

Cross-Party Group on LGBTI+

28 February 2024, 18:15 – 19:45

Meeting held online via Zoom

Minute

Present

MSPs

Jamie Greene MSP Conservative Party

Maggie Chapman MSP Green Party

Karen Adam MSP SNP

MSP support staff: Archippus Sturrock

Invited guests

n/a

Non-MSP Group Members

Rebecca Crowther, Equality Network

Paul Daly, LGBT Youth Scotland

Mark Kelvin, LGBT Health and Wellbeing

Rebecca Hoffman, LGBT Health and Wellbeing

Heidi Vistesén, LEAP Sport

Hugh Torrance, LEAP Sport

Ruth-Ann McCalla, LGBT Health and Wellbeing

Denisha Killoh, Stonewall Scotland

Iain Campbell, D&G LGBT Plus

Alan Eagleson, Terrence Higgins Trust

Tristan Gray

Ciorstaidh Reichle

Kaylee Nichol

Roz Hamilton

Micha Daigeaun

Nicola McIntosh

James Banner-Rall

1. Welcome and Apologies

Apologies:

Pam Duncan-Glancy MSP, Tess White MSP, Kevin Guyan, Julia Shacklock, Paul Cockburn, Carrie Bates, Paul Behrens, Liam Stevenson, Erin Lux, Florence Oulds, Vic Valentine

A warm welcome from Jamie Greene and Maggie Chapman to all. There were several apologies as above.

2. LGBT Youth – “Life in Scotland: The Rural Report”

Paul Daly of LGBT Youth Scotland presented on the findings from the *Life in Scotland for LGBT Young People: Rural Report*. This is the latest in a series of reports from LGBT Youth Scotland, with Education and Health already published and the trans report to be published in March.

This report looks at the experiences of LGBT young people across rural Scotland. It has seven thematic areas:

- Homophobia, biphobia and transphobia
- Risks and consequences
- Acceptance and support
- Knowledge and Understanding of LGBTQ+ identities and issues
- Reputation
- Isolation
- LGBTQ+ networks and communities.

The presentation showed the experiences of those who live rurally and how they differ from their urban counterparts. There are a set of recommendations within the report for Scottish Government, Police Scotland, public bodies etc.

The report can be downloaded here: <https://lgbtyouth.org.uk/wp-content/uploads/2023/12/lis-rural-report-2023.pdf>

Maggie Chapman asks whether there has been any response from Scottish Government in relation to the report and whether there has been any tracking in relation to ongoing policy work or engagement in

this area? Paul responds stating that there are many actions within the report that LGBTYS hope Scottish Government will take forward. He highlights the lack of access that people have to youth work and that there is currently a review of the Community Learning and Development. There is cognisance that whilst the entire youth work sector is facing difficulties, it is distinctly felt by LGBT children and young people who don't have many safe spaces.

Roz Hamilton asks whether there has been any guidance written by LGBTYS regarding supporting young people to report hate crime, particular for those in rural areas.

Rebecca Crowther interjects to remind that we have a specific agenda item looking at Hate Crime and some of this would be covered in relation to the implementation of the new Hate Crime Bill. She states that Equality Network have been leading on working with the Hate Crime team at Scottish Government and that there is significant work developing in this area. She also references work on improving third party reporting for all to remove barriers and the sectors work on holding Police Scotland to account.

Jamie Greene highlights that some have very positive experience with Police Scotland (he himself has). Mark Kelvin interjects and states that he could not disagree in any stronger terms, specifically because of the data and understanding LGBT Health holds due to being a third-party reporting centre and hosting a helpline that deals with many in the community having negative experiences with Police Scotland. Mark asks that others seek being involved with the newly established Third Party Reporting working group with Police Scotland to help improve situations.

Ruth-Anne McCalla highlights the diverse cultural experiences of the police and that many fear the police and that this must be understood.

Jamie Greene asks Ian Campbell to share his experiences as someone living in rural Scotland and engaging with LGBTI community members. Ian shares that he feels that there are aspects of rural life for LGBTI+ people in Dumfries and Galloway that are improving. He tells the group that there are discussions and developments around a new pride event in Stranraer. He states that there are some people who are retiring and

now returning to the area but that many young people do leave and move towards the cities.

3. LGBT Health & Wellbeing – New Scots Strategy

Rebecca Hoffman of LGBT Health and Wellbeing shared with the group updates regarding the New Scots Strategy. She shared that Scottish Government, the Scottish Refugee Council (SRC) and COSLA are working on the new iteration of the New Scots Integration Strategy. This should be published around late spring.

Rebecca makes clear that in this area there is a complex policy background, and that it is difficult for many in the LGBTI+ community in Scotland as many of the key issues which impact refugees and asylum seekers – including with the Home Office housing, interaction with the Home Office, no recourse to public funds and others – all fall within reserved powers of the UK Government.

Rebecca shares that with funding from the SRC, they hosted a community consultation on the New Scots Strategy on 1st Feb 2024. There were around 60 LGBT+ asylum seekers (or ‘New Scots’) in attendance, all at various stages of their asylum journey.

The key themes that were heard from LGBT+ refugee and asylum seekers included:

- Lack of information provided upon arrival in Scotland re. local services, support organisations and LGBT+ affirmative services in particular.
- Feeling isolated and not connected to the local community (due to no money, lack of activities, inability to work or study certain courses etc.)
- Difficulty navigating public services such as registering for doctors, dentists etc when systems can often be inaccessible to individuals who don't have mobile phones.
- Negative experiences with Police Scotland and airport officials on arrival in Scotland, in general a lack of compassion shown to individuals and disregard for their experiences of trauma and previous distrust in police due to country of origin.

- The need for LGBT+ affirmative support in general - both mental wellbeing support, but also support from others (e.g. legal support, third sector support) that understands the intricacies of the experience as an LGBT+ asylum seeker.
- Cultural integration can be a challenge due to rurality, or no recourse to public funds.
- Lack of understanding in the public sector of what it means to be an LGBT+ asylum seeker (the need for training and awareness around the key issues).
- The need for free bus travel in Scotland for asylum seekers.

Rebecca shared that the LGBT Health and Wellbeing New Scots Project has been delivering on projects and collaborations including 'legal drop ins' and work with trained solicitors.

Rebecca also shared that for some New Scots when they arrived in Scotland, they had faced a hostile reaction and were fearful because they were LGBTI+. Some were not sure if they could trust the Police due to interactions with police in their home countries. She stated that there is a need for training in Police Scotland with regards to these cultural understandings. Ruth-Ann McCalla agreed with this sentiment and added that often, in other ways, culture is misunderstood for example in meal provision. She stated that there was often a lack of cultural sensitivity and awareness. Rebecca agrees and flags LGBT Health and Wellbeing's Housing Report which covers similar issues (This can be found here: [The impact of housing on New Scots – LGBT Health and Wellbeing](#))

Jamie Greene verbally recognises that all of these issues are difficult to navigate and address in Scotland as some are reserved (e.g. in relation to employment) and some are devolved (e.g. in relation to transport) and that there were many issues, including with regards to the NHS, access and public bodies and diverse sectors that intertwine. He believes that the systems are disjointed. He states that he believes that these are issues that should be prioritised and any change that can be implemented quickly to make living better for New Scots should be made.

Alan Eagleson of Terrence Higgins Trust (THT) states that much of what Rebecca shared is also reflected in their own work with New Scots and that he echoes the frustrations heard here. THT carry out community based testing within some of the hotel accommodation for New Scots and he has found working with the Home Office to be challenging. He believes that New Scots are being failed in the remit of sexual health provision. Jamie Greene added that work needs to be done around the distribution of information about available services.

Maggie Chapman highlights that the Equalities, Human Rights and Civil Justice Committee are carrying out an inquiry into human rights issues and the Asylum and Refugee community who are LGBTI+ this is a small strand of work. She asks that Rebecca Hoffman send a summary of what has been shared here as well as recent reports to the clerks of the committee for the attention of Maggie Chapman (deputy convener) and Karen Adam (convener) as they would like to pick this up again. Rebecca agrees and recognises that there is a lot of information to consolidate. Jamie Greene recognises the passion that Karen Adam has for these issues.

4. Conversion Practices Update

Rebecca Crowther of Equality Network gives a very brief update to inform the group that the Scottish Government's consultation on ending conversion practices (CP) is open and that it closes on the 2nd of April. She stated that it was of utmost importance that the LGBTI+ community responds to the consultation and that it was particularly important that the Bill team hear diverse voices and diverse lived experience. She also said that it was important for the government to hear from both cis and trans people who have views or experience on this issue.

Rebecca highlighted the importance of the community understanding what is being proposed and the work that Equality Network and Scottish Trans have been doing ahead of social media messaging and encouraging engagement on making the consultation as accessible as possible.

Jamie Greene expresses concern that there are a small relative number of people who have been impacted by CP in comparison to the number

of people who may not be aware how this legislation impacts them or those who believe the legislation will significantly impact them. He is worried that this will disproportionality skew the consultation responses.

Jamie states that of course it is OK for people to ask questions about CP if they are not being malicious or biased. He states, 'people come round easily when you explain it in simple terms.' Jamie reminds the group that all political parties supported the will to end conversion practices in their manifestos and in the media. He states 'we should hold them to account on that.'

5. Human Rights Incorporation Bill

Rebecca Crowther shares an update on the Human Rights Bill Incorporation work. She says that when we last met, the consultation had not yet closed, but now the analysis is out. She shares the highlights from this analysis for the group.

- There were a total of 397 responses
- The vast majority of respondents supported the aims of the Bill
- There is majority support for virtually every measure proposed, and a real appetite for the Bill to go as far as possible – further than it has gone
- There was majority support for specifically naming LGBTI people in any equality provision in the Bill – 75% said it was not good enough to leave LGBTI people in 'other status'
- Opinion was split (48%/52%) as to whether anything additional needed to be done for LGBTI and Older People, responses included:
 - Engender called for the Yogyakarta principles to be taken into account
 - That LGBTI and Older People must be specified in the Equality Provision
- In their own consultation response, they highlighted data from their survey about LGBTI people in Scotland's experiences of not having their human rights realised, especially ICESCR rights. This was reflected in housing problems, access to food, right to a

healthy environment, and cultural rights both to participation in cultural activities and to being able to access cultural production by other LGBTI people

- One of the core aims of the Bill was to embed the concept of 'dignity' in both the minimum core obligations for realising rights and into the interpretation of the Bill. Equality Network found dignity to be an important concept for ensuring that LGBTI people's rights are realised and upheld, as it would recognise that people need to be able to access those rights in a way that upholds their own personal dignity (e.g., being able to access services without having to hide your sexual orientation or gender identity)
- The Bill's incorporation of ICESCR, CRPD, ICERD, and CEDAW goes beyond just the text of the treaties and aims to include the general comments of the treaty bodies, for example, in the interpretation of the treaty text. This is important for LGBTI people as we are not named in any treaty, and the general comments clarify that the rights contained in the treaties apply to LGBTI people and include LGBTI-specific protections like right to accurate ID documents and right to correct and appropriate sexual health information.
- While the consultation is complete and the analysis has been released, there is still ongoing work across the equalities & human rights sector to explore options to strengthen the Bill, increase awareness of its importance, and continue to engage with the Scottish Government as the process continues.

6. Hate Crime Strategy

Rebecca Crowther shared an update on the implementation of the Hate Crime Act Strategy, due for launch on April 1st.

In November, Scottish Government released their delivery plan on how the implementation will work, following on from the strategy released in March last year. This is available online here:

<https://www.gov.scot/publications/hate-crime-strategy-delivery-plan/>

The plan sets out the activities that SG will take to meet the 3 main aims of their strategy:

- 1) Victims of hate crime are treated with fairness, compassion and in a trauma-informed manner in which their safety and recovery is a priority
- 2) The nature, characteristics, and extent of hate crime in Scotland are more fully understood and effectively inform appropriate interventions and policy development
- 3) Communities are empowered, inclusive and safe, and the underlying causes of hate crime are challenged.

Activities include:

- Continuing engagement with lived experience stakeholders to better understand how to tackle hatred and prejudice, commence the 2021 Act, engagement with community groups from Police Scotland.
- Reviewing third party reporting, improving availability and quality of disaggregated hate crime data, awareness raising, education and support for children and young people to recognise hate crime.

The progress of these will be overseen by the strategic partnership group, with a review in 2026.

Training has been developed by Police Scotland for officers on the new system and legislation, and this will become part of the curriculum for incoming officers. Reporting of hate crime will now be slightly different, with the inclusion of age and a separate I/VSC characteristic, some information will be gathered about the identity of the victim, and stirring up hatred will now cover all protected characteristics.

Rebecca also shares that the Scottish Government also held a conference in November in Glasgow to promote discussion and engagement around the new legislation from different community groups, which Equality Network attended.

Questions on items 4, 5 and 6:

Ruth-Anne McCalla highlights her concerns with communication from Police Scotland. She highlights the importance of minority groups and marginalised people being involved in the development of services and policing that affect them. Rebecca Hoffman agrees. She also states that good relations with Police Scotland and positive initiatives should not be

a 'postcode lottery' and good practice needs to be rolled out across Scotland.

Kaylee Nichol expresses concern with regards to gender identity services and cultural conversation around the definitions of sex, gender and women, and the ramping of anti-trans rhetoric in the media. Maggie Chapman answers. It is decided that the next CPG meeting will have a focus on all updates in relation to trans healthcare, NHS service access and Gender Identity Services, as well as the Healthcare Improvement Scotland consultation.

Rebecca lets Kaylee know that Equality Network and Scottish Trans are doing work on this and reassures Kaylee that what is expressed in the media is often not a reflection on reality in Scotland. She states that 'we have a mostly trans supportive parliament who have committed to doing what they can to improve situations for trans people in Scotland'.

7. Requests to Join This CPG

Ash Toner-Maxwell of the LGBTI+ Police Association has requested to join the LGBTI+ CPG. There were no objections from members and so the membership was approved.

8. Updates to other matters/AOB

N/A

9. Consideration of Items for Upcoming Meetings

It was agreed that the next meeting of this CPG will focus on all aspects of trans healthcare and related policy work.