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**Digital exclusion-
Specific issues relevant to Roma communities in
the context of child protection**

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Introduction

This briefing seeks to present the issues of digital exclusion faced by Roma in their interactions with Children's Services and the English legal system during care proceedings. The increased reliance on digital technology during the Covid-19 pandemic has exacerbated existing disadvantages experienced by Roma communities in child protection processes.¹ Evidence collected for the briefing forms part of a wider two-year project, funded by the Tudor Trust, to support Roma and other vulnerable groups in the context of child protection. This interim evidence will be augmented as the project develops.

Background of digital exclusion in the context of Roma communities

Several research studies and academic papers have considered the impact of Covid-related changes in the child protection context on service users and professionals working in the field. A range of potential issues with how the system has and continues to operate have been identified.

In a report for King's College², Baginsky and Manthorpe proposed that the use of technology to contact parents should be approached with caution. Whilst many families had accepted the change, and many young people had embraced the opportunity to use technology to connect with social workers, the report also highlighted that it was harder for younger children to adjust and that some parents did not have access to smartphones/other technology or the confidence to use digital devices.

The Nuffield Justice Observatory also documented issues with remote hearings and hybrid hearings, where some participants join remotely, and others attend in person. The use of technology, including platforms like Teams, Zoom and HMCTS' own Cloud Video Platform, proved difficult for parents without digital skills. Any degree of online participation required juggling a variety of tools, such as email and social media applications like WhatsApp, as well as grappling with technical difficulties and factors inherent to online proceedings. Issues of access to technology were also present here, where individuals lacked necessary tools such as unlimited data or use of particular technology. Consequently, the report acknowledged that the professionals involved had concerns about whether proceedings were perceived as fair by parties in all cases.

¹ The case studies in Law for Life's [evaluation report](#) demonstrate the discrimination and disadvantage which Roma parents can experience in child protection investigations.

² Baginsky, Mary and Manthorpe, Jill: *Managing through COVID-19: the experiences of children's social care in 15 English local authorities*, King's College London, July 2020

These difficulties are present for Roma families as they navigate the system during the pandemic but must also be considered in the wider context of historical discrimination against Roma. This legacy of discrimination is particularly important when understanding the issues of digital exclusion, and its relationship with other challenges such as low educational attainment, high levels of illiteracy and a high proportion of people living in poverty. These issues have been well documented and should be considered in this context as contributing to or exacerbating more widespread difficulties experienced by Roma parents when engaging with public services.

The impact of digital exclusion on Roma specifically was outlined recently by the Roma Support Group in its [Statement on the impact of EU Settlement Scheme \(EUSS\) digital only status on the Roma community in the UK](#). This statement highlighted the combined effects of digital exclusion and a lack of digital skills on Roma people's ability to engage with this digital platform. Beta testing of the EUSS application by the Roma Support Group found that only 3% of the Roma community could independently complete an online application like EUSS, and that only 20% of families had an IT device like a tablet or laptop. Many had at least one smartphone, but this was used in a limited way to make calls or use basic social media functions.

Further research, that focused on digital exclusion of young Roma and Gitanos in Spain ³, highlighted the connection between a lack of access to computers, laptops and other IT devices to low digital skills. As those devices were only available in exceptional circumstances, the young Roma and Gitanos the research was focused on, predominantly relied on mobile phones. Consequently, their digital skills remained limited to communication and entertainment:

“Although Roma/Gitano children have access to devices, inequality essentially takes the form of an absence of digital skills that could allow them to benefit from other opportunities provided by the digital environment.”

This background evidence aligns with the findings of the following preliminary research, conducted as part of the [Law for Life's project](#) focusing on Roma and child protection.

Law for Life's preliminary research findings

Law for Life designed online surveys for [social workers](#) and [family lawyers](#) working with Roma and other vulnerable groups in order to find out more about the impact of remote working on Roma families and professionals involved in the child protection process. The survey was published on 25th March 2021 and distributed via Law for Life's social media and direct emails to relevant professionals. Survey responses were received between April 2021 and June 2021. In addition, we conducted semi structured interviews with staff and community members from Roma organisations. Ten family lawyers and five social workers completed the survey and we conducted 10 interviews with staff and community members from Roma organisations.

The information collected highlighted several areas of concern:

1. Lack of digital skills

The research highlighted that a large portion of Roma parents lack the skills to engage with digital platforms in a meaningful way. This was found to include basic skills essential for

³ Maialen Garmendia and Inaki Karrera, *ICT Use and Digital Inclusion among Roma/Gitano Adolescents*, Media and Communication, Volume 7, Issue 1, Pages 22–31, 2019.

digital communication, such as knowing how to mute a video call, use a camera, or how and when to speak.

During the pandemic, I helped one family take part in two child protection conferences virtually. Even before the pandemic, when we had to take part in a conference in which the interpreter was the only person joining virtually, this was really frustrating. Digital poverty is another issue. But even if Roma parents have all they need, they may not have the skills to take part (how to have a camera on, how to mute yourself, how to speak, when to speak, etc).

Staff member, Luton Roma Trust

The use of email was also difficult for many, and some professionals observed that parents struggled with clicking multiple web links. This is commonly required for scheduled Zoom calls and other similar platforms where accounts must be made, where individuals must sign up and download an application. Many also missed important correspondence if it was only delivered digitally.

According to one professional, the lack of digital skills also created an observable imbalance between professionals who are able to use the technology and parents who could not. A social worker highlighted that it was essential to the proper inclusion of parents in child protection conferences to have a good chair who did not allow them to get left behind in these circumstances.

Some Roma organisations pointed out that the skills deficit might have an adverse impact on how individuals were perceived. This was thought to relate to the difficulties experienced communicating through the technology, and how this added strain to an already difficult situation.

For the most part of the case, I was able to go to this family's home and help them take part in virtual meetings. For instance, I was able to facilitate a "home safety" virtual meeting with a social worker. I went around the house with the mum, we went through every single room and discussed safety measures that needed to be put into place. For all these meetings I was also acting as an interpreter and also, I had to do a lot of explaining for the family- to make them understand what is required of them. I struggled to work in this way, and I think this probably was a struggle for the family as well.

Question: If you were not there- do you think this family would be able to cope alone?

I know that mum took part in some meetings alone, but I read the reports and they were not very complimentary of her. I think mum felt more disempowered without our support and came across as defensive and aggressive. So, I think that without our support this family would struggle.

Staff member, Luton Roma Trust

One respondent highlighted the lack of support programmes addressing digital barriers for Roma and other groups experiencing digital exclusion. However, they also noted a positive example, provided by the Welsh government via funding for schools. Skills deficits still, however, had an impact in these cases as often, equipment provision did not work – computers might be supplied to families, but they did not always have data, the confidence or even privacy to adequately use the technology to access digital platforms.

2. Digital poverty

In many cases digital poverty⁴ had a considerable impact on Roma families' experiences of the child protection process.

Many Roma parents lacked adequate technology and equipment, including smartphones and laptops. This led to difficulty for parents to participate in remote court proceedings. One respondent in our survey reported that an adjournment was sought for a final hearing so a parent who would otherwise be without IT could properly participate.

Some parents only had access to a telephone where other parties to proceedings used video. Three lawyers that took part in our survey stated that they thought this was inadequate in cases where decisions regarding the removal of children and contact were being made.

One lawyer pointed out that a lack of digital equipment, combined with a lack of digital skills, had an impact on parent's relationships with the professionals involved. Literal distance was placed between the social worker and the parent, and a loss of face-to-face contact had an impact on the nature of relationships that were possible.

Our evidence suggests that communication difficulties were also heightened, and it was much harder for professionals to notice a lack of understanding to rectify this. Some parents could not express misunderstandings as they lacked the necessary equipment or credit to inform professionals of this. This was considered by some a more serious concern in longer hearings where decisions were made, than it was in shorter hearings.

Difficulty in accessing intermediaries was also noted as contributing to this problem. Some families did not have the benefit of working with agencies who could support them or were outside of England and Wales with even less assistance.

Family relationships also suffered where parents were only permitted digital contact with their children. A Roma organisation observed that one mother went without face-to-face contact with her child who was involved with the criminal justice system. She also struggled with virtual contact due to digital poverty and a lack of technical support. This had a considerable impact on her ability to maintain contact with her child.

3. Lack of appropriate space

Many Roma parents lacked proper technology with decent reception and private places where they could participate properly. This had an impact on how well they could engage with proceedings.

There were some reported improvements when parents could attend from solicitors' offices.

4. Language barriers and limited literacy

Many professionals who took part in our survey noted that Roma parents who did not speak English well experienced additional barriers in the child protection process in a digital context. Those families were only able to cope with the process due to support from Roma organisations. Those who could not confidently speak English would struggle to talk to a lawyer without this type of support, and issues arose even when some help was available.

⁴ No access to IT equipment (smart phones, computers, laptops, tablets) or WIFI.

Lawyers do not talk to Roma families in courts. It is also hard to interpret for them, in court context especially, because they use complex language and difficult ways of explaining (even if I know the terms, I have no time to explain it to them). It is difficult to facilitate communication between them and Roma parents, this requires a lot of skill.

Roma advocate and interpreter

One respondent from an organisation explained their role as a mediator who sought to iron out any misunderstandings between parents and professionals involved. For example, explaining the role of their own lawyer compared to the lawyer representing their children. Topics like this would be tackled to try to ensure that there is a mutual understanding between professionals and the families involved and that the families had a basic understanding of the process. It was acknowledged that this can be difficult and required a lot of knowledge (such as understanding of the legal system, relevant legal procedures, and jargon) and skill (such as recognising that families did not understand something or knowing how to explain and translate concepts, procedures and words that families did not understand or that possibly did not even exist in their countries of origin or mother tongue).

One organisation working with Roma pointed out that there was not enough will amongst professionals working with Roma to help them overcome linguistic or literacy barriers to engagement in a digital context.

By contrast, Roma organisations tried to use accessible digital platforms to overcome some of these challenges. For instance, one organisation used messenger, WhatsApp and Facebook to assist their clients, as well as, in some cases, Tik-Tok and Instagram which were also popular among some Roma. This was in addition to smartphones that could read text aloud and the Welsh Government 'Recite Me' software, and Google Translate which could produce a photo translation.

The use of interpreters was also discussed as difficult. A social worker explained that contact sessions involving interpreters were sometimes difficult to manage. For instance, there was a lot of back and forward information and sometimes interpreters did not translate everything back to the social workers, requiring them to interrupt the session to understand what is going on as a way of monitoring contact. This was sometimes difficult and frustrating for families trying to spend time with their children in a contact session.

The spoken word and face to face communication are essential to many Roma. Absence of this undoubtedly influenced communication, as well as the ability to build a working relationship of trust with professionals.

One lawyer acknowledged that in the absence of face-to-face meetings, illiteracy was a real problem for drafting and explaining documentation.

A lawyer also explained that the language barrier made representing a client more difficult. Understanding legal language was another difficulty that arose, even for some parents who could speak English.

4. Lack of skills to participate in the court process

Some parents also faced exclusion from the child protection process on account of a lack of more general skills required to engage with legal proceedings, which could be compounded in the digital environment.

One Roma organisation highlighted how overwhelming the court process can be for Roma parents, increasingly so when proceedings are digital. They felt that parents were often side-

lined and unable to participate, and often lacked the confidence to ask questions during hearings.

I acted as an interpreter in courts during the pandemic. I witnessed virtual hearings too. For Roma attending courts has always been an overwhelming experience. I feel they are not able to meaningfully participate in the process. Also, Roma parents don't have confidence to ask questions during the hearing.

This is why the discussions after the hearings are often most important.

Roma parents are never told, explained how to participate in court hearings. There should be a training session about court processes before any court hearing so that people can participate in a meaningful way.

I believe that this training should include information on how the system works, practically. Roma often don't understand that they can make things worse by what they say, to show more care, rules about behaviour in court, how to ask questions and when, how to address a judge, show good will to improve the situation, etc. But also, judges need to understand background of Roma situation, issues related to poverty, discrimination in countries of origin, cultural differences, etc.

I think both live and virtual hearings are difficult for Roma but the virtual way is even more difficult.

Roma advocate and interpreter

I support the idea of some kind of training for Roma parents who will have to face a court hearing at some point. I think most Roma parents would want to feel prepared and have this bit of control given back to them. I think it could be a very empowering piece of work. It would be interesting to see this in practice and note the impact this has on parents going through this system.

Roma Support Worker, Clifton Learning Partnership, Rotherham

However, one respondent noticed an improvement in a hybrid hearing where a judge could see parents and adapt to their needs or when families were able to join court hearings from their solicitor's office and were joined by an interpreter as well. They reported that families felt less intimidated by the process in this way and were able to ask questions and seek clarifications through the process.

5. The impact of digital working on building rapport and relationships of trust

Many Roma organisations pointed this as a key issue in the quality of their work when done remotely.

Our experience is that people still want face to face contact for reassurance as **trust** is so important for Roma. Deeper questions are asked when you have face to face conversations. When delivering support digitally, advocates cannot see their clients and notice when they lose confidence (which can be seen through body language) and intervene.

Staff member, Travelling Ahead: Gypsy, Roma and Traveller Advice & Advocacy Service, Cardiff

For social workers, the ability to form good relationships can be impacted by limited time spent in homes, PPE and the use of technology. This affected some of the most basic skills used to establish trust with their clients, like the ability to make good eye contact.

This can also be said for lawyers, one of whom commented on the importance of having these kinds of face-to-face exchanges with clients so that parents know they are supported.

There is comfort for clients in being able to look into the eyes of their lawyers and know that the lawyer has their back. The lawyer can explain the system and what is going to happen in court. The client can ask questions in the course of the hearings of their lawyers, but this is well nigh impossible virtually. From my point of view I have been obliged to commission capacity reports that I am confident would not have been necessary had I been able to pick up on all the cues available to me face to face. I am left with the distinct impression that my clients, despite my best efforts, have not understood as well as they could have had I been able to strike up a rapport with them directly. I remain a remote figure of authority rather than the approachable adviser I would like to be.

Family lawyer

Other issues

Other issues were raised by respondents about a variety of difficulties.

One particular factor noted by a Roma organisation was the difficulty to be in front of a screen for an extended period of time for many Roma parents.

Accessing legal aid during the pandemic was also a challenge, particularly in obtaining the necessary documents and making applications for clients.

A family lawyer also highlighted the experience of those with learning difficulties who have struggled to understand proceedings and have not raised issues as they would in face-to-face meetings.

Three out of five social workers and nine out of ten lawyer respondents said that digital working made and makes the child protection process more difficult for families to participate in.

Nine out of ten of lawyers who responded to the survey said that lockdown restrictions had an impact on their ability to engage with Roma or other vulnerable families.

Other findings

Some positive features of digital working were highlighted mainly by professionals in the survey.

Three social workers and two lawyers who took part in our survey found that virtual meetings were useful and time effective, saving physical presence across various buildings or the use of physical phones with platforms like Skype. The portability of work was also considered useful when working from different places.

Professionals were also able to avoid extensive travel and childcare difficulties they might normally encounter. Some lawyers found they were able to reap these benefits and be able to take instruction from clients equally well as when face to face.

Digital working was sometimes better for young people who might not otherwise have participated in some meetings.

Roma organisations also acknowledged that hybrid ways of working could work well for Roma parents. Some were also able to support their service users who were based in geographically distant areas, which would not be possible pre-pandemic.

Just this morning I have been in an initial child protection conference virtually. They had arranged for parents to attend the office with the social worker, chair and an interpreter and the other professionals were on Teams. There was a large screen in the office where the other professionals were visible and audible to the social worker, family and chair. In this instance and situation the family did not attend (difficult situation), however, if they had I think this was a great way to conduct a conference. Parents were guaranteed good access to what was happening and to be an active part in this. They did not have to worry about connecting themselves to the meeting remotely. I understand this is now possible due to restrictions having eased and that this would not have been possible previously during the pandemic.

Roma support worker, Clifton Learning Partnership

They also pointed out that accessing support from Roma champions and Roma interpreters through digital platforms was easier for Children's Services than face-to-face and should be utilised to minimise disadvantages in the child protection process for Roma parents in the future.

It should also be noted that Roma organisations we interviewed showed impressive resilience in adapting to remote ways of working through digital platforms that were accessible to their Roma service users such as Facebook and WhatsApp and pointed out that other digital platforms that required users to perform several steps before participating, were often too challenging for the most disadvantaged Roma families.

I reached more clients during the pandemic than ever before. I have a project page on Facebook that is used by 1,400 people. I chose Facebook because I wanted to be equal and on the same page with people I work with. Digital way of working worked well for me - majority of my clients had access to internet through sim cards and we also provided IT equipment to those who did not have it. People who were illiterate were also able to make phone calls through Facebook and benefited from our support. When I needed documentation, I used email and I asked people who were not able to use emails to come to the office to show me the documents I needed to see.

Roma advocate, Granby & Toxteth Development Trust

Conclusions and recommendations

While there have been some benefits to digital working and it served some people well, this preliminary research shows that many Roma, and other vulnerable groups, were likely to be disadvantaged through digital platforms and remote ways of working without adequate support.

It is a concern that the inability to make effective use of technology will likely have negative implications on some people's ability to engage with legal processes or to access welfare support, housing, employment and public services which increasingly operate through various digital platforms.

Roma organisations emphasised the importance of face-to face support but that hybrid ways of working also worked well for many Roma families.

All Roma organisations and many professionals who took part in our survey stressed that face-to-face contact between parents and children in foster care should be prioritised over digital contact.

To improve Roma participation in the child protection process, Law for Life recommends:

- Whenever possible, methods of communication and engagement (digital, hybrid or face to face) between professionals involved in child protection and families should be adapted to individual needs of families involved.
- Improved training for professionals (such as social workers, lawyers, judges) on identifying and ameliorating digital exclusion should be developed. This could be supported and potentially delivered under HMCTS Assisted Digital developments. Improved training for HMCTS contact centre staff addressing barriers specific to Roma communities should also be developed.
- Services carrying out statutory interventions remotely should develop resources, such as a checklist, to accurately assess people's digital skills and additional needs to support them adequately.
- Children's Services should provide technical support for parents who struggle with digital barriers through provision of IT devices and access to Wi-Fi. This could include access to space where IT equipment could be used for free.
- Children's Services, legal representatives and courts should ensure that families who are not able to use relevant digital platforms are supported to improve their digital skills so that they are able to meaningfully participate in required meetings and court hearings whilst going through the child protection process. This could include commissioning Roma organisations to undertake digital support for Roma families through home tutoring, community classes, etc.
- Children's Services and courts should ensure that Roma parents/young people understand important procedures (for example court hearings, child protection conferences) to enable meaningful participation and fair processes.
- Further research is needed to review the quality/type of decisions being made in virtual settings. For instance, how virtual ways of working have impacted on the support available for families and if virtual ways of working have made removal of children more or less likely.