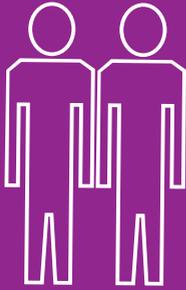


Stepping out of the Shadows

SAME-SEX DOMESTIC VIOLENCE IN SRI LANKA





Stepping out of the Shadows

SAME-SEX DOMESTIC VIOLENCE IN SRI LANKA



Stepping Out of the Shadows: Same-Sex Domestic Violence in Sri Lanka is a publication of EQUAL GROUND, Sri Lanka and may be reproduced without permission for educational use only. No reproductions may be sold for profit. Excerpted or adapted material from this publication must include full citation of the source. A written request must be submitted to EQUAL GROUND to reproduce for other purposes.

Text composed by : Emily Paul, Aindri Jayasinghe, and Lisa Kois
Graphics by : Ajward / Sahran

EQUAL GROUND wishes to thank:

American Jewish World Service (AJWS), Global Fund for Women, Astraea, and individual donors for their financial support of EQUAL GROUND

Ponni Arasu for her contributions to the text

Hope Harrison for her assistance in the initial stages of the booklet
Rosanna Flamer-Caldera and Felicitas Bergstrom for editorial assistance

ACON for granting us permission to reproduce sections from: Another Closet: domestic violence in same sex relationships (2006) Jenny White et al., NSW Same-Sex Domestic Violence Working Group

The Network/La Red for providing information for this publication

FOREWORD

This booklet is an admirable effort by EQUAL GROUND to highlight and address a hidden dimension of a larger social issue - that of domestic violence within same-sex relationships. However, it ends up being an important educational tool for all, because it reveals that domestic violence among those constituting the "other" is no different from violence among the "normal". The human condition is, after all, universal. The irony, however, is that the law of the land does not permit the "other" in this context to even exist, let alone provide solutions to their social issues.

We, who feel superior because our social identities constitute the mainstream, either intentionally dismiss or fail to acknowledge the harsh realities of exclusion and marginalization of those who have chosen to be different from us, and indeed the issues facing such groups. We do know that the reason for that state of affairs is the hopeless arrogance of the "normal". That arrogance has excluded laws, public policy and even social activism at times from focusing on and addressing serious, sometimes life-threatening, problems of fellow members of society.

In 2005 the Parliament of Sri Lanka, after much controversy, enacted the Prevention of Domestic Violence Act, No. 34 of 2005. It was certainly a groundbreaking piece of legislation. It made what was essentially viewed as a private matter a public issue. The legislation was a result of years of discussion, debate and indeed lobbying by women's groups. Within traditional domestic settings a large proportion of victims/survivors of domestic violence happen to be women.

The public debate in the media and elsewhere focused on violence within the traditional family and extended family. The issue of violence within alternative domestic settings was not referred to, except by feminist groups. Perhaps the silence was a tactic on the part of some. Given the opposition by some Members of Parliament to the Bill on grounds of local cultural values, the possibility of getting the Bill enacted even with regard to traditional family units proved to be a challenge.

The Act provides for judicial intervention in instances of domestic violence. It defines domestic violence to include both physical harm and emotional abuse. The Magistrate's Courts are authorized to issue protection orders - valid up to twelve months - to protect victims of domestic violence. Once such an order is issued the abuser is prohibited from, among other things, having contact with the victim. However, financial support can be ordered to victims where necessary.

The Act defines the relationships covered by the concept of domestic violence. The categories are broad enough to cover same-sex relationships. However, whether courts would provide protection to partners who engage in prohibited sexual activity is very doubtful.

As Stepping Out of the Shadows points out, notwithstanding what is in the law, same-sex relations are a reality and so also, unfortunately, violence within such relationships. It explains in simple language what domestic violence is. Significantly, domestic violence is described by EQUAL GROUND in very broad terms to also include social and economic violence. It explains methods by which the cycle of violence could be broken. It also discusses myths about domestic violence and provides common sense advice on how to assist those who may be subject to domestic violence.

This is a sensitively written user-friendly document. As a public education tool it is bound to be very effective. As I pointed out earlier, this is bound to be of use not only to those in same-sex relationships, but also to anyone who wishes to understand domestic violence. I congratulate EQUAL GROUND on this endeavour.

Dr. Deepika Udagama
Faculty of Law
University of Colombo

TABLE OF CONTENTS

Introduction	01
EQUAL GROUND's definition of Domestic Violence	02
Understanding Domestic Violence	03
Breaking the cycle of abuse	11
Relationship check list	13
Myths about Same Sex Domestic Violence	15
Safety Planning	19
Supporting a friend or family member	25
Finding Information Help and Support	33
The Law	37

There's no such thing
as Domestic Violence
in gay relationships.

*I remember
stories about
Rohan and
Sunil... no
one took
notice
because it was
easier to stay
out of it.*

hmmm... I hadn't really thought
about it, but this does seem like
an important topic – especially
since it isn't talked about in the
community.

*Everyone knows Shanti
hits her girlfriend ...
that's domestic
violence and it IS
happening in our
community!*

INTRODUCTION

Most relationships, whether they are lesbian, gay, bisexual, transgender* or heterosexual, are built on love and respect. Unfortunately, some are built on or include abuse and control. Abuse and excessive control in a relationship constitute domestic violence.

This booklet seeks to break the silence around the issue of domestic violence in same-sex relationships. It is written for people in same-sex relationships who are, or may be, experiencing domestic violence. It provides general information about domestic violence for those who are experiencing such violence, their families and friends. It also provides tools for addressing the violence. We hope that advocates and activists who work with victim-survivors of domestic violence will also find this booklet useful. The information provided builds on the experience and knowledge of domestic violence advocates, activists and practitioners throughout the world and has been tailored to address domestic violence in same-sex relationships in Sri Lanka.

Breaking the silence surrounding same-sex domestic violence in the Sri Lankan context is complicated by social and legal marginalisation and discrimination. For example, the laws of Sri Lanka do not provide protection for those in same-sex relationships. In fact, the law does the exact opposite and may be used against people in same-sex relationships. Thus, victim-survivors of same-sex domestic violence in Sri Lanka cannot rely on the police or courts to protect them, and must be extremely cautious in their interactions with any law enforcement mechanisms.

* A broad term used to describe individuals whose gender identity and/or expression, when measured against conventional notions of gender, do not correspond with their biological sex

EQUAL GROUND'S DEFINITION OF DOMESTIC VIOLENCE

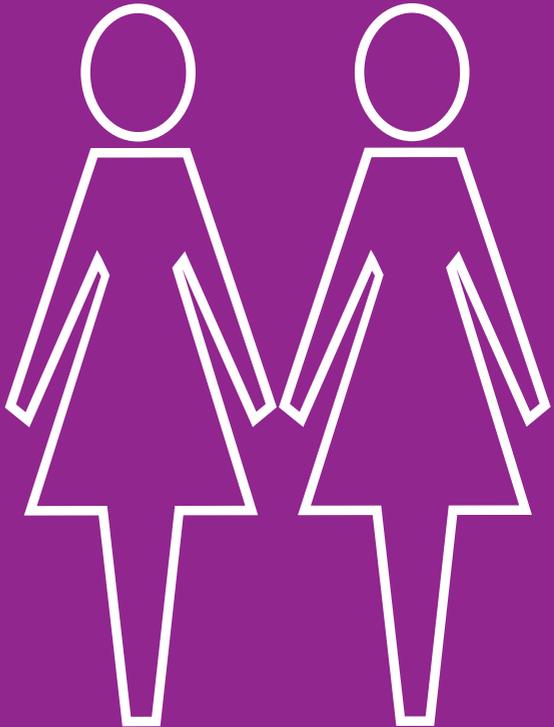
EQUAL GROUND defines domestic violence as the misuse and abuse of power by one partner in an adult intimate relationship (whether current or former) and/or between adult members of a familial relationship. Domestic violence includes all forms of physical, sexual, emotional, verbal, psychological, social and economic violence, and the threat of such violence, whether or not such violence is defined statutorily under the Penal Code.

EQUAL GROUND defines family expansively, to include all forms and familial relationships, irrespective of whether they are sanctioned by law, religion or custom. We understand that there is no form of intimate or familial relationship that is immune to domestic violence.

While EQUAL GROUND strongly condemns all forms of child abuse within and outside familial relationships, we believe that child abuse requires special attention and distinct, child-specific remedies. As such, we do not include child abuse in this booklet.



UNDERSTANDING
DOMESTIC
VIOLENCE



DOMESTIC VIOLENCE IS...

- Common to **all** communities, irrespective of ethnicity, caste, class, disability, age, religion etc.
- Experienced in **all** kinds of intimate and familial relationships, including different-sex and same-sex relationships as well as traditional and non-traditional family structures
- Also known as domestic abuse, intimate partner violence, intimate partner abuse, spousal abuse and family violence

**Domestic Violence
Does NOT Discriminate!**

DOMESTIC VIOLENCE IS...

- **Not** an act of love
- **Not** acceptable or excusable behaviour
- **Not** the fault of the battered partner
- **Not** an accident or a random occurrence
- **Not** limited to long term committed relationships
- **Not** restricted to monogamous relationships
- **Not** specific to couples who cohabit
- **Not** limited to marital relationships
- **Not** confined to traditional family structures
- **NOT SOMETHING YOU HAVE TO LIVE WITH**

**Domestic violence is NOT your fault.
Domestic violence is the ABUSER'S
RESPONSIBILITY.**

**DOMESTIC VIOLENCE TAKES
MANY COMMON FORMS INCLUDING:**

- Physical Violence
- Sexual Violence
- Emotional and Psychological Violence
- Social Violence
- Economic Violence

PHYSICAL VIOLENCE or the threat of physical violence may include:

- Hitting, kicking, pushing, slapping, strangling, burning or any other form of physical violence
- Withholding or stopping a partner from obtaining medication or treatments
- Breaking possessions, punching, kicking walls
- Driving recklessly with disregard for the life or safety of her/his partner
- Drugging or intoxicating a partner without her/his knowledge or consent
- Holding her/him down
- Forcibly restricting a partner's movement, locking her/him in the house, etc.
- Forcibly committing a partner to a psychiatric or medical facility
- Threatening any of the above

SEXUAL VIOLENCE is any non consensual sexual activity, and may include:

- Sexually assaulting or raping a partner
- Forcing, pressuring or tricking a partner into having unsafe sex
- Forcing, pressuring or tricking a partner into performing a sexual act or having sex with another person, animal or object
- Forcing, pressuring or tricking a partner into watching the other partner perform sexual acts with another person
- Forcing, pressuring or tricking a partner into viewing pornographic material
- Recording a partner performing sexual acts without her/his consent

EMOTIONAL and PSYCHOLOGICAL VIOLENCE includes all forms of emotional and verbal abuse and is used to make one partner feel powerless, afraid, insecure and worthless and to ensure dependence on the abuser. It may include:

Manipulating and maddening behaviour

Withholding affection all of the time or some of the time

Violating trust and breaking promises

Being frequently and unreasonably suspicious or jealous

Accusing a partner of things that she/he did not do and blaming her/him for the violence

Criticising a partner constantly

Outing or threatening to out a partner (i.e., telling friends, family, or colleagues about her/his sexual orientation)

Telling or threatening to tell others about a partner's health status without her/his permission

Pressuring a partner into making decisions that she/he does not want to make

Abusing a partner verbally, including by name-calling, blaming, shouting, swearing, etc

SOCIAL VIOLENCE occurs when one partner controls the other's social interactions and movements in an attempt to isolate that partner and ensure dependence on the abuser. It may include:

Isolating a partner by restricting contact with friends or family

Abusing or fighting with a partner's friends or family so they stop visiting or calling

Having the telephone connection cut or monitoring calls or bills

Preventing a partner from attending gay and lesbian events or other events and venues

Isolating a partner from their cultural background or preventing a partner from practicing their religious beliefs

ECONOMIC VIOLENCE occurs when one partner controls the other partner's money and/or financial resources against her/his will and may include:

- Taking a partner's money
- Controlling a partner's income and/or access to income
- Refusing to give a partner money as a way of controlling or manipulating
- Making a partner account for everything that she/he spends
- Selling or destroying a partner's possessions or making it difficult for her/him to work
- Interfering in a partner's workplace and/or trying to get her/him fired
- Refusing to provide or threatening to withdraw financial support



SAME-SEX vs DIFFERENT-SEX DOMESTIC VIOLENCE

There is very little difference between domestic violence in same-sex and different-sex intimate and familial relationships. Regardless of the kind of relationship, the forms domestic violence takes and the experience of domestic violence are the same.

The experience of domestic violence is characterised by:

- Shame
- Silence
- Self-blame
- Cycles of violence and remorse
- Escalation of violence over time

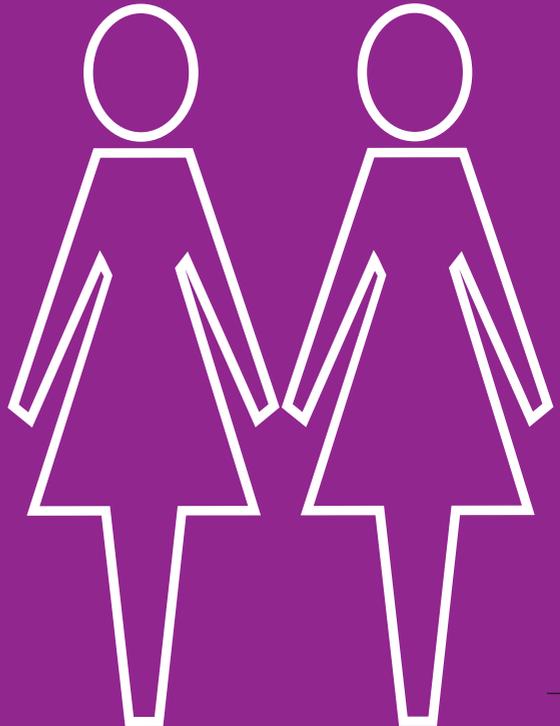
What IS different between domestic violence in same-sex and different-sex intimate relationships is the way that same-sex relationships are defined and perceived by law and society, and, as a result, by victim-survivors themselves.

- Sri Lankan law and society privilege traditional heterosexual relationships (i.e. marriage), deny the existence of homosexual relationships and marginalise lesbian, gay, bisexual and transgender people.
- Anti-homosexuality laws and homophobia in Sri Lanka make reporting violence in same-sex relationships dangerous for both victim-survivors and abusers.
- Victim-survivors of domestic violence in same-sex relationships experience multiple levels of discrimination. They are marginalised and discriminated against as victim-survivors of domestic violence and as lesbian, gay, bisexual or transgender people and in some cases, as minorities.
- There are no services specifically tailored to meet the needs of victim-survivors within the lesbian, gay, bisexual and transgender (LGBT) community.
- Many within the LGBT community deny the existence of domestic violence within the community and believe that domestic violence only happens in heterosexual relationships.
- The LGBT community in Sri Lanka is small and thus victim-survivors may worry about the consequences within the LGBT community of reporting and may fear that the abusive partner will turn others against her/him.

These factors make it particularly difficult for an LGBT person experiencing abuse to acknowledge the abuse and access resources and support.



**BREAKING THE
CYCLE
OF ABUSE**



BREAKING THE CYCLE OF ABUSE

The decision to report domestic violence, seek help and/or leave an abusive relationship is complicated. Domestic violence and abuse works against such decisions.

However, getting the help that you need by reporting the violence, talking to a trusted friend or family member or making plans to leave can be empowering, as you...

- Take the first step to end the violence and break the cycle of abuse
- Break the silence
- Reclaim confidence in yourself
- Ensure your own safety and the safety of your children
- Learn to take care of yourself
- Find out that you are NOT alone

**YOU ARE NOT ALONE.
You do NOT have go through this alone.**

RELATIONSHIP CHECKLIST^{*}

*** Adapted from Another Closet; Domestic Violence in Same Sex Relationships (2006), Jenny White et al., New South Wales (Australia) Same-Sex Domestic Violence Working Group**

DOMESTIC VIOLENCE CAN TAKE MANY FORMS. TO ASSESS YOUR RELATIONSHIP, ANSWER THE FOLLOWING QUESTIONS.

DOES YOUR PARTNER:

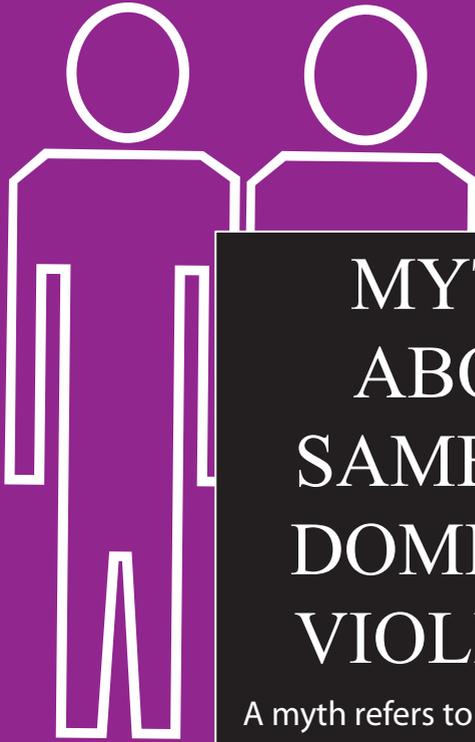
- Humiliate you, call you names or make fun of you in a way that is intended to hurt you?
- Threaten to “out” you to your family or work?
- Prevent you from attending LGBT or other events or venues?
- Have sudden outbursts of anger?
- Act over-protective and become jealous for no reason?
- Make it difficult to see, or prevent you from seeing, friends or family?
- Control your money against your will?
- Threaten you with violence, or hit, kick or throw things at you?
- Physically or emotionally hurt your children?
- Hurt your pets?
- Force you to engage in sexual acts that you are not comfortable with?

OR DO YOU...

- Change your behaviour or your appearance so your partner doesn't get angry?
- Avoid talking about money or any particular topics?
- Feel scared, anxious or like you are “walking on eggshells”?
- Cut yourself off from your friends or family?

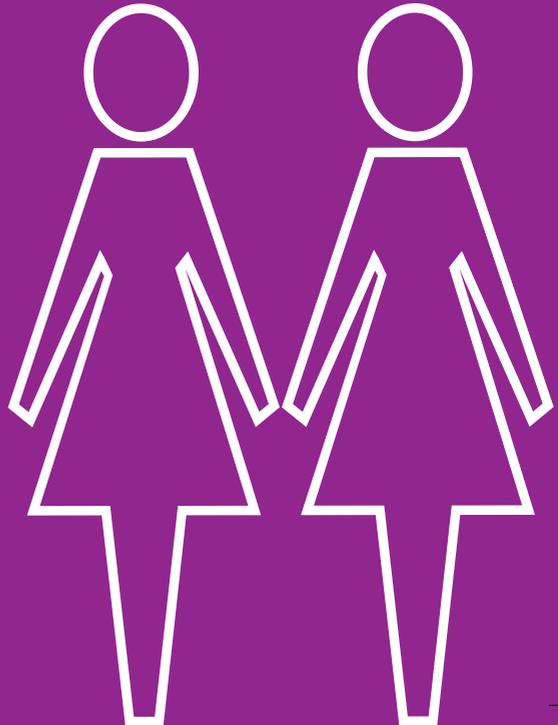
If you answered yes to any of these questions you may be experiencing domestic violence.

You can go through the list with your own, a friend's or family member's relationship in mind. Does your/their partner behave in any of the ways listed above? If so you/they may be experiencing domestic violence. While this Relationship Checklist is not an exhaustive list, it is a preliminary exercise to give you a sense of how domestic violence often plays out.



MYTHS ABOUT SAME-SEX DOMESTIC VIOLENCE

A myth refers to a fictitious story



Have you ever heard that violence between two women or two men in an intimate relationship is not the same as domestic violence? This is a myth. Violence in same-sex intimate relationships is domestic violence even though the law does not recognise it as such.

Here are some other myths you may have heard:

MYTHS

TRUTH

<p>"Women don't abuse each other."</p>	<p>Abuse can and does occur in relationships between women. Women have been killed or seriously injured by their female partners.</p>
<p>"If you fight back, then it's not abuse."</p>	<p>Self-defence is not the same as domestic violence.</p>
<p>"If I'm abusive, so are you."</p>	<p>Domestic violence is never mutual.</p>
<p>"But I have never hit you!"</p>	<p>Domestic violence is not only about physical violence. Psychological, sexual, economic and social abuse are powerful weapons of power and control over an intimate partner.</p>
<p>"How can you say I'm abusing you when you're so much bigger than I am?"</p>	<p>Domestic violence is about controlling behaviour not about size or strength. Merely looking at a couple will not reveal who is the abuser and who is abused.</p>
<p>"You just don't understand butches."</p>	<p>Blaming abusive behaviour on being butch* is a way of denying responsibility. It also insults butches. Abuse can happen in all kinds of relationships, regardless of sexual or gender identity.</p>

* A slang term used to describe someone who exhibits stereotypically or exaggeratedly masculine traits. The term is often used in reference to lesbians and gay men.

MYTHS

TRUTH

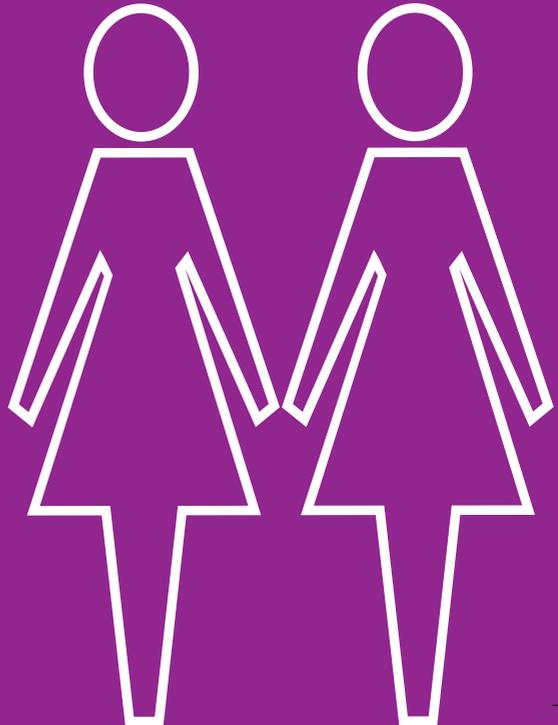
<p>"I'll never do it again... I promise."</p>	<p>Expressions of remorse and promises to change are often part of the cycle of abuse. Real change requires the abuser to take full responsibility and to commit to a long-term process of changing abusive patterns of behaviour.</p>
<p>"We can go to a counsellor." "We can get help together."</p>	<p>Couples' counselling rarely, if ever, helps abusers stop the abuse, especially if the counsellor is unfamiliar with patterns of domestic violence. Couples counselling may, in fact, exacerbate the violence as power dynamics are generally replayed and thus reinforced, in the counselling setting. Individual counselling has greater potential to benefit the victim-survivor and the abuser.</p>
<p>"No one else will want you because you're transgender."</p>	<p>Abusers often use homophobia or transphobia* to control their partner. Everyone is worthy of love and does not have to put up with abuse to receive love.</p>
<p>"You always say how great our relationship is... how can you say I'm abusive?"</p>	<p>Abusers can be charming, caring, fun and intelligent people. These attributes should not obscure the reality of abuse or excuse it.</p>

* The fear and hatred of or discomfort with, people whose gender identity and/or gender expression do not conform to cultural gender norms.





**SAFETY
PLANNING**



SAFETY PLANNING

A safety plan is a way to help you protect yourself in case of future violence or if you decide to leave an abusive relationship. By planning ahead and thinking concretely about how to increase your safety and the safety of your children or other dependents, you may be better able to protect yourself and others in both crisis and non-crisis situations.

The more detailed a plan is, the more effective it is likely to be. Be specific. Identify safe individuals and safe spaces, keep a list of emergency telephone numbers (taxi service, domestic violence support team, etc.) or programme them into your cell phone, set money aside, pack a bag and leave it with a friend, etc.

In developing a safety plan, it must be remembered that the law and legal mechanisms are hostile to same-sex relationships and thus, those in same-sex relationships cannot rely on the police for protection. There may be situations in which it is necessary to call the police to intervene in cases of extreme violence. However, disclosure of the nature of the relationship is not advisable as there may be adverse legal consequences for victim-survivors.

Below are some suggestions that may help ensure your safety, but use your judgement. Only you know what will work best for you.

In general, you can...

- **Let a trusted person know what is happening** and what you would like them to do in an emergency
- **Have a code word or phrase** that you can use to signal that you need help
- **Get support for yourself and your kids*** from friends, family, or a local domestic violence resource centre. You don't have to leave your partner to get support

* Many lesbian, gay, bisexual and transgender persons are mothers, fathers and guardians

- **Put aside money for travel expenses, accommodation, food, etc.,** in case the situation reaches a point where you need to leave immediately
- **Store money, medication, a copy of your keys, ID and other important documents** (such as degree certificates and other documents regarding educational qualifications and bank documents), clothing and anything else you may need in an emergency with a friend or family member, or at work or at another safe place
- **Keep a record of physical abuse and evidence of abuse** (e.g. photos, dates, medical records etc.) in a safe place such as your doctor's office or a friend's house
- **Don't wait for something terrible to happen if you want to leave.** Make a plan to leave when your abuser is away and it is safe for you
- **Programme emergency telephone numbers (friends, family, support networks, taxi service)** in your cell phone



DURING AN INCIDENT, YOU CAN...

- **Trust your instincts and do what you need to do** to protect yourself and get help
- **Escape the premises, get to the nearest safe place** and call friends, family or someone who can take you to a safe place
- **Lock yourself in a safe room and call for help**
- **Move into a room where there are no weapons** (e.g. move out of the kitchen or away from where a gun is stored)
- **Move near a door or other escape route** and try to stay out of spaces with only one exit like the bathroom or closets

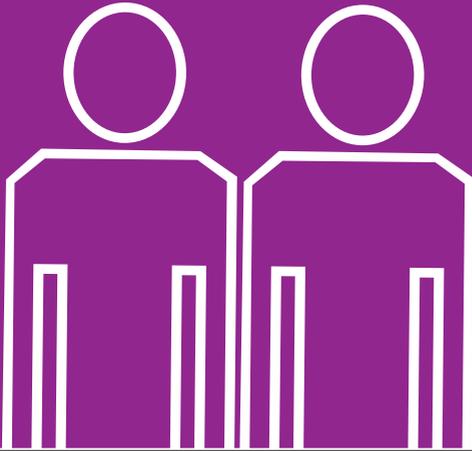
IF YOU DECIDE TO LEAVE, YOU CAN...

- **Find a safe place to stay**, preferably a place where your abuser would not look for you
- **Change your routine as much as possible** so it is harder for your batterer to find you – i.e. your work schedule, where and when you do grocery shopping, have medical/therapy appointments, etc. If you cannot change routines, see if someone can come with you so that you are not alone if you run into your abuser
- **Get support.** Trust your instincts about who you can rely on to keep your whereabouts and activities confidential. It may be helpful to emphasise the importance of privacy to those within your support system

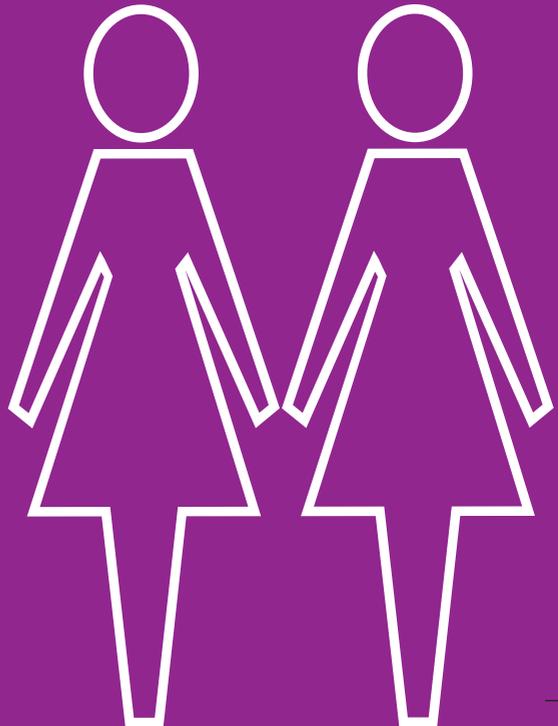
- **Let other important people know about your need for privacy** (e.g. your boss and other work colleagues, so they know not to give your details out or to screen your calls, etc)
- **Ensure the place you are staying is as safe as possible** (e.g. secure gates and doors, lockable windows, external lights, etc)
- **Re-direct your mail** and/or get a post office box
- **Seek support from organisations and support services.** The period after leaving an abusive relationship can be especially dangerous and trying

THE ABUSE
IS NOT
YOUR FAULT.
YOU DO NOT
HAVE TO
PUT UP WITH IT





**SUPPORTING A FRIEND
OR
FAMILY MEMBER**



DO YOU WORRY THAT A FRIEND OR FAMILY MEMBER IS EXPERIENCING DOMESTIC VIOLENCE

Is a friend or family member:

- Unusually nervous, depressed or withdrawn?
- Overly anxious about their partner or their partner's mood?
- Increasingly isolated from friends or family?
- Having unexplained physical injuries, e.g. cuts, bruises or sprains?

Does their partner:

- Frequently put them down in front of you or others?
- Order them about or seem to make all the decisions?
- Control all the money, social activities and/or contact with friends?

These may be signs that she/he is experiencing domestic violence.

HOW TO TALK ABOUT DOMESTIC VIOLENCE

If you are worried that a friend or family member may be experiencing domestic violence and you want to raise your concerns, you might consider the following:

- Make sure you are in a place where you can talk without others, especially her/his partner, hearing or interrupting
- Raise your concerns in a gentle and non-judgemental way, i.e. "I'm worried about you because you seem unhappy..."
- Do not push if she/he is not comfortable or does not seem ready to talk
- Do not be surprised or offended if your concerns are rejected or met with a defensive response
- Accept the decision not to talk and let her/him know that you are there to support them anytime



HOW CAN I SUPPORT A FRIEND OR FAMILY MEMBER WHO IS EXPERIENCING DOMESTIC VIOLENCE

Educate yourself! Learn about domestic violence and how to support someone in an abusive relationship by reading about domestic violence or talking to someone who works with victim-survivors of domestic violence.

YOU CAN SUPPORT A FRIEND OR FAMILY MEMBER BY PROVIDING EMOTIONAL SUPPORT.

- **Listen** with empathy and without judgement. Let the victim-survivor do the talking
- **Believe** what you are told. Most victim-survivors minimise the abuse they are experiencing or do not identify it as abuse
- **Acknowledge** the victim-survivors' fears and take their concerns seriously
- **Validate** the victim-survivor's feelings and remind them that the abuse is not their fault
- **Ask** how you can best help them
- **Respect** a victim-survivor's privacy and maintain confidentiality unless she/he specifically asks you or gives you permission to tell others
- **Empower** the victim-survivor to make her/his own decisions. You can help a victim-survivor make decisions but don't tell her/him what to do

YOU CAN SUPPORT A FRIEND OR FAMILY MEMBER BY PROVIDING PRACTICAL SUPPORT.

- **Safety plan.** Help the victim-survivor develop a safety plan
- **Medical care.** Make appointments, get referrals or accompany the victim-survivor to the doctor, a therapist or a domestic violence advocate
- **Safe spaces.** Help identify a safe place to stay or a place to go for respite when the violence happens and/or a safe and accessible place to keep money, documents, etc
- **Documentation.** Keep detailed notes about the abuse and record any visible injuries. Let the victim-survivor know you are doing this and that the information may be useful if she/he decides to report the violence or if something drastic happens to her/him

Providing someone with practical support can help them feel more in control of their situation and better able to make decisions and start taking control of their lives again.



SUPPORT MEANS KNOWING WHAT NOT TO DO

Some well-intentioned “help” may do more harm than good.

- Do not tell a victim-survivor what to do *
- Do not express disappointment if a victim-survivor decides to return to her/his partner
- Do not make comments that suggest the victim-survivor is to blame for the abuse
- Do not try to mediate between the partners
- Do not confront the abusive partner
- Do not try to, or expect to, fix the problem

Providing support does not mean fixing the problem. The best support you can give is to help a victim-survivor find her/his own answers.

* There may be emergency situations when a victim-survivor needs to be told exactly what to do because she/he is injured and/or her/his capacity is impaired. In these situations, be firm, clear and reassuring, i.e., “you need to get out of the house now... go to your mother’s house. I am on my way...” or “Go into your room, lock the door and move the bed in front of the door...” or “...do not hang up the phone. I have called an ambulance. They will be there any minute. You’re going to be ok. Keep talking to me...!” These are exceptional situations that require the utmost calm and clarity to get help to the victim-survivor.

LOOKING AFTER YOURSELF

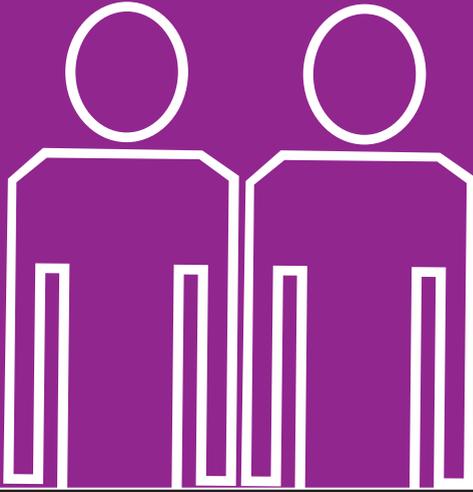
Supporting someone who is experiencing domestic violence can be difficult and frustrating. If you are supporting a friend or family member you might:

- Get support for yourself by talking to a counsellor or trusted friend or family member (but be careful not to break confidentiality)
- Be honest and clear with yourself and the victim-survivor about how much and what type of support you can give
- Remember that your support, whether you see it or not, is valuable

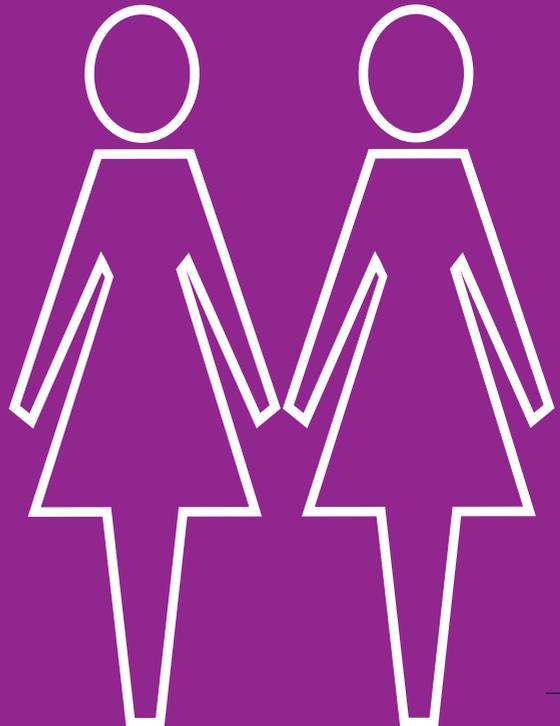


**THE DECISION TO LEAVE AN ABUSIVE
RELATIONSHIP IS A COMPLICATED ONE.
VICTIM-SURVIVORS OFTEN STAY IN ABUSIVE
RELATIONSHIPS FOR A NUMBER OF REASONS.
THESE MAY INCLUDE:**

- An inability to see or accept their partner's behaviour as abuse
- Fear that they will be outed or discriminated against
- Commitment to the relationship and belief that the problem can be solved
- Desire to stay in their home, with their children, dependents or pets
- Fear of their partner and the consequences of leaving
- Dependence on their partner financially or for care needs
- A sense of shame and the desire to hide the abuse from others
- Love for the abuser and belief in her/his promise to change and the promise that "it will never happen again"
- The feeling that she/he is not yet strong enough to make the break



FINDING INFORMATION,
HELP AND
SUPPORT



SUPPORT FOR VICTIM - SURVIVORS OF DOMESTIC VIOLENCE

There are currently no domestic violence support services in Sri Lanka specifically for victim-survivors of same-sex domestic violence.

However there are some organisations that provide support to women experiencing domestic violence in different-sex relationships. Although these organisations may not have a clear understanding of the specificities of same-sex relationships, they may nonetheless be able to provide information and support in emergency situations. Their contact information is listed here.

There is currently no services specialising in domestic violence for men, particularly in same sex relationships. Please contact EQUAL GROUND for information, advice and support.



WOMEN IN NEED (WIN)

Women In Need is a non-profit social service organisation committed to the elimination of domestic violence and other forms of violence against women and children. The main vision of the organisation is to support women and children who are victims of violence in Sri Lanka.

WIN offers counselling services, legal services (advice and representation) and temporary shelter facilities for women experiencing domestic violence.

Telephone : (011)-2665870 or (011)-2671411
Website : www.winsl.org
Email : win@eureka.lk
24 hour Hotline : (011)-4718585

In addition to its head office and crisis centre in Colombo, WIN operates several one stop crisis centres in hospitals and police stations in Colombo:

National Hospital: Accident Service	(Monday to Friday 9AM-4:30PM)
De Soysa Hospital for Women	(Monday to Friday 9AM-4:30PM)
Castle Street Hospital for Women	(Monday to Friday 9AM-2PM)
Kirulapone Police Station	(Monday to Friday 2PM-4:30PM)

WIN also operates several crisis centres outside of Colombo:

Anuradhapura : (025)-2235530
Badulla : (055)-2224395
Kandy : (081)-2203246
Matara : (041)-5414004
Jaffna : (021)-2229671

WOMEN DEVELOPMENT CENTRE (WDC)

A pioneer in crisis intervention, WDC supports women in vulnerable situations and takes initiatives to protect them from going into cycles of prostitution, drugs or further abuse. WDC runs drop in centres and shelters for women and girls who are victims of abuse/violence. WDC facilitates counselling services and provides vocational training as part of rehabilitation. The WDC crisis center in Haragama continues to be the largest shelter in the Central Province in Sri Lanka catering to the needs of women facing crisis.

Telephone : (081)-2228158 or (081)-2203910
Website : www.womendev.org
Email : wdc@slt.lk

SUPPORT FOR SEXUAL ORIENTATION AND GENDER IDENTITY

Please note that telephone lines are operational during office hours only at this point and may not be available during an emergency.

EQUAL GROUND

EQUAL GROUND seeks equitable human and political rights for the Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning (LGBTIQ) community of Sri Lanka through unity and advocacy against all forms of discrimination based on sexual orientation, gender identity and/or gender expression. EQUAL GROUND currently operates a 'safe space' in Colombo for LGBTIQ persons.

Telephone : (011)-5679766 or (011)-2503977

Website : <http://www.equal-ground.org>

Email : equalground@gmail.com or info@equal-ground.org

WOMEN'S SUPPORT GROUP

The Women's Support Group focuses on social, political and legal acceptance, free from discrimination and stigmatisation, of lesbian, bisexual women and transgendered persons (LBT) in Sri Lanka. The WSG reaches out to all women who struggle for the free expression of their sexuality.

Telephone : (011)-5556122

Website : <http://www.wsglanka.com>

E-mail : wsg@eureka.lk

COMPANIONS ON A JOURNEY

Companions on a Journey focuses on decriminalisation of adult same-sex relationships, LGBT rights advocacy, networking and providing outreach services for and on behalf of Lesbian, Gay, Bisexual and Transgender (LGBT) people. COJ currently operates drop-in centres in Nugegoda and Kandy.

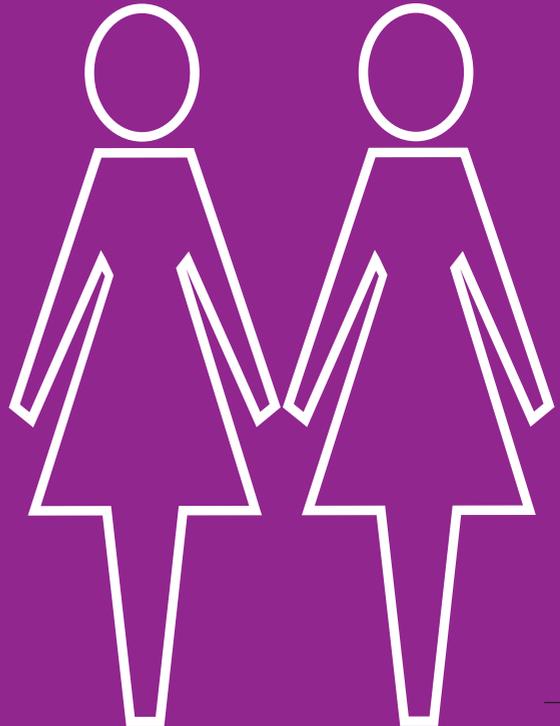
Telephone : (011)-4851535 / (011)-4857575

Website : no website at time of publication

e-mail : coj@wow.lk



THE LAW



THE LAW

The laws of Sri Lanka do not provide protection for those in same-sex relationships. In fact, the law does the exact opposite and may be used against individuals in same-sex relationships. Thus, victim-survivors of same-sex domestic violence in Sri Lanka cannot rely on the police or courts to protect them and must be extremely cautious in their interactions with the police or other law enforcement mechanisms.

PENAL CODE

Same-sex relationships are not expressly criminalised in the Penal Code. However, section 365 of the Sri Lankan Penal Code has been interpreted to prohibit the sexual act of sodomy between two consenting adults. According to Section 365:

"Whoever voluntary has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment of either description for a term which may extend to 10 years..."

Although the law has not been enforced for some time, its mere existence impacts LGBT persons across Sri Lanka by increasing feelings of insecurity and marginalisation.

Resorting to the law as an identified same - sex person is not advisable in the current scenario.

DOMESTIC VIOLENCE

In October 2005, the Parliament of Sri Lanka enacted the Prevention of Domestic Violence Act No. 34 of 2005.

The law offers protection to victim-survivors of domestic violence in the form of time-limited court orders of protection. Protection orders may bar the abuser from engaging in any number of activities enumerated in the statute or otherwise, giving the court wide discretion to prohibit the abuser from engaging in any activity deemed to be “detrimental to the safety, health, or well-being” of the victim-survivor. Protection orders may prohibit the abuser from having contact with the victim-survivor or from entering the victim-survivor’s residence, work place, school, etc., and from having contact with the victim-survivor’s children. The protection is limited to a maximum of 12 months.

Although the Domestic Violence Act does not specifically address same-sex domestic violence, it also does not exclude victim-survivors of same-sex domestic violence from protection. Nonetheless, the ambiguous legal status of LGBT individuals makes the limited protection afforded by the Domestic Violence Act illusive.

NOTES

A series of horizontal dotted lines for writing notes.

EQUAL GROUND

Tel: +94-11-5679766/+94-11-2503977

Fax: +94-11-2507746

Web: <http://www.equal-ground.org>

Web Blog: <http://equalground.wordpress.com>

“Equality for all Sexual Orientations and Gender Identities:
Human Rights for Everyone”