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Abuse is not a Form of Love

Questions and Answers regarding Domestic Violence and Transgender

Questions and Answers from the [Inner City Legal Centre](#).

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Does domestic violence happen to transgender people?

Yes. Unfortunately in trans relationships there are incidents of domestic violence. Any kind of intimate or family relationship can potentially face concerns related to the misuse of power and control, and this can sometimes escalate into abuse and violence.

Domestic violence is any type of abusive behaviour by one partner that attempts to gain and maintain control over the other.

Is domestic violence normal?

No. Domestic violence is not normal in relationships and should not be treated as such.

Unfortunately many trans people experience violence in their lives. Some experience violence from family when they come-out acknowledging their

affirmed gender. Other trans people may experience transphobic violence on the street or when going to bars and pubs. This does not make violence in the lives of trans people 'normal'. It may, however, affect those people who are in domestic violent relationships and make them feel they have fewer options or places to turn to for help.

Trans people may feel safer in an abusive relationship than alone. Isolation reinforces to trans people the need to remain in whatever relationship they establish, abusive or otherwise.

Is there much research on domestic violence in transgender relationships?

Not really. There is a significant lack of research. Because of this it is difficult to determine how often it occurs.

How do I know if I am in a domestic violence relationship?

Domestic violence is any type of abusive behaviour by one partner that attempts to gain and maintain control over the other.

Domestic violence is when one partner consciously tries to, or does, manipulate and dominate the other. It is about power and control. Domestic violence comes in many forms including physical violence, sexual assault, stalking, emotional abuse or social and financial control.

Abuse does not have to be physical or sexual to be domestic violence.

What kind of violence is unique to transgender people?

There are some forms of abuse that are specific to trans people and arise as a feature of transphobic elements of society. Abusive partners can rely on transphobia as a tool to control their partners. This type of abuse can involve:

- 'outing' or threatening to 'out' their partners to friends, family, police, church or employer;
- telling a partner that she or he will lose custody of the children as a result of being 'outed';
- telling a partner that services such as the police or the justice system will not assist because the legal justice system is transphobic; and
- telling a partner that the abusive behaviour is normal within relationships and convincing the abused partner that he or she does not understand relationships and sexual practices because she or he is trans.

What does a safe relationship look like?

Safe relationships are based on love, respect and equality where each partner trusts and supports the other, respecting each other's right to her/his own feelings, friends, activities and opinions.

Safe relationships are based on negotiation and fairness, being willing to compromise, accepting change, sharing responsibility and making decisions together.

What is the *Safe Relationships Project*?

Safe Relationships Project or (*S.R.P.*) is an initiative of the Inner City Legal Centre (I.C.L.C.). The aim of the *S.R.P.* is to provide a new domestic violence advocacy, information and referral service.

The *S.R.P.* will have a specialist service for transgender people. In this respect the *Safe Relationships Project* will be the first of its kind in N.S.W., offering specialist court assistance and support for transgender communities.

The *S.R.P.* will assist clients in accessing legal representation and applying for Apprehended Domestic Violence Orders (A.D.V.O.s) to help end the violence they are experiencing. The specialist service for transgender people will focus on the needs of the community. *S.R.P.* workers will be trained in trans issues so that clients can feel comfortable being themselves.

How can the *S.R.P.* help me?

If you are in an abusive relationship and you want the abuse to stop, you can go to court and take out an *A.V.O.* against your partner.

The court can tell your partner that his/her behaviour has been wrong and set out rules to protect you in an Apprehended Violence Order.

This order will tell your partner that he or she is not allowed to continue the abuse. If she or he breaks any of the rules set out in the *A.V.O.* he or she can be arrested.

If you make an appointment with the *S.R.P.* they can help you with the process of going to court.

What will happen at the appointment?

You can meet the Project Officer who can discuss your situation with you. The Project Officer can provide you with information about the Court process and answer any questions you might have.

The Project Officer can also provide you with information about other services (e.g. housing, income security, counselling, ongoing support), which assists victims of domestic violence, and advise you on how to deal with these problems.

If requested, the Project Officer might be able to organise a solicitor to represent you at court.

The solicitor will give you legal advice about the orders you are seeking and talk on your behalf to the Court.

How can I use the service?

If you wish to use the service, contact the *Safe Relationships Project* Officer at the Inner City Legal Centre before your court day. This is particularly important as you can discuss with the Project Officer what is going to happen when you go to court.

Do I have to pay?

No. The service is free.

Are *A.V.O.* laws the same for transgender people?

Yes. The law recognises that transgender people need the same protections as everyone else.

Will the Court refer to me in my preferred name, sex and gender?

Yes. The court should respect your preferred name, sex and gender and the *S.R.P.* can request all Court documents to be recorded in your preferred form.

Will I be 'outed'?

The *S.R.P.* understands that if you have had a prior negative experience with police or support services as a result of your gender identity, you may feel reluctant to report violence for fear of being 'outed'.

The *S.R.P.* will respect your privacy and endeavour that your sex or gender at birth be kept discreet at all times. In some circumstances, however, your sex or gender at birth may need to be disclosed in court, for example if the application is defended. If this



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situation arises the S.R.P. can support you through that process.

Are the Courts and/or police transphobic?

Going to court and dealing with the police can be a stressful and daunting experience for anyone. For transgender people it can be even more stressful due to the unknown fear of a negative reaction or ridicule from the police or being treated harshly by the legal system.

The S.R.P. understands that many trans people have these fears and this stops trans people from reporting violence or engaging in any way with police and support services.

The Court staff and police are trained in equity and diversity and should not present transphobic attitudes. The courts are a public space and with the help of the S.R.P. you can feel safe and secure while going through the Court process.

Where can I obtain more information?

You can contact the S.R.P. at the Inner City Legal Centre. Phone: (02)9332 1966 or toll free 1800 244 481 or [visit their website](#). 

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The Gender Centre is committed to developing and providing services and activities, which enhance the ability of people with gender issues to make informed choices. We offer a wide range of services to people with gender issues, their partners, family members and friends in New South Wales. We are an accommodation service and also act as an education, support, training and referral resource centre to other organisations and service providers. The Gender Centre is committed to educating the public and service providers about the needs of people with gender issues. We specifically aim to provide a high quality service, which acknowledges human rights and ensures respect and confidentiality.