

CILIA-LGBTQI+ Comparing Intersectional Lifecourse Inequalities among LGBTQI+ Citizens in Four European Countries

Scotland Policy Brief

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Executive Summary

The EU DIAL funded 'Comparing Intersectional Lifecourse Inequalities among LGBTQI+ Citizens in Four European Countries' (CILIA-LGBTQI+) project examines intersectional inequalities and their impacts upon lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) citizens in four European countries (England, Germany, Portugal, Scotland). We are concerned with inequalities at key points of life transition, including school to work, employment progression in mid-life, and the transition into retirement and later life. Drawing upon interviews and secondary analysis, this policy brief reflects on the findings from the CILIA-LGBTQI+ research conducted in Scotland.

Key points

- Differences within LGBTQI+ communities map onto inequalities experienced across the lifecourse. Attending to intersecting inequalities needs to become a policy priority across e.g. health and social care, education, employment, and justice.
- Interviewees across the age-range reported similar experiences suggestive of generational continuations, rather than generational change.
- Despite legal progress and equality, diversity and inclusion (EDI) initiatives, policy-practice
 development at national and local levels can be uneven and may lack monitoring, consolidation and
 mainstreaming. Lived experience of inequalities may contradict equality policy-practice provisions.
- Current funding structures and resourcing for LGBTQI+ organisations, programmes and projects potentially render the commencement or continuation of equalities work vulnerable.
- Past experiences of inequality and discrimination continue to impact upon LGBTQI+ citizens' present lives and thoughts about the future.

Background

This brief has been prepared for interested policy-practice audiences in Scotland and the rest of the UK, based upon findings from the *Comparing Intersectional Lifecourse Inequalities among LGBTQI+ Citizens in Four European Countries* (CILIA-LGBTQI+). The CILIA-LGBTQI+ research examines how intersectional inequalities impact upon lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) citizens, including at three key transitional points: school to work; employment progression in mid-life; and the transition into retirement and later life. Specific focus is placed upon how inequalities experienced by LGBTQI+ people intersect with a range of factors across the lifecourse, including age, gender, sex characteristics, class, race and ethnicity, nationality, faith and belief, and disability and health status. The research is funded by the NORFACE consortium of European research councils as part of the Dynamics of Inequality Across the Lifecourse (DIAL) funding stream. National teams analysed existing data, legislation and policy documents, and conducted over 170 interviews with LGBTQI+ people. This policy brief reflects specifically on the findings from the CILIA-LGBTQI+ research in Scotland.

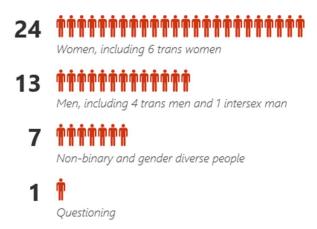
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Methods

Interviews were conducted with 45 LGBTQI+ people across Scotland in 2019. **Recruitment:** The call for participants was shared by a wide range of organisations and individuals via mailing lists, websites and social media. Prospective participants were invited to complete a short online questionnaire, which collected their basic demographic profile.² In order to engage with a diverse range of experiences, participants were invited for interviews on the basis of their demographic characteristics, such as their age, gender, sexuality, trans status, IVSC status, ethnicity, disability and health, faith and belief, education level, class, income band, employment status, and location in Scotland.³ **Ethical approval:** The empirical research was granted ethical approval by the School of Education Ethics Committee at the University of Strathclyde.

Participant demographics

Age: Participant ages ranged from 20 years old to 77 years old (mean age = 37; median age = 36). **Locations:** Interviewees lived in sixteen Scottish local authority areas, spanning the Highlands, Moray, the Scottish Borders, Argyll and Bute, Fife, Perth and Kinross, Dundee, Edinburgh City, Glasgow City, Inverclyde, West Lothian, East Lothian, North Ayrshire, South Ayrshire, Renfrewshire, and North Lanarkshire. **Gender**:



Over a third of participants were trans, non-binary or gender diverse, while around two-thirds described themselves (or may be described as) cisgender.

Sexualities: Lesbian and gay women (13); Gay men (8); Bisexual (7); Queer (4); Heterosexual (2); Pansexual: 2; Queer Bisexual (2); Asexual (1); Asexual, panromantic, queer, lesbian (1); Bisexual / panromantic (1); Bisexual / pansexual (1); Gay non-binary person (1); Queer / bisexual / pansexual (1); Sapphic bisexual (1). Disability and health: Almost half of participants (21) declared a long-term health condition, plus 2 were 'unsure'. 10 participants self-identified as disabled and 4 were 'unsure'. This

spanned physical disabilities, neurological and learning disabilities, chronic physical health conditions, and long-term mental health conditions. **Ethnicity and nationality**: The majority of participants (41) were of white ethnic backgrounds, including from Scotland and the rest of the UK, Western, Central and Eastern Europe, US and Canada and New Zealand. Four participants were of Asian, Black and other minoritised ethnic backgrounds, including South East Asian, North African, West African and mixed or dual heritages. The majority of participants described themselves as Scottish or as being from Scotland. **Religion, faith and belief:** Over half described themselves as having no faith (27) or atheist specifically (2) while the remaining participants described themselves as agnostic (5), Christian (4, includes 1 Catholic and 1 Presbyterian), spiritual (4), pagan (1), secular Jewish (1), and Taoist (1).

² The questionnaire was also available offline for those who required it, for delivery in person or over the telephone.

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³ In order to engage with a broader range of LGBTQI+ individuals often underrepresented in research, targeted recruitment was directed towards: people living outwith the Central Belt (particularly the cities of Glasgow and Edinburgh); people who had not attended university; Black, Asian and minority ethnic people; and, intersex people and people with variations in sex characteristics (I/VSC). Our sample is overwhelmingly white and university educated: 35 respondents had at least an UG degree, 1 more was currently registered as a student, and 1 dropped out of their degree. Four more participants had further education qualifications and 4 participants had school qualifications (A levels/Highers/etc.).

Key findings

Legislation and public policy

LGBTQI+Inclusive Education

- Participants many of whom were schooled during Section 28/2a (1988-2000/2003)⁴ discussed the need for LGBTQI+ inclusive content in Sex, Relationships and Health Education (SRHE) and across all other curriculum areas, and reflected upon the difference this would have made to their own lives, school experiences and (in some cases) mental health and wellbeing.
- Participants were often familiar with and supportive of recent Scottish Government policy commitments to implement LGBTI Inclusive Education in schools. Such sentiments were at once hopeful and sceptical of the Scottish Government's policy commitment, and echoed a sense of the potential vulnerability and under-resourcing of LGBTQI+ campaigning and support organisations tasked with innovating, administering and implementing LGBTQI+ educational inclusion.
- Despite prevailing discourses of educational failure and risk for LGBTQI+ pupils/students, there is much data which also evidences educational success in the midst of enduring challenges (See 'Compulsory' and 'Post-Compulsory' Education sections).

Equality Act 2010 and discrimination protections

- The Equality Act 2010 proscribes direct and indirect discrimination on the basis of nine protected characteristics, including sexual orientation and gender reassignment. Despite legal and policy progress towards recognition and legal protections for LGBTQI+ citizens in Scotland, the implementation of policy at national and local levels is uneven and lacks monitoring, consolidation and mainstreaming.
- Many participants expressed that the Equality Act 2010 is an important piece of legislation: the knowledge of its existence provides a level of confidence in e.g. education, employment and when accessing services. However, there was a tension between symbolic signalling and substantive enactment of equalities in these areas.

Hate crimes, harassment and safety

- The Scottish Government is currently considering reforms to hate crime legislation. The Hate Crime and Public Order (Scotland) Bill aims to modernise, consolidate and extend existing legislation. In January 2021, amendments to the proposed Bill were tabled relating to freedom of expression on LGBTQI+ issues, including specific exemptions for 'criticising transgender identity'.
- A majority of participants discussed some negative experiences of being in public as LGBTQI+ people, and how they would seek to reduce risk of harassment and abuse. Many participants would avoid specific streets, areas and venues, either all of the time or at certain times of day. If with a partner / someone also perceived to be LGBTQI+, participants discussed taking steps to reduce the potential for harassment such as not holding hands, physically distancing from one another, and changing the topic of conversation when within earshot of others. Racism and sexism were important in public misrecognitions.
- Due to past experiences of harassment and in anticipation of potential future harassment, participants described at times feeling hyper-aware and hyper-vigilant when in public spaces. Race was significant in mediating a sense of safety and belonging, including within LGBTQI+ communities.
- Participants discussed negative and positive experiences associated with online spaces (e.g. Twitter, Facebook, YouTube, Tumblr etc.). Negative experiences included specific and more general hostility and abuse directed towards LGBTQI+ people, particularly trans and non-binary people. Those who had

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⁴ Section 28 of the Local Government Act 1988 stated that a local authority "shall not intentionally promote homosexuality or publish material with the intention of promoting homosexuality" or "promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship". The clause was repealed in 2000 in Scotland, and 2003 in England and Wales.

- reported targeted online harassment to police did not describe positive outcomes and some participants stated they were not satisfied with the responses from websites / moderators.
- Many participants also discussed the positive aspects of online and social media engagement, such as creating LGBTQI+ community and 'coming out'. Many discussed the interface between online-offline spaces, feeling protected and politicised on online spaces, as well as experiencing a degree of risk.

Gender Recognition Act 2004 proposed reforms

- The proposed reforms to the Gender Recognition Act (GRA) 2004 coincided with the fieldwork period, and was discussed by the majority of participants. In 2017, the Scottish Government first announced its proposals to amend the GRA 2004; these proposed reforms included permitting individuals to change their legal gender by statutory declaration, extending legal gender recognition to under 16s, and instituting a third legal gender category. A public consultation on the proposals was undertaken between November 2017 and March 2018, and Scottish Government analysis of the responses revealed majority public support for reform. Despite this, a second public consultation was undertaken in 2019/20.
- During the CILIA-LGBTQI+ fieldwork period, in June 2019 the Scottish Government announced that it would seek a second public consultation on proposed reforms, and drop the proposals for youth and non-binary people, alongside withdrawing its support for trans guidance for schools produced by LGBT Youth Scotland.⁶ In the interviews following this announcement, many participants expressed concern.
- Non-trans participants expressed solidarity with and support for trans people, including the proposed reforms to the GRA 2004. Many participants expressed concern towards the contemporary political and media discourse against trans equalities in Scotland and the rest of the UK, and a number drew parallels with past discourse on Section 28/2a and broader resistances to LGB rights.

Resourcing LGBTQI+ communities

• Funding structures and resourcing for LGBTQI+ organisations and projects potentially render the continuation of important policy and practice-based work vulnerable to budgetary decisions and sociopolitical fluctuations. This raises questions about the mainstreaming and sustainability of such work.

Compulsory education

- Participants reported varying levels of negative and positive experiences among peer groups, and with adults such as teachers and parents. Hostility towards LGBTQI+ people in school contexts could contribute towards social isolation, negative self-image and poor mental health. Encouragement and support towards LGBTQI+ people in school contexts was often remembered and appreciated, guiding friendships and important decision-making (subject choice etc.)
- Participants sometimes conveyed a sense of delay in coming to understand their sexual and/or gender identities and subjectivities, and schooling was identified as a silencing context, particularly in the context of Section 28.
- Across the age cohorts including the younger LGBTQI+ people, sex, health and relationship education was generally described as inadequate, focussing mainly on heterosexual reproductive functions. Often there was no formal content on sexual and gender diversity, and little focus on the social and emotional aspects of sexual health and relationships more broadly.
- For younger LGBTQI+ people, inequalities and prejudice continue to exist but there is also much evidence of educational successes amidst challenges. Educational success and challenge is often mediated by other intersecting factors including e.g. class, race, gender, and disability. Racism, classism and sexism were identified as structuring contexts of schooling.

⁵ Scottish Government (2018) Review of the Gender Recognition Act 2004: Consultation Analysis. Scottish Government. 23 November. Available here, accessed 27 January 2021.

⁶ Somerville, S. A. and Scottish Government (2019) *Statement on gender recognition*. Scottish Government. 20 June. <u>Available here</u>, accessed 27 January 2021.

- Gender remains a key category, framing respondents' sense of e.g. subject choice, academic success, sense of fitting-in, as well as the ideas of possible futures.
- Mainstreaming sexual and gender diversity including in the earlier stages of schooling is important. LGBTQI+ mentoring, peer and ally schemes are significant rather than a sole focus on teachers' responsibilities and teacher training as a formal equalities measure.

Post-compulsory education

- Despite reported experiences of hardship in compulsory schooling contexts, participants mostly progressed to post-compulsory education, with above average numbers (n=35) educated to undergraduate degree level or higher. Four participants had further education qualifications (e.g. HND), four participants had school-level qualifications (A levels/Highers/etc.).
- Some participants opted to study at institutions based in cities with visible and sizeable LGBTQI+ communities, often moving away from their home area to another city. These decisions were mediated factors such as class, caring responsibilities, family circumstances, and disability and health.
- For participants residing in regions with only 1 further/higher education institution (FE/HE), this could necessitate attending FE/HE with school peers who had engaged in bullying. For some, this propelled their decisions to move away.
- Participants reported very varied experiences in post-compulsory education, with experiences particularly mediated by gender, trans status, class, disability and health, and the course studied. Racism, classism and sexism were identified as structuring contexts of education.

Employment and workplaces

- Participants discussed a varied range of experiences in employment and the workplace, including enduring difficulties associated with being 'out'.
- Participants discussed structural inequalities in employment experienced as LGBTQI+ people often compounded by gender, disability, race and trans status.
- For some participants, LGBTQI+ networks via workplaces, professions and trade unions were important sources of support and empowerment in the workplace.
- For participants in employment, the predominant categories of work were health and social care, education (including schools and FE/HE), and a range of professional, administrative and technical roles across the public, private and third sectors.
- Over half of participants were in full-time employment and most other participants were in other forms of employment (e.g. self-employed, part-time employment, and variable / zero hours work). Six participants were not employed: 4 were women, including two identifying as trans, and 2 were men, including one identifying as trans. 5 out of the 6 unemployed participants reported disability or long term health conditions including, for example, depression. One participant was an asylum seeker who received little state financial support and was not permitted to work.
- Gender continues to impact upon employment experiences, including material resources, breaks in employment, part-time status and retirement experiences.

LGBTQI+ community

- LGBTQI+ community is not homogeneous: For some participants, LGBTQI+ community was associated with specific spaces and networks, while for others LGBTQI+ community was described as more informal, existing among their friendship groups and families. Some respondents had found their place in various community spaces and networks, while others felt unsure about how to navigate or gain entry into such spaces and networks.
- LGBTQI+ community venues and spaces have changed across time, as linked to the commercialisation of 'scene spaces', the demise of LGBTQI+ venues in light of regeneration efforts

- and gentrification, and the 'opening up' of mainstream spaces to LGBTQI+ people as a result of shifting social attitudes.
- Participants sought and connected with LGBTQI+ community in-person via: bars and venues, both LGBTQI+-specific and -friendly spaces; live arts and entertainment events; informal and formal workplace networks; location-specific groups and networks; charities and support groups; student groups; team sport, physical activity and LGBTQI+ supporters' clubs; LGBTQI+-run businesses; Pride marches and events; and, personal friendship groups and connections.
- Many participants discussed the lack of physical LGBTQI+ spaces for community-building and fostering social connections with LGBTQI+ peers. Some participants expressed a need for autonomous physical LGBTQI+ community spaces in Scotland that are low cost / free to use, accessible for disabled people, and alcohol- and substance-free. Race and religion were important to the re-imagining of LGBTQI+ spaces as more inclusive.
- Many participants discussed the role of the internet and online spaces (including social media, blogging platforms and message boards) in fostering and / or maintaining connections with fellow LGBTQI+ people and accessing information on LGBTQI+ issues, identities, sexual health and relationships, and trans healthcare. Given the COVID-19 pandemic, the role and importance of online spaces and connections for LGBTQI+ people is likely now even more central and acute.

Ageing and care

- Participants discussed ageing and end-of-life decisions, expectations and cares but many felt that these conversations could be deferred: this was true for younger and older respondents.
- Some expressed concern about ageing in the context of requiring care, including personal care and residing in supported / assisted living spaces such as care homes, and whether care providers would be knowledgeable, respectful and anti-discriminatory.
- There was some awareness of LGBTQI+-specific retirement homes and supported living facilities and this was welcomed.
- Some participants discussed dementia as a particular concern. Several trans participants expressed worry about the potential effects of dementia upon how they experience and express their gender, and were concerned about the capacity of care providers to support and affirm trans people with dementia.
- Younger participants particularly those aged below 40 hoped that attitudes towards and awareness of diverse sexualities, genders and sex characteristics would improve sufficiently by the time they required care. Some cited the progress made to date in LGBTQI+ equalities as an indicator that attitudes, awareness and provision would continue to improve. However, others were less confident that provision for older LGBTQI+ people would sufficiently improve over the coming decades.

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