

## **Mermaids' Response to the Home Office 'Violence Against Women and Girls (VAWG) Call for Evidence' Inquiry**

Mermaids (Registered charity no.1160575) has been supporting transgender (trans), non-binary and gender diverse children, young people up to the age of 19 (inclusive) and their families since 1995.

Mermaids is grateful for the opportunity to respond to this Inquiry within this context. Mermaids would welcome the opportunity to give oral evidence to this inquiry should that be of assistance to the Committee as we have done for the Women and Equalities Select Committee in March 2021.

### **Our Response:**

#### **1. US Context on Violence Against Trans Women and Girls:**

- 1.1. In June 2020, the activist Ashlee Marie Preston, a Black trans woman, [spoke](#) about how she had beaten the odds stacked against her in exceeding the average life expectancy of Black trans women in the USA, which is the age of 35, compared to the average cisgender (cis) American women, who lives to around 80.
- 1.2. As the Human Rights Commission (HRC) found in its [report](#), *Dismantling A Culture of Violence: Understanding Anti-Transgender Violence and Ending the Crisis*, updated December 2020, the violence against trans people is an epidemic, which disproportionately impacts trans women of colour, 'who comprise approximately 4 in 5 of all anti-transgender homicides'. On page 3 of its [report](#), it outlines the systemic problems that trans women, and especially trans women of colour, face which has culminated into this epidemic of violence.
  - 1.2.1. *The dehumanisation of trans people, which begins with anti-trans stigma.* Such stigma - that is, the notion that being trans is inherently bad - can be seen in the lack of family acceptance and support (para.1.9.8.), a hostile political climate that is anti-trans and legislates against trans people's freedoms as well as cultural marginalisation and invisibility in public spheres.
  - 1.2.2. *Denial of opportunity, which acts to prevent trans people from enjoying full participation in society.* The trans community are more likely to face a lack of support and discrimination in education (para.1.9.4.), and then later on during employment (para.1.9.3.). They are often unable to access, or even excluded from health care and social services (para.1.9.6-1.9.7.). They experience barriers when accessing the criminal justice system (para.1.7.3.). They also face barriers in accessing legal identification which impacts ability to participate in society fully.
  - 1.2.3. *Lastly, the face increased risk factors to their safety.* For example, trans people are more likely to face intimate partner violence (para.1.9.1.) and sexual assault (para.1.7.4.). They are more likely to live in poverty, or homelessness (para.1.9.2.). They are more likely to suffer with great disparities in their physical and mental health, largely due to the factors discussed above.
- 1.3. As the HRC have noted, one must look at these factors within an intersectional lens, to acknowledge that each of these issues are intertwined and exacerbated by racism, sexism and other factors. For example, Black trans women, as explained above, are disproportionately impacted, as will disabled trans women.

## 2. UK Context on Violence Against Trans Women and Girls:

- 2.1. We have outlined the above issues, which, although in many ways are specific to the context of the USA, also allow us to reflect on the issues trans women and girls face in the UK. An [article](#) by *Them* discusses the ways in which the prevalent transphobia found especially within the UK mainstream media, which has given a platform to anti-trans organisations and individuals, has '[bled] into U.K. culture' in a way which is not dissimilar to the US, and therefore, many of the systemic issues which impact trans women's lives discussed above resonate within the UK context.
- 2.2. With regard to trans women specifically, much of the statistics and data which are available in relation to the US in terms of the epidemic of violence against trans women, especially trans women of colour, are not easily available in the UK. As the British Psychological Society (BPS) [explains](#), the number of trans people, let alone trans women, murdered in the UK is not officially recorded, and murder victims may be misgendered in the process, as can be [seen](#) in the media coverage following the horrific murder of Naomi Hersi, a 36-year-old Black trans woman.
- 2.3. Naomi Hersi's murder in 2018 was [reported](#) three days after the incident, and it was only picked up by a small number of mainstream press titles, with much of the reporting not only referring to her by the wrong name, but repeatedly misgendering her too.
- 2.4. However, we know that transphobic hate crime is a significant problem within the UK; Galop's report on transphobic hate crime ([2020](#)) found that:
  - 2.4.1. **80 per cent** of trans people have experienced hate crime in the last 12 months;
  - 2.4.2. **25 per cent** of trans people have experienced physical assault or threat of physical assault; and
  - 2.4.3. **70 per cent** of victims felt that the police could not help them.
  - 2.4.4. **Nearly 1 in 5** of trans people had experienced transphobic sexual assault or the threat of sexual assault.
- 2.5. As the BPS rightly [point out](#), hate crimes and violence against trans people occur within 'wider social and political contexts', and the recent so-called debate around trans people's existence and their rights across both mainstream and social media has real consequences for trans people's safety and wellbeing.
- 2.6. This 'debate', and the real consequences it has for trans women's lives, can be seen following the public consultation by the Government on the Gender Recognition Act (GRA) 2004 for England and Wales, which took place in 2018 between July-October. Stonewall, in their report *Supporting trans women in domestic and sexual violence services: Interviews with professionals in the sector* ([2018](#)) discuss the way in which much of the media coverage following the Government's announcement to reform the GRA focused on the false idea that supporting trans women in these domestic and sexual violence services might 'compromise the integrity of these safe spaces, or that reforming the GRA would mean violent men could access spaces more easily'. Not only does this discourse fail to account for the fact that the proposed reforms to the GRA have no effect on 'single-sex spaces' exemption found within the Equality Act 2010, but it also ignores the experiences of those who work within these services. Stonewall [found](#) that 'contrary to panicked headlines, organisations across the sector have already been

supporting trans women for some time', towards the greater goal of ensuring every woman who accesses these services 'felt welcome and safe'.

- 2.7. However, the consequences of this 'debate', which is still ongoing, is that an anti-trans sentiment is created within the domestic and sexual violence sector, which acts to create a 'hostile landscape to navigate for trans survivors of sexual violence, both in accessing immediate frontline services and overcoming ideology that seeks to shut them out of the gender-based violence sector in general' ([gal-dem, 2021](#)). This is especially harmful when one considers the fact that trans women are more likely to experience domestic abuse than cis women (see below, para.1.12.2.), and therefore, means they're not able to support they desperately need.
- 2.8. The following statistics from Stonewall's *LGBT in Britain: Trans Report (2018)* on the trans community more generally, illustrate the relevance of the above systemic issues which combine with one another, and exacerbate one another to create an epidemic of violence towards trans women, as outlined by the HRC (para. 1.2):
  - 2.8.1. **28 per cent** of trans people in a relationship in the last year have faced domestic abuse from a partner.
  - 2.8.2. **25 per cent** have experienced homelessness at some point in their lives.
  - 2.8.3. **12 per cent** of trans employees have been physically attacked by colleagues or customers in the year prior to the report.
  - 2.8.4. **36 per cent** of trans university students have experienced negative comments of behaviour from staff in the year prior to the report. **14 per cent** of trans university students have considered dropping out or have dropped out of a higher education course because of experiencing harassment or discrimination from students and staff in the year prior to the report.
  - 2.8.5. **40 per cent** of binary trans people, and **52 per cent** of non-binary people adjust the way they dress because they fear discrimination or harassment.
  - 2.8.6. **41 per cent** of trans people said that healthcare staff lacked understanding of specific trans health needs when accessing general healthcare services in the year prior to the report.
  - 2.8.7. **29 per cent** of trans people who accessed social services in the year prior to the report experienced discrimination.
  - 2.8.8. **11 per cent** of trans people who are out to their family, aren't supported by any of their family members. **26 per cent** of trans people say that all their family members who know that they are trans, are supportive.
- 2.9. Although the statistics and data around trans people's experiences of domestic abuse and sexual assault are still not as comprehensive as cis women's experiences, the current data does strongly suggest that trans women experience domestic violence and sexual abuse at a disproportionately higher rate than cis women.
  - 2.9.1. Galop ([2020](#)) found that **7 per cent** of trans people had experienced sexual assault, which is a higher figure in comparison to the general population (2.9 percent as found in the Crime in England and Wales Survey ending [March 2019](#)).

- 2.9.2. Stonewall found in its report, *LGBT in Britain: Home and Communities* (2018) that **19 per cent** of trans and non-binary people have faced domestic abuse from a partner in the year prior to the reports, specifically **16 per cent** of trans women. It also found that Black, Asian and minority ethnic LGBT people are more likely than white LGBT people to experience domestic abuse from a partner, **17 per cent** compared to **11 per cent**. **15 per cent** of disabled people have experienced domestic abuse in the year prior to the report. This is in comparison to the Office of National Statistics ([2017](#)) which found that **7.5 per cent** of women in total had experienced domestic violence.
- 2.9.3. The [SafeLives' 2018 Guidance for Multi-Agency Forums: LGBT+ People](#) states that not only are trans people the most at risk of sexual abuse of the LGBTQ+ community, trans survivors of domestic abuse are one of the most hidden groups of domestic abuse survivors.
- 2.10. Safelives' Guidance also highlighted two of the many reasons why trans people are more likely to become victims of domestic abuse:
- 2.10.1. Trans people, because of the inaccessibility of gender-affirmative healthcare through the NHS, with its extensive waiting times, often seek private or overseas treatment. The financial burden of this can create an unequal relationship, where the trans individual's partner can use their financial situation, and their desire for gender-affirmative care against them.
- 2.10.2. Trans people may believe that the violence and abuse they are experiencing has been caused by their gender identity. This notion that trans people should feel guilt and shame for being trans, especially in relation to their partner, is somewhat affirmed by the UK government in its decision to retain the requirement for 'spousal consent' in the process for legal gender recognition as laid out in the Gender Recognition Act 2004 (GRA) and subsequent response to GRA reform.
- 2.10.3. Many LGBT+ organisations have called for the 'spousal consent' provision to be removed as it gives the spouse unwarranted power, which can be used to block the trans persons right to legally recognise their gender identity, or to force them into an inequitable and onerous divorce/separation. Furthermore, the provision can leave trans people at risk of abuse and coercive control. Such feelings of guilt and shame can lead to a normalisation of abuse.
- 2.11. As a charity which trans, non-binary and gender diverse young people, we are aware of the ways in which trans girls experience violence in the form of bullying, which takes place within the school environment. The following figures are illustrative of the often-hostile environments Trans young people are faced with in school ([Stonewall 2017](#)):
- 2.11.1. **64 per cent** of trans pupils are bullied for being trans at school;
- 2.11.2. **1 in 10** trans pupils are subjected to death threats at school.
- 2.12. Currently, there is a lack of recent, comprehensive guidance around supporting trans, non-binary and gender diverse young people in schools with specific regard to transphobic bullying. More general trans inclusion guidance to support and empower teachers in affirming trans, non-binary and gender diverse young people, which a recent [study](#) has shown would reduce the rates of bullying pupils experience.

### **3. Our Recommendations:**

- 3.1. We recommend the Government addresses the systemic issues we discussed in detail above (para. 1.2) to tackle this culture of violence against trans women and girls. To do this, the Government must engage with trans support organisations, especially those who support trans, non-binary and gender diverse people who have faced abuse or violence, as well as trans survivors of violence and the trans community more widely to address the systemic issues which exacerbate a trans women's likelihood of experiencing violence.
- 3.2. Thorough research needs to be undertaken on a national scale, and within institutions, for example, within the police force, to determine how many trans women and girls experience abuse and violence. Until we understand the scope of the violence against trans women and girls, we will not be able to introduce an effective strategy to tackle such violence. Specific research needs to be undertaken into how racism and ableism, as well as other intersections of oppression within society exacerbates trans women and girls' experience of violence.
- 3.3. The often open hostility towards and incitement of irrational fear around trans people, especially trans women and girls, in mainstream and social media needs to be addressed and condemned, in order to stifle the anti-trans discourse which acts to embolden discrimination, harassment and violence against trans people through fear-mongering, misinformation and the dehumanising of trans people.
- 3.4. The Government must ensure that the appropriate funding is available to organisations that are already working to tackle violence against trans women and girls, to ensure they can continue to support all women and girls who desperately need such support.

**24<sup>th</sup> March 2021**

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