



COMMUNITY DISCUSSION:

QUEERS AND CRIMINALISATION

Hosted by LGBT Health and Wellbeing with guests Bent Bars Project

Saturday 18th November 2017 at Pearce Institute, Glasgow.

This report is written by Ian Mearns, LGBT Health and Wellbeing (Development Worker, Glasgow Community Project) who chaired the event with the help of notes taken by Angela Aranghelovici (Sessional Worker). On the day our guest speaker was Chryssy Hunter from Bent Bars Project.



Overview of the event

As part of our ongoing series of quarterly Community Discussion, part of the Glasgow Community Project, we held a discussion on Queer people who are criminalised on 18th November 2017.

Our special guest at the event was Chryssy Hunter from Bent Bars Project. Our focus on the day was:

Are LGBTQ people more likely to end up in prison? Why? What does prison abolition have to do with LGBTQ liberation? Join the discussion with special guests 'Bent Bars Project'.

On the day the event was attended by just over 20 of our community members and lasted 2 hours. After a short introduction by Ian, Chryssy spoke for around 40 minutes on a range of issues for LGBTQ people who are criminalised.

The remaining time consisted of a Q & A, with Chryssy taking questions from our community members.

Introduction

Ian began the Community Discussion by posing a few questions to community members:

- 1) What is it about their LGBT identity that means that LGBT individuals might end up in prison?
- 2) How should we expect/How should prisons accommodate the needs of LGBTQ individuals?
- 3) What is the alternative to prison? Should prisons be abolished?
- 4) What is prison: punishment, rehabilitation, both, something else?

Chryssy was then introduced and started by breaking what they would talk about into four sections:

- 1) Bent Bars: Projects and Collective
- 2) Prisoners in general
- 3) Trans prisoners and change in legislation
- 4) Prison abolition

Overview of Contribution from Chryssy Hunter

Bent Bars: Projects & Collective

Bent Bars Project started in 2009. It is a letter writing project, building stronger connections between in and out of prison LGBTQ people. LGBTQ individuals have a long history of being criminalised, however only a few resources have been available to them. Many LGBTQ groups don't support prisoners; likewise, many prisoner groups don't support LGBTQ prisoners.

The criminal justice system targets LGBTQ individuals, especially poor and black minority ethnic LGBTQ individuals. However, it is not known how many LGBTQ prisoners are behind bars. The projects works in solidarity with LGBTQ prisoners, aiming to draw public attention and support prisoners.

At the moment, six people work for the project, who meet weekly and go through letters they've received. LGBTQ individuals not in prison write to them saying they want to become pen pals with an LGBTQ prisoner and vice versa. Bent Bars Project try to make the best matches of pen pals.

Bent Bars Project also produce magazines, which contain letters written by prisoners; these are edited for confidentiality and are produced annually. The project is mostly advertised through word of mouth.

They have noticed that they have many people writing to them from a few institutions, and none from many others. While it should be more uniform, this suggests that some prisons are clearly worse than others in terms of their

treatment of LGBTQ prisoners and the prisoners' rights, and also that discrimination in prisons is institutionalised.

Organising principles of the project

- It is a small organisation, a collective; not a charity
- Function based on individual donations
- Absolutely independent from the criminal justice system
- Prevention of hierarchies, working together at the same level
- Support all prisoners regardless of convictions
- Belief that prison is not an effective solution to helping people and holding the criminal justice system accountable
- LGBT people get to prison as a result of institutionalised homophobia, transphobia, racism ect.
- There is no such thing as a single issue issue and therefore we have to adopt an intersectional approach

LGBTQ Prisoners

Everyone in the Bent Bars committee identifies as being LGBTQ in some way.

Prisoners report constant discrimination from other prisoners, from staff, from the institution, and in some cases from the government (example: seeking asylum).

LGBTQ prisoners who live in poverty or who suffer from mental health issues are overrepresented.

This is an intersectional issue: we talk about the LGBTQ community, but this is simplifying the issue at hand. There are many communities within the LGBTQ community. Perhaps 'constituency' would be better than 'community'.

LGBTQ people from different backgrounds and with different experiences such as class, disability and ethnicity have different needs and have to deal with different issues.

Example from Newsletter 2 from 2010

Charlie an ex prisoner:

- **Anyone who stands out is vulnerable**
- **If you have a strong character and you act straight, you are safer**
- **Safety in prison is subjective**
- **It is difficult to avoid certain people and always keeping guard is very stressful**
- **Don't be afraid to use prison services that are available**

Bent Bars Project gets many letters from prisoners who come out to themselves for the first time when they enter prison, perhaps because they've become sufficiently separated from previous circumstances to be able to reflect. They get letters from people who are feeling very conflicted, especially trans women in male prisons who are coming out to themselves for the first time.

Example:

a prisoner from the traveller community who had problems regarding their identity in their own community and they were then outed in prison by members of their own community.

There are also many problems around sexual health in prisons: different prisons have different levels of difficulty in terms of access to condoms. In some prisons, it is not that hard, in others for example you have to return used condoms to get new ones.

Example from newsletter

Dean:

- **Lots of prisoners would not want to be around you for fear of being called gay themselves**
- **Had to hide sexuality for years**
- **Had to pretend his male partner was female when he was writing to his partner**
- **Had to ask his lesbian friend to send him a photo to prove that he has a girlfriend**

- **Received lots of teasing from prisoners, example: “When’s your girl coming to see you?”**
- **Began to self-harm and was put on suicide watch**

In some prisons there are LGBTQ groups that offer a lot of support. Bent Bars Project often visits these groups and hosts discussions. Chryssy had someone disclose to her they were trans without having come out to anyone else in the group.

In this kind of situation when they get to visit prisons, they have noticed the stark contrast between environment in group and outside of group in the rest of the prison. Through prison tours, they have got an insight into how difficult it must be for LGBTQ people in prison in their everyday lives.

Example from Newsletter from prisoner:

- **Biggest fear: of being alone**
- **The pen pal programme has helped enormously by giving him someone to talk too by improving his sense of wellbeing; before, he was always down and moody knowing that he has to hide his identity from the other prisoners and always having to be on your guard**
- **Now he is trying to educate his prison mates; because he was the last person they thought would be gay, they opened their mind**
- **In reach is more important than outreach**

Trans prisoners

Positive example:

The case of Tara, who after public pressure, was successful in being moved to a female prison.

Negative example:

The deaths of two trans women, who were incarcerated in male prisons. This still happens a lot.

Prison regulations are meant to ensure that the provisions of the Equality Act are followed in prison. All the rights that LGBTQ people have on the outside should translate to the rights they have whilst in prison.

New regulations have been in effect since the beginning of this year. According to these, trans prisoners should be placed in the correct prison automatically if they have changed their gender legally. However, this is problematic, because many trans people could have socially and medically transitioned, but not legally (yet, or not at all if they don't wish to). In this case, they would be placed in the wrong prison.

New regulations offer recognition for non-binary prisoners, but this concept is not defined. Non-binary prisoners will thus be put in prison according to their assigned gender at birth.

Some prisons differ in trans experience than others. In some, prisoners are routinely misgendered and called by the wrong names.

There is still much confusion in the minds of juries and police as to what the difference between gender and sexual orientation is. This is a problem with the culture of the criminal justice system.



Abolitionist organisation

Within the project, different people have different ideas about what abolition could mean.

When we talk about the prison, we all sort of know what we are talking about. Prison is naturalised as a concept. It is a construct and we never think beyond it. As a society however, we don't have a consensus about what it is for. Often people feel the criminal justice system is not a justice system, but a vengeance system.

As a society, people think prison abolition is about setting everyone free, but this is not what it's about. Sometimes there are good reasons to keep people out of society. However, the criminal justice system is not the right answer.

What are the alternatives to incarceration? Many crimes are committed by people with mental health problems and substance abuse. Investing in prevention services and programmes that will help individuals with these issues would be a good start. What institutions could we imagine, which still remove some people from society but which are inherently different from prison?

The people affected by the crimes committed might not feel at peace after prisoners are sent to prison. Humans commit crimes and they always will.

The criminal justice system as it stands now fails prisoners and fails people who have crimes committed against them.

Q & A at the Community Discussion- a selection of the questions asked

Comment from audience: *'What are some of the reasons why people end up in prison?'*

Answer from Chryssy: *'Austerity; in the last 35 years, people have been losing their jobs and their homes which affects things like mental health and substance abuse which increases likelihood of ending up in prison.'*

Comment from audience: *'LGBTQ individuals are often also victim of crimes.'*

Answer from Chryssy: *'In 1992, Chryssy was beaten up by 5 people. She recently reflected about this. She is sure that the perpetrators of the crime did not get LGBTQ education in prison, so she thinks that as a result of being incarcerated, they actually became even more angry against LGBTQ people. She also did not heal, and they probably became more homophobic and transphobic and learned nothing. When people are angry, putting them in prison makes them angrier, it does not rehabilitate them. '*

Comment from audience: *'Putting people in prison retraumatizes them. What is the point of jailing someone for stealing a jar of coffee? Prison will not rehabilitate them in this case, it will ruin their life.'*

Comment from Chryssy: *'This is true, but she wants to recognise that there is often amazing and very dedicated staff in prisons. '*

Comment from audience: *'You said the prison population has doubled: is this in the UK or internationally?'*

Answer from Chryssy: *'In the UK.'*

Comment from audience: *'A lot of LGBTQ people have trauma. People outside of prison don't look at the causality of what made LGBTQ prisoners commit a crime. They don't consider what led them to do this. Do you need to go to prison at all and be punished because of a symptom of having been discriminated and a victim of trauma?'*

Comment from audience: *'There have been many cuts in services; who will make sure that the Equality Act is being implemented in prisons?'*

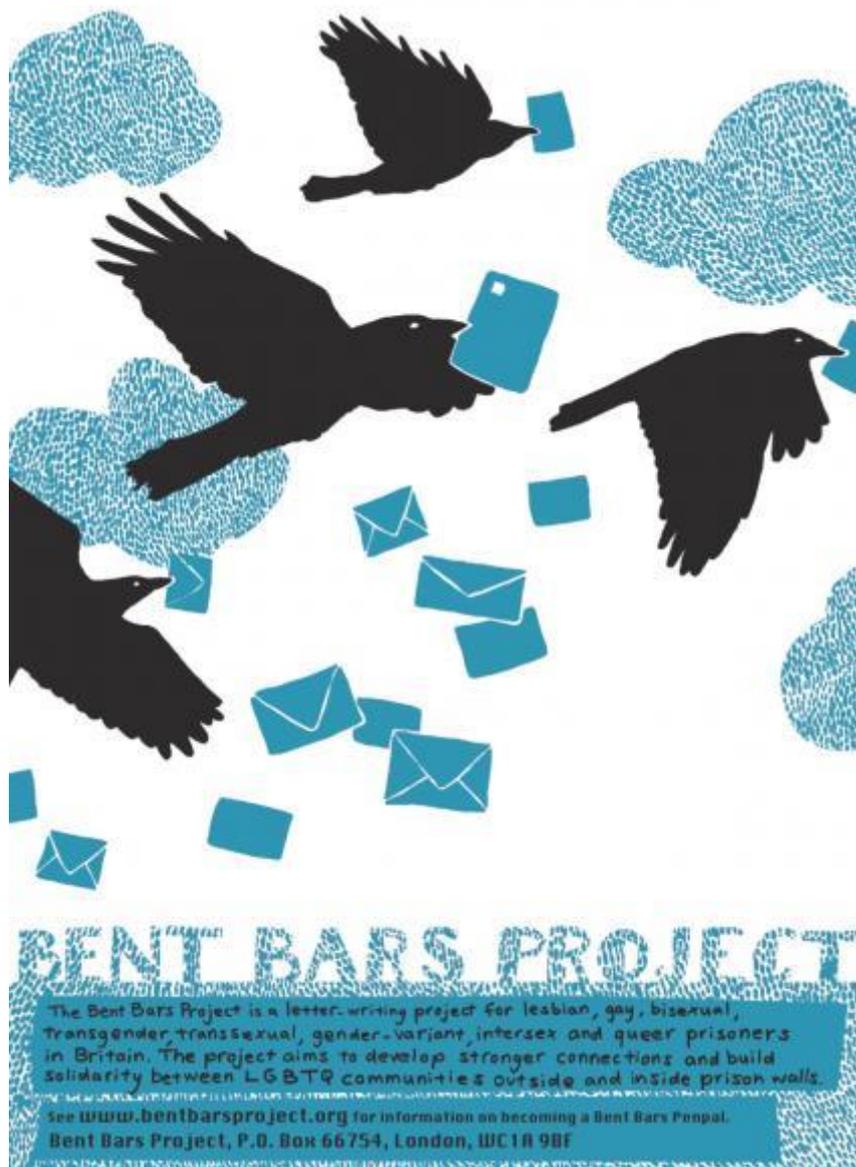
Comment from Chryssy: *'Example of case where regulations said that prisoners should be able to present in chosen gender in terms of their appearance; however things like wigs and prosthetics are regularly denied on grounds of security.'*

Comment from audience: *'Does legislation cover children?'*

Comment from Chryssy: *'No, it does not protect children. At 16, you can have sex, you can go to war, but you cannot legally change your gender. How should we deal with children in the criminal justice system? Complex issue. However, discussions are beginning to happen, hopefully things will move forward. At the moment, we're in a position we never thought we'd find ourselves in again.'*

Comment from audience: *'We all agree that punishing is not the solution. What are the alternatives?'*

Comment from Chryssy: *'Investment in schools, social services, educating people from a young age, employment opportunities, housing. LGBT individuals have worse employment and housing issues than most other groups. These are all structural issues -> we should keep politicians accountable.'*



Selection of Community Feedback from the Event (taken from social media and feedback forms)

'Very educational and thought provoking talk - thank you for organising.'

'Very informative and really enjoyed the discussions...'

'Great discussion and people sharing personal experiences'

'I knew nothing about Bent Bars. I am very interested in getting involved it was well worth coming too'

'[I enjoyed]... the info given by Bent

Bars Speaker, mostly the thought and balanced facilitation of discussion- Refreshing'

' Chryssy was an excellent speaker.

The subject matter was equally fascinating and shocking.'

'Very interesting discussion, a lot of facts I didn't know and points of view I hadn't thought of'

Useful Links:

LGBT Health and Wellbeing LGBT Health delivers a varied programme of services, projects, groups, courses and events in Edinburgh and Glasgow for people aged 16+. We welcome people with a diverse range of identities.

Website: www.lgbthealth.org.uk

Edinburgh: 0131 523 1100

Glasgow: 0141 271 2330

Bent Bars Project

The Bent Bars Project is a letter-writing project for lesbian, gay, bisexual, transgender, transsexual, gender-variant, intersex, and queer prisoners in Britain. The project was founded in 2009, responding to a clear need to develop stronger connections and build solidarity between LGBTQ communities inside and outside prison walls.

Website: www.bentbarsproject.org

Email: bent.bars.project@gmail.com