

## Written evidence from Traveller Movement

### Reducing the number of women in custody (June 2021).

#### About the Traveller Movement

The Traveller Movement (TM) is a registered UK charity promoting inclusion and community engagement with Gypsies, Roma and Travellers (GRT). The Traveller Movement seeks to empower and support Gypsy, Roma and Traveller communities to advocate for the full implementation of their human rights.

#### 1. What progress has been made on commitments to reduce the number of women in custody since the publication of the Female Offender Strategy?

There has been little progress in the commitment to reduce the amount of short-term custodial sentences. We know that women are better served in the community. Gypsy, Roma and Traveller Women will have differing needs, and these will be best accommodated in a community setting. Dually, we know that over 80% of women are sentenced for non-violent crimes, and are of very low risk to the community.<sup>1</sup> Yet, little movement has been made to increase the short-term custodial sentences most women serve.<sup>2</sup> In fact, government is moving in the wrong direction by committing 500 new beds in the women's estate.

#### What more could be done?

Firstly, scrap the commitment to 500 more beds, and instead commit 500 new spaces in refuge, or the equivalent funding to women's shelters or to fund community programs that can become the basis of a community sentence.

Secondly, we also know the PCSC Bill will have an enormous impact on Traveller Women who still Travel.<sup>3</sup> The criminalization of trespass needs to be taken out of the Bill to ensure that

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<sup>1</sup> Traveller Movement, GRT Women in Prison 2021 [TTM GRT Women in Prison Report\\_final.pdf \(travellermovement.org.uk\)](https://travellermovement.org.uk)

<sup>2</sup> *ibid*

<sup>3</sup> PCSC Bill [TM Briefing on the PCSC Bill.pdf \(travellermovement.org.uk\)](https://travellermovement.org.uk)

Traveller men, women and children are not pushed into the criminal justice system. The criminalisation of trespass will push women into the criminal justice system, and the extended powers to confiscate people's homes (trailers) will push families into homelessness. The compounding insecurity, loss of homes and livelihoods (through the confiscation of property) will have a devastating impact.

Thirdly, women should not be sentenced to short term custodial sentences. Due to the high percentage of non-violent crimes, these women present no risk to the community, and the cycle offending is not broken by a short term custodial sentence. Minority women, are disproportionality imprisoned, therefore reducing the rate of short-term custodial sentences and allocating rehabilitative community sentences will take a step towards improving the outcomes of minority women, including Gypsy, Roma and Travellers. These short term sentences are rife in the Women's justice system and prove extremely ineffective, due to the negative impact they have on women's lives post custody. Gypsy, Roma and Traveller women are impacted by the destructive pattern of reoffending that short-term sentences create, and the experience of short-term sentences are disruptive, traumatising and have poor outcomes for these women

## **2. What has been done to reduce the number of women serving short prison sentences?**

- Do community sentences currently offer a credible alternative to custody? (If no, why not?)**

Yes. The Traveller Movement's ambition is to advocate for a reduction in the number of short-custodial sentences given and instead, place these women on community programs. As noted above, these give rise to poor outcomes for all, including Women, GRT people and at the intersection, GRT Women. In agreement with the ambition of the *Female Offender Strategy (2018)* to reduce their use, measures should now be taken to create presumptions against short sentences. This is something *The Smarter Approach to Sentencing (2020)* should have included in its community sentences proposals for change, to help move the system toward creating a norm of community sentences. As opposed to short term-custodial sentences, community programs run by Women's centers in cohesion with HMPPS should have greater funding, and become the norm not the exception.<sup>4</sup> These programs allow women, who may be victims of crime themselves, a first opportunity to engage with services that can help them with their intersecting problems arising from a range and culmination of: financial trouble, poor mental

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<sup>4</sup> Nottingham Women's center has a CHANGES program that works with HMPPS

health, alcohol and drug problems, and allow them a chance to access support for abuse. Some women may have experienced or still be at risk of modern slavery and trafficking. Prison is not the best place for these women and despite the presumption that custody is a form of ‘protection’ (in reference to the 1967 Bail Act), prisons are not suitable environments for women or men in crisis.<sup>5</sup> Provision should also be allocated by HMPPS, for Women’s Centers to uptake specialist training with other third sector organisations, to ensure they can accommodate the needs of different groups, including Gypsy Roma and Traveller women.

*“In some cases, [Irish Traveller] women have been stuck in cycles of reoffending due to being released into precarious housing, such as temporary accommodation, or being placed far away from supportive family networks. Some of the Irish Traveller women I work with initially reached out for support due to being released from prison into shared accommodation with male offenders. For survivors of abuse, this is unsafe and retraumatising” Irish and Irish Traveller Domestic Abuse Worker.*<sup>6</sup>

Even before this, in line with The Lammy Review recommendation 10 there needs to be policy to encourage the use of Out of Court Disposals (OCCDs).<sup>7</sup> Lammy highlighted that minority people are not being offered OCCDs and we believe this is the case for Gypsy, Roma and Traveller women. There needs to be reform to target this and it should go hand in hand with addressing disproportionality in the justice system. Gypsy, Roma and Travellers, like other minority groups are over policed.<sup>8</sup> We endorse pilots such as the Female Offender Diversion Pilot, but recommend that specific emphasis needs to be put on diverting minority women, who are over policed and overrepresented.<sup>9</sup> This should also include a trauma-informed approach to diverting women by addressing to root causes of offending. Women should be referred to women’s centers for support as an OCCD, examples of police-led diversion programs include Checkpoint Plus and Triage.<sup>10</sup>

### **What more could be done?**

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<sup>5</sup> <https://howardleague.org/wp-content/uploads/2020/10/APPG-For-their-own-protection-FINAL.pdf>

<sup>6</sup> PP 11 GRT Women in Prison.

<sup>7</sup> The Lammy Review, September 2017. (Recommendation 10)

<sup>8</sup> Traveller Movement, Policing by Consent

[https://travellermovement.org.uk/phocadownload/userupload/criminal-justice/TTMPolicing-by-consent\\_web.pdf](https://travellermovement.org.uk/phocadownload/userupload/criminal-justice/TTMPolicing-by-consent_web.pdf)

<sup>9</sup> Female Offender Diversion Pilot 2018 <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governanceand-decision-making/mopac-decisions-0/female-offender-diversion-pilot>

<sup>10</sup> <https://womenip.fi-dev.xyz/support/our-support>

Pre-sentence reports could be reformed to create a move away from short format oral modes and allow for an adjournment to better consider the needs of female offenders. Then suitable recommendations can be made, as more time is allowed to consider the impact of a custodial sentence on children and extended family. Further, the standard PSR Format, that the MoJ is moving away from, (See Lammy Review 2017 pp.34) would allow for a strong case to be made in favour of women's suitability for a community sentence and how a community sentence is needed to address the root causes of her offending.<sup>11</sup>

Secondly, Targeted provision should be given to better equip police with a greater knowledge on the barriers minority women face, and how an OOCDC can serve both the individual and society better. There needs to be an intersectional approach to highlight that Gypsy, Roma and Traveller women, and other minority women face disproportionate rates of imprisonment and poor outcomes following detention - the first step to moving away from this disproportionality, should come reforming women's initial interaction with the criminal justice system.

### **7. How are women supported to maintain family ties in prison? What progress has been made on improving family ties since the Farmer Review? What effect has Covid-19 had on maintaining family ties for women in custody?**

Family contact is important for the well-being of prisoners. This is no different for Gypsy, Roma or Traveller prisoners. Like many people, Gypsies, Roma and Travellers often consider family to be of the highest importance. Therefore, separation is often a particularly difficult aspect of imprisonment. Both men and women will suffer with the pain of separation. However, we believe the negative consequences are accentuated when Traveller women go to prison. A recent study by Clinks found that far more women are primary carers for children, causing a disproportionately negative impact to women's mental health and their responses to prison regimes, discipline and interventions. This is no different for Traveller women who are at the centre of family and community life.<sup>12</sup> As noted earlier, Traveller women form the pillar of their family and any community networks they may be linked in with. They are also likely to have caring responsibilities from a young age, meaning a support network may be removed when they are imprisoned. The pain of separation further impacts on the parent-child relationship. This is a concern, as statistically Travellers are more likely to be parents - the annual 2020 HMIP survey found that 66% of Travellers had children under the age 18, compared to 47% of

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<sup>11</sup> Lammy Review, n7

<sup>12</sup> Clinks, Women in the Criminal Justice System at [https://www.clinks.org/our-work/women-criminal-justice-system?utm\\_campaign=womensnetwork&utm\\_medium=Email&utm\\_source=October2020](https://www.clinks.org/our-work/women-criminal-justice-system?utm_campaign=womensnetwork&utm_medium=Email&utm_source=October2020)

Non-Travellers. Furthermore, it was held that 7% of Traveller persons were arranging care for dependents compared to 3% and 41% of Travellers were still contacting family, compared to 29% of Non-traveller respondents.

A point of concern for Gypsy, Roma and Traveller individuals in prison is that they are more likely to need help contacted family. This was raised in the Minority Ethnic Prisoners experiences of rehabilitation report that stated that Gypsy/Traveller prisoners were more likely to report needing help to get in touch with family and friends while in custody than other prisoners.<sup>13</sup> There was little strategic focus on this issue in prisons. This needs to be given attention, as with all groups, maintaining healthy family bonds is key to rehabilitation and this is no different for Gypsy, Roma and Traveller women. However, the implications for Gypsy, Roma and Traveller women who have families, and played a key role within often large family structures are, anxiety, stress, disengagement, fear for loved ones, loss of identity and so on. This struggle for contact will have only worsened due to COVID-19. The changes to visitations and family contact is something of key concern for all Gypsy/Traveller and Roma women, as the restrictions to family visitations due to Covid-19 restrictions is likely to have a large impact due to the close family ties. The 2019/2020 HMIP report observed the concern surrounding the loss of visits for prisoners and that delays in the promised national roll-out of video-calling had added to their frustrations and anxieties. We highly recommend that this be rolled out as soon as possible to maintain personal relationships. However, many GRT families face issues of digital exclusion that may leave them excluded. It should also be noted, that Migrant Roma women may have immediate family abroad. Some Roma Women will come to the UK to work and send money to their family. This means their family structure and support network may not be in the UK. This should be accommodated for when supporting the implementation of successful remote visitations and maintaining family bonds.

## **8. What factors contribute to the high levels of self-harm in the female estate?**

The government's safety in custody statistics recently outlined some disturbing findings of the impact COVID-19 has had in prisons. In the most recent quarter May-September 2020 there were 14,167 self-harm incidents, up 9% on the previous quarter, comprising a 5% increase in male establishments and a 24% increase in female establishments.<sup>14</sup> This is highly

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<sup>13</sup> HM Inspectorate for Prisons, Minority Ethnic Prisoners experiences of rehabilitation and release planning: A thematic review, (2020) <https://www.justiceinspectors.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2020/10/Minority-ethnic-prisoners-and-rehabilitation2020-web.pdf>

concerning for Traveller women as self-harm and suicide has been flagged as an issue disproportionately impacting Traveller people in prisons. Some studies have shown that Traveller women are 5 times more likely to commit suicide than the general population.<sup>15</sup>

Shaming and ‘scandalisation’ of women is central to some Gypsy, Roma and Traveller women’s experiences of custody, divorce and domestic abuse. There is also a concerning trend Walker observed, that the shame and stigma which took place following an alleged criminal act or when awaiting trial for a criminal act, created a shamed suicide,<sup>16</sup> Thus, showing the intersection between shaming practices and the severe impact it has on mental health. On entering and leaving prison, women may be facing extreme external pressures that will hinder rehabilitation both within prison and on release. Professionals need to be made aware of the power online and in-person shaming structures can have on Traveller women and offer trauma-informed assistance around these. Support may be needed to ensure safety on release. Capacity building around addressing and overcoming feelings of shame and loss-of self would underpin a targeted approach to helping to support Traveller Women and enable them to have the tools to enhance Mental Health.

### **What more could be done?**

For some, mental health is still deeply stigmatized. In a Traveller Movement brief on the Mental Health of GRT people in prison, the following recommendation is made in response to concerns around the ACCT program (the care planning process for prisoners identified as being at risk of suicide or self harm):

“Building trust is an enormous part of creating a beneficial and productive relationship with Traveller prisoners, which makes the lack of consistency in ACCT meetings concerning. More time spent in building positive and consistent relationships with professionals would be beneficial to improving interaction and engagement with GRT prisoners. Furthermore, a higher proportion of GRT prisoners, especially women, do not feel safe in prison. Making the ACCT process more discreet is therefore crucial to avoid accentuating feelings of insecurity”<sup>17</sup>

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<sup>14</sup> HMPPS, MOJ, “National Statistics Safety in Custody Statistics, England and Wales: Deaths in Prison Custody to December 2020 Assaults and Self-harm to September 2020”, Published 28 January 2021  
<https://www.gov.uk/government/publications/safety-in-custodyquarterly-update-to-september-2020/safety-in-custody-statistics-england-and-wales-deaths-in-prison-custody-to-december-2020- assaults-and-self-harm-to-september-2020>

<sup>15</sup> Pavee Point, Evidence & Recommendations on Mental Health, Suicide and Travellers  
<https://www.paveepoint.ie/wp-content/uploads/2015/04/Handout-Mental-Health-A5-8pp.pdf>

<sup>16</sup> Walker, M.R. (2008) Suicide Among The Irish Traveller Community 2000-2006. Wicklow: Wicklow County Council,  
<https://www.hse.ie/eng/services/list/4/mental-health-services/nosp/research/suicidetravellercommunity.pdf> pp 88-89

<sup>17</sup> [https://www.travellermovement.org.uk/phocadownload/Mental%20health%20brief\\_final.pdf](https://www.travellermovement.org.uk/phocadownload/Mental%20health%20brief_final.pdf)

This recommendation is made in light of concerns that there is a perceived lack of confidentiality, concerns for the quality of relationships made, lack of consistency of staff and finally, staff not having enough time to build these relationships that is contained in the MoJ analytical series on the ACCT process.<sup>18</sup>

**9. Does the custodial estate offer a trauma-informed environment for females? (a trauma informed environment, being that which is about putting experience, behaviours and needs first, and creating a safer, healing environment that aims to reduce and prevent trauma and retraumatising an individual)**

**• Could more be done? If so, what?**

The custodial estate does not offer a trauma informed space for women. There can be more to make the situation better, but it is important to remember that a custodial sentence itself is a traumatizing experience in and of itself. Emphasis needs to be placed on keeping women from entering prison, and for those women given custodial sentences, the emphasis needs to be on what support they will receive on release to break the cycle of a revolving door of offending.

For Gypsy, Roma and Traveller women custody is traumatising for many reasons. For those Traveller women that are moving into the custodial estate from a trailer, the change of environment will be enormous and extremely disruptive. The loss of their way of life can have enormous impacts on mental health and consequently their ability to rehabilitate. Further separation from Children has enormous impacts on all women's mental health, for some Gypsy, Roma and Traveller women, the impacts of separation and the engagement of social services can be devastating, with many in the community citing suicide and self-harm as knock on implications of children being removed. Child protection should always come first, but there needs to be greater consideration given to the fact that the best place for children is in their families, and instead, social work should support and facilitate growth and rehabilitation together, rather than opting to separation. This cannot happen if mothers are given a custodial sentence. Instead, a community sentence that focuses on rehabilitation within the family should be the norm to make sustainable and long-lasting change to prevent reoffending.

**10. What support is available to ensure that women are successfully resettled into the community upon release and reduce reoffending?**

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<sup>18</sup>MoJ Analytical Series, 2019  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/787778/acct-process-prison-findings-from-qualitative-research.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/787778/acct-process-prison-findings-from-qualitative-research.pdf)

- **Are there any barriers to effective resettlement, and reduced reoffending?**

Homelessness is an enormous barrier to effective resettlement. There a lack of support for Traveller women when it comes to finding housing. When looking for housing post refuge there are pervasive barriers Traveller women face. It has been noted that “high rental costs in the private rented sector, failure on the part of the state to define domestic violence in housing legislation and failure by of Local Authorities to provide Traveller specific accommodation, result in Traveller women facing significant barriers to private and public housing”, creating barriers to sustainably leaving violent partners behind.<sup>19</sup> This makes the finding of high levels of homelessness on release for women across the prison estate a point of concern for Gypsy, Roma and Traveller Women who face barriers to housing on many levels. Provision needs to be given to resettlement and emphasis needs to be placed on finding women sustainable housing on release.

For more information see our 2021 Report: [Gypsy, Roma and Traveller Women in Prison](#) or visit [The Traveller Movement - Criminal Justice](#)

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<sup>19</sup> Hearing Their Voices, Traveller Women in Prison <https://www.ssgt.ie/wp-content/uploads/2017/11/Hearing-their-Voices-TravellerWomen-in-Prison.pdf>