

DURBAN LESBIAN & GAY COMMUNITY & HEALTH CENTRE

Drop-in centre providing legal, personal and health counselling for LGBTI communities.

Location: Durban
Tel: 031 312 7402 Web: www.gaycentre.org.za

GAY & LESBIAN NETWORK

Provides free face-to-face and online or phone counselling by well-equipped and dedicated volunteers (9am to 4pm, Monday to Friday).

Location: Pietermaritzburg
Tel: 033 342 6165 Toll-free helpline: 086 033 3331 Web: www.gaylesbianksn.org

CRISIS CARE & SHELTERS

People Opposing Women Abuse (POWA) Provides counselling, legal advice and shelters for victims of violence.

Location: Johannesburg
Tel: 011 642 4345/6 (head office) Web: www.powa.co.za

IKHAYA LETHEMBA

A one-stop centre for survivors of crime and violence, offering counselling, medico-legal support, shelter referrals and crime reporting.

Location: Johannesburg Tel: 011 242 3000

THE TRAUMA CLINIC (CENTRE FOR THE STUDY OF VIOLENCE AND RECONCILIATION)

Trauma counselling for survivors of violence, as well as reconciliation processes between survivors and perpetrators. Location: Johannesburg

Tel: 011 403 5102 Web: www.csvr.org.za

LEGAL SUPPORT

TSHWARANANG LEGAL ADVOCACY CENTRE LEGAL ADVOCACY FOR WOMEN WHO ARE SURVIVORS OF VIOLENCE.

Location: Johannesburg
Tel: 011 403 4267 Web: www.tlac.org.za

WOMEN'S LEGAL CENTRE

A non-profit, independent law centre providing women with access to free legal advice on violence, health care and families.

Location: Cape Town
Tel: 021 424 5660 Web: www.wlce.co.za

LGBTI RESOURCES, ADVOCACY & SUPPORT

GENDER DYNAMIX

Provides resources and assistance for transgender persons and their employers, families and partners.

Location: Cape Town
Tel: 021 633 5287 Web: www.genderdynamix.org.za

TRANSGENDER AND INTERSEX AFRICA

Provides support and resources for transgender and intersex people, and runs visibility and education initiatives.

Location: Pretoria
Tel: 012 7972612

FORUM FOR THE EMPOWERMENT OF WOMEN (FEW)

Runs programmes to empower and improve the psychological, socio-economic and political situation of black lesbian women.

Location: Johannesburg
Tel: 011 403 1906/7 Web: www.few.org.za

GAY AND LESBIAN MEMORY IN ACTION (GALA)

A centre for LGBTI culture and education, with a focus on education, knowledge-production and movement-building.

Location: Johannesburg
Tel: 011 717 4239 Web: www.gala.co.za

LIMPOPO LGBTI PROUDLY OUT

Address: 12 cnr Rabe and Paulkruger Street, Polokwane, 0070, Tel: 0817919248

Fax: 0867712295, Email: limpopolgbtproudlyout@gmail.com

Website: www.Limpopolgbtproudlyout.co.za

Sindile "Cindy" Molefe (Director)

Cell: 081 791 9248 / 078 108 7717 Email1: info@limpopolgbtproudlyout.co.za

Email2: director@limpopolgbtproudlyout.co.za

CHAPTER 9 INSTITUTIONS

COMMISSION FOR GENDER EQUALITY

Investigates gender-related complaints, monitors compliance with gender policies and legislation, and runs public information programmes.

Location: national Tel: 011 403 7182 (head office) Web: www.cge.org.za

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Promotes, protects and monitors human rights in South Africa by investigating and reporting on violations.

Location: Johannesburg Tel: 011 877 3600 (head office) Web: www.sahrc.org.za

ONLINE RESOURCES

Asiphephe/ www.asiphephe.org.za

An online information and services database for survivors of hate crimes and violence.

RELEVANT GOVERNMENT DEPARTMENTS IN THE JUSTICE, CRIME PREVENTION AND SECURITY CLUSTER

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

Momentum Centre, Street Address: 329 Pretorius Street (c/o Pretorius and Sisulu Streets), Pretoria

Switchboard : +27 (0)12 315 1111 / Reception: +27 (0)12 315 8130/1

Website: www.justice.gov.za/ Ministerial Spokesperson: Mr Mthunzi Mhaga

Cell: 083 641 1841, Tel: 012 406 4660, MCMhaga@justice.gov.za

SOUTH AFRICAN POLICE SERVICES

Head Office: +27 (0) 12 393 1000 SAPS Head Office, Koedoe Building, 236 Pretorius Street Pretoria www.saps.gov.za

NATIONAL PROSECUTING AUTHORITY (NPA)

HEAD OFFICE - Victoria & Griffiths Mxenge (VGM Building) VGM Building (Corner

Westlake & Hartley) 123 Westlake Avenue, Weavind Park, Silverton, Pretoria, 0184

HEAD OFFICE Tel: 012-845-6000, www.npa.gov.za

DEPARTMENT OF SOCIAL DEVELOPMENT

134 Pretorius Street, HSRC Building, Pretoria, General Enquiries: 012 312 7500,

(Content Manager) 012 312 7381

Web: www.dsd.gov.za

DEPARTMENT OF CORRECTIONAL SERVICES

124 Church Street Cnr Shubart Str & Church, Poyntons Building (West Block),

Pretoria 0001 Web: www.dcs.gov.za

Switchboard: 012 307 2998/ 012 307 2999/ 012 307 2227

The Department of Justice and Constitutional Development endorses the rights of LGBTI people as human rights, which should be enforced and respected at all times.



**LESBIAN
GAY
BISEXUAL
TRANSGENDER
INTERSEX**

EQUALITY • DIGNITY • FREEDOM

FREQUENTLY ASKED QUESTIONS ON SEXUAL ORIENTATION & GENDER IDENTITY FOR INDIVIDUALS, FAMILIES AND COMMUNITIES



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA



This brochure provides information about sexual orientation, gender identity, and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons. The Constitution of the Republic of South Africa, 1996 provides that everyone in our country is entitled to human dignity, equality and freedom.

Section 9 of the Constitution of the Republic of South Africa, 1996

This provision is one of the most important sections in the Bill of Rights of the Constitution. It states "Everyone is equal before the law and has the right to equal protection and benefit of the law". Equality includes the full and equal enjoyment of all rights and freedoms entrenched in the Bill of Rights. This means it is unlawful to discriminate, harass, intimidate or attack LGBTI persons because of their sexual orientation or gender identity.

SOME HELPFUL DEFINITIONS RELATED TO SEXUAL ORIENTATION AND GENDER IDENTITY

LESBIAN – a woman who is emotionally, romantically and sexually attracted to other women.

GAY – a man who is emotionally, romantically and sexually attracted to other men.

BISEXUAL – a person who is emotionally, romantically and sexually attracted to both men and women.

TRANSGENDER – a person whose gender identity is different from their biological identity. For example, a biological male who will describe himself as a woman trapped in a man's body or vice versa.

INTERSEX – a person who is born with reproductive or sexual anatomy that does not fit the typical definitions of female or male. Some intersex persons may also have different variations of hormones or chromosomes (the natural chemicals or genetic makeup of our bodies). Intersex persons are not born with two complete sets of genitalia.

HETEROSEXUAL – a person who is emotionally, romantically and sexually attracted to persons of the opposite sex.

HOMOSEXUAL – a person who is emotionally, romantically and sexually attracted to people of the same sex. However, many homosexual persons prefer to use the terms gay or lesbian.

SEXUAL ORIENTATION – is the emotional, romantic and sexual attraction of someone to the same sex or the opposite sex, or to both sexes.

GENDER IDENTITY – a person's own inner sense of being male or female (or both or neither) or transgender. A person's gender identity may or may not correspond to the person's body or designated sex at birth or how society sees them.

FREQUENTLY ASKED QUESTIONS

Q. WHY ARE SOME PEOPLE LESBIAN, GAY OR BISEXUAL?

It is not clear what causes a person to be emotionally, romantically and sexually attracted to any other person. A number of factors are likely to play a role including genetics, hormones and a person's own inner sense of self.

Homosexuality is not an illness or disease; it can neither be taught nor cured. Lesbian, gay and bisexual persons do not influence or change another person's sexual orientation. It is also not true that lesbian, gay and bisexual persons have necessarily been abused or mistreated as a child or is going through a 'phase' in life.

Q. WHY ARE SOME PEOPLE TRANSGENDER?

A person's gender identity is caused by a number of factors, including genetics and hormones and a person's inner sense of self. A number of factors are likely to play a role including genetics, hormones and a person's own inner sense of self, some of which may occur before birth. Being transgender is not an illness. For example, a person who was born with male sex organs may feel and need to live as female. Some transgender people choose to change part or all of their sex anatomy by taking hormone treatment and/or undergoing surgery, but this is not always the case.

Q. HOW DO YOU TELL IF SOMEONE IS LGBTI?

It is not always possible to tell whether someone is LGBTI just by looking at them. Like the rest of society, LGBTI persons, as individuals, express themselves and live in many different ways. People should not be defined by the clothes they wear or how they behave, but instead by the way they feel and self-identify.

Q. DO GAY MEN WANT TO BE WOMEN; DO LESBIAN WOMEN WANT TO BE MEN?

No. A gay or lesbian person is someone who is emotionally, romantically and sexually attracted to people of the same sex, not someone who is transgender or wants to be the opposite gender. Gay and lesbian persons may dress or behave in feminine or masculine ways, respectively, but that does not necessarily mean that they want to be women or men, respectively.

Q. CAN LGBTI PERSONS BE "CURED"?

LGBTI persons are not ill, so there is nothing that needs to be cured. Whether a person is lesbian, gay or bisexual, it is not possible to change their sexual orientation – it is a natural and normal part of who that person is. Likewise, a transgender or intersex person is not suffering from an illness.

Sadly, some people think lesbian, gay and bisexual persons need to be taught a lesson in how to be "real men" and "real women" by forcefully having sex with them. Having sex with a person without their consent is rape and unlawful. Sexually or physically assaulting a person to "punish" or "cure" them is a criminal act and causes serious emotional, physical and psychological harm and trauma.



Q. WHAT IS A HATE CRIME?

A hate crime is any crime committed against a person because of a particular characteristic or group to which they belong– for example, an attack on a person because of their race, country of birth, religion, sexual orientation, or the way they express their gender identity.

Hate crimes can include physical and sexual violence, intimidation or blackmail. Contact one of the organisations listed in this brochure for help if you have experienced or witnessed a hate crime based on sexual orientation or gender identity.

Q. ARE GAY MEN MORE LIKELY TO SEXUALLY ABUSE CHILDREN?

No. Child sexual abuse is a crime and is not determined by a person's sexual orientation or gender identity.

Q. ARE LGBTI PERSONS UN-AFRICAN?

LGBTI persons exist in all cultures including African cultures. In fact, there is a rich history of sexual and gender diversity in a number of African traditions. In many societies, homosexual and transgender persons have been celebrated and respected.

Q. IS HOMOSEXUALITY UNNATURAL OR ANTI - RELIGION?

No. A person's sexual orientation is a natural and normal part of that person. All religions and spiritual teachings preach love, tolerance and respect for all people. Many religious and spiritual leaders preach that all people are free and equal and must be treated with dignity.

In South Africa, the Constitution also protects the rights of everyone to freedom of conscience, religion, thought, belief and opinion. but this does not mean that they can discriminate unfairly against or mistreat others because of their sexual orientation or gender identity.

Q. IS HOMOSEXUALITY ANTI-FAMILY?

No. Like everyone else, LGBTI persons are part of families and form families. There are many different types of families in South Africa. Some children are adopted, and others are raised by only their mother or only their father, or by their grandparents or other caregivers.

LGBTI persons also raise children and there is no evidence that being raised by lesbian, gay, bisexual, transgender and intersex parents or caregivers is harmful to children. Many lesbian, gay, bisexual, transgender and intersex persons are married or live in committed, healthy relationships.

Q. ARE LGBTI PERSONS A HIGH RISK GROUP FOR CONTRACTING HIV?

A person's risk for contracting HIV is determined by his or her behaviours, not sexual orientation. It is important for all people – whether homosexual or heterosexual – to always practise safe sex.

Q. WHAT SHOULD I DO IF MY CHILD, FRIEND OR COLLEAGUE IS BEING VICTIMISED BECAUSE OF HIS OR HER SEXUAL ORIENTATION OR GENDER IDENTITY?

Provide love, support and assistance. A person can also lodge a complaint of unfair discrimination at the equality court based at the nearest Magistrates Court; seek assistance from Chapter 9 Institutions such as the South African Human Rights Commission and Commission for Gender Equality; contact Lifeline South Africa's toll free Stop Gender Violence Helpline (0800 150 150) for counselling, emotional support and referral services; and the organisations listed below .

WHERE CAN I GET MORE INFORMATION, ADVICE OR SUPPORT?

NATIONAL HELPLINE

LifeLine SA's Stop Gender Violence Helpline (0800 150 150) Provides anonymous, confidential and toll-free telephone counselling, support and referral services to survivors of gender-based violence. The service operates 24 hours a day, 365 days a year, and is available in all eleven official languages.
Toll-free helpline: 0800 150 150
Web: www.lifeline.org.za
Email: LungiN@lifeline.org.za

HEALTH, WELLBEING & SUPPORT OUT – LGBT WELLBEING

Offers direct sexual and mental health services, and engages in advocacy to promote the health and rights of LGBT people.
Location: Pretoria Tel: 012 344 5108
Helpline: 012 344 6500
Web: www.out.org.za

TRIANGLE PROJECT

Runs a health clinic, helpline (1pm to 9pm daily), support groups and outreach programmes as well as public education and training.
Location: Cape Town
Tel: 021 686 1475 Helpline: 021 712 6699 Web: www.triangle.org.za