

Written evidence submitted by Survivor's Network (GRA1405)

Written evidence submitted by Jay Breslaw, CEO of Survivors' Network

I am writing as CEO of Survivors' Network, the Rape Crisis Centre for Sussex, on behalf of myself and my expert staff and volunteer team. We have been supporting survivors of sexual violence for over thirty years. We are a women-led, feminist organisation. We take an intersectional view of feminism and strive to recognise the additional barriers that some women face when accessing services after having experienced sexual violence.

We have been supporting trans women in our women-only services for over 10 years, and we advertise all of our services to self-identified women in order to send a strong message to trans women that they are explicitly welcome. We do not police gender and neither should we. We recognise the additional barriers trans women face in accessing services, over and above the barriers faced by all survivors. We have to work harder to ensure that all survivors are able to access services, and we need to focus on minoritized communities.

We know, through ground-breaking research¹, that trans people are disproportionately impacted by sexual violence. We also know that transphobic hate crimes recorded by police increased by 37% last year² We know that trans people experience multiple barriers to accessing services, in part due to the discourse around single sex spaces that have encouraged hate speech in some instances.

A recent Freedom of Information request from BBC's Ben Hunte to Sussex Police found

- Almost half (48 per cent) of trans people don't feel comfortable using public toilets through fear of discrimination or harassment.
- A third of trans people (34 per cent) have been discriminated against because of their gender identity when visiting a café, restaurant, bar or nightclub in the last year.
- More than a quarter (28 per cent) of trans people in a relationship in the last year have faced domestic abuse from a partner.
- More than two in five trans people (44 per cent) avoid certain streets because they don't feel safe there as an LGBT person.
- One in four (25 per cent) were discriminated against when looking for a house or flat to rent or buy in the last year. One in five non-binary people (20 per cent) have experienced discrimination while looking for a new home.
- When accessing general healthcare services in the last year, two in five trans people (41 per cent) said healthcare staff lacked understanding of trans health needs.
- More than a third of trans students (36 per cent) in higher education have experienced negative comments or behaviour from staff in the last year.

As highlighted by the organisation Mermaids, "trans people have been using toilets, trying on clothes in changing rooms, accessing domestic violence facilities, and generally getting

¹ <https://survivorsnetwork.org.uk/campaigns-projects/supporting-trans-survivors-of-sexual-violence/>

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/839172/hate-crime-1819-hosb2419.pdf

on with their lives for as long as single-sex spaces have existed and there is absolutely no evidence we're aware of, from the police, local authorities, shops, refuges or anywhere else besides, that predators have used the provisions of the Equality Act 2010 to gain access to women's spaces. None." ³

We would like to reiterate this point, and highlight that in the ten years since the Equality Act 2010 came into place we have not had a single issue in terms of survivor safety due to trans women being entitled to access our spaces. We are experts in safely managing our services and we are able to keep our survivors safe.

We also know all too well that predatory men are already able to enact their abuse with few repercussions, including entering changing rooms and public toilets – they do not need to pretend to be part of a marginalised community to break the law and to violate women, and suggesting that they would do so is entirely unsubstantiated.

We are deeply concerned about the possibility of tightening of access to single-sex spaces and we strongly feel that the use of women only spaces by trans women should be actively encouraged and we would urge reviewing the law around single-sex space exemptions. **There is no safe or survivor-centred way to police the anatomy of someone accessing a service or using a bathroom/changing room.** Any tightening of access to single gender space will impact on gender non-conforming cisgender people, particularly cisgender women, as well as transgender people. Policing gender expression and defining someone's womanhood by her conformity to state-sponsored specifications is an archaic practice that should not be considered in 2020 and is certainly not a feminist principle or one that will protect vulnerable women.

We consider a trans inclusive feminism to be key to our values and central to our services as a Rape Crisis Centre. Our policies are led by a commitment to equality and support for all survivors. We are committed to supporting our trans siblings in their survival journey, and we are committed to speaking up as a feminist organisation when we see the human rights of survivors being threatened.

There are many other actions you could be taking to better protect survivors and stop perpetuating rape culture– including addressing the criminally low conviction rate for sexual violence, the chronic underfunding of the women's sector, the distress caused by digital strip-searching survivors and the lack of consent-based education in schools. Failing to implement any changes around these pressing issues, and instead moving to make accessing support services more difficult, will only harm the services and survivors you are claiming to protect.

The funding landscape for services for survivors of sexual violence is patchy. We have already seen the impact on many specialist DV and SV services under austerity. Whilst some cis-women argue that trans women should be developing and delivering their own services, we say that in requiring our trans sisters to fund their own specialist support, we are denying them access to the safe women's spaces they need, deserve and are entitled to. In some cases this denial of services will be life threatening.

³ <https://mermaidsuk.org.uk/news/safety-and-dignity/>

Written evidence submitted by Survivor's Network (GRA1405)

Furthermore, we wish to raise a concern about the prohibitive financial implication of the high cost of acquiring a GRC, with a specific concern about women who have multiple and complex needs and who may be homeless or insecurely housed. We know that women are likely to bear the brunt of the financial impact from both Covid and Brexit, and to overly punish trans women and put further barriers in their way, when there are already significant barriers, is both excessive and discriminatory.

Additionally, we strongly advocate the removal of the spousal consent provision from the legislation. This invites coercive and controlling former or current partners to have a disproportionate control on victim's future lives in a way that is unnecessary and facilitates abuse of process.

Jay Breslaw

November 2020