



Opening Statement to the Joint Committee on Key Issues affecting the Traveller Community

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Good morning everybody. We thank Chairperson, Senator Eileen Flynn, Vice-Chairperson Deputy Éamon Ó Cúiv, and members of the Committee for giving us the opportunity to address them today on the issue of Travellers in the criminal justice system and on the work of the Traveller Justice Initiative, TJI.

The overall aim of the TJI is to embed changes in policy and practice that will have a positive influence on Travellers in prison, their families and communities. The TJI is funded by the Irish Prison Service (IPS) and the Probation Service and is now hosted by Irish Penal Reform Trust (IPRT).

We acknowledge the commitment the Joint Committee on Key Issues affecting the Traveller Community ('the Committee') has demonstrated on the issue of Traveller over-representation in the criminal justice system and we were especially pleased to accompany members on visits to Castlerea prison, Dóchas Centre and Oberstown Detention Centre this year.

Over-representation of Travellers across justice system.

At the meeting of the Committee that we attended in 2021, I shared some insights into the background to the over-representation of Travellers in prison in Ireland (this over-representation is consistent with many minority and indigenous groups across the world). We noted that Travellers in Ireland represent less than 1% of the total population, but according to statistics from the IPS they account for between 8% and 10% of the prison population. Traveller women make up, at least, 15% of all women in prison.

Collecting data on Travellers across the criminal justice system is crucial in developing knowledge about their situation. We have concerns about the accuracy of the data being gathered across the prison estate with some Travellers reporting that they weren't asked about their ethnicity at committal stage despite commitments by the IPS to ask everyone this question on committal. The IPS also experienced some technical issues recording ethnicity data since the original census took place. For those reasons we would recommend that an awareness raising campaign is undertaken and the census which was undertaken in 2019 is repeated.

In order to advance this area of work, TJI have advocated for joint reports to be published by the TJI and IPS, as we acknowledge the importance of providing context to the data

produced. Unless we have clear and reliable data, we cannot draw any conclusions about the status of Travellers in Irish prisons.

Imprisonment linked to poverty, mental health and addiction rooted in trauma.

When speaking to this Committee during its visit to the Dóchas Women's Centre, the psychologist remarked that, in her experience, 'women in prison are often victims of more serious crimes than those they have committed'.

This is our experience also. We recognise the particularly vulnerable situation of Traveller women in prison, and prioritise them in our work. Since our presentation in 2021, a very positive development has been the funding we have received from the Department of Justice to develop a model of support for Traveller women in the criminal justice system and their families. This is undertaken in partnership with the National Traveller Women's Forum and Barnardos (who delivers the support programme). I am pleased that Barnardos are here today to talk more about this very important work. The demand for support by Traveller women has exceeded our expectations and the engagement by all stakeholders has been very positive. However, given the level and complexity of needs of the women, more funding is required in order to meet these needs.

It is our hope to extend this model of support for all prisoners. We have submitted a proposal to the Department of Justice to expand support to all Traveller prisoners (both male and female) and have had a positive response in principle from DoJ. Officials have confirmed that discussions will resume after the Budget. This proposal provides for supporting Travellers at all stages of the criminal justice system (pre, post and during imprisonment) as well as ongoing support for their families. The service would be a trauma-informed, flexible model involving individual and group work (using peer-support methodologies) and would include therapeutic and counselling support. If our proposal is successful, it would mean that these types of supports would be offered across 12 prisons throughout Ireland.

Standards in prisons

Travellers often raise their concerns about racist language and racism they experience from both fellow prisoners and prison staff. Similar concerns have also been raised in reports by the Inspector of Prisons, the Committee for the Prevention of Torture, and by Traveller participants in prison-focused research. We have delivered Traveller inclusion training to some prison staff, but once-off training of this type is likely to have limited impact on individuals with ingrained anti-Traveller attitudes. We have advocated for a pro-active approach by prison management which clearly sets out a zero tolerance for racist language and behaviour. A clear message must be sent out by senior management that any display of racist behaviour or language will be met with disciplinary sanctions.

Pre-sentence reports

Pre-sentence reports and risk assessments are prepared by Probation Officers at the request of judges, with the goal of providing a comprehensive evaluation of the offender and their risk of re-offending. These reports offer sentencing recommendations to the court. Risk factors such as early school leaving, unemployment, and unstable housing are commonly

assessed. Unfortunately, many Travellers are disproportionately affected by these factors due to structural inequalities and therefore present as higher risk of offending.

The TJI has been working closely with the Probation Service to ensure that Pre-sentence reports take into account the unique situation and experiences of Travellers. Together, we are developing Guidelines for Pre-Sentence Reports. Without these guidelines, there is a risk that Travellers' likelihood of re-offending may be overestimated, leading to disproportionately harsher sentences compared to their settled counterparts.

Judiciary

We were delighted to be invited to make a presentation on the issues for Travellers in the CJS at the District Court Judges annual conference earlier this year. There was a very positive response to the presentations by a Traveller woman with prison experience, the Traveller Mediation Service and TJI. Many judges acknowledged that, despite frequently engaging with Travellers in court, they had limited understanding of the challenges Travellers face. We were encouraged by their willingness to learn and gain insight into these issues.

At the conference, Ann Marie shared her personal journey of addressing the root causes of her offending behaviour, while the Traveller Mediation Service highlighted the important work they do in conflict mediation. I am delighted that you will have the opportunity to learn more about this later this morning.

We are optimistic that our collaboration with the Probation Service and the Judiciary will result in more appropriate sentencing including non-custodial sentences and community-based supports to address the underlying causes of Travellers' offending behaviour.

In conclusion, simply removing people who offend from society and imprisoning them is a short-sighted solution. If people are incarcerated, released without rehabilitation, and reoffend, it creates a revolving door that ultimately wastes resources and exacerbates peoples existing problems. We must address the underlying reasons why Travellers may commit a crime, and invest in the support systems that can help them confront and resolve those issues from the start. For those that are imprisoned we must ensure at the very least that prison doesn't cause further harm.