

NEWS



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Law cops out on transgender rights in Pattaya

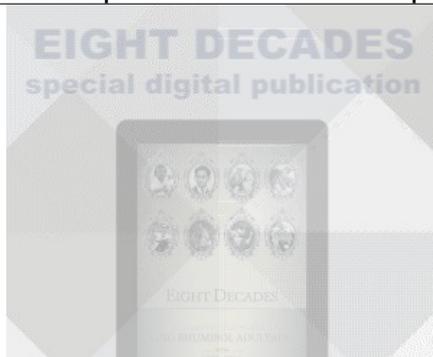
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photost: 123rf

After a long night performing at one of Pattaya's most famous cabaret shows, Aom only wanted a good rest. The 35-year-old cabaret performer left work at 1am without pausing to remove her make-up. Mounting her motorcycle, she decided to go home via Pattaya Beach Road, a stretch known as a hangout for transgender sex workers and heavily patrolled by police.



While driving along the road, Aom saw a sight that was not unusual to the area -- a police officer arresting a transgender sex worker on the beach.

Pulled up on the side of the road were a row of police vehicles. One officer flagged down Aom so she stopped. Then he issued a strange order.

"Get in the van now," the officer told Aom.

"What are you doing?" she asked. "Are you arresting me?"

Aom refused to get into the van, demanding a response from the officer. But instead of getting the answer she wanted, she got a punch in the face.

"One of the police officers pulled me off my motorcycle, and another punched me in the face," said Aom of the incident. "Then another officer slapped me on my right ear. I was in so much pain. I was in shock. I kept asking them what I did wrong, but I got no explanation from the officers."

Aom's story is no one-off case of police targeting transgender civilians without providing any explanation as to why.

According to anecdotal testimony, it now occurs on a regular basis in Pattaya, Thailand's capital for transgender people.

The escalation of such incidents happens to coincide with city authorities' latest efforts to clean up Pattaya's criminal reputation. But so far, they seem only bent on targeting the transgender demographic.

GUILTY UNTIL PROVEN INNOCENT



targeted: Transgenders based in Pattaya are under attack in the police's latest crackdown.

Aom got her professional and educational starts in her native Bangkok. But with her passion and flair for performing arts, she decided

to move to Pattaya eight years ago to work for a cabaret show.

Her popularity soared quickly and now she not only performs in Pattaya but also at various international shows and competitions.

But around a year ago, the traumatising run-in with the police destabilised the sense of safety she long felt as a transgender woman in Pattaya.

The police had tried to charge her with prostitution despite the fact she had never been a > > > sex worker. She was taken to the Pattaya police station by force.

At the station, she was beaten up by officers. Instead of informing her why she had been arrested, she was simply placed inside a jail cell.

Aom was jailed alongside 50 other transgender woman inmates who had been seized at the same stretch that she was pulled over at. They were forced to pay a fine of 100 baht.

On the first night she arrived, Aom was told she would be released the next morning.

"I was so scared, I started contacting my friends for help [from jail]," said Aom. "But it was too late at night. By four in the morning, one police officer gave me a book to sign to admit that I was also a thief, meaning I had to pay a 1,000 baht fine before sending me off to Pattaya Central Prison. I refused to do it since I didn't do anything wrong."

The next day, authorities arranged for a truck come to pick up the suspects at the station and transport them to the prison. But before she was shuttled off, Aom got assistance from a Pattaya-based NGO worker who advocated for transgender people's welfare. With help from the worker, she was released from the jail with no stain on her criminal record.

"After the incident, I left Pattaya," said Aom. "I didn't want to go back to a city where my basic dignity was not recognised. Many of my friends suggested that I sue the police but I didn't want to bother doing that. I wouldn't win anyway since the legal system doesn't even look at transgender people as human beings. Why would I bother?"

FALSE ARREST

Liz, a 27-year-old transgender women who does administration for a cruise liner in Pattaya, had an unwelcome experience when on her way to meet a friend from Bangkok. The friend was staying at a beachfront hotel in Pattaya. Liz had promised to take her out for dinner.



While looking for a place to park around the hotel, Liz pulled up to Pattaya Beach Road. Then she heard a knock on her car window. A police officer was standing by Liz's vehicle.

"I opened the window and asked the police standing there if I could park in the no parking zone by chance," said Liz. "But the answer I heard shocked me. He told me that he had got an order from his boss to arrest any transgender people occupying the beach road.

"I explained that I hadn't done anything wrong but he tried to pull me out from my car. He said all I have to do is go with him and he would let me go afterwards. Luckily my friend showed up before he did anything bad to me."

In a separate incident, Liz's colleague Missy, a cabaret performer for the cruise liner, got pulled over by volunteer tourist police on Pattaya's Walking Street while she was on her way to a cafe for a cup of coffee.

"I just wanted to buy a cup of coffee but suddenly there were four tourist police officers surrounding me," Missy said. "They grabbed my arms and asked me to go with them. I tried to ask what I did wrong but the only thing I heard from them was I wasn't supposed to be there.

"They asked me why I had come here to sell myself on the street. But I told them my office was right around the corner and I only came for a cup of coffee. They didn't listen. They told me to sign a paper to accept the charge and pay a 1,000 baht fine. I refused to sign or to pay.

"So they told me to sit at the desk all night and I did just that. I sat there staring at them. I told them I will only pay a fine at the police station and I needed to know what I did wrong. Finally my boss came to take me out."

HOLIDAY GONE WRONG



Songkran, or Thai New Year, is a much celebrated event in Pattaya. The holiday attracts hordes of international and Thai tourists every year.

Suphitnun "Ning" Phalanisong, a 26-year-old transgender woman from Bangkok, was among those visitors who came to Pattaya to celebrate Songkran with eight of her transgender friends. They planned to stay in the city for three nights of partying.

On the evening of April 20, the night before they were set to head back to Bangkok, the group went out drinking. They left the bar at closing time, 1am, and headed for the hotel along Pattaya Beach Road.

Walking along the street, Ning's friend heard a man calling to her from across the road. Feeling playful, she crossed the street to speak with him. He talked to her in Chinese, which she didn't understand. She went back to join her friends, laughing about the incident.

In less than a minute, Ning's friend was approached by four tourist police volunteers who emerged from a tent set up on the street side. They asked her what she had stolen from the man she had just run away from. She told them that she had only talked with the man. She was no thief, she said -- only a tourist who had come to experience the fun of Songkran.

The police refused to accept her answer. So Ning went to the hotel, located nearby Pattaya Beach Road Soi 13, and returned with her hotel reservation documents. The police were still unsatisfied with her explanation.



"My friend asked the police what they wanted from her," Ning explained. "The police then became very aggressive. He grabbed my friend around the neck and asked her if she wanted to mess with him. Then he kicked her off the chair where she was sitting."

"I yelled at the police and asked how they could do such a thing to my friend. Then the police asked me if I wanted to get in trouble too. Without any sign of warning, the police walked up to me and punched me in the face.

"Because we had fought back, things got even messier. Other police officers joined in. I was kicked and punched many times for doing nothing wrong. Then the police pulled his gun out and threatened to shoot us if we didn't stop arguing.

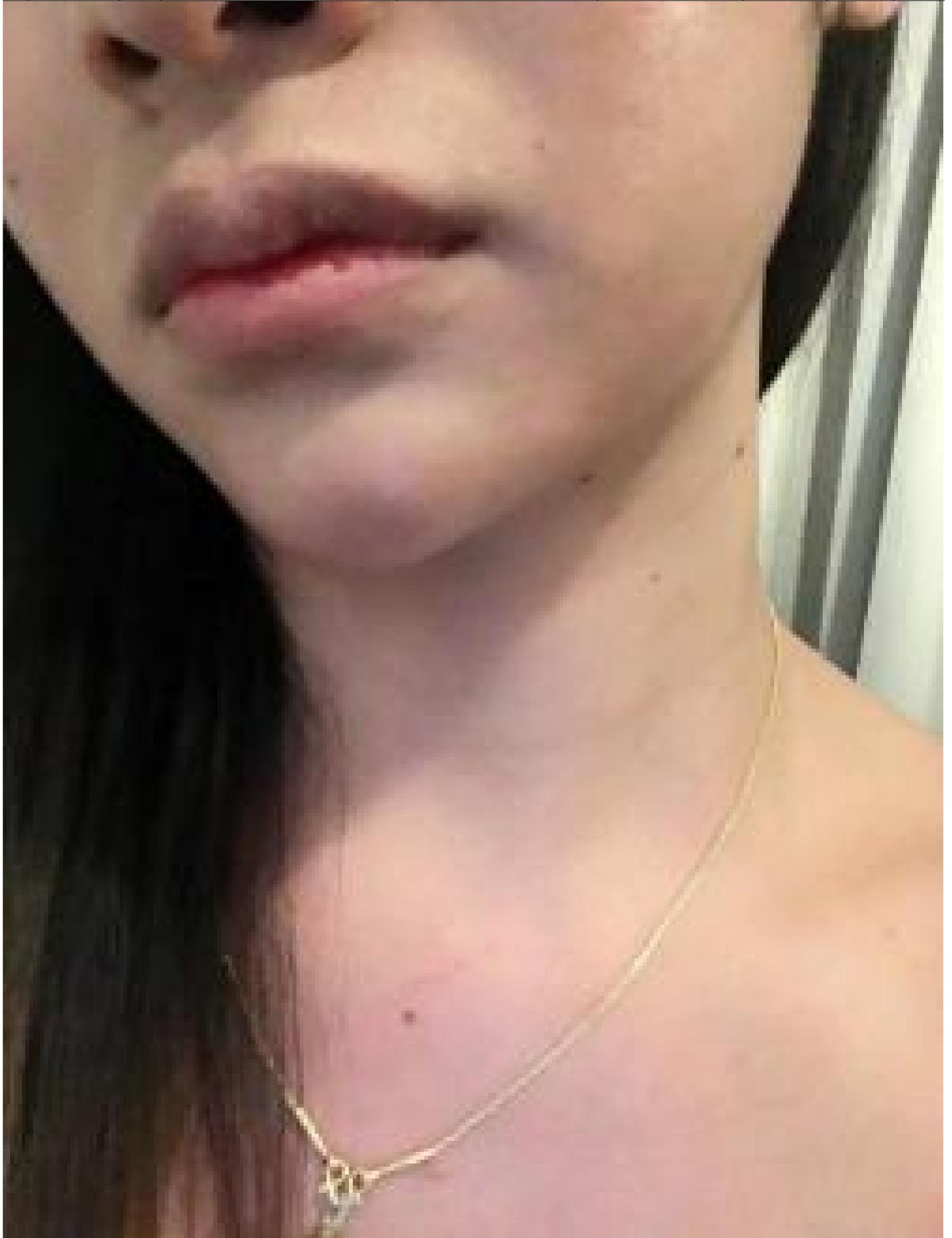
"It ended with my friend paying a 1,000 baht fine for acts of prostitution that she had never even engaged in. Where are our basic human rights? Where is our dignity?"

After the incident, Ning shared her experience on social media. She has since sued the police for their actions against her and her friend.

Once the mainstream media caught word of her story, the issue of police cracking down on transgender people has become widely discussed.

"There has been no progress on my case so far but I refuse to give up," Ning said. "I won't rest my case until I win and the police officers apologise to us. They need to know that they can't just do this to anyone. We are human beings too. We deserve the same rights as everyone."

UNDER THE SAME LAW



As the only NGO who focuses on transgender welfare in Thailand, the Sisters Foundation of Pattaya deals with a wide range of cases and complaints. However, they can only help on a case-by-case basis, says Thitiyanun Nakpor, the NGO's director. The overall health

and protection of transgender people's human rights in Pattaya is the foundation's priority.

Since Pattaya is the capital of grey-area business, the city attracts all types of people. The sex industry is the city's most visible sector, although local police have repeatedly denied the existence of it.

After the recent arrest of two transgender sex workers for reportedly stealing a gold necklace from a Chinese tourists, Pattaya police have launched the "Pattaya Ladyboy Cleanup" campaign to reform the city's reputation as a sleazy sex work hub.

"I'm not sure why transgender sex workers have become the main targets of police," Ms Thitiyanun said. "I don't know if it's just transphobia among some police officers or if they just pretend that male and female-exclusive sex workers are better.

"But one of the biggest problems behind the bias against transgender people is the way the media treats us. The word katoey has always had negative connotations.

"Furthermore, any news piece that talks about katoey sells. Maybe that's why we are normally spotlighted by the media -- they can sell stories about us easily."



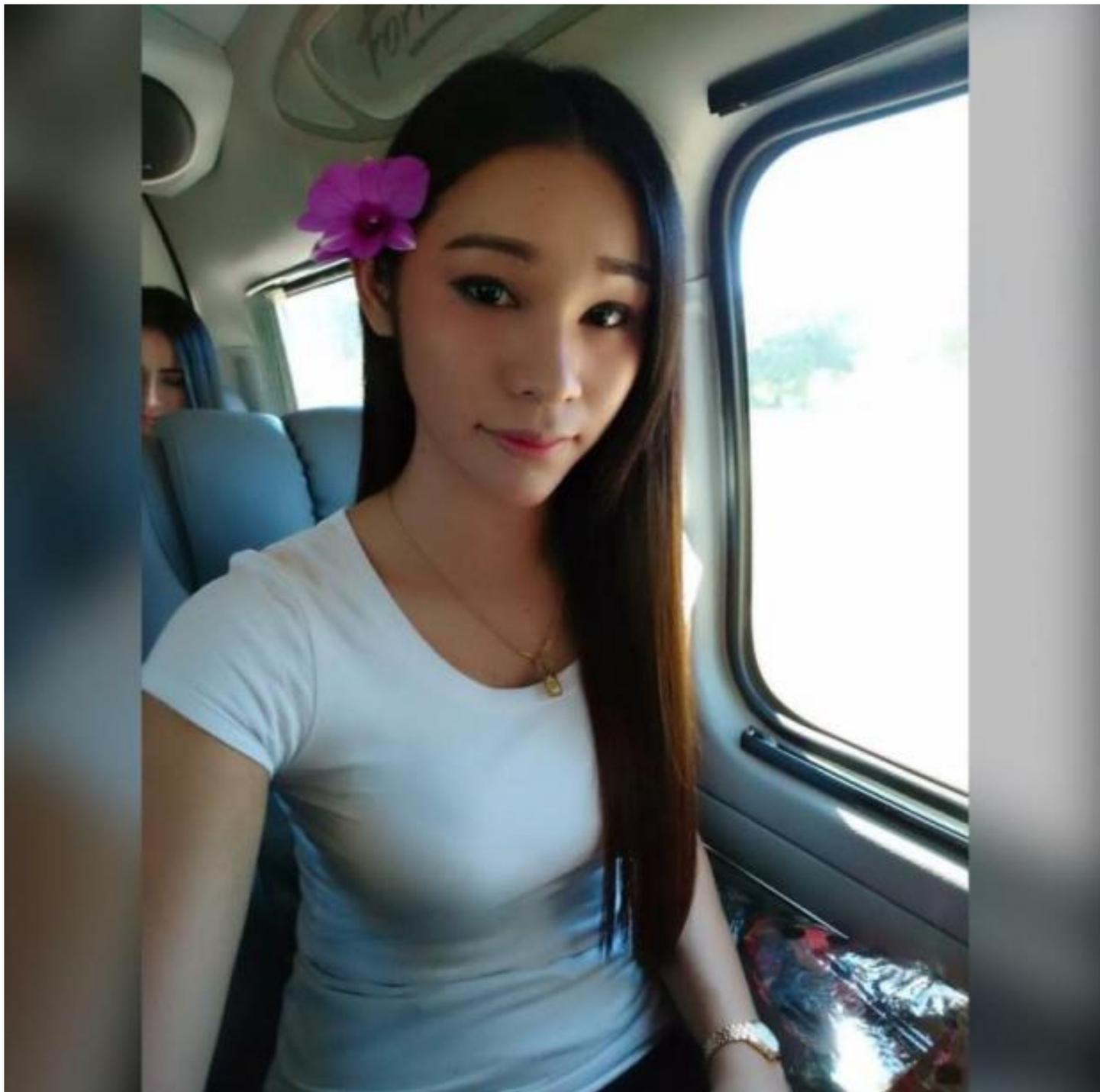
The Sisters Foundation can only deal in cases where the transgender individual has already proven innocence. The main aim of the organisation is to look at the bigger picture of the transgender experience.

"If we help every single individual who comes to us, we are not affecting broader change for the community," said Ms Thitiyanun. "Our country lacks transgender rights mechanisms and changing that is what we want to see happen. If we can work together to pass laws to protect transgender rights, we can solve many more problem in Pattaya as well as in Thailand. If there's a problem in the system, we have to fix it.

"It's possible that the local police officers don't know how to reach out to the transgender community. We could potentially offer to be police volunteers and deal with transgender matters for them. Isn't it better to have sisters talk to sisters? We have to admit that there are still many bad transgender individuals out there, which I condemn. But one case of misbehaviour unfortunately makes the whole community look bad."

The next step for the Sisters Foundation is to host a meeting with Pattaya city authorities, police officers and a human rights committee to address the state of transgender rights. They want to systematically deal with the cases of innocent transgender people being treated like criminals without any firm grounds to do so.

"The only permanent way to solve this problem is to get the police involved," said Ms Thitiyanun. "To take aside and interrogate transgender people to meet daily targets so that the police can show their boss that they are doing their job is not a permanent solution. We will have to find a common rule that we can all agree upon. Everybody should be treated equally no matter what gender they are.



claiming innocence: Suphitnun 'Ning' Phalanisong, a transgender woman, says she was violently beaten by police over false accusations in Pattaya.



bright lights, dark reality: Pattaya is the sex work capital of Thailand. Recent media exposés on the seaside city have led authorities to initiate a campaign to clean up its sleazy image. PHOTOS: 123RF



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