

BACK

ON

TRACK

**How the next UK Government can lead
again on LGBTQ+ equality**

Stonewall



UNLOCKING THE POTENTIAL OF LGBTQ+ PEOPLE

The UK is now a rainbow nation, as more of us feel able to live openly and proudly as LGBTQ+ people. One in 30 people is LGB+ and one in 200 is trans and we live in every part of the country. We are old and young, we come from all class, race and faith communities, and many of us are disabled. And as we look across the generations we see that the future base of voters is more queer, particularly with Millennials and Gen Z.

We are surrounded by a community of friends, family, colleagues and teachers who love us, and who want us to be safe, respected and supported. Four in ten people have a close friend or family member who is lesbian or gay, one in ten has a close friend or family member who is trans. LGBTQ+ allies – of all ages – are a significant population across every constituency.

British society now proudly and firmly stands for the freedom and potential of LGBTQ+ people. As a country we believe in 'live and let live'. We believe that LGBTQ+ people deserve the freedom to live and love as we are, and everyone should have a fair chance to succeed. Polling shows that the majority of people in every generation, up to the over 75s, supports LGBTQ+ equality. And we don't become less inclusive as we age - Gen X are almost as likely to support LGBTQ+ equality as millennials.

But in the face of this incredible shift in British society, an extreme minority opposing LGBTQ+ rights have re-tooled and re-organised for the 21st century.

Spurred on by a global wave of populist politics and reactionary media, a new coalition of the far-right, hardline religious groups and public figures have launched an all-out 'culture war' on political support for LGBTQ+ equality. This doesn't represent the inclusive majority in British society, but it has created a toxic environment for LGBTQ+ people, where reports of hate crime

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against LGBTQ+ people have risen dramatically and political leaders are on the back foot.

As political leadership on LGBTQ+ equality has drifted, so too has action to champion policy that improves our lives or challenges institutions that are still failing LGBTQ+ people at work, in healthcare, in the justice system, and in education.

It is only eight years since the UK's legal framework for LGBTQ+ rights was recognised as the most effective in Europe. The 2018 LGBTQ+ Action Plan published by then Prime Minister Theresa May set an ambitious agenda that would have cemented the UK's leadership. **But five years of delays, u-turns and 'culture wars' has led to the UK slipping further down the rankings for LGBTQ+ rights in Europe and Central Asia.**

The UK has fallen off the tracks on LGBTQ+ equality. Failure to act on the real issues that LGBTQ+ people face is ruining lives. These failures, if they continue, will see wasted potential as another generation grow up with bullying in schools, held back at work, and fearing violence and abuse in communities.

As progress stalls at home, our credibility and leadership globally has plummeted. LGBTQ+ communities around the world who depend on UK leadership in advancing human rights and protection have been left behind. Our friends, allies and trading partners want to see the UK raising the bar for equality with them, not arguing away our existing rights and breaking the consensus among advanced democracies. Leadership is what British Business wants to see; our diverse, inclusive workplaces are a draw for talent and investment from across the world.

This is a pivotal moment. It's time to get the UK back on track, so that all LGBTQ+ people in Britain can live freely and safely and fulfil their potential. It is not too late. We set out how the UK Government can drive forward improvements to policy and the law, working with devolved administrations. And history has shown us that all political parties, in all parts of the UK, can lead the way for LGBTQ+ equality.

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To get the UK back on track, our political leaders must make the UK a country where:

1. EVERY LGBTQ+ PERSON IS SAFE.

2. EVERY LGBTQ+ PERSON CAN GET THE HEALTHCARE THEY NEED.

3. EVERY LGBTQ+ CHILD AND YOUNG PERSON IS SUPPORTED TO THRIVE.

4. LGBTQ+ PEOPLE AND RELATIONSHIPS ARE RECOGNISED AND PROTECTED IN LAW.

5. WE STAND AS A GLOBAL LEADER FOR LGBTQ+ EQUALITY.

1. EVERY LGBTQ+ PERSON IS SAFE.

LGBTQ+ people deserve to be safe and *feel* safe. But a ‘culture war’ driven by extremists on the fringes is leading to rising hate, discrimination and harassment at work and delays to a much-needed ban on conversion practices.

STRENGTHENED PROTECTION FROM HATE AND ABUSE

Hate crime targeting LGBTQ+ people has risen dramatically and consistently over the previous six years, with [reported crimes against LGB people rising 41% in the last year, and hate crimes against trans people rising by 56%](#). The majority of LGBTQ+ people who experience a hate crime do not report them, so these figures are likely to be just the tip of the iceberg.

But when our community needs support, the criminal justice system is failing them. The [Casey report](#) highlights extensive anti-LGBTQ+ conduct by officers in the Met, and trust in the police falling faster among LGBTQ+ Londoners than any other group. But these problems are not limited to policing in London, with police forces across the country facing challenges with officers’ conduct.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Make anti-LGBTQ+ hate crimes Aggravated Offences**, in line with the Law Commission’s recommendations.
- **Introduce statutory anonymity to victims of hate crimes**, in line with victims of certain sexual offences.
- **Reform police forces to rid them of homophobia, biphobia and transphobia**, creating leadership responsibilities for all chief constables and police commissioners to rebuilding LGBTQ+ community trust, and providing effective training for all police staff to promote respect and understanding.
- Build a community **cohesion and safety strategy** through a new Hate Crime Action Plan with local and national accountability structures, investment in LGBTQ+ specific support and community services, and positive action to build understanding through anti-bullying efforts in schools, community cohesion campaigns like Rainbow Laces, and supporting the Pride movement that so powerfully brings communities together.

PROTECTION FROM DISCRIMINATION AND HARASSMENT

Since the Equality Act 2010 came into force it has provided an effective defence against discrimination in employment or in the provision of goods and services for people who hold one or more 'protected characteristics'. This is legislation that works well, and of which Britain can be proud.

Nevertheless, there are some people who are not explicitly protected from discrimination and harassment, including intersex, asexual and non-binary people.

Recent [correspondence](#) suggests that the UK Government is considering amending the Equality Act 2010 in order to change the statutory definition of the protected characteristic of sex from legal sex to 'biological sex'. The implied intention of this is to make it easier exclude trans women from single-sex spaces and services, despite exemptions already being possible.

A LEGAL BAN ON CONVERSION PRACTICES

LGBTQ+ people are still being harmed by conversion practices in the UK, despite the government promising to end this abuse five years ago. [7% of LGBTQ+ people have been offered or experienced conversion practices](#), and trans people, LGBTQ+ people of colour and LGBTQ+ people of faith are at particularly high risk.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Protect our world-class Equality Act and ensure that it continues to protect all LGBTQ+ people from discrimination and harassment**, whether at work, in education or in accessing vital services.
- **Amend the Equality Act Code of Practice to make it clear that the Equality Act protects more of us from discrimination on the basis of sexual orientation, gender identity and sex characteristics**, by clarifying that intersex people are protected under the 'sex' characteristic, asexual people under the 'sexual orientation' characteristic and non-binary people under the 'gender reassignment' characteristic.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Ban conversion practices across England and Wales**, with an effective, comprehensive legal ban, protecting all LGBTQ+ adults and children, in all settings, with no loopholes.
- **Provide targeted support for survivors of conversion practices**, and guidance for mainstream service providers about identifying and supporting children and adults at risk.

2. EVERY LGBTQ+ PERSON CAN GET THE HEALTHCARE THEY NEED.

Healthcare is a basic human right, and there are areas where some LGBTQ+ people need additional specialist support to get their basic needs met. Too many LGBTQ+ people are failed at an individual and a systemic level, leading to worse health outcomes across the board.

A STRATEGY TO PROMOTE LGBTQ+ GENERAL AND MENTAL HEALTH

The 2021 England and Wales Census finds that LGBTQ+ people are around 40% more likely to have health conditions that have an adverse impact on their day-to-day lives, despite being a younger population.

LGBTQ+ people have twice the rate of poor mental health as our cis and straight friends.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **A comprehensive LGBTQ+ health strategy**, bringing together a range of targeted improvements, and improving general access through **LGBTQ+ inclusion training for healthcare workers** – including initial professional training and continued professional development.
- **Targeting LGBTQ+ mental health service improvements** focused on areas with higher LGBTQ+ populations.

EQUITABLE ACCESS TO REPRODUCTIVE HEALTH

Lesbians, bi women and trans people still face a 'postcode lottery' in fertility services. Despite commitments in the 2022 Women's Health Strategy to remove the need for self-funded artificial insemination, only 3 of the 42 local health bodies in England provide NHS funding for artificial insemination. This means that many LGBTQ+ couples have to pay up to £25,000 before they can access NHS services.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Remove barriers to lesbians, bi women and trans people accessing NHS family formation support**, by enforcing the Women's Health Strategy commitment to allow same-sex couples to access IUI and IVF on the NHS without self-funding artificial insemination.
- **Enforce a minimum standard of IUI and IVF support available on the NHS** at a local level, supported by new NICE guidelines.

BE A WORLD LEADER ON LGBTQ+ SEXUAL HEALTH

Sexual health services in England have **faced years of cuts, and the rate of STI transmissions is increasing as a result**. New STIs such as MGen have emerged, and England is already seeing outbreaks of drug-resistant gonorrhoea and shigella. The British Association for Sexual Health and HIV is clear that sexual health services do not have the resources to deal with the level of demand they are witnessing. The impact of STIs is not uniform, and LGBTQ+ people, in particularly gay and bisexual men, are disproportionately affected.

While there have been great advances in HIV testing and prevention, initiatives such as opt-out testing and PrEP need to be rolled out nationwide to ensure that England can hit the target of zero new transmissions by 2030.

EVERY TRANS PERSON CAN ACCESS TRANSITION-RELATED HEALTH SUPPORT

Trans adults being seen for a first appointment at a Gender Identity Clinic (GIC) now will have been waiting an average of four years - well beyond the NHS stated maximum of 18 weeks. This is followed by a long wait to receive any treatment. Wait times and delays in access to treatment will only grow, as demand continues to increase but capacity does not.

Trans and gender-questioning children and young people are also waiting years for a first appointment, and many children, young people and families seeking help today will never access a specialist service for children and young people and will simply 'age out' onto an adult wait list. The current single service model is inadequate, and plans to move to a regional model of multiple clinics have been dogged by delays, confusion and politicisation, meaning that there is a real risk of harm to children, young people and families waiting for support.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Support 'Zero Transmission' of HIV by 2030** by expanding PrEP access outside of sexual health clinics, rolling out opt-out HIV testing beyond London, Manchester and Brighton, and ensuring all those who are diagnosed are supported to remain engaged in treatment.
- **Publish a National Sexual and Reproductive Health Strategy** to address the funding gap for sexual health services nationwide, engaging with sexual and reproductive health community organisations to ensure its success.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Roll out a new primary care led model for adult transition-related NHS services**, building on the success of the existing pilots, to ensure trans people can get timely, local, specialist care.
- **Expand the provision of specialist care for trans and gender-questioning children and young people**, ensuring continuity of care as the Tavistock closes and new services open.

3. EVERY LGBTQ+ CHILD AND YOUNG PERSON IS SUPPORTED TO THRIVE.

Twenty years on from the repeal of Section 28, LGBTQ+ inclusive education offers the best chance of ensuring this generation of LGBTQ+ children are the first to grow up without overwhelming stigma and hate. With 7% of 16 - 24 year-olds counting themselves as LGB, and 1% as trans, our future as a rainbow nation is certain. But our young people and their families need political leaders to step up to unlock their potential.

AN LGBTQ+ INCLUSIVE CURRICULUM IN EVERY SCHOOL

Over the last few years, the UK Government, Scottish Government and Welsh Government have all introduced LGBTQ+ inclusive curriculum or Relationships, Sex and Health Education (RSHE). In England, the new requirement was implemented over the pandemic and there has not been sustained, consistent leadership and support from the UK Government.

This, coupled with disinformation campaigns from an extreme fringe, means that schools lack the support and confidence to implement LGBTQ+ inclusive RSHE and provide support to trans and gender-questioning young people.

MAKE LGBTQ+ BULLYING HISTORY

Bullying of LGBTQ+ children and young people remains a persistent problem, with the charity Just Like Us reporting that **42% of LGBTQ+ young people were bullied at school** in the last year. And even if they aren't bullied, anti-LGBTQ+ language remains common in schools across the country.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- Provide sustained funding for training and support to all schools in England to implement an inclusive curriculum, with confident delivery of LGBTQ+ inclusive RSHE.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- Provide sustained funding to support schools to tackle anti-LGBTQ+ bullying and challenge stigma around LGBTQ+ identities.

SUPPORT EVERY TRANS AND GENDER-QUESTIONING PUPIL

A media moral panic around trans and gender-questioning children and young people, coupled with local campaigning from anti-LGBTQ+ groups, has led to a complex and politicised environment around how school staff can best support trans and gender-questioning pupils to thrive in school.

No official guidance on supporting trans and gender-questioning pupils has been produced for schools in England, Wales or Northern Ireland, creating a vacuum that has been filled with misinformation. The Scottish Government produced guidance for Scottish schools in August 2021.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Provide guidance on including and supporting trans and gender-questioning children and young people at school**, in line with the Scottish Government's guidance.

4. LGBTQ+ PEOPLE AND RELATIONSHIPS ARE RECOGNISED AND PROTECTED IN LAW.

Between 2000 and 2013 the UK developed a world-class legal framework for LGBTQ+ equality. But over the last decade, paths have diverged as global practice has evolved and the UK has not kept up. We need political leadership to bring the UK back into gear with other advanced nations in how we protect and recognise LGBTQ+ people and our relationships.

OUR IDENTITIES ARE LEGALLY RECOGNISED

The UK still has a bureaucratic, medicalised system for legal gender recognition, which allows spouses to veto a legal gender change, and does not recognise non-binary people.

OUR RELATIONSHIPS ARE LEGALLY RECOGNISED

Some same-sex civil partnerships still cannot be converted to marriages.

Limitations in the legal gender recognition system mean most trans people will not get married in their gender, with only a tiny minority of trans people possessing a Gender Recognition Certificate and non-binary people having no access to legal gender recognition.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Introduce a major legislative update to LGBTQ+ legal protections in line with other advanced nations, potentially through a single piece of legislation that:**
 - » **Closes loopholes in England and Wales' same-sex marriage legislation**
 - » **De-medicalises and modernises legal gender recognition** for all trans people in England, Wales and Northern Ireland.
 - » This would also be an opportunity to address other legislative anomalies, e.g. to ban conversion practices and make all hate crimes 'aggravated assaults' in England and Wales.
- Working with the Scottish Government, **withdraw the Section 35 order blocking Royal Assent of the Gender Recognition Reform Bill**, and commit to working collaboratively with devolved administrations to drive forward legislative improvements for LGBTQ+ people living in all four nations of the UK.

5. WE STAND AS A GLOBAL LEADER FOR LGBTQ+ EQUALITY.

As populist forces work to roll-back on LGBTQ+ rights in countries across the world, and as LGBTQ+ people face waves of targeted persecution leading many to flee their home countries for safety, we need the UK Government to step forward as a global leader on protecting LGBTQ+ people and advancing equality.

A SOFT POWER STRATEGY FOR LGBTQ+ RIGHTS GLOBALLY

At least 67 countries still criminalise LGBTQ+ people and relationships, with at least seven maintaining a death penalty for LGBTQ+ people.

In recent years governments in Uganda, Ghana, and Afghanistan, to name a few, have launched new concerted attacks on the rights and lives of LGBTQ+ people.

COMMITTING 0.3% OF OVERSEAS SUPPORT TO LGBTQ+ ISSUES

The UK Government does not make any LGBTQ+ specific commitments in the development budget to support and strengthen the work of LGBTQ+ human rights defenders across the world, or stipulate how mainstream international development and humanitarian response organisations should be ensuring their programmes target and support LGBTQ+ people.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Step up as a global leader on LGBTQ+ equality and inclusion through its multilateral channels**, including through the UN, regional bodies, the Equal Rights Coalition, the G7 and the Commonwealth.
- **Use its soft power and bilateral relationships to promote LGBTQ+ equality**, including in hostile contexts.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Allocate 0.3% of its ODA and non-ODA programmes budget to programmes that strengthen LGBTQ+ civil society and promote human rights** for LGBTQ+ people.
- **Build programmes and funds to meet the needs of LGBTQ+ communities in humanitarian responses and development processes**, including to meet targets of the 2030 Sustainable Development Goals.

A LEADER ON GLOBAL PROTECTION FOR LGBTQ+ REFUGEES

While the Afghanistan schemes have had many failures, the UK Government made history by recognising LGBTQ+ people as a priority group for resettlement in the Afghanistan crisis, working with LGBTQ+ specialist organisations to relocate and resettle a cohort of LGBTQ+ refugees.

But the Nationality and Borders Act made it harder for LGBTQ+ refugees to find safety in the UK, and policies to detain and remove LGBTQ+ people to countries like Rwanda create new risks for LGBTQ+ refugees seeking safety in the UK.

In immigration detention, LGBTQ+ people continue to be at risk of bullying, harassment and abuse, with severe consequences for their mental health.

THE NEXT UK GOVERNMENT SHOULD COMMIT TO:

- **Continue to recognise LGBTQ+ people as a priority group for resettlement in crisis situations** and promote LGBTQ+ refugee protection to other countries of resettlement to ensure coordinated leadership.
- **Repeal the Nationality and Borders Act** and commit to protecting LGBTQ+ refugees who seek sanctuary in the UK.
- **End the immigration detention of LGBTQ+ people** by including them in a revised and improved 'Adults at Risk in Immigration Detention' policy.