EQUALITIES AND HUMAN RIGHTS COMMITTEE
DRAFT BUDGET SCRUTINY 2020-21
SUBMISSION FROM STONEWALL SCOTLAND

Overview

Stonewall Scotland was established in 2000. Since then we have been campaigning for equality and justice for lesbian, gay, bi and trans (LGBT) people living in Scotland. We work with a range of partners across the public sector, including the Scottish Government, local authorities, police and criminal justice agencies, and NHS Scotland health boards, to improve the lived experience of LGBT people in Scotland.

We welcome the opportunity to respond to this call for views on the delivery of national equalities and human rights priorities as part of the Equality and Human Rights Committee’s scrutiny of the Scottish Government’s draft Budget for 2020-21. This response will overview the public sector funding that Stonewall Scotland receives to deliver on national equalities priorities, enhance LGBT inclusion and tackle anti-LGBT discrimination. In addition, it will identify key policy areas where further public funding is necessary to reduce inequalities and enable LGBT people to access services free from discrimination, where this could be delivered upon by third sector organisations with LGBT expertise.

Evidence of anti-LGBT discrimination

Despite significant strides in legislative equality and social attitudes, expectations and experiences of discrimination and harassment are a day-to-day reality for many LGBT people in Scotland – at school, in the workplace, in communities, and when accessing public services. In 2017, Stonewall Scotland research identified that one in five LGBT people (20 per cent) surveyed had experienced a hate crime or incident due to their sexual orientation and/or gender identity in the previous 12 months. However, more than four in five (87 per cent) did not report the incident to the police\(^1\), while more than a third (36 per cent) would feel uncomfortable being open about their sexual orientation or gender identity with the police if they were a victim of any crime\(^2\).

Incidences of poor mental health are disproportionately high within the LGBT community, with half of LGBT people (49 per cent) reporting that they had experienced depression in the last year, including seven in ten trans people (72 per cent). This rises to two in three LGBT people who had experienced a hate crime or incident based on their sexual orientation and/or gender identity (65 per cent). When accessing health and social care services, one in four LGBT people (24 per cent), including two in five trans people (41 per cent), have witnessed
discriminatory or negative remarks being made against LGBT people by staff. One in eight LGBT people (12 per cent), including two in five trans people (37 per cent) have in fact avoided accessing health care for fear of discrimination because they are LGBT. Discrimination starts from a young age, with half of LGBT young people in Scotland (48 per cent) – including 71 per cent of trans young people – bullied for being LGBT at school. This has a marked impact on mental health outcomes, and on plans for after leaving school. One in four LGB young people who aren’t trans (24 per cent) have at some point attempted to take their own life, with this figure rising to more than two in five trans young people (43 per cent). More than half of bullied LGBT young people in Scotland (56 per cent) feel that homophobic, biphobic and transphobic bullying has had a negative effect on their plans for future education. In the workplace, more than a third of LGBT employees (36 per cent) hid or disguised that they are LGBT at work in the last year because they were afraid of discrimination. This rises to nearly three in five of trans people (58 per cent).

Current public sector funding

As national equality intermediaries, we receive public funding from the Scottish Government’s Promoting Equality and Cohesion Fund to enhance LGBT inclusion in Scottish public life. This project contributes to the Scottish Government Equality Outcomes and to the ambitions and goals of the Fairer Scotland Action Plan. It assists with tackling inequalities facing LGBT people in Scottish society, including those from particularly marginalised communities, enabling LGBT children and young people to reach their full potential, building strong, resilient and supportive LGBT communities, reducing anti-LGBT discrimination in the workplace, and increasing participation, dignity and respect within public services, among other outcomes.

This public funding enables Stonewall Scotland to directly address issues of anti-LGBT discrimination in Scotland, through the delivery of programmes to:

- empower LGBT people and allies to create positive change in their workplaces and communities, and tackle anti-LGBT discrimination;
- create more inclusive environments for LGBT people;
- equip public sector providers to meet the Public Sector Equality Duty;
- support post-16 education and training providers to provide LGBT inclusive environments and help prepare LGBT young people for the workplace.

In the last year, examples of what we have delivered on include:

- an empowerment programme for members of the bi community;
- an allies programme for public sector organisations on how to support trans
colleagues and service users;
- school visits from LGBT role models to inspire young people and training sessions for new ‘school role models’;
- a work placement scheme for young people with LGBT inclusive employers;
- a dedicated stream for young people, as well as practitioners, at our Children and Young People’s Conference.

The funding enables us to deliver programmes at no cost to attendees, which reduces barriers to access for public sector bodies, community groups, and marginalised communities. The impact of these programmes is monitored through pre and post-programme evaluations, follow-up surveys, community engagement and research, and regular reports are provided to the Scottish Government on progress.

Further areas for investment

Stonewall Scotland believes that further public investment in workforce development for frontline public sector staff is necessary to enable LGBT people to confidently engage with public services without fear of discrimination.

Health Services

LGBT people can face discrimination and unequal treatment when accessing health services, in addition to a lack of understanding of their health needs from healthcare professionals. Expectations of discrimination create barriers for LGBT people accessing services or in sharing information about their sexual orientation or gender identity with healthcare professionals. Since 2016, Stonewall Scotland has supported NHS Scotland to create more inclusive workplaces for LGBT staff. To improve service delivery and create more inclusive environments for service users, further investment should be made centrally in the provision of appropriate and inclusive training that would develop health and social care professionals’ awareness and understanding of LGBT issues and identities. This will enable frontline staff to deliver more appropriate care to LGBT patients and service users and help ensure that LGBT people can confidently access health services. Training that is provided to NHS Scotland staff should be inclusive of the health needs of LGBT patients and service users, where relevant.

Mental Health

LGBT people are at a higher risk of experiencing common mental health problems than the general population. This is often linked to ‘minority stress’, whereby experiences of prejudice, discrimination and hostility in relation to LGBT identities can cause poor mental health. The mental health inequalities experienced by LGBT communities should be considered throughout the implementation of the Mental Health Strategy and Suicide Prevention Action Plan. Mental health professionals, including CAHMS staff, should be appropriately trained to respond to the needs of LGBT service users to ensure that services are effective for LGBT
people. In line with commitments to deliver mental health and suicide prevention training to all NHS staff who receive physical health training, we would recommend that the development of new training materials and courses should be LGBT inclusive, or be supplemented by the provision of further mandatory training on the needs of at-risk groups.

**Inclusive Education**

Many LGBT young people continue to experience homophobic, biphobic, and/or transphobic bullying and language at school, while there is limited inclusion of LGBT issues in the curriculum. However, in November 2018, the Scottish Government announced that it would embed LGBT inclusive education throughout the curriculum, accepting all recommendations\(^6\) made by the LGBTI Inclusive Education Working Group that was established to improve the school experience for LGBT young people and address bullying and discrimination. By the end of the current parliamentary session, the government intends to implement these reforms to practice and guidance, professional learning, inspections, and the recording of bullying incidents. To ensure that the implementation of inclusive education is effective, the Scottish Government must ensure that funding is consistently dedicated to the delivery of LGBT inclusive Initial Teacher Education and Career-Long Professional Learning inputs. The government must also ensure there is adequate funding to meet increased demand for existing training courses and programmes delivered by LGBT organisations, particularly in advance of national LGBT basic awareness, ITE and CLPL inputs being developed and funded.

**Hate Crime**

More than two in five (42 per cent) LGBT people lacked confidence in Police Scotland’s ability to address homophobic and transphobic hate crime in their area\(^7\). While the development and modernisation of hate crime legislation to prosecute prejudice-based crime is crucial, it will be equally necessary to identity non-legislative approaches to support the effective implementation of any new legislation. This includes building trust between marginalised communities and police and criminal justice agencies to ensure hate incidents can be reported and recorded. The enhanced use of skilled LGBT liaison officers, or a similar model, could greatly increase confidence in the police. Police Scotland should be supported to develop an effective model for police engagement with the LGBT community and improve the knowledge and understanding of LGBT communities within the relevant staff base to enable them to take on these roles. Funding should be made available for frontline staff to receive specific training on LGBT issues to ensure LGBT people have more positive interactions with police, while staff should be confident in understanding what constitutes homophobic, biphobic and transphobic hate crimes and be able to accurately record these crimes.