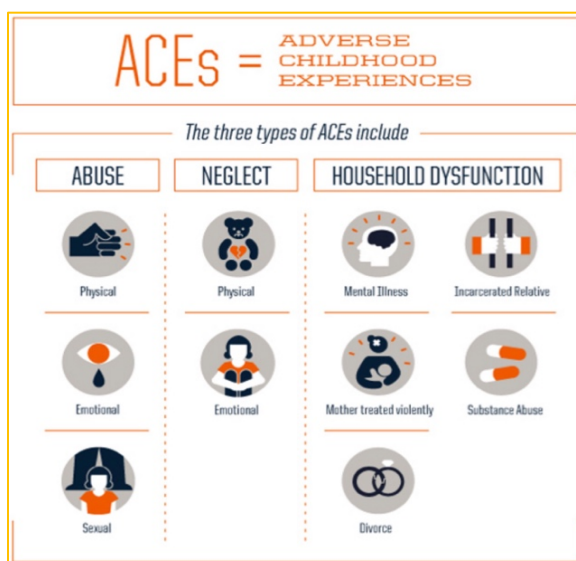


Over-population of Roma in Europe's prisons: A briefing for Ministries of Justice

Today we are aware that over 2.1 million children¹ across Europe have a parent in prison. From the moment children experience the arrest of a parent, they become vulnerable to social isolation, stigma, increased poverty, violence, bullying, a breakdown of family ties and shame. Without adequate support—especially from schools—a child's separation from a parent in conflict with the law can have a range of ill effects, from separation anxieties, feelings of abandonment and internalised stigmatisation to what has been described as 'distress', 'disruption', 'deprivation' and 'developmental effects'². The imprisonment of a parent is included in one of ten Adverse Childhood Experiences (ACEs; see Figure 1)³ which can be a significant detriment to a child's well-being and overall development, possibly also contributing to a likelihood for future imprisonment. Roma and Traveller children with a parent in prison may experience an even greater amount of difficulty due to multiple variables, including discriminatory attitudes and practices, language barriers, and diminished access to resources.



- ◆ **Imprisonment of a household member** is one of 10 ACEs known to have a significant impact on long-term health and well-being.
- ◆ Roma make up an estimated **fifty percent of sentenced prisoners** in Bulgaria, Hungary, and Romania.
- ◆ **Anti-gypsyism** may contribute to the difficulties Roma and Traveller children face.

¹ Figure based on calculations made by Children of Prisoners Europe, from an extrapolation of a 1999 INSEE study to prison population figures supplied by the [International Centre for Prison Studies](#). For more information see: Ayre, L., Philbrick, K., & Lynn, H., Eds. (2014), *Children of Imprisoned Parents: European Perspectives on Good Practice*, 2nd ed.

² H. Millar and Y. Dandurand (2017), 'The Impact of Sentencing and Other Judicial Decisions on the Children of Parents in Conflict with the Law: Implications for Sentencing Reform', *Analysis submitted to the Department of Justice Canada*.

³ Felitti V.J. et al. (1998), 'Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experience Study', *American Journal of Preventative Medicine* 14(4), 245-258.

The overrepresentation of Roma and Travellers in prisons may be attributed to factors such as an increased likelihood of racial profiling⁴, discrimination in sentencing⁵, greater reliance on court appointed counsel, who tend to be less active in defending clients due to poor wages⁶, high rates of poverty, and a lack of alternatives to imprisonment before and during trial and after conviction⁷. The effects of these factors may affect Roma and Traveller children and assist in making them more susceptible to discrimination, school segregation, hindrances when navigating bureaucratic processes and a higher rate of arrest as these children become adolescents and adults^{8,9}.

A Note on Language

Following terminology that the Council of Europe employs, the term 'Roma and Travellers' refers to a wide range of groups:

- a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/ Rudari;
- b) Balkan Egyptians (Egyptians and Ashkali);
- c) Eastern groups (Dom, Lom and Abdal);
- d) Travellers, Yenish, and persons who identify as 'Gens du Voyage' and Gypsies.



The atmosphere of a prison can be very daunting for a child in addition to the entire process of a parent's arrest and incarceration. A parent's arrest in the home, lengthy trials and their being unable to make bail are all very traumatising events for a child to endure. Due to many Roma and Travellers' awareness of the different obstacles they may face in comparison to others, many experience fear in revealing that they are parents to authorities, thus

presenting severe challenges to the dissemination of information to their families and children¹⁰. Targeted training of prison officers, sentencing officials and police officers can help mitigate the adverse experience of having an incarcerated parent on a child. It is important that the relationship between the imprisoned parent and their child be supported and maintained; research has demonstrated that having a trusted adult in whom the child can confide helps boost the resilience of a child in the midst of an adverse childhood

⁴ Report of the United Nations High Commissioner for Human Rights: Non-discrimination and the protection of persons with increased vulnerability in the administration of justice, in particular in situations of deprivation of liberty and with regard to the causes and effects of overincarceration and overcrowding (A/HRC/36/28 of 21 August 2017), para. 17; Barañi Project.

⁵ Written Comments of the Bulgarian Helsinki Committee Concerning Bulgaria for Consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 92nd Session (March 2017), p. 30

⁶ COPE Status Brief: Children of Roma and Traveller Prisoners

⁷ Barañi Project: Study of Romani Women in Prison in Spain (1999).

⁸ Families Outside response to COPE Questionnaire; TPI Strategic Plan: 53.5% of Travellers in British prisons have self-reported literacy problems. P6; Overlooked and Overrepresented: Gypsy, Traveller and Roma children in the youth justice system (The Traveller Movement, 2016); Pavee, Point joint submission to CEDAW; The situation of Roma in Latvia (Riga, 2003).

⁹ Rachel Doyle: 'Hearing their Voices' Traveller Women in Prison (Travellers in Prison Initiative, Draft March, 2017).

¹⁰ COPE Status Brief: Children of Roma and Traveller Prisoners

experience¹¹. The Ministry of Justice has an essential role to play in ensuring that all children with a parent in prison are supported from the point of a parent's arrest until they leave prison.

Recommendations for Ministries of Justice:

- ◆ Encourage policies that would help support and promote communication and contact between Roma and Traveller children and their parents in prison.
- ◆ Encourage flexible visiting times for prisoners whose children live far away from the prison.
- ◆ Develop policies that place prisoners in facilities near their children should it be in the child's best interest.
- ◆ Recognise the additional burden of stigma and how it affects the quality of life and development of Roma and Traveller children, especially those with parents in prison.
- ◆ Ensure that any security checks on children are respectful and child-friendly, considering their safety and privacy and forbid searches that require children to undress.
- ◆ Develop flexible rules that can provide children with phone or video access to their parents during incarceration.

The Ministry of Justice can also encourage and facilitate awareness for Roma and Traveller children and their families about organisations such as COPE, which can offer support in maintaining contact with imprisoned parents. Engaging in positive practices that keep the child at the centre of all initiatives helps avoid the dissolution of the child-parent relationship, feelings of isolation and abandonment, and helping to facilitate the reintegration of an imprisoned parent into a healthy family structure.

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¹¹ See for example Jones, A. D., & Wainaina-Woźna, A. E. (2013). Children of prisoners. *Interventions and mitigations to strengthen mental health*. University of Huddersfield, UK. See also: <http://www.coping-project.eu>.