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Sue Botcherby (Equality and Human Rights Commission)
Chris Creegan (The National Centre for Social Research (NatCen))

Moving forward: putting sexual orientation in the public domain



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Introduction



This paper discusses putting sexual orientation data into the public domain. It recognises that though there are obvious tensions between whether people regard sexual orientation as a public or private issue, sexual orientation has always been a public matter, though more often to the detriment of lesbian, gay and bisexual (LGB) people themselves.

Ultimately the full spectrum of sexual orientation should be a public matter because for LGB people there is a vital difference between privacy and invisibility. The paper first considers the relationship between the public and the private and the case for recognising sexual orientation as an integral part of the public equalities agenda. Second it assesses the current situation with regard to public data on sexual orientation and the implications of asking people about their sexual orientation.

Finally it makes some recommendations as to how putting sexual orientation in the public domain should be taken forward.

A raft of progressive legislation in the last decade heralded unprecedented rights and protection under the law for LGB people in Britain: LGB couples in a civil partnership have rights that are similar to married couples in most respects; LGB people can now serve openly in the armed forces; same-sex couples have the right to succeed to a housing tenancy in the event of the death of a partner; LGB people are protected in law against discrimination in employment, goods, facilities and services; the Offences (Aggravation by Prejudice) (Scotland) bill was passed in June 2009 to deal with crime motivated by homophobia in Scotland; and the diversity of sexual orientation is now recognised in legislation. The Equality and Human Rights Commission (the Commission) was established in 2007 as the first public body with a mandate to reduce inequality, eliminate discrimination, promote equality and human rights and build good relations for LGB people. For the first time in British

history, the promotion of equality on the grounds of sexual orientation will be required under the forthcoming Equality Act, which is due to become law in 2010. It will require all publicly-funded bodies to promote equality for all and remove barriers to fair service provision under a single equality duty. The Government made history when it announced that, in response to user demand for statistics on LGB people in 2009, British people will be asked a sexual identity question if they take part in the Integrated Household Survey (IHS).

Despite this enormous progress, however, there is continued unease, caution and inconsistency surrounding the discussion of sexual orientation in the public sphere, in both formal and informal situations. British people will not be asked a question about sexual identity in the 2011 England/Wales or Scottish Census, as it is deemed to be 'unsuitable'. Sexual orientation may now be explicit in both public policy and legislation, yet there is an enduring belief in both public and private institutions and in the population at large, including some LGB people themselves, that sexual

Moving forward: putting sexual orientation in the public domain

orientation is a private matter, something that should remain 'behind closed doors'. Some LGB people fear discrimination if they are open about their sexual orientation. There is an inherent contradiction here, because a lack of openness may appear protective, but it can also foster discrimination, harassment and exclusion.

The absence of reliable statistical data is a major obstacle to measuring progress on equality for LGB people. There is no baseline data on the LGB population, meaning there is no way of determining whether LGB people experience inequality of economic outcomes and life chances, and progress cannot be monitored. In addition, without this data, public authorities cannot deliver services that (fully) meet the needs of LGB people in key areas such as education, health and criminal justice. Pretending that it is only a private matter, even where this is done with good intention, can stifle discussion and leave prejudice unchallenged. And unless sexual orientation is clearly understood in the public domain, it is left to individuals to manage the consequences of discrimination.

The public and the private

Distinctions between the private and public and the role of the government in promoting public policy that influences the private sphere are live debates (for example Bernstein and Schaffner 2004; Purdy 2006).

Sexual orientation has always been about far more than what goes on behind closed doors. It is at the core of people's identity – who they are and how they live their lives.

The way people experience and express their sexual orientation has been influenced and shaped by society. Weeks (1989, p.19), argues that sexuality is produced by society:

'...sexuality is something which society produces in complex ways. It is a result of diverse social practices that give meaning to human activities, of social definitions and self-definitions, of struggles between those who have power to define and regulate, and those who resist.'

LGB people were criminalised and pathologised in the public sphere in the past. When Oscar Wilde was imprisoned in the late 1890s for 'gross indecency' with another man, he popularised the concept of 'the love that dare not speak its name'. Even a century ago, he argued that love between two men is not 'unnatural' and the 'world does not understand it'.

The 1950s represented a turning point in LGB history when the Wolfenden report (1957) recommended that homosexual behaviour between consenting adults in private should no longer be a criminal offence. However, it was not until 1967 that the Sexual Offences bill was laid before parliament resulting in the decriminalisation of homosexuality for consenting adults (over the ages of 21) in private homes, but only where the two adults were the only people present on the premises. It was not until 1980 that homosexuality was decriminalised in Scotland.

It wasn't until 1993 that the Government removed homosexuality from its list of psychiatric disorders in England and

Wales. In Scotland it was 2000. In 2003 the Government repealed Section 28: the law that was introduced by the Conservative Government in the 1980s banning local councils and schools from intentionally promoting homosexuality.

It is only in the very recent past that the diversity of sexual orientation has been seen as a legitimate equality issue in the public sphere. Policy development that began in a small number of local authorities, trade unions and other progressive organisations in the 1980s has now moved from the margins to the mainstream. In the last decade, the Government has legislated to protect LGB people from discrimination in the workplace, in accessing goods, facilities and services and in education and vocational training.

In everyday life (hetero) sexual orientation has always been in the public domain. In the past heterosexuality has been accepted as the norm, legitimised in the public sphere by the existence of marriage and even divorce. Heterosexual relationships have slipped in and out of day-to-day conversation with ease. By contrast, lesbian and gay relationships have often caused a range of negative responses ranging from silence and embarrassment to outright hostility. This is one of the ways in which inequality has worked in the everyday spaces that we live in. For heterosexual people openness has been taken for granted. We just haven't thought of heterosexual orientation as a public matter – because it's assumed and so it's public by default. For others, openness about their different sexual identity has meant choosing to articulate something that sets

them apart which has involved risk, sometimes with appalling consequences in the past, including verbal and physical abuse and even murder.

Even now there is new evidence to suggest that while LGB people value the formal rights that civil partnership legislation provides, they still don't feel free to express those rights, for example by holding hands in public (Mitchell et al., 2009). And so to have real equality and to move beyond tolerance, sexual orientation has to be in the public domain – for all: heterosexual/straight people, lesbians, gay men and bisexual people. Public discussion of sexual orientation doesn't mean privileging same-sex relationships. It just means the same degree of openness for LGB people that heterosexual people have previously taken for granted.



Ultimately sexual orientation should be in the public domain because there is a vital difference between privacy and invisibility. It is one of many aspects of identity that affects the way people relate to others, in education, in the community, at work and at leisure. Whether people are single, married or in a civil partnership, living alone or with others, sexual orientation will be part of their personal stories, however little or much they choose to share with others. And so sexual orientation matters in terms of people's sense of self, attitudes and behaviours. Because people have not been asked about sexual orientation until recently in official surveys and for public purposes (for example workplace and service monitoring), it has remained largely invisible. Officially, people have lived in a society where heterosexuality has been the norm and the idea that sexual orientation is a diverse phenomenon has remained on the fringe of official recognition, until now. And this in turn has affected the way people think and talk in private. Assumptions perpetuate misunderstandings and people get treated differently as a result – sometimes unequally and unfairly.

The case for sexual orientation as a public issue now

People's ability to be who they are, in terms of their sexual orientation, is shaped by freedoms and rights on the one hand, and social processes on the other. In the UK, under human rights legislation, people are entitled to the right to freedom of expression (article 10) and protection from discrimination (article 14). The Single Equality Act (2009) brings a duty on public bodies to prevent inequality and promote equality for people of diverse sexual orientations.

Evidence suggests that people – especially heterosexual women – are more 'tolerant' about people's diverse sexual orientation than ever before. An online survey of over 5,000 respondents for the Commission (Ellison and Gunstone 2009) found that around seven in 10 people were happy to have openly LGB friends (72 per cent of heterosexual women and 65 per cent of heterosexual men). The majority, around six in 10, would be happy to be treated by a doctor who they knew to be openly gay (61 per cent of heterosexual women and 56 per cent of heterosexual men). The majority, around six in 10, would be happy to have an openly LGB manager at work (61 per cent of heterosexual women and 54 per cent of heterosexual men).

People's attitudes are uneven with regard to how comfortable they feel about openly lesbian, gay and bisexual people in society and the figures above suggest that equality legislation may be working in promoting respect for diverse managers in employment and staff in the health service. Heterosexual respondents were comfortable with openly LGB friends, yet divided about the political representation, parenting and religious adherence of openly LGB people. Only around half would be happy to vote for an openly LGB candidate for prime minister (52 per cent of heterosexual women and 46 per cent of heterosexual men). Only around half thought that lesbians can be equally as good as other women at bringing up children (61 per cent of heterosexual women and 40 per cent of heterosexual men). The figure drops to under half who thought that gay men can be equally as good as other men in bringing up children (55 per cent of heterosexual women and 33 per cent of heterosexual men).

Despite greater public ‘tolerance’, there is compelling evidence that homophobia continues to blight the lives of women and men. The survey contained evidence from almost 3,000 LGB respondents, who reported they had suffered stress, low self-esteem and had felt frightened as a result of prejudice and discrimination linked to their sexual orientation. Significant minorities reported bullying, and physical and sexual assault in their lifetime.

As a result of prejudice and discrimination linked to their sexual orientation:

- Four in ten lesbians and gay men (43 per cent) and a quarter of bisexual people (24 per cent) in the survey reported that they have suffered stress.
- Around four in 10 lesbians and gay men reported that they have been bullied (37 per cent), or felt frightened (38 per cent) and have suffered from low self-esteem (42 per cent).
- One in five gay men (19 per cent) reported that they have been physically assaulted.
- Six per cent of lesbians reported that they have been sexually assaulted. (Ellison and Gunstone 2009).

High proportions of LGB people still don’t feel they can be open about their sexual orientation because they fear prejudice and discrimination. This is particularly acute in schools, colleges, universities, police stations and neighbourhood streets. A third of lesbians and gay men (32 per cent) and four in 10 bisexual people (44 per cent) reported that they can’t be open about their sexual orientation in schools, universities and colleges without fear of prejudice and discrimination. Over a quarter of lesbians

and gay men (27 per cent) and over four in 10 (45 per cent) bisexual people feared being open in police stations. The figures rise to half (50 per cent) of lesbians and gay men and six in 10 (61 per cent) of bisexual people who reported they can’t be open on the streets in their neighbourhood (Ellison and Gunstone 2009).

The Ellison and Gunstone (2009) findings show that LGB women and men perceive and experience high degrees of exclusion and segregation in wider society.

Forty per cent of gay men, a third of lesbians (32 per cent), and one in 10 bisexual people (12 per cent) felt that there were some jobs they would not consider because of their sexual orientation. The most commonly cited jobs and careers that LGB respondents would avoid were: the police service, armed forces, teaching and manual trades. Many who said they would avoid the armed services, manual trades and the police gave working culture, organisational policies and perceptions of homophobia as reasons for this. Teaching and working with children in general was negatively associated both with public debates about the teaching of homosexuality in schools and the perceived reactions of parents and others to their children having LGB teachers.



Moving forward: putting sexual orientation in the public domain

Twenty-four per cent of gay men, 13 per cent of lesbians and 15 per cent of bisexual people said they had avoided participating in certain sports, or had hidden their sexual orientation while participating. The most commonly mentioned were team sports such as football and rugby that some perceived as ‘laddish’, aggressive and homophobic. Those who had participated feared being treated differently by teammates and experiencing negative reactions to their presence in the changing room because of their sexual orientation.

Over half of gay men (55 per cent) and half of lesbians (51 per cent) stated that there were places in Britain where they would not want to live due to their sexual orientation. Around a fifth of bisexual people (21 per cent) also agreed with this statement. Those who agreed were asked to give examples of such places. Areas such as Northern Ireland, Ireland and large cities like Birmingham and Glasgow were frequently mentioned, and many also highlighted highly rural areas and deprived inner cities. The main reasons given were that these places were perceived as unwelcoming or non-accepting.

This strikes at the heart of what we want to be as a society and whether we can genuinely enable people to be themselves with confidence. The price of fear for women and men is to risk disadvantage or to stay silent. Neither is a fair option for LGB citizens. A retreat to privacy renders them invisible. And silence on sexual orientation from public bodies serves to fuel this cycle.

Public data on sexual orientation ⁱⁱ

In their recent review of evidence on sexual orientation for the Equality and Human Rights Commission, Mitchell et al. (2009) concluded that ‘the absence of reliable statistical data on sexual orientation presents a major obstacle to measuring progress on tackling discrimination and tackling inequality’. Despite the recent developments referred to above, the collection of public statistics or monitoring data on sexual orientation has been virtually non-existent in Britain to date. This has perpetuated public understanding of the society we live in as heterosexual and made the diversity of sexual orientation invisible. The construction of sexual orientation as a private matter has been a key determinant in the dearth of public data. Data collectors have been reluctant, uncertain or unconfident about asking questions on sexual orientation.

The consequences are startling. Despite the existence of legislation and the urgent need to monitor and understand its effect, we do not have key statistics on who the LGB population is at the Great Britain or local level; how young LGB people perform at school, in further education or work-based training; how LGB people perform at university; where LGB people are in the labour market and their levels of pay; how many LGB people are parents and how many children have LGB parents; how many LGB households there are; and how many LGB households live in poverty.

The absence of reliable statistical data is a major obstacle to measuring progress on equality for LGB people. A Commission priority is to populate the new Equality

Measurement Framework with data on inequality indicators, in order to map the changing face of equality. There is no baseline data on LGB people. This means there is no way of determining whether LGB people experience inequality of economic outcomes and life chances, and progress cannot be monitored. In addition, without this data, public authorities cannot deliver services that (fully) meet the needs of LGB people in key areas such as education, health and criminal justice. Without reliable data, evidence as to whether the recent legislative changes have actually achieved equality is largely anecdotal.

In December 2008, the Office for National Statistics (ONS) announced that in future their major social surveys, in which participation is voluntary, will include a question on sexual identity. This was a landmark decision and represents a sea change, and will provide data which will start to address key questions about the size and characteristics of the LGB population. For the first time, LGB people will be given the opportunity to identify their sexual orientation in major government surveys. From January 2009, ONS introduced a sexual identity question within the constituent surveys that make up the IHS: Annual Population Survey, Labour Force Survey, English Housing Survey, Living costs and food module (formerly Expenditure and Food Survey), General lifestyle module (formerly General Household Survey), Life Opportunities Survey and Opinions module (formerly Omnibus Survey). The inclusion of sexual identity in the IHS is welcomed, though national LGB data may not be available until 2010 and regional level data will be unavailable for a number of years after that.

All of this has taken place in response to the ONS Sexual Identity Project, but the language itself is contested because of the different meanings that can be attributed to it. As Aspinall (2009) argues: ‘Labelling the question as “sexual orientation”, “sexual identity”, or “sexuality” have all caused concern or confusion among some respondents. ONS has decided not to use a question title but to allow the question and response categories to define the nature of the question. Terms used to describe the question in any discussion – and more directly to describe the results – need to be carefully considered and defined.’

In this paper the term sexual orientation has been used in relation to data, and sexual identity in relation to questions that may yield that data. This is a reflection of the use of these terms to data – sexual orientation is widely used in the policy and practice arena, whereas sexual identity has more commonly been used in discussions about question development and measurement.

It is not possible to review the inclusion/non-inclusion of sexual orientation data in detail in this paper. Prior to 2007 there was very little general population data collection that included sexual identity. The most important point is that the current picture is inconsistent and requires a common approach to asking questions on sexual orientation and supplying public data. For example, the Citizenship Survey collects information from England and Wales about community and citizenship (for example membership of networks, trust in institutions, civic participation and discrimination in the workplace) and in 2008 included a demographic question on

Moving forward: putting sexual orientation in the public domain

sexual identity for the first time. The British Crime Survey, which is the major source of public data on fear and experiences of crime in England and Wales, only included a demographic sexual identity question in the self-completion module. Both the Scottish Health Survey and the Scottish Crime and Justice Survey do ask a demographic question on sexual identity as have the British and Scottish Social Attitudes Surveys, though not as a standard demographic variable. Some valuable work has been done to ensure its inclusion in the Adult Psychiatric Morbidity Survey.

However, the 2011 Census in England/Wales and Scotland will not include a question on sexual identity despite widespread evidence of user demand. ONS believes that to include a sexual identity question will reduce overall Census response rates and the accuracy of Census data. It is being argued that although robust data on sexual orientation is needed, asking people about it would have a detrimental effect on individual privacy. The effect however is that people will continue to be denied the opportunity to share information about their sexual orientation in the same way as they do about their religion, ethnicity, gender, disability and age. The Census provides the biggest dataset on the overall population and sub-populations at national and local levels. It is a vital source of information for planning public services and tackling inequality. And yet sexual orientation, and in effect LGB citizens, will remain invisible because unlike other aspects of identity it will be treated as a private rather than a public matter.

Understanding Society, the new United

Kingdom Longitudinal Household Survey (UKHLS) is a major research study that began in 2009, and is the largest of its type in the world. It will provide evidence about the long-term effects of social and economic change, the impact policy intervention has on us all, and the challenges facing our society. The first wave of Understanding Society does not include a question on sexual identity. The survey, like many others, does record relationship between all household members and so records same-sex partners. It also asks about status and so includes civil partnerships. But this approach creates only a partial picture because it only captures co-habiting relationships and not identity. It is possible that sexual identity may be included in future waves, but if it is not, LGB people will only be partially visible in the richest source of household information to date. This would represent a missed opportunity. If we can't identify where LGB people live, shop, work, use services etc., then we can't address their individual needs, assuming we establish what those needs might be.

No education providers collect data on sexual orientation including the Department for Children, Schools and Families, Learning and Skills Councils, the Higher Education Statistics Authority and UCAS (Valentine and Wood 2009). There is no public data on the participation and attainment of young LGB people in compulsory and post-compulsory education. The question of young people and sexual orientation has not been addressed by public bodies. There is a need to investigate when and how appropriate sexual orientation data is collected from young people.

The use of sexual identity questions in workforce monitoring, or other purposes, is inconsistent. The police now include a question on sexual identity in their workforce monitoring, but for local authorities and other public bodies data collection is inconsistent; some do and others don't. In some contexts there is progress on the collection of data where people can self-identify their orientation as individuals. There has been progress on monitoring in some parts of the public sector though this is far from comprehensive and very little is known about monitoring in the private sector.

None of this is to deny that the issue poses significant methodological challenges, including how the question is framed, and whether asking it will yield analysable data in terms of response rates and resulting sample sizes. There are undoubtedly serious issues about measurement – how, what and when sexual orientation should be measured and what that means to people. But treating these challenges as insurmountable obstacles will have real and detrimental consequences. The emerging fragmented approach to collecting public data on sexual orientation means that the evidence base will be uneven at best. This will cause serious problems when mapping inequalities in a range of dimensions and will make it harder for decision makers, service providers, employers and others to meet the needs of LGB people. Making sexual orientation part of a standard demographic module, in the same way as sex and ethnicity for example, will provide data analysts with a key explanatory variable which can help explain why people experience particular outcomes.



Asking people about sexual orientation

A common assumption may be that people are opposed to answering questions about sexual orientation because it is considered a private matter. The 2009 Ellison and Gunstone online survey of over 5,000 respondents revealed that the majority of the sample (75 per cent) think it is acceptable to ask people about their sexual orientation in large national surveys. A minority, 10 per cent of lesbians/gay men and 8 per cent of bisexual women and men think it is unacceptable. The majority of people (78 per cent) would support, or don't mind, the introduction of a non-compulsory question on sexual orientation in the 2011 Census. A minority of lesbians and gay men (13 per cent) and bisexual women and men (20 per cent) opposed the introduction of a sexual orientation question. More detailed analysis reveals that those most likely to object were predominantly over 60 and heterosexual. The majority of LGB people want their sexual orientation to be counted in public as a legitimate human freedom along with heterosexual citizens.

Moving forward: putting sexual orientation in the public domain

The ‘nature’ of sexual orientation or how people define their sexual identity is beyond the scope of this paper. For a minority of people, sexual orientation and identity shifts over time. But for most people sexual orientation is relatively fixed (Ellison and Gunstone 2009). However, the complexity of sexual orientation has caused some commentators to argue that it is beyond measurement (for example, Weeks, 2008). The evidence suggests that some people may be sexually attracted to people of the same sex, or have sex with people of the same sex, but not think of themselves as LGB. Equally, a proportion of people do not identify with the labels or concepts, ‘lesbian, gay or bisexual’, for either cultural or other reasons, therefore will not respond to questions using these measures (Ellison and Gunstone, 2009).

The concept of ‘sexual identity’ is used in nearly all emerging data collection on sexual orientation, including routine monitoring forms and government and other social survey questions and has been extensively tested by ONS. Very few surveys ask about other dimensions of sexual orientation, such as sexual attraction/desire or sexual behaviour, and most of those that do are in the context of mental or sexual health. The concept of sexual identity can be measured and is most suitable for use in routine data collection and monitoring settings.

The balance of evidence suggests that it is perfectly possible to capture how people identify their sexual orientation. At the present time, the question that is likely to generate the best response is the ONS sexual identity question: Which of the following options best describes how you think of yourself?

- Straight/heterosexual
- Gay/lesbian
- Bisexual
- Other, please state

It is important to establish what will be measured. The sexual identity question will measure those people who think of themselves as straight/heterosexual, gay, lesbian, or bisexual and respond to these categories given the context in which it is asked. The question will not measure those who don’t think of themselves in this way, or are unwilling to answer at all/accurately for other reasons.

The estimates available from a variety of forthcoming survey sources are arguably likely to underestimate the true size of the LGB group as some people are likely to misreport their sexual orientation or may not answer the question. Consideration needs to be given to investigating methods to control for underestimates, in order to achieve better measures of the LGB population (Aspinall, 2009). Of the respondents to the 2009 Ellison and Gunstone online survey, around 6 per cent identified as LGB. A further 8 per cent indicated they were currently attracted to the same sex, or were having sex with someone of the same sex, but still identified as heterosexual.

Evidence suggests that a key concern for LGB people is confidentiality (Stonewall, 2006). The risk is that LGB people may feel that if they are open about their sexual orientation in data collection it will be used to prejudice them or used against them in the future. And some LGB people believe their sexual orientation to be a private matter and do not understand the reasons

for asking the question (Mitchell et al., 2009). Of course this underlines the importance of clarity of purpose on the part of those collecting data and clarity of explanation to those from whom it is sought.

Asking questions on sexual orientation for public purposes does not mean that people will be asked to reveal intimate information and people will always be in a position to choose what they reveal about their sexual orientation. Everyone has a right to personal privacy and making sexual orientation a public issue is not an argument for 'outing' people.

Data collectors, including public bodies, will need to view the collection of public data on sexual orientation as work in progress.

It will take time for the public to become accustomed to being asked questions on sexual orientation. Even among lesbians, gay men and bisexual people there is a lack of trust of government and institutional data collection because of experiences and fears of discrimination. It will take time to establish trust regarding how the data will be used and care will be required when interpreting data on sexual orientation. Early data on sexual orientation will be a valuable measure of how people think of themselves and what they are willing to disclose, given the context of the survey. This is a major step forward. It will be some time before reliable estimates of the population can be drawn. But a culture is needed where asking people about sexual orientation is the norm. The alternative is that the assumption that heterosexuality is the norm will continue to prevail, and the perspectives, experiences and needs of LGB people will remain invisible.

This is not about asking questions for the sake of it, and it is not about being unreasonably or unnecessarily intrusive. Rather it is about ensuring that responsible bodies, including government, are better informed about patterns of sexual orientation across society. This will challenge traditional attitudes towards sexual orientation. It has implications for the confidentiality and anonymity of data. And it is complex because sexual orientation may not be fixed across the life course. But neither are disability or religion and belief – and it is now broadly accepted that it is acceptable and necessary to collect information about them.

Conclusions

There is still much to be done to re-frame the way sexual orientation is understood and discussed and it will take some time to establish trust in bringing it openly into the public sphere. However, the balance of evidence suggests the time is right and people are ready to make this mainstream step. The wider benefits are potentially enormous – in terms of awareness and attitudes, citizenship, treatment and outcomes. Greater awareness can make a real difference to public attitudes, not just so that disapproval becomes a thing of the past – but also so that diversity is welcomed rather than simply tolerated.

Putting sexual orientation in the public domain is also a means to inclusion. It involves including people both numerically and literally. And that's real mainstreaming, because it is a deliberate choice not to leave some people on the margins. This makes citizenship equal, not just for LGB people, but for everyone. New research suggests that

Moving forward: putting sexual orientation in the public domain

equality of citizenship can make for better relations (see Jones et al., forthcoming 2009). And good relations can enhance citizenship across the whole of society.

Putting sexual orientation firmly in the public domain has a further key benefit. By ensuring everyone counts, society is much better placed to move to a situation where everyone's service needs are met. And finally, making sexual orientation a public interest matter means that society is better equipped to measure disadvantage – and as a result better placed to achieve and measure progress. Legislative change has set society on a course towards achieving real equality on the grounds of sexual orientation but real equality has to exist not just in the formal sense – but in the world beyond legalities, policies and procedures. Making sexual orientation a public matter does not invade privacy – quite the reverse in fact because it enables equality in the very spaces where public and private lives meet – at work, on holiday or in the high street.

Taking the issue forward

So what needs to happen now? This paper suggests that a considerable amount needs to be done and gives rise to the following implications:

- Mainstreaming the collection of information on sexual orientation, alongside other characteristics such as gender, race and disability, through monitoring, administrative data and all publicly funded government surveys is a priority. This has implications for bodies that collect such data and the individuals who are asked to supply it. The objective must be to make the non-collection of information the exception.
- It is important to investigate when and how data on sexual orientation can be appropriately collected from young people.
- Culture change in both public and private institutions is necessary so that it becomes the norm to collect data on sexual identity. The objective should be to move to a position where the collection of such data is assumed and taken for granted, as is increasingly the case with gender, race and disability.
- Education and awareness building is necessary to support people in identifying their sexual orientation, explaining the purpose of data collection, demonstrating the benefits and showing impact. The objective must be to promote people's rights to be and say who they are without fear of prejudice and reprisal.
- Feasibility and design work must continue to assess the benefits and risks of different modes of administration and the most effective ways of increasing response rates and ensuring accuracy of reporting. The objective must be to develop appropriate language and format for data questions that achieves robust and reliable data.
- The estimates available from a variety of forthcoming survey sources are likely to underestimate the true size of the LGB group as some people are likely to misreport their sexual orientation or may not answer the question. The objective must be to investigate methods to control for underestimates, in order to achieve better measures of the LGB population.

- Responsible systems need to be developed for managing data in ways that protect anonymity and confidentiality. The objective must be to demonstrate that resultant evidence can be used to tackle disadvantage, exclusion and segregation in ways that guarantee that protection.
- Forecasting is needed to assess what the collection of such information will enable us to know and when, in the next five years and beyond. The objective must be to demonstrate up front what the potential evidence base will be and how it might be used.

Implementing these recommendations will require a considerable amount of work between government and non-government institutions at national, regional and local level. It will require partnership between the public, private and third sectors and the active engagement of research institutions. Above all it will need to be done in partnership with LGB people and organisations. Winning their trust will underpin success in taking this agenda forward. And so the objective of doing so needs to be threaded through the way these recommendations are implemented. This is not because LGB people are the only section of society who will be affected or indeed who stand to benefit – far from it – fairness, equality and good relations in Britain will benefit all.

Endnotes

i The study is unique in capturing a wide range of perspectives from over 5,000 online survey respondents, including 2,199

who currently identify as heterosexual/straight and 2,731 who currently identify as LGB. Survey respondents were recruited from a self-selected online research panel of around 235,000 adults in England, Wales and Scotland in a two-stage process. In the first stage, a sample of 75,000 panel members was identified, containing all those who had responded to an earlier Oracle survey that carried a question on sexual orientation. In the second stage, a sub-sample was drawn. This sub-sample consisted of all those who had indicated in the Oracle survey that they were lesbian, gay or bisexual, or had answered ‘other’, or had preferred not to answer (5,567 in total), plus a random sample of 3,995 of the remaining heterosexual respondents. The results have been weighted by age, gender, employment, socio-economic classification, region and educational level using both national data and information from the wider panel.

The chosen methodology has the benefit of allowing a large sample of people who have previously identified their sexual orientation as LGB to be included in the study. In addition, online self-completion surveys enable the respondent to experience some distance from the interviewer. An important caveat must be applied from the outset: even by weighting the results, it is impossible to know whether the composition of the sample by sexual orientation reflects that of the general population. This applies equally to responses throughout the survey. The LGB population remains unknown.

ii This paper is not intended to be a comprehensive review of public data on sexual orientation or a detailed discussion of the methodological implications of collecting such data. It simply identifies some of the places where sexual orientation data is absent and present, or there is inconsistency in data collection, and a discussion of some of the key issues associated with asking people about it in order to suggest ways of moving forward which will fill the evidence gap. For a fuller review of public data on sexual orientation and the associated methodological issues, see Mitchell et al. (2009) *Sexual orientation research review*. Manchester: Equality and Human Rights Commission; Alkire et al. (2009) *Developing the Equality Measurement Framework: Selecting the Indicators*. Manchester: Equality and Human Rights Commission; Aspinall, P. (2009) *Estimating the size and composition of the lesbian, gay and bisexual population in Britain*. Manchester: Equality and Human Rights Commission.

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Contact us

England

Arndale House
The Arndale Centre
Manchester M4 3AQ

Helpline:

Telephone
0845 604 6610

Textphone
0845 604 6620

Fax
0845 604 6630

Scotland

The Optima Building
58 Robertson Street
Glasgow G2 8DU

Helpline:

Telephone
0845 604 5510

Textphone
0845 604 5520

Fax
0845 604 5530

Wales

3rd Floor
3 Callaghan Square
Cardiff CF10 5BT

Helpline:

Telephone
0845 604 8810

Textphone
0845 604 8820

Fax
0845 604 8830

Helpline opening times:

Monday to Friday: 9am-5pm

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This paper discusses putting sexual orientation into the public domain, and draws upon a range of contemporary evidence to support its arguments.

What is already known on this topic

- There are tensions between whether people regard sexual orientation as a public or private issue.
- A raft of progressive legislation has brought sexual orientation firmly into the public domain.

What this study adds

- In many respects, sexual orientation has always been a public matter, though more often to the detriment of lesbian, gay and bisexual (LGB) people themselves.
- It is time to move sexual orientation from the private into the public domain, without compromising the privacy, sensitivity and confidentiality people require.
- Ultimately sexual orientation should be a public matter because there is a vital difference between privacy and invisibility for LGB people, and, unless sexual orientation is clearly understood as a public matter, it is left to individuals to manage the consequences of discrimination.
- Despite greater public ‘tolerance’, there is compelling evidence that homophobia continues to blight the lives of women and men, who have suffered stress, low self-esteem and felt frightened as a result of prejudice and discrimination linked to their sexual orientation. Significant minorities reported bullying, and physical and sexual assault in their lifetime.
- Officially, people have lived in a society where heterosexuality has been the norm and the idea that sexual orientation is a diverse phenomenon has remained on the fringe of official recognition, until now.
- Culture change in both public and private institutions is necessary so that it becomes the norm to collect data on sexual orientation. The objective should be to move to a position where the collection of such data is assumed and taken for granted, as is increasingly the case with gender, race and disability.
- Making sexual orientation a public matter is also a means to inclusion. It involves including people both numerically and literally. By ensuring everyone counts, society is much better placed to move to a situation where everyone’s service needs are met. Making sexual orientation a public interest matter means that society is better equipped to measure disadvantage – and as a result better placed to achieve and measure progress.