



UNPACKING **GENDER** **BASED VIOLENCE** AND ITS EFFECTS ON THE JAMAICAN TRANS COMMUNITY

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A Research Paper submitted in partnership with Transwave Jamaica
and Caribbean United Against GBV





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ABSTRACT

Gender-based violence (GBV) is an umbrella term for any harm perpetrated against a person's will and resulting from power inequalities based on gender roles. The majority of global estimates of GBV implicitly only take into account the experiences of women who identify as cisgender and heterosexual, frequently to the exclusion of transgender and gender nonconforming (trans) groups.(cite) There has been many instances in which the trans population is harmed, however, due to failure to account for these incidents as Gender Based Violence it often goes neglected. As such, more consideration should be placed on the GBV and its effects on the trans community. Gender Based Violence (GBV) has become a significant problem among transgender community in Jamaica between the ages 18 and 38years. This study seeks to understand the current issue of Gender Based Violence in Jamaica and its effects on the transgender and gender nonconforming community. It further examines the current capacities of institutions to address violence against the transgender community. A sample of 38 TGNGCB from both rural and urban areas were interviewed through a series of focus group sessions across four parishes, Kingston, St. Ann, St. James and Westmoreland. Qualitative research suggests a high burden of GBV among trans populations, with an estimated prevalence that ranges from 7% to 89% among trans populations and subpopulations. (Human Rights Violation report, 2022) According to data from the National TransHealth Strategy, GBV is associated with multiple poor health outcomes a concomitant with limited prevention and response programs. The interaction of social stigma, inadequate laws, and punitive policies as well as a lack of effective GBV programs limits access to and use of GBV prevention and response programs among trans populations. This commentary summarizes the current body of research on GBV among trans populations and highlights areas for future research, intervention, and policy.

Keywords: Transgender; TGNCB ; Gender Based Violence; health ; stakeholders; stigma; social; Transwave Jamaica;



Introduction

TransWave Jamaica is a non-profit organization that has been dedicated to advocating for the well-being and health of Jamaica's transgender, intersex, and gender non-conforming communities for seven years. The organization consistently advocates for fair and equitable access to fundamental human rights, which are frequently violated for members within these communities due to the absence of suitable legislative protection and various sociocultural factors. This severe lack of protection has greatly impacted the experiences of individuals in these vulnerable groups, negatively affecting their access to educational and economic opportunities, social capital, safety, and overall well-being.

TransWave has partnered with Centro de Orientación e Investigación Integral (COIN) under the Caribbean United Against GBV initiative to execute the "Unpacking Mental Health for Trans and GNC Jamaican Victims of GBV" Project. The goal of this project is to address the root causes of gender-based violence (GBV) in the Caribbean and contribute to the end of violence against women while promoting equitable environments.

Under the proposed project, TransWave conducted research aimed at understanding and addressing gender-based violence in the transgender community. This research supported the organization's pursuit of improving the systems and processes to respond to GBV. A qualitative approach was adopted to investigate the issue of Gender-Based Violence (GBV) and its effects on the Jamaican trans community. This was primarily achieved through focus groups and case studies extracted from the Shared Incident Database (SID) platform. Led by the Policy and Advocacy Manager of TransWave Jamaica, these methods were employed to gather responses from the perspective of the trans community. Additionally, one-on-one interviews were conducted with key stakeholders from government agencies, who were asked a series of questions regarding GBV within the community and the various responses to this issue. Secondary research was also utilized to gain insight into the current state of GBV.

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Gender Based Violence (GBV) is defined by the United Nations High Commission for Refugees (UNHCR) as “harmful acts directed at an individual based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms.” Gender based violence may be categorised in the following forms: sexual, physical, psychological, and economic harm committed in public or privately. Moreover, it involves coercion, deception, and threats of violence. This can manifest itself in a variety of ways, including intimate partner violence, sexual assault, murder, and alleged “honour crimes.” (Garcia-Moreno, Jansen, Ellsberg, Heise & Watts, 2006, p. 4).

A focus group discussion conducted by Transwave Jamaica (2022) revealed a GBV prevalence of 40.3% and indicated that more than 2 in 5 trans person aged between 18 and 35 years experienced intimate partner physical and sexual violence in their lifetime. Although 80 per cent of the trans community interviewed shared that they spoke with their friends, or chosen families, about their experiences, most did not seek formal help from institutions that provide it.



INTRODUCTION



Similarly, several other reports note high rates of domestic and sexual violence and suggest that these crimes are underreported due to fear of shame, social stigma, disgrace, or further violence. As such, many trans persons seek help only when violence becomes particularly severe.

Since the past year there has been an alarming increase of Violence against the trans community in Jamaica. The community has lost a vast number of members to Gender based violence.

While there has been ongoing conversations with key decision-makers and the Justice system which includes the police force , more work needs to be done as it relates to police responses to violence based on gender identity.

This includes work to be done to prevent, prosecute, and punish violent attacks against trans people, including mob violence and sexual assault, and cases where the police have stood by and allowed the attacks or even been the perpetrators.

Given all the effects of GBV, focus has been placed on identifying ways to reduce GBV occurrence. However, Jamaica has failed to take sufficient measures to respect and ensure the rights of people to equality under the law and non-discrimination regardless of their real or perceived gender identity.



INTRODUCTION

(Casey & Nurius, 2006). Unlike GBV incidents in the general population which usually occur in isolation, Valls (2006) claims that most GBV incidents that occur within the trans community often go unreported and undocumented due to the fear of stigma and discrimination. (cite) Due to this unique characteristic it is recommended that consideration of the responsibility of the community in efforts of reducing GBV. The term community in this context refers to anyone other than those directly involved in the GBV incident but who are bonded as a result of sharing common attitudes, interests and goals of the group (Pfortmüller, 2017). This includes but is not limited to the: family and friends, general population, legal and justice systems .

While different forms of GBV exist the most prevalent form among the trans community is physical violence and stigma and discrimination (Centres for Disease Control and Prevention, 2014). Therefore, this study will focus on GBV and its effects on the Jamaican transgender community . The study will take a mixed method approach and was done across rural and urban Jamaica .





method

METHOD



A qualitative approach was adopted to investigate the issue of Gender-Based Violence (GBV) and its impact on the trans community in Jamaica. The research methodology included several methods:

1. Focus groups: TransWave Jamaica organized focus groups where members of the trans community could openly discuss their experiences, perspectives, and challenges related to GBV. These discussions allowed for a deeper understanding of the issue from the community's standpoint. A series of three focus group sessions were held over a three-day period, involving a total of 38 participants—16 from rural Jamaica and 22 from urban Jamaica. TransWave's Community Liaison Officer mobilized participants to engage in face-to-face discussions led by the Policy and Advocacy Manager in a designated meeting room. These participants were presented with 15 open-ended questions encompassing topics such as Human Rights, GBV, Intimate Partner Violence (IPV), and the impact of these issues on their personal experiences and realities. According to the discussions, the violations were frequently perpetrated by a wide range of individuals, including both familiar and unfamiliar parties to the victims.

2. Case studies from the Shared Incident Database (SID): The Senior Policy, Advocacy, and Research Officer of TransWave Jamaica utilized the SID platform to gather case studies. These real-life examples shed light on specific incidents of GBV within the trans community, helping to illustrate the various manifestations and consequences of such violence.

METHOD

3. One-on-one interviews: Key stakeholders from government agencies were interviewed individually. These interviews involved a series of questions aimed at gaining insights into the issue of GBV within the trans community. The perspectives and responses of these stakeholders provided valuable information on governmental approaches and responses to GBV.

4. Secondary research: In addition to primary data collection methods, secondary research was conducted. This involved reviewing existing literature, reports, studies, and statistics to gain a broader understanding of the current state of GBV in Jamaica, particularly as it pertains to the trans community.

Participants provided comments about their experiences, describing numerous violations related to the human rights situation in Jamaica. These experiences had a profound impact on their ability to live and enjoy the same freedoms and privileges as ordinary citizens. The violations encompassed a wide range of infringements, including violations of the right to privacy and the necessary Economic, Social, and Cultural Rights (ESCRs). These violations occurred in various settings, such as homes, communities, businesses, schools, healthcare centres, police stations, courts, and others.

The focus group discussions unveiled a significant level of mistrust towards the Jamaican justice system and a strong reluctance to report crimes due to stigma and prejudice. This hesitancy persisted despite the high prevalence of discrimination and violations experienced by the trans community. Moreover, there was a prevailing belief that charges were often dismissed as "just another

By employing these research methods, TransWave Jamaica aimed to comprehensively explore the issue of GBV and its effects on the trans community. The qualitative approach allowed for a nuanced understanding of the lived experiences, challenges, and perspectives of individuals within the community, as well as insights from key stakeholders and existing research.

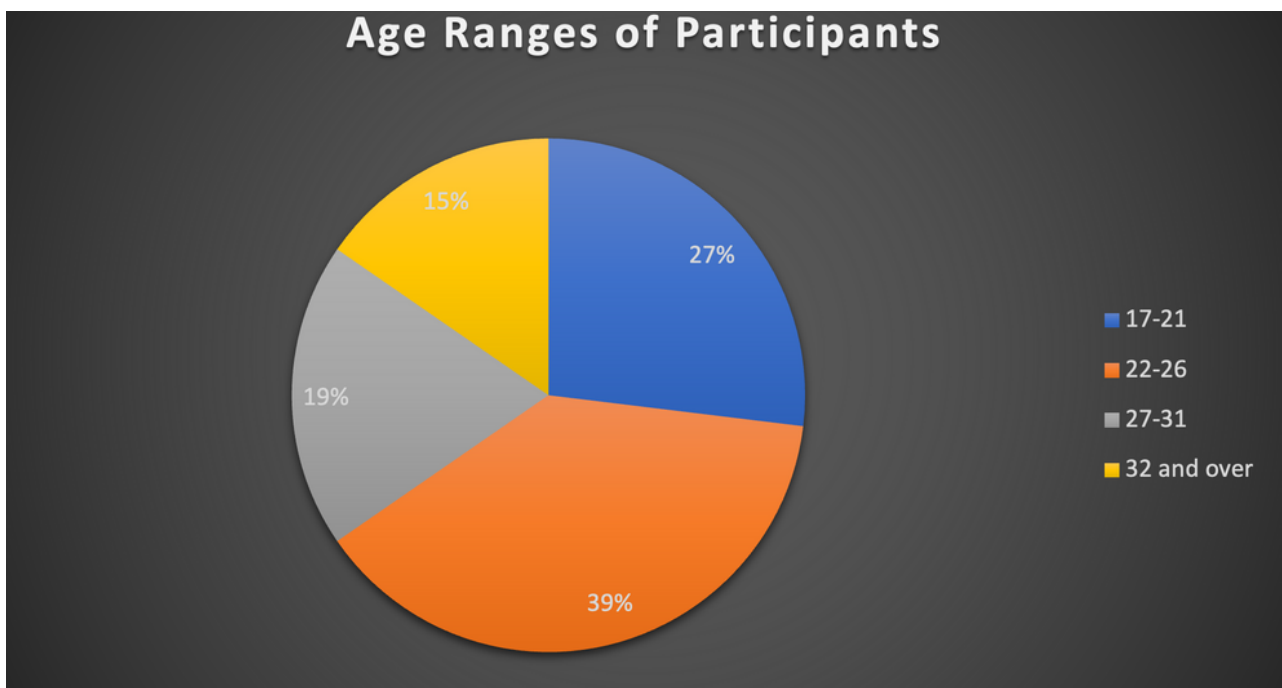
Results



The findings of this study are reported in this section.

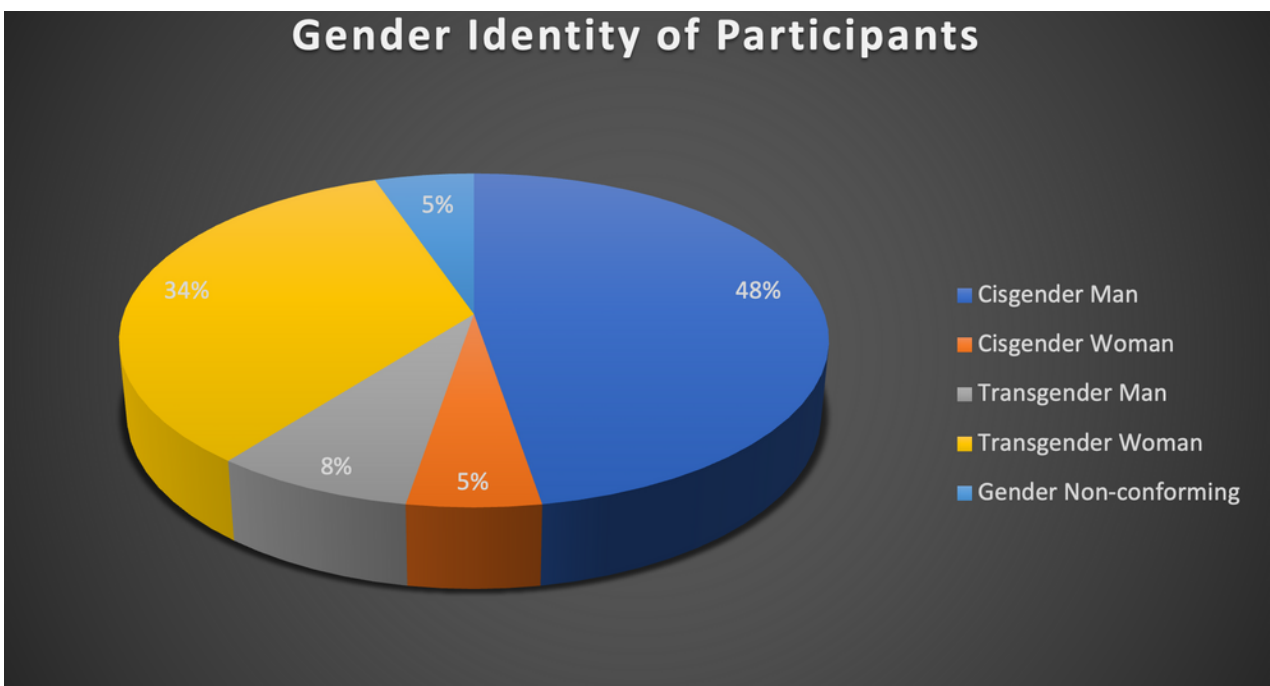
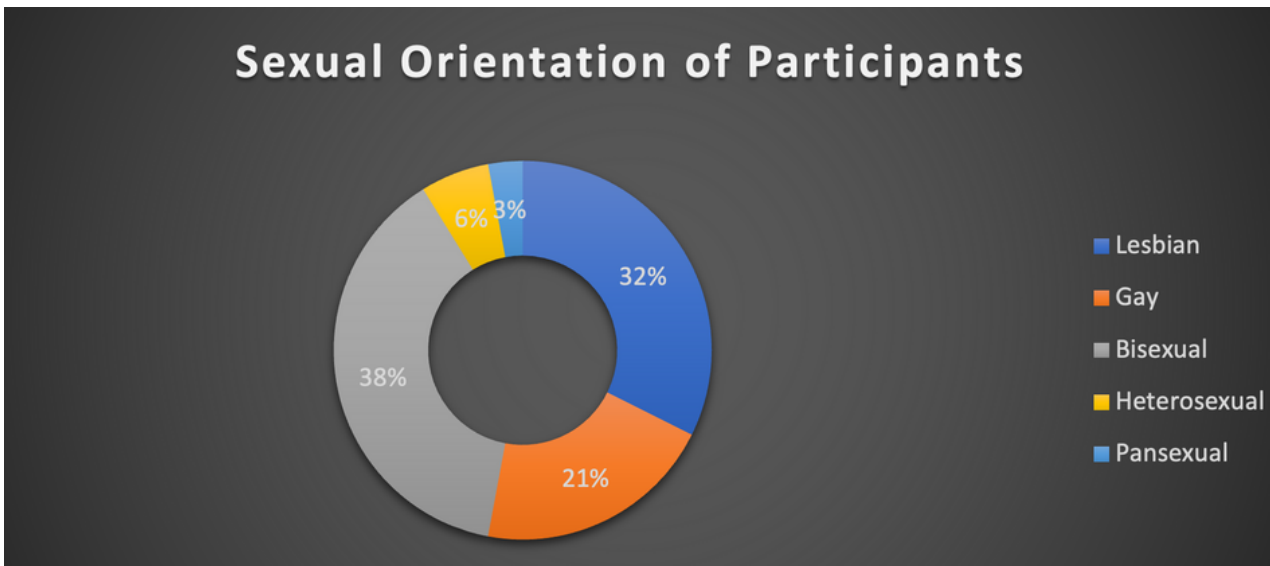
Trans Community

The age ranges of participants were between 17-38 years old. From this, it is safe to say that majority of the Jamaican LGBT population belongs to the youth cohort.



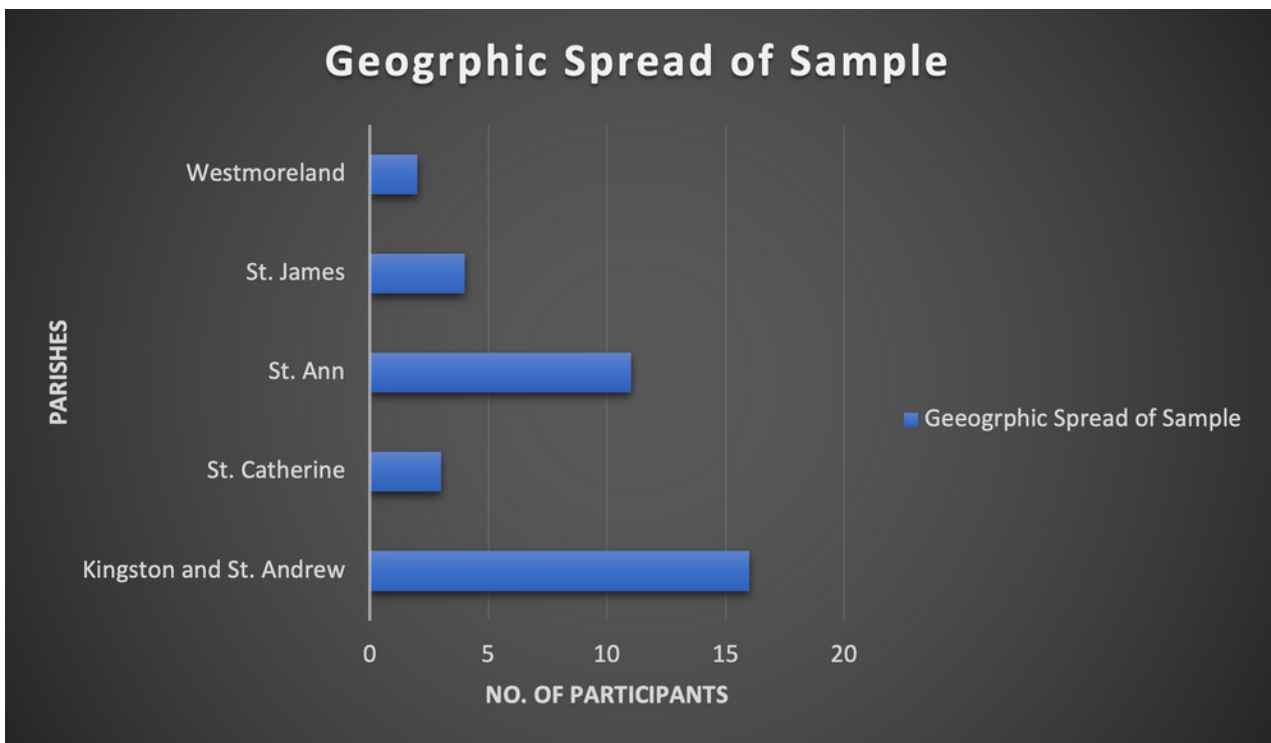


In terms of SOGI (Sexual Orientation and Gender Identity), participants were mobilized from a very diverse group. Majority of the sample were bisexuals, cisgender men and transgender women.








The sample was equally distributed across rural and urban Jamaica covering the parishes of Kingston, St. Andrew, St. Catherine, St. Ann, St. James and Westmoreland.




When asked the question, “Have you ever reported any form of victimisation to the police? Did they assist you or mock you?”, almost all participants reported that they got little to no assistance from police officers. Similarly, there is an aversion from male officers to record statements given by LGBTQ+ victims due to the high prevalence of stigma and discrimination perpetuated in society. Hence, participants stated that they felt more comfortable to report cases to female officers when on duty or reach out to civil society organizations such as TransWave Jamaica and JFLAG to lobby on their behalf.



Unfortunately, five (5) community members' lives were lost this year due to homophobic/transphobic violence. Participants were given the option to comment on how this had affected or impacted their lives in any way. One participant, specifically, broke down in tears stating that their psyche could not handle any more deaths and they wished that psychological support was readily available in the healthcare system for them to make use of.

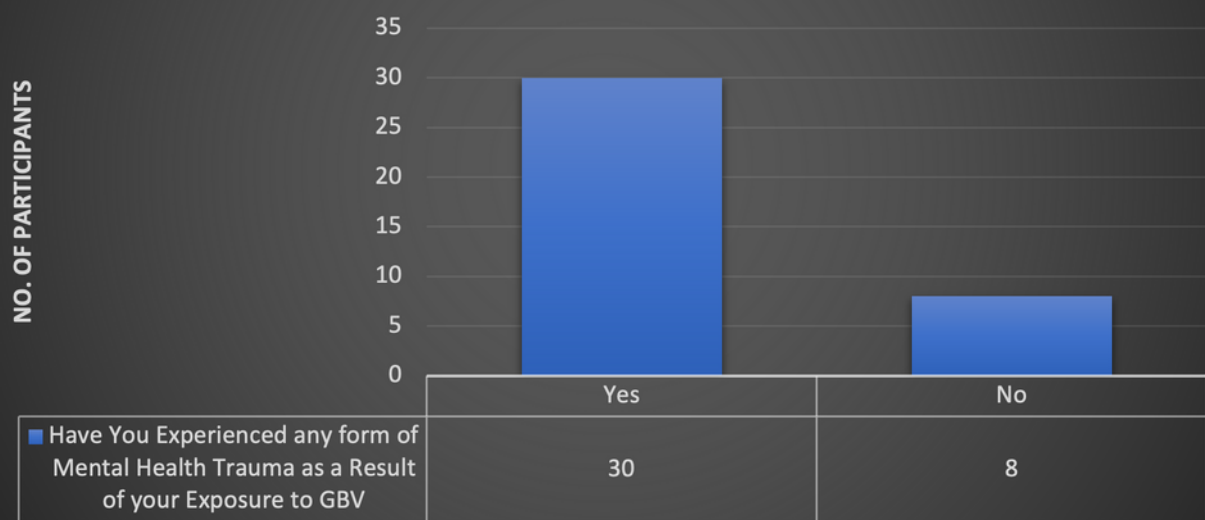


90% of participants interviewed expressed that they had no trust in the Jamaican Justice System especially the constabulary. This was borne out of the belief that the Justice System has failed LGBT Jamaicans and are often times discriminatory in their services.


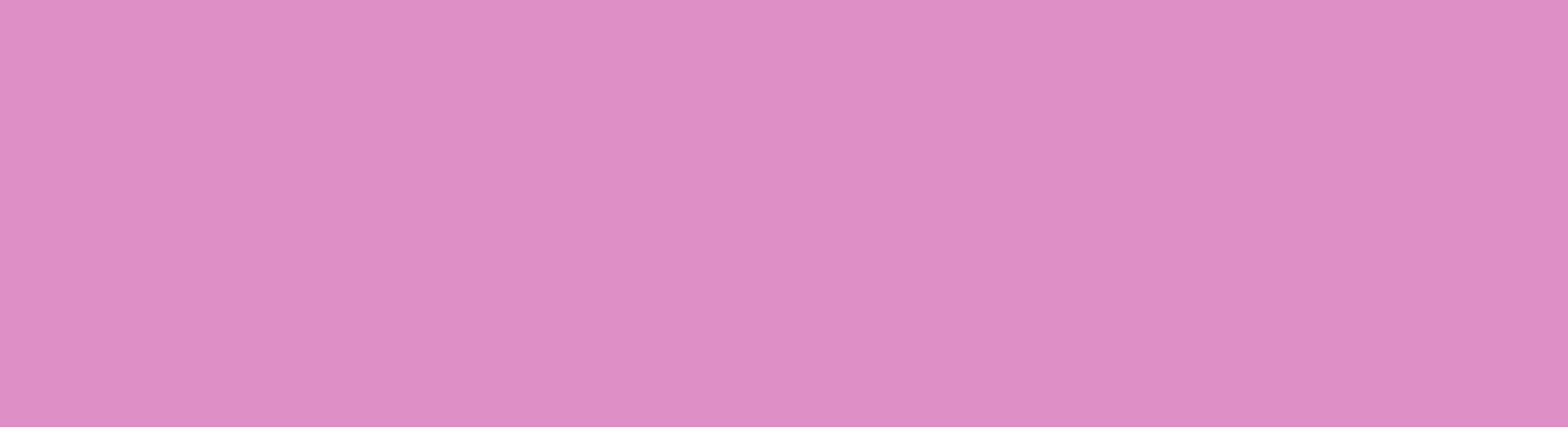


Majority of the sample reported that they had experienced some form of mental health issue (such as depression, anxiety, stress and nervousness) as a result the trauma experienced from being attacked or physically assaulted.


Have You Experienced any form of Mental Health Trauma as a Result of your Exposure to GBV



When asked about their experience with accessing healthcare services, participants lamented that they feared going to public hospitals and due to stark rates of discrimination from staff and other users. PLHIV who try to access health services at hospitals and some health centres are discriminated against by nurses who do not want to assist, bathe or touch them due to knowledge of their status and are often times left unattended for hours, even days. Some patients will even have to wait for other nurses who are more sensitized than others to come on shift before they are offered any assistance within the public health sector. Hence, there is a huge preference of wanting to utilize private health care as opposed to the public.



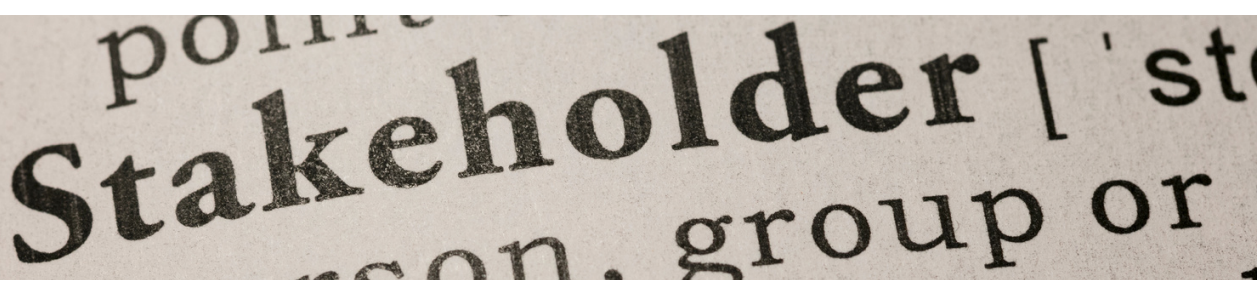
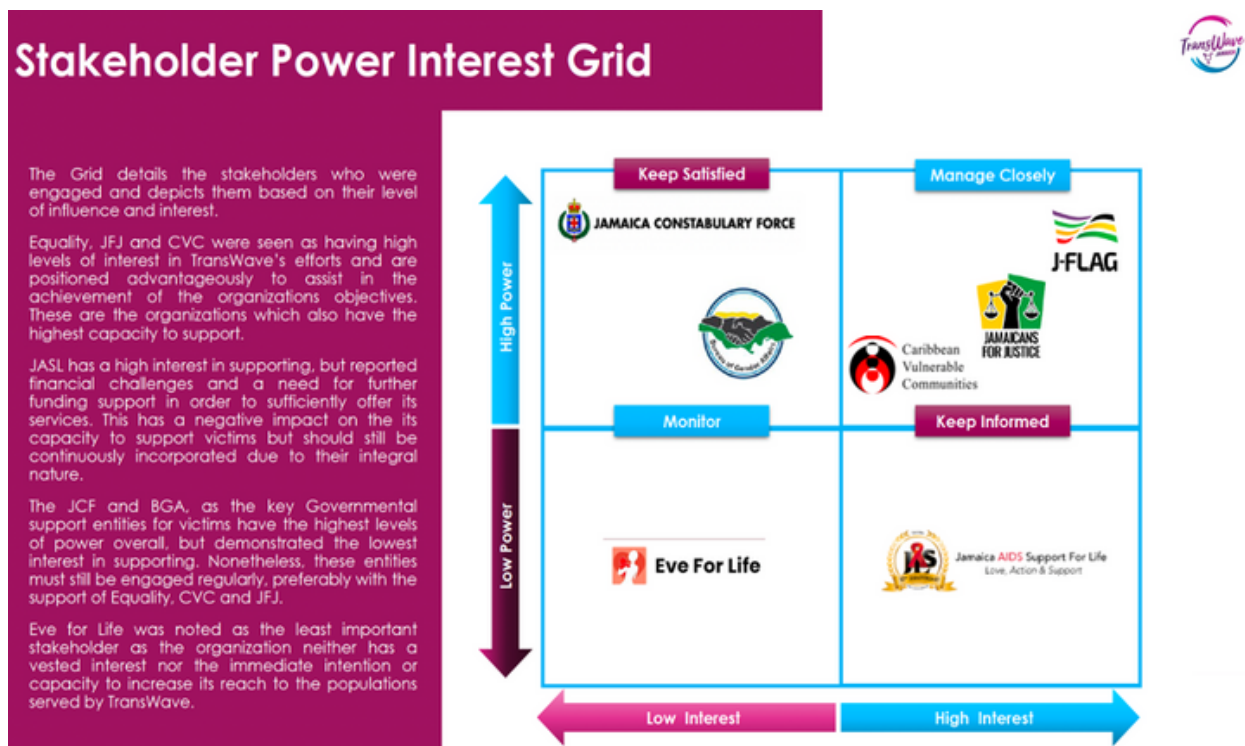
Participants commented about their experiences having faced numerous violations in relation to the human rights situation in Jamaica and how these experiences affected their ability to truly live and enjoy the same freedoms and privileges as any ordinary citizen. The violations ranged from infractions on the right to privacy, the right to the necessary ESCRs (Economic, Social and Cultural Rights) and were meted out to victims in a variety of settings including but not limited to the home, community, business places, schools, health care centres, police stations, the court, among others.



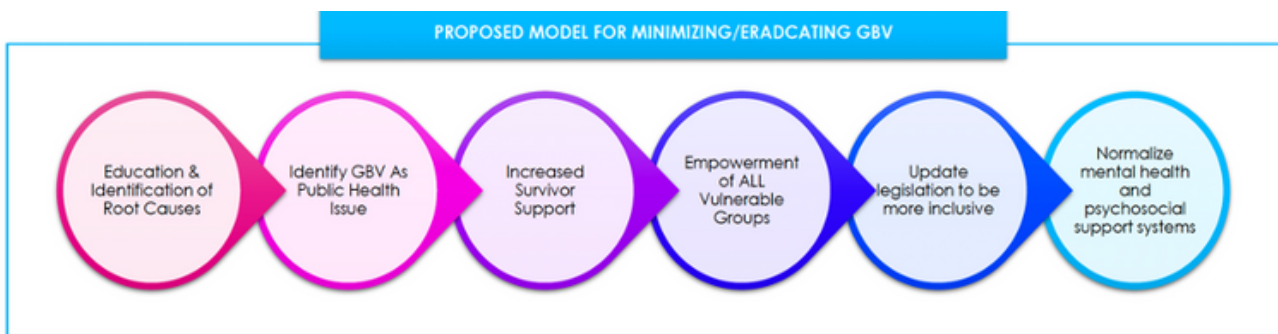
The focus group discussions revealed that there is a large degree of mistrust in the Jamaican justice system and a high reluctance to report crimes owing to stigma and prejudice, notwithstanding the high rates of discrimination and violations encountered by the trans community. Additionally, since the charges are commonly discounted as "just another story," the idea that nothing will change is a prevalent rationale for not reporting.

STAKEHOLDERS

While all stakeholders have a role to play in the reduction of GBV, it was found that civil society organizations, such as JFLAG, JFJ and the CVC, were the most integral due to their ability to mobilize resources, provide services and bridge the gap between TransWave and the less willing but critical stakeholders such as the JCF and BGA. It was deduced that personal beliefs among staff, particularly in the government agencies, had the ability to affect the level of professionalism and service delivery received by trans, non-binary and gender non-confirming GBV victims. These organizations were found to be in need of training and sensitization. Jamaica presently lacks the capacity to effectively support GBV victims within the communities TransWave serves. This is predominantly due to the Government's lack of recognition of these groups and the subsequent gaps in legislative protection and constraints regarding resources within civil society groups which are willing to provide support.

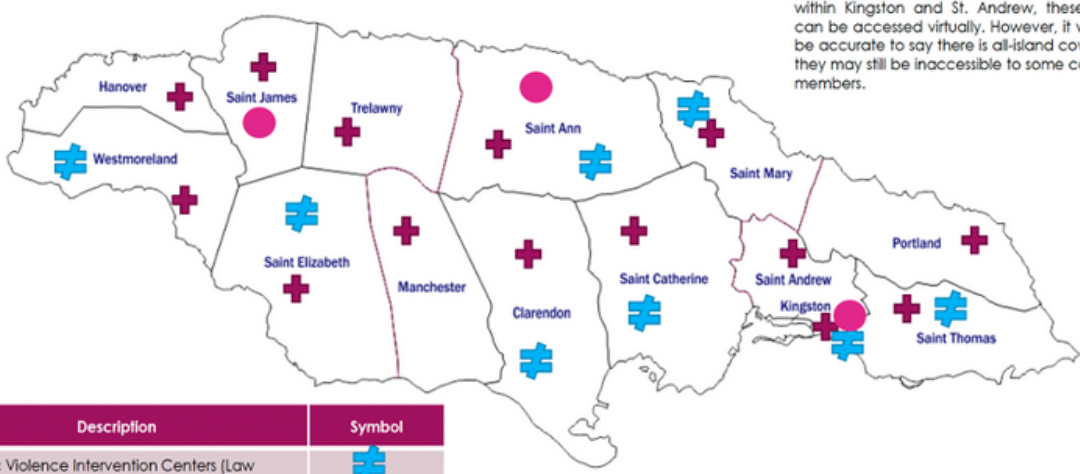


TransWave should also increase its efforts to empower members of the community to bolster their ability to protect themselves from GBV, and its effect. The most effective way for this to be achieved is through economic and financial empowerment which can be obtained through various training initiatives. An increase in access to economic opportunities and resources for community members is likely to reduce dependence on intimate partners, participation in risky situations for economic gain and an overall inability to adequately protect themselves. This will inadvertently also increase the community's visibility and integration within society, thus assisting in the reduction of stigmas and promote social change.



****The proposed model will require a multisectoral approach and is indicative of the work which can only be achieved through joint efforts from the Government and civil society. TransWave will play a critical way in unifying stakeholders to facilitate continued and increased advocacy, while mobilizing resources.**

Service Coverage Map



N.B. Services such as counselling/ mediation, helplines, legal support etc were excluded as while, the offices for the stakeholders are locating within Kingston and St. Andrew, these services can be accessed virtually. However, it would not be accurate to say there is all-island coverage as they may still be inaccessible to some community members.

Description	Symbol
Domestic Violence Intervention Centers (Law Enforcement)	
Health Services (GOJ), inclusive of HIV Care & Support	
Medical & HIV Support (JASL- Stakeholder)	

STUDY LIMITATIONS

Due to the present situation as it relates to violence against the Transcommunity. Most trans persons have either been killed or migrated. Therefore we were unable to reach a large sample at the time of data collection. Our sampling strategy focused on regions with highest concentration of transgender folks, leaving out other areas with fewer transgender folks. Thus our findings may not be generalizable to all transgender women in Jamaica. It is therefore important to note that the responses for transgender women in areas with a smaller population may feel more socially isolated and could experience higher levels of gender-based violence. It is also possible that recruitment bias was introduced because participants were approached through the peer networks of seed informants, many of whom were connected with community-based non-government organizations. Taken together, the fore-going limitations suggest that our study may be under-estimating the prevalence of gender-based violence and mental health problems in this population. Nevertheless, our findings are useful for developing mental health services for transgender women in Jamaica.




CONCLUSION



These findings have several implications on policy and services for transgender women in Jamaica. Jamaica currently lacks the resources necessary to provide GBV victims in the communities TransWave supports with adequate support. This is mostly owing to the government's lack of recognition of these groups, which leads to gaps in legal protection and budget limitations for civil society. It has been established that having the freedom to engage in public life without being afraid of harassment, violence, or discrimination has significant ramifications for one's well-being, financial security, and other crucial aspects of life. Transgender persons face frequent discrimination in public spaces, which prevents them from fully participating in civic and economic life and limits their potential. As a result, there is a heightened risk of experiencing high levels of homophobic and transphobic violence, including physical and sexual assault, intimate partner abuse, and gender-based violence. Though it is expected that all stakeholders have a role to play in the reduction of GBV. It must be highlighted that JFLAG, JFJ, and the CVC were discovered to be the organizations that play a crucial role in bridging the gap between Transwave and the less willing agencies due to their ability to organize resources and provide services.

It was emphasized that staff members' personal beliefs could have an impact on the level of professionalism and service delivery provided to trans, non-binary, and gender non-confirming GBV victims. This was especially true of government institutions. It was discovered that these groups need education and sensitization.

As a result, it is clear that much more effort needs to be done to address the extreme levels of homophobia and transphobia in Jamaican society, particularly in the context of performing official duties (health care and the constabulary). The adoption of a human rights-oriented strategy to service delivery as well as the promotion of safe spaces, like TransWave Jamaica, that offer restorative justice for the affected members of the LGBT community are therefore necessary in an effort to promote an inclusive and respectful Jamaica.



RECOMMENDATION

Recommendations

The following recommendations can be made to help address the situation of Gender Based Violence and its effects on the Jamaican Transgender and Gender Non-Conforming Community:

Partnerships

The various Civil Society organizations should aim to work together in order to develop strategies in approaching resistant entities which still have a critical role to play. This may be facilitated through organizations such as: JFLAG and the CVC

Empowerment

TransWave Jamaica may act as a medium to empower members of the community to bolster their ability to protect themselves from GBV, and its effect. The most effective way for this to be achieved is through economic and financial empowerment which can be obtained through various training initiatives. An increase in access to economic opportunities and resources for community members is likely to reduce dependence on intimate partners, participation in risky situations for economic gain and an overall inability to adequately protect themselves.

Strengthening Resources

Healthcare Services need to be strengthened and adapted so as to identify and be responsive to mental health needs of transgender folks in the country. This can be achieved by providing training for the existing health workforce and through integration of principles of gender inclusiveness and evidence about the harmful effects of exclusion into university curricula for health professionals. In Therefore, training and sensitization on mental health is essential to ensure that trained health providers can competently provide mental health services without stigmatizing attitudes.

Policy

Finally, at a policy level, improving existing laws and policies could improve mental health of transgender women. Macro level collaboration involving the government, civil society, and other non-governmental organizations to advocate for the health and rights of transgender women can have a significant effect in mitigating stigma. In our study, transgender women with depressive symptoms were more likely to live in fear of arbitrary arrests by police or authorities because of their transgender identity. Specific policy stance that opposes systematic exclusion and denial of employment, housing, schooling, and other social amenities based on transgender identity will need to be strengthened.

