

Beyond Tolerance: Launch of Sexual Orientation Research

Speech by Trevor Phillips

12th October 2009

It's my pleasure to welcome you all. Today marks a significant moment for the Equality and Human Rights Commission's work on sexual orientation. It's important to share our thoughts about where we go from here with the individuals and organisations who have already achieved much, and together with whom we hope to take the next steps.

Let me start by reminding you what a backbencher said in 1987:

'I am certain that all honourable members would agree that children should be protected [...] from any insidious and dangerous influences, such as homosexuality'

This is what a government spokesperson said in 2004:

'thousands of same-sex couples have made the decision to share their lives, their home, their finances and the care of their children or of older relatives [...] [this] Bill sends a clear and unequivocal message that [they] deserve recognition and respect.'

The first was the MP Harry Greenway, promoting what would become Section 28. The second, Jacqui Smith, introducing the Civil Partnership Bill. Each in their day won the debate.

This is a remarkable journey – from suspicion to understanding, from legal stigma to legal recognition. Most remarkable of all, it took less than 20 years. This is perhaps the most significant transformation in the equality landscape, and the swiftest and most profound social change in my lifetime in this country.

How did we come so far? It's thanks to many things. The bravery of men and women who spoke out. The love of the families and friends who supported them. The tenacity of campaigners from all backgrounds:

- Unions
- Community groups
- National organisations such as LGBT Consortium, the Lesbian and Gay Christian Movement, School's Out
- And of course Stonewall –who this year celebrate 20 years of changing minds.

The Commission's partnership with Stonewall – as with other groups - will continue and, I hope, grow stronger in the years to come: especially with Hilary [McCollum] now taking a senior role in the Commission on sexual orientation.

A final word of recognition. Anyone who doubts the power of politics should think of the difference it has made to the lives of lesbian, gay and bisexual people. Although praising politicians may be out of fashion (in

general and perhaps in particular today), all credit is due to the Ministers in government who took a stand, and the colleagues from other parties who lent their support. It's easy to forget that many of these issues attracted vociferous opposition at the time.

For those who have long been supporters of equal rights and decent treatment – and I'm proud to call myself one - there is a huge amount of progress to celebrate. To put it at its simplest, in our attitudes towards lesbian, gay and bisexual people, we have become a more decent and civilised society.

But we would be kidding ourselves if we thought the job was done.

The Equality and Human Rights Commission is the first public body with a statutory duty to stand up for lesbian, gay and bisexual people. It is a task we take very seriously indeed. This is why we commissioned the research that we are publishing today. It reveals some truths that are sad, and shocking, and deeply uncomfortable. It makes clear that there is no room for complacency:

- Not while 'gay' is still the number 1 playground insult.
- Not while the spectre of section 28 still pervades the environment in which young lesbian, gay and bisexual people grow up, with two thirds experiencing bullying, and many extreme intimidation.
- Not while many employees would be uncomfortable about coming out in the workplace, even in a confidential survey.
- And certainly not while estimates suggest that one in five gay men has been physically assaulted, and one in ten lesbians sexually assaulted, because of their sexual orientation.

Some commentators reserve particular scorn for what they call the 'gay rights movement.' They would have us believe it's 'special treatment.'

But what kind of treatment are we talking about here that some people are being denied? The right to go to school or university without feeling afraid. The confidence to walk down the street in safety. There is nothing special or different about this. These are the same things that everyone aspires to: not gay rights, but human rights.

Faced with the results of this research, we in the Commission are determined to act.

- In education - we will work with OFSTED and the Higher Education Funding Council for England to ensure that no-one's access to education is limited or conditioned by their sexual orientation.
- In health – we will challenge hospitals and GPs: first, to recognise the distinct needs of lesbian, gay and bisexual people; second, to eliminate the assumptions and stereotypes that can lead to them getting substandard treatment.
- In employment – we will challenge employers to make every workplace one where people feel they can express themselves and give of their best.
- With regard to crime – we will work with criminal justice bodies and LGB organisations to ensure that everyone has the confidence to report acts of intimidation, harassment and violence: and with police forces to ensure that those hate crimes get recorded for what they are, not filed under another name

In all these different areas, as we press for change, we will soon, if parliament consents, have a powerful new tool at our disposal.

The Equality Bill will introduce a new single public sector equality duty. For the first time, public authorities will have the responsibility to ensure that their services are properly meeting the needs of every part of the

population – including lesbian, gay and bisexual people. It will mean a significant shift in culture.

- Instead of the onus being on individuals who feel they are being short-changed to make a challenge, authorities will need to make every effort to prevent problems arising in the first place.
- Instead of assuming that they are meeting different people's needs, authorities will need to gather evidence and undertake analysis to be sure that they are.

We will help public authorities bring about that change. Wherever possible, we will encourage and enable with guidance and support. Wherever necessary, we will use enforcement and sanctions. And we will monitor progress.

This brings me to my final point. Of all the different characteristics that the Equality and Human Rights Commission has an interest in, sexual orientation is the one, with the possible exception of gender variance, about which government and official bodies are most in the dark.

The census gives us an abundance of information about people's ethnicity, age, gender, disability, and, now, religion. We can combine all these different facets of people's lives and experiences with other information and bring facts to light: that Jewish people are most likely to be self-employed. That Muslim women are more likely to be disabled than average. That Christians are more likely to be aged over 65 than average.

The state isn't collecting this information for fun, but to inform public policy. In crude terms, you know where to build the school and where to build the old folk's home. If you understand different people's different

needs and different ways of living, you understand what you need to do to make sure public services are working for them.

When it comes to sexual orientation, the state lacks the basic facts. There isn't even a robust figure on how many lesbian, gay and bisexual people there are. Government works on the basis of 5 to 7 per cent of the population. That's a margin of uncertainty of more than a million people. Not good enough.

Or take civil partnerships as an example. At one stage, the government was predicting that, by 2010, there would be at most 22,000 people in civil partnerships in the UK. Already, by the end of 2008, 66,000 people had said 'I do.' That's three times as many.

We are aware that the government and other public bodies may lack the confidence to ask for information about sexual orientation. But if our society is to be fair to lesbian, gay and bisexual people it's important to know the facts. Injustice that goes unseen goes uncorrected. Without information, public authorities will simply never know whether they are getting it right.

The Office for National Statistics has said that sexual orientation will not be a question on the 2011 census. The census is the "gold standard" which informs and influences what data other bodies collect. So the Commission thinks that the decision not to ask the question about sexual orientation is a mistake - a missed opportunity. But that should not stop public service providers – from Primary Care Trusts to local authorities to Whitehall departments –collecting data themselves, as a matter of course. We want to encourage them and support them. And we want to encourage private sector employers to do the same as a matter of best practice.

We recognise that if half the job is encouraging organisations to collect data, the other half is encouraging people – gay or straight – to volunteer it. Some people fear that they will be forced to reveal personal information they regard as private; many are concerned that it will fall into the wrong hands. Those are understandable anxieties. That is why our proposals are entirely voluntary – no-one will have to give information they would rather not. And it's important to provide reassurance that the information will be used responsibly and kept in confidence. Stonewall's pamphlet called 'What's it got to do with you?' is a great example of how to make the case. It underlines that there are no sinister plans for this information; it's simply a way of making sure taxpayers' money is spent effectively, with no-one missing out.

Finally, we have been here before. The census only began asking a question about race and ethnicity in 1991, after much soul-searching and debate. It was a similar story with religion and belief, on the census since 2001. I am confident that in the long term the argument for transparency is bound to win out.

And that transparency will be a major asset as we work together to make sure that the 20 years to come see as much positive and welcome change as the last 20.

Thank you for listening – it's my pleasure to hand things over to Ben.