

## Faslane 365

# Employment Concerns

A common concern of people getting involved in this type of action is the effect that getting arrested will have on their job. In some circumstances there can be issues here, although many people find it has little or no effect at all.

### **Job Contracts.**

If you have a job and are unsure of the level of support that your colleagues or bosses may give you then it might be a good idea to look at your job contract before you take action to see if there are any clauses stating that a conviction could lead to your dismissal. Bear in mind however, that these clauses usually relate to offences of dishonesty such as theft or fraud, or to offences committed whilst at work, and may well not be applicable to arrests of this sort for nonviolent actions taken in your spare time.

If your bosses are likely to be supportive then talk to them in general terms before you take action so that they are less surprised after it has happened, particularly as you may need to take time off work later to travel to court cases etc. If they are very sympathetic then you might want to ask them to take part with you or to encourage other members of your work team to join in Faslane 365!

### **Publicity.**

While there will be a general aim to get publicity for Faslane 365, it is perfectly okay for participants who don't want to be interviewed or photographed to stay out of the limelight as much as possible. In particular, you might want to consider whether local publicity in which you are shown or named might upset your relationship with your employer. If so, ensure that your group knows that you do not want your name to be given out to the press and that you will not give press interviews. There are some professions, for example solicitors, where an arrest might be treated as 'bringing the profession into disrepute' which in extreme cases might mean that you get struck off and can no longer practice. However, for most people, this kind of penalty would be extremely unlikely, especially if you are with others of the same profession and are making a considered protest on international law and moral grounds. If you do have worries about this then it might be worth checking with your professional body, particularly if they have a confidential phone line.

### **Job Applications.**

The biggest impact of having a conviction might be when you are looking for new employment. If the job you are applying for involves working with children or vulnerable people then you will by law be required to have a Criminal Records Bureau (CRB) check when you apply. The CRB check discloses all convictions (including spent convictions, see later). You can't be employed where these convictions relate to children or vulnerable adults. Otherwise it is at the discretion of the employer whether to hire you, and in such a case it is generally better to explain the arrest yourself. Being involved in Faslane 365 should not affect you working with children and vulnerable adults. However, you should explain to your prospective employer before they have the CRB check done, so that they know the nature and context of your convictions, as if you leave it for them to find out, you may not get the chance to explain later.

For other kinds of work the job application form may have a section asking about previous convictions (see below for info about what you must disclose). If you don't answer honestly and they find out you do have convictions then this would be grounds for your dismissal. If

you do tell them make sure you explain what the convictions are for - not simply that it was a conviction for criminal damage, for example, but explaining why you did it, the commitment to nonviolence and prevention of crimes under international law. While many will respond positively to your explanation and decide that your actions show the kind of initiative and responsibility they would welcome in the job, there is of course the risk that they may then decide that you look like trouble!

### **Spent Convictions.**

Bear in mind that the majority of people taking part in Faslane 365 will probably not be brought to court and even if they are, we are assuming that the most likely charges will be minor, such as 'Breach of the Peace' or 'Obstruction' (see legal briefing). Such charges usually result in fines of between £50-£200. Nevertheless, it is as well to be aware of The Spent Convictions and the Rehabilitation of Offenders Act of 1974. This Act specifies that after a certain period of time (depending upon the length of the sentence) any conviction becomes 'spent' and there is no need to disclose the conviction to future employers etc. For example, a fine becomes spent after 5 years regardless of the amount of the fine. There is however a very large category of people for whom convictions can never be spent, including people working in the following professions: doctors; dentists; nurses and midwives; lawyers; opticians; teachers; police officers; and people working with children and vulnerable people. This is why it is important to make sure that any convictions that you do get are recognised by yourselves and others as being matters of conscience proving your ethical responsibility and care for society. Over the years many professional people have taken part in anti-nuclear direct actions and very few if any have suffered in their professions as a result.

If you are a student check with your college/university Student Union whether there are any regulations which getting a conviction might breach. Ask other students at your campus who have convictions what the impact has been, if any. If you think your tutor is likely to be sympathetic, consider telling them about your intended action/conviction, as you may need to miss some course work to go on the action or go to court.

### **Travel Visas.**

Depending on the charges, there are potential difficulties getting visas for some countries, including Australia, New Zealand, or the USA. Where countries have questions on the visa application form about convictions, some only want to know about certain kinds of serious crime or whether time in prison has exceeded a period of, e.g. in the case of the USA, 5 years. The requirement to disclose convictions includes spent convictions unless the country has an Act equivalent to the Rehabilitation of Offenders Act. In most cases it will be possible to answer these questions totally truthfully, since the likely conviction or penalty for a Faslane 365 blockade would be less than the question requires. In other situations it is up to you to decide whether you think that these acts of civil resistance are covered by these questions. We are not aware of many activists having been refused entry to countries on the grounds of their previous convictions but then we do not know how many people filling out their visa forms answer this question fully.

### **Insurances.**

It might also be useful for you to be aware that some insurance firms are now refusing to give insurance cover, be it household, business, car or other types of insurance if you have convictions. However, there are a number of good insurance firms who do cover people when the nature of the convictions is properly explained, and we have even found that the premiums are cheaper. Maybe we should just all change over to these firms and reward them for their understanding!