

Assessment of the GLA's impact on lesbian, gay and bisexual equality

Purpose of this paper

This paper forms part of the GLA's response to the General Equality Duty (see appendix 1), arising from the Equality Act 2010. Specifically it seeks to review the impact the GLA's policies and practices have had, or will have, in furthering the aims of the General Duty on the Lesbian, Gay and Bisexual (LGB) community.

This paper:

- documents the evidence taken into account;
- provides an analysis to establish whether GLA policies and practices have (or would) further the aims of the General Equality Duty;
- details the information the GLA has considered in carrying out this analysis;
- documents the engagement that the GLA has undertaken with people whom we consider to have an interest in furthering the aims of the General Equality Duty.

Introduction: The Lesbian, Gay, Bisexual (LGB) community in London

The LGB community make a huge contribution to the political, economic, cultural and social fabric of this city. From the colour and vibrancy of Pride London, the many LGB authors, entrepreneurs to the businesses and community activists. In a city as diverse as London, the LGB community is a rich mixture of ethnicity and faiths as well as differing levels of income.

It is difficult to estimate accurately the number of LGB people in London as this monitoring category has not been in the ONS' national census. The Government's Treasury Department estimated that six per cent of the UK population was LGB in 2005 when conducting research into the impact of the Civil Partnerships Act. Given London's diversity and culture of tolerance, it is highly likely that the London figure is somewhat higher and estimates suggest that is in the region of 10 per cent.

The GLA has sought to build a more detailed picture of the numbers and the specific needs of LGB people in London through the Annual London Survey¹ that it undertakes. The question on sexual orientation has been asked since 2006; however, few people are prepared to disclose their sexual orientation in this type of face-to-face survey (6 people out of 1500 in 2009). There remain, therefore, challenges in estimating the number of LGB people in London.

Evidence of LGB inequality in UK and in London

¹ The London Survey is a major annual opinion survey of Londoners, commissioned by the Mayor and the Greater London Authority, see <http://www.london.gov.uk/get-involved/consultations/annual-london-survey>

The evidence available on the inequalities experienced by the LGB community in London is not comprehensive and, as a result, the evidence base which follows has been gleaned from a mixture of UK and London sources.

Homophobic hate crime

Homophobic hate crime continues to blight the lives of many LGB people. Gallop's report, *Count me in!*² in 2004, was a survey into the experiences of homophobic and transphobic abuse and domestic violence among lesbian, gay, bisexual and transgender people in Bexley and Greenwich. Though it was a small snapshot, the findings are significant and worth considering. This included:

- Two out of three respondents stating that they knew the perpetrators;
- Neighbours and colleagues at work/school/college were the most common perpetrators;
- One in three incidents involved more than one perpetrator and two in three said the violence happened in or near their home.

In addition, underreporting remains a huge issue. In the research produced by Stonewall, *Homophobic Hate Crime: The Gay British Crime Survey 2008*³, it was noted that:

- Seven in ten did not report hate crimes or incidents to anyone;
- One in five lesbian and gay people experience a hate crime or incident in the last three years;
- One in eight have been a victim in the last year;
- Three in four of those experiencing hate crimes or incidents did not report them to the police;
- Only six per cent reported them to third parties.
- Twice as many Black LGB people have been physically attacked than the overall lesbian and gay population.

TfL has previously undertaken research to identify what LGB people think of public transport. The existing research⁴ indicates that the key priorities for LGB are:

- Safety;
- Reliability;
- Customer service and information and
- Personal safety.

A number of issues make personal safety a particular concern for the community, this includes:

- Staff roles and attitudes;
- A lack of lighting or poor visibility at bus stops, stations and car parks;
- Uncertain and unreliable services, especially at night;

² http://www.casweb.org/galop/file-storage/view/published_reports/Count%20Me%20In!%20Final%20Report

³ http://www.stonewall.org.uk/documents/homophobic_hate_crime_final_report.pdf

⁴ *Perceptions of public transport in London among E&I groups, summary of existing research about Lesbian, Gay, Bisexual and Transgender People* Gill Wales Feb 2006

- A lack of accurate, up-to-date service information, especially in isolated locations;
- Physical environment that feel unsafe, e.g. long subways, isolated bus stops;
- Disorderly or threatening behaviour from other passengers or the public;
- A lack of authority figures, such as TfL staff or police officers, especially at interchanges;
- Security concerns about travelling from stations and bus stops, particularly at night.

Given that LGB people continue to suffer abuse on public transport from other customers and from staff, members of the community are more likely to feel that their sexual orientation can make them especially vulnerable when travelling alone.⁵

Experiences of the criminal justice system

When looking at the issue of underreporting of hate crime, it is worth noting that there is significant concern from the LGB community about the likelihood of facing discrimination. This is particularly the case if they come into contact with the criminal justice system, including the police and the judiciary.

Stonewall's report, *Serves You Right*⁶ found that:

- A significant number of lesbian, gay and bisexual people would expect discrimination from the police and the judiciary if they committed an offence or were suspected of committing an offence. There is an even greater expectation of discrimination from the prison service;
- One in five lesbian and gay people expect to be treated worse by police than a heterosexual person if they report a crime;
- A quarter of LGB people think they would be treated worse than other victims of crime if they reported a homophobic hate crime;
- More than a third of lesbian and gay people, including half of those over the age of 50, think they would be treated worse than a heterosexual if they were suspected of committing a crime;
- One in six think they would be treated worse by a magistrate for a minor offence because they are lesbian or gay;
- Three fifths think they would face barriers to becoming a magistrate because of their sexual orientation.

Health inequalities

In their report, *Where to Turn*⁷, Pace, a London based charity promoting mental health and well-being for LGBT people, undertook a review to look at the mental health needs of LGBT people. This included:

- A review of existing services;
- Review of the provision of specialist services for LGBT people;

⁵ *Transport for London, Sexual Orientation Equality Scheme 2008-2011*

⁶ <http://www.stonewall.org.uk/documents/servesyouright.pdf>

⁷ *Where to Run*, Pace Health, 2010

- Staff training and other equality requirements with regard to suicide prevention;
- Worked with LGBT people to hear about their experiences of the mental health services they access.

The research indicated that:

- Only 31 per cent of mainstream mental health services routinely monitor sexual orientation, compared to 93 per cent for gender, 91 per cent for age, 89 per cent for race, 69 per cent for disability and 58 per cent for faith. The most commonly cited reasons for not recording sexual orientation related to concerns about patient or client benefit. Pace's report concluded that the absence of monitoring data makes it much more difficult to understand the experiences of mental health provision for this community;
- There is a lack of engagement with the community to understand their specific needs. Less than one third of the health services taking part in the review are aware of having done any consultation; less than one fifth have published evidence and only one in ten have done a specific needs assessment.
- Nearly a quarter of those accessing support services when suicidal described a negative experience relating to their LGBT identities. Some of the most common experiences, when coming out, related to the assumptions made by the service providers including clumsy and inept responses to disclosure as well as a feeling of invisibility. Many respondents also noted that they had to "come out" repeatedly about their sexuality and, as a result, felt that they were not being 'heard'.

Research undertaken by University College London⁸ estimates the rates of mental health issues among 7,403 UK adults, based on the *Adult Psychiatric Morbidity Survey 2007*. This research found that mental health problems, including depression, anxiety, obsessive compulsive disorder, phobia, self-harm, suicidal thoughts, and alcohol and drug dependence, were significantly more common amongst LGB people.

The Women's Resource Centre's report on the experiences of LGBT women and public services⁹, noted:

- The lack of health services for LBT women, and continued discrimination in existing services, should be addressed;
- There is a need for tailored health services to meet the needs of LBT women.
- It would be good practice to involve LGBT people in reviewing good practice guidance, equality audits and monitoring policies. The report cites LGBT focus groups and training staff on the application of equality legislation would be particularly pertinent.

The issue of HIV and AIDS also disproportionately impacts LGB people. The two groups most affected in the UK are gay men and migrants from regions of the world where HIV is

⁸ 'Mental health of the non-heterosexual population of England', Apu Chakraborty, *The British Journal of Psychiatry* (2011) 198: 143-148

⁹ *In all our Colours*, Women's Resource Centre, 2010

common, such as sub-Saharan Africa. The number of diagnosed HIV-infected black-Africans was highest in London in 2009 at 44 per cent.¹⁰

Despite the rising numbers of new HIV infections in the UK, public knowledge of HIV and AIDS appears to have declined. In 2009 there were 6,112 new HIV diagnoses in England, 307 in Scotland, 142 in Wales and 68 in Northern Ireland. London is the epicenter of the UK AIDS epidemic, accounting for around two out of five new HIV diagnoses¹¹ and 52 per cent of the country's known cases of HIV.¹²

Homophobic bullying

Homophobic bullying continues to be one of the critical issues affecting young LGB people. In Stonewall's 2007 report, *The School Report*¹³, the endemic nature of homophobic bullying in Britain's schools was documented:

- 65 per cent of young lesbian and gay pupils reported homophobic bullying;
- 98 per cent of young gay people hear the phrases "that's so gay" or "you're so gay" in school;
- Less than a quarter (23 per cent) have been told that homophobic bullying is wrong in their school.
- In schools that have said homophobic bullying is wrong, gay young people are 60 per cent more likely not to have been bullied.
- Over half of lesbian and gay pupils do not feel able to be themselves at school.
- 35 per cent of gay pupils do not feel safe or accepted at school.
- Homophobic bullying frequently takes the form of physical violence:
 - 41 per cent of those bullied experienced physical abuse
 - 17 per cent death threats and
 - 13 per cent were threatened with a weapon.

Data on LGB employees within the GLA

The proportion of GLA staff that stated that they were lesbian, gay or bisexual remains at six per cent in March 2011, which was the same as March 2010, while those stating they were heterosexual rose from 71 per cent to 73 per cent in the same period. The proportion whose sexual orientation was not stated decreased from 17 to 16 per cent.¹⁴

Policy areas where the GLA can have the biggest impact

¹⁰ Health Protection Agency, see:

http://www.hpa.org.uk/web/HPAweb&HPAwebStandard/HPAweb_C/1203084368853

¹¹ Health Protection Agency, United Kingdom new HIV diagnoses to end of June', 2010:

http://www.hpa.org.uk/web/HPAweb&HPAwebStandard/HPAweb_C/1252660002826

¹² *Health Inequalities Strategy*, GLA, 2010

¹³ http://www.stonewall.org.uk/at_school/education_for_all/quick_links/education_resources/4004.asp

¹⁴ <http://www.london.gov.uk/moderngov/mgConvert2PDF.aspx?ID=4217>

Crime and community safety

The Mayor has made combating hate crime a priority. The Hate Crime Forum was re-launched in summer 2009 with a new remit as the MPA Hate Crime Forum. This broader remit encompasses a more inclusive focus across the equality strands.

The MPS has also undertaken the following initiatives:

- Awareness training for officers dealing with LGBT-related crime.
- The MPS is also working more closely with organisations such as Stonewall, GALOP and others to ensure positive messages are shared within the LGBT community to support and re-establish greater confidence of the MPS response to victims of hate crimes.
- The MPS has set targets for all boroughs to improve on previous sanction detection rates (where the hate crime perpetrator has been cautioned or charged). The MPA, through the work of the MPA Hate Crime Forum is monitoring the work of the MPS in achieving those targets and is anticipating the sharing of good practice across London to further improve the MPS response.
- The MPA and MPS have sought to ensure that all hate crimes are dealt with appropriately and are working closely with the wider criminal justice organisations to ensure hate crime remains high on strategic and local agendas across London.

Health

The Mayor has a statutory responsibility to produce a *Health Inequalities Strategy* and this was launched in 2010. There are specific actions to combat the health inequalities experienced by equalities groups this includes promoting community development approaches to improve health, actively supporting the role of the third sector and seeking to improve the accessibility of health and social care services to enable excluded groups to make effective use of relevant services.

In addition, there has been specific work to combat the stigma and taboo of HIV and AIDS. Annie Lennox has been appointed the Mayor's HIV ambassador and convened a forum with key organisations to discuss the issues. The actions going forward include engaging with the media to support positive and non-stigmatising coverage of HIV and placing messages in the context of Londoners' daily lives. In addition, there was an exhibition at City Hall as part of World AIDS Day to raise awareness and seek to tackle the stigma around HIV.

GLA as an employer

The GLA has a number of policies and procedures to ensure fair and open recruitment processes. Regular workforce equality reports are also submitted to a committee within the London Assembly¹⁵ to monitor the number of LGB and other applicants as well as those within the workforce.

¹⁵ <http://www.london.gov.uk/moderngov/mgCommitteeDetails.aspx?ID=132>

In addition, the GLA's Dignity and Inclusion at Work policy looks to provide a workplace where every employee is treated with respect. As part of this policy, employees attend a course equipping them to understand what diversity and inclusion means within their role as well as how to recognise and challenge inappropriate workplace behavior. The GLA also has a *Code of Ethics*¹⁶ which sets out the GLA's expectations of its employees. This includes promoting equal opportunities, stopping discrimination, ensuring fair treatment and robust disciplinary and grievance procedures.

Planning and designing out crime

The Mayor has a statutory duty to produce a *London Plan*¹⁷ and, through this, he can use his influence to help design out crime and create an environment which makes LGB feel safer and less vulnerable to homophobic hate crime.

The strategic principles of the *London Plan*¹⁸ indicate that:

- development should reduce the opportunities for criminal behaviour;
- contribute to a sense of security without being overbearing or intimidating. In particular, routes and spaces should be legible, overlooked and well maintained to maximize activity throughout the day and night;
- buildings should be laid out in a way that clearly defines and overlooks private spaces and should protect public spaces by providing opportunities for casual surveillance and activity;
- pedestrian, cyclist and vehicular routes should be well defined and integrated and limit opportunities for concealment.

Education

Though the Mayor has no statutory powers in relation to education, he has sought to use his influence to combat homophobic bullying of young people in secondary schools. The Mayor supported Stonewall to produce and distribute the *FIT DVD*¹⁹ to all secondary schools in London in 2009. This is an educational resource enabling professionals working with young people to effectively combat and challenge homophobic bullying.

Engagement

The GLA regularly facilitates biannual meetings with London's LGBT communities. The meetings are chaired by the Deputy Mayor of London and are an opportunity for the

¹⁶ http://legacy.london.gov.uk/assembly/rulebook/code_ethics.pdf

¹⁷ The *London Plan* is the Regional Development Strategy for London. It outlines the strategic objectives of the GLA in terms of developing London, and how these will be implemented by local boroughs. All London boroughs will use this to form their own local development frameworks to inform planning decisions.
<http://www.london.gov.uk/thelondonplan/>

¹⁸ *London Plan*, 2009, GLA

¹⁹ http://www.stonewall.org.uk/at_school/education_for_all/quick_links/education_resources/fit/default.asp

community to inform the development of key Mayoral strategies and policies and ensure LGBT equality is mainstreamed across the GLA group.

At the engagement meeting held in November 2010, a range of community organisations (see appendix 2) suggested a number of areas where the Mayor could have the biggest influence. These included:

- combating homophobia on the public transport system and particularly focusing resources where members of the community feel particularly vulnerable;
- engaging fully with LGB communities when conducting equality impact assessments;
- effective equality training for frontline police officers;
- endorsing the application to host the 2018 Gay Games in London.

Conclusion

Going forward, the Mayor has the opportunity to use his influence within the MPA to continue to combat homophobic hate crime. This could mean, potentially, supporting existing poster campaigns or publicity undertaken by community organisations to demonstrate the Mayor's commitment.

The Mayor will also work to increase safety on transport.

Appendices

Appendix 1

The Equal Act 2010 places a duty on public sector organisations to demonstrate that they have paid due regard in their policies, practices and procedures will seek to eliminate unlawful discrimination, harassment and victimisation and any other conduct which is unlawful under the Equality Act 2010; advance equality of opportunity between the various equality groups, this means in particular:

- a. Removing or minimising disadvantages suffered by people who share a protected characteristic;
- b. Taking steps to meet the needs of people who share a protected characteristic that are different from the needs of people who don't have that characteristic;
- c. Encouraging people who share a protected characteristic to participate in public life or in any other activity in which their participation is disproportionately low.

In addition, the General Duty states that public sector organisations must pay due regard in fostering good relations between people who share a protected characteristic, and those who don't have that characteristic. This means, in particular:

- a. Tackling prejudice and
- b. Promoting understanding;

Appendix 2

Membership of the GLA's LGBT engagement group

Organisation

Gingerbeer

MPS LGBT Advisory Group

Bede House Association

UK Lesbian & Gay Immigration Group

GIRES

17-24-30 No to Hate Crime Campaign

SPECTRUM

LGBT Domestic Abuse Forum

Beit Klal Yisrael

GIRES

Richmond upon Thames LGBT Forum

Age Concern - Opening Doors Project

New Ventures

Beatbullying

Regard - National Organisation of disabled LGBT People

TfL LGBT Staff Network Group

London Lesbian Kickabouts

London Metropolitan Police

LGBT Consortium

London Probation Trust

Stonewall Housing

Grace's Cricket Club

TransLondon

Vinvolved Central London

BoldFace Productions

Gay Authors Workshop

Gay & Lesbian Association of Doctors and Dentists

Fruit Vox

Press for Change

Albert Kennedy Trust

Stonewall