



Government
Equalities Office

IMPROVING LGBT LIVES

GOVERNMENT ACTION SINCE 2010

JULY 2018

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Introduction

1. Within a month of the 2010 General Election, the Coalition Government pledged to support LGBT equality and published ‘*Working for Lesbian, Gay, Bisexual and Transgender Equality*’.¹ Then, in March 2011, the Government set out the actions it would take to deliver on its pledge.² In December 2011, the Government went further, publishing the world’s first Transgender Action Plan.³ In 2016, the Government made several new commitments in response to the Women and Equalities Select Committee (WESC), including a commitment to publish an update on the action plans.⁴ This document is that response, highlighting the major achievements made on LGBT equality since 2010.
2. Since the action plans were published, we have made significant progress on LGBT equality. Important developments include:
 - Introducing the Marriage (Same Sex Couples) Act 2013, which allows same-sex couples to get married;
 - Launching the world’s largest ever national survey of LGBT people;
 - Investing into a multi-million pound project to tackle homophobic, biphobic and transphobic bullying in schools – reaching over 1,200 schools;
 - Ensuring that men convicted of historic offences of homosexuality can be pardoned;
 - Publishing a major evidence review into the inequalities faced by LGBT people;
 - Reducing the blood donation deferral period for men who have sex with men to three months;
 - Launching a sexual orientation monitoring standard across NHS England;
 - Issuing a new gender identity service specification for children and young adults, and consulting on a comprehensive review of the service for adults;
 - Starting to collect hate crime data on sexual orientation and transgender status; and,
 - Carrying out a major review on the treatment and management of transgender offenders and introducing new operational policy for transgender prisoners.
3. Britain is now a changed place for LGBT people:
 - There has been an increase in the number of people who think same-sex relationships are “not wrong at all” from 45% in 2010 to 64% in 2016;⁵
 - Over 15,000 same-sex couples have married since 2013;⁶
 - One in ten adoptions are now by same-sex couples;⁷

¹ <https://www.gov.uk/government/publications/working-for-lesbian-gay-bisexual-and-transgender-equality>

² <https://www.gov.uk/government/publications/working-for-lesbian-gay-bisexual-and-transgender-equality-moving-forward>

³ <https://www.gov.uk/government/publications/transgender-action-plan>

⁴ <https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/inquiries/parliament-2015/transgender-equality/>

⁵ <http://www.natcen.ac.uk/news-media/press-releases/2017/june/british-social-attitudes-reveals-britain-wants-less-nanny-state,-more-attentive-parent/>

⁶

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/marriagecohabitationandcivilpartnerships/bulletins/marriagesinenglandandwalesprovisional/2015>

⁷ <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017> (National tables, tab E3)

- We have the largest number of out LGB Parliamentarians in the world;⁸
 - The UK armed forces are the third most LGBT friendly in the world;⁹ and,
 - The UK is ranked as the fourth best country in Europe for LGBT positive legislation.¹⁰
4. Despite this progress, the LGBT Survey results published today demonstrate that there is still more to do before we can say that we have achieved full equality for LGBT people. We have therefore published a new Action Plan that sets out what further steps we will take in response to the findings from the LGBT Survey.

⁸ <https://www.independent.co.uk/news/uk/politics/lgbt-mps-election-results-final-seats-record-numbers-gay-lesbian-bisexual-trans-a7782831.html>

⁹ <http://projects.hcss.nl/monitor/88/>

¹⁰ <https://rainbow-europe.org/country-ranking>

Life in the UK

5. We continue to make great strides towards a more tolerant and diverse society in which everyone can participate, regardless of their sexual orientation or gender identity. Cultural attitudes towards LGBT people have shifted over the decades and legislation has both driven and reflected these changes.
6. Some of the key achievements delivered in the action plans include:
 - In July 2013, the Marriage (Same Sex Couples) Act 2013 achieved Royal Assent¹¹, allowing same-sex couples to marry.
 - Undertaking a survey^{12 13} to understand the needs of trans people. The findings informed publication of the world's first transgender action plan, '*Advancing transgender equality: a plan for action*', in December 2011. 7,000 responses were received from trans people to the National LGBT survey.¹⁴
 - Government-commissioned research into the opportunities and barriers faced by LGBT people in public and political participation was published.¹⁵
 - To help protect tenants who are subject to harassment and hate crime, guidance for social landlords, '*Tackling Anti-Social Behaviour: Tools and Powers – Toolkit for Social Landlords*'¹⁶ was published.
 - The Government introduced faster and more effective anti-social behaviour powers through the Anti-social Behaviour, Crime and Policing Act 2014 to enable agencies to protect the victims of such behaviour. Guidance has been produced to help practitioners understand the new powers.¹⁷
 - In 2013, Her Majesty's Passport Office (HMPO) reviewed how gender identification was represented in passport application forms and passports.¹⁸ HMPO have also issued information and guidance for transgender customers on how to change their passport.¹⁹
 - The GEO has published guidance²⁰ for service providers on the provision of services for transgender customers.
 - In December 2011, the Government implemented section 202 of the Equality Act 2010 to allow same sex couples to register their civil partnership on religious premises.²¹
 - In June 2014, the Government published the conclusions of its review of the operation and future of the Civil Partnership Act 2004 in England and Wales, as required by section 15 of the Marriage (Same Sex Couples) Act 2013.²²

¹¹ <http://www.legislation.gov.uk/ukpga/2013/30/contents/enacted>

¹² <http://webarchive.nationalarchives.gov.uk/20111208130211/http://homeoffice.gov.uk/publications/equalities/lgbt-equality-publications/e-bulletin/>

¹³ <http://webarchive.nationalarchives.gov.uk/20111208134203/http://www.homeoffice.gov.uk/publications/equalities/lgbt-equality-publications/transgender-survey>

¹⁴ <https://www.gov.uk/government/consultations/national-lgbt-survey>

¹⁵ <https://www.gov.uk/government/publications/barriers-to-participation-in-public-and-political-life-for-lesbian-gay-bisexual-and-transgender-people-summary-report>

¹⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8278/1530807.pdf

¹⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/679712/2017-12-13_ASB_Revised_Statutory_Guidance_V2.1_Final.pdf

¹⁸ http://data.parliament.uk/DepositedPapers/Files/DEP2014-0152/Gendermarkings__290114.pdf

¹⁹ <https://www.gov.uk/government/publications/applying-for-a-passport-information-for-transgender-and-transsexual-customers>

²⁰ <https://www.gov.uk/government/publications/providing-services-for-transgender-customers-a-guide>

²¹ <https://www.gov.uk/government/publications/civil-partnerships-on-religious-premises-further-information>

²² <https://www.gov.uk/government/consultations/consultation-on-the-future-of-civil-partnership-in-england-and-wales>

- The Protection of Freedoms Act 2012 allows anyone with a historical conviction, caution, warning or reprimand for consensual gay sex to apply to the Home Office to have it deleted from the record.
- In 2011, the Government launched '*Tackling homophobia and transphobia in sport: The Charter for Action*'.²³ Over 40 sport National Governing Bodies and over 3,700 sports stars and clubs from across the sporting world have signed up to it. In 2013, the Sports Councils Equality Group produced '*Transsexual People and Sport – Guidance for Sporting Bodies*', which started the conversation amongst sports around supporting transsexual athletes and players at both the domestic and international level in the UK.

7. Other achievements include:

- The Policing and Crime Act 2017 provided an amnesty law to pardon men who were cautioned or convicted under historical legislation that outlawed homosexual acts. As well as posthumously pardoning, this law also provided pardons for the living in cases where convictions have been deleted through the disregard process.²⁴
- Gave the scientist and World War II code-breaker Dr Alan Turing a posthumous pardon under the Royal Prerogative of Mercy by the Queen.
- Commissioning the National Institute of Economic and Social Research to carry out a review of research into the nature and evidence of relative disadvantage experienced by LGBT people.²⁵

8. We have met the commitments we made following the 2016 WESC Transgender Equality Inquiry by:

- In July 2017, we announced²⁶ a consultation on the Gender Recognition Act, to look to improve the recognition process and reduce the stigma faced by trans people. We expect to publish the consultation in summer 2018.
- Government released its Internet Safety Strategy green paper in October 2017 and the response to the consultation in May 2018.²⁷ This response outlines how we will tackle online abuse. We will publish a white paper that will propose a code of practice for social media service providers and transparency reporting to enable providers to demonstrate they are delivering on the code and continuing to improve their response to online abuse. We are looking at the legal liability that social media companies have for illegal content shared on their sites. We have also launched a Law Commission review into online abusive communications that will give us the opportunity to understand better how effective existing laws and legal approaches are.
- The UK agreed with the International Civil Aviation Organisation to lead on a survey to Member States on the relevance of gender markings in passports.
- Though Sport England's 'Active Lives' survey, we are measuring participation of under-represented groups. Sport England are in the process of finalising the Pride Sport Report it commissioning into barriers to participation for LGBT people.

9. Our new LGBT Action Plan takes this work forward by:

²³ <https://www.gov.uk/government/news/pm-shows-red-card-to-homophobia-in-sport>

²⁴ <https://www.gov.uk/government/news/thousands-officially-pardoned-under-turings-law>

²⁵ <https://www.gov.uk/government/publications/inequality-among-lgbt-groups-in-the-uk-a-review-of-evidence>

²⁶ <https://www.gov.uk/government/news/new-action-to-promote-lgbt-equality>

²⁷ <https://www.gov.uk/government/consultations/internet-safety-strategy-green-paper>

- Consulting on how best to reform the Gender Recognition Act 2004;
- Produce guidance on trans data protection and privacy.

Health

10. We know that LGBT people have higher rates of mental ill health and are unhappier with services than the general population.²⁸ It is important that health and social care services recognise and cater for the specific needs of LGBT people. In the 2011 action plans, the Government therefore committed to a range of activities to improve the health system for LGBT people.

11. Some of the key achievements delivered in the action plans include:

- DHSC funded the LGBT Foundation for their Pride in Practice Project.²⁹ This helped LGB people engage with healthcare systems and improved access to healthcare. It also developed the capacity of primary statutory healthcare providers to meet LGB health needs.
- DHSC funded the Stonewall Health Champions Project.³⁰ Stonewall worked with NHS organisations to develop personalised healthcare services, improve delivery and reduce discrimination. Over three years they provided practical support to sixty NHS organisations to deliver better services to LGB patients.
- NHS England issued a sexual orientation information standard.³¹ This aids health and social care organisations to increase the understanding of inequalities on health outcomes by providing a consistent approach to monitoring the LGB population.
- We set out in the Health and Social Care Act 2012 a new code of conduct³² and minimum training standards for care workers.
- The Equality Delivery System for the NHS was refreshed.³³ *Making sure that everyone counts*³⁴ was published by NHS England in November 2013. This helps local NHS organisations review and improve their performance for people with characteristics protected by the Equality Act 2010.
- Following extensive stakeholder engagement *Gender Dysphoria Services: A Guide for General Practitioners and other Health Care Staff* was published³⁵ on the NHS Choices website in May 2013. This helped GP services and Primary Care Trusts.
- The transgender section on the NHS Choices website³⁶ was updated along with added details of gender clinics in England.
- The 2012 strategy '*Preventing suicide in England*' drew out ways in which national and local health bodies could support transgender people more effectively. It sets out plans for reducing suicide rates and supporting people

²⁸ <https://www.gov.uk/government/publications/inequality-among-lgbt-groups-in-the-uk-a-review-of-evidence>

²⁹ <http://lgbt.foundation/who-were-here-for/pride-in-practice>

³⁰ <https://web.archive.org/web/20150414090452/http://healthylives.stonewall.org.uk/>

³¹ <https://www.england.nhs.uk/about/equality/equality-hub/sexual-orientation-monitoring-information-standard/>

³² <http://www.skillsforhealth.org.uk/standards/item/217-code-of-conduct>

³³ <https://www.england.nhs.uk/wp-content/uploads/2013/11/eds-nov131.pdf>

³⁴ <https://www.england.nhs.uk/wp-content/uploads/2013/12/5yr-strat-plann-guid.pdf>

³⁵ <https://www.nhs.uk/Livewell/Transhealth/Documents/gender-dysphoria-guide-for-gps-and-other-health-care-staff.pdf>

³⁶ <https://www.nhs.uk/Livewell/Transhealth/Pages/Transhealthhome.aspx>

affected by suicide.³⁷ There is a continuing reduction in the number of suicides.³⁸

12. Other achievements include:

- Two suicide prevention toolkits³⁹ were issued to help nurses understand the mental health issues faced by LGBT young people.
- NHS England initiated a trial^{40 41} testing the extent of need, uptake and duration of use of HIV pre-exposure prophylaxis, as a major extension to the national HIV prevention programme.⁴² The trial will include at least 10,000 participants over 3 years.

13. We have met the commitments we made following the 2016 WESC Transgender Equality Inquiry by:

- Consulting on a refreshed gender identity services specification. We also promised to retender all Gender Identity Services to meet the new standard. NHS England closed its consultation⁴³ on specialised gender identity services for adults (17 and above) in Autumn 2017. The service specifications have been developed taking into account the outcome of engagement with trans people and clinical experts and describe new proposals for how specialised gender identity services will be delivered in the future.
- NHS England issued a new service specification for the children and young people's Gender Identity Development Service⁴⁴ and a clinical commissioning policy for prescribing cross-sex hormones to young people.⁴⁵

14. Our new LGBT Action Plan takes this work forward by:

- Appointing a National Adviser to lead improvements to LGBT healthcare;
- Improving the way gender identity services work for transgender adults;
- Taking action to improve mental healthcare for LGBT people;
- Support improved monitoring of sexual orientation and gender identity in healthcare services to enable better patient care.

³⁷ <https://www.gov.uk/government/publications/suicide-prevention-strategy-for-england>

³⁸

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/bulletins/suicidesintheunitedkingdom/2016registrations>

³⁹ <https://www.gov.uk/government/publications/preventing-suicide-lesbian-gay-and-bisexual-young-people>

⁴⁰ <https://www.gov.uk/government/news/update-on-prep-impact-trial-in-england>

⁴¹ <https://www.prepimpacttrial.org.uk/>

⁴² <https://www.hivpreventionengland.org.uk/about/>

⁴³ <https://www.engage.england.nhs.uk/survey/gender-identity-services-for-adults/>

⁴⁴ <https://www.england.nhs.uk/wp-content/uploads/2017/04/gender-development-service-children-adolescents.pdf>

⁴⁵ <https://www.england.nhs.uk/commissioning/wp-content/uploads/sites/12/2016/08/clinical-com-pol-16046p.pdf>

Education

15. We want children to learn and grow in a safe and supportive environment where they are treated fairly and with respect, regardless of their sexual orientation or gender identity. Homophobic, biphobic and transphobic (HBT) bullying (of both heterosexual and same-sex attracted pupils) can cause significant harm to children and young people, leading to elevated rates of suicide and suicide attempts, absenteeism from school, truancy, limited achievement and reduced desire to remain in school.
16. Some of the key achievements delivered since 2010 include:
- Rationalising anti-bullying guidance⁴⁶, by setting out in one place the Government's approach, the legal obligations on schools and the powers they have.
 - Updating advice about behaviour and discipline in schools.⁴⁷ This includes clarifying the head teachers' powers to respond to pupils who bully other pupils, including HBT bullying, outside the school premises.
 - The Department for Education (DfE) has published guidance for schools on their obligations under the Equality Act 2010.⁴⁸ It includes a chapter on the general and specific equality duties that cover all protected characteristics, including sexual orientation and gender reassignment.
 - In early 2014, supplementary relationship and sex education (RSE) guidance was published by Brook, the PSHE Association and the Sex Education Forum that supports teachers in providing inclusive RSE teaching for LGBT pupils. In December 2017, the DfE launched a call for evidence⁴⁹ to seek views on changes to teaching of sex and relationship education and PSHE. The call for evidence closed on 12 February 2018.
 - Cracked down on cyberbullying:
 - The UK Council for Child Internet Safety created a digital resilience framework⁵⁰ for children and young people;
 - By issuing new advice for schools, parents and carers on preventing and addressing cyberbullying;⁵¹
 - By funding the UK Safer Internet Centre⁵² to develop new cyber-bullying guidance and practical resources for teachers.
17. Other achievements include:
- In October 2014, it was announced that £2 million would be made available in 2015-16 to help schools tackle HBT bullying more effectively. In 2016, an additional £3 million of funding from GEO was allocated to help prevent and respond to HBT bullying across schools in England. This was backed up by a review of evidence about what works in preventing HBT bullying in schools,⁵³ and the first projects were evaluated.⁵⁴ The programme has reached over

⁴⁶ <https://www.gov.uk/government/publications/preventing-and-tackling-bullying>

⁴⁷ <https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

⁴⁸ <https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

⁴⁹ <https://www.gov.uk/government/consultations/changes-to-teaching-of-sex-and-relationship-education-and-pshe>

⁵⁰ <https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis>

⁵¹ <https://www.gov.uk/government/publications/preventing-and-tackling-bullying>

⁵² <http://www.childnet.com/our-projects/cyberbullying-guidance-and-practical-toolkit>

⁵³ <https://www.gov.uk/government/publications/homophobic-biphobic-and-transphobic-bullying-evidence-review>

⁵⁴ <https://www.gov.uk/government/publications/anti-homophobic-biphobic-and-transphobic-bullying-programme-evaluation>

1,200 schools; and the UK remains the only country in the world to have sustained investment in tackling HBT bullying.

- The DfE is also providing £1.75m, over 2 years, to four organisations to support schools tackle bullying. This includes projects targeting bullying of particular groups, such as those with special educational needs, along with a project to report bullying online.
- Guidance was issued highlighting that school information databases could be amended to reflect the preferred gender of a pupil.^{55 56}
- Questions on LGBT bullying were asked in the Teacher Voice Omnibus Survey⁵⁷ and an omnibus survey of pupils and their parents/carers.⁵⁸

18. We have met the commitments we made following the 2016 WESC Transgender Equality Inquiry by:

- Commissioning the National Institute of Economic and Social Research to research whether the current provision of initial education and ongoing continuous professional development allows the child and family social work profession to develop a sufficient understanding of transgender issues. The report was published in May 2018.⁵⁹ The Chief Social Worker for Children shared the report with the Joint University Council Social Work Education Committee and Child and Family Principal Social Worker network for further dissemination and consideration.
- The then universities minister Jo Johnson, wrote to the Universities UK (UUK) Taskforce in July 2016 to request that transgender issues be incorporated into their strategy to provide a safe and open environment for all students.
- The UUK Taskforce published recommendations for dealing with harassment, sexual violence and hate crime in universities in its report '*Changing the Culture*'.⁶⁰ It includes an assessment of issues faced by LGBT students.
- The Higher Education Funding Council for England has supported the implementation of these recommendations, including announcing investment of £1.8 million for 45 projects⁶¹ tackling hate crime and online harassment. This includes funding for The University of Worcester's Transgender Education and Support Programme.

19. Our new LGBT Action Plan takes this work forward by:

- Extending the anti-HBT programme to more schools;
- Delivering reforms to relationship and sex education; and,
- Working with the Office for Students to tackle hate crime and harassment of LGBT students The Office for Students will investigate and tackle gaps in participation, experience, safeguarding and success for LGBT students in higher education.

⁵⁵ <https://www.gov.uk/government/publications/school-census-2016-to-2017-guide-for-schools-and-las>

⁵⁶ <https://data.gov.uk/education-standards/guidance/sex-gender-and-transgender-data-capture>

⁵⁷

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/625908/NFER_Teacher_Voice_report_November_2016.pdf

⁵⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/626068/PPC_Omnibus_Wave_2_Report.pdf

⁵⁹

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/706344/Transgender_awareness_in_child_and_family_social_work_education.pdf

⁶⁰ <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2016/changing-the-culture.pdf>

⁶¹ <https://www.officeforstudents.org.uk/advice-and-guidance/promoting-equal-opportunities/student-safety-and-wellbeing/what-are-the-projects/>

Safety

20. We continue to make great strides towards a more tolerant and diverse society in which everyone can participate, regardless of their sexual orientation or gender identity. While cultural attitudes towards LGBT people have shifted over the decades, there are still many who suffer because of outdated prejudices. A stark demonstration of this is the existence of HBT hate crime.

21. Some of the key achievements delivered in the action plans include:

- The Hate Crime Action Plan 2012-2016 '*Challenge it, Report it, Stop it*'⁶² achieved a number of improvements to all 5 monitored strands of hate crime, including transgender and homophobic hate crime:
 - The publication, for the first time, of detailed findings from the Crime Survey for England and Wales⁶³ on the extent of hate crime victimisation;
 - An improvement in the police recording of hate crime: police forces started formal collection of data on hate crimes⁶⁴, including those motivated by hostility on the grounds of sexual orientation and transgender identity; and
 - The Legal Aid, Sentencing and Punishment of Offenders Act 2012 extended section 146 of the Criminal Justice Act 2003 so that those convicted of an offence motivated by hostility towards the victim on the grounds of being a transgender person may receive a harsher sentence. The Act also provides for a 30-year starting point for murders motivated by hostility towards the victim on the grounds of being transgender. This doubled the starting point for transgender murders.⁶⁵
- In July 2016, *Action Against Hate*⁶⁶, the UK Government's refreshed plan for tackling hate crime was launched. This sets out the Government's commitment to continue to tackle HBT hate crime. Some of the actions included are:
 - Funding for a number of community demonstration projects to tackle LGBT Hate Crime;
 - The Crown Prosecution Service (CPS) produced a free LGBT Hate Resource for schools and teachers;⁶⁷ and,
 - Disseminating to community-based partners the quality standards document that was written by Galop in their role as lead delivery partner in the National LGBT Hate Crime Partnership⁶⁸, providing a framework to assist organisations in identifying issues for improvement in tackling hate crime.
- The CPS undertook a review of all transphobic hate crime prosecutions from 1 October 2010 to 30 September 2011. This led to the circulation of CPS guidance covering transphobic crime and further work to engage with communities.

⁶² <https://www.gov.uk/government/publications/hate-crime-action-plan-challenge-it-report-it-stop-it>

⁶³ <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice>

⁶⁴ <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2016-to-2017>

⁶⁵ <https://www.gov.uk/government/news/hate-crime-laws-extended>

⁶⁶ <https://www.gov.uk/government/publications/hate-crime-action-plan-2016>

⁶⁷ <https://www.cps.gov.uk/hate-crime>

⁶⁸ <http://www.lgbthatecrime.org.uk/>

22. Other achievements include:

- The CPS published its revised legal guidance to prosecutors and revised public policy statement on prosecuting HBT hate crime in August 2017. Prior to this the CPS held a public consultation and convened a National Scrutiny Panel consisting of a number of LGBT stakeholders to provide advice and support on its revised public policy statement. The revised legal guidance reflects the learning from that exercise.
- In November 2017, the CPS commenced a programme of mandatory face-to-face training for all prosecutors and paralegals on prosecuting cases involving hostility on the grounds of sexual orientation and gender identity. The training was developed by the CPS in partnership with Galop and Stonewall.
- Parliament repealed the last remaining legislation arising from the criminalisation of homosexual behaviour. Parliament passed the Armed Forces Act 2016, and supported the passing of the Merchant Shipping (Homosexual Conduct) Act 2017. These Acts, taken together, repealed sections 146(4) and 147(3) of the Criminal Justice and Public Order Act 1994, which preserved the right to dismiss a member of the Armed Forces or a seafarer on a UK registered merchant navy vessel for an act of homosexuality.
- In November 2017, the Home Office released experimental statistics about asylum claims where sexual orientation formed part of the basis for the claim. The report includes data on initial decisions and appeals for these claims.⁶⁹ The Home Office has committed to publishing this data annually.

23. We have met the commitments we made following the 2016 WESC Transgender Equality Inquiry by:

- In November 2016, the Ministry of Justice published a review on the Care and Management of Transgender Offenders. Alongside the review, new guidelines (Prison Service Instructions – PSI 17/2016) for staff in Her Majesty’s Prison and Probation Service (HMPPS) were published and fully implemented on 1 January 2017.^{70 71} The underlying principle of the new instruction is that people are cared for and managed in the gender with which they identify rather than their legally recognised gender. To help inform policy and establish best practice, a HMPPS Transgender Advisory Board was created in November 2016. HMPPS published their latest Annual Offender Equality Statistics Report on 30 November 2017.⁷²
- The Government’s refresh, later this year, of the 2016 Hate Crime Action Plan will address the Committee’s recommendations on reviewing hate crime legislation, improving police training and promoting third-party reporting.

24. Our new LGBT Action Plan takes this work forward by:

- Improving police response to LGBT hate crime victims;
- Improving recording and reporting for victims of hate crime and domestic abuse; and,
- Ensuring the hate crime action plan refresh improves police response and awareness of local support agencies for LGBT victims.

⁶⁹ <https://www.gov.uk/government/statistics/asylum-claims-on-the-basis-of-sexual-orientation>

⁷⁰ <https://www.gov.uk/government/publications/review-of-care-and-management-of-transgender-offenders>

⁷¹ <https://www.gov.uk/government/publications/care-and-management-of-transgender-offenders>

⁷² <https://www.gov.uk/government/statistics/noms-annual-offender-equalities-report-2016-to-2017>

Employment

25. People who work in an inclusive environment free from discrimination are free to achieve their potential. Employing a diverse workforce makes sense, and employers with LGBT-friendly policies are able to attract the best talent regardless of sexual orientation or gender identity. This not only benefits the employee but their employer as well.

26. Some of the key achievements delivered in the action plans include:

- We published⁷³ the economic business case for equality and diversity, which included consideration of LGBT issues.
- We updated and disseminated advice⁷⁴ to employers on recruiting and employing transgender employees and on how to support employees undergoing gender reassignment with their transition.
- We provided prospective employers with updated guidance and targeted support on employing transgender people via the Job Centre Plus (JCP) transgender employer support toolkit. JCP staff helped transgender job seekers by:
 - publishing revised transgender guidance and information for staff in 2012;
 - the Civil Service launching new LGB&T Awareness Learning for all staff in 2013; and
 - communicating with staff about the needs of transgender job seekers using a number of different internal communications channels.
- We updated the Department for Work and Pensions (DWP) website, and later GOV.UK,⁷⁵ to clarify state pension entitlement conditions for transgender individuals who do not hold a Gender Recognition Certificate.
- Set up a temporary specialist pension team to handle claims from those affected by judgments on the implications of people's gender reassignment for state pension purposes. The team operated over 2011-12 and has been replaced by the central Gender Recognition team at the Newcastle Pension Centre.
- We improved and updated guidance⁷⁶ for employers and customers on the implications of gender reassignment for tax purposes.

27. Other achievements include:

- The Advisory, Conciliation and Arbitration Service (ACAS) published guidance for employers on recruiting and retaining transgender staff, along with research into the experiences of transgender employees.^{77 78}
- Highlighting the benefits of employing a diverse workforce, by publishing *Barriers to employers in developing lesbian, gay, bisexual and transgender friendly workplaces*.⁷⁹

⁷³

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/49638/the_business_case_for_equality_and_diversity.pdf

⁷⁴ <https://www.gov.uk/government/publications/recruiting-and-retaining-transgender-staff-a-guide-for-employers>

⁷⁵ <https://www.gov.uk/government/publications/transgender-people-equal-treatment-for-state-pension>

⁷⁶ <https://www.gov.uk/employee-changes-gender>

⁷⁷ <http://www.acas.org.uk/index.aspx?articleid=5661>

⁷⁸ <http://www.acas.org.uk/index.aspx?articleid=5488>

⁷⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85514/LGBT-equality-workplace.pdf

28. Our new LGBT Action Plan takes this work forward by:

- Working with ACAS to ensure its sexual harassment work includes LGBT harassment;
- Develop a core-training module for public sector workers on transgender equality.

International

29. The UK supports an environment in which all people can claim their rights, and both the Department for International Development (DFID) and the Foreign and Commonwealth Office (FCO) work to promote the rights of LGBT people internationally. Government provides support to LGBT civil society in order to raise awareness, tackle violence and exclusion, and challenge discriminatory laws.

30. Some of the key achievements delivered in the action plans include:

- In March 2012, as part of the UK's chairmanship of the Council of Europe, Ministers hosted a conference on combating discrimination on the grounds of sexual orientation and gender identity. The UK announced it had made a £100,000 voluntary contribution to support the work of the Council of Europe's LGBT Unit.
- An Order to amend Schedule 20 of the Civil Partnership Act 2004, which lists the overseas same-sex partnerships automatically recognised by the UK as equivalent to UK Civil Partnerships, came into force in January 2013.^{80 81} This extended the number of overseas same sex relationships recognised to 75, up from 25. We also wrote to countries whose civil unions we recognise to seek mutual recognition of civil partnerships.
- We updated the list⁸² of jurisdictions whose gender recognition procedures we recognise.
- During 2013-14, the FCO supported the *Free & Equal*⁸³ initiative for global public education campaign to promote LGBT equality. The campaign, launched by the Office of the United Nations High Commissioner for Human Rights, aims to change people's attitudes towards LGBT people through education, rather than legislation.
- The FCO initiated a programme for promoting the human rights of LGBT people;⁸⁴

31. Other achievements include:

- The Prime Minister expressed deep regret on behalf of the UK at the legacy of laws criminalising same-sex relations that were implemented during the days of the British Empire.
- The FCO launched a campaign urging LGBT couples to research their honeymoon destinations;
- In June 2016 the FCO strongly supported the establishment by the UN Human Rights Council of the UN's first ever Independent Expert on Sexual Orientation and Gender Identity and vigorously defended the mandate when it was challenged by other states at the UN General Assembly later that year.
- In 2016-18 the FCO's Magna Carta Fund for Human Rights and Democracy has provided approximately £1.6m (£900,000 2016-17 and £700,000 2017-18) in funding to projects promoting and protecting the rights of LGBT people.

⁸⁰ <https://www.gov.uk/government/news/more-overseas-same-sex-partnerships-recognised-in-uk-law>

⁸¹ <http://www.legislation.gov.uk/ukxi/2012/2976/made>

⁸² <http://www.legislation.gov.uk/ukxi/2011/1630/contents/made>

⁸³ <https://www.unfe.org/>

⁸⁴ <https://www.gov.uk/government/publications/an-fco-programme-for-promoting-the-human-rights-of-lgbt-people>

The Magna Carta Fund(supports projects, including those focused on LGBT rights, which are aimed at: improving institutional protection against discrimination including through removing or amending discriminatory laws, policies and practices; reducing hate speech, violence or harassment based on discrimination; and increasing the participation of minority groups in political and public life, including in positions of leadership and influence.

- In 2017 we became an Executive Committee member of the new Equal Rights Coalition, a group of 39 like-minded States, founded by the UK, set up to share best practice, advance and promote LGBT equality globally. The FCO's work in combating violence and discrimination against LGBT people forms an important part of our wider international human rights work.
- At the 2018 Commonwealth Heads of Government Meeting, the Foreign Secretary discussed LGBT rights with a range of Foreign Ministers during Summit week, including in a session attended by over 30 Commonwealth Foreign Ministers. The Home Secretary participated in a roundtable discussion on LGBT rights in the Commonwealth, hosted by the Canadian Government and chaired by the UN Independent Expert on this subject, attended by activists. The Home Secretary also spoke at Kaleidoscope Trust's reception in the House of Commons, where she announced the FCO's £5.6m programme⁸⁵ to support gender and LGBT equality in the Commonwealth and the publication of GEO's International Best Practice Guide to Equality on Sexual Orientation and Gender Identity.⁸⁶

32. Our new LGBT Action Plan takes this work forward by:

- Promoting LGBT rights through multilateral organisations and international civil society organisations;
- Provide better quality travel advice and support for LGBT people.

Miscellaneous

33. Many of the commitments set out in the Action Plans are still ongoing.

34. A few actions were not completed due to the changing landscape of Government post 2010. For instance, the commitments by the Learning and Skills Improvement Service (LSIS) were not continued, as LSIS was closed down; and publishing guidance for community safety partnerships was superseded by the publication of the hate crime action plan.

35. For updates on specific commitments, the relevant Department should be contacted.

⁸⁵ <https://equalities.blog.gov.uk/2018/04/19/promoting-lgbt-equality-globally/>

⁸⁶ <https://www.outrightinternational.org/content/report-release-international-best-practice-guide-equality-sexual-orientation-and-gender>



Government
Equalities Office

<https://www.gov.uk/government/organisations/government-equalities-office>

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