



# United Kingdom



**While the UK remains a front runner when it comes to the legal situation of LGBTI people in Europe, various researches found worryingly high level of homophobia and transphobia in society, as well as incidence of violence and discrimination in health and education experienced by LGBTI people. The courts delivered a number of important judgments, including ones reaffirming that same-sex couples cannot be refused publicly available services such as rooms at bed & breakfast or adoption services provided by faith-based agencies. Both the UK and the Scottish governments launched legislative proposals to introduce marriage equality.**

## Access to goods and services

- In October, Reading County Court held that the refusal by a Christian owner of a bed and breakfast to allow a same-sex couple to stay in one of her double rooms amounted to direct discrimination and a breach of equality law. The owner was ordered to pay £3,600 in damages to the couple. The Court confirmed that by refusing access to the couple, the owner had “treated them less favourably than she would treat unmarried heterosexual couples in the same circumstances”.
- In November, the Upper Tribunal ruled that a Roman Catholic adoption agency cannot turn away same-sex couples if it wants to keep its charitable status. Catholic Care, run by the Diocese of Leeds, wanted its adoption service to be exempted from equality laws. The judge ruled that the charity had failed to give convincing reasons why it should be allowed such an exemption.

## Asylum

- In October, a Nigerian man who claimed to be gay was deported despite his fear of persecution in his country of origin on the basis of his sexual orientation. The court found that the case lacked credibility and that his return to Nigeria would not result in persecution.

## Bias motivated speech

- In January, Derby Crown Court found three men guilty of inciting hatred on the grounds of sexual orientation. The case, which was the first of its kind in the UK, concerned five men who were accused of distributing a series of leaflets in Derby. One of the leaflets, entitled *Death Penalty?* contained references to same-sex sexual relations, and showed an image of a mannequin hanging by the neck from a noose, accompanied by the statement: “The death sentence is the only way this immoral crime can be erased from corrupting society and act as a deterrent for any other ill person who is remotely inclined in this bent way.” Two of the five men were not found guilty.
- In March, the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 came

into effect in Scotland. It criminalises the expression or stirring up of hatred against LGBTI people, or other homophobic or transphobic behaviour, at football matches.

- In April, two Christian groups planned a ‘gay therapy’ advertisement campaign to be displayed on London buses saying “Not gay! Post-gay, ex-gay and proud. Get over it!” The phrasing was seen as a response to an earlier Stonewall bus campaign, which said: “Some people are gay. Get over it.” The Mayor of London, Boris Johnson, ordered the adverts to be removed a few hours before the campaign was supposed to start. “London is one of the most tolerant cities in the world and intolerant of intolerance. It is clearly offensive to suggest that being gay is an illness that someone recovers from and I am not prepared to have that suggestion driven around London on our buses”, he argued.
- In August, in a debate on equal marriage, Northern Irish Councillor Jackie Crawford compared homosexuality to a disease. “It’s a pity they have that disease and they can’t help it”, he said. Later he told the Belfast Telegraph newspaper that he regrets the comparison he made, but emphasized he still opposes marriage equality.
- In October, in a reaction to a Reading County Court decision awarding £1,800 each to same-sex partners who had been denied a double room at a bed & breakfast, Nick Griffin, a Member of the European Parliament and leader of the British National Party, tweeted “A British Justice team will come up to [their Huntington address] & give you [the same sex partners] a ... bit of drama by way of reminding you that an English couple’s home is their castle. Say No to heterophobia!” Later on, responding to Michael Cashman, Co-President of the European Parliament LGBT Intergroup, he said: “I criticised the two men responsible for the persecution of a sincere Christian couple, from whom, with the help of the UK’s homophobic Equality Laws, they extracted some €4,000 in a wrong-headed court judgement. I did so not on the basis of their sexuality, but on account of their being bullies. Their victims did not in fact discriminate against them because of their homosexuality but because they were unmarried”.

- In November, a Maltese man and his husband faced bias motivated speech from the waiter of a Greek restaurant in Birmingham when they complained about their meal. The waiter allegedly told the couple they were “an embarrassment to the world” and “We don’t like people like you in Greece. We cut off your legs. Your mum is a slut. I will fucking kill you...” The West Midlands police investigated the incident as a possible hate crime.
- In November, a man who had been demoted at work because he commented on his personal Facebook page that churches should not be required to conduct same-sex marriages, won his case for wrongful dismissal (*Smith v Trafford Housing Trust* [2012] EWHC 3221 (Ch)).

## Bias motivated violence

- In May, the Scottish national prosecution service released figures for hate crimes reported to them by police between April 2011 and March 2012; 652 sexual orientation hate crimes were reported, a 40% increase on the previous year. The increase may be due to higher levels of reporting. Sixteen transphobic hate crimes were reported, compared to 14 the previous year; 82% of reported cases were prosecuted in the courts.
- In May, a 19-year-old gay man was attacked by a group of five men on his way home from a nightclub in Worcester. The group insulted the man and one of them punched him on the head. The victim survived with minor injuries. The incident was reported to the police.
- In June, in Northern Ireland, eight police officers were disciplined following a complaint to the Police Ombudsman’s Office. It concerned the way in which a string of homophobic crimes were investigated. The police were alleged to have failed to properly investigate attacks at a gay couple’s home in 2007 and 2008. The Police Service of Northern Ireland agreed to pay damages and costs, apologised to the couple and said it is committed to ongoing training for its officers.
- In July, a man was fined for threatening behaviour against a trans woman in Suffolk. The victim was threatened, harassed and as a result had to leave her

home. The court also gave the man a 12-month restraining order.

- In September, a UK-wide study of 889 trans and intersex people found that 73% had experienced transphobic verbal harassment, 38% sexual harassment, one fifth had been physically assaulted and 14% had been subject to a sexual assault. Transgender people also have extremely high levels of anxiety about their personal safety due to being trans, with 54% worried that they may be physically assaulted in the future.
- In October, the prosecution service for England and Wales released figures for hate crimes prosecuted by them between April 2011 and March 2012. There were 1208 prosecutions for homophobic and transphobic hate crimes, a 6% fall on the previous year.
- In November, a trans woman was punched and knocked unconscious while walking into a Leicester pub. The 46-year-old woman, who had lived in the city for less than two months, believed that she was targeted because of her gender expression. A police investigation was launched.

## Diversity

- In February, in response to the conviction of three men for inciting hatred on the grounds of sexual orientation, Farooq Murad, Secretary General of the Muslim Council of Britain (MCB) said: “It is completely unacceptable that in a diverse and vibrant society such as ours any minority group should fear for their own safety. Unfortunately the leaflets these young men were handing out promoted such fear and division. In Islam there is no allowance for inciting hatred and violence against any people, even if any of their practices are religiously disapproved. While vigorous dialogue and debate around issues of controversy is certainly constructive, this must always take place in the context of mutual respect and tolerance. We must all of us act within the rule of law and never promote active hatred of any minority.”

## Education

- In June, two infant schools were praised in an Ofsted report (the official body for school inspection in England)

for providing a non-discriminatory environment for transgender children and encouraging them to express their identity.

- In July, research conducted by the University of Cambridge found that 55% of LGB pupils in Britain's secondary schools experience homophobic bullying. The research, based on a national survey of 1614 young people, also found that nearly 23% of young LGB people have attempted suicide, and 56% deliberately harm themselves; 99% of them constantly hear homophobic language in school and 25% report that teachers do not challenge the bias motivated speech. Schools Minister Nick Gibb commented on the findings: "Homophobic bullying, of any kind and of any child, is completely unacceptable. No child should have to suffer fear, victimisation or disruption as a result of bullying, either on or off school premises. Tackling poor behaviour and bullying are top priorities for the Coalition Government."

- In July, Oxford University changed the rules governing its strict academic dress code following concerns that they were unfair towards transgender students. Under the new regulations, students taking exams or attending formal occasions will no longer have to wear ceremonial clothing that is specific to their gender. The decision was taken on the initiative of the university's Lesbian, Gay, Bisexual, Trans and Queer Society (LGBTQ Soc).

- In September, LGBT Youth Scotland produced its Education Report as part of its Life in Scotland for LGBT Young People research. It found that transgender young people were more severely affected by homophobic, biphobic and transphobic bullying than lesbian, gay and bisexual pupils with 77% of respondents having experienced such treatment in school. The report also highlighted the fact that transphobic bullying has a greater negative impact on young people than homophobia or biphobia. An overwhelming number of respondents, some 42%, who had experienced transphobic bullying stated that it had resulted in them leaving education.

## Equality and non-discrimination

- In February, a television advert which invited viewers to guess the sex of ladies at Cheltenham Festival was suspended. The broadcaster decided to cancel the advert after various complaints. The Advertising Standards Authority investigated 92 complaints in relation to the advert and ruled that it must not be shown again.

- In February, the Football Association (FA) launched an anti-homophobia campaign with messages of equality and non-discrimination on tickets, programme leaflets and stadium screens.

- In March, in the framework of its Chairmanship of the Committee of Ministers of the Council of Europe, the United Kingdom organised a conference on discrimination on the grounds of sexual orientation and gender identity. This conference was attended by the three top figures at the Council of Europe – the Secretary-General, the Human Rights Commissioner, and the President of the European Court of Human Rights, and ministers from Sweden, the Netherlands, Finland, Albania, Montenegro, and the UK. In addition, several other countries were represented at ambassadorial level. The human rights of LGBTI people were one of the five key priorities of the UK for its Chairmanship of the Committee of Ministers of the Council of Europe.

- In April, the Protection of Freedoms Act was amended to enable gay men in England and Wales to erase old convictions for consensual adult same-sex activity from their criminal record by applying to the Home Secretary. It entered into force in October.

- In August, the department store Harrods opened its new toy Kingdom, which aims to end the division between 'boys' toys' and 'girls' toys' removing all signs presupposing a specific audience and trying to be gender neutral in the display of toys.

- In August, Stonewall's report One Minority at a Time revealed that public services fail to meet the needs of black and ethnic minority LGB people. People who identify themselves as members of more than one minority group are often frustrated with the lack of understanding among public service staff.

- In September, the European Court of Human Rights held a hearing on four cases, *Eweida et al v UK* (Applications nos. 48420/10, 59842/10, 51671/10 and 36516/10), in which practising Christians complained that UK law does not sufficiently protect their rights to freedom of religion and freedom from discrimination at work. Two of these cases involved the question of whether employees working in organisations offering services to the general public should be allowed to refuse to serve LGBT people on the grounds of their religious beliefs.

## Family

- In March, the Home Office launched a consultation on equal marriage law, exploring the consequences should the government allow same-sex couples to marry in England and Wales. The consultation period ended in June. The proposed bill would also abolish the requirement of compulsory divorce for persons wishing to change their legal gender marker. However, same-sex couples would only be guaranteed the right to marry in a civil ceremony. Individuals and organisations were asked to contribute their opinions in an online survey. In March, Catholic Archbishops, Vincent Nichols and Peter Smith, read a letter out in Catholic churches in England and Wales opposing government plans to introduce civil marriage equality for same-sex couples in registry offices.
- A vicar in Wales resigned over the stand of the Anglican Church in Wales on the equal marriage law. "First of all I felt that the church's position on same-sex relationships, never mind same-sex marriages, was increasingly judgemental and not really inclusive in the way that I felt that it should be", he said and added he regrets the homophobic views some members of the Anglican Communion hold. In addition, the Archbishop of Wales said: "All life-long committed relationships deserved the welcome, pastoral care and support of the Church." In June, the Archbishop of Canterbury stated that "Christians need to overcome their own feelings of embarrassment, shame and disgust about homosexuality".
- In April, the Roman Catholic church wrote to every state-funded Catholic secondary school in England and

Wales asking them to encourage pupils to sign a petition against equal marriage. Afterwards, the Welsh Education Minister Leighton Andrews intervened calling for "balanced perspective" on the issue in schools.

- In July, following a public consultation from September to December 2011, the Scottish Government announced their intention to legislate for equal marriage, enabling same-sex couples to marry in civil, religious and humanist ceremonies. The legislation will also allow trans people to change legal gender without divorcing.
- In October, in Northern Ireland, a call for same-sex couples to be given the right to marry was defeated in the Stormont Assembly. The vast majority of Unionist members voted against the motion, which was jointly tabled by Sinn Fein and the Green Party. Had it passed, the proposal would not have prompted a change in the law but would have ramped up pressure on the power-sharing administration to examine the issue.
- In December, the UK Government set out its plans to introduce marriage equality in England and Wales by 2014. Religious organisations will be able to "opt in" to holding the ceremonies. The law will also state that no-one can be prosecuted for preaching the belief that marriage can only be between a man and a woman.
- In December, the Scottish Government published the draft Marriage and Civil Partnership (Scotland) Bill, which is expected to introduce equal marriage in Scotland.

## Freedom of assembly

- In May, Gibraltar celebrated *International Day against Homophobia and Transphobia* (IDAHO) for the first time.
- In July, the World Pride took place in London. The slogan for this first World Pride held in the UK was Decriminalise homosexuality worldwide – Global equality for LGBT people. Prior to the parade, the organisers and London authorities had disagreements about the time, the route and the finances of the event. Despite the practical problems, the Pride Parade went ahead with one million participants filling the streets of the capital. However, the march was scaled down with some planned elements, such as cars and floats, not being part of the march in the end.

- In the summer, London hosted the Olympic Games 2012. During the Games, a Pride House, a gay venue for Olympic athletes, spectators, tourists, families and friends, was launched and it received official support from the London Organising Committee for the Olympic and Paralympic Games.

## Health

- In May, Stonewall published the world's largest survey into the health needs of gay and bisexual men (6,871 respondents) demonstrating the significant health inequalities experienced by gay and bisexual men. For the first time, the health needs of gay and bisexual men outside of sexual health were researched.

- In July, a gay man won the first stage of a case concerning the lifetime ban on gay men donating blood in Northern Ireland. The High Court ruled that the applicant had established an arguable case that the ban was irrational and unlawful. The complete prohibition on gays blood donation, adopted in the 1980s, was lifted in England, Scotland and Wales in November 2011, but remains in place in Northern Ireland.

- In July, after consultation with the trans community in Scotland, in partnership with the Scottish Transgender Alliance, the National Health Service in Scotland launched a nationwide protocol setting standards for the provision of gender reassignment health services.

- In August, a survey on the LGBTI community's alcohol and drug use, conducted by the Manchester-based Lesbian and Gay Foundation (LGF) in partnership with the University of Central Lancashire (UCLAN), found that 35% of LGBTI people had taken at least one illicit substance in the previous month, over 20% of respondents scored as dependent on a substance, and 25% showed at least one indicator of dependency; 34% of gay and bisexual men and 29% of lesbian and bisexual women said they 'binge-drink' at least one or twice a week, which is about twice as common as in the wider population.

- In September, the National Health Service (NHS) in England launched a Diversity Week raising awareness on transgender staff and patients. The diversity was

celebrated in various workshops and events, including a photo exhibition on transgender art.

- In September, the Scottish Transgender Alliance and four partner agencies published research into the mental health of 889 trans and intersex people in the UK – the largest ever such study in Europe (McNeil et al, Trans Mental Health Study, Scottish Transgender Alliance 2012).

- In November, Youth Chances, a social research project into young LGBT people found that one in four young gay people in England have been assaulted because of their sexuality – and more than half have self-harmed. The rates of self-harm were significantly higher among young gay women, two-thirds of whom said they had hurt themselves on purpose, compared to 37% of men. Transgender young adults were the most vulnerable, with almost four out of five saying they had deliberately harmed themselves. The three-year project will eventually survey 15,000 young adults.

## Legal gender recognition

- In December, the Scottish Government published the draft Marriage and Civil Partnership (Scotland) Bill and accompanying consultation. The legislation will enable people who are married or in a civil partnership to obtain legal gender recognition without being required to divorce. Whereas married applicants will be able to convert their existing marriage to a 'same-sex marriage' those in a civil partnership will no longer be civil partners and instead will convert to a 'mixed-sex marriage', as mixed-sex civil partnership is not being introduced.

## Participation in public/political life

- In December, Michael Cashman, the Labour Member of European Parliament for the West Midlands was made a CBE (Commander of the Order of the British Empire) by the Queen in recognition of his tireless fight for LGBT equality.

## Public opinion

- In June, a survey conducted by the Equality Commission in Northern Ireland found that 25% of people would mind having a gay, lesbian or bisexual person living next door. The

report looked at how attitudes towards people from different backgrounds – including race, disability and sexual orientation – have changed over the past six years. It found that the level of negativity was on the rise; 27% of respondents said they would object to a gay neighbour and 42% would be unhappy about them becoming an in-law.

- In March, a poll by Populus found that 65% of the public agreed with the statement: “Gay couples should have an equal right to get married, not just to have civil partnerships”. Only 27% disagreed. This represents a steady increase in public support for marriage equality and a steep decline in public opposition.
- According to Eurobarometer 2012, 43% of UK residents believe sexual orientation discrimination is widespread. This is slightly below the EU27 average (46%). 41% believe gender identity discrimination is widespread. This is slightly below the EU27 average (45%). UK residents scored 7.9 on a scale from 1 (‘totally uncomfortable’) to 10 (‘totally comfortable’) when asked how comfortable they would feel with an LGB individual in the highest elected political position in their country. This is slightly above the EU27 average (6.6). UK residents scored 7.1 on a similar scale when asked about a transgender/transsexual person in the highest elected political position in their country. This is slightly above the EU27 average (5.7).

## Member organisations of ILGA-Europe

ALEGRI

Campaign for Homosexual Equality  
[www.c-h-e.org.uk](http://www.c-h-e.org.uk)

Cara-Friend  
[www.cara-friend.org.uk](http://www.cara-friend.org.uk)

Coalition on Sexual Orientation  
[www.coso.org.uk](http://www.coso.org.uk)

Consortium of Lesbian, Gay, Bisexual and Transgendered Voluntary and Community Organisations  
[www.lgbconsortium.org.uk](http://www.lgbconsortium.org.uk)

Croydon Area Gay Society  
[www.cags.org.uk](http://www.cags.org.uk)

Equality Network  
[www.equality-network.org](http://www.equality-network.org)

GALHA - the LGBT section of the BHA  
[www.galha.org](http://www.galha.org)

Gay Activists Alliance International

Gay Men’s Health  
[www.gmh.org.uk](http://www.gmh.org.uk)

HERE  
[www.hereni.org](http://www.hereni.org)

Imaan  
[www.imaan.org.uk](http://www.imaan.org.uk)

Intersex UK  
[www.intersexuk.org](http://www.intersexuk.org)

Jewish Gay and Lesbian Group  
[www.jglg.org.uk](http://www.jglg.org.uk)

Kaleidoscope Diversity Trust  
[www.kaleidoscopetrust.com](http://www.kaleidoscopetrust.com)

Labour Campaign for Lesbian, Gay, Bisexual and Transgender Rights  
[www.lgbtlabour.org.uk](http://www.lgbtlabour.org.uk)

Lesbian, gay & Bisexual Anti-Violence and Policing Group  
[www.galop.org.uk](http://www.galop.org.uk)

LGBT History Month  
[www.lgbthistorymonth.org.uk](http://www.lgbthistorymonth.org.uk)

LGBT Youth North West  
[www.lgbtyouthnorthwest.org.uk](http://www.lgbtyouthnorthwest.org.uk)

LGBT Youth Scotland  
[www.lgbtyouth.org.uk](http://www.lgbtyouth.org.uk)

London Bisexual Group

London Lesbian and Gay Switchboard  
[www.llgs.org.uk](http://www.llgs.org.uk)

Metro Centre Ltd  
[www.metrocentreonline.org](http://www.metrocentreonline.org)

Mosaic LGBT Youth Centre

National Union of Students UK Lesbian, Gay, Bi and Trans Students Campaign  
[www.nus.org.uk/campaigns/lgbt](http://www.nus.org.uk/campaigns/lgbt)

Northern Ireland Gay Rights Association

OutRage!  
[www.outrage.org.uk](http://www.outrage.org.uk)

Pink Therapy  
[www.pinktherapy.co.uk](http://www.pinktherapy.co.uk)

Press for Change  
[www.pfc.org.uk](http://www.pfc.org.uk)

Stonewall  
[www.stonewall.org.uk](http://www.stonewall.org.uk)

Stonewall Scotland  
[www.stonewallscotland.org.uk](http://www.stonewallscotland.org.uk)

Swansea Pride  
[www.swanseapride.com](http://www.swanseapride.com)

The Fire Brigades Union LGBT Committee  
[www.fbulgbt.org.uk](http://www.fbulgbt.org.uk)

The Lesbian and Gay Christian Movement  
[www.lgcm.org.uk](http://www.lgcm.org.uk)

The Lesbian and Gay Foundation  
[www.lgf.org.uk](http://www.lgf.org.uk)

TransLondon  
[www.translondon.org.uk](http://www.translondon.org.uk)

UK Black Pride  
[www.ukblackpride.org.uk](http://www.ukblackpride.org.uk)

UK Lesbian & Gay Immigration Group  
[www.uklgig.org.uk](http://www.uklgig.org.uk)

UNISON – Cymru Wales – LGBT Group  
[www.unison.org.uk/cymruwales](http://www.unison.org.uk/cymruwales)

UNISON – East Midlands – LGBT Group

UNISON – Greater London – LGBT Group  
[www.unison.org.uk/london/out](http://www.unison.org.uk/london/out)

UNISON – National LGBT Committee  
[www.unison.org.uk/out](http://www.unison.org.uk/out)

UNISON – North West – LGBT Group  
[www.unisonnw.org.uk](http://www.unisonnw.org.uk)

UNISON – Northern – LGBT Group  
[www.unison.org.uk/northern](http://www.unison.org.uk/northern)

UNISON – Nottinghamshire Healthcare LGBT Group

UNISON – Scotland – LGBT Group  
[www.unison-scotland.org.uk/lgbt](http://www.unison-scotland.org.uk/lgbt)

UNISON – South East – LGBT Group

UNISON – South West LGBT Group  
[www.unison.org.uk/out](http://www.unison.org.uk/out)

UNISON – Stockport Local Government Branch – LGBT Group

UNISON – West Midlands – LGBT Group  
[www.westmids.unison.org.uk](http://www.westmids.unison.org.uk)

UNISON – Wolverhampton branch LGBT Group

UNISON Yorkshire & Humberside Region – LGBT Group  
[www.unison-yorks.org.uk](http://www.unison-yorks.org.uk)

Wise Thoughts/Gaywise  
[www.wisethoughts.org/gaywise](http://www.wisethoughts.org/gaywise)