

Consultation Response Form
Welsh Government Action Plan to further equality for transgender people

We would like to seek your views on our proposed actions to further equality for transgender people.

Please submit your comments by 11 September 2015

If you have any queries about this consultation, please email FairerFuturesMailbox@wales.gsi.gov.uk or telephone: 029 2082 6349

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Date of consultation: 22 July 2015 to 11 September 2015	
Name	Karan Sanghera – Policy Officer
Organisation (if applicable)	Welsh Women’s Aid
Email / telephone number	karansanghera@welshwomensaid.org.uk 02920541551
Your address	Welsh Women’s Aid Pendragon House Caxton Place Pentwyn CF23 8XE

Background to Welsh Women’s Aid:

Welsh Women’s Aid is the lead national organisation in Wales, providing the voice of local services and survivors to government as well as campaigning, influencing policy and practice, and innovating to end domestic abuse and violence against women across Wales and the UK. Welsh Women’s Aid is a membership organisation for 27 independent, specialist services in Wales which provide a range of support, advocacy and prevention services for women, children and families affected by domestic abuse, sexual violence and violence against women and girls.

We also deliver essential national and local services and projects across Wales, including the All Wales Domestic Abuse and Sexual Violence Helpline – a 24 hour helpline for victims, concerned others and professionals; the Children Matter Project – to improve support for children and young people across Wales who are affected by domestic abuse; an Accredited Training Centre – Welsh Women’s Aid is an Agored Cymru centre, developing and delivering training in domestic abuse accredited qualifications for member organisations and external agencies; and delivering services for women and children in North Wales (Wrexham and Colwyn Bay) by providing refuges, outreach and community advocacy and support for women and children affected by domestic abuse.

Our response to this consultation is informed by our 37 years’ experience of responding to and preventing domestic abuse as a national membership organisation, ensuring the experiences of our direct and member services and survivors inform improvements in legislation, policy and practice.

Children and Young People

Proposed Actions

- To publish lesson plans on gender and transgender-based bullying.
- To continue our drive to publicise our Respecting Others anti-bullying guidance
- To hold a cyber-hate conference during Hate Crime Awareness Week 2015 in association with Cardiff University. The conference will raise awareness and increase understanding of cyber-hate and bullying and its impact on victims. The conference will include a workshop, hosted by Youth Cymru, which will allow young transgender people to raise issues in relation to cyber bullying. A conference report outlining outcomes and next steps will be published.

Q1	Do you think the actions above should be a priority to improve equality for transgender children and young people?	Yes	No
	<p>Welsh Women’s Aid agree that these are all priorities for improving equality for transgender children and young people. Welsh Women’s Aid would also encourage violence against women, domestic abuse and sexual violence prevention work via the provision of a whole school approach to healthy relationship education being delivered in schools in Wales. It is often the case that young people, as a whole, do not understand the difference between healthy and unhealthy relationships.</p> <p>Professor Emma Reynolds¹ found that gender roles, sexuality and sexual learning happens in everyday life for children. This learning takes place under a backdrop of every day sexism and a pressures to conform to boyfriend and girlfriend relationships². Gender norms and stereotypes need to be challenged from a young age. Gender, as a tool of women’s oppression is not innate, and should be challenged as part of this education being delivered. Raising awareness that children and young people are raised and socialised as girls and boys, young women and young men, because of power hierarchies in society.</p> <p>Children from a young age face sexual harassment and many do not know how to deal with it³. This can happen to all children irrespective of gender identity, and it is highly important to teach them what sexual harassment is, how to keep themselves safe, and how this is unacceptable behaviour, as this can lead to abusive</p>	X	<input type="checkbox"/>

¹ Reynolds, E. (2013) “Boys and Girls Speak Out; A Qualitative Study of Children’s Gender and Sexual Cultures”. Cardiff: Cardiff University

² ibid

³ ibid

	<p>relationships at a young age which form the basis of relationship norms.</p> <p>Research shows that the age group who report suffering the highest levels of domestic abuse is between the ages of 16-24⁴. Trans young people are not exempt from this. Young trans people generally do not have healthy relationship role models⁵, and as such, they are more vulnerable to experiencing domestic abuse⁶. This is also accentuated by the fact that trans people also experience abuse which is not domestic abuse, for example at school, and by strangers. Domestic abuse is then seen as an extension of other types of abuse that trans people face⁷. Healthy and respectful relationships education can help young people to recognise and challenge abusive relationships, should they find themselves in such a position.</p>		
Q2	<p>What other actions do you think will improve equality for transgender children and young people?</p> <p>Welsh Women’s Aid believe it would be beneficial to include information at the Cyber-hate conference on how digital platforms such as the internet and social media can be used by perpetrators of violence against women, domestic abuse and sexual violence to target trans youth and continue controlling and abusive relationships. With many young trans people turning to the internet to socialise with others who may share experiences with them⁸, the dangers in regards to sexual exploitation and abuse should be fully appreciated and explored in full.</p> <p>Welsh Women’s Aid would also recommend highlighting the prevalence of sexting in this context and using sexual images as a method of bullying, blackmail and coercive control⁹.</p>		

Hate Crime and Community Cohesion

⁴ Home Office Statistical Bulletin, Homicides, Firearm Offences and Intimate Partner Violence, 2009/10. Accessed Via: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/116512/hosb0111.pdf

⁵ Harvey, S. Mitchell, M. Keeble, J. Nicholl, CM. Rihim, N. (2014) "Barriers faced by Lesbian, Gay, Bisexual and Transgender People in Accessing Domestic Abuse, Stalking, Harassment and Sexual Violence Services". Cardiff: Welsh Government Social Research

⁶ ibid

⁷ ibid

⁸ Ringrose, J., Gill, R., Livingstone, S., Harvey, L. (2012) "A qualitative study of children, young people and 'sexting'". London: NSPCC

⁹ ibid

Proposed Actions

- To fund the National Hate Crime Report and Support Centre through Victim Support Cymru which will:
 - monitor the number of transgender people who are reporting and receiving support;
 - roll out all Wales training across public sector and community organisations to increase awareness of hate crime which will include gender identity hate crime,
 - through the Welsh Local Government Association Data Unit, map hate crime referrals which will include transgender hate crimes and provide information for Local Authorities to enhance tension monitoring procedures.

- Support the delivery of the Equality and Human Rights Commission’s LGBT Hate Crime Project, to include:
 - supporting a national awareness raising campaign on the delivery of the project;
 - the Unity Project will develop and deliver bespoke LGBT training in partnership with Victim Support Cymru;
 - anonymous reporting figures will be shared with the National Hate Crime Report and Support Centre.

- The Welsh Government will analyse support given to transgender people and communities through the National Community Cohesion Delivery Plan, including assessing the number of people who have received equalities training, including transgender awareness.

Q3	Do you think the actions above should be a priority to tackle hostility and prejudice faced by transgender people?	Yes	No
	Comments: Welsh Women’s Aid would like to highlight the overlap between violence against women, domestic abuse and sexual violence and hate crimes against trans people. A recent survey of trans experiences in Scotland found that 46% of trans participants stated that they had experienced transphobic abuse in a domestic relationship ¹⁰ . Another study found that 73% of participants had experienced at least one type of transphobic abusive behaviour from a partner ¹¹ . It is often the case that because of a lack of awareness	X	<input type="checkbox"/>

¹⁰ Morton, J. (2008) “Transgender Experiences in Scotland.” Scotland: Scottish Transgender Alliance

¹¹ Morton, J., Roch, A., Ritchie, G. (2010) “Out of Sight, Out of Mind” Scotland: LGBT Youth Scotland and Equality Network

	<p>of the reality of relationships in the trans community, violence against women, domestic abuse and sexual violence may be simply recorded as hate crimes and approached in this way. This can mean that trans people experiencing violence against women, domestic abuse and sexual violence will not receive the correct support from specialist services.</p> <p>Welsh Women’s Aid would also like to raise the intersecting nature of discrimination which trans people who are experiencing or have experienced violence against women, domestic abuse and sexual violence may suffer. For example, a trans person from a BME community may face abuse from the community for being a trans person, in addition to being excluded and targeted for seeking help for violence against women, domestic abuse and sexual violence issues¹². These are all issues which need to be tackled holistically in order to increase equality and provide support for trans people.</p> <p>Welsh Women’s Aid are of the view that it is of key importance to remember that many trans people do not come forward to seek help as they are worried that they will face backlash from the LGBT community for bringing the community into disrepute¹³. This is in addition to the belief by some trans people that they will not be taken seriously if they report issues of domestic abuse or sexual violence¹⁴.</p>		
Q4	<p>What other actions do you think will tackle hostility and prejudice faced by transgender people?</p> <p>Welsh Women’s Aid would like to highlight that any education around hate crime should also include issues around gender equality and violence against women. This is especially relevant for trans women as they can also be targets for harassment and abuse purely on the basis of being women. This issue of gender equality should also be considered when addressing hate crimes and community cohesion more broadly.</p>		

Violence Against Women, Domestic Abuse and Sexual Violence

Proposed Actions

- To give due consideration to the particular issues faced by transgender people in the development of statutory guidance which will be issued under S.15 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. This will be subject to full public consultation in due course.

¹² Harvey, S. op. cit.

¹³ ibid

¹⁴ This was given as the second highest reason as to why abuse in the LGBT community was not reported. "Roar; because silence is deadly" (2014) London: Stonewall Housing

- Training to support relevant public and voluntary service staff will be built into a National Training Framework on Violence against Women, Domestic Abuse and Sexual Violence to ensure staff understand and can respond appropriately to transgender peoples’ lives, experiences and particular requirements.
- A National Service User Group will be established which will include LGBT representation to ensure views on LGBT issues are fully reflected and considered across all work in this area, including, publicity campaigns.
- Fund Welsh Women’s Aid to:
 - issue guidance in 2015-16 to their member organisations on providing accessible services that meet the needs of transgender survivors of domestic abuse and sexual violence;
 - deliver training to domestic abuse services on meeting the needs of transgender survivors of domestic abuse and sexual violence.

Q5	Do you think the actions above should be a priority to tackle violence against women, domestic abuse and sexual violence for transgender people?	Yes	No
	<p>Welsh Women’s Aid welcomes this approach by the Welsh Government, and is currently engaged in delivering these outcomes as described.</p> <p>We are also especially pleased that training is to be used to support the relevant public and voluntary services in Wales in this area. However, we would also recommend that this training should be developed in conjunction with the Violence Against Women sector to ensure that service user voices are heard.</p> <p>In order to ensure a survivor focused, gender responsive and needs lead approach Welsh Women’s Aid would recommend implementation of the recently developed Change That Lasts model.</p> <p>In summary, the key elements of the Change that Lasts model are that:</p> <ul style="list-style-type: none"> • The voices of survivors are central to the development and delivery of service responses • Services work to a shared goal of independence* for the survivor • There is a shift from a risk based approach to one that starts with the individual needs of survivors, including their safety • Survivors are supported to draw and build upon their individual strengths and resources – needs assessment and safety planning facilitate this 	X	<input type="checkbox"/>

	<ul style="list-style-type: none"> • Barriers to help are removed or reduced and opportunities to access help in the community are widened through local 'Ask Me' schemes and development of the 'Trusted Professional' role. • Communities increase their understanding of domestic violence and abuse, and the role they can play in responding, through awareness campaigns with consistent key messages and clear signposting • Children are supported to overcome the impact of abuse and survivors to help them in this process • The focus of risk shifts to the perpetrator who is held to account and provided with opportunities to change behaviour <p>This model supports and complements the needs of trans survivors.</p>		
<p>Q6</p>	<p>Are there any other actions you feel will help to tackle violence against women, domestic abuse and sexual violence for transgender people?</p> <p>Welsh Women's Aid recommend that programs dealing with perpetrators of violence against women, domestic abuse and sexual violence should be included in any plans to tackle these crimes for all survivors. These programmes should hold Respect accreditation¹⁵ for perpetrator interventions and accredited partner safety work, including information on the different ways in which trans people may experience abuse.</p> <p>A holistic approach is vital to address the inequality the trans community face, and to address and support those who have experienced or are experiencing violence against women, domestic abuse and sexual violence.</p> <p>Information and education about violence against women, domestic abuse and sexual violence should be provided direct to the LGBT community from specialist violence against women, domestic abuse and sexual violence services. Welsh Women's Aid, through its years of experience in the sector, understand that many of those who experience domestic abuse do not immediately recognise the nature of their abuse. For example, Morton, Roch and Ritchie found that 80% of participants in their study had stated that they had experienced some form of abuse, but only 60% had recognised this behaviour to be a form of domestic abuse¹⁶. Informing the trans community about what violence against women, domestic abuse and sexual violence is, will encourage those experiencing abuse to seek help and also encourage survivors to engage in conversation about how to make their needs and experiences heard. This is especially important as there seems to be a lack of awareness that experiences of violence against women, domestic abuse and sexual violence in LGBT communities are a crime. Research by Hardesty found that lesbians were not aware that they were</p>		

¹⁵ For more information, please visit Respect's website at: <http://respect.uk.net/>

¹⁶ *ibid*

protected by domestic abuse laws, and therefore did not contact the police to report abuse¹⁷. Raising awareness of what domestic abuse and sexual violence is, in relation to trans relationships will raise awareness and encourage people to seek help.

Welsh Women's Aid notes that there are concerns from some quarters surrounding whether the current provision of specialist services in Wales are able to address the needs of trans people¹⁸. We believe that these concerns should also be ameliorated; specialist services are able to provide violence against women, domestic abuse and sexual violence support to the trans community and this should be made evident. For example, the All Wales National Domestic Abuse and Sexual Violence/Live Fear Free helpline, staff are trained and supported to provide accessible services and are sensitive to the differing needs any service user may have.

Welsh Women's Aid also notes that issues around sexual violence in the trans community has issues which mirror sexual violence in the heterosexual and LGB communities. Hester et al found that the trans community does not talk about sexual violence, and when they do, it is often undermined¹⁹. Views which are prevalent in sexual violence against cis women are also prevalent for sexual violence against trans people, for example the incorrect and abhorrent view that the victim "was asking for it"²⁰. These views need to be challenged and education regarding the unacceptable nature of sexual violence against any person should be emphasised at every opportunity, including information on gender equality and respect. This could also help to break down any stigma in the LGBT community about reporting these types of crimes, resulting in more people feeling able to seek support.

Information about 'revenge pornography' (or online sexual abuse) should also be approached through any prevention work. There is currently a lack of research exploring how revenge pornography affects trans people, however, the Revenge Pornography Helpline has registered that 25% of the calls received since it was set up were from male gay men²¹. The threat of publishing revenge pornography is often used as a means of control in domestic abuse relationships. This form of abuse can be directly applied to the trans community as the threat of 'outing' is a frequently used form of abuse²². It would also be beneficial to increase awareness that distributing revenge pornography is a crime and also how those in the LGBT community can be supported if they were to be the victim of such an offence. Revenge pornography is a form of violence against women, and a way in which domestic abuse and sexual violence is committed. As such those who experience this form of abuse should also be signposted to appropriate support services.

¹⁷ Hardesty, as cited in Harvey, S. op. cit.

¹⁸ Harvey, S. op. cit.

¹⁹ Hester, M., Williamson, E., Regan, L., Coulter, M., Chantler, K., Gangoli, G., Davenport, R., Green, L. (2012) "Exploring the service and support needs of male, lesbian, gay, bi-sexual and transgendered and black and other minority ethnic victims of domestic and sexual violence". Bristol: University of Bristol

²⁰ *ibid*

²¹ UK Government Press Release, "Hundreds of victims of revenge porn seek support from helpline". Accessed via: <https://www.gov.uk/government/news/hundreds-of-victims-of-revenge-porn-seek-support-from-helpline>

²² Harvey, S. op. cit.

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Sport

Q7	What barriers are there to participation in sport for transgender people?
	Welsh Women's Aid are not currently in a position to comment directly on this subject, but are aware of the intersectionality of discrimination that trans people face.

Public Transport

Q8	What barriers (if any) inhibit your use of public transport in Wales?
	Welsh Women's Aid are concerned about all victims of abuse being able to access services and support regarding violence against women, domestic abuse and sexual violence. This is especially true in rural areas of Wales where access to specialist services and transport can be limited.

Health Service

Proposed Actions

- To inform the provision of appropriate and responsive services, Welsh Government will request that the Public Health Wales Observatory undertakes an evidence-gathering exercise. This will seek to establish the prevalence of transgender/gender dysphoria in Wales; to identify the health and wellbeing issues for transgender people; document the current provision of health care services for transgender/gender dysphoric individuals in Wales, and report on patient experience of those services which are provided. The information gathered through this exercise will inform the development and implementation of the NHS Wales Strategy for Gender Dysphoria Services, which is being developed by the Public Health Wales-led All Wales Gender Dysphoria Partnership Board.
- Welsh Government to support the forthcoming publication of the revised Welsh Health Specialised Services Committee policy on gender identity services and care pathway by developing guidance for GPs on gender dysphoria and working with transgender individuals. Welsh Government will

also explore the potential for using primary care clusters²³ as a mechanism for improving expertise and delivering a greater range of services on a locality basis.

- Welsh Government to work with WHSSC and Local Health Boards to support the implementation of the forthcoming NHS Wales Strategy for Gender Dysphoria Services.

Q9	Do you think the actions above should be a priority to improving access to and experience of Health Services for transgender people?	Yes	No
	<p>Welsh Women’s Aid agree with the above actions to improve access to and experience of Health Services for trans people.</p> <p>Alongside the above, Welsh Women’s Aid are of the view that improving access and experiences of Health Services for transgender people should also be considered in the wider context of abuse.</p> <p>Health care professionals should receive National Training Framework Ask and Act training, in accordance with the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. Confidence to ask about any violence against women, domestic abuse and sexual violence concerns is vital as health care professionals are often in a unique position to identify abuse. Any information about violence against women, domestic abuse and sexual violence should also be acted upon promptly to ensure that the individual receives the appropriate specialist support.</p> <p>In addition, Welsh Women’s Aid believes that healthcare professionals would benefit from increased knowledge regarding the more specific violence against women, domestic abuse and sexual violence issues trans people face. This will help ensure that any interventions are best utilised when presented with a form of abuse which is specific to trans people.</p>	X	<input type="checkbox"/>
Q10	What other actions do you think will improve access to and experience of Health Services for transgender people?		

Housing

Proposed Actions

- Incorporate LGBT advice service within Shelter Cymru’s national advice project.
- Incorporate the Hate Crime Toolkit as a ‘reasonable step’ which could be taken in the statutory code of guidance to accompany the Housing (Wales) Act 2014.
- Work with Tai Pawb to ensure, where practicable, data collection takes account of protected characteristics, including gender identity.

Q11	Do you think the actions above should be a priority to improving access to and experience of Homelessness Services for transgender people?	Yes	No
	Welsh Women’s Aid believes that it would be beneficial for the LGBT advice service within Shelter Cymru to signpost to the All Wales Domestic Abuse and Sexual Violence Helpline / Live Fear Free Helpline for all cases of violence against women, domestic abuse and sexual violence involving trans people who may need support.	X	<input type="checkbox"/>
Q12	What other actions do you think will improve access to and experience of Homelessness Services for transgender people?		
	<p>Welsh Women’s Aid believes the link between violence against women, domestic abuse and sexual violence, trans people and homelessness should be considered as a priority. Often, an abusive partner will have control over financial matters, without housing and violence against women, domestic abuse and sexual violence support this would usually result in reliance on the perpetrator. Homelessness services should be aware of this in order to ensure that victims of violence against women, domestic abuse and sexual violence are housed as a priority; failing this, it is very likely that the individual will return to the household which they tried to leave due to financial dependency on the.</p> <p>Understanding violence against women, domestic abuse and sexual violence in trans relationships is essential to ensure priority status for those experiencing violence against women, domestic abuse and sexual violence under the 2001 Homeless Persons Priority Needs (Wales) Order is given to the trans individual fleeing violence. In order to effectively do this, housing officers must understand the differing ways in which violence against women, domestic abuse and sexual violence in trans relationships can operate.</p> <p>Welsh Women’s Aid would also like to add that housing officers should also utilise an Ask and Act response as outlined in the Health Services area of this response.</p> <p>Finally, running away and homeless has been linked to child sexual exploitation²⁴. The Barnados report²⁵ explains that there are a number of key factors which will make it</p>		

²⁴ Smeaton, E. (2013) “Running From What You Think Is Love”. London; Barnados.

	more likely for a runaway to become a victim of child sexual exploitation. These factors include a domestic abuse and family breakdown. Research conducted by the Albert Kennedy Trust found that 25% of homeless people aged 16-25, are from the LGBT community ²⁶ . Many have become homeless due to being forced from their homes, or from fleeing abusive households. There is a serious risk that these young people will encounter child sexual exploitation if the appropriate support is not provided.

Striving for equality

Q13	Are there other actions the Welsh Government should take to ensure transgender issues are addressed when taking decisions or setting equality objectives?	Yes	No
	Welsh Women’s Aid welcomes any further initiatives which may seek to improve equality for trans people in Wales.	X	<input type="checkbox"/>

Do you think there are any gaps?

Q14	Do you think there should be any other priorities addressed in the Transgender Action Plan? If so, what should those priorities be?	Yes	No
	<p>Welsh Women’s Aid believes that there is a strong need to acknowledge and act on the intersecting nature of many of the issues mentioned in this consultation document. Interagency working, and understanding how areas of multiple disadvantage are linked to securing equality and safety for Trans People is vital.</p> <p>Data collection, monitoring and evidence of the effectiveness of all public services should be gendered, and disaggregate evidence and experiences by gender, including transgender identities.</p>	X	<input type="checkbox"/>

Q15	Are you aware of any supporting evidence or research which will help inform the Transgender Action Plan?	Yes	No

²⁵ ibid

²⁶ Rivers, I. (2008) “LGBT Youth Homelessness: A UK National Scoping of Cause, Prevalence, Response and Outcome”. London: The Albert Kennedy Trust.

