**Response of the Government of the United Kingdom of Great Britain and Northern Ireland to the request for information from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity for contributions to his thematic report to be presented at the 74th session of the General Assembly**

The United Kingdom Government believes that everyone should be able to reach their full potential, regardless of their sexual orientation or gender identity. The UK Government is working to build a society where everyone can feel safe and be happy to be who they are, and to love who they love, without judgement or fear. We believe that effective collection of quality data of sexual orientation and gender identity plays a key part in achieving this objective.

Our research shows us that being lesbian, gay, bisexual, and/or trans (LGBT) makes a difference to an individual’s health and wellbeing, their likelihood of being a victim of certain types of crime and their education.[[1]](#footnote-1) Good public services are designed with data, and we believe that services that collect data on characteristics such as sexual orientation and gender identity should do so consistently.

Sexual orientation and gender identity data-gathering can help public service providers to better understand and cater for the needs of people who are LGBT, as well as people who are not; better data leads to better services. We welcome the interest of the Independent Expert in this area and look forward to reviewing his findings.

We have addressed the questions in turn. The information provided represents an overview of some of the work being done across Government.

1. ***Key areas in which people (in your country, region or worldwide) suffer socio-cultural and economic exclusion as a result of violence and discrimination on the basis of sexual orientation and/or gender identity in particular,***

***a) What knowledge, including data, exists in State planning bases in relation to socio-cultural and economic exclusion based on sexual orientation and gender identity, including levels of poverty, homelessness, education, employment, health, political participation and other relevant social indicator?***

***b) How are individuals, groups or communities differently affected, based on their sexual orientation and/or gender identity?***

 In July 2017, the UK government launched a survey to gather more information about the experiences of LGBT people in the UK. The survey response was unprecedented. Over 108,000 people participated, making it the largest national survey of LGBT people in the world to date.

Some high-level findings included:

* More than two in three LGBT people say they avoid holding hands with a same-sex partner in public spaces for fear of a negative reaction from others.
* LGBT people are less satisfied with their life than the general UK population (rating it 6.5 out of 10 compared with 7.7). Trans people had particularly low scores (around 5.3 out of 10).
* Two in five respondents had experienced an incident because they were LGBT, such as verbal harassment or physical violence, in the 12 months preceding the survey. However, more than nine in ten said they did not report it, often saying that ‘it happens all the time’.
* 2% of respondents had undergone conversion or reparative therapy in an attempt to ‘cure’ them of being LGBT, and a further 5% had been offered it.
* Two in five trans respondents had a negative experience when accessing health services in the 12 months preceding the survey due to their gender identity.

 The full findings of the report, which includes data on homelessness, education, safety, employment, health and civic participation can be found here: <https://www.gov.uk/government/publications/national-lgbt-survey-summary-report>

 To see data based on different groups, please see our interactive data viewer here: <https://www.gov.uk/government/publications/national-lgbt-survey-data-viewer>

***c) What are the main barriers to ensuring equal access to education, health care, employment and occupation, housing and other relevant factors?***

Two-thirds of respondents to the National LGBT Survey said they avoided holding hands with a same-sex partner in public spaces for fear of a negative reaction from others. Too many LGBT people still face outdated prejudices and experience discrimination. Such prejudices are often significant barriers for LGBT people.

Workplace: Nearly a quarter of respondents with a job in the 12 months preceding the survey had experienced a negative or mixed reaction from others in the workplace due to being LGBT. Nearly one in five respondents with a job in the 12 months preceding the survey had not been open about their LGBT status with any of their colleagues at the same or lower level. They were even less likely to be open with senior colleagues.

Health: 16% of respondents in the National LGBT Survey who accessed or tried to access public health services had a negative experience because of their sexual orientation. 38% said the same because of their gender identity

Education: Only 21% of LGBT respondents recalled there being discussion of sexual orientation, gender identity or both at school. 19% of respondents in education had experienced verbal harassment.

 More information on the barriers to ensuring equal access to education, health care, employment and occupation, housing and other relevant factors for LGBT people can be found here: <https://www.gov.uk/government/publications/lgbt-action-plan-2018-improving-the-lives-of-lesbian-gay-bisexual-and-transgender-people/lgbt-action-plan-2018-improving-the-lives-of-lesbian-gay-bisexual-and-transgender-people>

1. ***Root causes and structural factors responsible for marginalisation and socio-cultural and economic exclusion, such as laws, public policies, institutional practices, organisational behaviours, and prevailing ideologies, values and beliefs?***

The UK Government funded the Institute of Development Studies “Sexuality, Poverty and Law” Research Programme.[[2]](#footnote-2) This programme provides new evidence-based knowledge and new policy options that support efforts to:

* 1. Strengthen, through legal reform, the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people and others marginalised because of their sexuality; and
	2. Support LGBTI people and others marginalised because of their sexuality to establish sustainable livelihoods. The theme produces risk-sensitive, practical approaches that can be implemented to achieve legal reform and tackle poverty among people marginalised due to their sexuality.
1. ***State efforts to address socio-cultural and economic exclusion through legislation, policies, data gathering, and other means, for example:***

***a) Destitution and poverty;***

***b) Current efforts by States to address bullying and exclusion of LGBT people from education, including in education curricular teacher training measures to promote continuing education or reinsertion in education settings and vocational training;***

***c) Homelessness among LGBT people, particularly youth, and inclusion in shelter programs;***

***d) Coverage by social security and benefits, as well as public and private health insurance (Taking into account survivor’s pensions for same-sex couples, insurance coverage for gender affirming care, social housing for LGBT youth and older persons etc.);***

***e) Equal access to health (including through training and sensitisation of health care personnel), regardless of sexual orientation, gender identity or expression;***

The Equality Act

The UK has strong legislation in place to protect against discrimination. The Equality Act 2010[[3]](#footnote-3) states that it is unlawful to discriminate against anyone because of sexual orientation or gender reassignment, among other protected characteristics. The Equality Act protects people from discrimination at work, in education, as a consumer, when using public services, when buying or renting a property and as a member or guest of a private club or association. Furthermore, the Act introduces a public sector Equality Duty,[[4]](#footnote-4) which requires that public bodies consider all individuals when shaping policy, delivering services and interacting with their own employees. They must also have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

On homophobic, biphobic and transphobic bullying:

The UK’s Government Equalities Office works with a range of civil society organisations to deliver programmes to prevent and tackle homophobic, biphobic and transphobic bullying in schools and from 2016-2019 have completed interventions in 1,200 schools.  As part of the commitments made in the LGBT Action Plan,[[5]](#footnote-5) published in July 2018, £1million of additional funding was made available, and this programme has been extended to additional schools in England until March 2020.

On teacher diversity:

The UK Government’s Department for Education has established seven regional Equality and Diversity hubs that are working with schools to improve the diversity of the teaching profession and address barriers that can prevent some groups, including LGBT teachers, from progressing in their careers. The hubs are delivering programmes to support teachers from all under-represented groups, and three of them are currently running projects for LGBT teachers. Several are also working alongside LGBTed,[[6]](#footnote-6) a grassroots organisation that encourages LGBT staff to be themselves in the work place, act as role models for pupils to promote greater understanding of what it is to be LGBT in the wider community, and to challenge social norms and stereotypes. An additional £2million of funding has been made available for the hubs until July 2020.

On school exclusions:

In March 2018, the Government launched an externally led review of exclusions practice, led by Edward Timpson CBE. The review explored how head teachers use exclusion, and why pupils with particular characteristics are more likely to be excluded from school. It also considered the differences in exclusion rates across primary and secondary schools in England. The Timpson review and Government’s response were published online on 7 May, which can be found here: <https://www.gov.uk/government/consultations/school-exclusions-review-call-for-evidence>

The review makes 30 recommendations and highlights variation in exclusions practice across different schools, local authorities and certain groups of children. The Government has accepted all 30 recommendations in principle, including the commitment to continue to promote diversity within the school workforce and to consider extending the funding to equality and diversity hubs (an initiative to increase the diversity of senior leadership teams in England’s schools through training and support for underrepresented groups) beyond the current spending review period.

On higher education:

Following a request of the Government, Universities UK (UUK) established a Harassment Taskforce in 2015, to develop recommendations on preventing and responding to incidents of violence, sexual harassment, hate crimes and other forms of harassment in higher education. As part of its work, the Taskforce considered the experience of different groups of students, including LGBT students. This work is ongoing and the Government continues to work closely with UUK and the Office for Students. UUK is currently evaluating the progress of this work. In 2018, the Office for Students published, for the first time, experimental data about LGBT participation in higher education, which will help improve understanding of the levels of both representation and disclosure of sexual orientation and gender identity in higher education in England.

1. ***Complaints mechanisms available and accessible to LGBT people facing discrimination.***

The UK has a number of mechanisms in place to give victims and witnesses of misconduct and discrimination against LGBT people a chance to report cases and gain advice and support. The Equality and Advisory Support Service (EASS)[[7]](#footnote-7) was set up in October 2012 to provide free advice and support to people in the UK facing discrimination or human rights issues. The service is widely accessible and free to use. The EASS helpline provides bespoke advice and in-depth support to individuals with discrimination issues throughout Scotland, England and Wales.

The UK has one of the world’s strongest legislative frameworks to prevent and tackle discrimination. The Equality Act 2010, as referenced earlier, prohibits discrimination on the grounds of sexual orientation and gender reassignment. This provides a mechanism for the enforcement of equality rights.

1. ***Actions to ensure socio-cultural and economic inclusion based on sexual orientation and gender identity in measures undertaken to ensure implementation of the Sustainable Development Goals at the national and regional levels.***

The UK believes that all people have a right to be included in development, no matter what their background. The UK Government has a policy of inclusive development for all socially excluded groups.

Discrimination is against the core principles of international development and humanitarian aid. Aid must be impartial and not based on nationality, race, religion, or political point of view: it must be based on need alone. Discrimination not only damages societies but also holds back economies and States cannot fully develop while they oppress minorities. By excluding certain groups, States hold back their potential and communities are stronger when they stand together and include all their elements.

Working on LGBT rights is essential to meet the UK Government’s Department for International Development’s (DFID) vision of a world where no one is left behind. This is central to the Global Goals[[8]](#footnote-8) and a secure and prosperous world in 2030.

DFID’s approach to LGBT rights highlights that we will achieve this by:

* Facilitating Southern voices at country level, regionally and internationally, through building local relationships, and working with existing stakeholders that are supporting progressive change on sexual rights where there are opportunities to do so;
* Developing new partnerships with civil society and the private sector for more effective influence in relation to decision-makers and with communities and societies. This will be driven primarily from the centre through existing fora;
* Embedding an inclusive development approach centred on evidence of what works and integrating with policy and programme investments in women and girls, ‘Leave no-one behind’ and disability; and
* Evidence-based analysis and policy-making that supports an inclusive development approach.

Through the UK Aid Connect funding scheme,[[9]](#footnote-9) DFID is supporting a consortium (led by the Non-Governmental Organisation, Hivos)[[10]](#footnote-10) to promote the inclusion of LGBT people in society and the recognition of their rights, by opposing discrimination and stereotyping, while also making LGBT communities more resilient.

1. ***Actions taken to raise public awareness and sensitisation on issues of sexual orientation and gender identity, in order to promote the meaningful socio-cultural and economic inclusion of LGBT people.***

There are increasingly more LGBT people in the public eye, helping to ‘normalise’ the experiences of LGBT people and tackle homophobia, biphobia and transphobia. The existing evidence base shows that acceptance of same-sex relationships among the general public is at a record high and continues to increase. Despite this, our National LGBT Survey[[11]](#footnote-11) showed that many LGBT people do not feel comfortable being themselves in the UK.

This Government has done much to support lesbian, gay, bisexual and transgender people – but it is clear we have more to do. That is why we launched the LGBT Action Plan in July 2018,[[12]](#footnote-12) setting out 75 comprehensive commitments on LGBT equality. The Action Plan marks a culture change, allowing LGBT people to feel respected at every level of society.

The Action Plan includes a £4.5m fund to address inequality and support the delivery of commitments in areas including health, education, personal safety and employment.

On raising public awareness of LGBT people in particular, the Government Equalities Office[[13]](#footnote-13) will work across the public, private and voluntary sectors to improve the representation of LGBT people in public life, championing role models and giving people the confidence to be themselves in public. The Government Equalities Office will also work with the media and with schools to challenge gender stereotypes, and will develop the evidence on the causes and impacts of gender norms. We will look at how behavioural insights can help improve people’s attitudes toward LGBT people more quickly.

The Government Equalities Office will continue our work to increase LGBT inclusion in sport and physical activity. Following the publication of the Department for Digital, Culture, Media and Sport’s ‘Sporting Future’ strategy[[14]](#footnote-14) for sport and physical activity, Sport England are providing expert help to sporting organisations to increase the participation of LGBT people in sport and physical activity. Sport England are also working to improve LGBT access to sport and physical activity as spectators, as volunteers and in the workforce.

The UK has the highest number of openly gay, lesbian or bisexual parliamentarians in the world. 45 MPs, from across the political spectrum (19 Conservative, 19 Labour, 7 SNP) and elected in June 2017, describe themselves as gay, lesbian or bisexual.

The Office for National Statistics has identified a need for better quality information on the LGBT populations. There is some evidence, including from the National LGBT Survey, that LGBT people are at greater risk of disadvantage but, without consistent and reliable data, it is difficult to substantiate this with certainty.

That is why, in December 2018, the Office for National Statistics set out its recommendations to include voluntary questions on sexual orientation and gender identity in the 2021 Census.[[15]](#footnote-15) Legislation is currently underway to progress this appropriately, and ensure the questions in the Census remain voluntary and only for individuals aged 16 and over.

1. ***Services provided by civil society to excluded and marginalised LGBT people.***

The [public sector Equality Duty](http://www.homeoffice.gov.uk/equalities/equality-act/equality-duty/) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. This means there is a lawful requirement for public sector organisations to ensure their services are inclusive of LGBT people.

In November 2018, the Government Equalities Office launched a process to find an organisation to help us develop skills and capacity in the LGBT sector. Our new LGBT Sector and Community Development Scheme[[16]](#footnote-16) offers up to £600,000 to build capability with LGBT civil society, and to support initiatives that create inclusive spaces for LGBT people, such as Pride events.[[17]](#footnote-17)

The Government also launched a £1m LGBT Health Grant Fund.[[18]](#footnote-18) We have now funded five civil society organisations to deliver a range of projects on tackling LGBT health inequality.

1. Government Equalities Office (2018), ‘National LGBT Survey: Research Report’<https://www.gov.uk/government/publications/national-lgbt-survey-summary-report> [↑](#footnote-ref-1)
2. <https://www.ids.ac.uk/programme-and-centre/sexuality-poverty-and-law-programme/> [↑](#footnote-ref-2)
3. <https://www.legislation.gov.uk/ukpga/2010/15/contents> [↑](#footnote-ref-3)
4. <https://www.gov.uk/guidance/equality-act-2010-guidance> [↑](#footnote-ref-4)
5. <https://www.gov.uk/government/publications/lgbt-action-plan-2018-improving-the-lives-of-lesbian-gay-bisexual-and-transgender-people> [↑](#footnote-ref-5)
6. A network of LGBT teachers and leaders <http://lgbted.uk/> [↑](#footnote-ref-6)
7. https://www.gov.uk/equality-advisory-support-service [↑](#footnote-ref-7)
8. <https://www.globalgoals.org/> [↑](#footnote-ref-8)
9. <https://www.gov.uk/international-development-funding/uk-aid-connect> [↑](#footnote-ref-9)
10. <https://www.hivos.org/> [↑](#footnote-ref-10)
11. <https://www.gov.uk/government/publications/national-lgbt-survey-summary-report> [↑](#footnote-ref-11)
12. <https://www.gov.uk/government/publications/lgbt-action-plan-2018-improving-the-lives-of-lesbian-gay-bisexual-and-transgender-people> [↑](#footnote-ref-12)
13. The Government Equalities Office is a UK Government department that leads on policy relating to women, sexual orientation and transgender equality, and is responsible for a range of equalities legislation. [↑](#footnote-ref-13)
14. <https://www.gov.uk/government/publications/sporting-future-a-new-strategy-for-an-active-nation> [↑](#footnote-ref-14)
15. <https://www.ons.gov.uk/census/censustransformationprogramme/questiondevelopment/2021censustopicresearchupdatedecember2018> [↑](#footnote-ref-15)
16. <https://equalities.blog.gov.uk/2018/11/08/help-us-to-deliver-the-new-lgbt-sector-and-community-development-scheme/> [↑](#footnote-ref-16)
17. Events that celebrate LGBT social acceptance and self-acceptance, achievements, legal rights and pride. [↑](#footnote-ref-17)
18. <https://equalities.blog.gov.uk/2018/11/08/new-funding-to-improve-lgbt-health-and-social-care/> [↑](#footnote-ref-18)