



# ***BENT BARS PROJECT***

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## Response to public discussions following the recent deaths of two transwomen in prison

We were deeply saddened to learn of the death of Vicky Thompson in Leeds prison on 13<sup>th</sup> November 2015 and the death of Joanne Latham in Woodhill prison on 27<sup>th</sup> November 2015. These apparent suicides, at least one of which was in direct response to being incarcerated in a sexgender inappropriate prison, represent significant losses in our trans\*<sup>1</sup> communities. Although we were not in communication with Vicky or Joanne, their situations are familiar to us and have resonances with the experiences of many trans\* and sexgender nonconforming people in prison who contact the Bent Bars Project.

We wish to extend our condolences to both Vicky's and Joanne's loved ones and to all those affected by their deaths. These are losses that have been felt and mourned across our broad communities.

We are heartened by the public response of concern in the aftermath of these women's deaths. Too often, issues faced by prisoners are neglected, ignored or sensationalised in the media. So it is crucial that the wider public be made aware of what is happening in our prisons in order for these issues to be properly addressed. At the same time, we feel the focus of discussions needs to be widened to address larger issues surrounding the incarceration of trans\* people specifically and the harms of imprisonment more generally. This is an important moment to discuss these issues and in particular we would like to raise the following points:

- **We need a public discussion about the harms caused by imprisonment.**  
Much of the discussion to date has called upon government authorities to recognise trans\* people's self-defined sexgender identities when determining their placement within institutional settings. This is a crucial demand, particularly in prisons where basic survival is often a struggle. At the same time, such recognition is not enough to keep people safe. There have been 216 deaths in prison so far in 2015, 77 of which were self-inflicted.<sup>2</sup> Preventable deaths; high rates of self-harm, mental illness and distress; cultures of fear and intimidation; and other forms of violence are problems that exist in all prisons. Putting someone in a sexgender 'appropriate' institution may lessen some hardships of being locked up, but it doesn't address the pervasive issues of violence, harm and inequality that exist across all prisons.
- **We need to be wary of assuming that policy change alone will be enough to address problems of transphobia and inequality within prisons.**  
Media commentaries have focused on the need to review the prison 'Guidelines on the Care and Treatment of Transsexual Prisoners', which formally expired earlier this year. Revising the guidelines is a much needed step in improving conditions for trans\* prisoners, but the fundamental assumptions that underpin the guidelines must also be questioned. The guidelines rely on a narrow, medicalised model of sexgender identity, and don't take into account identities beyond the normative female/male binary. The

policies thereby deny recognition of non-binary identified people and prohibit more complex understandings of individual transition processes and journeys. But more importantly, policy change alone will never be enough to address the underlying problems of inequality in the criminal justice system. We know all too well – as do prisoners and their families, prisoners’ rights advocates and lawyers – that the gap between policy and practice in the prison system is wide. We regularly receive letters from trans\* and gender nonconforming people describing how difficult it is to access very basic entitlements and how little recourse they have to defend their rights. So while policy change is important, it must be backed by meaningful action, advocacy and wider public scrutiny.

- **We need to ask why so many trans\* people are in prison.**

In addition to asking why trans\* people are being held in the wrong prison, we need to ask why so many trans\* people are being sent to prison at all. Although we do not know exactly how many trans\* people are imprisoned in the UK, we believe that trans\* and sexgender nonconforming people are over-represented in the prison population. During the six years that we have been running the Bent Bars Project, we have received countless letters from trans\* and sexgender nonconforming people whose stories of imprisonment are often closely linked to prior experiences of inequality and discrimination. If we want to prevent deaths in prison, we must confront the wider issues that contribute to the disproportionate imprisonment of so many people from disadvantaged and marginalised communities.

- **We need to prioritise effective and meaningful alternatives to prison.**

Between June 1993 and June 2012 the prison population in England and Wales increased by 41,800 prisoners to over 86,000.<sup>3</sup> This dramatic rise in the prison population was primarily caused by changes to sentencing policy and practice, which funnelled more and more people into the prison system for longer periods of time. The public has been led to believe that the size of our prison population is inevitable and necessary for safety, but this is simply not true. There are hundreds of alternative measures that better prevent, reduce and respond to harm, which are drastically underutilised. The best way to reduce deaths in prison is to reduce the number of people that are sent to prison in the first place.

-- Bent Bars Collective (5 December 2015)

*Bent Bars is a letter-writing project for lesbian, gay, bisexual, transgender, intersex, queer and gender nonconforming prisoners in Britain. We aim to develop stronger connections and build solidarity with queer/trans communities inside and outside prison walls.*

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<sup>1</sup> We use the term trans\* to recognise a diversity of identities and expressions within the sexgender spectrum, particularly referring to people whose sexgender identity and/or expression is different from their assigned sexgender at birth. This includes but is not limited to: transgender, transsexual, transvestite, genderqueer, genderfluid, agender, two-spirit, transmen, transwomen and gender nonconforming people.

<sup>2</sup> See: <http://www.inquest.org.uk/statistics/deaths-in-prison>

<sup>3</sup> See: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/218185/story-prison-population.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/218185/story-prison-population.pdf)