

Policy: *Equitable Child Welfare Services Relating to Sexual Orientation and Gender Identity/Expression*

Backgrounder on Gender Diversity

1. ABOUT GENDER DIVERSITY

Understanding gender, sex and sexual orientation

It is critical to differentiate among gender, biological sex and sexual orientation issues, and to understand that these are all separate but interrelated aspects of one's core, individual identity.

Sex is biological and is determined by many factors: physiology, hormones, chromosomes, gonads, reproductive organs, etc. Western society presumes that sex is a binary...that there are only two sexes, male and female, with distinctive sex characteristics, and nothing in between. Our society further presumes that sex determines gender and that they will always be congruent...that is, male body equals male gender.

However, sex is more accurately understood existing on a continuum. For some people, there may be physical differences that challenge the binary model, including:

- women who grow more bodily or facial hair than is typical
- men who grow breast tissue
- intersex people who have ambiguous or a combination of male and female sex characteristics

Gender is also best understood on a continuum as a highly complex manifestation of one's deeply felt inner sense of femaleness and/or maleness, including, but not limited to, femininity and masculinity. Many factors impact on one's gender, but it may not necessarily match one's biological sex. It has been said that everyone has some degree of both female and male within.

Unfortunately, socialization tends to strongly encourage one over the other, based on our physical sex. Our society also continues to value male over female, despite recent advances for women.

Even when one's gender matches one's sex, there is a considerable range along the continuum. For example, some women may be highly feminine, while others may present more androgynously, yet still feel fully as women. Other people may feel gender-neutral, or some combination of male and female. Some men may enjoy doing traditionally "feminine" activities or occasionally dressing in "female" clothing, but still feel male, while others may naturally express many feminine mannerisms and feel like part of them is female. Transsexual people experience a deeply felt sense of gender that does not match their biological body, and often wish to physically change their body to match their gender.

Sexual orientation also exists on a continuum and describes what sex or gender one is attracted to. Sexual orientation is therefore distinct from both biological sex as well as gender.

While distinct, the three issues of sex, gender and sexual orientation are linked in several ways, including the way that society frequently treats people who diverge from the accepted norm: with disrespect, rejection, discrimination, harassment, hatred and violence.

The issues are also linked because when we see children exhibiting gender non-conforming behaviour, we don't know whether they will grow up to identify as:

- lesbian, gay or bisexual
- transsexual, transgender or two-spirit
- none or a combination of the above.

The child's gender and sexual orientation will emerge over time through a process of self-discovery that only the individual can experience and identify.

Prevalence

As an often-invisible, underserved population that faces frequent discrimination and oppression within the broader society, gender non-conforming and trans children and youth are difficult to count. It is conservatively estimated that 10% of the population is LGBTQ¹, and that they represent an even higher proportion of child welfare clients due to family rejection and the high risks that many face. It is estimated that at least 40% of street youth are LGBTQ, many of whom have received (or would have been eligible to receive) child welfare services.

Anecdotally, some child and youth services report a rapid increase in the number of trans youth they serve over the past decade, due in part to the increasing visibility of transgender issues and the willingness of some services to become gender-affirming, trans-positive and client-centred. We have also been advised, anecdotally, that some trans youth services report a disproportionate number of trans youth who have been served by child welfare.

At CAS-Toronto, we know we have served openly transgender and transsexual clients, as well as many children and youth with gender non-conforming behaviour. What we do not know is how many trans and gender non-conforming children and youth we have *unwittingly* served or failed to serve, due to the pressure to hide.

¹ LGBTQ is used in this document to include: lesbian, gay, bisexual, transsexual, transgender, two-spirit, gender non-conforming, queer, questioning, and others who differ from the majority along gender or sexual orientation lines.

2. RISKS

Risks for trans and gender non-conforming children and youth

While data about trans and gender non-conforming children and youth is scant, indications are that many risks² are similar to those faced by lesbian, gay and bisexual youth, except that the discrimination and risks appear to be more severe. There are also some additional, unique risks faced by trans and gender non-conforming children/youth.

Risks similar to LGB youth:

- Family and peer rejection, ostracism, disowned, thrown out of home, loss of community
- Harassment, violence, threats, abuse
- Despised, harshly judged, mocked, pathologized, blamed, punished, treated as inferior, told to change who they are
- Street involvement, exploitation, sex trade
- School drop-out
- Self-harm
- Substance abuse
- Low self-esteem, depression, despair, isolation
- Sexually Transmitted Infections (STI's) and HIV/AIDS
- Suicide
- Discrimination, impacting on employment, ability to succeed/remain in school, housing, access to services
- Electroshock, reparative, conversion or aversion-type therapies, purportedly to "cure" homosexuality, gender dysphoria or gender non-conformity

Additional risks unique to children with gender non-conforming behaviour:

- Pressure to conform to sex role stereotyped behaviour and gender expression may lead children to withdraw and bury a vital part of their core identity
- Others who cannot or refuse to change may experience escalating harassment, ostracism, abuse and violence from a young age

Additional risks unique to trans youth:

- Unmonitored and potentially dangerous use of street hormones
- Sex trade involvement to pay for hormones and transitioning
- Difficulty obtaining identification (ID) that matches gender
- Conflict with the law and police harassment due to presenting as a different gender than their ID
- Inappropriate residential or criminal justice placements based on sex rather than on gender, often leading to further harassment, violence

² D. Ellaborn. *Risk Factors for Transsexual and Transgender Youth*.

- Violence, sexual assault and/or murder when a trans person's sex is "found out"
- Difficulty meeting basic needs eg. washroom use in public or at work/school
- Poor body image; self-mutilation to attempt to create conformity between body and gender, especially out of despair and desperation
- Being exoticized or fetishized

Statistics: Risks in Context

Recent (primarily American) studies of LGBTQ youth indicate the following³:

- 60% of homeless LGBTQ youth have previously been in child welfare care
- 50% of gay and lesbian youth in care have been homeless
- LGBTQ homeless youth leave home an average of 12 times, compared to 7 times for other homeless youth
- 74% of trans youth have been sexually harassed at school
- 90% of trans youth feel unsafe at school because of their gender expression
- 78% of transgender people have been verbally harassed
- 48% of transgender people have been physically and/or sexually assaulted
- LGBTQ students are 2 times more likely to be bullied at school, 4.5 times more likely to attempt suicide, 4 times more likely to skip school because they feel unsafe; and are more likely to abuse substances, get pregnant or get someone pregnant, and drop out of school due to harassment.

Moreover, the risks and negative outcomes for LGBTQ youth rise dramatically when their families or caregivers reject them. Conversely, positive outcomes, access to social support and life satisfaction increase substantially when families and caregivers accept, support, affirm and advocate for LGBTQ youth.⁴

³ Child Welfare League of America and Lambda Legal, 2006. *Getting Down to Basics: Tools to Support LGBTQ Youth in Care: LGBTQ Youth Risk Data*

⁴ Wilber, S., Ryan, C. and Marksamer, J. (2006). *CWLA Best Practice Guidelines: Serving LGBT Youth in Out-of-Home Care*. Washington DC: Child Welfare League of America. p. 17.