

Working with Eastern European Roma children and their Families through Court Proceedings

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Cafcass and Kent Family Justice Seminar

Cultural, social and political issues facing Roma and their experience of discrimination

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Facts

According to the DfE, proportionally, a significant increase in the number of Roma/Gypsy children going into Local Authority care.

It has increased from 30 in 2009 to 120 in 2012.

Most frequent reasons:

abuse, neglect, family dysfunction

www.gov.uk/government/publications/children-looked-after-by-local-authorities-in-england-including-adoption

Increased numbers reported by The Children's Society and Roma Support Group but no robust evidence

Facts

Education Committee July 2012

www.publications.parliament.uk/pa/cm201213/cmselect/cmeduc/149/120704.htm

David Ward (LibDem MP): There is, I think it is fair to say, a degree of ethnic cleansing that is going on in many of the east European states, particularly towards the Roma. Many of them are given one-way tickets to come to this country and do get into employment on arrival, but you are talking about 12 hours a day for £20 odd, with a bag of chips to keep them going. Many of them are then losing their jobs if they fail to turn up for a day. (...) Many of them have no recourse to income because they have not got the income levels. That means that if they do get them into schools, they are not getting free school meals-which, incidentally, means the schools are not getting the pupil premium.

Professional observations

In the course of 2008-2009 research, cases where social services and other agencies perceived the Roma parents' behaviour as tantamount to child neglect

Necessary to explain that in some parts of CEE, it is usual for children to run in the streets unattended and unaccompanied by their parents (raised by the community).

Leaving children at home on their own: another adult would come in and make sure that the children are OK; in England, this tends to be seen as child neglect.

Professional observations

Social service workers not always familiar with the levels of everyday discrimination and racism Roma suffer.

Culturally sensitive services are missing or their provision is not adequate.

Interpretation services not always adequate

Romanes speaking officers not used by LAs in these cases

Local provision has been restructured, or in some LA areas disbanded, in light of the recent budget cuts.

Professional observations

Complex cultural differences between the British and Central and Eastern Europeans, Romani people included

Different perceptions of overcrowding, or how many people can live together in one household

In the CEE context social workers would find it acceptable for a family with two children to live in the same household with the children's grandparents

The more benevolent standards of upbringing practiced by CEE parents often perceived as barely acceptable in England

Professional observations

Cultural differences primarily concern communities of Romanian and Slovak Romani people from areas where they faced almost 100% social exclusion from all spheres of public life

A lot of work done to make the communities understand the local systems, their legal requirements and not to risk prosecution

Some of the actions that had been taken were unnecessarily ill-conceived, this included cases where children had been taken into care.

Professional observations

Since 2010, more than 15 court cases brought to my attention

Usually approached when it is already late

My advice in terms of supporting destitute and socially disadvantaged families does not reach the responsible agencies

In a recent case, the LA initially hostile towards maternal uncle and aunt who put themselves forward as carers -> negative assessment

The LA changed their opinion based on psychological, ISW and cultural assessments

Professional observations

The Slovak Centre for the International Protection of Children and Youth intervened in a number of cases

Threatened to take the UK to the European Court of Human Rights over more than 30 cases involving Slovak children taken into care

Earlier in 2012 Lord Justice McFarlane gave the grandmother permission to challenge a family court judge's ruling, during an appeal court hearing in London. He said there was an 'arguable case' that the family court judge had 'fallen into error'. A senior official of the Slovak government was present and John Hemming MP also intervened in the case.

Professional observations

Mr Hemming raised the issue in a parliamentary motion'. Slovak officials troubled by decisions made by judges hearing family court cases involving Slovak parents and worried that children had been adopted 'without sound reasons.

In 2012, Slovak officials present in a Kent court which ordered five children to be returned to Slovakia. Taken into care after the three youngest had been left in the care of their 17- and 15-year-old siblings while their parents were on night shift.

In another case in Rotherham in autumn 2012, a family court judge ruled three of the children should be returned to the parents. The birth parents successfully argued that the council had failed in their duty to ensure the children enjoyed the linguistic right to learn and speak the language of their birth.

www.telegraph.co.uk/comment/9559657/Slovaks-protest-at-Britains-illegal-child-snatching.html, www.dailymail.co.uk/news/article-2205336/Slovakian-grandmother-wins-right-challenge-High-Court-adoption-ruling-keeping-grandsons-UK.html#ixzz2CvwOxzYw

Roma in the UK

The first Roma sought asylum in the UK in the 1990s.

Since 2004 and 2007, right to free movement:

Many more Roma have moved here to find work, equal opportunities and a good education for their children.

It is estimated there are at least 500,000 Roma in the UK, of which approximately 65% are children of school age (2009 Mapping survey of Roma)

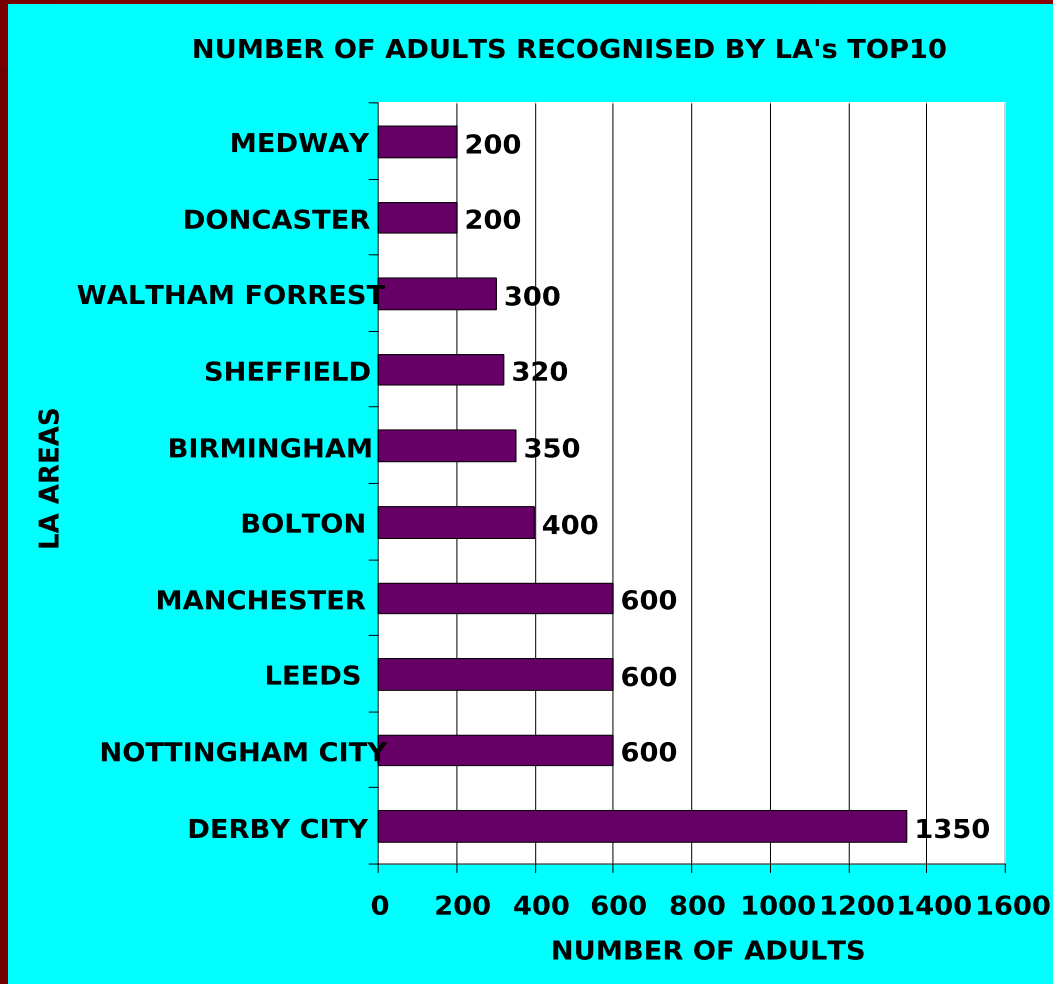
Significant communities throughout the UK

- north of England
- Midlands
- Kent/Medway
- north and east London
- Scotland (Glasgow)
- Wales (Cardiff, Newport)
- Northern Ireland (Belfast)

The most numerous national groups

- The most numerous national groups were the Slovak, Czech and Romanian Roma.
- **In the 53 local authority areas, there were:**
 - 28 Slovak Roma communities
 - 25 Czech Roma communities
 - 21 Romanian Roma communities
 - 20 Polish Roma communities
 - 7 Lithuanian Roma communities
 - 5 Latvian Roma communities
 - 3 Hungarian Roma communities
 - 2 Bulgarian Roma communities.

Largest populations of Roma based in cities across Northern England





London: Romanian, Slovak, Czech, Polish, Bulgarian, Hungarian

Gravesend/Chatham: Romanian, Czech, Slovak

Cardiff: Czech, Slovak, Romanian

Peterborough: Czech, Slovak

Coventry: Romanian, Czech, Slovak

Birmingham: Romanian, Czech, Slovak

Liverpool/Leeds/Sheffield/Rotherham: Czech, Slovak

Manchester: Romanian, Czech, Slovak

Bolton: Czech, Hungarian

Newcastle: Czech, Slovak, Romanian, Bulgarian

Glasgow: Slovak, Romanian

Belfast: Romanian, Czech, Slovak, Polish

New EU Member States

A8 countries:

Poland

Czech Republic

Slovakia

Hungary

Estonia

Latvia

Lithuania

Slovenia

A2 countries:

Bulgaria

Romania

2009 mapping survey of Roma

Push and pull factors:

Work: main motivation for
58% of the respondents

Discrimination in the
countries of origin the third
most important factor for
15% of the respondents

Better life chances and
education opportunities for
their children a key factor
for 22% of the respondents

97% of all the Roma
respondents claimed that
their life had improved
since they moved to the UK

So, once in the UK, is the situation improved?

- A number of local authorities felt that Roma in their area were socially isolated.
- Overcrowding is a very serious issue, especially in poorer households of Romanian and some eastern Slovak Roma.
- The average number of people living in a household was 6.

Broken down by nationalities,

- on average, 10 people lived in Romanian and Bulgarian Roma (A2) households,
- an average of 4 people per household in the Czech, Slovak, Polish and Hungarian Roma (A8) homes

Main issues

- Low wages
- Temporary contracts by exploitative agencies
- Labour exploitation/ THB
- Many live in poverty
- In sub-standard rented accommodation shared with others
- Some are destitute
- Severe overcrowding
- Poor health
- Inability to navigate the local systems due to poor knowledge of English

Main issues

- Roma children taken by social services due to lack of safeguarding/neglect/family dysfunction
- Low preschool attendance
- Low school attendance and attainment by children (marked improvement though)
- Substantial post-eleven drop out rates
- Most primary school Roma children attend school regularly
- Older children help their families earn an income
- Family cannot afford to pay for school meals or uniforms

Issues faced by A8 Roma in relation to employment restrictions

Arbitrary withdrawals of benefits

Arbitrary withdrawals of working/child tax credit
(lifting of restrictions as of 1 May 2011)

Wrong application of the habitual residency test

Wrong information re eligibility criteria provided by
Jobcentre Plus/Revenue office staff

Children ineligible for financial support for free
school meals (FSM) and school uniforms.

Issues faced by A2 Roma

Can only be self-employed/in short-term agricultural work
Seasonal Agricultural Workers Scheme (SAWS)

Employer has to apply for a work permit; if granted, the national must apply for an Accession Worker card

Cannot get NINO

Not eligible for FSM or uniform grants

Much harder for Roma to work legally

More vulnerable to labour exploitation

Many Romanian Roma hide from authorities, do not send children to school, register with GPs or access other support.
Increased the incidence of petty crime.

Practical implications of inability to work

Resorting to various survival strategies:

- begging
- stealing
- pick-pocketing
- robbing people on the street/ public transport (i.e. the Rostas gang last year)
- involvement in other types of petty crime
- involvement in organised crime -> working for gangs who take money off the beggars and leave them with very little or nothing

Homelessness (Marble Arch, disused football stadium in Hendon)

Expulsion of EU citizens

Exploitation and trafficking

- Trafficking of Roma from inside/outside EU exists but proportionally rare
- No research has been conducted in the UK
- Some Roma adults do not believe they engage in trafficking or exploitation if they bring a group of young people (under 18 years of age) to whom they are related to the UK with the consent of the parents and the young people in order to work and send money back to their family to survive poverty or buy property.

Exploitation and trafficking

Anecdotal evidence of a small number of people (often non-Roma) who traffic groups of Roma people, including Roma under 18 years of age, to whom they have no family connection, for the purpose of labour exploitation and commercial gain.

The trafficking of young Roma from families for the purpose of sexual exploitation is rare and government figures which are by no means comprehensive would seem to confirm this.

Roma in London

London Haringey, Wood Green, Enfield, Tottenham, Waltham Forest, Newham, Redbridge, Islington, Walthamstow, Edmonton, Brent, Ealing, Westminster (Marble Arch), Barnet (Hendon)

Huge discrepancies between official and unofficial data
Estimates ranging from several hundreds to thousands per borough (i.e. Newham or Haringey)

Education services overstretched, very little or no support from other agencies

Roma in London

An established migrant community of Romanian Roma in North London

3 or 4 houses in the same street with another 2 in adjoining roads housed together 100+ people

A large proportion children, many of them under five

There are three other families, already established near this conclave; all come from a small area of Southwest Romania and all are at least distantly related.

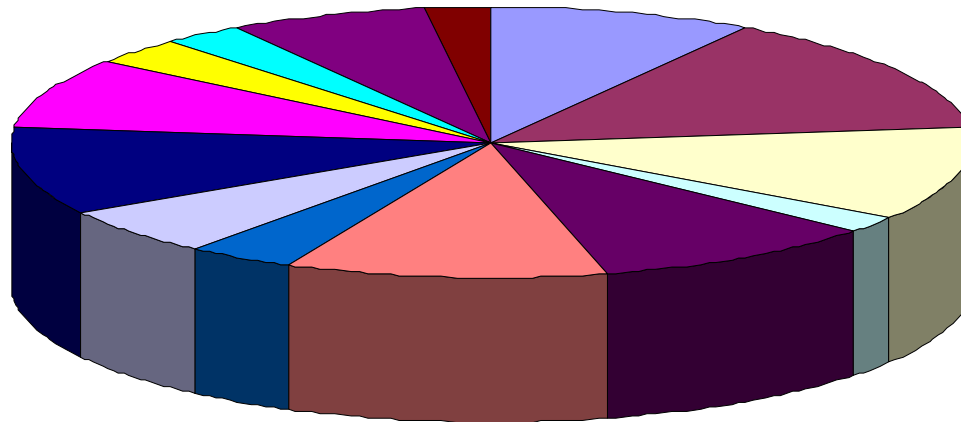
A mix of newly arrived and those who had remained here as former asylum seekers, a minority of whom are now UK citizens.

All but a few had previously lived in the UK

Roma in London

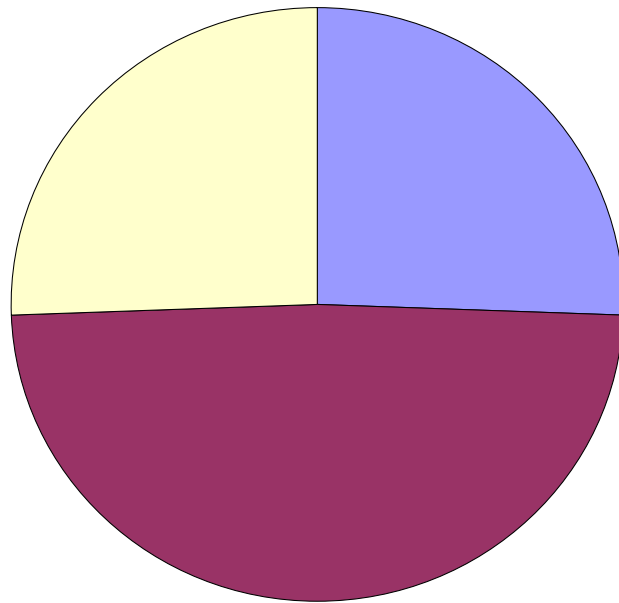
- How to register a newborn, registering with a GP, midwife and booking hospital antenatal
- How to apply for a workers card, take a driving test
- Making application for benefits
- Getting children into school
- Child with health and developmental problems
- Help with uniform, travel and school meals
- Problems communicating with a solicitor
- Problems associated with family members in prison.
- Help with English courses

Difficulties hampering attendance by A2 and A8 Roma pupils



- mobility 12
- language 20
- school places 15
- interpreters 3
- understanding systems and information 13
- attendance 15
- discrimination/bullying 5
- extended visits back home during term 8
- poverty 14
- cultural barriers 12
- ascription 4
- admission age 4
- childcare and family health 9
- SEN/EAL 3

Incidents of racial harassment and bullying targeting A2 and A8 Roma pupils



- 12 LAs reported more than 10 incidents
- 23 LAs reported less than 10 incidents
- 12 LAs said there were none known

Models of good practice

TES/EMAS

- Educating Roma pupils in mainstream schooling
- Collection of ethnic data: Pupil Level Annual School Census
- Roma participation in service provision (education, healthcare)
- Walking buses (Rotherham), breakfast clubs, out-of-school clubs, complementary schools
- Advice provision to Roma
- Mainstreaming Roma identity (both curricular and extra-curricular activities (Gypsy Roma and Traveller History Month))
- Multi-agency working (including the police)
- Dissemination of information
- Funding allocation as part of local school budgets

Models of good practice

TESS and EMAS a major force in fostering **social inclusion** often the first, and sometimes the only contact Roma have with any service providers

A 'springboard' for other agencies to reach out to these communities in a **multi-agency** approach.

The **Pupil Level Annual School Census** has helped format local provision to better reflect the needs of the Roma communities.

The impact of SR on outreach work, EMA, the Pupil Premium and housing benefit

LA areas where the level of provision to Roma has been excellent have lost key staff members and funding. Services restructured or disbanded altogether.

The reduction of outreach work has negatively affected community relations, social tension and the work of the police.

The impact of SR on outreach work, EMA, the Pupil Premium and housing benefit

Young Roma have been hit hard by EMA withdrawal

Assessing eligibility to Pupil Premium on the pupil being in receipt of FSM means many Roma students are not be entitled to inclusion in PP allocation

Cuts to housing benefits have pushed poor families to areas of high unemployment rates and exacerbated their social exclusion.

Organisations working with Roma

Roma Support Group (East London)

The Children's Society (New Londoners project)

Hibiscus Female Prisoners Welfare Project (<http://fpwphibiscus.org.uk/>)

The AIRE Centre

Migrants Rights Network

RAMFEL

All Saints Community Project Chatham www.allsaintscommunityproject.org.uk

International Association of Roma Professionals

Roma Education Support Trust

Roma Community Care, Derby

Thank you for your attention