



## Gypsy, Roma and Traveller children in the CJS

### Introduction

Charlie Taylor's [Review of the Youth Justice System in England and Wales](#), was published in December 2016.

The Review has 36 recommendations and, in considering the evidence Charlie Taylor stated:

*"...Schools and colleges are crucial in preventing offending. If children are busy during the day, undertaking activity that is meaningful and that will help them to succeed in life, whether it be studying for exams, learning a trade or playing sport or music, they are much less likely to offend. Education and training are also the building blocks on which a life free from crime can be constructed."*

### GRT children: temporary and permanent school exclusions

[Ethnicity data published in January 2020](#), by the Department for education, skills and training shows that for the 2017 to 2018 school year Gypsy, Roma, and Irish Traveller pupils had the highest temporary and permanent school exclusion rates for any ethnic group.

Irish Traveller children comprised:

- 17.42% of temporary exclusions and,
- 0.29% of permanent exclusions

Gypsy and Roma children comprised

- 16.52% of temporary exclusions and,
- 0.36% of permanent exclusions

Charlie Taylor's 2016 review goes on to say:

*"Though children's backgrounds should not be used as an excuse for their behaviour, it is clear that the failure of education, health, social care and other agencies to tackle these problems have contributed to their presence in the youth justice system"*

### Youth custody settings

When a child or person under 18 is remanded or sentenced to custody, [the Youth Custody Service \(YCS\) decides where to place them](#). This will be either at a secure training centre (STC), secure children's home (SCH) or under-18 young offender institution (YOI) (for males only).

The placement decision is based on the information provided by youth offending teams (YOTs). The YCS's Placement Team will contact YOTs to make sure the needs, risks and circumstances of each young person has been considered.

[The survey for 2018–19: ‘An analysis of 12–18-year-olds’ perceptions of their experiences in secure training centres and young offender institutions’](#) are based on children’s self-reporting and is one of the most comprehensive sources of information about children in Secure Training Centres (STCs) and Young Offender Institutions (YOIs). It doesn’t include Secure Children’s Homes (SCH).

## **Representation of GRT children in custody**

Every year, Her Majesty’s Inspectorate of Prisons (HMIP) conducts an annual survey on Children in Custody.

The 2018 – 2019 survey had an overall response rate of 84%  
The report found that:

- 21% of children across the two types of youth custody settings surveyed, self-declared as being from a Traveller background. This comprises:
  - 13% of the children in Secure Training Centres (STCs) self- declared as being from a Traveller background.
  - 8% of the children in Young Offender Institutions (YOIs) self- declared as being from a Traveller background.

## **Experiences of GRT children in custody**

Of the 21% of the self-declared Traveller children in custody

### **Equal treatment**

- **53%** of Traveller children said they felt they were well treated on arrival at prison reception compared to 72% of non-Traveller children

### **Sentence planning**

- 42% of Traveller children said they had any form of sentence plan compared with 65% of non -Traveller children

### **Safety**

- 30% of Traveller children said they felt unsafe in custody compared to 12% of non-Traveller children

### **Bullying and victimisation**

- 20% of Traveller children said they felt victimised by their peers, including being forced to bully other children, compared to 5% of non- Traveller children.
- 20% of Traveller children said they’ve had their property or canteen stolen, compared to 5% of non -Traveller children

## **Gaps in CJS data collection**

It is important to note that, the ethnicity data in the HMIP Children in Custody Report, does not include any ethnicity data specifically relating to Gypsy and Roma children. This is because the CJS ethnic monitoring data collection categories does not currently include a category for Gypsy Roma people.

However, bearing in mind evidence from the Department for skills, education and training showing that Gypsy and Roma children have the highest rates for both temporary and permanent school exclusions, there is a legitimate cause for concern that children from Gypsy and Roma backgrounds are also over represented in youth custody settings. Additionally, if children from Gypsy and Roma backgrounds are unable and/or unwilling to declare their cultural heritage, any specific cultural needs will remain unmet.

Regarding the data collection categories used across the CJS, the [Tackling Racial Disparity in the Criminal Justice System: 2020 Update](#) highlights that:

“The current 18+1 standard does not include Roma, meaning that a “blind spot” remains in the GRT data. This is compounded by the fact that Roma arguably experience an added layer of racialisation due to their genealogy, and the standard has not been able to consider this.

The Ministry of Justice has therefore been consulting with the Office for National Statistics on the ethnicity categorisation proposed for the 2021 Census. These will, in turn, set the standards for ethnicity data capture across government. We are pleased to note that a ‘Roma’ tick-box will be added and that broader GRT sub-groups will be available in the ‘search-as-you-type’ function”.

### **Causes of childhood offending**

*“...Almost all of the causes of childhood offending lie beyond the reach of the youth justice system. It is vital that health, education, social care and other services form part of an integrated, multi-agency response to a child’s offending, but it is more desirable that these same services intervene with at-risk children and families before their problems manifest themselves in offending”. (Taylor Review, 2016)*

### **Overlooked and over represented**

In 2016, the Traveller Movement publication, [Overlooked and Over represented Gypsy Traveller and Roma children in the CJS](#), highlighted the concerning situation for children from these backgrounds.

Subsequently, we have seen the publication of Charlie Taylor’s review of the Youth Justice System which overall message called for a greater focus on the impact education (or lack of) plays in the risk of children entering the CJS. Yet the data on fixed term and permanent school exclusions, shows children from Gypsy, Roma and Traveller backgrounds continue to have the highest rates, across all ethnic groups.

We have seen the publication of the [Lammy Review](#), which specifically covers the unequal outcomes and inconsistent data collection for GRT people in the CJS. We are hopeful that the commitment to improve the ethnic monitoring categories, in 2021 to include a Roma category will be met. However, there remains a huge task to build trust and confidence in people from these backgrounds to then truthfully declare their ethnicity.

### **Our proposed way ahead**

As we continue to embed our CJS work programme, we want to develop our partnerships with other experts in the field. The key elements for us are:

- People from GRT communities who have, or have had, experience of the CJS
- Third sector colleagues
- Policy makers

Our focus will be on how we can support and learn from each other, to improve this negative trend at the earlier stages, so we do not see this further translated from childhood to adulthood across these ethnic and cultural groups.

Four years on, from Overlooked and Over represented, we are still not in a position to report that the experiences of GRT children in the CJS, is showing any signs of improvement and this should be a concern for all of us.

## **About the Traveller Movement**

The Traveller Movement is a leading national charity committed to the fulfilment of human rights for ethnic minority Gypsy, Roma and Irish Traveller (GRT) people. This is achieved by a proactive community advocacy strategy, capacity building and acting as a bridge between the GRT sector, service providers and policy makers.

Visit: <https://travellermovement.org.uk/>