

**Love  
is not abuse.  
Information  
brochure  
on domestic  
and dating violence  
against lesbian,  
bisexual and  
transwomen**



Bleeding Love: Raising Awareness  
on Domestic and Dating Violence Against  
Lesbians and Transwomen in the European Union



Funded by the Daphne  
Programme of the  
European Union



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***Love is not abuse - Information brochure on domestic and dating violence against lesbian, bisexual and transwomen - 2015.***

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# ***Love Is Not Abuse***

***Information brochure on domestic  
and dating violence against lesbian,  
bisexual and transwomen***



The project **Bleeding Love: Raising Awareness on Domestic and Dating Violence Against Lesbians and Transwomen in the European Union**, co-funded by the European Commission within the specific program “Daphne 2007-2013”. It aims at countering domestic and dating violence against lesbian, bisexual and transwomen (LBT in acronym). The project involves several European Union member states (Italy, Belgium, Bulgaria, Croatia, Lithuania, Portugal, United Kingdom, Hungary) and wishes to explore the causes of violence, the characteristics of the perpetrator, the way in which it occurs and, with the help of an awareness raising campaign, wishes to make lesbian, bisexual and transwomen become more aware and to help them recognize and prevent violence. More information on the project's activities are available at [www.bleedinglove.eu](http://www.bleedinglove.eu)

*This publication is part of the activities carried out within the project Bleeding Love. In this brochure you will find information about the available legal means to enforce your rights and defend yourself against domestic and dating violence and an overview of the [Hungarian or Bulgarian etc] and European legal framework.*



Prejudices, stereotypes, homophobia and transphobia affect the full recognition of the dignity and freedom of many women in the EU. Although the European Union has clearly laid out some

principles in these matters, and despite the fact that the Nice Charter, after its inclusion in the Treaty of Lisbon, binds all the Member States, not all countries have given a real content to these rights by, for example, removing legal discrimination on sexual orientation and gender identity. Even today, in some institutional, social and geographic contexts, these events are particularly hard to eradicate. Homophobia and transphobia exist both in public and in private life, at the work place, at school, within the family, among friends and in social groups, as well as within the public authorities and within the political debate.

Being one of the activities of Bleeding Love project, this publication aims to spread essential information on what it means to be a victim or potential victim of domestic or dating violence. Human rights, dignity and equality are the most important values in Europe of XXI century; therefore, all women are entitled to all the national and European legal means to ensure they are equally treated, regardless of sexual orientation and gender identity and defend themselves against violence and abuse.

It's important to remember that victims of violence are not alone in this battle. They can always count on the support of other people such as lawyers, volunteers, public and private bodies and associations which are able to provide help in the protection of human rights. Certainly, there is still much to do, but without mutual support we will never experience a real change. Legal protections are useless if not invoked. Understanding how legal measures work and how they can be enforced is just a first step, but over time and with the commitment of us all it will be possible to change our society.

Be active, and never forget that the laws guarantee equal treatment to all citizens in every European country, regardless of individual differences, gender identity or sexual orientation!



Università degli studi di Brescia (Italy)  
[www.unibs.it](http://www.unibs.it)



Avvocatura per i diritti LGBTI – Rete Lenford (Italy)  
[www.retelenford.it](http://www.retelenford.it)



Zagreb Pride (Croatia)  
[www.zagreb-pride.net](http://www.zagreb-pride.net)



Bilitis Resource Center Foundation (Bulgaria)  
[www.bilitis.org](http://www.bilitis.org)



Lithuanian Gay League (Lithuania)  
[www.lgl.lt](http://www.lgl.lt)



ILGA Portugal (Portugal)  
[www.ilga-portugal.pt](http://www.ilga-portugal.pt)



Hátér Társaság a Melegekért (Hungary)  
[www.hatter.hu](http://www.hatter.hu)



Broken Rainbow LGBT Domestic Violence Service (UK)  
[www.brokenrainbow.org.uk](http://www.brokenrainbow.org.uk)



Cavaria (Belgium)  
[www.cavaria.be](http://www.cavaria.be)



## Break the silence on domestic and dating abuse!

***Domestic abuse, also known as intimate or marital abuse, is the aggressive and abusive behavior in an intimate relationship with your partner or spouse, where one partner tries to dominate and control the other. Partners can be married or unmarried, heterosexual, bisexual or homosexual, young or old, separated or divorced, cohabiting or just dating, regardless of social background or education.***

More in detail, domestic abuse, which can also include physical violence, is more properly called **domestic violence**, while the implementation or even only the threat of violent behavior within a relationship of simple courtship is called **dating violence**. A very particular form of gender-based violence is perpetrated against women who work in the sex industry. Some studies show that over 50% of sex workers have been sexually abused ten or more times in their life, but the assaulter has rarely been prosecuted.



Minors too can be involved in domestic abuse and can feel its effects, even if they are not direct witnesses. Violence and abuse can take many forms and can occur constantly or intermittently, but the goal is always the same: gaining and maintaining control over the victim and her life.

Notwithstanding, many women fail to recognize the majority of occurrences of domestic abuse because they don't see themselves as potential victims or because they only recognise physical violence, such as being beaten or slapped or even worse, as domestic abuse. However, domestic abuse often comes in other forms, such as psychological, emotional, economic, social and even sexual abuse. It is therefore misleading to think of domestic abuse as only concerning certain kinds of relationship. Finally yet importantly, even though domestic violence and dating violence are more often directed towards women, it does not mean the aggressor must necessarily be a man.

It may not be easy to identify domestic abuse when it starts. In some cases you can clearly recognise abusive behavior from the beginning, in other cases it often starts so slightly and then gets worse over time.



At the beginning, abuse cases are often isolated accidents where the abusive partner shows regret and repentance, promises not to do it again or says it is related to too much stress, alcohol or use of drug; sometimes he/she may even blame the other partner for something that she would/wouldn't have done. If you are a victim of violence, do not excuse your partner and do not neglect the problem: gaining awareness of the signs of a violent and abusive relationship is the first step towards its end.

You could be the victim of domestic abuse if your partner, repeatedly and without your permission, checks your phone, your email or your social

networks, if he/she checks or steals your salary, belittles you and what you do, prevents you from meeting your friends, your family, or going to work, tries to discourage you, to put you down or tries to make you feel bad, checks where you go or what you wear to go out, shows extreme jealousy or possessiveness, has always a bad and unpredictable mood when you are together and accuses you for this, forces you to have sex or to undergo sexual practices that you don't want, becomes angry after drinking alcohol or using drugs, accuses you for his/her violent behavior or says that you deserve it, tries to cause you pain or harm you or even threatens to commit suicide if you don't agree to his/her requests.



Although gender is the main power difference serving as a source of abuse, other axes of power often intersect with it, making LBT women face multiple marginalization and prone to violence. The abusive partner can take advantage of their power, regardless of their gender. This is why LBT women who are sex workers, disabled, poor, of colour, of a different citizenship status, having children or suffer any other marginalization are even more vulnerable in relationships.

If you are a lesbian, bisexual or transwoman, you may also be victim of particular forms of domestic abuse such as threats to disclose your sexual orientation or your gender identity to friends, family or colleagues; or even the contrary, forbidding coming out. Your female partner may also try to convince you that women cannot be considered violent by definition, that you deserve violence because you are not a "real" lesbian, bisexual or transwoman. She could also try to convince you not to report abuse claiming that it would be a damage for the LBT community and give the message that same-sex couples are not "normal" or valuable.

If you are a woman working as a sex-worker, you too can be a victim of unexpected violence, or victim of recurring sexual violence, harassment and abuse, marginalization, housing, health and welfare problems.

Do not underestimate the problem: some studies show that domestic violence affects between 25% and 75% of same sex couples; 45% of lesbians and transwomen claim having been victim of physical violence perpetrated by his/her partner at least once in a lifetime.

According to the latest reports of the European Fundamental Rights Agency (FRA), transwomen, especially if sex-workers, suffer violence from partners or clients with an incidence twice as high as lesbian and bisexual women. At the same time, reports to the police are still rare, often due to the victim's invisibility about their sexual orientation and their hidden gender identity, or because of lack of confidence in the police or because they fear being judged for what they are. In particular, it has been estimated that less than 4% of the transwomen who have been victim of violence have reported to the police or sought help in a support center.



You cannot stop violence only by yourself; he/she will continue to minimize his/her violent behavior and promise that it is the last time it happens. Do not trust what he/she says and be aware that you might find help and support in many ways:

- Talk to someone you trust, like a relative or a friend
- Seek an anti-violence centre in your area and ask for help
- Don't hide the signs of violence, and talk to your physician
- Seek out sexual assault hospital centres as they can document evidence of physical violence
- Don't hesitate to call the police if you feel in danger
- Report your assaulter and seek justice and legal protection from the Government

If you are a friend and get to know of possible abuses:

- Don't leave her alone
- Get her a safer place to stay
- Don't personally contact the perpetrator
- Help her find the courage to report to the police
- Listen to her and do not blame her for her abuse

**And never forget:  
LOVE never hurts!**





## We are all european citizens!

***The Treaty of Maastricht on European Union, signed in 1992, introduced and defined the concept of European citizenship. According to the Treaty, the European Union is an organization of states that share the values of human dignity, freedom, democracy, equality, and respect for human rights including the rights of minorities. As a result, the fundamental rights of all people living in the EU are considered universal, belonging to all individuals including those who identify themselves as homosexual, bisexual, transsexual and transgender. The European Union works to protect these rights within the 28 member states as well as in its relations with countries outside Europe.***

The Court of Justice (ECJ) the instance in charge of the application /has the jurisdiction for the application of the European Union law and its decisions are legally binding for all Member States and their governments. The Court Luxembourg, from the name of city in which it is established, recognised the protection of fundamental rights as general principle of European Union law and plays a key role in promoting a human rights policy in the European Union itself.

Apart from the European Union, the Council of Europe, an international institution founded the 5th of May 1949 and made up today by 49 members, plays an important role and aims to promote democracy, human rights and the cultural identity of Europe. The Council of Europe has the merit of promoting the establishment of the European Court of Human Rights following the signing of the European Convention Human Rights on 4th November 1950 in Rome.

The European Convention on Human Rights and its additional Protocols recognise:

- the right to life
- the right to respect for private life and family
- freedom of expression
- freedom of thought, conscience and religion
- the right to liberty and security
- the right to be protected from discrimination
- the right not to be subjected to torture or to inhuman and degrading treatment

The European Court of Human Rights, which is based in Strasbourg, has dealt with many cases of violence against women. These cases include ill-treatment while in detention; violence by police officers; rapes and sexual abuse; risk of ill-treatment in cases of expulsion; female genital mutilation; honour crimes; human trafficking; social exclusion; violence committed by private citizens; domestic violence. Member States have generally an obligation to protect all people from torture and inhuman treatment. In particular, the Court has affirmed that violence against women perpetrated by public officials should be considered to be of particular gravity and punished proportionately.

More specifically, the Court has considered domestic abuse as a form of gender-based discrimination. In addition, the Court reiterated that such abuses cannot be considered by the Member as a "private matter or family matter", which does not require public intervention. Therefore, states have an obligation to put in place measures and develop policies and mechanisms to prevent and protect victims and potential victims from domestic violence.





## Does the court really work?

*The jurisprudence of the European Court of Human Rights is an important tool for implementation of the rights enshrined in the European Convention on Human Rights. Here are some of the most important decisions of the European Court of Human Rights on gender-based violence.*

In **M.C. v. Bulgaria (2003)**, the applicant was a young 14-year-old girl who was raped by two men. The Bulgarian authorities did not prosecute the offenders because the victim did not present visible signs of violence to be considered as evidence that she did not consent to the sexual intercourse. The European Court of Human Rights recognised the violation of Articles 3 (prohibition of torture) and 8 (right to private and family life) and stressed that the lack of consent represents the essential element for configuration of the crime of rape, even if the victim does not resist physically.

In **Bevacqua and S. v. Bulgaria (2008)**, the Court claimed that considering the domestic abuse as a “private affair” is in breach of the obligation of States to protect private and family life. The plaintiff was a woman who, after having suffered numerous abuses by her husband, had found the courage to leave him. However, the woman could not break all relations with him until she got divorced and obtained the custody of their son. Consequently, violence and abuses continued, yet her complaints were filed or rejected by local authorities on the grounds that it was a “private affair” between her and her husband, a reasoning rejected by the European Court of Human Rights.

In **Opuz v. Turkey (2009)**, the applicant was a woman victim of repeated violence by her husband. The

husband abused and killed the mother of the applicant. All allegations of abuse had been rejected or shelved by the Turkish authorities. The European Court held that Articles 2 (right to life), 3 (prohibition of torture) and 14 (prohibition of discrimination) had been violated, as the Turkish authorities had not taken measures to protect the applicant and her mother. The Court first held that such acts of violence are to be considered as gender-based violence.

In **A. v. Croatia (2010)**, the applicant, after years of abuse and violence, escaped from her husband and found refuge in a safe place with her daughter. She applied to court asking for a restraining order against her husband. The Croatian court denied the order based on lack of immediate danger to the life of the applicant and her daughter. The European Court of Human Rights, however, found a violation of Article 8 (right to private and family life), because Croatia had not taken all necessary measures to protect the woman.

In **N. v. Sweden (2010)**, the applicant, a woman from and married in Afghanistan, moved to Sweden and there started an extra-marital relationship. She applied against an order of the Swedish authorities to deport her to Afghanistan and to the refusal to her request of asylum. She alleged that an implementation of the order to deport her to Afghanistan would be in breach of Article 3 (prohibition of torture) of the Con-

vention – a return to Afghanistan would have put her at risk of being imprisoned, if not sentenced to death. The European Court decided that the deportation of the applicant in Afghanistan would have constituted a violation of Article 3 (prohibition of torture), since there was a high probability the applicant would be subject to degrading and inhuman treatment.

In **Yazgul Yilmaz v. Turkey (2011)**, the applicant, a 16 year old girl, had complained of being sexually harassed by police while she was held in detention. More specifically, she was subjected to receive a gynaecological exam in order to verify the integrity of her hymen. After being acquitted and released, she suffered from post-traumatic stress and depression, while no criminal proceedings had been started for the perpetrators of violence. The European Court found a violation of Article 3 (prohibition of torture) by Turkish authorities. The Court pointed out that the law at that time did not provide the necessary safeguards concerning examinations of female detainees and that additional guarantees were required for gynaecological examinations, particularly for minors.

In **Kalucza v. Hungary (2012)**, the applicant was forced to continue to share the apartment with her partner, even though she had sued him because of the many acts of violence he perpetuated against her. The applicant asked Hungarian authorities to release a restraining order for her partner, which was refused. The European Court of Human Rights found a violation of Article 8 (right to private and family life), as the Hungarian authorities did not adopt all necessary measures to refrain the abuser and protect the victim from violence.

In **B. S. v. Spain (2012)**, the applicant was a Nigerian woman who, when working as sex-worker was

repeatedly verbally and physically abused by police officers every time she was retained for routine checks. Her complaints to the police, however, were always shelved. The Court found that the Spanish State had not conducted an adequate and effective investigation into the applicant's allegations of ill-treatment on two occasions when she was stopped and questioned in the street, in violation of Article 3 (prohibition of inhuman and degrading treatment) of the Convention under its procedural limb. It further considered that the Spanish courts had not taken into account the applicant's special vulnerability inherent in her situation as an African woman working as sex-worker and had thus failed to satisfy their obligation to take all possible measures to ascertain whether or not a discriminatory attitude might have played a role in the events, in violation of Article 14 (prohibition of discrimination) taken in conjunction with Article 3 of the Convention (prohibition of torture).

In **E.M. v. Romania (2012)**, the applicant was a woman who was victim of domestic violence by her husband. She alleged that Romanian authority did not make adequate investigations into her complaints of domestic violence. The European Court of Human Rights held that there been a violation of Article 3 (prohibition of torture) under its procedural limb.

In **Valiulienė v. Lithuania (2013)**, a woman victim of domestic violence complained about the failure of Lithuanian authorities to investigate her allegations of domestic violence and to prosecute her husband. The European Court of Human Rights found a violation of Article 3 (prohibition of torture) noting that the law and the measure taken by the Lithuanian authorities did not protect the victim.



## International protection against violence

*In addition to the European Convention of Human Rights, the Council of Europe has supported the development and adoption of the Convention on Preventing and Combating Violence against Women and Domestic violence, better known as the Istanbul Convention, the place where it was signed in 2011.*

The Purposes of the Convention are to:

- protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence
- contribute to the elimination of all forms of discrimination against women, promote substantive equality between women and men, and empower women
- design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence
- promote international cooperation with a view to eliminating violence against women and domestic violence
- provide support and assistance to organisations and law enforcement agencies to effectively cooperate in order to adopt an integrated approach to eliminating violence against women and domestic violence

**Article 3** of the Convention defines violence against women as a violation of human rights and a form of discrimination against women including all acts of genderbased violence that result in, or

are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public

or in private life. According to the Convention domestic violence includes all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

Member States have a duty to develop legislation and other measures to prosecute stalking, sexual violence, psychological violence, physical violence, forced marriage, female genital mutilation, abortion and forced sterilization, sexual harassment, aiding or abetting or competition in the construction of these pipelines. In addition, Member States have the duty to take measures in order to offer psychological and logistic support to women victims of violence and for children who have witnessed violence.

Finally, **Article 4** provides that the implementation of the provisions of the Convention shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, health condition, disability, marital status, migrant or refugee status, or other status.





# Glossary

**Abuse** – is the general word for physical, verbal or mental maltreatment.

**Abuse, Domestic** (see Violence, domestic).

**Abuse, Economic** – is a form of abuse when one intimate partner has control over the other partner's access to economic resources, which diminishes the victim's capacity to support him/herself and forces him/her to depend on the perpetrator financially.

**Abuse, Psychological** – is a form of abuse characterised by a person subjecting or exposing another to behaviour that may result in psychological trauma, including anxiety, chronic depression, or post-traumatic stress disorder, such as preventing someone from contacting their family or friends.

**Abuse, Physical** – is abuse involving contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or bodily harm.

**Abuse, Sexual (also molestation)** – is the forcing of undesired sexual behaviour by one person upon another, when that force falls short of being considered a sexual assault.

**Abuse, Verbal (also verbal attacks)** – is a form of abusive behaviour involving the use of language. It also includes abusive words in written form.

**Biphobia** – Hatred, fear or disgust of bisexuality or bisexuals.

**Bisexual** – a person who is emotionally and/or sexually attracted to persons regardless of their sex or gender identity.

**Coming out** – the process of revealing to others one's sexual orientation and/or gender identity.

**Female to Male (FtM or F2M)** – a person who was assigned female at birth and is living as or transitioning to male.

**Gay** – colloquial term for a person who feels sexual desire exclusively (or predominantly) for individuals of his/her own sex (homosexual).

**Gender** – a term used in social sciences, used to refer to the social and cultural constructions of masculinities and femininities, not to the state of being male or female in its entirety.

**Gender Dysphoria** – Distress caused by a discrepancy between a person's gender identity and that person's sex assigned at birth.

**Gender Expression** – how an individual chooses to express his/her gender (dress, behaviour, appearance). A series of signs, visible to others, associated with belonging to a given gender (female, male or other, as defined by the individual concerned). This might include, for example, the way a person dresses, speaks and behaves. The concept serves to distinguish how a person feels about their gender identity from what they demonstrate through their outward appearance.

**Gender Identity** – psychological sense of being male or female (or both or neither).

**Gender Identity Disorder** – a formal diagnosis included in the former Diagnostic and Statistical Manual IV (DSM IV) referring to a gender identity that is inconsistent with the sex assigned at birth and characterized by strong and persistent cross-gender identification and a persistent discomfort with one's sex or sense of inappropriateness in the gender role of that sex, caus-



ing clinically significant distress or impairment in all areas of life (see Gender Dysphoria).

**Gender/Sex Reassignment Surgery (GRS or SRS)** – a medical procedure for adapting one's sex characteristics.

**Gender Role** – the cultural expectations about behaviours, traits, thoughts and dress that are considered appropriate for a person based on her/his actual or perceived sex.

**Harassment** – is a general term which defines behaviours of an offensive nature. Generally, it is a behaviour intended to disturb or upset, and it is characteristically repetitive. In the EU antidiscrimination law, it is considered as a discrimination.

**Harassment, Sexual** – is bullying or coercion of a sexual nature, or the unwelcome or inappropriate promise of rewards in exchange for sexual favours, unwelcome sexual advances, requests for sexual favours, and other verbal or physical harassment of a sexual nature. In the EU antidiscrimination law, it is considered as a discrimination.

**Heteronormative/Heteronormativity** – a norm that takes for granted that everyone is heterosexual and/or that heterosexuality is the only "normal" way of living. The norm also takes for granted that there are two separate biological sexes and that we were born into one of them.

**Heterosexual** – a person who is emotionally and/or sexually attracted to people of the opposite sex.

**Homophobia** – fear of homosexuality and/or homosexual people. Any manifestation, whether acknowledged or not, of discrimination, exclusion or violence vis-à-vis individuals, groups or practices referred to as homosexual.

**Homosexual** – a person who is emotionally and/or sexually attracted to people of the same sex. Homosexual persons are those who feel a deep-lying emo-

tional, affective and sexual attraction to individuals of the same gender.

**Intimate partner violence (IPV)** – is often used synonymously with domestic abuse or domestic violence, but it usually refers to abuse occurring within a couple relation (marriage, cohabitation, though they do not have to live together for it to be considered domestic abuse).

**Lesbian** – a woman who is attracted emotionally and physically by other women.

**LGBT** – lesbian, gay, bisexual, transgender. Sometimes, also the "I" and the "Q" are added to include intersex and queer.

**Male to Female (MtF or M2F)** – A person assigned male at birth who is living as or transitioning to female.

**Outing** – the public disclosure that someone is homosexual or bisexual or transgender.

**Rape** – A criminal offense; forcible sexual relations with a person against that person's will.

**Rainbow Family** – collective term for same-sex families or family with LGBT parents or member, generally with children.

**Sexual Assault** – is a form of sexual violence; any involuntary sexual act in which a person is coerced or physically forced to engage against their will, or any non-consensual sexual touching of a person.

**Sexual Orientation** – sexual attraction to a particular sex (to other sex: heterosexuality; to one's own sex: homosexuality) or to both (bisexuality).

**SOGIE, Sexual Orientation and Gender Identity Expression** – After Yogyakarta Declaration, this acronym replaced the former expression LGBT.

**Straight** – colloquial term for heterosexual.

**Torture** – is any act by which severe pain, whether physical or psychological, is intentionally inflicted.

**Trans** – Abbreviation used to designate persons



whose self-perception of gender, gender identity and/or gender expression differs from the gender assigned to them at birth. The exact content of this concept varies from author to author but at all events, it covers a wide range of sub-categories.

**Transphobia** – fear of transsexuality and/or transsexual, transgender and gender variant people.

**Transgender** – an umbrella term referring to anyone whose gender identity differs from the sex assigned at birth.

**Transition** – Period of time when individuals change from the gender role associated with their sex assigned at birth to a different gender role. Transition may or may not include feminization or masculinization of the body through hormones or other medical procedures.

**Transsexual** – a person who lives in a gender role consistent with his/her gender identity but in contrast with social expectations associated with the sex assigned at birth. A medical diagnosis of gender dysphoria can be requested if a person expresses the desire to live and be formally accepted as a member of their identified sex.

**Violence, Dating** – is a pattern of abusive behaviour or violence exhibited by one or both partners in a dating relationship.

**Violence, Domestic** – any form of abusive behaviours between those who are or have been family members, or partners in an intimate relationship, such as marriage, cohabitation, civil partnership, dating, or friends. It can take many forms, as it can be emotional, physical (including physical aggression or assault, hitting, kicking, biting, shoving, restraining, slapping, throwing objects, battery or threats thereof), psychological (controlling or domineering, intimidation; stalking), and financial (economic deprivation), but also sexual (sexual abuse; sexual harassment).

**Violence, Economic** – is a type of violence beyond use or threats of physical force, committed by individuals or groups preying on economically disadvantaged individuals, for example by spending victim's money without his or her consent and creating debt, or completely spend victim's savings to limit available resources.

**Violence, Family** – comparing to domestic violence, it is a broader term, often used to include child abuse, elder abuse, and other violent acts between family members.

**Violence, Gender (or Gender Based Violence, GBV)** – is violence that is directed against a person on the basis of his/her gender. The term "gender violence" reflects the idea that this violence serves to maintain structural gender inequalities and can include rape and sexual harassment, but also domestic abuse and human trafficking. It is perpetrated specifically against women as they are considered inferior in patriarchy.

***UK***

## Broken Rainbow UK

*Broken Rainbow UK is the national LGBT domestic violence support service that offers instant and ongoing advice, support and referral services to LGBT people experiencing homophobic, transphobic, biphobic and same sex domestic violence and abuse. The organisation was formed in 2002 and became a registered charity in 2004.*

*The organisation's aim is to reduce the distress and suffering caused to LGBT people by domestic violence and abuse, with a view to increasing physical safety and mental well-being of those experiencing such violence or abuse.*



The organisation offers a specialist helpline that is open 39 hours a week, and a chat service that can be accessed via Broken Rainbow's website 8 hours a day 7 days a week. There is also a 'help@' email account for people seeking support outside of normal work hours.

Broken Rainbow also provides training, consultation, information and supports stakeholders in mainstream and specialist organisations, or those who are otherwise involved with the survivors and perpetrators of those suffering from domestic violence or abuse.

## MISSION

LGBT communities in the UK have changed radically. Within the last ten years, new legislation has mandated rights and equalities that we could not have imagined only a few decades ago. We have become confident and bold, challenging oppression and are now able to make demands. However, we are only just beginning to acknowledge the presence of domestic abuse and domestic violence within our community.

Broken Rainbow UK is dedicated to bringing the issue out into the open, raising awareness, and offering help and support to those whose lives have been affected by domestic violence or domestic abuse. The organisation's expertise and experience means we are uniquely placed to offer support and targeted services to LGBT people experiencing domestic violence and abuse in the UK.

## OBJECTIVE

The organisation's objective is to relieve the distress and suffering caused to lesbians, gay men, bisexual and transgender people by domestic violence and abuse. This includes, but is not limited to the following:

- Raising awareness in the LGBT communities and elsewhere of the impact of homophobic, transphobic, biphobic and same sex domestic violence and abuse on the lives of LGBT people;
- Offering advice, support and referral services to LGBT people experiencing homophobic, transphobic, biphobic and same sex domestic violence and abuse;
- Offering information, advice and training to people who are responsible for domestic vio-

lence policy and practice in mainstream and specialist organisations, or who are otherwise involved with the survivors and perpetrators of those suffering from domestic violence or abuse, with a view to increasing the physical safety and mental well-being of LGBT people who experience such violence or abuse.

As the UK's national LGBT domestic violence organisation, Broken Rainbow has been involved in a number of high level national consultations including:

- NICE consultation Domestic violence and abuse: how health services, social care and the organisations they work with can respond effectively.
- HMIC - Everyone's business: Improving the police response to domestic abuse.

Broken Rainbow has recently expanded its front line service provision by recruiting an LGBT Independent Domestic Violence Advocate based in Manchester. As part of this help provision, they have partnered with a number of legal teams across the UK to ensure LGBT people receive inclusive and meaningful legal support when reporting incidents of domestic violence.

## Gender violence and discrimination against LGBT people

***In the last two decades UK has made extraordinary steps to address homophobia and transphobia on an institutional as well as societal level with the aim to eradicate injustices that have been enforced by the past systems. Despite all the efforts however, homophobic and transphobic violence remain a reality for many LGBT people across the country who still suffer from prejudice rooted in traditional perceptions of masculinity and femininity, gender and gender roles.***

Gender based violence (GBV) primarily exists because of the perceived differences in power between men and women, and is often based on perceptions relating to masculinity and femininity, and ideologies that support the idea that women are considered to be subordinate to men. As a result, a large proportion of GBV is aimed specifically at women and girls and is in the UK often interpreted as 'violence against women and girls' (VAWG).

Although traditionally linked to VAWG, gender-based violence also affects those perceived as not conforming to prevailing sexual and gender norms. Homophobic and transphobic violence (HTV) is a specific form of gender-based violence which has, in the UK, become a topic of great social concern and which has been, in the last two decades, actively addressed not only by national non-governmental organisations but also by the UK government.

In 2011 The Government Equality Office issued a revised action plan 'Working for Lesbian, Gay, Bisexual and Transgender Equality: Moving Forward' which demonstrates the commitment to better the legal and social situation of LGBT peo-

ple in the country. The document proposes specific actions among other tackling inequality/ies in the area of civil partnership, education, crime, health, housing and immigration & asylum.

Some of the actions carried out between 2011 and 2015 include:

- introducing legislation to disregard consensual gay sex convictions, under the Protection of Freedoms Act 2012 (October, 2012);
- introducing legislation to enable same-sex couples to get married (July 2013);
- Announcing a separate budget supporting schools to address homophobic and transphobic bullying (September, 2014).

However, regardless of all these positive changes that place the UK on the top of European rainbow map, LGBT people in the country still suffer various disadvantages and discrimination:

*"I've been bullied since I was in Year 6. I've been called numerous names in the corridor, I've been hit. A lot of people have argued with me about how being gay is wrong. I've had a death threat sent to me saying how someone wanted to '...shove a knife*

*up my arse and in my throat' because I'm gay."*<sup>1</sup>  
*"I am not 'out' to everyone at work and I do not think the service users realise that I am bisexual. For staff who are openly gay, and 'appear' gay and lesbian, I have seen them face verbal abuse and bullying from service users and even other staff."*<sup>2</sup>  
*"I still can't walk down my town Main Street without someone shouting something, or people turning their backs and whispering. People still treat us like second class citizens we are not 'normal!'"*<sup>3</sup>

In The Gay British Crime survey (2013), 2,500 self-identified LGB individuals reported on their experiences of homophobic hate crimes and incidents. The findings demonstrate that homophobic violence remains a serious issue in Britain that affects LGBT people of all ages living in all regions of the country. The most prevalent forms of homophobic incidents range from name calling and public ridicule, public outing, rumours, intimidation, social isolation and exclusion and cyber bullying to physical or sexual assaults and death threats:

- Almost 20 % of all respondents report at least one experience of homophobic violence in the last three years prior to survey being conducted,
- 10 % of victims were physically assaulted,
- Almost 20 % of victims were threatened with violence or the use of force.
- Almost 10 % of victims experienced unwanted sexual contact.

Gender inequalities and gender-based prejudices however are even worse for trans people, who are particularly at risk of GBV because they directly challenge traditional gender norms and roles. A research surveying discrimination experienced by Trans People in the UK from 2000 to 2006<sup>4</sup> (N = 872) found 73 % of trans respondents reported transphobic harassment and threatening behaviour when in public spaces. The findings also note that 42 % of respondents are not living permanently in their preferred gender role because they fear it might provoke public harassment or threaten their employment status. In line with these findings, more recent research from Scotland<sup>5</sup> engaging with 71 transgender individuals found that 62 % of respondents had suffered transphobic harassment from strangers in public places, whilst 40 % of respondents had been subjected to threats, and 17 % had been physically assaulted.

Experience from the UK demonstrates that even in a context where progressive steps have been made to achieve full legal and social equality of LGBT people, there is no room for complacency. Diverse understandings of gender and gender roles and different levels of tolerance still remain as barriers to full social acceptance of LGBT people, requiring continuous and systematic engagement by both civil society as well as the government to ensure the protection and safety of all LGBT people.

1 - Guasp, April. *"The School Report: The Experiences of Gay Young People in Britain's Schools in 2012."* Cambridge, 2012.

2 - Guasp, April, Anne Gammon, and Gavin Ellison. *"Homophobic Hate Crime: The Gay British Crime Survey 2013,"* 2013.

3 - French, Tom, Jasna Magić, and Rebecca Kent. *"The Scottish LGBT Equality Report: Lesbian, Gay, Bisexual and Transgender People's Experiences of Inequality in Scotland."* Edinburgh, 2015.

4 - Whittle, S., Turner, L. and Al-Alami, M. (2007), *Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination*, London: The Equalities Review.

5 - Morton, J. (2008), *Transgender Experiences in Scotland: Research Summary*, Scottish Transgender Alliance, Edinburgh: Scotland

## Gender-based violence against LBT women in UK

***In the UK, but also elsewhere, gender based violence (GBV) is generally understood and interpreted as violence against women and girls (VAWG). Within this framework of understanding, gender based violence is extremely heteronormative, with support systems visibly targeting (cis-) women with children and girls from ethnic and minority communities, most frequently in the context of domestic or sexual violence. However, heteronormative frameworks lack acknowledgement that in UK every day, lesbian, bisexual and trans women (LBT) become victims of various forms of gender based violence ranging from domestic abuse, forced marriage, female genital mutilation, honour based violence and other violent attempts due to their sexual orientation or gender identity.***

UK Research on GBV notices that LBT women report similar experiences of gender-based violence to those experienced by (cis-) women. Specific research into LGBT domestic and sexual abuse however also recognises specific abusive patterns that reflect intersections of gender-based violence and homophobia and which significantly shape particular experiences of LBT women suffering abuse.

For instance, whereas heterosexual women generally experience gender based violence in a framework of misogyny, LBT women will experience violence in a context that not only hates women but is also homophobic: *"On my 18th birthday I was to go to Pakistan to marry. I told my mother I didn't want to do it. I even told her I liked girls and that I will suffer being married to a man. She ignored me and didn't speak to me for a week. A day before the wedding, she called my husband's family and instructed him to cure me of homosexuality on our wedding night."*<sup>6</sup>

Other research from the UK finds that although experiences of gender based violence are similar for lesbians and gay men, gay men are significantly more likely to experience physical and especially sexual violence, while lesbians are significantly more likely to be affected by emotional and sexual violence. Furthermore there is indication that gay men tend to experience gender based violence mostly from male perpetrators, whereas LBT women seem to be equally targeted by both female and male perpetrators.<sup>7</sup>

When seeking help there is a preconceived notion that LBT women shouldn't face any specific barriers in accessing services, since they can access all the same services as heterosexual, cis women. While some service providers might be indeed acting in good faith in attempting to treat everyone equally, this also suggests a failure to consider how LBT women's experiences of dis-

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6 - Magić, J. 2015. LGBT Needs Assessment: Domestic and Sexual Violence Service Provision in the London Borough of Newham. Broken Rainbow: Unpublished.  
7 - See: Donovan, C et al. "Comparing Domestic Abuse in Same Sex and Heterosexual Relationships." Sunderland, Bristol: University of Sunderland; University of Bristol, 2006, and Roch, Amy, Graham Ritchie, and James Morton. "Out of Sight, out of Mind? Transgender People's Experiences of Domestic Abuse," 2010.



crimination may uniquely impact their ability to access services in the same way as others.

In addition to various, structural, cultural, individual and interpersonal barriers relating to service provision and relevant for LGBT service users, such as:

- Concerns about homophobia and transphobia in service provision;
- Confidence in sexual orientation and gender identity;
- Perception and recognition of gender-based violence;
- Knowledge of and connectedness to local LGBT friendly services or community;
- Knowledge, skills and outreach of service providers.

Lesbian and bisexual women also battle the perception of the 'female perpetrator' which seems to be equally difficult to envisage by the service providers as well as the victims themselves: *"It was my first adult and long-term relationship. I was crazy in love and it started out really good. I did noticed at the start she was verbally aggressive, but I shrugged it off, thought she would never go after me. But she did and it often got physical. I stayed in a relationship with her for about two years. I think, I was too insecure about my own identity, you know, to identify as a lesbian. It scared me...the thought what would people think...and then also, I was being abused by a woman. How can I even begin to explain that?"*<sup>8</sup>

UK studies have also found that some of the lesbian or bisexual women survivors were denied help due to services interpreting violence be-

tween two women as 'a fair fight' or not as serious as violence from a man to a woman. Service user experience also illustrate, service providers struggle with processing rape incidents between two women or might stereotype lesbians 'as man haters' if they are being abused by men.<sup>9</sup>

In addition, trans women may be excluded from services because of their gender history; being assigned male at birth and various reports also illustrate that doctors and nurses are perceived as having a lack of respect for trans people, resulting in trans people experiencing further shame when reporting domestic, sexual or dating violence: *"I had a surgeon ask for a nurse to be present when I was examined, as he considered me female, when I am male."*<sup>10</sup>

In the UK there is a public perception about gender-based violence that generally assumes this is a problem of heterosexual men for heterosexual women. This framework often interprets GBV as an intersection of cultural values and embodiment of physical strength, which is generally manifested in particular presentation of gender aka 'stronger' man being physically violent towards the 'weaker' woman. Studies show this narrative might be so influential that it means other stories are difficult to recognise, tell or be heard. This limited perception also impacts design and delivery of mainstream support services and considerably influences recognition of how the intersection of les-/bi-/trans-phobia, heterosexism and misogyny can uniquely shape the experience with violence of LBT women.

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8 - From an interview with a survivor for the purpose of Bleeding Love research project (Broken Rainbow, 2015).

9 - Hester, M. Et al. "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, 2012.

10 - French, Tom, Jasna Magić, and Rebecca Kent. "The Scottish LGBT Equality Report: Lesbian, Gay, Bisexual and Transgender People's Experiences of Inequality in Scotland." Edinburgh, 2015.

## Where can I find help?

### ***Broken Rainbow UK, national LGBT domestic abuse helpline***

Listening, information and signposting, IDVA, phone helpline and on-line chat service.  
mail@brokenrainbow.org.uk  
Help line 0300 999 5428/0800 999 5428  
<http://www.brokenrainbow.org.uk>

### ***The LGBT Foundation***

North-West / National: provides advice, information, advocacy, campaigning, counselling, drop-in service, helpline, policy/representation.  
0345 3 30 30 30  
info@lgbt.foundation  
<http://www.lgbtconsortium.org.uk/www.lgbt.foundation>

### ***Stonewall***

Stonewall campaigns for equality of lesbian, gay, bisexual and trans people across Britain. The organisation works with schools, employers and public services across the UK.  
08000 502020  
advice@stonewall.org.uk  
<http://www.stonewall.org.uk>

### ***Stonewall Housing***

Provides housing advice and supported housing for LGBT people.  
Adviceline 020 7359 5767  
[www.stonewallhousing.org](http://www.stonewallhousing.org)



### ***The Albert Kennedy Trust***

Provides housing advice and supported housing for LGBT people up to 25 years.  
020 7831 6562  
contact@akt.org.uk  
<http://www.akt.org.uk>

### ***Gender Trust National Helpline***

A charity working to help adults throughout the United Kingdom who are Transsexual, Gender Dysphoric or Transgender  
0845 231 0505 (national helpline) or  
<http://www.gendertrust.org.uk>

### ***GALOP***

A pan-London charity providing support and advocacy for survivors of DV, sexual violence and hate crime.  
[www.galop.org.uk](http://www.galop.org.uk)

Helpline: 020 7704 2040

### ***London Lesbian and Gay Switchboard***

Provides an information, support and referral service for lesbians, gay men and bisexual people throughout the United Kingdom.

[www.llgs.org.uk](http://www.llgs.org.uk)

### ***PACE***

Responds to the emotional, mental and physical health needs of lesbians and gay men in the greater London area.

Counselling Helpline 020 7697 0014

[www.pacehealth.org.uk](http://www.pacehealth.org.uk)

## **SCOTLAND**

### ***LGBT Youth Scotland***

Advice, information, counselling, drop-in service, housing / homelessness, infrastructure / community development, mental health.

013 1555 3940

[info@lgbtyouth.org.uk](mailto:info@lgbtyouth.org.uk)

<http://www.lgbtyouth.org.uk>

### ***Equality Network***

Scottish LGBT equality and human rights charity.

0131 467 6039

[en@equality-network.org](mailto:en@equality-network.org)

<http://www.equality-network.org>

### ***Scottish Transgender Alliance***

Transgender Equality and Rights in Scotland.

0131 467 6039

[sta@equality-network.org](mailto:sta@equality-network.org)

<http://www.scottishtrans.org>

## **NORTHERN IRELAND**

### ***Cara Friend***

LGBT helpline and online chat support, friendship, counselling, and a youth service.

02890890202

[admin@cara-friend.org.uk](mailto:admin@cara-friend.org.uk)

<http://www.cara-friend.org.uk>

### ***The Rainbow Project***

Promoting the physical, mental & emotional health of gay, lesbian, bisexual and/or transgender.

(028) 7128 3030

[info@rainbow-project.org](mailto:info@rainbow-project.org)

<http://www.rainbow-project.org/>

## **WALES**

### ***LGBT Cymru Helpline & Counselling Service***

Providing a free telephone helpline, and low cost Counselling service

0800 840 2069

<http://www.lgbtcymruhelpline.org.uk/>





Partners:



Università degli studi di Brescia (Italy)  
[www.unibs.it](http://www.unibs.it)



Avvocatura per i diritti LGBTI – Rete Lenford (Italy)  
[www.retelenford.it](http://www.retelenford.it)



Zagreb Pride (Croatia)  
[www.zagreb-pride.net](http://www.zagreb-pride.net)



Bilitis Resource Center Foundation (Bulgaria)  
[www.bilitis.org](http://www.bilitis.org)



Lithuanian Gay League (Lithuania)  
[www.lgl.lt](http://www.lgl.lt)



ILGA Portugal (Portugal)  
[www.ilga-portugal.pt](http://www.ilga-portugal.pt)



Háttér Társaság a Melegekért (Hungary)  
[www.hatter.hu](http://www.hatter.hu)



Broken Rainbow LGBT Domestic Violence Service (UK)  
[www.brokenrainbow.org.uk](http://www.brokenrainbow.org.uk)



Cavaria (Belgium)  
[www.cavaria.be](http://www.cavaria.be)