



People in prison: Gypsies, Romany and Travellers

A findings paper

by HM Inspectorate of Prisons

February 2014

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Introduction

- I.1** This findings paper is part of a series which focuses on people in prisons and other types of custody. The series explores the differing needs and experiences of different sub-groups within the prison and custody population. We hope these findings papers will build into a useful resource on the backgrounds and experiences of groups within the prison population who might otherwise be overlooked, and encourage further research and the development of services to meet their needs.
- I.2** This findings paper summarises the literature concerning people in prison who consider themselves to be Gypsy, Romany or Traveller. It draws on evidence from prisoner surveys¹ and inspections² undertaken by HM Inspectorate of Prisons. It aims to provide an overview of the potential issues faced by Gypsy, Romany and Traveller prisoners and whether these differ from those faced by the general prisoner population, and to review the resources available to those in prison identifying as Gypsy, Romany or Traveller.

Background

- I.3** We use the term ‘Gypsy/Romany/Traveller’ in our prisoner surveys so individuals can identify themselves, if they should so wish, as belonging to a range of communities with distinct ethnicities, languages and traditions. Defining individual groups within this term is complex, as their ethnicity may be established in a variety of ways. The group history, lifestyle or occupation of some, but not all, of these groups may involve or may have involved a nomadic lifestyle. We intend this term to include multiple communities who have historically faced exclusion from mainstream services and social institutions in their countries of settlement.
- I.4** The term ‘Gypsy’ stems from medieval times and refers to Romany groups from Europe that had arrived and settled in England, albeit at the time living nomadically and heavily persecuted. These communities have remained, becoming established and, up until recently, maintaining a key societal role in seasonal work, agriculture and metal working³.
- I.5** ‘Romany’ is an anglicised word referring to groups and communities who speak versions of the Romani language. More commonly known as Roma⁴, these groups may no longer speak Romani but nevertheless retain identities distinct from the communities of the country in which they are settled.
- I.6** The term ‘Travellers’ refers to an equally wide range of communities including Scottish, Welsh and Irish Travellers who have, at different points in the last few hundred years, taken up nomadic lifestyles with their own set of traditions and, in some cases, languages. Also

¹ Surveys undertaken between 1 April 2012 and 31 March 2013 in adult establishments. Where non-adult prisoners are referred to in the data this is identified.

² Inspections undertaken between 1 April 2012 and 30 April 2013.

³ Department for Schools, Communities and Families (2010), The national strategies: Gypsy, Roma and Traveller communities – further information. London: DSCF, p4

⁴ ‘Roma’ and ‘Romani’ are synonymous terms and both are used by the EU and Council of Europe (Pedotti, C. Guet, M., Ailincăi, A., & Nash, V., (2006), Roma and Travellers Glossary, Council of Europe, <http://hub.coe.int/what-we-do/human-rights/roma-and-travellers> retrieved 23/01/2014). However, Roma is increasingly prevalent in official communications. This development and more general usage and understanding of the term ‘Roma’ will be reflected in a review of the HMI PRISONS prisoner survey when it is reviewed during 2014-15.

included are Occupational Travellers⁵, including Showpeople, and New Travellers, who have taken to nomadic lifestyles in the last 40 years but are from a range of ethnic, social and cultural backgrounds⁶.

- I.7** As groups of people with distinctive ethnic origins, Gypsy, Romany and Travellers fall under the definition of sharing a ‘protected characteristic’ of race⁷ under the Equality Act 2010. Case law under previous race equality legislation has established that protections from discrimination and the public sector equality duty extends to the majority of these groups^{8, 9}.
- I.8** It has been suggested that Gypsy, Romany and Traveller groups are among the most excluded minority groups in the UK¹⁰ and available research and data points to poorer health, educational and social outcomes^{11, 12}. Of particular relevance to this paper are: difficulties with literacy, which have an impact on accessing services and jobs¹³; increasing problems with substance abuse and alcohol¹⁴; and a reluctance to engage with formal agencies for fear of unwelcome consequences, for example, reluctance to seek help for substance misuse for fear of social services involvement¹⁵.
- I.9** Individuals within Gypsy, Romany and Traveller communities sometimes hold perceptions that the criminal justice system serves permanently settled communities better, resulting in mistrust of criminal justice agencies¹⁶. There is evidence of reluctance to access criminal justice services, even after being a victim of crime, due to previous negative experiences¹⁷. Some studies suggest there is discrimination towards Gypsy, Romany and Traveller communities within the criminal justice system, both in prisons¹⁸ and the community, for example, a greater likelihood of being given custodial sentences due to the lack of a home address or an expectation that they might abscond¹⁹. Research suggests that young men may be particularly vulnerable to involvement with criminal justice agencies, possibly due to a high number leaving school at a young age and spending time on the streets²⁰. Gypsy, Romany and Traveller groups may have a limited understanding of criminal justice systems and processes²¹. Once inside prison, research has suggested that this group of prisoners may find it hard to cope, which can lead to ‘acute distress and suicide’²².

⁵ Cemlyn, S., Greenfields, M., Burnett, S., Matthews, Z., Whitwell, C., (2009), *Inequalities experienced by Gypsy and Traveller communities: A Review*, Equality and Human Rights Committee, London: EHRC, p.iii

⁶ Id. at 3, p.6

⁷ c.15 Equality Act 2010, s.9 (1)

⁸ Id. at 5, p.4

⁹ However, Occupational Travellers and New Travellers are not afforded the same protections in the same way. These groups are protected from discrimination based on perception of belonging to a group that share the protected characteristic of race. See C15. Equality Act 2010, Sec 13,s.(1) (explanatory note 59)

¹⁰ Department for Communities and Local Government (2007), *The road ahead: final report of the Independent Task Group on site provision and enforcement for Gypsies and Travellers*. London: DCLG, p.52.

¹¹ Ibid

¹² Parry, G., Van Cleemput, P., Peters, J., Walters, S., Thomas, K. and Cooper, C. (2007) ‘Health status of Gypsies and Travellers in England’, *Journal of Epidemiol Community Health* 61, pp.198–204.

¹³ Power, C. (2004) *Room to roam: England’s Irish Travellers*. London: The Community Fund, p.12, pp.32–34.

¹⁴ Id. at 5, p.64.

¹⁵ Ibid, p.72.

¹⁶ Mason, P., Hughes, N., Hek, R., Spalek, B. and Ward, N. (2009), *Access to justice: a review of existing evidence of the experiences of minority groups based on ethnicity, identity and sexuality (Series 7/09)*. London: Ministry of Justice, p.25.

¹⁷ Ibid, p.25.

¹⁸ Id.at 12 pp.96–100.

¹⁹ Id. at 5, p.11.

²⁰ Id. at 12, p.12

²¹ Id. at 12, pp.96–100.

²² Id. at 12, p.97.

Our expectations

I.10 We inspect against criteria known as Expectations.²³ These are the expected standards by which we assesses treatment and conditions for prisoners, and each inspection assesses the outcomes for the prisoners held in that establishment against them. Each expectation is underpinned by 'indicators' which set out what inspectors would normally expect to find if the expectation is met. Outcomes described under the 'Respect: Equality and Diversity' expectations include recognising and addressing the distinct needs of each protected characteristic, including race equality and nationality. Included under the 'protected characteristics' expectations is an indicator requiring that 'sufficient attention is paid to the distinct needs of prisoners from the Gypsy and Traveller communities'.

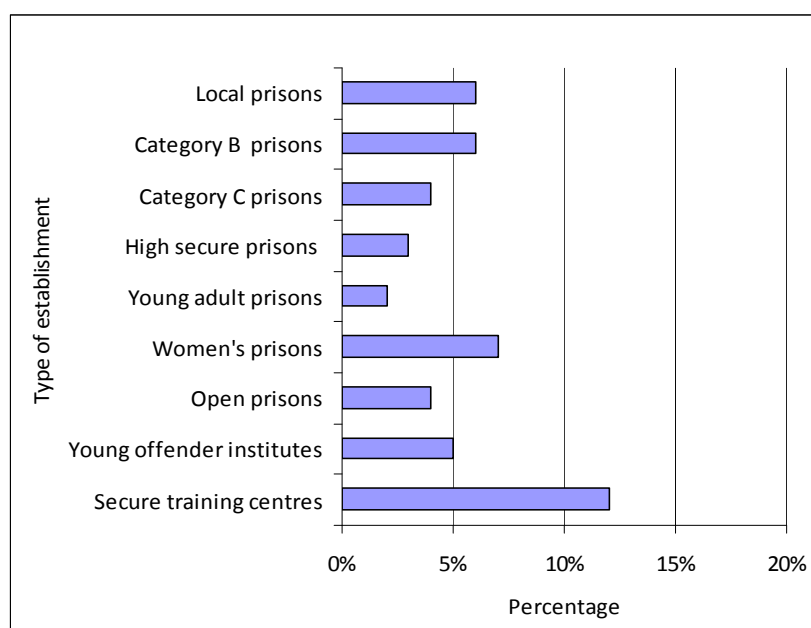
Demographics

- I.11** Individuals who consider themselves to be Gypsy, Romany or Traveller are often difficult to identify. There is evidence of a possible reluctance by many Gypsy, Romany or Traveller prisoners to identify themselves as such²⁴. In the UK 2011 census, Gypsies and Irish Travellers (but not Romany or Travellers of other descent) were included for the first time as a separate ethnic category under the code 'W3'. The subsequent census data for 2011 showed that of the population of England and Wales, just 58,000 or 0.1% of people identified themselves as Gypsy or Irish Traveller. Recently, prisons have included a Gypsy and Irish Traveller option under the W3 code on their P-NOMIS system (the prison service IT system holding personal details of all prisoners), which allows prisoners to identify themselves as Gypsy or Irish Traveller at reception. However, as yet, there are no accurate figures on the number of Gypsy or Irish Travellers available from P-NOMIS as prisoners who arrived in custody prior to the Gypsy and Irish traveller code being available on the system have not yet been given the opportunity to revise their record to accurately reflect their ethnicity.
- I.12** We use surveys to gather information on the experiences of prisoners within the establishments we inspect. The question 'Do you consider yourself to be Gypsy, Romany or Traveller?' was first introduced into Inspectorate surveys in 2009. In 2012–2013, 5% of prisoners responded 'yes' to this question; a similar proportion to previous years (4% in both 2010–2011 and 2011–2012). The proportion does not vary greatly across types of adult prisons (see Figure 1).

²³ HM Inspectorate of Prisons (2012), *Expectations: Criteria for assessing the treatment of prisoners and conditions in prisons*. London: HMI Prisons.

²⁴ Department for Communities and Local Government (2012), *Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers*, London: CLG, p. 26

Figure I: Survey respondents who consider themselves Gypsy, Romany or Traveller by type of establishment



- I.13** Among those who completed our survey²⁵, women were more likely than men to identify themselves as Gypsy, Romany or Traveller (7% compared with 5%).
- I.14** The proportion of prisoners who consider themselves Gypsy, Romany or Traveller is strikingly high in some prisons. In 2012–2013, 12% of prisoners at HMP Elmley, 11% at HMP Gloucester and 10% at HMP Winchester identified themselves as being Gypsy, Romany or Traveller in our prisoner survey. At New Hall, 8% of women identified themselves as Gypsy, Romany or Traveller, despite the prison only reporting one known Traveller.
- I.15** In 2012–13, 5% of 15–18-year-olds held in young offender institutions (YOIs) identified themselves as Gypsy, Romany or Traveller, the same proportion as in the adult estate, although in YOI Warren Hill, this was particularly high (12%)²⁶. However, in secure training centres (STCs) which hold young people aged between 12 and 18 years old, a notably higher 12% considered themselves to be Gypsy, Romany or Traveller. In Medway STC in Kent, this figure was 22%²⁷.

Gypsy, Romany and Traveller prisoners and the wider prison population

- I.16** In 2012–2013, a smaller proportion of Gypsy, Romany and Traveller prisoners (85%) were sentenced compared with non-Gypsy, Romany and Traveller prisoners (88%). This may support some research findings that there is greater use of pre-trial custody at the request of criminal justice agencies who fear this group are more likely to abscond. Gypsy, Romany

²⁵ Survey results indicating different experiences among different groups are only noted when they are statistically significant. Statistical difference is used to indicate whether there is a real difference between the figures, i.e. the difference is not due to chance alone.

²⁶ Kennedy, E. (2013), *Children and young people in custody, 2012–13: an analysis of the experiences of 15–18-year-olds' perceptions of their experiences in young offender institutions*. HM Inspectorate of Prisons and Youth Justice Board, London, p.26

²⁷ Elwood, C., (2013), *Children and young people in custody, 2012–13: an analysis of the experiences of 12–18-year-olds' perceptions of their experience in secure training centres*. HM Inspectorate of Prisons and Youth Justice Board London, p.15

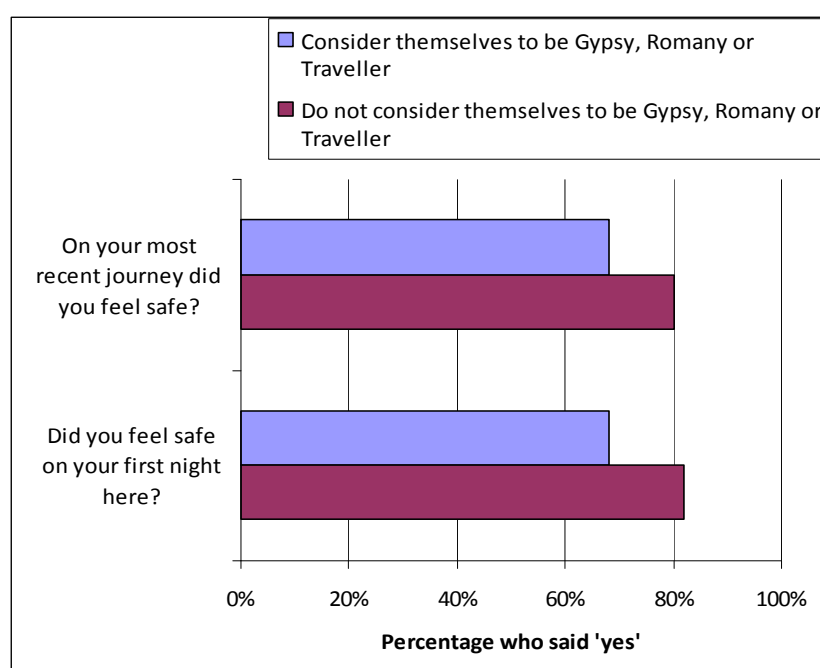
and Traveller prisoners were less likely to be in prison for the first time (25% compared with 37% of non Gypsy, Romany and Traveller prisoners).

- I.17** Gypsy, Romany and Traveller prisoners were less likely to say that they understood spoken English (95% compared with 100% of non-Gypsy, Romany and Traveller prisoners). The 5% who reported that they did not understand spoken English is likely to include Roma from Europe. Nineteen per cent of Gypsy, Romany and Traveller prisoners reported that they were foreign nationals, which might include Irish Travellers and Roma from Europe.
- I.18** Gypsy, Romany and Traveller prisoners were significantly more likely to report having children under the age of 18 (64% compared to 51%) or to describe themselves as having a disability (36% compared to 19%). In most other respects, our survey results indicated that the Gypsy, Romany and Traveller group in prisons did not differ substantially from the rest of the prisoner population.

Prison experience

- I.19** In our 2012–13 surveys, prisoners who identified themselves as Gypsy, Romany or Traveller generally gave more negative responses about their prison experience than other prisoners. In 57% (111) of the 194 survey questions for which comparator data is provided, this group gave a significantly more negative response than non-Gypsy, Romany and Traveller prisoners, and a significantly more positive response in just 7% (13) of the questions.
- I.20** Negative responses were particularly notable in the area of safety. Prisoners who identified as Gypsy, Romany or Traveller were significantly less likely to say that they felt safe on their way to prison and/or that they felt safe on their first night in prison (see Figure 2).

Figure 2: Perceptions of safety on journey to and first night in prison

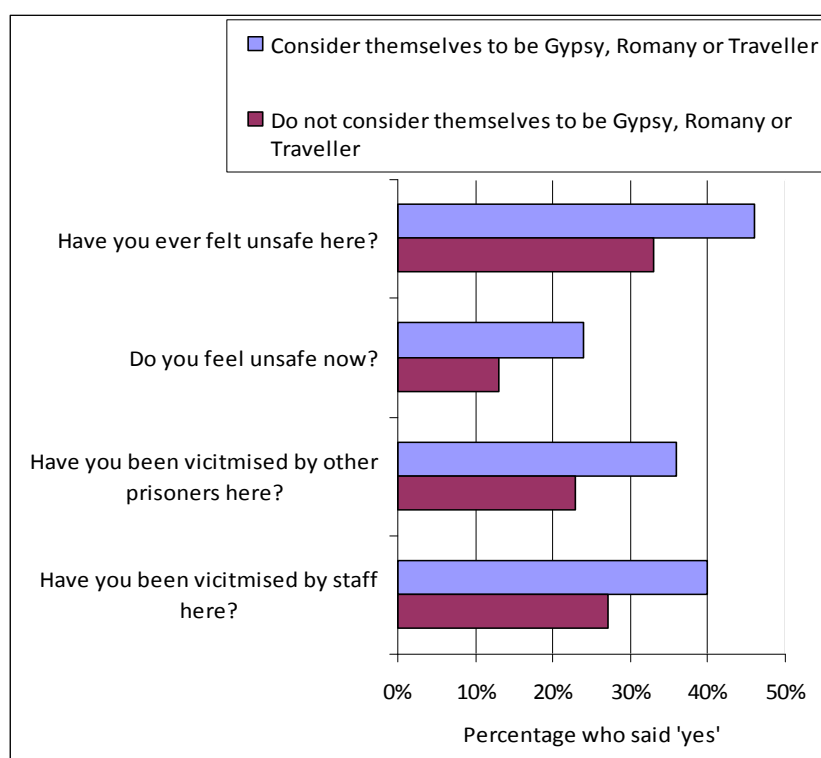


- I.21** As illustrated in Figure 3, once within the prison regime, prisoners who identified themselves as Gypsy, Romany or Traveller were more likely to report concerns about their safety than non-Gypsy, Romany and Traveller prisoners:

- 46% reported having felt unsafe at some point (compared with 33%) and 24% at the time of the survey (compared with 13%)
- 36% said that they had been victimised by other prisoners (compared with 23%) and 40% by staff (compared with 27%).

I.22 However, Gypsy, Romany and Traveller prisoners were more likely than non-Gypsy, Romany and Traveller prisoners to report victimisation when they had experienced it (41% compared with 36%).

Figure 3: Perceptions of safety and victimisation within the establishment



I.23 Safety was also an issue for Gypsy, Romany and Traveller young people in STCs. Compared with non-Gypsy, Romany and Traveller young people, they were:

- more likely to report that they felt unsafe at the establishment at some point (36% compared with 17%)²⁸
- more likely to report that they had been bullied or victimised by another young person or group of young people (39% compared with 13%)²⁹
- less likely to think that staff would take them seriously if they did report being bullied or victimised (56% compared with 82%)³⁰.

I.24 Gypsy, Romany and Traveller prisoners were more likely to report that they had been subject to certain types of discipline and behaviour management.

- 14% reported that they had been physically restrained in the previous six months (compared with 6% of non-Gypsy, Romany and Traveller prisoners).

²⁸ Elwood, C. (2013), *Children and young people in custody, 2012–13: an analysis of the experiences of 12–18-year-olds' perceptions of their experience in secure training centres*. HM Inspectorate of Prisons and Youth Justice Board London, p.43

²⁹ Ibid

³⁰ Ibid, p.44

- A quarter (25%) reported having been in segregation in the previous six months, compared with 17% of non-Gypsy, Romany and Traveller prisoners.

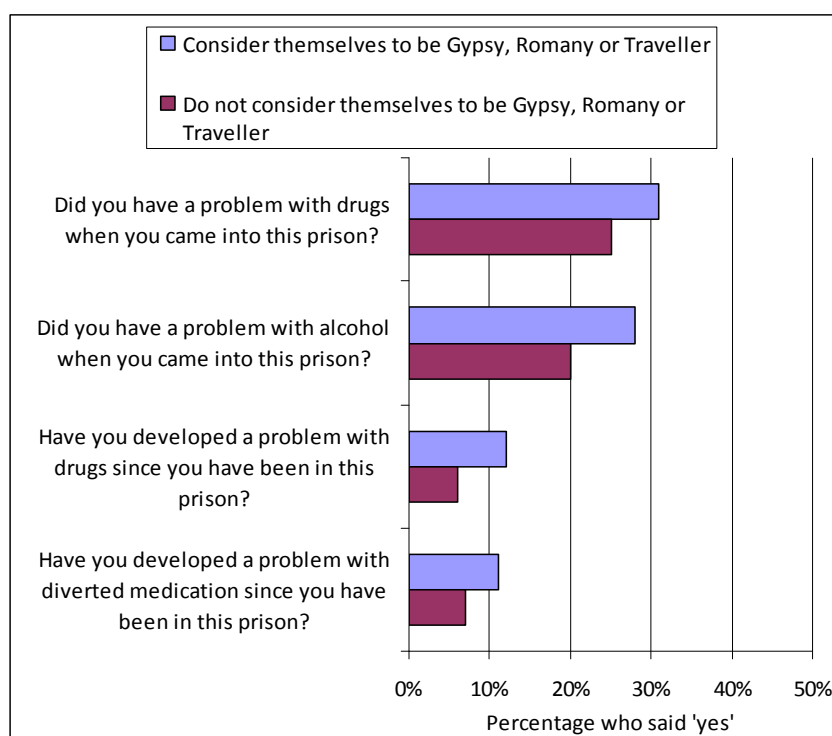
I.25 However, in contrast to the adult population, Gypsy, Romany and Traveller young people in STCs were far less likely to report that they had been physically restrained (7% compared with 31%)³¹. Unlike their adult counterparts, they were also far more likely to report that they felt too scared or intimidated to make a complaint (27% compared with 7%)³².

I.26 Gypsy, Romany and Traveller prisoners were more likely than non-Gypsy, Romany and Traveller prisoners to report needing support across a range of problems, but were less likely to say that they had actually received such support. For example, 27% of Gypsy, Romany and Traveller prisoners reported feeling depressed or suicidal on arrival (compared with 15%). However, they were less likely to report receiving information about what support was available for this (35% compared with 44%).

I.27 Gypsy, Romany and Traveller prisoners were also more likely to report having a range of other problems on arrival in prison:

- mental health problems – 27% compared with 13%
- problems contacting family – 30% compared with 23%
- money worries – 23% compared with 16%
- problems with drugs, diverted medication or alcohol (see Figure 4).

Figure 4: Reported problems with drugs, diverted medication and alcohol



I.28 In addition to being more likely to report having a disability or other health problems, Gypsy, Romany and Traveller prisoners had more negative perceptions of the quality of all health services than non-Gypsy, Romany and Traveller prisoners.

³¹ Ibid, p43

³² Ibid

- I.29** A lower proportion of Gypsy, Romany and Traveller prisoner reported that they understood written English than other prisoners (89% compared with 99%). This may have negatively impacted on their access to a range of services and activities.
- Lower proportions of Gypsy, Romany and Traveller prisoners reported that it was easy to make an application (75% compared with 85%) or easy to get a prison job (37% compared with 45%).
 - Lower proportions of Gypsy, Romany and Traveller prisoners currently had a prison job, were engaged in vocational or skills training, or were involved in education than non-Gypsy, Romany and Traveller prisoners, although similar proportions were engaged in offender behaviour programmes.
- I.30** However, in STCs, where the focus is on provision of education, 89% of Gypsy, Romany and Traveller young people stated that they thought that the education in the establishment would help them when they left, compared with 66% of other young people³³.
- I.31** Despite being more likely to report that staff had supported them to maintain contact with their family (40% compared with 35%), a greater proportion of Gypsy, Romany and Traveller prisoners than other prisoners reported problems with sending or receiving mail (52% compared with 45%) and access to telephones (35% compared with 28%). However they were no more likely than other prisoners to say that it was difficult for family and friends to visit.

Outcomes

- I.32** Between 1 April 2012 and 30 April 2013, we made 23 recommendations to 22 different establishments regarding Gypsy, Romany and Traveller prisoners. The majority (20) of these recommendations related to the need for increased provision of appropriate support through a variety of mechanisms, including improved consultation and representation processes, better links with community interventions, and more detailed references within equality and diversity policies. Over a fifth (five) of the recommendations referred to developing better identification or screening processes for prisoners from Gypsy, Romany and Traveller groups.
- I.33** We found some examples of good practice for Gypsy, Romany and Traveller prisoners across the prison estate (see Figure 5, below). However, despite being a significant minority, they were often unrecognised or unsupported in many prisons. In Gloucester, our survey indicated that 11% of the population was from a Gypsy, Romany or Traveller background, yet there was no provision or support in place for this group. Similarly, at Winchester, where 10% of prisoners in our survey had identified themselves as Gypsy, Romany or Traveller, with the exception of a specialist magazine in the library, the needs of this group went almost completely unrecognised.

³³ Ibid

Figure 5: Good practice for Gypsy, Romany and Traveller prisoners in 2012–13

Good practice

At **HMP YOI Feltham**, a weekly support group for Gypsy, Romany and Traveller young people was described as producing some very positive work.

At **HMP Birmingham**, a monthly forum for Gypsy, Romany and Traveller prisoners had been running for over a year, in addition to a regular Travellers' newsletter, and a Traveller event to promote diversity.

At **HMP Liverpool**, links had been established with an external community group, Irish Community Care Merseyside, which had attended the prison's first Travellers' forum. There were also plans to broadcast a programme on Irish Travellers on the prison radio.

At **HMP Woodhill**, Gypsy, Romany and Traveller prisoners could apply for additional weekly telephone credit from their private cash if their only means of contact with family was by mobile telephone. A database of approved Traveller sites was maintained. Traveller and Gypsy month had been celebrated.

At **HMP Leyhill**, families of Gypsy, Romany and Traveller prisoners were able to collect visiting orders at the gate.

At **HMP Leeds**, links had been established with community organisations to support Gypsy, Romany and Traveller prisoners on release.

- I.34** There was evidence that support groups or forums were being set up in a number of prisons, usually facilitated by the chaplaincy, or diversity officers/groups. However, where these existed, it was reported that they were not always well attended, and that more could be done to support this group of prisoners. There was also some evidence of efforts to more effectively monitor numbers of Gypsy, Romany and Traveller prisoners, possibly in response to the requirement to introduce the W3 ethnic minority code.

Conclusions

- I.35** Even on the lowest estimates (which are accepted to be underestimates) it is clear that prisoners of Gypsy, Romany and Traveller backgrounds are significantly overrepresented in the prison population. Our survey findings suggest that the proportion might be as high as 5% (the same proportion as women prisoners) and much higher than this in some establishments, particularly those holding children. The reasons for this overrepresentation lie outside the prison service and more needs to be done to understand and address this. The high numbers of children and young people describing themselves as Gypsy, Romany or Traveller in STCs, which hold some of the most vulnerable and challenging young people in custody, is worthy of further exploration.
- I.36** Prisons and youth custody monitoring systems need to be able to identify prisoners from Gypsy, Romany or Traveller backgrounds in order to address their needs relating to safety, behaviour, education and resettlement. Our findings indicate that the number of Gypsy, Romany and Traveller prisoners continues to be underestimated within the custodial estate. Furthermore the distinct needs of this group are often not recognised and go unsupported. Clarifying the needs of the 5% of Gypsy, Romany and Traveller prisoners in our survey who

did not understand spoken English is an immediate concern, as these individuals' access to services could be severely limited.

- I.37** Our surveys support assertions in other literature that the Gypsy, Romany and Traveller group are experiencing poorer outcomes across a range of areas. Most concerning are the negative perceptions of their own safety in prison and the levels of victimisation they report, both priority areas where action is needed. Prisoners who consider themselves to be Gypsy, Romany or Traveller are also more likely to report problems in areas of health, including mental health, and substance misuse. However, they consistently state they are less likely to receive support in these, and other, areas. We have identified good practice in some establishments but in others this is hampered by the lack of knowledge about these prisoners.

Recommendation to the Ministry of Justice

There should be comprehensive monitoring of the numbers of prisoners of Gypsy, Romany and Traveller background and further research undertaken to understand the reasons for their apparent overrepresentation in the criminal justice system, their needs in prison and how they can best be supported to resettle successfully and reduce the risk they will reoffend.

Recommendation to the Youth Justice Board

The number of young people of Gypsy, Romany and Traveller background in STCs should be investigated and the implications this has for their wider contact with the youth justice system understood. The Youth Justice Board should work with other relevant agencies to understand and address any overrepresentation and ensure the needs of these young people are identified and met in custody.

Acknowledgements

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