

**BACKGROUND
SUMMARY OF SITUATION
FROM TRANS AND GENDER
NON-CONFORMING
JAMAICANS.**





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Background

Recent research demonstrates while there is shared vulnerability within the lesbian, gay, bisexual and transgender (LGBT) community in Jamaica, that there are particular nuances and challenges faced by the subset of trans and gender non-conforming (GNC) persons. Many of these challenges were enumerated within both the 2020 Trans Health Needs Assessment Report¹ and the 2019 Jamaican LGBT Community Experience and Needs Assessment Survey Report.² Among these issues are the trans community's disproportionate experience of homelessness, limited access to employment opportunities, high levels of violence meted out against them and experiencing barriers when accessing healthcare. In response to these issues, TransWave Jamaica, currently the only civil society organization that is trans-led and focused on the health and wellness of the trans community in Jamaica, has produced a Transgender and Gender Non-Conforming Health Strategy for Jamaica (Trans Health Strategy) to "drive the strategic direction of the country with regard to the health and well-being of the trans community."³ Under Strategic Area One of the Trans Health Strategy around Legislation, Policy, Access to Justice, Enabling Environment and Human Rights, the first specific objective of the strategy is that 'Jamaica has gender recognition legislation, policies and systems for trans and gender nonconforming Jamaicans established across all sectors by 2025.'⁴ This paper is being produced against the backdrop of the aforesaid to identify the advocacy steps that need to be taken to move Jamaica on a path to realizing this vision. Legal gender recognition is understood as merely referring to "laws, policies or administrative procedures and processes which set out how trans and gender diverse people can change their sex/gender marker and names on official identity documents."⁵



Summary of Situation for Trans & Gender Non-Conforming Jamaicans

Housing

According to preliminary data coming out of the 2017 Point-In-Time Survey (PITS) done by the Ministry of Local Government & Rural Development, there were 1935 homeless Jamaicans at that time.⁶ They described as homeless any person who “resides in a care facility for the homeless or in places not meant for human habitation, such as cars, parks, sidewalks and abandoned buildings.”⁷ The 2019 Needs Assessment which surveyed of 301 LGBT Jamaicans, had 20.9% or 61 persons stating that they had been homeless at some point in their life.⁸ Of those persons, 73% were displaced because of homophobia or transphobia within their families or communities.⁹ More than half of the trans women and trans men who responded had been homeless or displaced which is higher than for any other group.¹⁰ Non-binary persons also had higher than average experiences of homelessness at almost 45%.¹¹ The largest cohort of persons who experienced displacement for a few months (30%), with the next largest experiencing it for a few days (23%).¹² Trans men seemed likely to be displaced for longer with no respondents being displaced for less than a few months.¹³ Around 84% of respondents did not feel safe in non-LGBT spaces like shelters and drop-in centres.¹⁴ Of those that did feel safe, none were trans men or gender fluid.

While it cannot be argued, due to lack of data around the population size, that LGBT persons disproportionately experience homelessness and displacement, it is undeniable that there is an added vulnerability to homelessness because of negative attitudes towards the LGBT community. Of note, hatred for and rejection of LGBT people remains high in Jamaica at 57%.¹⁵ In the 2019 Awareness, Attitude & Perception Survey, 46% of 1043 members of the general public who were surveyed disagreed with the statement that they would allow their child to still live in their house if they found out they were a part of LGBT community.¹⁶ 63% of the respondents agreed with the statement that they would feel uncomfortable living with someone who is a part of the community.¹⁷ In addition, 13.2% of the 68 members who were surveyed for Trans Health Needs Assessment conducted with of the trans and GNC identified as being homeless.¹⁸



Employment

Beyond homelessness, there are other critical issues faced by members of the trans and GNC community. In the context of employment, 51% of the respondents to the 2019 Needs Assessment felt that being open about their identity affected their ability to get jobs.¹⁹ The overwhelming majority of trans men and trans women answered yes to this question, in a proportion much higher than other gender identities.²⁰ In fact, 47.1% of respondents in the Trans Health Needs Assessment were unemployed at the time of the survey.²¹ By comparison, the national unemployment rate is at 8.5% as at July 2021.²² Of those employed, 77.9% were earning 30,000 JMD or less monthly.²³ According to the 2019 LGBT Community Needs Assessment, while 21.6% of respondents were making between 31,000 JMD and 60,000 JMD monthly, no trans women earned above \$61,000 – \$100,000 JMD per month and no trans men earned over \$101,000 – \$150,000 JMD per month.²⁴

Education

Concerning education, in the 2019 Needs Assessment, while 50% of the 301 persons surveyed had undergraduate education as their highest level of education achieved, trans women were most likely to report secondary school as their highest level of education.²⁵ Trans men were just as likely to report undergraduate education or secondary school as their highest level of education.²⁶ Gender-fluid persons were represented across secondary and undergraduate categories.²⁷ For the Trans Health Needs Assessment, the larger majority of respondents had some secondary level (64.7%) or some post-secondary (16.2%) as their highest level of education.²⁸ There were 13.2% of respondents who had some level of tertiary education as their highest level of education.²⁹ This is a slight difference from the 14.5% of persons aged 19–24 and 18.2% of persons aged 17–18 who were enrolled in a tertiary institution according to the 2018 Survey of Living Conditions.³⁰ An important note here is that the 2019 Needs Assessment highlights that 42.5% indicated being bullied in school because of their real or perceived membership in the LGBT community with 88.4% noting that the bullying occurred in high school.³¹



Healthcare

On the issue of healthcare, the 2019 Needs Assessment noted that respondents were most likely to be comfortable disclosing their gender identity in private facilities (43%) and most likely to be uncomfortable in public facilities (46%).³² They were about as likely to be comfortable (32%) and uncomfortable (30%) with NGO and CSO partners.³³ In addition, 68% of respondents did not know how easy or hard it was to access trans specific health care in Jamaica while 25% thought it was at least difficult.³⁴ When asked whether they changed their gender expression, 49% of respondents did not while 10% did.³⁵ No trans men reported changing their gender expression; about 50% of trans women did and most gender fluid persons did not.³⁶ The Trans Health Needs Assessment indicated that 59% of respondents (at least sometimes) changed their gender expression when accessing health services.³⁷ 57.4% of respondents indicated experiencing barriers when seeking to access healthcare, discrimination being chief among them – especially for trans women.³⁸ By comparison, the majority of persons who were ill or injured and did not seek care cited financial reasons or their perceptions related to the minor severity of their health condition in the 2018 Survey of Living Conditions.³⁹ Finally, according to the 876 Study, HIV prevalence among trans women, was noted at 51%.⁴⁰ In the Trans Health Needs Assessment, just over 30% of respondents openly identified as being HIV positive.⁴¹



Experiences of Violence

On the issue of violence, the 2019 Needs Assessment revealed that 72.3% of respondents had experienced violence (physical, verbal, sexual etc.) at some point in their lifetime; 78.1% of whom noted that this violence was linked to their LGBT identity.⁴² All trans men and trans women surveyed had experienced violence in their lifetime and the vast majority of non-binary persons had experienced violence as well.⁴³ For an effective comparison, 26.9% of respondents reported experiencing rape or sexual assault and 24% reported experiencing physical assaults in the 2019 Needs Assessment;⁴⁴ while the results of the 2016 National Crime Victimization Survey demonstrate that 2.2% and 3.0% of respondents report experiencing physical assault with and without a weapon, respectively, at least once in their lifetimes and 1.1% of respondents report experiencing sexual assault at least once in their times lifetimes.⁴⁵

Conclusion

The cumulative effect of these experiences for trans and gender non-conforming Jamaicans is noted in the 2019 Needs Assessment with 64.1% of respondents indicating an interest in leaving Jamaica linked to their LGBT identity.⁴⁶ All trans women respondents indicated a desire to leave Jamaica, with one noting the rationale was not linked to her identity; all trans men indicated that their desire to leave Jamaica was linked to their sexual orientation or gender identity.⁴⁷ The question then becomes, what is the extent to which gender recognition legislation can have a positive impact on this complicated reality for trans and GNC Jamaicans.



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