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South Africa

GBV in the LGBTQIA+ community: what is the picture and what are the ways to counter it?

- Features - Sexual politics -
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Amandla! interviewed Bridgette Nkomana about GBV and the LGBTQIA+ community.

Amandla!: GBV is not only physical violence, although far too often it is. And there are many other forms of violence that the LGBTQIA+ community faces. Tell us what GBV look like from your perspective.

Bridgette Nkomana: Firstly, we face the same challenges, including the different types of GBV that heterosexual people face. What makes it a little bit different is that you won't get a 'straight' male doing what they refer to as 'corrective' rape to a straight woman. This heinous crime is prevalent for a person who is born female and identifies as "butch". And when I say "butch", I mean that their preference is to act more like a male, if I may put it that way as a loose explanation. So most of the time, you will find that straight men are raping the "butch" women because they feel that they're acting like men. They are going to 'correctively' rape them so that they can be straight and act like women.

We are not immune to facing GBV like heterosexual people do. But, most of the time, as members of the LGBTQIA+ community, we die a senseless death just because of who we are.

We also cannot walk down the street and express our love and show affection to our partners without being judged, mocked or assaulted by those who think our actions are morally or traditionally incorrect. They kill us!!!.

We also face gender-based violence, where same-sex couples abuse and even kill each other. This was something very taboo in the past, especially for lesbian couples. GBV is starting to be very prevalent amongst our own LGBTQIA+ community today.

A!: The police and the justice system are notorious for not responding well to GBV in general. Are there particular issues that are faced by LGBTQIA+ people in relation to the police and the justice system, on top of their general inability to respond sensitively and properly?

BN: South Africa has been very much complimented for its well-crafted Constitution and the fact that same-sex marriage is legal in our country. Let me zoom in on our labour laws. They are clear on the zero tolerance on discrimination under the listed grounds: gender and sex. Therefore, our labour laws cover non-discrimination against LGBTQIA+ people. With all those pieces of statutes available in our country, the reality we face is that the LGBTQIA+ community is dismally failed by the judiciary and SAPS. The state failed us even more by the continuous budget cuts.

A classic example: you go to a police station after an incident occurred and need assistance. You will be told that there are no vans in the police station or there's not enough human resources to accompany you to your place of residence where the assault occurred.

The LGBTQIA+ community member will go to the police station to report a case and will be able to identify the perpetrator. You find, firstly, that when you get to the police station, there is no safe space created for you to report your case. Instead, the police officers crack jokes about your case.

Secondly, the police just do not understand our diverse lives, and most of all, they lack training. At times the police use derogatory words such as 'moffie' referring to a male who identifies as a woman. The major, major barrier is a

lack of training and budget to ensure that SAPS is educated and resourced.

When it comes to judges, we sometimes don't understand how they arrive at some sentences handed to those who are guilty of senselessly murdering members of the LGBTQIA+ community. The community member is raped, and the perpetrator is released only to come back and commit the same crime in the community as if the lives of the LGBTQIA+ community members don't matter.

But we have organised ourselves as the LGBTQIA+ community. For example, there was a case in Khayelitsha, Cape Town, where a young lesbian was murdered, and the community actually identified the person who committed this crime. There was an investigation done, and DNA and all of those things were collected. The killer was found but was barely even two years behind bars. One cannot fathom what kind of sentencing this is when there is a family that is mourning and still seeking answers as to why their child was murdered.

Nowadays, we go to social media in order to expose some of these injustices, and only once the state picks up that this post is gaining momentum, all of a sudden, they act as if they care. You just don't understand if SAPS is nowadays operating based on what they're picking up on social media or it must take us first to protest before we get answers. Even during the protests, at times, we would hand over memorandums, and those memorandums, at times, are ignored by both SAPS and the Department of Justice. But I'm not going to lie; social media has become such a powerful tool to use in getting responses or some form of action from the state.

A!: I suppose, the feeling about government policy is that there's nothing wrong with the policy direction. It's just that nothing ever happens, as with much of government policy.

BN : You know, my problem with the state is that they always treat 16 days of activism against women and children, with the LGBTQIA+ community thrown in there as well, as events that have a start and an end date. Fighting GBV cannot and will never be an event.

Let me zoom in on policies within the workspace. You would have expected by now that there would have been a transformation in workplace policies. That they have become inclusive and diverse. But there was an incident in one of these call centre agency companies here in Cape Town where there was a trans male (someone who was born with a penis and has transitioned into a female); they identified as a woman. She would dress as a woman, and in fact, we would refer to her as 'she'. She uses the ladies' bathroom, and someone reported her to HR, and the trans woman was fired from work. One of the excuses was that her ID was not changed, and the company viewed her as him. Basically, this forced her to use the male bathrooms, which she did not want to use. One of our other biggest challenges as the LGBTQIA+ community members is the identification processes that take long at the Department of Home Affairs. It is possible for workplaces to accommodate trans people by creating gender-fluid/neutral bathrooms.

In spaces where employees wear uniforms at work, you tend to find that the pants are meant for men and skirts for women. And if you are a male identifying as a woman, you are not allowed to wear a skirt. You get a warning until you are fired for not conforming to the uniform standards of the company. These issues affect us on a daily basis, especially in our workspaces.

The second thing is I had a friend who was thrown into a holding cell. They identified as a woman as well, but they were thrown into a holding cell with males who had all done all sorts of things that particular night, of which the majority were drunk. So, one can see the danger and the harm that even SAPS puts our people through.

A!: To what extent does labour law require employers to accommodate trans people and the employers are violating that, and to what extent is there actually no provision?

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BN: We obviously are covered in terms of the labour law itself because one must never be discriminated against in terms of listed grounds, which include your gender or sex. The problem then becomes when employers are producing policies for workspaces independently, and there is no one policing these policies. Some policies are not accommodating to the LGBTQIA+ community. And we are not proactive towards them. We wait until something happens, and then the company pulls out its policies.

We should have some form of mechanism to put harsh measures against those who draw up policies in the workspaces that infringe on the rights of others, especially the LGBTQIA+ community. I would have expected today, in 2025, to find bathrooms that would accommodate even non-binary people, unisex bathrooms. I went to Bayside Mall, and I was so, so impressed by the fact that they refurbished the mall. And when you go to the side where there are bathrooms, you find that there's a non-binary bathroom. Companies must be forced to comply. It must be made into a compliance matter.

A!: If we can turn to the response of the LGBTQIA+ community, I don't know, for example, what the state of organisation of that community is. If there is organisation, how has it responded and how does it respond to violence and abuse?

BN: There's a lot of networking that happens in that space, and when incidents happen, there is a response, be it via a march, be it via written response, maybe writing to the office of the presidency or the ministers, or even to SAPS or the judiciary, Department of Justice or Department of Labour. We found out last week that one of our community members was raped, and the case went nowhere. The dockets were lost, and now we are in protest. So there will always be reactions and responses.

But there's something that I have also noted. We need to see it as a proactive response when we do these Prides. Pride is to celebrate who we are, first and foremost, that we are proud of who we are, and this is who we are, and we are not going to change for no one. And the second element to it, which is so powerful, is that, through Pride, we educate those who are not our allies, those who are still continuing to want to discriminate against us.

And these Pride marches are no longer only in Central Business Districts. If you go to Johannesburg, you will find that they will have one in Sandton, and you will find that in the townships, they are starting to have Pride. And I think that is what matters the most, really, because a lot of these injustices and all these vile incidents that happen to my community take place right there in our communities, in our townships. One can say, look, these are the reasons why these things happen in the township, because of poverty, because of low education levels, and unemployment. There's a plethora of things that we can say to try and justify why certain things happen. But through the Pride marches, we are saying no to GBV, stop killing us for who we are. Accept us because we are part of the community. We are your children as well. So part of it is to act more in a proactive way. But there's a lot still to be done.

I must say, looking at age groups, especially the young ones, you know, the 2000s as we call them, they are living so 'out' and they are proud. So they're also accepted in their communities, unlike in the 80s, in the 90s, and even a little bit during my time. You know, I was born in 1983, and it wasn't fashionable to see a girl that is playing soccer in the streets with boys whom they'd never seen in a dress. It was something taboo to them during those times. But today, you turn every corner. We are everywhere.

But it will take time, because, remember, there's the church that still has its old indoctrination of this woman and man thing, and there's nothing in between. And when we go home, some of us that go to the Eastern Cape, there's a chief, and he doesn't recognise anything in between. So it's still a long way to go.

Source: [Amandla](#) 7 July 2025

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