

| Transphobia



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Transphobia

This factsheet provides advice on transphobia and transphobic hate crime. It provides some suggestions on how you can get help if you experience transphobia. Galop supports all people who experience transphobia, regardless of sexual orientation. You can contact us on our helpline if you would like help or advice. Where we talk about the law, this applies to England and Wales only – things may be different in other places.

What is transphobia?

People's gender identities and expressions are naturally diverse, however, in the UK; gender is often understood to be binary. To use an analogy, instead of everyone being evenly distributed in a sea, they are randomly swept up onto two separate islands, and there's no swimming allowed in between! Each island has its own rules, or gender stereotypes, which set out how men or women should look, act or behave. The idea that boys should like blue and enjoy aggressive, competitive activities, whilst girls should be passive and nurturing, are two examples of gender stereotypes. There is strong pressure to conform to these gender rules. Society often penalises anyone who breaks the rules and the penalty is even worse particularly for those who try to leave the island which they found themselves on at birth - this is called transphobia and transphobia is the sharp end of sexism.

So, transphobia is intolerance of gender diversity. It is based around the idea that there are only two sexes – male or female, which you stay in from birth. And furthermore, that people who fit gender stereotypes (by sounding, looking or behaving like men and women are 'supposed to') are somehow better than those who don't.

Trans people, gender queer people and people with a transsexual history can also experience homophobia, because the abuser often neither knows nor cares how a person identifies, just that they are different in some way. If someone has been -phobic to you and you have a trans

- spectrum identity (including if you are gender queer or if you have a transsexual history but identify as the man or woman you know yourself to be) you can get in touch for help and advice, no matter what the phobia is about.

How I tell if it's transphobia?

Sometimes it's really obvious when someone is being transphobic towards you, for example if there is physical violence or an easily identifiable insult. But other times it's less clear. It's important to remember that even if someone doesn't mean to be -phobic towards you, it can still have a transphobic effect. For example, if someone enforces the gender rules by telling a trans woman politely that she can't use the female toilet, or someone else uses 'humour' based on the gender rules as a put-down, it is still transphobia.

So transphobia can manifest in two main ways: it can be active (intentionally going against gender variant people) or passive (not recognising or allowing for the fact that gender variance exists)

What is the difference between transphobia and a hate crime?

There is no one specific offence in law of transphobia, instead, transphobia is dealt with by lots of different laws. Getting help from the law depends on what took place and where it happened. Remember it's not your job to determine whether or not a crime has been committed before deciding to get help with

an incident. Trust your instincts – if you feel something's wrong then it probably is!

What are my rights?

It's your right to live as the gender(s) you know yourself to be. You should be able to present, dress or behave as you like and be treated with dignity and respect. If someone reacts negatively towards you, it's not your fault and you should never feel (or be made to feel) that you are responsible for transphobia directed at you.

What's not ok?

We've written a few examples below. Treat them as a guide but remember they're not exhaustive – if you've experienced something different you can still talk to us – we're here to help.

Any form of verbal and written abuse or threat is not acceptable. Obvious examples are when you are subjected to name calling, put downs and threats. However, there are sometimes less obvious instances – for example, if you are asked unnecessary and intrusive questions about your gender identity, if someone uses 'humour' to belittle you, or if you are addressed by someone deliberately using an inappropriate pronoun. Similarly someone 'outing' you or disclosing information about your gender identity without your knowledge or permission is transphobic.

Clearly any physical or sexual assault against you is completely wrong. As well as acts of violence or sexual violence, assault can also include inappropriate touching or searching and the removal of your clothing or a wig without your consent. If anything happens that crosses your own personal 'line', you can talk to us in confidence.

Indeed, any persistent and unwanted attention regarding your gender identity from others is harassment and you should not have to tolerate it. Again, trust your instincts; if you feel

uncomfortable about a situation then something is wrong.

Transphobia isn't just perpetrated by strangers; if you experience abuse, violence from a partner or ex-partner, family members and others you live with, it is domestic abuse. As well as abuse and violence, domestic abuse manifests itself in several other ways including;

- Preventing you seeing family members or friends; stopping you from leaving the home or pressurising you into forced relationships/marriage.
- Manipulating and controlling behaviour, including financial control, disclosing information about you without your consent and taking away documents or possessions belonging to you
- An abuser might also use your trans status as an additional abusive tactic.

Transphobic discrimination

If you have been treated less favourably in other areas of your life because of your gender identity it is discrimination. Discrimination can take place anywhere, for example at school, in your place of work or when accessing goods, facilities and services.

You might have experienced direct discrimination, when someone intentionally victimises or discriminates against you because of your gender identity. Common examples of transphobic discrimination would be if you were refused access to goods, services or facilities appropriate to your gender identity, for example, being denied access to a changing room in a shop. Similarly, someone such as an employer or teacher refusing to acknowledge your gender identity or disclosing information about your gender history is discriminatory behaviour.

However, you might also have experienced indirect discrimination, when someone unknowingly sanctions behaviour or policy that discriminates against you because of your gender identity. For instance, single-sex, open plan changing facilities in a sports centre that do not allow for privacy may deter some trans people from using the centre. The fact that an individual or organisation is not aware of discriminating against you is not an excuse and reinforces the need to challenge the behaviour.

As with criminal law, different legislation applies depending on what and where the discrimination took place. For advice on where to get help with discrimination issues see Galop's fact sheet [Getting Help with Discrimination](#)

Gender Recognition Certificates

A Gender Recognition Certificate automatically leads to a new birth certificate in the acquired gender and allows greater legal recognition, such as the right to marry.

Whether or not you have a GRC or even wish to apply for one it is not acceptable for someone to ask you for a GRC as a means of 'proving' who you are. It is also not necessary for you to have a GRC in order to be protected from discrimination under the Equality Act. For example, you should not be asked to produce a GRC to access facilities or services. If you feel un-comfortable about being asked questions about your gender identity or feel its being challenged then something is wrong.

What are my rights with the police?

You might have already contacted the police because you've experienced a transphobic incident. Or there could have been another reason, such as reporting a crime, being stopped by the police or other unwanted or unasked for contact.

Whatever the reason you have come into contact with the police, you should make sure you keep a record. For example, the officer's identification (their name and shoulder number) and the date you contacted them.

If you are reporting a transphobic incident you should check with the police that they have recorded it as transphobic (they may describe this as flagging the incident). If a crime or an incident is flagged in this way it should be dealt with as a priority and it will be more closely monitored to ensure that the police respond appropriately. You should expect the police to give you regular updates of any incident/crime they are investigating. You can also ask for a copy of the crime report to be sent to you.

If you feel that the police have treated you less favourably because of your gender identity, have been transphobic towards you, or have not taken a transphobic incident seriously, you should contact Galop for advice. Galop can talk you through the options available, including making a formal complaint through the IPCC (Independent Police Complaints Commission). For more information see Galop's Factsheet 'Police Complaints'.

What can you do if you experience transphobia?

If you do experience transphobia it should be your decision of what to do following an incident. You should not feel pressured into taking any action that you don't feel comfortable or safe with.

It's important to look after your physical and mental health if you are experiencing transphobia. Your safety and well-being is paramount and you should always consider this when responding to any transphobia. Make sure you are safe and try to avoid unnecessary confrontation with perpetrators. However, it's also important that you



talk to someone about your experience and not suffer in isolation.

Even if you don't want any further action at the moment, it's important to keep a record in case you want to get help in the future, or the incident escalates.

Getting advice and support

There are a number of options available if you decide to get advice or support. You may choose to informally speak to friends, family or colleagues about your experiences. You may want to contact members of your community, for example via on-line chat-rooms or community groups you are a member of.

There are voluntary and statutory organisations you can contact to get advice and support. These include voluntary organisations, your local authority and the police. Alternatively Galop may be able to help.

How can Galop help?

- You don't have to have experienced anything to get in touch – for example, if you'd like more information about anything in this leaflet, or advice about how to stay safe, we'd be happy to chat to you.
- If you think something happened that was not right, but it's difficult to put your finger on it. If you're not sure something was transphobic and want more advice, or if you want to talk about an experience of transphobia, you can contact Galop in confidence via our telephone helpline service or online. Galop is run by the LGBT communities for the LGBT communities, so you'll speak to a dedicated caseworker who will listen to what you say and take you seriously.

- Galop can give you support and advice about how best to deal with transphobia, domestic or sexual abuse by exploring the options available to you.
- If you need further support, Galop can advocate on your behalf. This is when a specialist caseworker fights for your corner, for example by speaking or writing to others on your behalf, going with you to meetings and working with you to get the outcomes you deserve.
- If you are injured in an attack, Galop can assist you with making a criminal injuries claim through a Government system called the Criminal Injuries Compensation Scheme.
- Galop can help you report the incident to the police through our third party reporting service. This means you can report to the police through us. Again, you can decide whether you want to report anonymously or provide your contact details.
- Reporting your experiences also helps reflect the true extent of transphobia – around 80% of incidents go unreported.
- If we are unable to help you directly, we can put you in contact with specialist advisors, for example, on housing or legal matters.

Contact Galop's advice line on: 020 7704 2040

Contact us online at: www.galop.org.uk

Always dial 999 if it is an emergency and you think you are in immediate danger.