

National analysis on violence against LGBTI+ children

SPAIN



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Introduction: Research Design and Sample

This national report is the result of fieldwork gathered in three different research techniques: an online survey, 21 semi-structured interviews (both carried out to stakeholders), and a workshop with children. The fieldwork was complemented with desk research to deepen the issues not addressed in the interviews and survey. With this, we were aiming to fulfil the objective of making a needs assessment for future training and awareness actions.

The online survey received 104 full responses and 231 partial ones. For this report, we have only analysed the 104 full responses. Once we had the survey link, we distributed it through all our contacts. We send the link to everybody that we know that was a stakeholder with children, and everyone who we thought would know stakeholders. At the same time, we distributed the survey link in our private and institutional social network accounts to try to reach as many participants as we could.

Most of the feedback that we received from workshop respondents was positive, and some of them explicitly wrote that there is a lack of related works. The most common negative feedback we received had to do with the survey being too long. This feedback might explain some of the partial responses.

The interviews were aimed at stakeholders from the five key areas. Out of these, four interviews were carried out to media stakeholders, four interviews to education stakeholders, five interviews to health stakeholders, five interviews to family stakeholders, and three interviews to public space stakeholders. All interviews took around one hour, with the longest interview being one hour and forty minutes. Because of the declaration of the state of alarm on the covid-19 pandemic and the following lockdown, some of the interviews were carried out via video call.

Snowball sampling was used to find interviewees. To ensure that the sample included significant information from all DaC project areas, we first agreed on finding roughly an even number of interviews per area, and then we proceeded to brainstorm possible key stakeholders in the area or possible contacts who could provide us with a relevant stakeholder. Since all researchers are implicated with the explored field, it was not difficult to start finding the first relevant stakeholders. Once we started interviewing those participants who we had already targeted, the rest of the participants were selected from recommendations of both other interviewees and other relevant contacts in the field.



We understand that such a sample does not provide representativeness of all perspectives and positions of sexual and gender diversity in childhood in Spain, but this was never the aim of this research. The intention of the present sample did not have to do with representativeness, but rather with finding interlocutors who could provide relevant information for the project. Furthermore, we needed to collect several good practices that were already in place, so we had to talk to stakeholders that we thought were already carrying out such good practices. In this sense, most interview participants present an open approach to sexual and gender diversity in childhood. Far from constituting a bias, since representativeness was not an aim, this kind of sample provided the finding of enough good practices that are already being carried out in Spain.

Once we had an even number of areas, we also wanted to ensure that participants in the same area were working on different actions and spheres of the DaC project areas, so that we could gather a broader scope. We did not target specific subject positions in relation to sexual orientation and/or gender identity, but rather on what interesting person a participant could bring on. Still, we ended up having wide variety of participants in relation to sexual orientation and gender identity, although there was clearly a majority of cis and non-heterosexual participants. As for DaC areas, we carried out 5 Education interviews, 5 Health interviews, 4 Families interviews, 3 Public Space interviews, and 4 Media interviews.

A summary of participants, with their identification code, is as follows:

Participant	DaC area	Role	Age	Gender	Sexual orientation
UAB1	Education	Trainer at an NGO	46	Cis man	Gay
UAB2	Education	Teacher & researcher	49	Trans man	-
UAB3	Education	Teacher	56	Cis man	Gay
UAB4	Health	Psychologist	53	Non-binary	-
UAB5	Health	Project technician	36	Cis woman	Lesbian
UAB6	Health	Professor &	-	Non-binary	Queer



		researcher			
UAB7	Families	LGBTI service provider	26	Cis male	Gay
UAB8	Public space	NGO coordinator	28	Cis male	Gay
UAB9	Public space	Psychologist	-	Cis woman	Bisexual
UAB10	Media	Journalist	33	Cis man	Gay
UdG11	Media	Journalist	27	Cis man	Gay
UdG12	Media	Communicator	42	Cis man	Gay
UdG13	Media	Communicator	55	Cis woman	Lesbian
UdG14	Education	Teacher	43	Non-binary	Pansexual
UdG15	Education	Psychologist	39	Cis woman	Lesbian
UdG16	Health	Paediatrician	58	Cis male	Gay
UdG17	Health	Nurse	-	Cis woman	Lesbian
UdG18	Families	LGBTI activist	61	Cis man	Heterosexual
UdG19	Families	Trans children activist	55	Cis woman	Bisexual
UdG20	Families	Trans children activist	53	Cis woman	Heterosexual
UdG21	Public space	Local police officer	55	Cis woman	Lesbian



The third important fieldwork element was a workshop with children. This workshop was carried out at a public school of Girona, in the North East of Spain and one of the four provincial capitals of Catalonia. The workshop took place on March 12th, 2020, and was attended by 14 children aged 10 and 11. 12 of these children identified themselves as cisgirls, and 2 as cisboys. The school was very open to the workshop as soon as it was proposed to them, and they offered all the help that was needed. The evaluation questionnaires show that participants enjoyed the workshop very much and that they learnt some information in the session.

To broaden information from the fieldwork, we conducted desk research, particularly in relation to the legal and political framework. As aforementioned, the two research teams are implicated in the field, so both of us had previous research and activist work gathered in relation to the matter. To broaden this information, we also added data from wider surveys, such as the FRA survey.

1. Legal and political context regarding LGBTI+ rights

The legal context that regulates LGBTI+ rights, particularly for children, is very recent. It was not until 2014 that a Spanish regulation included matters on LGBTI+ children specifically, and only in 2019 a regulation targeting only children was approved. Nevertheless, LGBTI+ regulations that relate to children are not created in a void, but rather, they are part of a broader context of LGBTI+ regulations. It is for this reason that we hereby present a genealogy of the legal and political context of LGBTI+ rights that does not focus on children exclusively but rather on all LGBTI+ matters.

During the Second Spanish Republic (1931-1939) eliminated from the Criminal Code any mention of same-sex encounters among the criminalized practices. It approved the Vagrancy Act (Ley de Vagos y Maleantes) for "the control of beggars, ruffians without a known trade and pimps", a law of a preventive nature without any reference to homosexuality (though it would be later amended to introduce it during Franco's dictatorship). Nevertheless, society showed rejection against non-heterosexual practices (Aresti, 2010). Despite that, during this period, cultural productions appear that reflect the homosexual community, such as the works by Lucia Sánchez Saornil, Luis Cernuda or Federico García Lorca.



The dictatorship of Francisco Franco (1939-1975) was an authoritarian regime that persecuted people that did not follow the heterosexual mandatory of the Catholic perspective. At the same time, it reinforced traditional cisheterosexual family values. In 1954, the Vagrancy Act was amended to include homosexuality. It was replaced in 1970 by the Danger and Social Rehabilitation Act (Act 16/1970) which, in article 6, defined the following measures for homosexual persons: (a) internment in a re-education institution; (b) a ban on residing in specific places or on visiting certain public places or establishments, and (c) submission to the supervision of “delegates”. In the 1973 Penal Code, the section on "crimes against honesty" (title IX) provided for arrest, fines and disqualification for the crimes of "public scandal", crimes usually applied to homosexual and transsexual persons.

In this context, the Homophile Group for Sexual Equality (Agrupación Homófila para la Igualdad Sexual, AGHOIS) was founded in 1970 and changed its name in 1971 to Spanish Homosexual Liberation Movement: Movimiento Español de Liberación Homosexual, MELH (Mira, 2004). The homosexual liberation movement per se has more representation of gay men, although also many trans* women -at some point considered as travestites- and lesbian women were also present. Because of certain political tensions, many lesbians led their activism from Feminist and women only spaces, even though lesbians also had struggles within Feminism for political recognition (Merida Jimenez, 2016; Trujillo, 2009; GLF, 2000).

From 1975 to 1982 several legal reforms abolished discriminatory laws against homosexuals. The National Constitution approved in 1978 banned discrimination for any reason. The Law 46/1977 of October 15, 1977, amnestied crimes related to political acts, rebellion and sedition committed before December 15, 1976, but did not include persons convicted of homosexuality. The first Pride demonstration was held in Barcelona on June 26, 1977, called by the Gay Liberation Front of Catalonia (Front d’Alliberament Gay de Catalunya, FAGC), a splinter of the MELH. Between 1975 and 1977, groups and fronts of homosexual liberation were created in the main cities of the Spanish state. These groups constituted in 1977 the Coordinating Committee of Homosexual Liberation Fronts of the Spanish State (COFLHEE). In 1978 there were Pride demonstrations against the Vagrancy and Malleability Act in Madrid, Barcelona, Bilbao and Sevilla. In this same year, the Act 77/1978 modified the Act on Danger and Social Rehabilitation and suppressed homosexuality as a reason to be declared “dangerous.” Thus, homosexuality was officially decriminalised. In 1980, FAGC was the first LGBTI+ association to be legally recognized and in 1983 the legalization of lesbian and gay associations became widespread.



During the socialist turns in office between 1982-1996 with Felipe Gonzalez as president, while the recognition of lesbian and gay groups continued, trans* activism emerged and solidified. The Law 5/1988 changed the crime of "public scandal" to "exhibitionism and sexual provocation", restricting it to obscene exhibition to children under sixteen years of age or mentally deficient (the crime of "public scandal" was often applied to trans people). During the same period, the HIV pandemic spread in Spain, as in other countries around the world. HIV had a strong impact on the gay community in particular, and in this social and health crisis the Spanish government did not provide support to the pandemic victims. This is the reason why many self-support organisations were created in Spain, as was happening in many other European countries.

The assassination of trans woman Sonia Rescalvo on October 6, 1991 put prejudice and discrimination against trans people on the political and association agenda. Concurrently, on the occasion of the 1992 Olympics, sexual work in the Camp Nou area (which was mainly done by trans people) was repressed by the police to "improve" the image of the city, making the lives of trans sex workers more precarious. In this context, the Catalan Transsexuals' Collective - Pro Rights (CTC) was created in 1992, the first transsexual association in Spain. In 1996 the Federation of Transsexual Associations (FAT) was founded.

From 1996 and 2004, the right-wing party Partido Popular was in power led by Jose Maria Aznar. During this period, the Spanish government did not provide any kind of support to LGBTI issues, at a moment when the HIV pandemic was still a big issue. As a consequence, social movements got stronger and peer to peer support remained crucial.

In 2004, the socialist party came to power again, with Jose Luis Rodriguez Zapatero, who stayed in office until 2011. Within these years, several legal changes strengthened the rights of the LGBTI community. In 2005, amendments made to Article 44(2) of the Civil Code state that marriage confers the same rights and responsibilities on same-sex couples as it does on spouses of different-sex as well as adoptions and fostering of children. In 2007, Act 3/2007 allowed a person whose gender identity does not match his or her assigned legal gender to modify the gender marker in the Civil Registry and change his or her name, provided that certain requirements were met, including a psychiatric diagnosis of mental disease.

During Mariano Rajoy's conservative government (2011-2018) the Penal Code was modified through the Organic Law, 1/2015 to include hate crimes into the national legislation. Additionally, numerous actions at the regional level aimed at protecting the rights of the LGBTI+



community, such as the Act 14/2012 on-discrimination on the grounds of gender identity and recognition of the rights of transsexual persons in the Basque Country or the Act 2/2014 on equal treatment and non-discrimination of lesbians, gays, transsexuals, bisexuals and intersexuals in Galicia. Similar laws were passed in at least 11 out of the 17 Spanish regional governments, including Andalusia (2014), Catalonia (2014), Canary Islands (2014), Madrid (2015), Extremadura (2015), Murcia (2016), Balearic Islands (2016), and Valencian Community (2017).

In 2018, the year socialist Pedro Sánchez came into power, the Ministry of Justice instructed Civil registry offices to enable the change of name and sex mention for trans children due to the best interest of the child that is enshrined in the Convention on the Rights of the Child, ratified by the Spanish Government in 1990. This decision was ratified by ruling 99/2019 of the Constitutional Court.

1.1. Timeline of LGBTI+ rights in Spain

1928: Homosexuality is incorporated into Spanish law for the first time as a criminal action.

1931: The Spanish constitution enacted in 1931 reduces the influence of the Catholic church. This fact, in articulation with other social and medical debates, led to certain permissiveness of homosexuality, mostly in certain urban areas.

1939: Franco comes to power. Catholicism, which explicitly condemns homosexuality and all practices sexual and gender diversity considered unnatural deviations. During the first years of Franco's dictatorship, homosexuality was punished under the figure of the public scandal. Transgenderism was considered homosexuality under all Franco's legislation.

1954: Homosexuality is declared a criminal offense under the Vagrancy Act. Those seen engaging in, or suspected of engaging in homosexual activity, were sent to prison.

1970: The Vagrancy Act is modified by the Danger and Social Rehabilitation Act, which still prosecutes homosexuality.

1977: The first Gay Pride demonstration is held in Barcelona, asking for the derogation of the Danger and Social Rehabilitation Act and the release of all related prisoners.



1979: Homosexuality is officially decriminalised into the law.

1980: The first LGBTI+ association (Gay Liberation Front of Catalonia) was legalized.

1983: Decriminalisation of sex reassignment surgeries.

1987: Adoption of children by single people is approved (which is used by same-sex couples as a way to access parenthood).

2003: The reform of the Penal Code penalises those who “provoke discrimination, hate or violence” on the grounds of “sexual preference”.

2005: Same-sex marriage is legalized with the same rights and responsibilities as in heterosexual couples, including adoption and fostering.

2006: The law on human reproduction allows R.O.P.A. (Reception of Oocytes from Partner) for lesbian couples.

2007: Trans people are allowed to modify their gender marker and name in the Civil Registry, provided that certain requirements have been met (2-year of hormone treatment and certification of gender dysphoria).

2015: Penal code is modified and hate crimes are included in it.

2019: The Constitutional Court decision, allows the modification of the name and gender identity in the official documents of children.

1.2. Relevant statistical data about the LGBTI+ situation in your country

In general terms, according to the last Eurobarometer on the social acceptance of LGBTI people data (2019), Spain seems to be a quite friendly country for LGBTI+ people. While only 1% of Spanish respondents identify themselves as part of a sexual minority and 56% identify as “Catholics”, there seems to be a broad consensus about being LGBTI+ as an acceptable option:



81% would feel comfortable having a gay, lesbian or bisexual person in the highest elected political position in the country (74% in the case of a transgender person and 72% in the case of an intersex person).

72% totally agree with the statement “Gay, lesbian and bisexual people should have the same rights as heterosexual people” (and there is an additional 19% that marked the option “Tend to agree” to this statement).

89% agree or tend to agree that there is nothing wrong about same-sex couples.

When asked whether in their opinion school lessons and material should include information about diversity in terms of sexual orientation, being transgender and being intersex, though those that “totally agree” are roughly half of the population, when we add those that marked the “tend to agree” option, the percentages raise up to 84% related to sexual orientation, 81% to being transgender, and 80% to being intersex.

However, the agreement is not as high concerning showing affection in the public space. 81% were fine about it when talking about heterosexual couples, but only 63% in the case of two men and 66% when talking about two women.

The Fundamental Rights Agency (FRA)’s 2019 LGBTI survey sheds light on the experiences of individuals aged 15 years and over who self-identified as lesbian, gay, bisexual, trans and/or intersex, showing that discrimination still affects many areas of their lives, such as going to a café, restaurant, hospital or a shop. Overall, in Spain in 2019 42% felt discriminated against in at least one area of life in the year before the survey. A remarkable 17% of trans and intersex people reported being physically or sexually attacked in the five years before the survey, double that of other LGBTI groups.

The FRA’s survey also shows interesting data about LGBTI youth. Those who hide being LGBT at school dropped from 47% in 2012 to 41% in 2019. 66% of LGBTI students (15-17 years old) say that in school someone often or always supported, defended or protected their rights as an LGBTI person, and 42% say their school addressed at some point LGBTI issues positively or in a balanced way.



On the other hand, according to the report on hate crimes published by the Spanish Government¹, among the victims of all reported hate crimes in 2018, 6.7% were under 18 y.o. In this age group, sexual orientation and gender identity was the main cause of victimisation (31.4%), followed by racism/xenophobia (30.7%).

2. DaC Areas of Intervention: schools, health, family, public spaces and media

2.1. Education

2.1.1. Needs related to children to combat violence regarding sexual and gender diversity in the sphere of education

- Prevention and response to harassment

In many educational contexts, certain behaviours or gender expressions that go beyond the normative still trigger discriminatory attitudes and different types of aggression. The anti-bullying protocols are a good tool, but they are not always properly applied and sometimes they fail to address the needs of victims effectively. A related issue is the need for more research about the bullying phenomenon. According to some participants, the widespread belief that it is overstated is hindering the investment of resources to tackle the issue.

- Building a positive discourse of diversity.

Sexual and gender diversity in the school environment is introduced from the perspective of attention to particular cases. However, diversity is a social fact that needs to be addressed and valued *per se*. It allows for the resignification of gender and sexuality and it leaves a better context for child development.

¹ Ministerio del Interior (2019). *2018: Informe sobre la evolución de los delitos de odio en España*. Madrid: Ministerio del Interior.



- **Counselling and/or accompaniment**

82% of the participants in the survey stated that LGBTI+ children are afraid of rejection by family, friends or peers, and 71% that they are more vulnerable to mental health issues. For this reason, there is a need for specific counselling and/or accompaniment in relation to sexual and gender diversity.

- **Role models/mentors**

The fact that many LGBTI+ teachers do not come out in the school environments not only proves that they are not “safe spaces” for them, but also prevent children from having role models. Having close figures of reference is especially crucial for teenagers, who sometimes struggle to build a positive self-image or when trying to imagine how they will become in the future.

- **Reform school curricula to include a gender perspective that recognizes and celebrates diversity.**

There is a consensus among stakeholders on the need to reformulate the school curricula from a gender perspective. They mention the need to acknowledge sexual and gender diversity when addressing issues such as family or reproduction, but also the need to go beyond that. The fact that non-normative subjectivities are hardly ever mentioned in the classroom (nor in the books, films and other teaching materials) is highlighted as a reinforcement of normativity and exclusion because “what is not named does not exist”. As a participant pointed out, “the feeling that they are not welcome or that their life is not as valuable is constantly present in the school context”. (Academic and activist).

2.1.2. Good practices related to education to combat violence against LGBTI+ and gender non-conforming children

- **Workshops for teachers and students**

Designed as collaborative learning spaces, they have proved to be a helpful tool to contribute to the understanding of diversity and bullying prevention. (High school)

- **Networking with grassroots organizations**

LGBTI+ associations collaborate with schools not only in the delivery of workshops for students and teachers, but also in providing advice and support for specific cases. We can



highlight the PER program (Rainbow Schools) that offers training in gender and affective-sexual diversity to the school staff, providing educational materials and strategies.

- **Avoiding using masculine as generic**

Some teachers use the feminine forms of pronouns, adjectives and names when talking about collectives. In Spanish, the word “person” (“persona”) is feminine, which allows them to use this term to design any person (not a very common thing, but getting increasingly frequent as more professionals use it).

- **Oasis Summer Camps for LGBTI+ teenagers**

These summer camps provide a safe space for LGTBI+ teenagers to explore and discuss their sexuality and gender understandings. It is especially important for those living in rural areas or LGBTI-phobic environments.

- **Using books and other materials (films, etc.) that reflect sexual and gender diversity to counteract the heterocentred and gender binarism that pervades textbooks.**

Visibilizing sexual and gender diversity by either the “coming out” of LGBTI+ teachers or openly discussing sexual orientation, f.i. in relation to writers or artists in Literature and Art courses.

- **Gender-neutral toilets in a few schools.**

The use of gender-neutral toilets fosters an imaginary beyond a gender dichotomy.

2.1.3. Training needs for education professionals

- **Education on gender and sexuality**

Most stakeholders agree on the need for gender to be a *compulsory* course in teachers training. Training should also focus on changing a cisheterocentric perspective on gender and sexuality.



- **Addressing sexual and gender diversity with student families**

Teachers are usually in connexion with families and can provide tolls to the families to address sexual and gender diversity in childhood.

- **Tools for organizing the educational context as a place for diversity**

Many professionals agree with the relevance of diversity but they need pedagogical tools to implement it.

- **On the existing protocols on bullying and on rights of trans students**

Some stakeholders highlight that, although some protocols have been developed in recent times, educators do not always know them or how to apply them.

2.1.4. SWOT related to Education in Spain

STRENGTHS (+)	WEAKNESSES (-)
<ul style="list-style-type: none"> - Open discrimination by school staff is becoming increasingly rare and socially condemned. - Increasing visibility of trans childhood. - Some regions have educational inspectors focused on LGBTI+ issues. 	<ul style="list-style-type: none"> - Lack of teachers’ education in gender and LGBTI+ issues. - Teachers fear the reaction of some parents if they address issues such as homosexuality or non-normative gender identities in the classroom. - The persistence of gender binarism and heterocentric viewpoint, both at the institutional and practical levels. - Essentialization of LGBTI+ identities. - Spanish educational system has many private schools opposing sexual and gender diversity.



OPPORTUNITIES (+)	THREATS (-)
<ul style="list-style-type: none"> - Political will to fight LGBTI-phobia and promote a gender perspective (that translates into fundings for NGOs working in the subject). - Mandatory School Coexistence Plan (Act 4/2011): By law, each school must develop a Coexistence Plan (“Plan de Convivencia”). - Protocols against bullying are available in the schools. 	<ul style="list-style-type: none"> - Increasing presence of homophobic and transphobic discourses in the public arena. - Training provided by official bodies is sometimes given by trainers with a low level of education on gender. - Some political initiatives, such as the “parental PIN”, are trying to limit the information and training of children about issues such as gender diversity or sexual-affective education. - Lack of protocols in relation to non-formal education.

2.1.5. Exemplary quotes from interviews

“Sexual and gender diversity never appears in the school curriculum, nor in the stories, the readings, the films we show, the things that teachers say about their private lives... So the feeling that they are not welcome or that their life is not so valuable is constantly present in the school context”. (Academic and activist).

“We would be at the point of what I would call "liberal homophobia". We are at a point where it seems that nothing is happening, that is, you go to any school, and they will tell you that they don't have any problem, everybody has homosexual friends or has lesbian friends, whatever ... and therefore they say "well, I don't have any problem with anybody, I don't feel that these people are worse off". There is like a ... like an equality of rights, which is not real (...). They don't know, they don't know what to do”. (Representative of a family association).

2.2. Health

2.2.1. Needs related to children to combat violence regarding sexual and gender diversity in the health sphere

- Rethinking services for children

Many health services, such as trans* health services, are often thought from an adult perspective and targeting an adult audience. Health services, including mental health services, should be rethought so that children and teenagers can be properly assisted.



- **Mandatory integral sexual education**

Integral sexual education, mandatory for all children and teenagers, that addresses all possibilities for gender expression and identification and for sexual orientation. Such sexual education should also address sexually transmitted infections in all sexual practices, as well as power relations in affective relations taking sexual orientation, gender identity and gender expression (SOGIGE) into account.

- **Including children as interlocutors in health assistance**

Children are often overtutored as interlocutors when they receive medical assistance. Hence, there is a need to involve them as interlocutors of their own medical processes. Placing each patient in the centre of their treatment or assistance service, not managing the person just by following psychiatry manuals, such as DSM V or CIE-10.

- **Including children as interlocutors in program and policy making**

LGBTI and gender non-conforming children must be included in the making of assistance programmes. This should be done not through a participant process that ensures that children's perspectives and needs are taken into account.

- **Diversity should not be a problem**

Sexual and gender diversity is often thought of as a problem that must be addressed and resolved. Frequently, children's sexuality and gender are treated as static processes, without expectative of changes throughout their lives. Diversity can be fostered and protected, particularly in childhood, and health services must ensure the protection of this kind of diversity.

- **Bringing intersexuality to the conversation**

Intersex matters are not usually at the core of the public discourse, and it may now be suffering from further erasure. One of the reasons for this erasure is that some trans activist discourses are taking over intersex spaces, creating tensions within activism.

- **Forbidding non-consensual surgeries**

Non-consensual surgeries, particularly those performed on intersex babies and young children, should be postponed, whenever medically possible, until the child is old enough to



consent. In 2018, the Committee for the Rights of the Child of the United Nations recommended Spain to ban these surgeries.

- **Outpatient assistance**

Moving intersex assistance to an outpatient service, such as a primary care centre, as is already happening with some trans* health services.

2.2.2. Good practices related to health to combat violence against LGBTI+ and gender non-conforming children

- **Collaboration between organisations**

Collaboration between organisations allows for creating further policies and/or becoming stronger.

- **Inclusive language**

Some services report using inclusive language in all assistance processes so that all patients/patrons feel comfortable.

- **Processes and protocols**

Establishing protocols can help lower the discrimination level regardless of the job that is being developed at the moment.

- **Informed consent**

Sensitised front line medical staff, in some cases, are ensuring that all doctors that deal with intersex newborns and babies give all the proper information to families so that parents can actually make an informed decision.

- **Gatherings**

Intersex and trans* families associations are carrying out gatherings where they discuss medical stuff along with personal experiences and/or cultural expressions of intersex life.



- **Trans*- specific health services**

Specialized services for trans* people assist some needs with a non-pathologizing perspective including children's needs.

2.2.3. Training needs for health professionals

- **Mandatory training to counteract cisheterocentrism and adult perspectives**

Even when medical and mental health staff do not perform overt discriminations against LGBTI+ patients, most of them still hold the assumption of cis status and heterocentrism as a norm as well as adult perspective. Making training mandatory will help counter most discrimination issues. Training should include an awareness-raising perspective to get over the cis, heterocentric and adult perspective, but also specialised training in clinical issues concerning gender and sexual diversity in childhood. Such training should directly include those health professionals who carry out sex education talks and workshops.

- **Medical intervention**

Training to teach medical staff that medical intervention in intersex babies and children is not usually indispensable. Thus, changing the paradigm of medical staff helps to tackle this practice.

- **First line medical staff**

Training first-line medical staff in a change of paradigm, and the need to give all relevant information to parents of intersex babies so they can make an informed decision.



2.2.4. SWOT related to Health in Spain

STRENGTHS (+)	WEAKNESSES (-)
<ul style="list-style-type: none"> - Existence of trans* specific services, such as Trànsit in Catalonia. - Existence of protocols for trans* children in some regions, such as Andalucia. - Model of consent form for intersex surgery in childhood. - Improvement in clinical techniques for gender and sexuality issues, including children. 	<ul style="list-style-type: none"> - Lack of medical staff training on basic LGBTI+ matters in general, and childhood in particular. - A cis and heterocentric perspective is hegemonic in institutional medical approaches.
OPPORTUNITIES (+)	THREATS (-)
<ul style="list-style-type: none"> - There are different laws at the regional level in place, as well as a proposal of a central countrywide law, that address LGBTI rights, including health. - Improve the budget to train health professionals to open trans*-specific health services as well as general medical staff. 	<ul style="list-style-type: none"> - Increasing presence of homophobic and transphobic discourses in the public arena, including some political parties. - Medical staff hasn't got enough available training hours in their yearly schedule.

2.2.5. Exemplary quotes from interviews

“Society, and even more health centres, are not ready for diversity, for all goes beyond out of cisheteropatriarchy. There is no training, and they don’t understand it. I see it because in team trainings there is no conversation of the possibility of people who are not cis. Then, they encounter non-cis people and they don’t know what to do”. (Professor).

“Intersex people have learnt to be in silence”. (Nurse).

“[We must] stop creating policies and programs *for* them, without taking them into account. And with this I mean taking into account LGBTI+ adult people, but also children and teenagers. Adultism is also patriarchal”. (Technician of social intervention projects).



2.3. Family

2.3.1. Needs for children to combat violence regarding sexual and gender diversity in the family sphere

- Family support

LGBTI+ children need a lot of support from their families. The society where they live is very LGBTI+phobic. LGBTI+ children often suffer from depression and their suicidal rate is much higher than other children, and they may choose to leave their homes if they don't feel safe enough in them.

- Undoing monitoring perspectives

Children are usually highly monitored, which is particularly problematic in relation to gender and sexuality. Highly adult-centred perspectives need to be overcome for LGBTI+ children to be able to thrive.

- Open acceptance

Many families accept or tolerate that their kids are LGBTI, but they are not so open about it outside of the family, or even outside the immediate nuclear family. This gives children the idea that they are wrong or that their families are not proud enough of them.

- Fostering reassurance

Families must know that all the spectrum of diversity is good for their children, and that their children do not have a problem and they do not need to change anything if they are LGBTI+. When children have the support and accompaniment of their families, this often empowers children and teenagers to face difficulties encountered in the wider society.

- Access to wide training

Families need to have access to all the available discourses in gender and sexuality, as well as to spaces to share experiences, perspectives and concerns about their children.



2.3.2. Good practices related to family to combat violence against LGBTI+ and gender non-conforming children

- Gatherings

Family associations' gatherings are wonderful opportunities for LGBTI children to get to know other LGBTI children, and to bond with them. Also, it helps families to get to know other families with the same fears as them, and to share resources and information.

- Diversity tales and other materials

In recent years, new materials have been published and disseminated to raise awareness about sexual and gender diversity. Many of these materials break the adult perspective as well as a cisheterocentric view.

2.3.3. Training needs for professionals

- Stereotypes and SOGIGE

Training families on sexual and gender diversity, particularly related to children's development, and giving them tools.

- Intersex is not an illness

Many parents whose children are diagnosed as intersex believe there is a grave problem with their newborn. Teaching families' associations and the broad society that it is not an illness and that in many cases it's just a condition with very few medical implications helps families worry less about their children and, at the same time, it gives children enough space to grow up without extreme monitoring and gender-related violence.

- Redirect expectations

Although many parents feel that they are not LGBTIphobes, they still may have cisheterosexual expectations for their children. They will probably need support in redirecting these expectations.



- **Supporting diversity**

The role of families is very important for the self-esteem of LGBTI+ children. It would be interesting to provide families with tools to this end.

2.3.4. SWOT related to Family in Spain

STRENGTHS (+)	WEAKNESSES (-)
<ul style="list-style-type: none"> - Increasing visibility of trans childhoods and LGB youngsters that leads to families being more open to their children coming out to them. - The existence of several NGOs and associations of trans and intersex families in particular, and LGBTI families. 	<ul style="list-style-type: none"> - Some families’ discourses on gender non-conforming children are highly binarist and biologist. - Some families have difficulties confronting the expert knowledge vis-à-vis their family experiences. - At the same time, other families accept the expert knowledge as the explanation of their own experience, without question. - Some family associations are extremely conservative and are positioned against LGBTI+ matters and diversity in families.
OPPORTUNITIES (+)	THREATS (-)
<ul style="list-style-type: none"> - There are different autonomic laws in place, as well as a proposal of a state law, that address LGBTI rights, including housing and other matters related to the family. - Authorities are prone to giving economical help to LGBTI+ families associations. - The majority of public institutions show support to LGBTI+ children and LGBTI+ families. 	<ul style="list-style-type: none"> - Increasing presence of homophobic and transphobic discourses in the public arena, including politics. - Hegemonic expert knowledge without taking into account the families experiences.

2.3.5. Exemplary quotes from interviews related to family

“The free right to personal development is violated every single day”. (Police officer).

“I believe that all the adult world needs to have training on diversity. Deep training, that goes all the way to the bones and that you understand that if your baby who was initially assigned a boy at birth likes pink or handbags or things considered to be girly; that if this happens, you



can look at them with glee and with the same love as if they like cars”. (Trans children activist).

“I perceive a certain emphasis of the role of protection/parental tutoring towards one’s children, whether or not they are LGBTI+. I have observed this trend particularly in children who start transitioning”. (LGBTI service provider).

2.4. Public spaces

2.4.1. Needs for children to combat violence regarding sexual and gender diversity in public spaces

- Counteracting hegemonies in public places

The social presentation of the body in the public space is crossed by an adult, cis, and heterocentric perspective. However, diversity is present in all societies and it may be visible and legitimate.

- Reconsidering public toilets

Public toilets are a place of constant (re)definition of gender. For intersex and trans* children and teenagers it’s usually a place of discomfort and also a place of violence.

- Rethinking visibility strategies

Many children, particularly young ones, do not identify the rainbow as a sexual and gender diversity sign. This might be very useful for adults, but visibility in public spaces needs to be rethought in relation to children.

- Reviewing the use of children’s places in public space.

Children haven't got many places for their own use in public spaces. At the same time, these are regulated by binarist perspectives on gender and sexuality. Sports centres, parks and other places used by children should be reviewed from an LGBTI+ perspective.



2.4.2. Good practices related to public spaces to combat violence against LGBTI+ and gender non-conforming children

- Purple spots

In many night festivals in the open space, there are “purple spots”: a stand to raise awareness on gender violence in leisure spaces, with trained staff who can intervene in case someone reports a discrimination or violent act. These purple spots are more and more addressing LGBTI issues and violence, so they’re now “purple and rainbow spots”.

- Training to police bodies

Both LGBTI NGOs (including LGBTI police organisations) provide training to police officers who will then work in the public space.

- Visibility actions

Many city councils and other public entities are carrying out visibility actions, such as painting rainbow pedestrian crossings or painting rainbow mailboxes.

2.4.3. Training needs for professionals

- Policy makers

Policy makers who decide on policies for public space should receive training so that they can think of safer and better spaces, as well as design and planning of the use of public spaces, for LGBTI+ and gender non-conforming children.

- Security staff

Security staff of different types of premises (stores, public transportations, bars and nightclubs, etc.) should receive training on gender and sexual diversity in childhood and related prejudice and violence, as well as the legal framework on how to body search a person and who can perform it to whom.



- Leisure facility workers

Professionals working in both nighttime and daytime leisure activities (p.e.: nightclubs, shops, museums, cinemas, etc.) should receive training on gender and sexual diversity in childhood and related prejudice and violence, and how to react in case they witness an attack or discrimination.

- Police officers

Police officers should receive training in sexual and gender diversity and related violences and discriminations against children. Besides, they should be fully informed of the regulations in place.

2.4.4. SWOT related to public spaces in Spain

STRENGTHS (+)	WEAKNESSES (-)
<ul style="list-style-type: none"> - Professionals’ growing interest in incorporating LGBTI+ issues in their own practice. 	<ul style="list-style-type: none"> - Low visibility of gender and sexual diversity in public spaces. - Little awareness of the needs of LGTBI+ children related to public space.
OPPORTUNITIES (+)	THREATS (-)
<ul style="list-style-type: none"> - Public authorities are more and more carrying out symbolic and visible actions to support LGBTI people. 	<ul style="list-style-type: none"> - Increasing presence of homophobic and transphobic discourses in the public arena. - Gender binarism as the hegemonic cultural norm. - Perspectives of public space are often to adult-centred.

2.4.5. Exemplary quotes from interviews

“If there are different corporealities and subjectivities that are not understood at the level of their experience, they are at risk of having their rights violated in almost all the areas of their lives, and public space is one of them.” (NGO coordinator).

“The main problem of LGBT youngsters is living in harmony with the rest of the citizens, which don’t know about these youngsters’ needs. This creates insecurity from citizenship.” (Police officer).



“Not having model groups is a main problem for LGBTI+ children. Someone they can mirror themselves in”. (NGO psychologist).

2.5. Media

2.5.1. Needs for children to combat violence regarding sexual and gender diversity in the media

- **Improvement in the informative treatment of LGBTI+ topics**

Stakeholders pointed out the overrepresentation of stereotypical LGBTI+ identities and the lack of inclusive language in many media products. Non-cisheteronormative characters are often anecdotal and highly stereotyped.

- **Diversity of gender expression models**

Most hosts and presenters represent very stereotypical models of feminine and masculine.

- **Incorporation of LGBTI+ diversity in specific media for children**

Mainstream media addressed to children reproduce cis and heterocentric perspectives.

- **Children participation**

More spaces where children (and particularly LGBTI+ children) can participate.

- **Supervising social networks**

Look out for hate speech presence against LGBTI+ people in social networks for children.



2.5.2. Good practices related to the media to combat violence against LGBTI+ and gender non-conforming children

- Inclusion of a specific section dedicated to the LGBTI+ public/themes in the free magazine *Time Out*.
- Master's Degree in LGBTI+ Communication at the UAB, addressed to journalists, content creators, etc.
- Press releases and statements by LGBTI+ associations that devote an important effort to networking with media, so that they include information or statements about the collective.
- Catalan public television has both broadcasted few programs where children openly talk about diversity of gender and sexual orientation, as well as a series for teenagers (*Les Noies de l'Hoquei*, 'The hockey girls' in English) with non-stereotypical LGBTI+ characters.
- TV teen-oriented program *Oh My Goig* in the Catalan TV channel BTV, in which they address integral sexual education based on a broad idea of gender and sexuality.

2.5.3. Training needs for media professionals

- **On gender and LGBTI+ issues**

Incorporation of LGBTI+ children perspective in the media productions about childhood.

- **On inclusive language, especially when referring to trans* people**

Language is very important in constructing social discourses, so the media should pay attention to the LGBTI+ narratives in childhood.



2.5.4. SWOT related to Media in Spain

STRENGTHS (+)	WEAKNESSES (-)
<ul style="list-style-type: none"> - In general terms, LGBTI+ issues are addressed respectfully. - Broad consensus in condemning LGBTI+ discrimination, aggressions and violence. 	<ul style="list-style-type: none"> - Few professionals are trained in gender and LGBTI+ issues, especially in childhood. - Over-representation of more stereotypical and/or extravagant looking LGBTI+ identities. - Specific media for children often do not include LGBTI+ perspectives and experiences, as well as violence.
OPPORTUNITIES (+)	THREATS (-)
<ul style="list-style-type: none"> - Many expert activists are willing to collaborate with the media, as well as associations of families working for visibility, especially of trans children. - Digital media allow for the spreading of non-hegemonic discourses outside traditional media. 	<ul style="list-style-type: none"> - Increasing presence of homophobia and transphobia in the public arena, partly due to the emergence of new extreme right-wing political discourses, but also to TERF perspectives. - The cisheteronormative is still the standard in cultural productions.

2.5.5. Exemplary quotes from interviews

“In my work, I promote new references that represent all gender identities and roles in communication media: posters, publications, informative pieces, etc.” (Journalist and content creator).

“Giving visibility in the media to LGBTI childhood and adolescence and/or of nonconforming gender youth is very difficult. They often do not want to participate in interviews or to engage with the media. On other occasions, they do want to, but they need the authorisation of their parents or guardians.”(Journalist and content creator).

“Media should act as a loudspeaker for family, sexual and gender diversity, which is often made invisible by the very functioning of the gender device.” (Psychologist).



3. Overall evaluation

Overall, Spain is considered to be one of the most LGBTI-friendly countries in Europe, considering international research such as the FRA results (2019). Also, Spain has several laws in place in relation to LGBTI+ rights, some of which have to do directly with children. However, in Spain non-consensual surgeries on intersex babies and young children still take place. Furthermore, most of the laws in relation to LGBTI+ rights still focus mostly on adults, except for Education and Health areas of life. In fact, intersexuality has not yet made its way to public debates, and remains a social taboo. In contrast, trans* childhood has become a recurrent issue in the media, although it is not free from controversy. Its visibility has been fueled by the activism of families with children labeled as “trans*”. It has also led to the development of some protocols at a local level, and even to the possibility of changing the name and gender identification at the Civil Registry. Nevertheless, the mere concept of gender identity is being challenged both by the more conservative wing of society and by certain feminist discourses.

Although the legal framework may give an image that LGBTI+ people in Spain can live without violence, this research shows otherwise. Open discrimination on grounds of sexual orientation and/or gender identity are nowadays socially condemned, which does not mean that it does not occur. This clearly emerged in the workshops with children: even if they would express total acceptance of homosexuality and different gender expressions, they were also certain that those who did not follow gender mandates would be bullied for it –dyke (“bollera” in Spanish) and faggot (“maricón”) are still frequently used insults in school yards–. This exemplifies the tension between discourses and practices: although only certain extremely conservative groups would express out loud their dislike or censure of LGTBI+ people, discriminatory imaginaries persist, as do discriminatory practices. In this sense, we want to stress that workshop participants deployed political correctness when talking certain political correctness was portrayed by workshop participants. During the workshop, participant children explained that if a classmate were gender non-conforming or LGBTI they would definitely be bullied.

At the same time, these children expressed that gender and sexual diversity must be respected. Hence, they realised that there is violence in their classroom, although they didn’t indicate where this violence comes from. We understand that this political correctness must be taken into account when carrying out educational interventions with children in our context. Many LGBTI+phobic perceptions and imaginaries are still invisibilized in a social context in which political correctness prevails. This leads to a common portrayal of an image of tolerance and



diversity, however, there is still a high rate of discrimination and violence against LGBTI and gender non-conforming children.

The idea that violence against LGBTI+ children persists in Spain is not only portrayed by workshop participants, but also stated by many stakeholders, as seen in both interviewees and survey respondents. For instance, nearly an 85% of survey respondents marked that LGBTI+ children and teenagers fear being rejected by their families, friends or peers. Moreover, key stakeholders, such as trans* families associations, narrated that some LGBTI+ children receive a high level of violence either from their families or from outside of their homes –even when their families are highly supportive-, if not both.

Besides direct violence, another key aspect that was identified has to do with the structural cisheterocentric of society. Several stakeholders informed that a significant part of professionals are sensitised about sexual and gender diversity and that they are strongly positioned against anti-LGBTI violence and discrimination in childhood. Nevertheless, most stakeholders still think of cisgender status and heterosexuality as the norm and, hence, LGBTI and gender non-conforming children are treated as otherness. Although this might not appear as violence or discrimination, until such structures aren't challenged, we cannot provide a proper space for the development of children's sexual and gender diversity. This can be partly done through reinforcing the existence of positive role models and publicly problematizing the binary perspective and the way it works, in media as well as in the rest of the areas of influence.

In this current setting, there are different responses in each Spanish region and in each DaC project area. Also, each of the 17 autonomous communities and the 2 autonomous cities that make up Spain has different public policies and legal frameworks, besides a common Spanish constitution and other common anti-discrimination laws. This has to do directly from the political advocacy of activist groups and, on the other hand, with the willingness of professionals and stakeholders to transform the current situation.

In relation to each DaC project area, the different responses have to do with wider political investment in education and health-related actions for LGBTI+ children. In this sense, actions in the areas of families, public space, and media are much less developed. In any case, the role models of gender and sexual diversity in childhood tend to be more in line with cisheteronorms, leaving very few for other representations, and even sanctioning these.



Another relevant matter in the Spanish setting has to do with adultcentrism. Or, in other words, the discursive and practical way of working in which everything is done from an adult perspective. In this sense, many discourses, policies, and services targeting LGBTI+ matters are centered in LGBTI+ adults, and say very little about children and teenagers. This affects all DaC project areas and all Spanish regions. As one of the biggest weaknesses that must be tackled in Spain to improve the lives of LGBTI+ children. A comprehensive approach to LGBTI+ matters must necessarily include children and teenagers in the representation of discourses and practices of gender and sexuality.



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