

# **RESEARCHING LESBIAN, GAY, BISEXUAL AND TRANSGENDER ISSUES IN NORTHERN IRELAND**

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# **RESEARCHING LESBIAN, GAY, BISEXUAL AND TRANSGENDER ISSUES IN NORTHERN IRELAND**

## **1.0 Sexual orientation and transgender issues and the development of equality strategies**

This paper is concerned with the negative impact of socially defined roles in relation to people of all sexual orientations. It reviews the issue of definitions used to describe the relevant groups, and reviews recent research in Northern Ireland on sexual orientation issues.

It is recognised that lesbian, gay, bisexual, and transgender (LGBT)<sup>1</sup> people experience various forms of discrimination and harassment because of their sexual orientation and/or their gender. Though experience of discrimination may be common, not all experiences are the same, and reflect the different life experiences of different groups, including personal, family and social life, patterns of health, treatment at work, and treatment by providers of public services. Furthermore, LGBT communities are not necessarily a cohesive group, and may not all see themselves as having a common identity or being part of a community of interest, and there may even be tensions between different groups.

The interaction of discrimination on the grounds of sexual orientation and on other grounds such as gender, race, disability, etc means that there should be scope for LGBT issues to be included within equality strategies addressing other inequalities, as well as a specific focus being required on sexual orientation issues. It is, in any case, important that a clear commitment to the promotion of equality for LGBT people and to challenging discrimination on the grounds of sexual orientation is given. Choices about strategies for the promotion of equality for people of different sexual orientations are more likely to be determined by what is regarded as possible by key stakeholders, and it would seem appropriate to make decisions about strategic approaches and presentation in consultation with LGBT groups.

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<sup>1</sup> There are different terms used to describe groups of people who have sexual orientations other than heterosexual. In this paper, we have tended to use 'LGBT' as the term to describe the range of groups with whom sexual orientation research is concerned, both because it is inclusive and because it is a convenient shorthand. However, this is not intended to pre-empt discussion of what definitions may be regarded as preferable for researchers and for LGBT groups and individuals in Northern Ireland. The issue of terminology is discussed further in the section on definitions.

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Within the UK and Ireland there is a growing debate about the scope of equality policies and strategies in terms of which groups of people these should include, and in terms of the inter-relationships between groups and their experiences of discrimination and inequality. This is likely to mean more interaction between the different equality strands and further consideration of generic approaches to equality policy making, even if there continue to be some distinctions in approaches where these are thought necessary to meet the specific needs of different groups. Furthermore, as more research is carried out and data gathered on the experience of LGBT people both in the UK and in Ireland, issues about sameness and difference within and between equality groups, and about the cohesiveness of LGBT people as a community, should be clarified by better empirical evidence.

## **The current policy context in UK and Ireland**

### **Northern Ireland**

The Northern Ireland Act 1998 stipulates that public authorities in carrying out their functions in relation to Northern Ireland should have due regard to the need to promote equality of opportunity for a range of groups. This includes people of different sexual orientations. The Act requires public authorities to produce equality schemes covering the nine grounds listed in the Act stating how they propose to fulfil these duties. Public authorities are also required to carry out equality impact assessments. As a consequence of this, government departments have begun to review the information and data collected relevant to sexual orientation, and to consider where policies should specifically address sexual orientation issues.

In December 2003, Northern Ireland brought into force an order outlawing discrimination and harassment on the grounds of sexual orientation in employment, in line with the EU Directive, and similar to the legislation introduced for the rest of the UK.

The Employment (NI) Order 2002 and subsequent regulations are similar to legislation in GB in that same sex parents in Northern Ireland have rights in relation to adoptive/parental leave and flexible working.

Transsexuals are protected under the current Sex Discrimination (Gender Reassignment) Regulations (Northern Ireland) 1999. This gives the definition of transsexuals as follows: "gender reassignment" means a process which is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process". This only applies to employment and vocational training and limits the protection to situations involving direct discrimination.

The age of consent for young females in Northern Ireland is 17 compared to 16 in Great Britain.

The Equality Commission in Northern Ireland has been given a new role in relation to sexual orientation. The new functions will include advice, promotion, the issuing of Codes of Practice and powers to take action in respect of job adverts. However, the Commission has expressed concern that they are not being given the statutory function of acting in support of claimants, the right to bring cases on behalf of claimants, or the power to conduct formal investigations. The Commission regards it as essential to have the power to assist individuals in a new area of law. The Equality Commission has also argued that the proposed Single Equality Bill should cover discrimination on the grounds of sexual orientation, and that this should apply in employment, occupation, and in the provision of goods, facilities and services. In addition, the Commission has recommended that the law should uniformly offer protection to transsexuals, transgender people, and transvestites.

## **GB**

In December 2003, the Employment Directive, which outlawed discrimination and harassment in the workplace on the grounds of sexual orientation, came into force in GB. The new law means that it will be unlawful to deny lesbian, gay and bisexual people jobs because of prejudice. It will enable individuals to take action against harassment, and will enable people to have an equal chance of training and promotion. The Department of Trade and Industry (DTI) will be issuing guidance on this in due course.

## England and Wales

Other legal changes include the following:<sup>2</sup>

- The age of consent for gay men was made the same as for heterosexual men i.e. 16 years of age, in January 2001.
- In April 2001 the Home Office revised the Criminal Injuries Compensation Scheme to include long-term same-sex partners as qualifying relatives in fatal cases.
- Immigration rules make provision for same-sex unmarried partners to apply for leave to enter or remain in the UK on the basis of their relationship with a British citizen or person settled in the UK.
- DfES offers practical help to tackle homophobic bullying.
- The Government is actively working towards equalising rights for same-sex couples with regard to tenancy agreements.
- In 2002 the Crown Prosecution Service launched a Public Policy Statement aimed at combating homophobic violence.
- The Adoption and Children Act 2002 permits same-sex couples to adopt a child jointly.
- Same-sex partners will be able to make use of entitlements to parental and adoption leave.
- The Sexual Offences Act 2003 changed laws to ensure that they do not discriminate unfairly on grounds of gender or sexual orientation.
- The Local Government Act 2003 repealed Section 28, which had prevented local authorities from promoting homosexuality as a 'pretended family relationship'. This was a piece of legislation that has offended many gay and lesbian people by stigmatising their lifestyles, and inhibited many local authorities from addressing issues of sexual orientation in education on emotional and sexual relationships for young people.
- Following a period of consultation the Government has announced its intention to bring forward a Civil Partnership Bill to introduce a civil partnership registration scheme in England and Wales for same sex couples.

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<sup>2</sup> Information contained in WEU fact sheet 'Sexual Orientation: Key Facts', and it is available at <http://www.womenandequalityunit.gov.uk>.

## **Wales**

In addition to the legislation and policy changes outlined above, the Government of Wales Act 1998 requires the National Assembly of Wales to 'make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people'.<sup>3</sup> The National Assembly of Wales has also given funding and support to a number of dedicated consultative equality networks to promote citizen participation in the work of government. This includes LGB Forum Cymru, the first government-sponsored forum for gays, lesbians and bisexuals of its type in the UK.

## **Scotland**

Equality of opportunity is a key principle of the Scottish Parliament and a priority of the Scottish Executive. The Scotland Act 1998 provides for the encouragement of equal opportunities and the observance of equal opportunity requirements. The Act defines equal opportunities as: 'the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes including beliefs or opinions such as religious beliefs or political opinions'.

The recently published report<sup>4</sup> on the implementation of the equality strategy notes the following achievements: rights for same sex couples in the Adults with Incapacity Act 2000; the repeal of section 2A of the Local Government Act 1986, thereby removing constraints on the discussion of sexual orientation in schools; increased mortgage rights for same sex couples; two Ministerial seminars with LGBT groups; supporting consultation with LGBT groups, through funding of a database and directory of grassroots LGBT organisations across Scotland; funding of an LGBT health project; and the commissioning of research on LGBT issues.

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<sup>3</sup> Chaney, P and Fevre, R 'An Absolute Duty: Equal Opportunities and the National Assembly of Wales', Institute of Welsh Affairs, Cardiff, 2002.

<sup>4</sup> Making Progress: Equality Annual Report. Scottish Executive, 2003.

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## **Ireland**

In the Republic of Ireland there is a government commitment to equality on nine grounds – gender; marital status; family status; age; disability; race; sexual orientation; religious belief; and membership of the Traveller Community. Ireland has already legislated on discrimination on the grounds of sexual orientation, through enactment of the Employment Equality Act 1998, and the Equal Status Act 2000. The new Acts provide protection against discrimination on the grounds of sexual orientation and prohibit discrimination in employment and in the provision of goods, services, facilities, accommodation and education. An advisory body on Lesbian, Gay and Bisexual Issues was formed in December 1999, which has developed a strategy on ‘Implementing Equality for Lesbians, Gays and Bisexuals’, published by the Equality Authority. This contains detailed recommendations for further legal and policy changes.

## **2.0 Information and research on sexual orientation issues**

A key purpose of this paper is to set the scene for the development of better information and research about the experiences of LGBT people. For a number of reasons this area has not been well researched to date: the lack of political commitment to tackling discrimination; and a politically hostile climate in which LGBT people have not been afforded equality before the law and have been subject to homophobic attacks, have all discouraged openness and limited possibilities for resources being made available to conduct research.

Additional difficulties are encountered methodologically in researching the experiences of LGBT people. Within the UK and Irish contexts generally this is an area in which research is developing, particularly empirical, policy oriented research. Within academia there has been considerable theoretical debate about gender, sexuality, and sexual orientation, and there is a growing body of research internationally that identifies a range of areas of particular concern. This section of the paper summarises data and research that is currently available about Northern Ireland; and then goes on to discuss some key themes emerging from research conducted elsewhere.

### **Research and data in Northern Ireland**

#### **Quantitative large scale survey data**

A key issue in Northern Ireland, as elsewhere, is the lack of quantitative data in general, and reliable quantitative data in particular, on LGBT populations. There is no question in the Census on sexual orientation. Whether or not there should be is a matter for further debate, and this is discussed later in the paper.

The Northern Ireland Life and Times Survey (NILTS), in 2001, included a question in the classification section which asked respondents (through the use of a concealed response show card) whether they were gay or lesbian, heterosexual, or bi-sexual. The results indicated that 1% of people identified themselves as gay or lesbian; 95% identified themselves as heterosexual or

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<sup>5</sup> NILTS Research Update, No 1, June 1999, 'Men and women in Northern Ireland: challenging the stereotypes'.

<sup>6</sup> NILTS Research Update, No 7, June 2001, 'Men in the Mirror'.

straight; 0% as bisexual; and around 4% refused to answer the question. Percentages for male and female responses were virtually identical.

The NILT survey also covers issues of attitudes towards and discrimination against gays and lesbians. Responses to questions on homosexual sex in the 1998 survey indicated that: 53% of women thought 'homosexual sex is always wrong' compared to nearly two thirds of men. Young single women in particular were least likely to think this with only 22% of 18-35 year old single women saying that homosexual sex is always wrong.<sup>5</sup> In the 2000 NILT survey on men's issues, 58% of women agreed that gay and bisexual people should not be discriminated against, compared to 46% of men and 32% of women supported gay couples having the same rights as heterosexual married couples, compared to 22% of men.<sup>6</sup>

The community relations module of the survey (2001) – asked if gays/lesbians/bi-sexuals were treated unfairly; and also asked how gays/lesbians/bi-sexuals are treated compared with 5 years ago. In response to the question on whether people thought gays, lesbians and bi-sexuals were treated fairly, 18% of respondents thought they were treated unfairly, compared to 23% thinking disabled people were treated unfairly; 21% thinking elderly people were treated unfairly; and 22% thinking Irish Travellers were treated unfairly.

There were however significant differences in views according to age group, with people aged 18-24 more likely to think gays and lesbians were treated unfairly than any other group such as disabled people. More 25-34 year olds thought gays and lesbians were treated unfairly than any other group, with the exception of Irish Travellers. When asked whether gays, lesbians and bi-sexuals were treated better than five years ago, 40% of respondents said they were treated the same, 34% said they were treated better, 7% said they were treated worse, and 19% responded that they didn't know.

A recent briefing produced by Diversity Matters<sup>7</sup> has suggested that the Kinsey statistic of 1 in 10 people within any population being lesbians and gay men is widely accepted and has been seen to hold true in other research, such as the

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<sup>7</sup> Quoted in 'Who Lives in a Place like This?', Diversity Matters, Disability Action, Belfast. April, 2003

<sup>8</sup> 'DHSSPS and HPSS Statutory Equality Obligations. Information Requirements: Data Availability, Quality and Deficits', Dr Liz McWhirter, DHSSPS.

<sup>9</sup> Paper on data needs relating to inequalities and to Targeting Social Needs, DHSSPS.

Second Commission on the Status of Women report 1993. There is clearly a disparity between this figure and that derived from the NILT survey.

As noted above, because of the legislation on equal opportunities in Northern Ireland, various departments are conducting reviews of data. A review of data sets conducted by Dr Liz McWhirter for the DHSSPS established that a number of categories, including sexual orientation, 'tended not to feature, and left extensive gaps across the vast majority of systems that were examined'.<sup>8</sup> It was noted that age and gender were the only two categories for which good quality information was readily and consistently available across all systems. McWhirter points out that the Census provides information on age, gender, marital status, religion, racial group, disability and social class to varying degrees. She also suggests that since proxy information on political opinion is available via the electoral office, 'This leaves only the category of sexual orientation where there is no denominator data available'.<sup>9</sup> However, there is an ongoing debate about the definition of 'political opinion' in the context of Section 75, and there are a number of difficulties with potential political opinion measures.

This paper also comments that there is a potential Human Rights issue in collecting personal information about individuals: 'Legal advice from the OFMDFM confirms that in general under the Human Rights Act, public authorities must not disclose or pry into matters which are confidential to an individual'. Some work has been carried out to gauge public opinion on collection of monitoring information by the Dept of Employment and Learning, which commissioned two questions in the Social Omnibus Survey (sample size of over 1000 adults). The majority (60%) of those asked said that they would provide monitoring information on their sexual orientation if asked, though 53% thought that for participants on training programmes sexual orientation should not be monitored.<sup>10</sup> This may suggest that, although the majority of people do not feel it is necessary to monitor for sexual orientation, if asked to provide information most people would. However, as the authors of the paper suggest, it is necessary to explore further what lay behind these responses, since they are somewhat contradictory, and also suggest that the context in which such information is sought is likely to be important. It is possible that all those saying they would provide information were heterosexual, and it is therefore an important issue to explore with LGBT organisations.

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<sup>10</sup> Information was drawn from the report on the survey: Bradley, L, Thompson, C and Rogers, D 'Equality Monitoring in DEL', Skills Bulletin, DEL (2001).

With regard to the issue of monitoring, the Coalition on Sexual Orientation (CoSo) takes the view that monitoring is important in order to build a culture of acceptance within organisations. However, this must be done anonymously to protect people from discrimination, and the collection of information which could be traced back to individuals would not meet with their support.

McWhirter's paper further notes that in response to the legislation some organisations are now seeking information on all nine equality categories e.g. the New Opportunities Fund asks applicants from Northern Ireland for information on all nine categories. Similarly EC Structural Funds applications and monitoring ask about all nine categories in relation to intended beneficiaries. It is also noted that the Equality Commission's guidance focuses more on qualitative than quantitative analyses, and it is commented that some guidance would be helpful on a common approach and methodology. The Equality Commission has consulted on this issue, but guidance has yet to emerge.

It should be a matter of concern that organisations are beginning to ask for information on sexual orientation given: the ethical issues surrounding privacy and intrusion; the methodological questions surrounding the validity and reliability of any such data; and the practical question as to how it may be used to promote equality of opportunity. This suggests that it is a matter of some urgency to provide guidance on good practice for collecting quantitative data on sexual orientation issues.

CoSo's position is that data can be collected only if it is anonymous and will not infringe people's human rights. However, they also suggest that it will take a considerable period of time – perhaps as much as fifteen to twenty years – to produce good quantitative data on sexual orientation, and that for this reason qualitative data is advocated as a means of gathering evidence of people's experience. At the same time collection of quantitative data by organisations can serve to indicate willingness to be inclusive, even if individuals do not necessarily respond to requests to provide information about their sexual orientation.

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<sup>11</sup> 'Learning to Grow Up', Dr Christine Loudes, NIHRC, 2003.

<sup>12</sup> The needs of young people in Northern Ireland who identify as lesbian, gay, bisexual and/or transgender (LGBT), Youthnet, Belfast, 2003.

## **Smaller scale surveys and qualitative data**

A small number of studies have been carried out on sexual orientation issues in Northern Ireland, including: a qualitative study on the needs of lesbian and bi-sexual women by Lesbian Advocacy Services Initiative (LASI); the Foyle Friend School Survey 1998 (unpublished report); several studies by the Rainbow Project – on gay men’s counselling needs, on gay men and suicide, and on drugs; and a study on multiple identities of young lesbians, gay men and bisexual people carried out by the Northern Ireland Human Rights Commission<sup>11</sup>. In addition there is a study on homophobic violence and harassment in Northern Ireland, commissioned by OFMDFM, and published in July 2003, and a study on the needs of young LGBT people in Northern Ireland published in December 2003<sup>12</sup>. Some studies also include evidence relevant to sexual orientation issues, though this has not necessarily been the primary focus of research, for example, on bullying in schools.

## **Foyle Friend and Rainbow Project Studies**

The projects carried out by Foyle Friend and the Rainbow Project involve relatively small and unrepresentative samples, but nonetheless provide valuable data about the experiences of LGBT individuals in Northern Ireland. The Foyle Friend survey aimed to explore the experiences of young people who were sexually attracted to people of their own sex while still at school. Some of the outcomes reported by respondents were: reduced academic achievement at school; social isolation at school and out of school; attempted suicide; and psychiatric illness. The Rainbow Project surveys, all of gay men, also show a strong concern with mental health issues. These surveys: suggest that gay men are more vulnerable to mental health problems, and more likely to attempt suicide; identified counselling needs concerning a range of issues including the experience of social stigma, verbal and physical abuse, depression, and confidence. In addition respondents found little empathy on the part of GPs, and identified a need for appropriate counselling services for gay men in Northern Ireland.

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<sup>13</sup> ‘A Mighty Silence: A Report on the Needs of Lesbian and Bisexual Women in Northern Ireland’, Marie Quiry, LASI, 2002.

## **Lesbian Advocacy Services Initiative (LASI) Study**

The report by LASI<sup>13</sup> emphasises the difficulties of carrying out research because of the fears women have in disclosing their sexual orientation. These fears included: that they are liable to lose jobs; lose the custody of their children; lose their homes; and lose the right to live free from harassment. The report also points out that while the Statutory Duty is important and welcome, it is limited to the policies and actions of public bodies, and does not extend to the private and social sphere where much discrimination occurs.

This qualitative study recorded the experiences of lesbian and bi-sexual women, including: experiences of homophobic attacks and abuse; discrimination at work; problems with attitudes of service providers e.g. GPs; problems lesbian parents experienced such as fear of losing custody of their children, and their children being bullied at school because of their parents' sexual orientation; the lack of appropriate service provision across a range of areas; and the lack of support in rural areas. The report also noted differences between lesbians and gay men, such as levels of income, and that the focus on the needs of gay men such as health needs tended to mean that the needs of lesbian and bisexual women were overlooked.

The report concluded that there were a range of gaps in service provision that needed to be addressed, and that there was a need for support for advocacy organisations. There was also broad agreement amongst those surveyed on the need for further research in order to influence policy and decision makers. Topics for further research recommended in the report included: the nature and make up of the lesbian community; black lesbian experience; lesbian use of women's centres; and attitudes towards lesbians within health service and among GPs.

## **Northern Ireland Human Rights Commission study**

A recently published study, undertaken by the Northern Ireland Human Rights Commission, focussed particularly on the experiences of young lesbians, gay men and bisexual people in Northern Ireland. This was a small-scale study

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<sup>14</sup> 'An Acceptable Prejudice? Homophobic Violence and Harassment in Northern Ireland', Neil Jarman and Alex Tennant, ICR, 2003.

<sup>15</sup> This report uses the term LGB (lesbian, gay, and bisexual) throughout, but also comments on the issue of definitions (see below).

involving focus groups with young LGB people, a focus group with health service providers, and some individual interviews. The research provided evidence of prejudice, homophobia and violence experienced by young LGB people, and of the isolation they often experience both socially and within their families. In relation to health services it was found that young LGB people encountered prejudice, abuse of human rights (in particular breaches of privacy and confidentiality), and a lack of responsiveness to their needs. Young people working in the health service also encountered discrimination. The report recommended training for health service professionals, tailored services and support, better information and better support for LGB groups, collection of data (providing privacy is respected), and that the proposed Single Equality Bill should cover services as well as employment.

### **OFMDFM commissioned research**

The report<sup>14</sup> ‘An Acceptable Prejudice’, commissioned by OFMDFM, on homophobic violence in Northern Ireland notes that LGB<sup>15</sup> communities in Northern Ireland are becoming increasingly visible, and that a small body of literature documenting the experiences of LGB communities has appeared. This literature both attempts to define a distinct and separate identity for LGB communities, and to highlight social, legal, and other issues of concern to these communities. The report also notes that the higher public profile of LGB communities relates largely to Belfast and Derry, and that people living in rural areas can continue to feel isolated and vulnerable. This increasing public profile has also made people more vulnerable to attacks and other forms of hostile behaviour.

The aim of the research was to document the scale, form and nature of homophobic violence in Northern Ireland, as part of a wider project looking at hate crimes or ‘representative violence’ i.e. attacks or harassment against people simply because they belong or are perceived to belong to a particular community. The research drew on a range of sources of information, including: police records; surveys carried out in England, Scotland, and Ireland; and surveys and interviews conducted in Northern Ireland.

The research suggests that homophobia remains widespread in Northern Ireland, and also that there is an increasing need for a diverse range of support services and agencies, as well as safe social provision. The

percentage of people who had experienced homophobic harassment was higher than that found by comparable surveys in Great Britain and Ireland. Such incidents were frequently not reported to the police for a number of reasons: a perception that the police were homophobic; a belief that the police would not do anything; and fear of being outed. The report found that there were two broad perspectives on homophobic violence in NI: that there had been a general increase in attacks; or that the overall level of harassment had not increased but that there was a greater propensity for violence to be used. Some attacks also appeared to be systematic and organised. There was a perception that there was a widespread and unchallenged homophobia in the media and within many institutions in Northern Ireland.

Discrimination within the criminal justice system was cited as a problem including: different laws governing homosexual and heterosexual behaviour; and differences between Northern Ireland and England and Wales. While some people perceived the police to be showing a more positive response, others regarded the police as visibly homophobic and not sympathetic to victims.

Key areas where further change was regarded as necessary were: policing; public safety and need to raise awareness; tackling homophobic bullying within the education system; working with LGB organisations – local communities, political parties, statutory organisations, etc.; and the need for resourcing and capacity building of these organisations. The survey question on responses to homophobic harassment clearly highlighted that people regarded education, awareness raising, and tackling homophobic bullying as the top priorities, with a range of measures for better policing following this at a rather lower level of support. The report provides a series of specific recommendations to take this forward.

The report used the definition LGB rather than LGBT on the grounds that transsexuality was thought to be a separate issue from sexual orientation. However, the researchers comment that in retrospect, it may have been advisable to have a question on transsexuality, given that many gay and lesbian organisations have ‘trans’ members, and that they are likely to associate with such organisations rather than form specific ‘trans’ groups because numbers are small.

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<sup>16</sup> ‘Bullying in Schools: A Northern Ireland Study’, Collins, K, McAleavy, G, Adamson, G, University of Ulster. Department of Education, No 30, (2002).

A survey on bullying in schools carried out for the Department of Education, found that bullying often involved name calling or gestures with a sexual meaning, and noted that this type of bullying 'which often has connotations relating to sexuality, either confirmed or perceived, has become an established method of intimidation and harassment'.<sup>16</sup> As a result young lesbian, gay and bisexual people can often become socially excluded and socially isolated. Despite the fact that the majority of staff surveyed (82%) were aware that this type of intimidation took place in their schools, only 6% of schools which participated in the study made reference to homophobia in their anti-bullying policies.

## **Youthnet study**

The study carried out by Youthnet (Carolan and Redmond, 2003), commissioned by the Department of Education, involved a questionnaire survey and focus groups for young people. The research found that there was typically a five year period between young people knowing they were LGBT and telling someone else. The vast majority (78%) came out to friends first, and most (63%) felt they could not tell their parents when they first came out. Though the vast majority (86%) were aware of their orientation at school, very few got information or support at school. Many had experienced negative attitudes or bullying, with few seeking support, and some leaving school earlier than they would have preferred because of bullying. A significant minority (29%) of young people who took part in the research had attempted suicide, and half of those who identified as transgendered had self-harmed. Half of respondents had also experienced negative attitudes towards sexual orientation while they were members of youth organisations, though the majority (78%) believed that youth organisations should deal with the needs of young LGBT people. The majority of youth organisations surveyed indicated that they would like access to training for staff on issues which affect young LGBT people. The report makes a series of recommendations about the development of support services for young LGBT people and about training. It also calls upon the Department of Education to initiate a taskforce to address issues such as bullying and negative and risk taking behaviours of LGBT young people.

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<sup>17</sup> 'Poverty: Lesbians and Gay Men', GLEN/Nexus Research Cooperative, Combat Poverty Agency, 1995.

## Research in the rest of Ireland

This section does not provide an exhaustive review of research in the rest of Ireland. Rather the purpose is to briefly illustrate the important role research has played in informing policy development in Ireland, and to highlight some of the key themes emerging.

Research carried out by the Gay and Lesbian Equality Network (GLEN) and NEXUS Research Cooperative,<sup>17</sup> has proved particularly crucial in informing developments, and is cited throughout the report on implementing equality, published by the Equality Authority. The research showed that: half of lesbians and gay men were aware of their sexuality by the age of 15; that a gradual awareness of this had caused problems; that many experienced problems at school, and some left school early as a result. In addition the research found that: a quarter of respondents had been subject to violent attacks; almost a third had experienced homelessness; and gay and lesbian young people have a higher than average suicide and attempted suicide rate. Discrimination and harassment was experienced both at work; and in relation to housing. As the authors comment ‘The survey results clearly show that there are significant cumulative and interlocking processes of discrimination operating in key economic and social areas which increase the risk of poverty for lesbians and gay men and further disadvantage those living in poverty’.

In the report on ‘Implementing Equality for Lesbians, Gays and Bisexuals’, it is acknowledged that there are no definite data in relation to the size and composition of the lesbian, gay and bisexual communities, and that a range of different figures have been put forward in different contexts. The report adopts the figure of 10%, which has been used elsewhere in the Irish context. This figure comes from ‘Report of the Second Commission on the Status of Women’ (1993), which reported that ‘research has found that about one in ten (10%) of the population has a homosexual orientation, with this figure occurring across different cultures, contexts, national samples, small scale studies and different time periods’.<sup>18</sup>

The formulation of ‘up to 10% of the population’ is frequently used in the implementation report. However, the important point is also made that gays

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<sup>18</sup> ‘Report to Government, Second Commission in the Status of Women’, Dublin: Stationery Office, 1993: 174.

and lesbians can be assumed to form part of all populations, even where numbers of individuals or groups cannot be identified, and therefore all services should be responsive to the needs of the LGB population.

As well as recommendations for legislative and policy changes the *Implementing Equality* report makes the following recommendations on research:

- methods of research and monitoring of the relationship between sexual orientation and suicide in Ireland should be developed. The report called upon the National Suicide Review Group to establish the most appropriate mechanisms through which data, analysis and action can be developed;
- in education, a sexual orientation dimension should be included in all relevant future surveys, research and data collection by the Department of Education and when devising and implementing initiatives targeting early school leavers using appropriate and accurate data collection methods;
- the Higher Education Authority should support the development of scholarship and research into LGB history, culture and theory amongst institutions, faculties and students, expanding the number of PhD research projects and providing funding for the further development of courses on LGB issues. Research on LGB issues needs to be recognised as a legitimate academic pursuit and should be taken into account in staff recruitment and promotion;
- the National Health Promotion Strategy emphasises the need for research into the health and lifestyle behaviours of various groups to prioritise health promotion. A number of outstanding areas in relation to LGB health issues require urgent research: suicide, mental health strategy and psychological distress experienced by LGB people, substance and alcohol abuse, lesbian health needs, gay people with disabilities;
- some preliminary research and pilot development initiatives provide valuable contributions in raising awareness of the needs of LGB youth and designing responses appropriate to them; and

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<sup>19</sup> The Women and Equality Unit in the DTI has also commissioned research looking at methodological problems, and also some specific topics.

- there is a clear need for in-depth and specific research into violence and harassment directed at LGB people in Ireland, the contexts in which it happens and the impacts on and supports needed by those affected. There are indications that lesbians are doubly at risk of violence and harassment because of their gender and sexual orientation.

## **Research from elsewhere in the UK**

This section both draws on and paraphrases the report by Sally McManus, 'Sexual Orientation Research Phase 1: A Review of Methodological Approaches' commissioned by the Scottish Executive. This report is based on an international review of sexual orientation research methodologies and data sources.<sup>19</sup> What follows below is a brief summary of key themes addressed by McManus in her report, which provides a very clear and thorough account of definitional and methodological issues. There seems little point in reproducing this in detail here. However, it would be worthwhile in our view, disseminating and discussing the report more widely.

### **Sexual Orientation Research Phase 1: A Review of Methodological Approaches**

#### **Definitions**

There is a range of terms and definitions used in research on sexual orientation.

#### **Sexual orientation/sexual preference, etc**

The term 'sexual orientation' has been the subject of criticism, on the grounds that it is deterministic, and does not allow for change over time. However, alternatives such as 'sexual preference' have been subject to criticism because they imply conscious or deliberate choice, which is often not consistent with how people experience their sexuality.

Many recent research projects have used self-identification by respondents as a means of dealing with the difficulties of definition. As McManus points out this may mean that a range of definitions co-exist within a single study e.g.

attraction, identity, lifestyle, partnership, and community. Depending on the area of study this may or may not be a problem, but for particular areas of policy some definitions may have more relevance than others, or may need to be very specific. For example, sexual health research will focus on sexual behaviour. If individuals do not identify as LGBT they may be excluded from research. However since a key issue here is people's behaviour a definition such as 'men who have sex with men' is more appropriate, and McManus suggests has become the norm in this field. This further raises the question of how 'sex' may be defined.

In research on housing, same-sex cohabitation, may be an appropriate definition, though this will depend on research aims and design, and care needs to be taken in analysing data sets to distinguish same-sex partnerships from other forms of household shared by people of the same sex. Same-sex relationships may also be the focus of studies concerned with partnership rights, or 'families of choice'. Research on homophobic violence and harassment is likely to include the experience of all those who have been victims of such behaviour irrespective of their actual self-identity.

There have been calls for standardised definitions of 'sexual orientation', but definitions may need to be tailored to specific areas of study. This has implications for the size and characteristics of samples, and may create problems of comparability between studies relevant to different areas of policy.

A further issue is that sexual orientation may be fluid or may change over time, either because sexuality is still emergent, as for young people, or where individuals do not have a fixed sexual orientation.

Labels of self-identity can also vary, according to age, ethnicity, class, and sex, and are also likely to be affected by whether individuals are part of a gay social scene. Thus for example, there is likely to be a difference in the way that people would self-identify their sexual orientation between urban and rural communities.

Some surveys have presented a range of possible categories for respondents to tick, including some about appearance and visibility, and about sexual practices such as sado-masochism (as distinct from categories deriving from the sex of the partner). Analyses of data however tend to reduce these lists to smaller numbers of categories.

McManus takes the view that it is both important wherever possible to acknowledge difference and diversity, but also to be able to make comparisons through the use of a consistent set of terms. These aims are not necessarily mutually exclusive, though the extent to which they can be fulfilled will depend on the nature of the study. However, as McManus argues, in the absence of standardised definitions, research instruments and reports need to indicate clearly what criteria have been used in the research.

### **Transgender, transsexuals and gender identity**

Research studies, in coding sex, conventionally allow only for the options of 'male' and 'female'. This may exclude people who are 'intersex' (born with elements of both male and female sexual organs and biology), transgendered (people engaged in identity, physical or behavioural changes to what was their gender assignment at birth), or transsexuals (people who have undergone sex change surgery and other forms of treatment). McManus argues that the purpose of research will partly determine definitions and categories used.

Though a distinction can be made between 'transsexual' and 'transgender', the definition 'transsexual' has tended to be associated with psychiatric research, and with the imposition of definitions. For this reason the alternative term 'transgender' has often been used as an umbrella term, and tends to be the preferred term for most gender identity research, both because it is more inclusive, and because it is not a psychiatric term. A further usage, preferred by CoSo is simply 'trans', which is considered more inclusive.

### **Other frequently used terms that may lack clear definition**

There are a number of other terms frequently used in research on sexual orientation issues, which are also ambiguous and require to be clearly specified. These include the notions of a 'gay community' or 'LGBT community'. LGBT groups may have very different experiences and lifestyles, and it may be difficult to identify common elements. However, it can be argued that, although individuals may reject being part of a broader 'community', generally the bars, social spaces, and LGBT groups would see themselves as being part of a 'community'.

Terms such as 'homophobia' and 'heterosexism' are also found in discussions of LGBT experiences, and may also be defined differently.

Common terms such as 'family' or 'couple' often imply heterosexual nuclear family formations. A number of researchers in this field have developed the concept of 'families of choice'.

### **Methodological issues**

The question of sampling is a particular difficulty for LGBT respondents, and both quantitative and qualitative research experiences problems in providing good samples. There has been extensive discussion of this in the sexual orientation research community, and a recognition that the main problem is that LGBT people are often reluctant to disclose information about themselves because of prejudice and discrimination. To measure the size of the LGBT community would require a large, representative, randomly selected, general population sample. By contrast for an evaluation of service delivery it may be more appropriate to recruit from those who have used or had contact with the service.

Large surveys, which might establish numbers of LGBT people in the population overall are seen by many researchers as impossible to achieve, because of the problems of disclosure and under-representation. However other methods may be used to collect data, even though not fully representative of the population. These include: web-based surveys; recruiting respondents through gay and lesbian venues such as bars and clubs; LGBT organisations' mailing lists; the gay and lesbian press and newspapers; and a combination of such methods to maximise diversity and numbers.

Where a representative sample cannot be produced, McManus argues in favour of maximising the size of the sample. Though not free from bias, it allows for sub-group analysis, and will help address the problem encountered by much research of samples that are too small. Another approach might be to mirror the major demographic characteristics of the overall population; another to include as diverse a sample as possible, and to ensure a detailed discussion of this. Though such larger samples would represent an improvement, they would not be free from bias, and would tend to be more representative of the 'out' community.

The important point is made by McManus that much research on LGBT issues does not include any comparisons with the overall population or with a heterosexual comparison or control group. Yet this is important in being able

to compare differences and similarities, in particular where the aim of research is to describe and analyse disadvantage and discrimination.

There are of course important ethical issues to be considered in conducting research on sexual orientation issues: confidentiality and anonymity; how data is stored; recruitment and consent of respondents; anonymity in reporting; providing assistance/information relevant to research e.g. health issues; and informed consent.

### **Administrative and large-scale data collection**

There are a number of issues of particular pertinence to government departments, for whom quantitative data is important in policy making and allocating resources, and who may regularly collect data for administrative and research purposes. The question of to what extent such methods of data collection may be adapted to provide better information on LGBT populations is a key issue for discussion.

McManus outlines potential problems associated with these. For example, under-representation of numbers can be used to downplay the needs of the LGBT population and questions in official surveys can be perceived as intrusive. However there is an ongoing debate as to whether questions should be asked in the Census, and some countries have begun to test this out. The Canadian Census in 2001, for example, had a question on 'same-sex common-law relationships'. The Irish Census now allows for people of the same sex and living together in a household to indicate that they are partners. In addition to the Census there are other major continuous large-scale surveys which might contain information relevant to sexual orientation issues, such as the prevalence of same-sex partnerships. McManus' report includes a tabulation of major continuous large scale surveys, indicating whether these give information about same sex cohabitation, and/or about LGBT issues, and indicating whether these covered Scotland. A similar exercise with respect to surveys carried out in Northern Ireland would be worthwhile, and could investigate both current data collection, and scope for adding relevant questions in future. McManus also notes that Barry's review of equality data in Ireland did not cite a single source of official data disaggregated by sexual orientation, but that reviews of this are ongoing and changes are likely to happen. Similarly the Office for National Statistics, which is conducting

reviews of equality statistics across a range of areas, is likely to be giving consideration to this issue. This suggests that there is scope for dialogue and sharing information on possible methodological experimentation across the UK and Ireland.

In the Scottish context, McManus recommends exploring the Census question issue with LGBT groups, in order to understand the concerns which people may have about completing the Census, and their fears about confidentiality, privacy or intrusion. Where there is scope for detailed secondary analysis of existing large-scale general population surveys, focusing on patterns of same sex cohabitation, this should also be carried out.

### **Policy and subject areas**

Both the report by McManus reviewing the international literature, and the accompanying research project commissioned by the Scottish Executive to consult LGBT groups on research priorities, list policy areas which are frequently the focus of research or recommended as research priorities. There are considerable overlaps between these lists, and with the issues identified to date in research in Ireland. (See Appendix I for lists).

### **3.0 Process of developing a research agenda**

A further important topic which McManus discusses is the process of developing a research agenda and the engagement of the LGBT community in the research process. The second phase of the Scottish Executive research actively set out to develop such an agenda through consultation with LGBT groups.

McManus noted that there was a lot of variation in the extent to which LGBT individuals or groups participated in the research process. On the one hand the importance of community consultation and participation in the research process is becoming more clearly acknowledged, on the other hand there are potential problems of research fatigue of LGBT groups, or of bias through the involvement of people who are easy to access or who are most motivated to take part. The consultation with LGBT groups also emphasised the problem of research fatigue, and underlined the frustration about lack of feedback from previous studies. It was argued that there was a need for wider dissemination and evidence of research leading to change in policy and practice. This would encourage participation in research.

CoSo has emphasised that the problem with 'research fatigue' is not that groups feel tired with research, but with lack of action following research recommendations. Therefore people may feel there is little point in participating in research because they see no results. Furthermore, there is a problem of lack of resources for LGBT groups to carry out their ongoing work, yet they are expected to play a central role in collection of data. Though the importance of research is recognised, to participate in it can detract from other vital services of LGBT organisations.

It is also recognised that bias can occur, as certain groups are often excluded from research. Within the Scottish context the groups most absent from research included older and disabled LGBT people, those living in rural areas, ethnic minority and transgender people, lesbian and bisexual women. It was argued that inclusion of such groups needed to be actively incorporated into research design.

The groups consulted in the Scottish Executive study emphasised that in the context of government commissioned research, issues of trust and partnership

are very important. A partnership approach was seen as a means of ensuring that studies were both community based and independent. There was agreement that the active involvement of LGBT people and organisations in the creation of a research agenda should continue. It was also thought that research can play a key role in LGBT community development and that this should be better supported.

Participants in discussions were reluctant to set policy priorities, both because of concerns that to focus on some issues would lead to others being ignored, and because of the differences in priorities for different groups and individuals. In discussions about the development of a research agenda and priorities for research, it became clear that some issues were seen as priorities for action and not necessarily requiring research. These included issues such as: partnership and registration rights; laws to allow co-parenting and adoption by LGBT people; certain transgender issues such as birth certification; and crime and justice issues such as the prosecution of male rape and the outlawing of employment discrimination. Such issues were considered to be matters of principle and equal rights, and did not require research to establish whether they should be accorded to LGBT people. However, research, which would inform future policy development on these issues, was seen as helpful provided that it did not prevent action.

Generally speaking, research was seen as valuable in informing the activities of LGBT organisations, especially those providing services in aiding the development of community organisations through identifying and scoping needs and in bringing about change in policy and practice, such as the practice of police authorities in dealing with homophobic crime.

A broad research agenda was generated through these discussions, reflecting a strong desire for knowledge about LGBT life, experiences, and circumstances. Research was seen as important in particular as providing proof of the existence of needs to which funders and policy makers needed to respond. At the same time, research looking at policy and service provision issues would strengthen community and voluntary organisations which had developed to meet these needs by also providing a better evidence base for their work.

## Options

As indicated above there is a changing political and policy context surrounding discrimination against LGBT people in a number of countries, including member states of the EU in general, and Ireland and the UK in particular. Governments are taking steps to outlaw discrimination, and active consideration is being given to legal change to extend a range of rights to same-sex partners.

A parallel development is the growing interest in the need for data and research about the experiences and needs of LGBT individuals and groups in order to evaluate the impact of legal and policy changes, and to identify how policy and service provision might better meet their needs. While there are methodological challenges in carrying out reliable and good quality research about LGBT individuals and groups, there are models and examples of how research might be developed, and a growing network of researchers whose experience can inform the development of work in Northern Ireland.

It is important to emphasise that, since a major methodological issue is the reluctance of many LGBT people to disclose their sexual orientation for fear of the consequences of this, government commitment to taking effective action against discrimination, the provision of legal protection and greater guarantees of safety are crucial, not only as a matter of principle, but also in facilitating research and data gathering through enabling greater openness. The importance of building confidence and trust in this process suggests that consultation with LGBT groups in the development of a research agenda is also crucial, and that a partnership approach in which government departments and LGBT groups share ownership of this agenda is most likely to produce the best results.

It is also important to recognise the role of LGBT organisations in providing information about the needs of groups and in providing services for groups, and in pioneering research in this field. A research strategy should therefore seek to further empower LGBT organisations to contribute to research and data gathering, and to use new research in developing their services and activities.

Outlined below are a number of issues to be considered in taking forward the development of research on LGBT issues in Northern Ireland, and a number of different options for doing so, which may serve as a starting point in a process of discussion and consultation.

## **1. The relationship of sexual orientation to other equality issues**

This paper has suggested that sexual orientation may interact with other characteristics such as gender, race, disability, etc in complex ways. Where appropriate the aims of equality strategies affecting other groups and equality for people of different sexual orientations may be linked together. It must be acknowledged that there still exists considerable prejudice against LGBT people, and that legal and policy change in this area may excite adverse comment from the media and other sections of society. An approach which minimises such adverse reaction and which maximises support for change is therefore desirable.

## **2. Research and methodological issues**

### Definitions

Clear definitions are crucial to good quality research, and common definitions are crucial to the development of a body of research describing and analysing the experiences of specific groups within the population. It is therefore recommended that exploration of a set of core standardised terms to be used in policy relevant research on LGBT issues take place to enable comparisons between studies over time. A set of core standardised definitions that may be used in policy relevant research should not preclude a wider range of definitions being used in any particular research project, where these are appropriate to the questions being investigated, or where fuller data about the range and variety of people's experiences and circumstances is desirable.

### Numbers and quantitative data

A major difficulty encountered by research on sexual orientation is that of quantifying and describing the relevant population. There is a general question as to how important it is to seek to establish this. It is feasible to operate on the assumption that a certain proportion of the population (up to 10%) is LGBT, and to formulate policies accordingly.

If it is thought desirable to seek better quantitative data, there is a range of options available. One of these is whether or not to have a question on sexual orientation in the census. This is likely to be the subject of further discussion prior to the next census, and given the timescale there should be ample opportunity for exploration of this and for piloting of questions. It is suggested that researchers from OFMDFM and representatives from LGBT groups should seek to link up with others in the UK and Ireland who are concerned with this question. Including a question in the census is likely to set a precedent that in the long run will be conducive to better data collection, even if people may be wary of providing information about sexual orientation initially.

A further option is to investigate the possibility of adding questions to other large scale surveys. A review of surveys carried out in Northern Ireland should be carried out with a view to establishing the feasibility of this. However, a general caveat must be made with respect to gathering quantitative data through large-scale surveys, which is that in a climate where people are still reluctant to disclose information about sexual orientation there is a potential problem of under-representation.

### Methods

The research report by McManus, commissioned by the Scottish Executive, outlines a range of methodological approaches, both quantitative and qualitative, that may be used to gather data on sexual orientation issues. In general it is recommended that methods used should maximise sample sizes in order to overcome the tendency of research in this field to produce sample sizes that are too small. It is important also that methods chosen recognise difference and diversity in the experiences and lifestyles of LGBT individuals, and seek to provide analyses of sub-groups within the overall population. It is also important to be proactive in including groups normally excluded from research on sexual orientation issues

### Ethical issues

Given the personal nature of sexual orientation and related issues, there are significant ethical issues connected with research in this field. It is crucial, in order not to jeopardise future research, that research is

carried out with sensitivity, that it does not breach privacy, and that subjects of research can be assured of confidentiality. It is also important that where people consent to take part in research projects this is properly informed consent. Where research may be concerned with behaviours that pose risks to individuals, consideration should be given to the role of researchers in providing information e.g. in relation to sexual health.

#### Dissemination and feedback

Good dissemination of existing research as well as any new research that develops is important, both in informing public and policy debate, and in providing support to LGBT organisations in identifying and responding to needs. Given the limited resources that are currently available for research in this field in Northern Ireland, facilitating access to research carried out elsewhere would be particularly useful. This could be done through databases of literature, such as the database to be made available shortly by the Scottish Executive, and through providing web-based links to other relevant sites and/or networks. Feedback on how research is used to inform policy making is also important, particularly if the fear that research will be used as an excuse for inaction is to be allayed, and to overcome the 'research fatigue' that results from this.

### **3. Process**

The importance of consultation and partnership in developing a research agenda on sexual orientation issues in Northern Ireland has been outlined above. This approach should be followed through all stages of the process: defining the research agenda; agreeing core standardised definitions; agreeing an approach to quantitative data gathering; in developing guidelines for good practice; in carrying out research programmes and projects – much of which is likely to continue to be qualitative given the challenges in providing good quantitative data; and in dissemination and feedback. It is important also that this process seeks to ensure the involvement of the diverse range of LGBT groups.

Networking with others working in the field is also an important part of the process, and it is recommended that links be established with research communities and LGBT organisations across the UK and Ireland. This could be initiated through a seminar or similar type of event inviting the key people involved in the research commissioned by the Scottish Executive and the research carried out in Ireland that informed the implementation strategy on equality for lesbians, gays and bisexuals.

#### **4. Guidance on good practice**

As part of the process of developing and taking forward a research agenda on sexual orientation issues in Northern Ireland, guidance on good practice should be developed and disseminated by OFMDFM. Given that some organisations are responding to the duties laid down in Section 75 of the Northern Ireland Act 1998 by requesting information on sexual orientation, this is perhaps a matter of some urgency. Guidance should include recommendations and information on: when it may be appropriate to collect data on sexual orientation; definitions; methodologies; clear reporting; ethically sound practices; and consultation and partnership with LGBT groups. Development of such guidance should take place in consultation with LGBT groups, who would be best placed to identify best practice or to put forward ideas about this.

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Women and Equality Unit: for information on sexual orientation issues, consult the website at: **<http://www.womenandequalityunit.gov.uk>**

### **Areas covered in international literature reviewed in McManus report**

- Alcohol and drug abuse
- Community and social support
- Domestic abuse
- Education
- Employment and training
- Families, partnerships and parenting
- Health
- Housing and homelessness
- Mental distress and suicide
- Paying for sex
- Sexual assault
- Sexual orientation – origins, prevalence, and behaviour
- Social inclusion and poverty
- Transgender issues
- Violence and victimisation
- Voting and representation

**Areas identified in the second phase of the Scottish Executive project on research on sexual orientation issues as a result of discussions at two thematic seminars:**

- **Education**
  - Homophobic bullying/violence
  - Promotion and monitoring of equal opportunities
  - Education on sex and sexuality
  
- **Partnership rights**
  - Registration
  - Adoption
  - Pensions
  - Other partnership rights (e.g. property, inheritance)
  
- **Crime**
  - Hate crimes
  - Domestic violence/abuse
  - Rape
  
- **Employment**
  - Discrimination
  
- **Youth**
  - Peer and other support services for LGBT youth
  - Parenting
  - Legal position of LGBT parents
  - Support for LGBT parents and their children

- **Health**
  - Funding for HIV services and lesbian health initiatives
  - Access to primary care
  - Mental health
  - Alcohol and drug use
  
- **Transgender issues**
  - Birth certification
  - Marriage
  
- **Rural issues**
  - Rural exclusion
  - Development of a rural service infrastructure
  
- **Multiple disadvantage**
  - Elder, disabled, and minority ethnic LGBT issues.

