



Domestic Violence in Lesbian, Bisexual, Gay and Transgender Communities: A Fact Sheet

The National Coalition Against Domestic Violence defines domestic violence as a pattern of behavior used to establish power and control over another person through fear and intimidation, often including the threat or use of violence, when one person believes they are entitled to control another. Such violence may occur between intimate partners, in the home or in the family. Among intimate partners, violence is not unique to the heterosexual community, but in fact occurs with equal prevalence in lesbian, bisexual, gay and transgender (LGBT) communities. In the home and family, LGBT individuals, particularly youth, are at a heightened risk of violence at the hands of their own family members.

International Human Rights Foundations for Gender and Sexuality Rights

- Article 2 of the **Universal Declaration of Human Rights** (UDHR) states that everyone is entitled to all of the rights and freedoms set forth in the UDHR, without distinction of any kind, such as race, color, sex, political or other opinion, national or social origin, birth or other status.
- Article 7 of the **Universal Declaration of Human Rights** notes that all people are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of the UDHR and against any incitement to such discrimination.
- The **Beijing Declaration and Platform for Action** recognizes that the human rights of women include the right to have control over and decide freely on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.
- The **Human Rights Committee General Comment 28** on protecting the equal rights of women and men, has identified ways in which abuses of the right to privacy in the context of a woman's sexuality can become a basis for the violation of other fundamental rights.
- Article 2 of the **Convention on the Rights of the Child** states that rights of every child shall be ensured without discrimination of any kind, irrespective of the child's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Facts about Lesbian, Bisexual Gay and Transgender (LGBT) Intimate Partner Violence

- Intimate partner battering occurs within same-sex relationships with the same statistical frequency as in heterosexual relationships, approximately 25 - 33% of relationships. (ABA Journal, February 1998).
- Like in heterosexual partnerships, battering among LGBT intimate partners crosses age, race, class and socio-economic lines.
- Each year, between 50,000 and 100,000 lesbian women and as many as 500,000 gay men are battered. (30 Val. U. L. Rev. 335, 1995).
- While same-sex battering mirrors heterosexual battering both in nature and prevalence, its victims receive fewer protections. Many LGBT victims of intimate partner violence are denied services such as emergency shelter, medical treatment, financial assistance, counseling, job training, legal services, and many others that are routinely prescribed for battered heterosexual women. (NCAVP LGBT DV report for 2002).
- Six U.S. states have laws making domestic violence protective orders *unavailable* for victims of same-sex abuse (ibid).

Special Issues in LGBT Intimate Partner Domestic Violence:

While the power dynamics that underlie intimate partner domestic violence situations are similar in heterosexual and homosexual communities, there are particularly devastating ways in which batterers in same-sex relationships exercise power and control over their victims.

- The abuser may “out” or threaten to out a partner’s sexual identity to family, employers, police, religious institution, community, or in child custody disputes as a means of establishing control over the victim.
- Reinforcing fears that no one will help an abused partner because s/he is lesbian, bisexual, gay or transgender.
- Alternatively, justifying abuse with the notion that a partner is not “really” lesbian, gay, bisexual or transgender.
- Portraying the violence as mutual and even consensual, especially if the partner attempts to defend against it, or as an expression of masculinity or some other “desirable” trait.
- Telling the victim that abusive behavior is a normal part of the relationship or that it cannot be domestic violence because it is occurring between same-sex partners.
- Monopolizing support resources through an abuser’s manipulation of friends and family supports and generating sympathy and trust in order to cut off these resources and isolate the victim.

Facts About Family Violence and LGBT Individuals

Irina, a Russian lesbian, claimed asylum in the USA on the grounds that she had been tortured and ill-treated by a range of people, including her own family members. Irina described how her sisters demanded she give up custody of her son and get psychiatric treatment to "cure" her of her homosexuality. Irina's parents hired two investigators to probe into her personal life. They later abducted Irina and raped her to "teach her a lesson" and "reorient" her sexual identity.

- It is a common misconception that domestic violence only occurs in romantic relationships. This is inaccurate. LGBT individuals are frequently targets of violence within their biological families and communities due to their real or perceived sexual identity. Youth and the elderly are particularly susceptible to family violence as they are more dependent and have few resources beyond their family for support.
- Lesbians, like other women, often experience abuses in the so-called private sphere of family life. Numerous cases document young lesbians being beaten, raped, forcibly impregnated or married, and otherwise attacked by family members to punish them or to "correct" their sexual identity.

In Zimbabwe, a teenage girl was repeatedly raped by an older man – a violation mandated by her parents in order to “correct” her lesbianism. “They locked me up in a room and brought him in everyday to rape me so I would fall pregnant and be forced to marry him. They did this to me until I was pregnant...”

- Young people who show signs, or who are perceived as showing signs, of same-sex attraction are often at risk of violence in the home and community. In addition, after coming out or having their sexual identity discovered by their family, many lesbian, gay, bisexual and transgender youth may suffer emotional and physical abuse by family members, which can have devastating consequences.
- Because of persistent negative stereotypes and discrimination against LGBT individuals, LGBT youth are often thrown out of their homes or cut off financially. Once on the streets, these youth are at an increased risk for rape, beatings, and sexually transmitted infections, including HIV. (*Transitions*. Volume 14, No. 4. June 2002).
- LGBT youth of color are at particularly high risk of family rejection and violence. In one survey of LGBT youth of color, 61% testified that they had been victims of violence by family members. (ibid).
- As with all forms of domestic violence, violence against children in the home or at school not only damages the body, but also has a long-lasting and devastating effect on the child's sense of dignity and self-worth. Failure to protect children at risk because of their real or perceived sexual identity is perhaps one of the cruelest forms of discrimination and violation of their rights.

Barriers to Addressing LGBT Domestic Violence

Escape from an abusive situation is difficult for all victims of domestic violence, however LGBT individuals in situations of intimate partner or family violence often face additional barriers in breaking away from these violent conditions. Such barriers include:

- *Fear among some members of LGBT communities* that any public attention given to intimate partner violence in LGBT relationships will only serve to reinforce attitudes of homophobia and impede progress toward equality.
- *Poor or inconsistent law enforcement response*, which is embodied by the tendency of police officers to view violence between LGBT individuals as consensual or mutual, and the persistence of homophobia among law enforcement officers.
- *Lack of community-based safety options and responses to domestic violence*. This is particularly important because many LGBT victims are hesitant to engage the criminal justice system due to the history of racism, sexism, homophobia and transphobia within the police and court systems.
- *Limited access to civil court orders of protection*. Because many family courts will only adjudicate intimate partner violence cases between married couples or heterosexual partners who have a child in common, LGBT domestic violence victims must often turn to the criminal courts. Before issuing a court order of protection, criminal courts may require that the police charge or arrest the abusive partner.
- *Lack of services*. Some agencies state outright that they do not shelter or provide support for LGBT individuals. More often, however, the agencies simply do not prioritize these issues and fail to obtain training to provide effective and appropriate services to LGBT survivors of domestic violence. In addition, there are frequently underlying problems of homophobia among staff, sending a strong message to the LGBT community that they are not welcome.
- *LGBT youth often lack community support and role models*. As a result, they are prone to internalize negative societal messages regarding their sexual identity and may suffer from feelings of self-hatred, as well as social and emotional isolation. Consequently, as an alternative to facing social stigma and violence, LGBT youth are more likely to resort to substance abuse or suicide than are heterosexual youth (Volume 14, No. 4. June 2002).

Domestic violence in LGBT communities is a serious issue that is just beginning to gain attention in both the human rights community and the LGBT community. Amnesty International considers domestic violence in any type of relationship to be a human rights violation and potentially, a form of torture. Amnesty International condemns domestic violence as a human rights violation and calls for its eradication in all types of relationships, regardless of the gender or sexual identity of the parties involved and regardless of the relationship between the victim and the abuser.

For more information on women's human rights, visit Amnesty International USA's Women's Human Rights Program at www.amnestyusa.org/women or contact us at 5 Penn Plaza-16th floor, New York, NY 10001 or at (212) 633-4292.