



An in-depth look into the quality of life of LGBT South Africans

November 2023

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Introduction

Since South Africa's democratic transition in the early 1990s, numerous measures have been introduced to provide greater protection of the Lesbian, Gay, Bisexual, Transgender (LGBT) community. The Constitution and supporting legislation specifically recognise a diversity of sexual orientation and protect people from discrimination on those grounds. In theory, the protections afforded to LGBT people should make South Africa a haven for them. However, nearly 30 years after the first of these anti-discrimination measures were introduced, many LGBT South Africans have yet to experience the full benefit of protections enshrined in the Constitution.

Access to these constitutional protections divides the LGBT population along economic and social lines. This was clear in October 2012 when the annual Johannesburg Pride Parade came to a grinding halt as activists from the One in Nine campaign blocked the route to highlight their concerns. Around 20 Black lesbians and feminists staged the protest to draw attention to the many members of the South African LGBT community who were raped and murdered because of their sexual orientation and gender expression¹. One in Nine argued that Johannesburg Pride had lost its 'political' element. According to One in Nine, 'Joburg Pride has now relinquished all pretence of a political function, being focused exclusively on a slick, money-making party spectacle'¹.

This study seeks to examine whether there has been any improvement in the living standards and life experience of the South African LGBT community since the country's democratic transition and the promulgation of an inclusive Constitution. It will look at several indicators, including the local LGBT community's spending power and consumption patterns, health and safety issues, and employment opportunities. In essence, the purpose of the study will be to identify where LGBT South Africans still experience challenges in society and what needs to be done to improve their living conditions. By understanding how economic and social inclusion and exclusion impact LGBT South Africans' lives, civil society groups and government can be better informed on what steps to take to enhance the quality of life for LGBT people. The study was conducted mainly through desktop research.

Note: The author of this report uses the term 'LGBT' as an initialism to refer to people who are lesbian, gay, bisexual, transgender.

Dearth of information

Regrettably, not much data exists on the quality of life of LGBT people in South Africa. Stats SA's 2022 national census questionnaire failed to gather information on LGBT identities simply because it did not include any questions relating to sexual orientation.² On the question of sex, South Africans could select one of two options; male or female. This meant the census was incapable of gathering information on people identifying themselves as transgender or intersex. As the country's largest data-collecting institution neglected to include LGBT people in its national census, valuable information on the size and needs of this minority group was not collected and remains unknown. There are various international studies on the quality of life of LGBT people, but, in South Africa – and the rest of the continent – such data remains limited.

1 Davis, R. Johannesburg gay pride parade pits politics against partying. The Guardian. 9 October 2012. <https://www.theguardian.com/world/2012/oct/09/joburg-gay-pride-clash>

2 Igual, R. Anger grows at Census 2022 LGBTIQ exclusion. Mambaonline. 4 February 2022. <https://wwwmambaonline.com/2022/02/04/anger-grows-at-census-2022-lgbtqi-exclusion/>



What international case studies tell us about the impact of laws on the quality of life of LGBT people

This section looks at how political exclusion can affect the quality of life of LGBT people. The Department of Communication at the Johannes Gutenberg University in Mainz (Germany) collaborated with Planet Romeo, an Amsterdam-based gay dating website with an international reach, in conducting an online survey to rank countries based on how satisfied with life their local gay populations were.³ In total, 115 000 individuals participated in the survey in 2015, making it one of the largest surveys in the world about the wellbeing of gay men. The survey, titled the Gay Happiness Index, looked at life satisfaction of gay men across 127 countries. The five surveyed countries with the highest life satisfaction for gay men were Iceland, Norway, Denmark, Sweden and Uruguay.³ The bottom five countries, with the lowest life satisfaction for gay men, were Uganda, Sudan, Ethiopia, Kyrgyzstan and Iraq.³ The top five countries all have extensive laws in place to advance LGBT rights. Iceland, Norway, Denmark, Sweden and Uruguay had all legalised same-sex marriage by 2013.⁴ The bottom five countries all have laws that criminalise the expression of LGBT life. In Uganda, Sudan and Ethiopia, homosexuality carries a prison sentence of at least five years (in certain circumstances, Ugandan law prescribes death).⁵ In Iran, the penalty for homosexuality is death.

Unsurprisingly, the Gay Happiness Index shows a clear correlation between progressive, inclusive legislation that protects LGBT people and a high level of satisfaction with life.

South Africa (which ranks 41st on the Gay Happiness Index, so is at the cusp of the top third of surveyed countries) also has a wide range of protections for LGBT people. This is confirmed by the country's position on the 2019 LGBT+ Danger Index. This index, released by American researchers Asher Fergusson and Lyric Fergusson, ranked South Africa as one of the least risky destinations for LGBT travellers.² The 2019 LGBT+ Danger Index used eight factors to rank 150 countries in terms of how safe or dangerous they were for LGBT tourists. The eight factors in the LGBT+ Danger Index included: 1) Legalised same-sex marriage, 2) Workers' protection, 3) Protection against discrimination, 4) Criminalisation of violence, 5) Adoption recognition, 6) "Is it a good place to live?" – a Gallup Poll question, 7) Illegal same-sex relationships and 8) Propaganda/Morality laws. Sweden was ranked as the safest destination, while Nigeria – where some states in the northern parts of the country have the death penalty for homosexuality – was ranked last. South Africa's overall position was 15th out of 150 countries – beating the likes of Australia, Austria, Germany, Ireland, Luxembourg, and the United States.² At first glance, this is surprising. The methodology of the LGBT+ Index focuses heavily on the legislative framework and laws of the countries surveyed. By this measure, South Africa earns a high ranking as a country with one of the most progressive constitutions in the world. But how effective is South Africa in implementing these laws, and does South African society embrace and embody the values of its constitution and laws?

3 Lemke, R., Tornow, T., Merz, S., Schneider, F. & Planet Romeo. Gay Happiness Monitor: Results Overview from a Global Survey on Perceived Gay-Related Public Opinion and Gay Well-Being. 2015.

4 Perper, R. The 28 countries around the world where same-sex marriage is legal. Business Insider South Africa. 13 June 2019. <https://www.businessinsider.co.za/where-is-same-sex-marriage-legal-world-2017-11?r=US&IR=T>

5 International Lesbian, Gay, Bisexual, Transgender and Intersex Association (ILGA). State-sponsored Homophobia: 13th Edition. 2019.



To examine this question in the context of people's daily lives, the following sections look at how LGBT South Africans experience various aspects of life, including education, employment, healthcare and safety.

The LGBT community and the school environment

A high-quality education is a key means to securing employment and to improving one's living circumstances. For example, people with a tertiary qualification are three times less likely to be unemployed than those who have only a matric certificate.⁶ Education, therefore, is one of the best ways to be competitive in the job market in a country with an extremely high unemployment rate, such as South Africa. However, sustaining a good academic performance may be more difficult for young people facing regular discrimination.

Discrimination has caused many LGBT learners to drop out of school, with dire consequences for their career prospects.⁷ Bullying even before they enter the labour market can have impacts on labour market outcomes for LGBT people. Evidence has shown that LGBT victims of bullying tend to be less educated, more prone to depression, face higher unemployment, and earn less than their similarly bullied heterosexual individuals, or LGBT persons who were not bullied at school.⁸

A 2016 Out-LGBT wellbeing study showed that 56% of LGBT South Africans surveyed experienced discrimination based on their sexuality or gender identity while at school. In rural provinces, the situation was particularly severe, with 70% of LGBT children in the Eastern Cape and 79% in KwaZulu-Natal experiencing discrimination at school.⁹ The report also shed light on the types of discrimination that LGBT pupils had to endure. More than half (55%) were verbally insulted; a third (35%) were threatened with physical violence; and a fifth (21%) had objects thrown at them or (20%) had their property or possessions damaged or destroyed.⁹ A further 18% were punched, hit, kicked or beaten, and 11% were sexually abused or raped.⁹

Another study, conducted by the University of South Africa's Centre for Applied Psychology in 2012, found that victimisation of LGBT learners was widespread. Two-thirds of the bullying came from fellow learners, 22% from teachers and 9% from principals.

A 2011 study commissioned by The Atlantic Philanthropies featured interviews with South African secondary school teachers who taught Life Orientation (a subject in which the topic of homosexuality is discussed). One (anonymous) teacher, who had worked both for suburban middle-class schools and for working-class schools in townships, noted a signal difference between how better-resourced schools and their poorer counterparts approached the topic of same-sex attraction. Her opinion was that a more judgmental attitude to LGBT relationships was exhibited in schools catering for the less affluent by teachers and learners than in suburban schools. In suburban schools, learners were open to the notion that gay rights and marriage fitted into an understanding of shared values around equality.

6 Stats SA. Quarterly Labour Force Survey, Quarter 2. 30 July 2019.

7 Stewart, C. Gender and Identity Around the World Volume 2. 9 November 2020.

8 Nyeck, S.N., Shepard, D., Sehoole, J., Ngcobozi, L., Conron, K. THE ECONOMIC COST OF LGBT STIGMA AND DISCRIMINATION IN SOUTH AFRICA. December 2019.

9 OUT LGBT Wellbeing. Hate Crimes against Lesbian, Gay, Bisexual and Transgender (LGBT) people in South Africa, 2016.



This suggests that there is a more empathetic understanding of equality and diversity in more suburban, middle-class schools. This implies a relationship between the acceptance of a diversity of sexual orientations and rising economic status, and probably the associated influences – in terms of cosmopolitan culture and so on – on that acceptance.

Education is not only vital to LGBT learners in gaining work opportunities after school, but is also important in helping to counter negative ideas and beliefs about homosexuality. According to a regional study by Afrobarometer in 2020, people with a post-school qualification are three times as likely to tolerate LGBT people than those with little to no education. Ongoing bullying and harassment of LGBT pupils, as mentioned earlier, suggests that more needs to be done to create an environment in schools that encourages tolerance and acceptance. Sensitising children and teachers to LGBT tolerance and inclusion is therefore vital.

The LGBT community and the world of work

This section examines the LGBT community's participation rate in the labour force and some of the challenges faced. Despite a progressive legal landscape for sexual minorities, and a record of courts upholding the rights of transgender adults, LGBT South Africans still experience sizable barriers to economic inclusion. This much is evident in the 2015/16 South African Social Attitudes Survey (SASAS) by the Human Sciences Research Council (HSRC). SASAS has been produced every few years since 2003 and includes comparisons between the circumstances of heterosexual South Africans and gender-conforming (GC) Lesbian, Gay and Bisexual (LGB) South Africans as well as gender non-conforming (GNC) LGB South Africans. GNC individuals are people who have adopted gendered traits that are stereotypically associated with members of the opposite sex.¹⁰ According to the latest SASAS – which used a representative sample of more than 3 500 individuals in South Africa – only 2% of GC LGB people were highly skilled while 23% of GC heterosexual people were considered highly skilled. GC LGB individuals and GNC LGB individuals were much more likely to be unemployed and much less likely to participate in the paid labour force than heterosexual South Africans. In fact, 63% of GNC LGB people were unemployed compared to 40% for GNC heterosexual people. Nearly 60% of GNC LGB people did not participate in the paid labour force compared to 39.6% of GNC heterosexual people. Lastly, LGB South Africans were much more likely to be self-employed or employed in part-time jobs/casual jobs.⁸ These results suggest that LGBT workers are highly likely to be locked out of the labour market. This could partly be due to a failure by the education system to create a school environment free of discrimination, as touched on in the previous section. Discrimination in the work environment may also play a role.

According to a paper by the International Labour Office (ILO), workplace-related obstacles identified by LGBT people include limited access to employment, refusal of employment, dismissals based on sexual orientation or gender identity, denial of training opportunities and promotion, and impaired access to social security.¹¹ The ILO also highlighted limited avenues for workplace dispute resolution around harassment and bullying.

10 Lester, T.P. Gender Non-Conformity, Race and Sexuality: Charting the Connections. 2002

11 International Labour Office (IOL), PRIDE at work: A study on discrimination at work on the basis of sexual orientation and gender identity in South Africa, 2016.

Lastly, the ILO noted that animosity from co-workers and supervisors, ranging from name-calling to physical and sexual violence, was regularly directed at LGBT employees.

LGBT South Africans have also described the difficulties of entering the job market due to their sexual orientation and gender identity. According to the Inclusive Society Institute (an organisation committed to promoting the values enshrined in the South African Constitution), a majority of 56% of those surveyed stated that they had experienced discrimination and homophobia in the field of job creation and employment.¹² Two-thirds (68%) of LGBT women described experiencing discrimination in the field of job creation and employment.¹⁵ Also, while an LGBT-owned business may do well when it launches, this can easily change when the owner comes out, revealing their true sexuality or gender expression. Being open about one's sexuality or gender identity can lead to isolation and a decline in business. Zimkhitha Guma, the Manager of PLUS (an LGBT business network), cites the example of a chef who ran a successful food business: 'After he came out as LGBT, support for the business began to drop, showing that there is still a high level of discrimination against LGBT entrepreneurs, which negatively impacts their business.'¹³

The LGBT community and safety

As already mentioned, South Africa was ranked as one of the safest countries for LGBT travellers. However, a country's legal provisions are not always the best reflection of tolerance levels for the local community. Corrective rape, where men rape lesbian women in order to 'cure' them, is a frequent occurrence in South Africa's townships. According to a study by OUT LGBT Wellbeing, the overwhelming majority of LGBT South Africans (97%) are open about their sexual orientation or gender identity to at least one other person. While this may demonstrate that the majority of LGBT South Africans believe that it is safe enough to be open about their identity to at least a few close friends and relatives, very few are willing to be completely open to everyone. The reluctance to come out could be a response to the violence that many LGBT people in the country still have to endure – a message that the One in Nine campaign emphasized during their protest at the 2012 Johannesburg Pride Parade.

According to OUT LGBT Wellbeing's findings, LGBT South Africans' experience of intolerance ranges from being verbally insulted or threatened with physical violence, being chased or followed or having objects thrown at them to personal property and possessions being damaged or destroyed, being punched, hit, kicked or beaten, experiencing violence or physical abuse from a family member, being sexually abused or raped, and being murdered.

Black LGBT individuals appear most likely to be victims of physical violence (8%, against 7% nationally/for all race groups); white individuals appear most likely to be verbally insulted (45% against 39%); and Indian/Asian individuals appear most likely to experience violence or physical abuse from a family member (11% against 7%). Furthermore, an average of four out of ten LGBT South Africans – 49% if they are black – know of someone who has been murdered "for being or suspected of being" a member of this community.⁹

12 The Inclusive Institute, SURVEY ON THE LIVED EXPERIENCE OF THE LGBT+ COMMUNITY IN SOUTH AFRICA, 2020, p29-30.

13 Yono, Z. PLUS: Unlocking the power of LGBTIQ+ entrepreneurs, Mambaonline, 7 November 2022, <https://www.mambaonline.com/2022/11/07/plus-unlocking-the-power-of-lgbtiq-entrepreneurs/>

In recent years, South Africa has also seen a spike in the number of murders of LGBT people. Mambaonline, the largest online LGBT news agency, began keeping track of these incidents in 2021. The overall majority of victims were black LGBT people living in small towns, townships or rural areas. Bonang Gaela's throat was slashed in Sebokeng; Nonhlanhla Kunene was killed in Pietermaritzburg; Sphamandla Khoza was beaten, stabbed and had his throat slit in KwaMashu (Durban); Nathaniel Mbele was stabbed to death in Vanderbijlpark; Khulekani Gomazi was beaten to death in Mpophomeni; Andile Nthuthela's mutilated and burned body was found in Kariega; Lonwabo Jack was murdered in Nyanga; Lucky Motshabi was stabbed to death in Dennilton (Limpopo), and Phelokazi Mqathana was stabbed to death in Khayelitsha after rejecting the advances of a man.

There is also a clear urban and rural divide when it comes to how safe LGBT South Africans are. The Eastern Cape emerged as the province where violence against LGBT people is most common – 15% against the national average of 7% – and where the highest number of respondents (48%) reported knowing someone who was murdered for being or suspected of being part of the LGBT community. Furthermore, LGBT people in the Western Cape feel comfortable and safe enough to be completely open about their sexuality (70%, compared to 57% nationally), followed by Gauteng (60%) – the only two provinces above the national average. LGBT individuals in Limpopo are least likely to be open (35%).⁹

South Africa is a violent country and the national crime statistics reflect a broad range of crimes. However, they do not show the particular vulnerability of certain sections of our society, including the LGBT community. The absence of effective reporting and analysis of violence against LGBT people means that the needs and challenges of this community are once more relegated to the margins – out of sight. This challenge of visibility is further compounded by a lack of reporting of violence targeted at LGBT individuals. An influencing factor is that the abuse and discrimination these people suffer at the hands of the police often discourage them from reporting crime. As a result, LGBT people are cut off from potential sources of support and justice.

A 2016 OUT survey showed that close to 88% of LGBT hate crimes in South Africa went unreported, demonstrating the community's desperately low level of faith in the police.

The LGBT community and healthcare

The Triangle Project, a Cape Town-based LGBT non-profit human rights organisation, notes the impact of HIV and AIDS on MSM (men who have sex with men). According to The Triangle Project, it is estimated that HIV prevalence among MSM is 26,8% nationwide and 22,3% in Cape Town – around one in four men.¹⁴ There is also a clear urban/rural divide when it comes to HIV and AIDS infection rates. In Cape Town's city centre, prevalence ranges from 10% to 14% compared to 26% to 34% in peri-urban areas.¹⁷

In early 2023, the Action for Social Justice International (AFSJI) lodged a complaint against the North West Department of Health (NWDOH) for failing to give transgender people in the North West province access to hormone replacement therapy (HRT). In response to the complaint, the NWDOH admitted that there were no facilities in the province that provided HRT.

¹⁴ The Triangle Project, HIV and AIDS, <https://triangle.org.za/what-were-here-for/hiv-and-aids/>, accessed 31 March 2021

This has forced many transgender individuals from the province to travel hundreds of kilometres to Soweto in Gauteng to access these services. AFSJI argued that its members came from disadvantaged backgrounds and could not afford to travel so far to access the treatment. Currently, only a handful of public hospitals offer HRT – most of them are concentrated in provinces with large urban centres. According to Obakeng Eden Mongale, Head of Department for the NWDOH, only nine public hospitals in the country offer HRT services to the trans community. Four are located in Gauteng, two in the Western Cape, one in the Free State, one in KwaZulu-Natal and one in the Eastern Cape.¹⁵

Furthermore, a survey by Ritshidze (an organisation representing people living with HIV) has found that sex workers, drug users and LGBT people are being treated badly at public health facilities. The Ritshidze interviewed 2 349 gay, bisexual, and other men who have sex with men. Ritshidze found that at public health facilities, LGBT people are often treated very poorly by clinic staff who at times shout or verbally abuse people, or question people's sexuality or gender, and how or why they engage in sex work or take drugs.¹⁶

The challenges faced by transgender South Africans

A survey by the William's Institute found that 47.6% of participants believed that transgender people were violating the traditions of their culture, and a slight majority (50.1%) agreed that they worried about exposing children to transgender people. This suggests that many South Africans still see transgender people as deviating from societal norms.¹⁷ The stigma against transgender South Africans has affected the quality of healthcare services they receive. Participants in a study conducted by the University of KwaZulu-Natal (UKZN) indicated that healthcare workers often displayed hostility and intolerance towards transgender patients by violating their privacy and humiliating them in front of other patients, as well as treating them as mentally unstable.¹⁸ Furthermore, the participants in this study also reported difficulty in finding healthcare providers capable of rendering competent transgender care²¹. Participants indicated a strong desire to transition, however, because of stigma and lack of appropriate healthcare, with some resorting to particularly dangerous practices, such as using cross-gender hormones without medical supervision, or self-mutilation in an attempt to remove genitalia, and concealing of sex organs.²¹

In addition, HIV prevalence among South Africans between the ages of 15 and 49 is estimated to be 19%, but it is as high as 63% among trans women in Johannesburg.¹⁹ Participants in the UKZN study admitted that they engaged in high-risk sexual behaviour such as unprotected receptive anal and oral sex, thus risking exposure to HIV infection. The risky sexual behaviours are also linked to societal transphobia and the lack of a social support system, resulting in low self-worth, and thus an inability to negotiate safer sex.²¹

15 Igual, R. North West trans community desperate for hormone replacement services, Mambaonline, 21 February 2023, <https://mamba.lgbt/2023/02/21/north-west-trans-community-desperate-for-hormone-replacement-services/>

16 Gilili, C. Queer people and sex workers are badly treated in clinics, new survey finds, Groundup, 7 February 2023.

17 William's Institute, Public opinion of transgender rights in South Africa, June 2021.

18 University of KwaZulu-Natal, Transgender population's experiences with regard to accessing reproductive health care in KwaZulu-Natal, South Africa: A qualitative study.

19 Samuel, K. Trans people receiving hormone therapy in South Africa are three times more likely to be virally suppressed, NamAidsmap, 10 January 2023.

The impact of Covid-19 on the quality of life of LGBT persons

Covid-19 has been one of the biggest challenges to face the modern world. Since the start of the pandemic, millions of people have died, and many more have lost their jobs because of the nationwide lockdowns implemented across the world. Several studies have been conducted to understand the impact the pandemic has had on more vulnerable communities, such as the LGBT population. According to the UN's report on violence and discrimination against LGBT people, stay-at-home orders with homophobic family members have increased the risk of LGBT individuals experiencing discrimination and violence²⁰. For example, moving back in with family and sharing computer equipment in small spaces for long periods heightens the risk of being 'outed' for young LGBT people.²⁰

As in many other parts of the world, the pandemic has been a huge setback for the South African LGBT community in many respects. At the height of the pandemic and when lockdown regulations were at their strictest in South Africa, mass gatherings were banned. These regulations included the closure of places like schools, universities and university residences for several months. According to The Triangle Project, closing educational institutions such as universities meant that many LGBT people were forced to leave their safe spaces and move back in with their families. This included LGBT students who lived and studied in big cities and who were ultimately forced to return to families and communities that discriminated against them.²¹ In a letter posted on the Labour Research Service's website, a gay matric candidate named Themba reflected on how Covid-19 and the closure of schools impacted his life. 'Not everyone in my community supports people like me and I miss my supportive friends at school. My register teacher is like a second mom to me, and a fantastic counsellor. My netball coach is one of the kindest people I know. When we have practice or matches she always feeds us, which is awesome. Due to the lockdown, we didn't attend the holiday study camps and support classes organised to push the syllabus and prepare us for matric exams. Due to the lockdown, I can't see or talk to my register teacher and netball coach. Due to the lockdown, I am worried that I won't do well in matric.'²²

Summary

On paper, with one of the most progressive constitutions in the world, South Africa appears to be a haven for LGBT people. Global rankings such as the Gay Happiness Index and the LGBT Danger Index place South Africa relatively high in terms of being a welcoming and safe country for LGBT people. However, these rankings often place much emphasis on South Africa's laws rather than on their implementation.

A progressive constitutional framework works to the best advantage of those who are relatively wealthy, and live a suburban life in a city. LGBT South Africans who live in townships, or rural areas, do not see the full benefits of South Africa's progressive Constitution.

²⁰ United Nations, The Impact of the COVID-19 Pandemic on the Human Rights of LGBT Persons, 2020.

²¹ The Triangle Project, The Protection and Inclusion of LGBTQI+ Communities in COVID-19 Government Aid Programmes in South Africa, 20 July 2020.

²² Labour Research Service, Covid-19 pandemic: a perfect storm for LGBTI youth; <https://www.lrs.org.za/2020/05/27/covid-19-pandemic-a-perfect-storm-for-lgbti-youth/>

There has also been a longstanding assumption that LGBT South Africans are concentrated in large urban 'gay-friendly' safe havens such as Cape Town and Gauteng's metros. As a result, services are concentrated in these areas. However, many transgender people in the North West currently have to travel nearly 300km between Mahikeng and Johannesburg to access HRT; in other words, a large number of LGBT South Africans in rural areas are underserved and ignored.

In schools, LGBT learners are still subjected to bullying and harassment. However, there is not much public appetite for introducing LGBT awareness programmes or other support mechanisms in schools. If the issue is not addressed, the education of many more LGBT victims of discrimination at schools will be jeopardised. This in turn will have a domino effect on their career prospects later in life. This is illustrated by the fact that GC and GNC LGB people are more likely to be unemployed and less likely to attain a relevant skillset. This community is also especially vulnerable to economic headwinds, as many have casual/part-time/informal jobs. In addition, middle-class suburban schools appear to have a better approach to discussing sexuality and are less conservative than township schools.

South Africa can be an extremely dangerous place for LGBT people. Nearly half of all black LGBT people have knowledge of someone being killed for their sexual orientation or gender identity. In addition, the vast majority of murder victims tend to be black and living in impoverished areas. Despite this fact, few victims of violence and discrimination are willing to report a crime to the police. It is clear that more needs to be done to provide greater safety measures and safe spaces for this vulnerable minority group.

A lack of understanding of homosexuality and alternative gender expressions has resulted in LGBT patients being mistreated and not receiving adequate medical care. This group is disproportionately involved in the informal sector and other occupations that are less resilient to global social and economic crises. Not only will LGBT South Africans be especially vulnerable to financial losses or financial uncertainty, but national crises, such as the Covid-19 pandemic, have the potential to create environments in which LGBT people are exposed to new forms of hate and stigma.

Recommendations

Given South Africa's progressive Constitution, and the need for an inclusive economy, the following recommendations will support existing policies and infrastructure to promote the full inclusion of LGBT and other gender non-conforming people in South Africa.

1) Change negative attitudes that promote violence and harassment against LGBT people through state-funded efforts to reduce violence both within public schools and within community environments. For instance, material on sexual orientation, gender identity, and gender expression could be added to the school-based Life Orientation curriculum. According to a number of studies, students perceived the school environment as being safer when LGBT-inclusive information was provided both via academic subjects and health education. A California Safe Schools Coalition study showed that inclusion of LGBT people in instructional materials was linked to greater student safety at school for both LGBT and non-LGBT students, and lower rates of bullying. Where the contributions of the LGBT community were included in educational instruction, bullying declined by more than 50%. In addition, the Centres for Disease Control and Prevention states that the potential for risky sexual behaviour by LGBT youth can be addressed by providing appropriate sexual health education.



LGBT mental health is also improved by affirmative LGBT sexual health education, which aims to remove stigma and lower the likelihood of victimisation.²³

2) Ensure that relevant officials, such as police, judges and magistrates, receive proper training and resources regarding LGBT issues to ensure the proper implementation of LGBT-related legislation. Provide training and evaluate the impact of this training on performance, including on the performance of officers within the Department of Home Affairs regarding LGBT asylum seekers. In addition, the introduction of 'safe spaces' for the purpose of reporting a crime can be introduced. Some LGBT people are not comfortable with police coming to them, or with going to a police station to report crime. A case study in Seattle in the United States found that when people go to a place they are familiar with, or a local business – rather than a police station – the people filing a complaint find it easier and more comfortable to communicate with the police, as it is a neutral place for both parties. After introducing its version of the Safe Places initiative, the Seattle Police Department saw a major increase in the number of reports about harassment and hate crimes in the community.²⁴

3) According to a 2019 research paper sponsored by the University of KwaZulu-Natal, sexual and gender minorities face stigma, neglect and harassment in the hands of healthcare workers, who justify the poor treatment of the LGBT population using political, moral or religious beliefs to explain their behaviour. Consequently, the LGBT populations avoid healthcare facilities because they perceive health spaces as unsafe. In addition, this results in the LGBT populations experiencing increased risk of morbidity and mortality from preventable infections and cancers as they forgo health checks because of the hostility.

Therefore, it is imperative to increase healthcare professionals' knowledge of LGBT health needs, and healthcare inequalities, as well as improving their attitudes and skills in providing inclusive healthcare to LGBT patients.²⁵ Sexuality and sexual health should be included as a subject in the South African healthcare worker curriculum so that future trained professionals will be skilled in the management of LGBT populations. Data collected at health facilities must routinely include gender identity and sexual orientation in order to establish a more accurate database with regards to the number of transgender and LGBT patients using health facilities to enable targeted programme planning and funding.

4) According to The Other Foundation's calculations, the Pink Rand is valued at R204.75 billion (The Other Foundation, 2017: p9). To put this into perspective, South Africa's four biggest banks recorded profits of R72.3 billion in 2015, as recorded by PWC.²⁶ Recognising the fact that the 'pink currency' carries significant value could encourage the country's private sector to be more supportive of LGBT rights.

23 American Bar Association (ABA), LGBTQ-Inclusive Curriculum as a Path to Better Public Health, 5 July 2022,

24 Toesland, F. Police departments across U.S. are mandating LGBTQ training, NBC News, 25 September 2021, <https://www.nbcnews.com/nbc-out/out-news/police-departments-us-are-mandating-lgbtq-training-rcna2250>

25 Zamasomi P. L; Gugu M; Busisiwe N; Hlolisile N; Tivani M; Evidence of interventions for improving healthcare access for lesbian, gay, bisexual and transgender people in South Africa: A scoping review, 2019;

26 The Other Foundation. The Pink Rand: A Base for Corporate Engagement. 2017.

5) Improve data collection and analyses of the experiences of transgender and intersex people to fill voids in the South African data landscape. Currently, data on South African LGBT populations are limited. As mentioned, sexual orientation and gender identity data are not collected in population surveys or the national census. The lack of data on LGBT populations makes it difficult to plan evidence-based LGBT-targeted health programmes and to properly estimate the required resources for such programmes. This calls for introducing an innovative, inclusive and respectful approach to collecting data on sexual orientation and gender identity in healthcare facilities. This will prevent misclassification, which can result in inappropriate medical care, and incorrect advice. Such approaches could include incorporating sexual orientation and gender identity information in health surveys and census data as a way to learn more about the demographics of the LGBT community. Privacy may be maintained by using electronic data collection tools that will allow individuals to remain anonymous.

6) Exploit the reach and influence of the South African media to provide accurate reflections of the lived experiences of LGBT South Africans. This could help to smash stereotypes, and inform people of the issues that this vulnerable group faces.

Conclusion

South African LGBT citizens are fortunate to live in a country which, in law, provides them with fundamental freedoms, such as equal access to goods and services and the right to marry. However, statutory freedoms ultimately need to translate into lived freedoms that are true and real for all of South African society, including for those living at the margins. Despite South Africa's many successes and achievements when it comes to LGBT rights, many LGBT citizens, especially if they are black and poor, are deprived of stable employment, and denied the promise of living and working in a safe environment. More active steps are needed to address these new economic and social challenges facing the country. Doing so will demonstrate how serious South Africa and its policy-makers are in cherishing and respecting the country's progressive Constitution.



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