore, seek to minimise the perceived inherent risk by declining recruitment (Hickox, 2011; Holzer & Stoll, 2001; Sugie, Zatz & Augustine, 2020). Thus, employers interviewed by Baffour and his colleagues in Ghana argued that:

If you give a job to somebody who has been to prison before, then you have chosen not to have your peace of mind ... you are always thinking about what that person can do to bring down your business ... if the person is a teacher and we give him a job after his sentence ... what if he comes and do harm to the children ... what will be the public's response ... at the end the school will collapse because of just one person. (Baffour et al., 2023, p.638)

On the other hand, employers may perceive that ex-offenders are not innately bad people. They may believe that socio-economic conditions make offenders, and that, with the appropriate opportunities and support, offenders can live a life free from criminal behaviour. Consequently, prospective employers will likely view the search for employment as evidence of possible behavioural change which they are willing to facilitate through the offer of job opportunities.

H3: *HR managers will be less likely to employ ex-convicts if they hold negative attitudes towards offenders.*

Second, we argue that reactions to job applicants with criminal records will be contingent on employers' beliefs about how other employers are likely to act. Actors often have 'conditional social preferences', including expectations about the behaviour of other people that shape the actors' own behaviours (Bicchieri, 2017). Bicchieri (2017) differentiates between *normative* and *empirical* social expectations. Normative expectations refer to '[beliefs] that other people believe (and will continue to believe) that certain behaviours are praiseworthy and should be carried out, while others should be avoided' (Bicchieri, 2017, p.12). Empirical expectations, on the other hand, concern 'beliefs about how other people are going to act or react in certain situations' (p.12). In other words, this class of social expectations refers to what an actor believes others in the reference group will likely do. Such beliefs will affect the decisions of the actor. The implication is that

employers will rely on their beliefs about the decisions that other employers are likely to make as they contemplate whether to hire ex-offenders. Consequently, when expectations are pro-offender hiring, this will increase the likelihood of hiring such applicants; if expectations are anti-offender hiring, prospective employers will likely align their decisions with those expectations, denying ex-offenders employment opportunities.

H4: *A perception that other employers hire ex-convicts will enhance the probability of hiring ex-convicts.*

3 | METHODS

We conducted a vignette experiment in which HR managers were randomly assigned to read one of four vignettes in which hypothetical individuals with the same educational qualifications and job experiences were presented. Vignettes refer to 'short descriptions of a person or a situation which contain precise references to what are thought to be the most important factors in the decision-making or judgment-making processes of respondents' (Alexander & Becker, 1978, p.94). In a vignette experimental design, key variables are deliberately varied across research participants to establish the causal effects of such variables. For our study, the pieces of information we varied were the criminal records (yes versus no) and sex (male versus female) of the hypothetical job applicants. Consequently, the scenarios were: (i) a female applicant with a criminal record; (ii) a female applicant without a criminal record; (iii) a male applicant with a criminal record; and (iv) a male applicant without a criminal record (see Appendix for full wording of the vignettes). The design can help establish causal links between variables and has been used expansively in criminological research (e.g., Klepper & Nagin, 1989; Nivette & Akoensi, 2017).

This approach allowed us to test the extent to which a criminal record posed an obstacle to employment among individuals of different genders who are equally qualified for a job. The vignettes were embedded in an online survey hosted on Qualtrics. Qualtrics has a randomiser feature that allows researchers to assign participants to different experimental conditions. We sent a link to the survey to a national association of HR managers known as the Institute of Human Resource Management Practitioners to share with its members. The Institute shared the link through its mailing list and WhatsApp platforms restricted to its members only. The study was also advertised on the website of the Institute. The survey was designed such that opening the link randomly assigned a participant to one of our four experimental conditions.

Each scenario was followed by the same set of questions. To measure our dependent variable of employment opportunity, we asked the research participants to indicate how likely they were to invite the job applicant to an interview. The response was on a five-point scale, ranging from 'very unlikely' to 'very likely'. To capture our first hypothesised moderator, *attitudes toward offenders*, we asked participants to indicate their agreement or disagreement with the following statement: 'in general, ex-offenders are just bad people'. To capture the *expected hiring decisions of colleagues*, we asked participants to indicate whether they agreed or disagreed with the statement: 'Most human resource managers in my industry would invite the applicant for an interview'. For both items, the responses were on a five-point scale, ranging from 1 = strongly disagree to 5 = strongly agree. Each item was recoded into a dichotomous variable by collapsing 'strongly disagree', 'disagree' and 'unsure' to form a 'no' response; 'agree' and 'strongly agree' formed a 'yes' response.

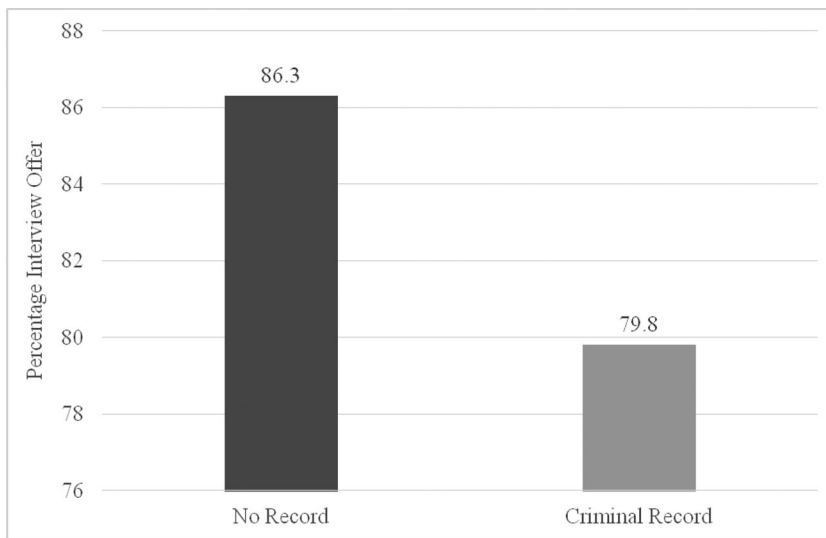


FIGURE 1 Effect of criminal record on employment opportunities for ex-convicts

Out of 249 HR managers who engaged with the survey, 221 completed it. They included 54.5% females and 45.5% males, with varied work experiences: 37.3% had up to five years of experience, 30% had between six and ten years of experience, and 32.7% had been HR managers for at least ten years. Approximately, 42% worked with companies with stated policies on hiring people with a criminal record, and 13% were unsure about company policy.

4 | RESULTS

As previously indicated, all hypothetical applicants had the same educational qualifications and job experience. The applicants differed only in their gender and criminal records. We begin our analysis by examining the effects of a criminal record on employment opportunities among male and female applications. For all analyses, we created a dichotomous variable for *intentions to interview* by collapsing 'very unlikely', 'unlikely' and 'unsure' to form a 'no' response; 'very likely' and 'likely' formed a 'yes' response. Figure 1 shows the proportion of our HR managers who were willing to call job applicants for interviews. Approximately 86.3% expressed a willingness to offer job interviews to applicants without criminal records, relative to 79.8% who would offer interviews to applicants with criminal records. However, this apparent difference was not statistically significant: $\chi^2(1) = 1.601$, $p = 0.206$.

Figure 2 presents data on preliminary explorations of gender differences. The data show that 87.3% of the HR managers were willing to consider males without a criminal record for employment, relative to 78.3% who would employ males with a criminal record. However, the difference was not statistically significant: $\chi^2(1) = 1.453$, $p = 0.228$. For females, 73.4% of the HR managers expressed an intention to offer interviews to applicants with a criminal record, relative to 92.9% who would interview females without a criminal record. In other words, a criminal record reduced the likelihood of female employment by 19.5%. The difference was statistically significant: $\chi^2(1) = 7.801$, $p = 0.005$.

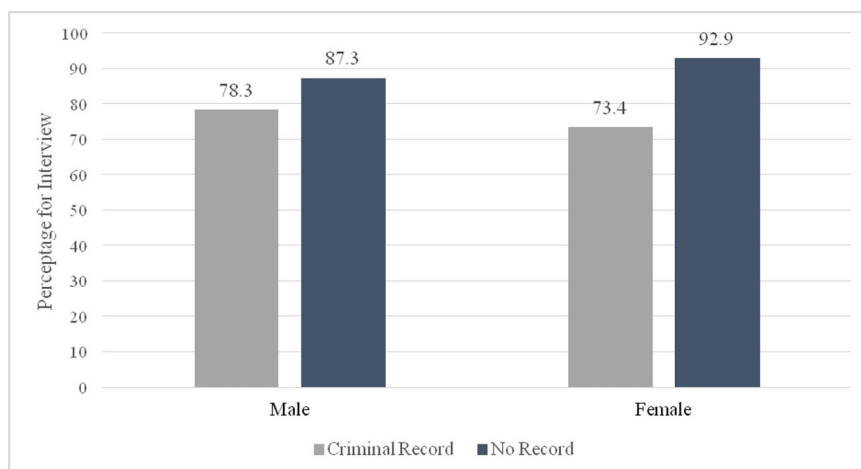


FIGURE 2 Ex-convict gender and the effect of criminal record on employment opportunities

TABLE 1 Results of criminal history and gender on employment opportunities

Variables	(SE)	Odds	95% CI
Criminal record	(0.540)	1.905	0.661, 5.488
Female	(0.630)	3.611*	1.030, 12.416
Criminal record x female	(0.800)	0.112**	0.023, 0.436
Log likelihood	193.012		
Pseudo-R ²	0.073		

Notes: 'male with a criminal record' is the reference group; *p < 0.05; **p < 0.01.

The findings are intriguing. The only legal provision in Ghana on the recruitment of ex-convicts is contained in the country's 1992 constitution. It specifies certain public offices that criminal convictions involving 'fraud, dishonesty or moral turpitude' which ex-convicts cannot hold.¹ However, prospective employers can require employees to obtain a criminal record report as confirmation of criminal history. We asked the research participants if they had company policies that prohibited the employment of convicts, and 43.7% answered in the affirmative; the majority said that they had no such policy, or they were unaware of it. Baffour et al. (2023) argue that the explicit legislation on the recruitment of people with criminal histories leaves such persons at the discretion of employers and HR practitioners.

Next, we subject our initial explorations to further examination. Given that the outcome variable is dichotomous (0 = unlikely, 1 = likely), we used binary logistic regression models (Field, 2017). The results are reported in Table 1. The results we report are odds ratios. A value greater than 1 indicates a positive relationship such that a unit increase in an independent variable – that is, criminal record or gender – increases the likelihood of the outcome – being called for a job interview. First, the results are consistent with our initial findings that having a criminal record or not does not affect the hiring decisions of the HR managers studied. Second, compared with male applicants, the odds of employment are 3.61 times greater for female applicants. In other words, the participants were generally inclined towards the recruitment of females. Third, to test for gender differences in the effects of criminal records, we introduced an interaction term

TABLE 2 Results of criminal history, attitudes toward ex-offenders, and expected hiring decisions of other managers on employment opportunities

	(SE)	Odds	95% CI
Model 1			
Criminal record	(0.384)	0.599	0.282, 1.273
'Bad people'	(0.346)	1.993	1.011, 3.930
Criminal record x bad people	(0.422)	0.649	0.284, 1.485
Log likelihood	196.200		
Pseudo-R	0.049		
Model 2			
Criminal record	(0.518)	0.540	0.196, 1.492
Peer hiring decisions	(0.164)	1.742**	1.264, 2.400
Criminal record x peer hiring decisions	(0.205)	0.933	0.624, 1.396
Log likelihood	164.047		
Pseudo-R ²	0.247		

Notes: ** $p < 0.01$.

between criminal record and gender. The interaction term is negative, suggesting being a female with a criminal record reduces the likelihood of employment; specifically, the odds are 88.8%.

We argued above that it was not sufficient to show that criminal records affected the decisions of prospective employers. It was also important to examine how and why criminal records influenced such decisions. Table 2 presents results from further logistic regression models examining the two hypothesised moderators. Model 1 contains the results for the perceptions of offenders as 'bad people'. We conjectured that if HR managers believed that offenders were bad people, they would prefer applicants without criminal records to ex-convicts. Contrary to this expectation, the interaction term was not statistically significant. Thus, the data do not support the argument that hiring decisions were dependent on recruiters' views about offenders.

Model 2 presents the effects of our second moderator: the perceived hiring decision of peers. We found a positive relationship between this variable and the participants' own decision. A unit increase in the perception that their colleagues will hire ex-convicts increases the odds of their own hiring decisions by 1.74. However, the interaction term between perceived peer decisions and criminal records was not statistically significant. When they are confronted with an application with a criminal record, the hiring decisions are not contingent on what they believe their peers would do.

5 | DISCUSSION

Criminological research in sub-Saharan Africa remains undeveloped. Consequently, answers to key questions concerning the workings and (un)intended effects of criminal justice remain scant. One such area is the consequences of a criminal record for entry into the labour market. The evidence from the extant literature shows that a criminal record presents a significant barrier to employment (Rovira, 2023). How far this finding extends to the sub-Saharan African context has not previously been investigated. The present study sought to address this gap by conducting the

first experimental vignette study. In adopting an experimental design, we were able to explore causal links between criminal records and the hiring decisions of HR managers.

Does a criminal record inhibit employment opportunities for job seekers? Prior research consistently answers the question in the affirmative (e.g., Pager, 2003; Rovira, 2023). The evidence presented in this study shows that, at the aggregate level, criminal records are not a barrier to employment prospects for ex-convicts in Ghana. However, such a comparison can be misleading insofar as it may overlook important differences across ex-convicts of different social categories. Thus, we found gender differences in the effects of criminal records on employment opportunities. Consistent with previous research (e.g., Formon, Schmidt & Henderson, 2018; Prison Reform Trust, 2015) a criminal record presents a barrier to female offenders. The odds that they were approximately 89% less likely to be considered for employment suggests that the barriers they face may be daunting for such offenders. The evidence from the international literature shows that female ex-offenders present lower risks of reoffending compared with males (Morrison, Bevan & Bowman, 2023; Spjeldnes & Goodkind, 2009). Our HR managers were unlikely to have access to and reflect upon this criminological evidence, and then make a deliberate decision to reject it. Our model explained only 7% of the variance in the hiring decisions of Ghanaian HR managers. Consequently, there are additional variables to be considered in future attempts to gain a greater understanding of these hiring decisions.

Our exploration of moderators sought to understand the mechanism through which ex-convict status influenced the decisions of job recruiters. Our second noteworthy finding concerned the moderation effect of attitudes towards offenders. Specifically, we explored whether the likelihood of employment for ex-convicts was lower when HR managers held negative views about offenders. Previous studies have suggested that stigmatic attitudes about offenders explain the suppressive effects of a criminal record on employment. As Nagin & Waldfoegel (1995) note: ‘conviction signals that offenders are untrustworthy and may violate the terms of their employment, for example, by shirking or pilfering’ (p.109). This makes the views that job recruiters hold about offenders potentially highly consequential for the entry of ex-convicts into the labour market. We found no evidence that negative attitudes towards offenders moderated the effects of criminal records on employment opportunities. We reasoned that if hiring decisions were made based on the perceived moral character of offenders, we would have the effects in decisions about female ex-convicts. van den Broek, Black & Nicki (2021) argue that: ‘men and women face stigmatised identities post-release, men experience a cognitive shift away from such stigma after securing work, while women need to gain social acceptance before they seek external validation through employment’ (p.970). However, we found no evidence that hiring decisions regarding female ex-convicts were contingent on the perceived deficiency in the moral character of offenders.

The final noteworthy finding pertains to the potential moderation effect for perceived hiring decisions of other HR managers. Contrary to our hypothesis, such perceptions failed to moderate criminal records’ effects on employment opportunities. However, they had a causal effect that was independent of the criminal records of job applicants. Employing ex-convicts can pose reputational risks and it appears individual HR managers are unwilling to bowl alone. They want to know how other managers in the ecological system are likely to act. This makes social act in the Weberian sense that is oriented towards the (perceived) behaviour of others. Escaping such a ‘collective action trap’ requires communication and ‘collective change of expectations’ (Bicchieri, 2017, pp.109-110, italics in original). In the United States, ‘Second Chance’ laws seek to achieve that change. Our findings suggest that the effectiveness of such laws would depend on the accessibility of information about compliance with such laws. When managers know about emerging norms in favour of the hiring of ex-convicts, perceived risks of reputational costs will likely be reduced.

5.1 | Limitation and conclusion

Our study is not without limitations: first, the sample of HR managers was not nationally representative. It is, therefore, difficult to establish how far the findings reported here might be generalisable beyond that sample. Second, we measured the hiring intentions of the research participants. Given that there is often a gap between attitudes and behaviours (Sheeran & Webb, 2016), we cannot be certain that the intentions of the participants will translate into actual decisions when confronted with real-life cases of job applicants with criminal histories. This limitation relates to a third: we presented research participants with fictitious job applicants. The use of vignettes necessarily compresses the information available to the research participants, and we might not have captured what mattered to HR managers. Finally, we did not specify the type of crime committed by our fictitious job applicants. Yet, it is possible that different crimes may carry a different weight for HR managers. Future studies that address these limitations will advance our understanding of the association between criminal history and the labour market in sub-Saharan Africa.

Notwithstanding these limitations, the current study represents the first step towards filling an important gap in our knowledge of the consequences of criminal records for employability. Our evidence suggests a pluralistic approach to policy interventions that aim to encourage entry to the labour market for ex-convicts. The Ghanaian HR managers would hire a male ex-convict rather than any applicant without a criminal record if they thought other managers would hire such convicts. The evidence that hiring ex-convicts is a social action has important policy consequences. It suggests, for example, that policies to encourage the recruitment of ex-convicts may stand a better chance at success if deliberate efforts are made to disseminate information about recruitment among employers. Yet, we also found that holding negative attitudes towards offenders is disadvantageous to female ex-convicts. Undoing the implied bias of women would require considerable effort. An alternative policy measure is a legislative intervention, such as the Second Chance laws in the USA, that prohibits questions about criminal histories for certain jobs.

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ENDNOTE

¹According to Article 190 (1)(a–d) of the Ghana constitution, The Public Services of Ghana include the Civil Service, the Judicial Service, the Audit Service, the Education Service, the Prisons Service, the Parliamentary Service, the Health Service, the Statistical Service, the National Fire Service, the Customs, Excise and Preventive Service, the Internal Revenue Service, the Police Service, the Immigration Service; and the Legal Service; public corporations other than those set up as commercial ventures; public services established by this Constitution; and such other public services as Parliament may by law prescribe.

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APPENDIX

EXPERIMENTAL CONDITIONS

Scenario A: Male with a criminal record

Your company has advertised for an entry-level position of an office assistant, with a minimum qualification of senior secondary school certificate and five years of relevant experience. A male applicant, 28-year-old Alex Moses, has applied for the job. Upon reviewing his CV and application form, you find that he achieved very good grades in his junior and senior secondary school examinations. He has eight years of work experience as a sales assistant, marketing officer and more recently as an office assistant. Your company requires applicants to indicate whether they have ever been found guilty of any crime in a law court. Alex has answered ‘yes’. Overall, you are impressed with Alex’s skills set and fit for the position.

Scenario B: Male without a criminal record

Your company has advertised for an entry-level position of an office assistant, with a minimum qualification of senior secondary school certificate and five years of relevant experience. A male applicant, 28-year-old Alex Moses, has applied for the job. Upon reviewing his CV and application form, you find that he achieved very good grades in his junior and senior secondary school examinations. He has eight years of work experience as a sales assistant, marketing officer and more recently as an office assistant. Your company requires applicants to indicate whether they have ever been found guilty of any crime in a law court. Alex has answered ‘no’. Overall, you are impressed with Alex’s skill set and fit for the position.

Scenario C: Female with a criminal record

Your company has advertised for an entry-level position of an office assistant, with a minimum qualification of senior secondary school certificate and five years of relevant experience. A female applicant, 28-year-old Lydia Daniels, has applied for the job. Upon reviewing her CV and application form, you find that she achieved very good grades in her junior and senior secondary school examinations. She has eight years of work experience as a sales assistant, marketing officer and more recently as an office assistant. Your company requires applicants to indicate whether they have ever been found guilty of any crime in a law court. Lydia has answered ‘yes’. Overall, you are impressed with Lydia’s skills set and fit for the position.

Scenario D: Female without a criminal record

Your company has advertised for an entry-level position of an office assistant, with a minimum qualification of senior secondary school certificate and five years of relevant experience. A female applicant, 28-year-old Lydia Daniels, has applied for the job. Upon reviewing her CV and application form, you find that she achieved very good grades in her junior and senior secondary school examinations. She has eight years of work experience as a sales assistant, marketing officer and more recently as an office assistant. Your company requires applicants to indicate whether they have ever been found guilty of any crime in a law court. Lydia has answered 'no'. Overall, you are impressed with Lydia's skills set and fit for the position.