INSIGHTS
FROM WHOLENESS & JUSTICE

For the period January to December 2023
The Equal Opportunity Act limits avenues of redress for classes of people who experience discrimination.

The inaccessibility of public social services in Trinidad and Tobago continues to disenfranchise a wide class of people.

Police violence significantly hinders access to justice.

The “anti-rights movement” promotes violence that increases the vulnerability of LGBTQI+ people in Trinidad & Tobago.
IDAHOBIT Statement

Theme: No One Left Behind – Equality, Freedom and Justice for ALL!
International Day Against Homophobia, Transphobia and Biphobia

CAISO’s Wholeness and Justice Insights
Executive Summary

In commemoration of the International Day Against Homophobia, Transphobia and Biphobia (IDAHOBIT) on May 17th 2024, CAISO: Sex and Gender Justice shares the findings of its Insights from Wholeness and Justice Report 2023, based on the third year of providing clinical, legal, and wholeness development services to Trinidad and Tobago’s LGBTQI+ communities.

The Report provides data on service provision and community interventions, discusses key findings, provides analysis into the problems presented by clients, and offers policy recommendations based on client and community engagement.

The Wholeness and Justice Programme offers free, clinically competent, trauma-informed interventions that enable healing and resilience to members of the LGBTQI+ community who experience a violation, with a focus on trans, non-binary, gender-non-conforming, and intersex people.

In 2023, the Programme enlisted 30 new clients and continued services for 26 existing clients from 2022. This brings the total number of clients seen by the Programme, since the December 2020 launch, to 94 LGBTQI+ community members.

Over 50% of total clients enlisted in 2023 were gender diverse—that is, their gender identity and/or gender expression differs from the perceived prevailing norm. This reflects the Programme’s understanding that trans, non-binary, gender-non-conforming, and intersex people face unique vulnerabilities because of the non-recognition of their identities and forms of expression, legally, and socially. As such, the Programme is committed to work that supports this community and individuals we define under the expansive term – gender diverse people.
All 30 new clients who accessed services in 2023 experienced a violation, with 90% of them receiving legal services from the Programme in varying combinations. These legal services included assisting clients with navigating police, healthcare, judicial, and support services, liaising with trade unions, facilitating legal name changes, as well as accessing support and relief from injuries sustained from criminal acts. Along with client specific interventions, the Legal team frequently engages broader-based interventions geared towards advocating for the LGBTQI+ community and alleviating conditions that make community members susceptible to violations.

Most new clients also accessed clinical services, which included psychosocial support, complex trauma therapy, support with social, economic, and personal issues, and social services navigation. Interventions focused on providing LGBTQI+ people who experience violations with mental and emotional support while they received legal services and navigated relevant institutions and legal processes. The Clinical team aims to equip clients with skills to cope with their experiences of violation and trauma and to manage stress and day-to-day challenges. All clinical interventions focus on enabling healing and resilience in addition to encouraging self-advocacy and self-empowerment.

The three main problems presented by new clients reflect persistent issues, which include: 1) discrimination and harassment; 2) family violence; and 3) physical assault. The report offers an analysis of these problems and explains how clients experienced them and explains the interventions and services offered.

Reflecting on a third year of providing full services, this report showcases the myriad ways that the Programme not only responds to LGBTQI+ community needs, but is also committed to engaging community development initiatives, building the capacity of service providers accessed by LGBTQI+ people, and producing public education and research for advocacy and social transformation.

Moreover, the Wholeness & Justice Programme seeks to alleviate prevailing presenting problems for our clients through individual clinical, legal, and wholeness development services. The Programme presents the analysis and insights from our work with clients and community members to provide evidence for long-standing advocacy and calls for needed changes to address the wide-ranging problems reflected in structural and state-sanctioned discrimination. This evidence-based advocacy and approach also supports public education and related engagement to transform harmful social and cultural norms for a more just and inclusive society and world, for all.
CAISO: Sex and Gender Justice established the Wholeness & Justice Programme in 2020 to expand access by diverse LGBTQI+ people in Trinidad & Tobago to wholeness, justice, and social services. The Programme is committed to responding to violations of LGBTQI+ community members with an emphasis on trans, non-binary, gender-non-conforming, and intersex people; and to delivering clinically competent, trauma-informed interventions that enable healing and resilience.

A violation is an action or inaction that infringes on a person’s human rights. A violation can occur intentionally (for example, abuse or violence from a person/authority) or by omission (for example, a failure to protect from harm). Violations may include:

- Abuse from authorities and/or persons
- Infringement on safety and security of the person
- State failure to protect from abuse, exploitation, and/or discrimination
- Infringement on equality before the law and due process.

Community members who have experienced a violation are supported through a combination of legal, social work, peer navigation and referral services, as well as the enrolment of allies. The Wholeness and Justice team assesses each case and provides service as capacity and resources permit, making referrals to appropriate providers as needed.

The main services offered to members of the LGBTQI+ community are:

1. Legal support for clients who have experienced a violation, act of discrimination, or abuse. The programme may enlist the support of partners or limit the type of legal support provided, based on available resources and capacity.

2. Clinical (psycho-social) support to clients who may require mental health support while accessing other services or need assistance with managing day-to-day challenges.

3. Wholeness Development - guidance and support in managing day-to-day life challenges, including financial planning, activity routines, connecting with service providers, and engaging different agencies and bodies.

Additionally, the Wholeness & Justice Programme engages in community-level outreach, policy advocacy, strategic litigation, and capacity building for service providers.
Gender identity distribution among new clients in 2023

Over 50% of the total clients enlisted in 2023 were gender diverse. This reflects the Programme's understanding that trans, non-binary, gender-non-conforming, and intersex people face unique vulnerabilities because of the non-recognition of their identities and forms of expression, legally and socially. As such the Programme is committed to work that supports this community.

LGBTQI+ is a shortened form of the words Lesbian, Gay, Bisexual, Trans, Queer and Intersex. It is used to refer to both sexual orientation and gender identity.

Sexual Orientation refers to a person’s physical, romantic and/or emotional attraction towards other people. Everyone has a sexual orientation, which is part of their identity. Sexual orientation is different from gender identity.

Gender Identity refers to a person’s internal, deeply-felt sense of being a woman or man or neither. Gender identity is distinct from sexual orientation.

Gender refers to the systems and ideas through which societies and cultures define, enact and enforce differences in expectations, roles and opportunities for people. Binary gender expectations are often imposed as the only way to understand gender and is based on perceived biological sex. However there are many forms of gender identity and expression.
Cisgender refers to a person whose gender identity matches the sex/gender they have been assigned at birth.

Trans is an umbrella term used to describe people whose gender identity and/or expression does not match the cultural expectations of the sex they were assigned at birth.

Non-Binary/Genderqueer describes a person’s gender identity that exists outside of binary definitions of gender being man or woman. This means a person does not identify as one gender or another, but rather beyond, neither, or both. This category of gender is often described as fluid, though the way a person identifies their gender is also personal.

It is important to note that heterosexual clients include people of trans experience, which reflects the diversity of the community.
Every new client accessing services in 2023 experienced a violation, with 90% of clients receiving legal services in varying combinations.

Legal Services

Legal services begin with a preliminary legal consultation, which may result in legal representation by the Community Lawyer or support with an existing legal matter. Legal support includes providing the clients with guidance and advice about the related legal issues and processes. In instances where, through legal consultation, it is determined that another institution may be more suitable to address the matter, the Community Lawyer assists the client to navigate that institution and supports them throughout the process. Cases where this occurred during the period under review involved employment-related issues and migrant assistance, among others.

In 2023, the Programme provided legal services to 21 new clients while continuing services to existing clients. The details below focus on the 2023 intake of clients.
### INSIGHTS FROM LEGAL SERVICES 2023

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<thead>
<tr>
<th>Clients</th>
<th>Services Provided</th>
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<tbody>
<tr>
<td></td>
<td>Legal consultation and advice</td>
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<tr>
<td></td>
<td>Legal process and institution navigation, including accessing trade union services, submitting complaints to the Equal Opportunity Commission, and applying for Criminal Injuries Compensation</td>
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<tr>
<td></td>
<td>Documentation support for accessing social services</td>
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<tr>
<td></td>
<td>Deed Poll Application (for name changes)</td>
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<tr>
<td></td>
<td>Navigation assistance for LGBTQI+ migrants with national and international migrant support systems and pathways</td>
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</tbody>
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- 26% accessed legal services only
- 70% accessed a combination of services that included legal services

#### Key Interventions

Along with interventions that are specific to each client and the legal issues they present with; the Wholeness & Justice Legal team frequently engages broader-based interventions geared towards advocating for the LGBTQI+ community and alleviating conditions that make community members susceptible to violations. In 2023, these included:

**International Women’s Day Panel Discussion on Equitable Legal Protections for ALL Domestic Violence Survivors:** The purpose of this panel discussion was two-fold: 1) public education and engagement on legal protections, relief and support that are available to different vulnerable groups of women in violent domestic relationships, since the 2020 amendment to the Domestic Violence Act; and 2) stakeholder engagement to spotlight the organisations that assist different vulnerable groups of women in seeking justice, accessing resources, and maintaining their bodily autonomy.
The IWD panel discussion centred the experiences of LBTQ women, migrant women, and sex workers in violent or abusive relationships who require access to redress but are often invisible in national responses to domestic violence. The conversation pinpointed the barriers and challenges to redress for these groups of women. The Living Waters Community (LWC), Women’s Institute for Alternative Development (WINAD), Family Planning Association of Trinidad and Tobago (FPATT), and the Coalition Against Domestic Violence (CADV), participated in this discussion with CAISO’s Community Lawyer and identified pathways for support.

**Strategic Litigation:** The Programme provides support to clients via court processes and engages judicial (and other related) institutions on questions of law related to LGBTQI+ people's rights in Trinidad and Tobago, based on the experiences and issues presented by clients. In 2023, CAISO engaged the Hugh Wooding Law School Legal Aid Clinic and was advised of our legal standing to pursue constitutional claims before the court on behalf of LGBTQI+ community members. Based on clients’ experiences, police abuse of power and employment issues are key areas of interest. Two matters of Police Abuse of Power with which CAISO has been engaged since 2020 are a case in point. Both matters have moved very slowly, subject to the constraints of the overburdened and slow judicial system as well as client vulnerabilities. Hence, CAISO will be engaging in further strategic litigation in relation to specific client needs and on behalf of the wider community, where possible.

**Legal Process Navigation:** People are often uncertain about available services and resources (and how to navigate their bureaucratic structures), more so if they have been violated. For LGBTQI+ people, the situation is compounded by additional vulnerabilities: feeling disempowered, fear of ‘exposure’, prejudicial treatment, and being denied services because of stigma and discrimination. Therefore, the Programme offers direct navigation services for clients to alleviate these vulnerabilities and to challenge the system.

In 2023, the Legal team assisted clients navigating legal processes by providing guidance on engaging with reporting mechanisms, accompanying clients to the police station, and preparing required documentation. For employment-related matters, the team connected aggrieved persons with relevant trade unions and prepared them for the process of seeking redress. Crime victims received support to access police (for example, the Gender Based Violence Unit and Victim and Witness Support Unit), health care and judicial services, and in applying for criminal injuries compensation. The legal team has been able to utilise ‘The Criminal Injuries Compensation Act’ to assist clients with financial support for accessing continuous treatment and unemployment relief because of injuries sustained from criminal acts.
**Name Change:** The Programme continues to undertake Deed Poll applications for clients who wish to change their names. On successful completion of the process, guided by the Community Lawyer with representation and navigation support for all paperwork, clients are advised on the procedure to have their legal name change reflected on national identity documents (National Identification Card, Driver’s Licence, Passport). Trans, non-binary, and genderqueer clients, consistently seek this service to affirm their identity as a gender diverse and/or trans person. The Programme agrees that this is a necessary step to affirm and uphold the dignity of gender diverse people.

The concept of "dignity" is a foundational principle in human rights. It describes the value and worth that is inherent to every person, regardless of any distinguishing factors. Dignity is at the core of our humanity. Respecting people's dignity, affirms their humanity, and enables them to feel empowered, respected, and valued. This is why it shapes how we understand and implement human rights throughout the world.

Although legal name changes provide a degree of relief for some gender diverse clients, it does not negate the violence they often experience, including in public offices. When individuals’ gender identity and/or expression does not seemingly correspond with the sex stated on national identity documents, they are met with ridicule, harassment, public shaming, discrimination, physical violence, among other violations – without having their service needs met. This is why the Programme and Legal team offer navigation support and guide the process for applying for and retrieving needed documents. The Programme has noted that far too many trans and gender diverse clients and community members have shared these experiences, and therefore are not able to access their documents or services that ought to be available for all.

However, it is important to note the context of public services and systems which are overly bureaucratic and do not work for many people (working-class especially) nor do they operate with a sense of justice or dignity. These are all major deterrents to trans and gender diverse people who require access to services for care, support, protection, and redress.

**Gender Identity** refers to a person’s internal, deeply-felt sense of being a woman or man or neither. Gender identity is distinct from sexual orientation.

**Gender Expression** refers to how a person expresses their gender to the world. It can include appearance, dress, mannerisms, speech, and interactions, which might or might not match their gender identity.
Clinical & Social Services

The Wholeness & Justice Clinical team spearheads all clinical interventions including psychosocial support, complex trauma therapy, support with social, economic, and personal issues, and social services navigation. Interventions focus on providing LGBTQI+ people, who experience violations with mental and emotional support while they receive legal services and navigate relevant institutions and legal processes. The Clinical team aims to equip clients with skills to cope with their experiences of violation and trauma and to manage stress and day-to-day challenges. Ultimately, all clinical interventions focus on enabling healing and resilience in addition to encouraging self-advocacy and self-empowerment.

In 2023, the Programme provided clinical services to 22 new clients while continuing services to existing clients. The details below focus on the 2023 client intake.

<table>
<thead>
<tr>
<th>INSIGHTS FROM CLINICAL SERVICES 2023</th>
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<tbody>
<tr>
<td><strong>Clients</strong></td>
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<tr>
<td>23% accessed clinical services only</td>
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<tr>
<td>73% accessed a combination of services that included clinical services</td>
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<tr>
<td>43% indicated they had trouble accessing public mental health services, as a LGBTQI+ person</td>
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Key Interventions

As with legal services, the Wholeness & Justice Clinical team designs and offers services that extend beyond individual clients. These seek to address pervading community needs and gaps that exist for LGBTQI+ people seeking access to support services. In 2023, they included:

Capacity Building and Public Education Webinars – Informed by clinical insights from client engagement and facilitated by the Clinical team, these webinars are intended for LGBTQI+ people and to increase the capacity of clinical service providers in their provision of services to LGBTQI+ people. The Programme envisions these as being valuable towards expanding the landscape of available care for LGBTQI+ people in Trinidad and Tobago, and regionally.

In 2023, Wholeness and Justice hosted two (2) clinical webinars – namely: Working with Families of LGBTQI+ People and Navigating Social Services for LGBTQI+ People.

1) “Working with Families” sought to discuss with clinical service providers, the experiences of family members of LGBTQI+ people, including the ways trauma and grief may manifest for them. The Clinical team shared a model for working with these family members, aimed at developing their ability to take ownership and responsibility of their personal growth and education regarding the LGBTQI+ community.

2) “Navigating Social Services” provided a forum for social service providers, stakeholders, and LGBTQI+ people to exchange ideas and experiences towards ensuring the equitable delivery of social services to the community. The discussion identified the social services available to LGBTQI+ people and barriers experienced by community members in trying to access these, with the aim of generating recommendations for improving the quality of social service provision to LGBTQI+ people.

The webinar informed the publication of the Ready, Set, Know! Navigating Social Services for LGBTQI+ People Resource Guide.
Community Care and Consultation: Share Space sessions allow the Clinical team and Wholeness & Justice programme to interface directly with the LGBTQI+ community members on topical issues. The space, which began as a virtual community meet-up during the COVID-19 lockdown periods, has maintained its purpose of providing an avenue to build community resilience and network. It is also used as a forum to consult with the wider community on questions and experiences of interest. The three (3) Share Space sessions held in 2023 were: **Community Safety and Wellbeing**, **Safety and Social Services**, and **Community Gathering for Grief and Support**.

1) “Community Safety and Wellbeing” was hosted because of an increase in anti-gender and anti-LGBT sentiments, publicly. The intention was to provide a safe space for community members to express their feelings and experiences within the ongoing backlash, and to exchange resources and strategies for safety and self-care.

2) “Safety and Social Services” informed community members about government social assistance grants and programmes (for example, disability, food, and rental support) and shared best practices for accessing these. Conversations around the challenges community members faced when attempting to access these services were shared with participants (including service providers) at the Navigating Social Services for LGBTQI+ People webinar.

3) “Community Gathering for Grief and Support” was a response to the murder of a community member of trans experience. Goldy’s death, occurring at a time of increasing anti-LGBTI rhetoric and violent sentiments, heightened feelings of anxiety and unrest within the community. The Space allowed community members to show solidarity, process their grief, and discuss strategies to build resilience, with the guidance of the Clinical team.

LGBTQI+ Psychosocial Support Group: The Programme’s mandate to serve LGBTQI+ people in Trinidad and Tobago who have experienced violations, limits the Clinical team from providing care beyond (and without) the experience of a violation. Given the difficulty LGBTQI+ people face in accessing public mental health care that is sensitive to their needs, the Programme launched an LGBTQI+ support group in 2023. Guided by the principles of communal therapy, its purpose was to create a space for healing, resilience, and support. The sessions were co-facilitated by Community Caseworker, Rae Alibey, and Counselling Psychologist, Jhannah Haynes-Mark. Among therapeutic issues addressed were self-compassion, self-esteem, relationship building, and coping with external stressors.
Social Services Navigation: This is casework intervention consistently provided by Wholeness & Justice’s Community Caseworker to vulnerable community members in need of financial support for food, housing, medication, etc, and in some cases, supplemental income because of a disability. The information on available public services and how to access them is synthesised in the *Ready, Set, Know! Navigating Social Services for LGBTQI+ People* resource guide.

Nevertheless, the Programme assists community members with documentation preparation, and the Clinical or support teams may even accompany clients to their appointments. This is especially the case for deaf LGBTQI+ people who need interpretation services. The Programme has team members who are trained in Trinidad & Tobago Sign Language, which is beneficial for client services and ensuring interpretation services for events and activities.

For clients facing social displacement and/or housing instability, a lot of time is spent replacing lost documents and navigating a system that is very challenging and inaccessible for those without a permanent address. The pre-requisite of a permanent address is a hindrance to socially displaced people who need services and support. This is a major concern and prohibits access to social services, which the Programme has identified in policy recommendations.

"The Programme has team members who are trained in Trinidad & Tobago Sign Language, which is beneficial for client services and ensuring interpretation services for events and activities."
Wholeness development services seek to respond to client needs that intersect with and exacerbate their experiences with violations. These include housing instability, food insecurity, lack of access to safe transportation, and lack of access to health care, among others. These needs increase the risk of exposure to violence for LGBTQI+ people and limit responsiveness to legal and clinical interventions. Therefore, wholeness development services are a key component of the support the Programme provides – and underpin the philosophy of Wholeness and Justice. It is undertaken through the coordinated effort of the Wholeness and Justice team, CAISO’s Project & Community Outreach Officer, and organisation staff and volunteers.

In 2023, the Programme provided wholeness development services to 16 new clients while continuing to offer support to existing clients.

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<thead>
<tr>
<th>INSIGHTS FROM WHOLENESS DEVELOPMENT SERVICES 2023</th>
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<tbody>
<tr>
<td><strong>Clients</strong></td>
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<tr>
<td>53% accessed a combination of services that included wholeness development services</td>
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Key Interventions

Key Wholeness Development interventions are targeted at providing the LGBTQI+ community with resources, information, experiences, and opportunities that enrich their lives, address areas that make them more vulnerable to violence and other forms of marginalisation. Wholeness Development support also focuses on developing and increasing self-empowerment and self-advocacy. In 2023, this included multiple community outreach activities, food support, curated community messaging via social media, resource guides, and other public education materials.

Community Outreach Activities included spaces and moments for solidarity, community and alliance building, in-person activities for healing, resilience, and reflection. These included:

1) **Mas Healing** - two-day workshop designed by CAISO team members to facilitate healing practices through mas-making and skill-sharing around self-care and community care. The main goal is to encourage self-advocacy and empowerment for LGBTQI+ community members. Participants used their creativity as a tool for self-expression, processing emotions, grounding and balance, and recharging the spirit.

2) **Community Nature Day** to Avocat waterfall for community members where LGBTQI+ people gathered to enjoy a serene hike and waterfall experience in community with one another.

3) **“Ask a Lawyer” session** with the Deaf Empowerment and Advancement Foundation (DEAF) – Building on the relationship forged through CAISO’s Sign Together Project, the Programme continued to support deaf LGBTQI+ people (and the deaf community in Trinidad and Tobago) through an in-person session with the Community Lawyer that informed attendees about their legal rights, accessing public services, and related questions.

4) **Share Space ‘Community Gathering for Solidarity’** (hybrid event) which reflected on and stood in solidarity with people of Palestine, Haiti, Congo, Sudan, and Tigray. Community members, feminists, gender justice and human rights activists used the Space to mourn and share on the ongoing conflicts, occupations, and crises.

Curated Community Messaging: The Programme disseminated targeted messages on issues of concern to community members via social media platforms. Among topics covered were online dating safety tips, coping with the (Christmas/New Year) holidays with supportive tips and for allies, tips for supporting LGBTQI+ people during the holidays.
**Resource Guides and Public Education:** The Programme published four (4) resource documents in 2023, which are all available on the CAISO website. These included:

- **Ready, Set, Know! Navigating Social Services for LGBTQI+ People** – This resource guide considers the intersecting ways minority populations experience discrimination and navigates them from service demand to service acquisition. It aims to educate members of the LGBTQI+ community, and service providers on the social services available to LGBTQI+ persons in Trinidad and Tobago and provides recommendations for navigating systems that may be challenging and alienating for LGBTQI+ people.

- **Beyond Decriminalisation: A Position Paper on Laws and LGBTQI+ Inclusion and Protection in Trinidad and Tobago** - The paper explains the landscape relating to LGBTQI+ rights in Trinidad and Tobago and steps that need to be taken to create an enabling and inclusive environment. Informed by community experiences and perspectives, the paper analyses the impact of prejudicial attitudes and behaviour, structural discrimination, and the lack of legal protection and recognition on LGBTQI+ people in Trinidad and Tobago.

- **Educate to Empower: Rise Together Resource Guide** - A guide for parents, guardians, and anyone who has a young LGBTQI+ person in their life that they love and want to support. It provides practical strategies, legal and social resources that assist these adults with understanding LGBTQI+ youth, empowering them to self-advocate, and offer pathways to justice should they experience a violation.

- **Educate to Empower: Rise Up Resource Guide** - A resource guide for empowering and supporting LGBTQI+ youth through their journey of self-discovery and identity formation, with the aim of fostering a culture of compassion, understanding, and inclusivity.

**Client and Community Support:** In 2023, the Programme provided emergency financial support to clients in the amount of TTD 19,935.00. Offered to clients to ease circumstances that exacerbate their ongoing violation experience, the emergency financial support covered food, housing, legal, medical, and transportation expenses.

CAISO engages in community outreach through various activities and offers food support and other resources to members of the LGBTQI+ community. Priority groups in 2023 included trans people, migrants, people engaged in sex work, and people living with HIV. The table below provides a breakdown of support provided.
<table>
<thead>
<tr>
<th>Activity</th>
<th>Target Group</th>
<th>Total</th>
<th>Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food Support</td>
<td>Monthly support to 10-15 clients and community members (some people received support for consecutive months)</td>
<td>Distributed 121 food cards, valued at TTD 99,700.00</td>
<td>Wholeness and Justice Emergency Support</td>
</tr>
<tr>
<td>WJ Fundraiser for skills-training for a community member</td>
<td>CAISO’s followers</td>
<td>TTD 3,800.00</td>
<td>Crowdfunding</td>
</tr>
<tr>
<td>LGBTQI+ Community Food Bank</td>
<td>50+ no-income and low-income clients/community members supported during December holidays, though community food drive and donations</td>
<td>Valued at TTD 30,000</td>
<td>Donations from Advisors Next Door, FPATT, Massy Stores, Barbie Fundraiser, and Individuals</td>
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Consider the experiences of a lesbian couple who is arbitrarily evicted from their residence because of their relationship, or a trans person who is often harassed and ridiculed at their workplace and can no longer continue working because of the hostile environment. Each of these individuals should have the right to query these experiences and seek redress before the Equal Opportunity Commission.

The Equal Opportunity Act of Trinidad and Tobago aims to prohibit certain kinds of discrimination and promote equal treatment and access to opportunities for all - particularly in relation to employment, housing, education, and accessing goods or services - regardless of the person’s sex, colour, race, origin, religion, marital status, or ability. The Act established the Equal Opportunity Commission and Equal Opportunity Tribunal in 2000 as mechanisms for aggrieved persons to access redress.

However, the Equal Opportunity Act explicitly excludes ‘sexual orientation’ as a protected category. Therefore, it prejudices LGBTQI+ people – as it does not extend protection to members of the community by prohibiting discrimination on the basis of sexual orientation. Ultimately, it limits community members’ rights to access justice and redress, in the event of a violation.

The Add All Three Campaign

The Add All Three to the EOA Campaign is a call by a broad coalition of organisations to add protections based on LGBTQI+ status, as well as age and health conditions, to the 24-year-old law. Since 2011, CAISO has focused attention on the Equal Opportunity Act and campaigned for legislative amendments to add three protections (Age, HIV, Sexual Orientation) to the EOA. The campaign was revamped in 2018 to Age, Health, LGBTI status – as the three needed additions to reflect a wider range of inclusions. Supported through partnerships with civil society organisations and the Equal Opportunity Commission, the campaign featured a series of public education materials to increase awareness of the Act and the call for amendments.
The Equal Opportunity Commission (EOC) has made similar recommendations for amendments since 2011. However, it is left to the Parliament of Trinidad and Tobago to heed these recommendations and make the long overdue amendments to the Act. It is important to note that expanding the law’s protections to include overlooked groups has been a recommendation of all major international human rights reviews that Trinidad and Tobago has undergone since 2000. Further, over 25 diverse local and regional groups have championed these legislative amendments in various ways over recent years.

**NB:** See *Beyond Decriminalisation: A Position Paper on Laws and LGBTQI+ Inclusion and Protection in Trinidad and Tobago* for further information on needed legislative changes for LGBTQI+ inclusion and protection. Published in 2023 and available on the CAISO website.

**The inaccessibility of public social services in Trinidad and Tobago continues to disenfranchise a wide class of people**

Public social services are government-administered initiatives and resources in Trinidad & Tobago established for the benefit of everyone who needs them. They include social welfare programmes, housing assistance, and family services administered by the Ministry of Social Development and Family Services, among other state agencies. These public services are generally intended to meet the social, economic, health, and other wellbeing needs of vulnerable groups, and, in turn, should improve the quality of life for all persons in Trinidad and Tobago by promoting principles of social justice and equity.

However, accessing these services is beyond difficult for many working-class individuals who are most in need of them; and for working-class LGBTQI+ people, there are multiple challenges and exclusions in social services. Part of the problem is beneficiaries not being apprised (or aware) of available services specific to their needs. But some of these programmes’ rules preclude people from accessing the services. For example, the requirement of a permanent address makes it difficult for *socially displaced people* to access the national Food Support Programme.
People in same-sex relationships living together who require Public Assistance Grants are denied access to them because of the explicit requirement for applicants to be cohabiting with a person of the opposite sex. This kind of rule fails to consider the gender and sexual diversity of the population and directly excludes community members from receiving necessary support. **Furthermore, people with different types of disabilities experience barriers that impede their access to much needed services. The unique accessibility needs that disabled people require are often unmet in public social service institutions.** The onus is frequently placed on the disabled person to provide for their accessibility needs. Independently accessing these services is disproportionately tedious for disabled people and affects the quality of services received. For example, when a deaf person attempts to access health services through the Regional Health Authorities, communicating their needs and engaging with healthcare providers becomes extremely difficult without interpreters present at the health centre. Deaf LGBTQI+ people have shared experiences of being treated with disdain, refused services until they return with an interpreter, having their private medical information communicated with other people, without their consent, among other distressing situations.

These experiences shape what we understand to be structural discrimination. For marginalised communities, navigating these bureaucratic systems becomes even more challenging with deterrents and stigma in the process. In public social service systems, there is a lack of attention to multiple or overlapping issues that increase vulnerabilities for people applying for support – particularly as it relates gender, sexuality, social-economic status, nationality, and ability, among others. These challenges disenfranchise a wide class of people and make services largely inaccessible, which affects the material lives and possibilities for individuals who require support and ought to have access to public services. For example, a working-class Deaf trans woman will experience multiple blocks and denials when attempting to access social services.

**Cohabiting** is also understood in the context of the Cohabitational Relationships Act which only recognises cohabitation in a heterosexual context.
The Programme has therefore created pathways for navigation and intervention for LGBTQI+ community members through casework support, wholeness development, and social services resource guide.

**NB:** *See Ready, Set, Know! Navigating Social Services for LGBTQI+ People – Resource Guide published in 2023 and available on the CAISO website.*

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**Police violence significantly hinders access to justice**

The Trinidad and Tobago Police Service’s (TTPS) central motto is “to protect and serve with Professionalism, Respect, Integrity, Dignity and Excellence (P.R.I.D.E)”. These core values reflect the service’s (and by extension, officers’) dedication to upholding the dignity and human rights of all people in Trinidad and Tobago, in their delivery of services as gatekeepers to justice.

Far too many LGBTQI+ people’s experiences with the police fall short of this standard. Like many other people in Trinidad and Tobago, when community members experience a violation, the police service is typically the first point of contact and therefore, a crucial juncture towards justice. This is usually the stage, however, where some LGBTQI+ people forego seeking justice. Although the Programme received no reports from community members of direct physical violence from police officers, community members complained of experiences of micro-aggressive behaviours, ridicule, intimidation, and verbal abuse. We understand these to be abuses of power – which should not be expected from officers of the law.

Moreover, there are experiences shared by community members where police officers blatantly refused to investigate or get involved in matters involving LGBTQI+ people. This is especially the case in intimate partner violence (IPV) matters between people of the same sex. In some IPV matters, despite disclosure about the nature of the relationship, officers misguided victims by not directing them to available mechanisms like the Gender Based Violence Unit and informing them of the possibility of a **Protection Order**, as a form of relief. Instead, they treated the complaint as a common assault, which excludes any provision for emergency relief like the **interim protection order**.
A Protection Order pursuant to the Domestic Violence Act 2020, is an order made by the court, on determination of domestic violence, that places limitations and restrictions on the perpetrator's communication and access to the abused person. It is intended to curtail abusive behaviour and identifies the implications when there is a breach of the order.

An Interim Protection Order, as defined in section 8 of the Domestic Violence Act 2020, is an order that the court makes, pending the hearing and determination of the matter before the court. This is usually made by the court, on application for a protection order, if the court finds it to be necessary or appropriate to ensure the safety and protection of the applicant.

Police Negligence can lead to further harm and violations. For example, in the case of a migrant trans woman who often called the police when her partner was abusive, officers consistently refused to get involved. Eventually, the abusive partner escalated the aggression by setting fire to her property and personal belongings (including travel documents) and killing her pet. Due to police negligence in the court matter, the case became protracted, resulting in a conclusion that might have otherwise been avoided.

To add to this, anecdotal evidence suggests that police officers target members of the community in the exercise of their duties, particularly in public spaces. This disproportionately affects trans and gender diverse people whose gender expression often makes them more visible and thus, easy targets for police abuse.

Notwithstanding the reports of police abuse or neglect, the Programme noted some police divisions where LGBTQI+ people consistently received service without hassle. This indicates that non-discrimination is possible in the exercise of police duties and should be the standard, regardless of the police station or officer. This also underscores the importance of frequent and standardised sensitivity training for officers, to ensure redress remains accessible for the people who seek it, everywhere.
The Programme has offered support to clients and community members to navigate police services and interventions with the Police Service, to improve and demand better of duty bearers.

**NB:** In 2022, CAISO produced a guide *Navigating the Trinidad and Tobago Police Service as a LGBTQI+ Person: Reporting Procedures and Routes to Redress*, which is available to community members via the website.

The “anti-rights movement” promotes violence that increases the vulnerability of LGBTQI+ people in Trinidad & Tobago

In Trinidad & Tobago (and the wider Caribbean region), there has been a surge of anti-gender and anti-rights crusading, directly influenced by groups and trends in North America. In 2023 specifically, there was sustained backlash against the LGBTQI+ community, stemming from misinformation about a children’s book found in a local bookstore. This culminated in a hyper-fixation on LGBTQI+ people (including people who are perceived to be LGBTQI+) by members of the public.

Along with comments on social media that sought to incite violence against LGBTQI+ people, members of the community reported receiving threats to their life and property, and increased harassment from family members, people in their neighbourhood and workplaces, as well as from strangers in public spaces. Owing to varying degrees of visibility, trans and gender diverse people were disproportionately affected by this. At the height of the backlash, community members expressed concerns about their safety and security, and unwillingness to engage public services, including law enforcement and health facilities.

In response to this, Wholeness & Justice hosted Share Space sessions which offered a space for LGBTQI+ people to be in community with one another, sharing feelings and experiences. Guided by the Clinical team, participants discussed different coping strategies for dealing with the trauma of the landscape. Consistent among community members were intensified feelings of depression and anxiety, triggered by fear, the lack of mechanisms that protect them, and the general unwillingness of public officials to address this. These persisted in a similar Share Space session later in the year, following the tragic murder of another community member of trans experience in Port of Spain.
Global anti-rights backlash has recently had a strong public resurgence. This has presented itself in many forms including increased anti-gender and anti-LGBTQ+ rhetoric that centres the myth of male marginalisation, promotes gender inequity, and supports misinformation about comprehensive sex education. Much of the funding and organising around anti-rights movements in the region are directly linked to religious conservative groups and organisations from the United States and Europe. This extends beyond the advancement of human rights for all and intends to hinder political, social, cultural, and economic progress in our region (and globally).

We understand the clear influence of North American and European conservative interest groups to be an extension of colonialism, which insists on perpetuating structures of inequality and underdevelopment in our region, while protecting the interests of global dominant powers.
In 2023, new clients sought Wholeness & Justice services for the following categories of problems: Discrimination and Harassment, Employment Issues, Family Violence, Intimate Partner Violence (IPV), and Physical Assault. Some clients presented with multiple issues concurrently, compounded their impact.

**Discussion of Presenting Problems**

Discrimination generally refers to the act of treating someone unfairly and unjustly based on a certain characteristic such as race, sex, class, religion, age, disability, sexual orientation, gender identity, among other defining characteristics.
In Trinidad and Tobago, people are often discriminated against based on their (real or perceived) sexual orientation and gender identity and/or expression. This includes structural discrimination and individual acts of discrimination within interpersonal experiences. Structural discrimination encompasses the ways policies, practices and procedures that shape institutions (for example, public service agencies, judicial systems, education, workplaces, etc.) reinforce harmful principles like hetero-patriarchy which, in-effect, excludes LGBTQI+ people. Although these institutions are seemingly available to all, structural discrimination inhibits community members’ access to them since these institutions and services do not consider gender or sexual diversity in experiences and identities. Structural discrimination often informs (and is informed by) individual acts of discrimination, as seen when individuals within these institutions, family members, co-workers, landlords, and even strangers treat LGBTQI+ people badly and unjustly, on account of their sexual orientation and/or gender identity.

Heteropatriarchy is an oppressive system that values and gives power to cis-men over women, gender diverse people, and heterosexuality over all other genders and sexualities. It not only impacts interactions between people but the ways that structures control and discriminate against people.

Structural discrimination describes a form of discrimination that creates injustice, inequality, and harm through institutional barriers and violations. Those who are othered, face unjust and inequitable conditions that become entrenched in society over a long period of time. Structural discrimination often works in ways that can be routinised outside of individual actions because institutions’ rules, laws, norms, and removal of protections become reinforced as a system. In this way, it can impact many inter-related aspects of a person’s life through explicit or subtle forms of exclusion. This adversely affects people’s ability to enjoy rights with impacts on quality of life and often their life chances.

Institutions can be used to refer to the social and legal pillars of our society. We often use them to organise, control, support, and structure important parts of our lives. These includes our behaviours, relationships, roles, and expected ways of being or norms. These institutions include education, law, religion, family, healthcare, government, among others.
The Constitution of the Republic of Trinidad and Tobago frames the landscape for the existence and enjoyment of human rights in Trinidad and Tobago. This in turn shapes the social, economic, cultural, and political development of our country. The Constitution of Trinidad and Tobago, much like that of other countries in the region and throughout the world, has a clause for non-discrimination that can be found in Section 4. This section declares that fundamental human rights and freedoms exist and thus should be enjoyed by all without discrimination in our Republic. However, the Constitution limits the protected statuses to race, origin, colour, religion, or sex. Many countries around the world have expanded these statuses (through constitutional reforms) to include other defining characteristics such as age, disability, health status, sexual orientation, and gender identity, among others. Doing this ensures that as many people as possible are protected by the Constitution, in the enjoyment of rights and freedoms.
**Harassment**, as defined by the **Offences Against the Person Act**, includes behaviours such as following, accosting and/or making visual recordings of someone; entering property or interfering with property in their possession; making contact with the person, and acting in any other manner that could be reasonably expected to alarm or cause distress. It is usually paired with discrimination because the two often occur together – sometimes harassment occurs as a result of discrimination, and vice versa. Linking the two illustrates the interconnected nature of these two issues, especially as they regularly manifest in similar ways (for example, verbal abuse, physical threats, intimidation, and humiliation) in similar sites.

Of the clients who experienced **discrimination and harassment**, 67% were also physically violated and received threats to their lives. In one instance, the client (a trans woman) also received threats of rape from the landlord who lived in the same compound. In 33% of the instances of discrimination and harassment, landlords were the main perpetrators. The impact of this type of violence was such that 56% of these clients elected to receive clinical services, due to emotional distress, diminished self-esteem, post-traumatic stress disorder (PTSD), and other forms of psychological harm. Some of these clients shared anxieties related to engaging law enforcement (either by reporting or calling for help), especially given the prejudicial treatment community members are often subjected to by police officers. Others, who were discriminated against when applying for public service grants, did not feel empowered to continue the process, despite their need and rights. **The Programme provided navigation support to 78% of these clients who required legal and social services, and food support to 33% of them.**

From the above, it is evident that discrimination and harassment affect people’s quality of life and their access to safe housing, health services, proper policing, among other public services. **Discrimination and harassment also affect LGBTQI+ people’s access to gainful employment and their ability to be productive in their workplaces.** In 2023, 8% of new clients experienced **employment issues**: specifically **constructive dismissal** from their jobs and/or **discrimination and harassment in the workplace**. Examples from clients’ experiences include being intentionally denied work in arrangements that involved a quota system, micro-aggressive behaviour from co-workers, name-calling, and frequent harassment at the workplace, without intervention from employers. For one client (a gay man), the harassment from a co-worker escalated to threats to have him fired and to kill him. On one occasion, the aggressor brandished a cutlass and started moving towards the client.
Constructive dismissal occurs when an employer breaches the terms of an employment contract or creates an untenable work environment, so much so that it compels the employee to resign. This is often considered wrongful termination which is actionable.

Even though the Equal Opportunity Act provides measures to curb behaviours like these and for individuals to query and seek redress, this does not extend to LGBTQI+ people. Therefore, the pathway to justice for LGBTQI+ people discriminated against on the basis of their sexual orientation and gender identity, is most often unclear and uncertain. The Programme supported 50% of clients presenting with employment issues, with reporting incidents, preparing documentation and liaising with the relevant trade union for further support and advice. The remaining 50% opted not to move further with legal processes, as they identified food insecurity and housing instability – exacerbated by the dismissal – as their primary concerns.

Domestic violence was a major problem area for LGBTQI+ people receiving Wholeness & Justice services in 2023, with 45% of new clients experiencing domestic violence, particularly family violence (29%) and intimate partner violence (16%). The behaviours that constitute these types of violence are understood in the context of the Domestic Violence Act – that is physical, sexual, emotional, psychological or financial abuse committed by a person against another person whom they share a domestic relationship.

Family violence relates to instances of violence within a familial relationship. Within this context, aside from physical abuse (71%), clients were subjected to verbal and emotional abuse that included name-calling, humiliation and intimidation, unwillingness to recognise the individual's identity, the use of religion to shame and oppress, confinement to the home, threats to life and property, and threats to disown and displace the individual. Intimate partner violence, on the other hand, describes the type of violence between individuals who are (or were) in a romantic and/or sexual relationship. Seventy-five percent of the clients who reported IPV, experienced physical abuse that resulted in injury, with 100% of them reporting emotional abuse and distress as a result. Some of these incidents also included destruction of property, withholding of personal documents, and threats to kill – even in circumstances where there were children in common involved.
Although the Domestic Violence (Amendment) Act - via the “dating relationship” definition - creates an avenue for people in same-sex relationships to get relief via an application for a protection order, the Programme noted that only 25% of the clients who experienced IPV pursued this option, then decided against it later. Another 25% initially expressed interest but eventually opted not to continue. Clients shared several reasons for this: one of them being not wanting to be ridiculed or discriminated against after disclosing the nature of their relationship to someone of the same sex. Two clients (a bisexual man and a pansexual, non-binary person) shared a lack of confidence in the effectiveness of the protection order if perpetrators retaliated. Further, clients felt it best not to expose themselves or their partners to the typically harmful and adversarial attitudes of law enforcement to LGBTQI+ people. This was often the position of clients who were in long-term relationships.

Generally, 50% of these clients requested clinical support. The clients identified the following as objectives for these sessions: setting boundaries between them and their (ex- or current) partner, skills for coping with the abuse and building resilience to move on, and managing symptoms of PTSD, anxiety, and depression. It wasn’t uncommon for clients to request that clinical services be extended to their abusive partner, especially noting the inadequacy of public mental health care for LGBTQI+ people. A disabled client who experienced financial abuse, chose to ignore that issue entirely, and sought help to apply for disability support.

"CLIENTS SHARED A LACK OF CONFIDENCE IN THE EFFECTIVENESS OF THE PROTECTION ORDER IF PERPETRATORS RETALIATED."
Similarly, in familial relationships, clients were reluctant to explore the option of a protection order, especially young people who were dependent on family members (and perpetrators) for necessities such as food and shelter. For one young, genderqueer client with health complications, applying for a protection order meant renouncing their access to safe housing. Rather than risk being displaced with nowhere to live, they chose to endure the abuse and get clinical support for gender dysphoria and concomitant psychological issues (namely, low self-esteem, anxiety, depression, and suicidal ideation). A pansexual client opted for casework to prepare for the physical and financial violence she expected from family members, upon their discovery of her sexual orientation.

Twenty-nine percent of clients sought legal services in relation to family violence. One client who was seeking a second protection order against family members who had physically abused him, sought help from the Programme to navigate the exhausting and traumatic process. A genderqueer, pansexual client was particularly interested in understanding the legal remedies, to protect a relative (a child) who was being verbally, emotionally, and physically abused because of his perceived sexual orientation.

Physical assault entails the unwanted use of force or violence against someone, intended to cause harm or injury. A quarter of new clients in 2023 experienced physical assault. Of these clients, 67% were victims of attacks by strangers. One client, an “out” gay man, was physically attacked and called homophobic slurs on a busy street during daylight hours. The client was so badly injured that he was unable to work and relied on the Programme for food support for a couple months. In two other instances, two migrant clients of trans experience were attacked within similar contexts on multiple occasions. During the incidents, the attackers admitted to stalking them for some time and wanting to cause them harm because of their perceived sexual orientation and gender identity. The Programme assisted both clients in reporting the attacks, but the clients could not proceed further because they were unable to identify the perpetrators.

‘Out’ is a term that is used to refer to someone whose gender or sexuality is made public or known.
LGBTQI+ people in Trinidad and Tobago – particularly persons whose gender expression causes them to be more visible than other community members - are often wary of the potential for acts of violence, especially in public spaces. State-sanctioned discrimination makes the community more vulnerable to violence since perpetrators often feel justified in their actions.

The pervading negative attitudes towards the LGBTQI+ community, the absence of legal recognition or protective laws, and the dearth of community-sensitive systems for care and redress, create an environment where perpetrators believe their actions will be met with impunity. Feelings of insecurity, the heightened sense of vigilance, and prolonged exposure to the fallout of discrimination, results in endurance trauma and minority stress.

The unavailability of consistent and far-reaching mental health support via the public health system predisposes LGBTQI+ people to complications that can adversely affect their physical, mental, emotional, and social wellbeing.

“STATE-SANCTIONED DISCRIMINATION MAKES THE COMMUNITY MORE VULNERABLE TO VIOLENCE SINCE PERPETRATORS OFTEN FEEL JUSTIFIED IN THEIR ACTIONS.”
These insights from the past year confirm the pervasiveness of discrimination – which is ultimately a hindrance to the State’s commitment to equitable provision of services for care, support, protection, and redress to all. Discrimination impedes the enjoyment and fulfillment of the human rights of LGBTQI+ people, as well as members of other marginalised communities in Trinidad and Tobago. Therefore, CAISO continues to advocate for the inclusion and protection of LGBTQI+ people in all their diversity, and to innovate and expand service provision, despite operating within the context of legal and social systems underlain by structural discrimination.

Policy Recommendations:

Based on the experiences noted in the Wholeness & Justice 2023 Insights Report, we propose the following recommendations to the Government of the Republic of Trinidad and Tobago and related stakeholders. Implementing these will indicate that the government, as duty bearer, respects, protects and fulfils the rights of all LGBTQI+ people, as equal rights-holders in Trinidad and Tobago. Among these rights are, the right to legal protection from arbitrary infringements of human rights, the right to equitable access to public services and the right to access redress, when an infringement occurs.

“Discrimination is ultimately a hindrance to the State’s commitment to equitable provision of services for care, support, protection, and redress to all.”
• Create safe and affordable housing for LGBTQI+ people, especially youth and those who experience family violence in homes, and gender-based violence in state care.

• Engage in legislative review regarding non-discrimination and enact laws that specifically prohibit discrimination based on sexual orientation, gender identity and expression, and sexual characteristics (SOGIESC). This includes making necessary amendments to the Equal Opportunity Act to reflect this.

• Update social welfare policies that limit or prevent access to services, namely remove the “fixed address” requirement, which discriminates against people in need of social services who do not have stable or permanent housing.

• Support capacity-building and gender, sexuality, and LGBTQI+ sensitivity training for public servants and duty bearers (including police officers, social workers, and healthcare workers) who are key stakeholders in providing social services. Training should be continuous and facilitated by experts.

• Increase and improve access to healthcare services (including mental healthcare services) for LGBTQI+ people through gender-sensitive and inclusive policies that explicitly offer protection and ethical protocols for confidentiality and care.

• Provide concrete and responsive mechanisms for complaint and redress when public servants infringe rights.

• Provide continuous training of judicial officers – especially as it relates to the 2020 Amendments to the Domestic Violence Act.

• Implement the Judiciary of Trinidad and Tobago’s “Gender Equality Protocol for Judicial Officers” in a way that recognises and includes LGBTQI+ people, particularly people of trans experience and gender diverse identities.

• Engage in meaningful dialogue and consultation with civil society organisations working with LGBTQI+ communities, to offer expertise and understanding on the challenges and barriers to social and public services.

• Ensure LGBTQI+ people and other vulnerable groups are represented and included in law reform to protect and promote rights and address issues that concern them.

• Enact protections on the basis of sexual orientation and gender identity to the Constitution under Section 4 – which ensures citizens’ access to their fundamental rights and freedoms without discrimination. (CAISO submitted this recommendation to the recent call for submissions to the National Constitutional Reform Committee.)
Insights from Wholeness and Justice 2023

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