

ATISN 15410 - Attachment to the response letter - Freedom of Information request - LGBTQ+ Independent Expert Panel

1. All Agenda papers for the meetings of the LGBTQ+ Independent Expert Panel and its predecessor the LGBTQ+ External Reference Group, between November 2020 and the current date.
2. All background papers, information or research papers or similar documents shared or considered as part of the work programme of the LGBTQ+ Independent Expert Panel, including by meetings of the panel.
3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.
4. Any information or documents detailing the process or criteria followed by Welsh Government to ensure the independence, expertise, representative function (in the case of representatives of organisations or public bodies), plurality and inclusivity of appointments to the LGBTQ+ Independent Expert Panel.
5. Any information or documents detailing the process or criteria followed by Welsh Government to ensure that the LGBTQ+ Independent Expert Panel operates in a way that is fair, balanced, inclusive and considerate of diverse voices and opinions in the LGB, T & Q communities.

1. All Agenda papers for the meetings of the LGBTQ+ Independent Expert Panel and its predecessor the LGBTQ+ External Reference Group, between November 2020 and the current date.

LGBT+ Action Plan Reference Group

18 November 2020 – 10:30 – 11:30

Agenda

1	Introductions <i>Short introductions from members – [redacted] to facilitate</i>	10:30 – 10:40
2	Terms of Reference and Membership <ul style="list-style-type: none">• Agree/amend ToR• Agree membership – identify additional members• Nominate and Agree a Chair	10:40 – 10:55
3	LGBT+ Action Plan Topics <i>Stonewall Report – discussion (led by [redacted])</i>	10:55 – 11:15
4	Engagement Plan <i>Who else should we engage with and what mechanisms should be used?</i>	11:15 – 11:25
5	AOB Date of next meeting: 2 December Focus of next meeting: Finalise topics/policy areas and engagement plan	11:25 – 11:30

1. All Agenda papers for the meetings of the LGBTQ+ Independent Expert Panel and its predecessor the LGBTQ+ External Reference Group, between November 2020 and the current date.

LGBT+ Expert Panel Meeting

19th January 2021 at 10:15a.m to 11:45a.m via Microsoft Teams

Agenda

Time	Item	Lead
10:15	Welcome and Introductions	WG
10:25	Terms of Reference	WG
10:35	Overall Approach	WG
10:45	What Next for LGBT Equality in Wales? Stonewall Cymru Report	Stonewall Cymru
11:00	Open Discussion	WG/Stonewall
11:35	Any Other Business	WG
11:45	Close Meeting	

1. All Agenda papers for the meetings of the LGBTQ+ Independent Expert Panel and its predecessor the LGBTQ+ External Reference Group, between November 2020 and the current date.

LGBT+ Expert Panel Meeting

16th February 2021, 10:15 – 11:45 via Microsoft Teams

Agenda

10:15	Welcome and Introductions	Chair
10:20	Minutes of Previous Meeting and Actions	Chair
10:30	Chairing arrangements	Chair
10:40	Progress Update <ul style="list-style-type: none">• Summary of Feedback from members• Key messages from the Roundtable Discussion and engagement sessions• Present overview of 1st draft of the report	Stonewall Cymru
11:00	Open Discussion: Thematic Areas and review draft recommendations for: <ul style="list-style-type: none">• Safety• Home and Communities• Health and Social Care	Stonewall Cymru
11:40	Next Steps and Any Other Business	Chair
11:45	Close Meeting	Chair

1. All Agenda papers for the meetings of the LGBTQ+ Independent Expert Panel and its predecessor the LGBTQ+ External Reference Group, between November 2020 and the current date.

LGBT+ Action Plan: Stakeholder Reference Group

24th February 2021 from 10:35a.m. to 12:00

Microsoft Teams

Agenda

10:35	Welcome and Introductions	Chair
10:45	Minutes of Previous Meeting and Actions	Chair
10:55	LGBT+ Action Plan – Progress so far: <ul style="list-style-type: none">○ Update from Welsh Government○ Key Messages Emerging from Engagement Discussions○ Feedback from the Independent Expert Panel	[redacted]
11:10	Open Discussion: Are we focusing on the right things?	Chair
11:40	Equality and Inclusion Grant – Consultation	[redacted]
11:50	Informing Equalities Data Unit – opportunity to attend a workshop	[redacted]
11:55	Any Other Business	Chair
12:00	Close Meeting	Chair

1. All Agenda papers for the meetings of the LGBTQ+ Independent Expert Panel and its predecessor the LGBTQ+ External Reference Group, between November 2020 and the current date.

LGBT+ Action Plan: Independent Expert Panel

Meeting 3

16th March 2021 at 10:15 – 11:45am via Microsoft Teams

Agenda

Item	Lead
• Welcome	Chair
• Minutes of Previous Meeting, Actions and Matters Arising	Chair
• Progress Update	[redacted]
• Agree Final Amends	[redacted]
• Report Sign-Off	Chair
• Next Steps	[redacted]
• Close meeting	Chair

2. All background papers, information or research papers or similar documents shared or considered as part of the work programme of the LGBTQ+ Independent Expert Panel, including by meetings of the panel.

LGBT equality in Wales: What's next?

**Outlining
recommendations for
furthering LGBT equality in
Wales**

2. All background papers, information or research papers or similar documents shared or considered as part of the work programme of the LGBTQ+ Independent Expert Panel, including by meetings of the panel.

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Foreword

Stonewall Cymru fully endorses the Welsh Government's decision to produce a comprehensive LGBT Action Plan for Wales. This represents a tangible commitment to working towards equality for all in Wales. Stonewall Cymru also appreciates the opportunity to prepare these recommendations, and doing so has provided the chance to engage more deeply with a large number of LGBT people and organisations across Wales. Stonewall Cymru is therefore confident that the recommendations made below represent a consensus of the opinions and experiences we heard. These recommendations are by and for LGBT people in Wales.

The outreach process provided a real insight into the lives of LGBT people in Wales today, illuminating their experiences as well as what they would like to see the Welsh Government commit to as part of the LGBT Action Plan. Many voiced their opinion that life as an LGBT person in Wales has improved in recent years and that they feel that life in Wales is substantially better than those living across the border in England. It is important to acknowledge the positive steps that the Welsh Government has made in recent years, including improvements to make the national curriculum more diverse, reviewing the policy of blood donation deferral for men who have sex with men, launching the Welsh Gender Service and vocally defending the rights of trans people in Wales. These are truly successes to be celebrated.

Yet despite these advances, the outreach process revealed how LGBT people in Wales continue to face significant barriers to participating fully and equally in Welsh society.

Stonewall Cymru's survey found that 78 per cent of LGBT people in Wales have avoided being open about their sexual orientation or gender identity for fear of a negative reaction from others. Further to this, 46 per cent of LGBT people in Wales have experienced verbal harassment in the last year. Such findings show the experiences that LGBT people continue to go through in Wales today and display how far we still have to go to achieve equality. The recommendations made below aim to address these problems, providing suggestions for tangible action to be taken to improve the lives of LGBT people in Wales.

We look forward to the opportunity to discuss these recommendations with the Welsh Government as we work towards the goal of achieving a more equal and prosperous Wales for all.

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Introduction

The below recommendations from Stonewall Cymru for the Welsh Government's LGBT Action Plan take place after a scoping exercise was undertaken and presented to the Welsh Government, receiving their approval. The recommendations included below set out how the Welsh Government can make real improvements to the lives of LGBT people in Wales, in areas where they have a direct responsibility and role to play. The recommendations encompass all areas of the Welsh Government, providing a plan of clear and achievable steps to further LGBT equality in Wales. The LGBT Action Plan for Wales will serve as a long-term commitment to tackling the systemic problems which still face LGBT people.

While the recommendations have been collated and presented by Stonewall Cymru, it is important to acknowledge that they are the work of numerous LGBT organisations across Wales, as well as many individual LGBT people in Wales who were generous in sharing their experiences and their recommendations to Stonewall Cymru via focus groups, individual meetings and a survey.

The recommendations have been broken down thematically into the policy areas identified during the scoping exercise. These areas are as follows: safety; home and communities; health and social care; education; workplace; COVID-19 recovery; and specific recommendations for furthering equality for trans people in Wales.

Methodology

The methodology underpinning the findings in this report encompasses qualitative and quantitative approaches to ensure that Stonewall Cymru captured both the broader and in-depth picture of what being an LGBT person in Wales today is like and how this can be improved by the Welsh Government.

Stonewall Cymru authored and published a survey, to capture statistics on LGBT people in Wales's experiences. This survey also included the opportunity to capture individuals' recommendations for a future LGBT Action Plan. These have been reflected, and in some cases included directly, in the recommendations. The survey was promoted on Stonewall Cymru's social media channels and with our network of supporters and Diversity Champions, and was also shared by a number of organisations from across Wales (encompassing both LGBT and non-LGBT organisations). The survey received 532 responses.

Stonewall Cymru also undertook eight focus groups with fifty-one attendees representing the Welsh LGBT community, crossing a number of intersectional identities. An overview of the outreach process can be seen in the section entitled "Outreach Overview," which follows the recommendations.

Stonewall Cymru feels that the methodology represents a comprehensive engagement with LGBT people and organisations. Over two months, Stonewall Cymru have gained a detailed snapshot of LGBT life in Wales which feeds directly into the recommendations below. Stonewall Cymru hope these insights will be duly considered when designing the LGBT Action Plan for Wales, which is set to be published before the end of this Parliament.

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Recommendations

Safety

Through Stonewall Cymru's outreach it was discovered that, whilst there have been improvements in some areas, many LGBT people in Wales continue to feel unsafe and at a high risk of abuse or discrimination¹. With recorded hate crime against LGBT people continuing to rise, most notably against trans people², it is vital that government action is taken to address this and guarantee the safety of LGBT people in Wales.

Human Rights

- **Provide LGBT people with a greater understanding of their human rights, what they mean, when they have been infringed and how to seek redress when this happens**
Any advice should be provided in multiple languages to be truly inclusive and accessible to all. Many LGBT people are unaware of their rights and thus can be oblivious to discrimination they are experiencing. Consequently, any attempt to promote safety must begin with explaining citizens' rights and responsibilities to one another. This is particularly important for individuals from protected groups.
- **Provide unequivocal legal recognition of non-binary people**
In Stonewall Cymru's outreach, non-binary people indicated that non-binary identities are often missed out or ignored. A non-binary focus group attendee summed up their experience as "the fact that we are non-binary means we 'don't exist,' it's difficult on medical care, applying for jobs, everywhere." Providing full legal recognition for non-binary people across Wales would prove a huge step forward for non-binary people in Wales, providing a first step that would trickle down to services, ensuring for accurate data collection and a greater understanding of non-binary people and their experiences going forward.

Hate Crime

- **Ensure all police officers and other staff working for police forces have received comprehensive training on hate crime, human rights and how those with protected characteristics are targeted**
In line with a rise in recorded hate crime in Wales³, the responses gathered as part of the outreach process revealed major problems, with many LGBT people responding that they feel they lack even the most basic level of safety. Another problem highlighted was the disparity in how hate crime is dealt with and victims supported between different police forces across Wales. In effect, people's experiences were inconsistent and amounted to a 'postcode lottery'. Trans people in particular reported being the most at risk from a lack of understanding from police officers and call handlers. As a focus group attendee reported, they ended up having to explain what transphobia was to a police officer when reporting a hate crime, the respondent stated that this was a "very distressing thing to do when you have experienced

¹ LGBT in Wales - Hate Crime and Discrimination report, 2018, https://www.stonewallcymru.org.uk/system/files/lgbt_in_wales_-_hate_crime_stonewall_cymru.pdf

² Gov.UK Statistics, Hate Crime, 2018 to 2019

³ Gov.UK Statistics, Hate Crime, 2018 to 2019

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discrimination”. This is more so the case in more rural communities – as a focus group attendee living in a rural area in Wales described, “there is very little understanding of the impact (of transphobia) from police... no understanding of threats and living in a small community where there is little diversity”. Such experiences from LGBT people leads to a distinct lack of trust between LGBT people in Wales and the police. It must, however, be acknowledged that the work of dedicated Diversity Officers has been at the forefront of effective policing in Wales. The goal must now be for front-line staff to replicate the approach of Diversity Officers.

- **Take action to improve the reporting of Hate Crime**

Frequently reported in Stonewall Cymru’s outreach were instances of hate crimes experienced by LGBT going unreported. Our survey found that 71 per cent of the 532 people who responded to our survey stated that they had experienced a hate crime in the last year did not report the incident. One respondent stated that the reason for not reporting was that experiencing hate crime is “part of the ‘norm’ of being LGBTQ+, you get used to it, nothing they can do.” To fully tackle the problem of hate crime, we must know the true scale of the problem. This can only be achieved through increasing LGBT people’s confidence that their experiences and identities will be respected and dealt with seriousness and respect.

- **Take active steps in tackling online Hate Crime**

During Stonewall Cymru’s outreach there was an acknowledgment that online abuse and harassment have increased, particularly during lockdown. This was reinforced by the survey data which found that 26 per cent of responders experienced online abuse or harassment in the last year. Individuals and organisations consistently said they felt reporting of online hate crimes was often not followed up on or taken seriously by police. A focus group attendee said they had experienced an increase in online hate crimes during lockdown, but felt unprotected from this in terms of legislation, and unsure of who to report it to. **The Welsh Government should investigate resolutions that can be taken to tackle online hate crime which can be implemented with devolved powers.**

- **Provide LGBT educational courses which are compulsory for 111/999 police responders in Wales**

Stonewall Cymru have heard how call handlers are often ill-equipped to handle calls on potential homophobic, biphobic and transphobic hate crimes. Call handlers are the first responders the victim encounter after an incident and if this process perpetuates discrimination, it can lead to a lack of trust of the police going forward. This is particularly important for those who feel isolated in their own community. A focus group member shared the poor response they received when reporting an incident of transphobia using 111, which they found a “very distressing thing to go through when you have experienced discrimination”. This incident shows the critical role 111/999 police responders have to play when handling incidents of anti-LGBT hate crime.

- **Continue to invest in hate crime prevention programmes in schools across Wales**

The Welsh Government should continue its commitment to embedding anti-hate crime and pro-human rights programmes in schools across Wales. Tackling future hate crimes by creating a culture of inclusion, equality and respect in school at an

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early age are an effective prevention against a more polarised and discriminatory society.

- **Take active steps to improve the relationship with police and LGBT people of colour**

LGBT people of colour responding in a focus group stated that the police are “not doing their jobs” when it comes to hate crime and that this led to a “feeling of powerlessness” that was felt to be from “systemic and racial profiling”. Another LGBT person of colour stated that they “regularly experience hate crime,” whilst experiencing an inadequate response from police who are acting in accordance to their “unconscious bias”. Some focus group participants felt that more must be done at devolved government level for police to earn the trust of LGBT people of colour. The problem of the underreporting of hate crime cannot be tackled until these relationships are mended, especially for LGBT people of colour. More needs to be done to understand how different forms of hate crime intersect.

- **Explore what actions may be open to the Welsh Government to support trans people in related areas which are within devolved competence**

The Welsh Government should examine how they can support and strengthen the rights of trans people using devolved powers.

Home and Communities

Stonewall Cymru’s outreach process revealed that LGBT people in Wales continue to face discrimination at home and in their communities. Nearly half of survey respondents (46 per cent) stated they had been subjected to verbal harassment, 26 per cent had suffered online abuse or harassment and 13 per cent experienced the threat of physical or sexual harassment and violence in the last year. These findings show how much more must be done to make homes and communities in Wales safe for all.

- **Provide support to LGBT charities and community groups and spaces in rural communities to combat regional inequalities in provision, specifically for LGBT people who speak Welsh**

As part of two Welsh language focus groups run by Stonewall Cymru, the need to make LGBT spaces and resources accessible to those who speak Welsh was raised. This is further reinforced by the stark difference reported between being LGBT in rural Welsh communities compared to living in larger urban areas. This support for Welsh language groups works towards the Welsh Government commitments to supporting the development of “a Wales of Vibrant Culture and Thriving Welsh Language” as set out in the Well-being of Future Generations Act, 2015⁴ and policy objectives in-line with the Welsh Government’s strategy of achieving a million Welsh speakers by 2050⁵.

- **Publicly support Bi Visibility Day, taking place on 23 September, as the Welsh Government and public sector bodies across Wales support LGBT History Month and other awareness days**

Representatives of Bi Cymru raised the importance of highlighting and celebrating bi people. We are proud that the Welsh Government and public sector bodies across

⁴ <https://www.futuregenerations.wales/about-us/future-generations-act/>

⁵ <https://gov.wales/sites/default/files/publications/2018-12/cymraeg-2050-welsh-language-strategy.pdf>

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Wales have come out to support many LGBT awareness days across the calendar, but Bi Visibility Day is often overlooked. The celebration of this event should be encouraged across the public sector to visibly celebrate bi people in Wales and beyond. Alongside this, it is important for the Welsh Government to ensure bi experiences are fully represented when celebrating LGBT identities, and the **Welsh Government should fly the bi pride flag alongside the rainbow flag and trans flag when celebrating LGBT events more widely.**

- **Work with LGBT organisations and domestic abuse support services to improve the support available for LGBT domestic abuse survivors in Wales**
In Britain, more than one in ten LGBT people (11 per cent) have faced domestic abuse from a partner in the last year⁶. This is disproportionality higher in comparison to the general population. According to the Office for National Statistics, six per cent of women and three per cent of men in the general population have experienced domestic abuse from a partner in the last year.
- **Provide access to role models and resources in order to promote LGBT people to stand for political office, at all levels, in Wales**
With three open LGBT Members of the Senedd (although notably there has been no out trans Member of the Senedd to date), progress has been made in political representation of LGBT people in the highest levels of elected office in Wales. However, Council statistics indicate that more needs to be done to make local government a place where LGBT people are welcome. As recent studies by the Electoral Reform Society⁷ and the Wales Governance Centre⁸ have shown, LGBT candidates standing for election face additional barriers, such as the threat of abuse and harassment. The Welsh Government needs to undertake targeted work to overcome these barriers and work towards political representation which is truly representative of Welsh society.

Sport

- **Encourage Welsh sport's governing bodies to develop a joint LGBT inclusion strategy to encourage participation and tackle lack of diversity in sport**
LGBT people stated that they felt out of place in an organised sporting environment. The barriers to participation are particularly high for trans people. A trans man who participated in a focus group stated that he has had issues with access in local gyms with no adequate facilities, and was forced to use disabled toilets. This led him to state that he "haven't felt comfortable enough to be involved in team sports," highlighting the need for better guidance on trans inclusion in sport at all levels. All sporting organisations have an obligation to uphold a zero-tolerance approach to homophobic, biphobic and transphobic abuse and discrimination.
- Stonewall Cymru's [LGBT in Wales – Hate Crime](#) report shows that seven percent of LGBT people who attended a live sporting event in the last year experienced

⁶ LGBT in Britain – Home and Communities report

https://www.stonewall.org.uk/sites/default/files/lgbt_in_britain_home_and_communities.pdf

⁷ [New Voices: How Welsh Politics can begin to reflect Wales, 2018](#)

<https://www.llamau.org.uk/Handlers/Download.ashx?IDMF=1ab2fc66-c571-44f0-8ceb-2d1346f38303>

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⁸ [Unpacking Diversity: Barriers and incentives to standing for election to the National Assembly for Wales,](#)

discrimination because of their sexual orientation and/or gender identity⁹. Focus group participants stated how the problem goes much further than experiences at live sporting events. Participants expressed how this should be addressed through enabling LGBT people to access and participate in sport at all levels.

Homelessness

- **Ensure that all homelessness services monitor service users' sexual orientation and trans status, with an acknowledgement that the data generated will be an underestimate**

This is vital to ensure the proportion of LGBT people in the Welsh homeless population, and their experiences, are known. Whilst the available data displays that LGBT young people in Wales are four times more likely to become homeless than their peers¹⁰ and that nine per cent of the young people accessing Llamau's supported housing services identify as LGBT¹¹, this data is not collected systematically and is thus patchy. This data needs to be collected in a consistent and systemic manner in order to underpin Welsh Government action on homelessness and coordinate specific action for identities who are overrepresented in this population.

- Following the success of Tŷ Pride, funded by the Welsh Government, **commit to funding specific services for LGBT homeless young people across each of the six regions of Wales**
One year on from Llamau's report on [LGBT Youth Homelessness](#) (2019)¹² and LGBT-specific supported living project Tŷ Pride has been a success, displaying the need for bespoke support for LGBT young people who are at risk of homelessness. Tŷ Pride have received over ten times more referrals of young, homeless LGBT people than it has the capacity to house. That Tŷ Pride has received such interest, including from neighbouring local authorities to Denbighshire (where Tŷ Pride is based) displays the wider need for similar services across Wales. This first-of-its kind project has been successful in supporting LGBT young people and providing them the specific support they so badly need through the support of local LGBT support group Viva. With this project being so successful, the Welsh Government should commit to funding specific services for LGBT young people in each of the six 'Regional Housing Support Collaborative Groups' regions of Wales, to ensure that LGBT young people at risk of homelessness have access to the support they require, wherever they are from in Wales.
- **Commission specialist LGBT training for frontline staff working in the Housing and Homelessness sector**
Frontline workers Stonewall Cymru talked to in the homelessness sector as well as LGBT service users have both reported the need for specialist training for frontline staff on LGBT-specific issues. It is vital that when LGBT people access support

⁹ Stonewall Cymru, 2017, LGBT in Wales: Hate Crime Report:

https://www.stonewallcymru.org.uk/system/files/lgbt_in_wales_-_hate_crime_stonewall_cymru.pdf

¹⁰ Llamau, 2019, Out On The Streets: LGBTQ+ Homelessness in Wales:

<https://www.llamau.org.uk/Handlers/Download.ashx?IDMF=1ab2fc66-c571-44f0-8ceb-2d1346f38303>

¹¹

Llamau, 2019, Out On The Streets: LGBTQ+ Homelessness in Wales:

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Llamau, 2019, Out On The Streets: LGBTQ+ Homelessness in Wales:

<https://www.llamau.org.uk/Handlers/Download.ashx?IDMF=1ab2fc66-c571-44f0-8ceb-2d1346f38303>

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services they are met with staff that are understanding of them and are aware of the many risk factors which put LGBT people at a higher risk of becoming homeless (such as estrangement from an unsupportive family). To provide services that work for these at-risk people and work to properly support them, frontline staff must be confident and comfortable in understanding the distinct experiences of LGBT people.

- **Ensure that all people, particularly young people presenting to homelessness services are proactively offered a private space to talk about their situation, offering the opportunity to disclose their sexual orientation or gender identity, should they wish to**

It is vital that LGBT people have the opportunity to discuss their situation and to disclose, if they wish to, their sexual orientation or gender identity. That their LGBT identity may be a contributing factor in presenting to homelessness support can be the subject of trauma and mental distress, makes this space all the more important.

LGBT Refugees and People Seeking Asylum in Wales

As identified in the Welsh Government policy guidance for the [Health and wellbeing provision for refugees and asylum seekers](https://gov.wales/sites/default/files/publications/2019-03/health-and-wellbeing-provision-for-refugees-and-asylum-seekers_0.pdf)¹³, the Equality Act 2010 places a duty on public authorities in Wales to “eliminate discrimination and victimisation” of populations with protected characteristics, such as LGBT people and people of colour. This can include the “removing or minimising disadvantages experienced by RAS [refugees and asylum seekers] due to their protected characteristics; Taking steps to meet the needs of people from protected groups where these are different to other people.” Research by Rania Vamvaka of Cardiff University¹⁴ suggests that the Welsh Government are failing to adequately adhere to the Equalities Act in the processes put in place during the arrival and settlement of LGBT refugees and asylum seekers in South Wales. The research provides examples of discrimination to this sizeable population (5.4 per cent of all asylum applications in the UK are based on sexual orientation). The outreach process has reinforced the experiences faced by LGBT refugees and people seeking asylum in Wales.

Specific support for LGBT asylum seekers and refugees encompassing:

- **Ensure all those working with refugee and asylum seekers develop an understanding of the intersectional identities such as LGBTQ black, Asian and minority ethnic refugees**
The intersecting stigmas attached to LGBT refugees and asylum seekers as LGBT people, as refugees and people seeking asylum and, often, as people with mental health problems, create a unique set of barriers to LGBT asylum seekers and refugees settling in Wales.
- **When appropriate, signpost individuals to relevant LGBT specific support groups, such as Glitter Cymru, Hoops & Loops and UKLGIG**
Develop and manage contacts within these organisations to ensure the provision of the most fit for purpose support for these individuals. It should also be acknowledged that these organisations have limited capacity to provide comprehensive support to

¹³ https://gov.wales/sites/default/files/publications/2019-03/health-and-wellbeing-provision-for-refugees-and-asylum-seekers_0.pdf, 2018

¹⁴ Ourania Vamvaka-Tatsi, (2019), BAME LGBTQ Refugee Arrival and Settlement Experiences: A South Wales

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individuals. The Welsh Government should explore what capacity building actions it could take to support these specialised services and organisations.

- **Take action to justify the Welsh Government’s commitments to making Wales a [Nation of Sanctuary](#)¹⁵ when it comes to LGBT people**, which are not mentioned once in the Refugee and Asylum Seeker Plan published last year.
- **Provide more adequate mental health support to LGBT refugees and people seeking asylum**
LGBT people seeking asylum in Wales who took part in our focus groups highlighted how they often feel a lack of adequate mental health support. Given the potentially trauma inducing elements of the UK asylum process, especially if for those whose LGBT identity is a reason for seeking asylum, it is vital that accessible support is available and that such support is understanding of the cultural nuances of those individuals.

Health and Social Care

Stonewall Cymru’s outreach process found that LGBT people in Wales continue to face significant inequalities when accessing health and social care services. Stonewall Cymru’s survey found that, whilst improvements are being made and that 82 per cent of responders indicated that there was no effect (69 per cent) or positive effect (16 per cent) when disclosing their LGBT identity to healthcare staff, experiences of discrimination continue at an unacceptable rate. 22 per cent of survey responders indicated that they had been subject to inappropriate questions or curiosity when disclosing their sexual orientation or gender identity, whilst 18 per cent felt their specific healthcare needs were ignored or not taken into account and 12 per cent stating they had avoided treatment or accessing services for fear of discrimination or intolerant reactions. Each of these findings display that work must be done to ensure that LGBT people in Wales are safe and confident in accessing the health and social care system. Further reading on the experiences of LGBT people of accessing and using health services can be found in Stonewall’s [LGBT in Britain – Health report](#)¹⁶. For the purposes of clarity, recommendations regarding trans-specific health and social care are included in the section entitled “trans action plan” below, despite recommendations also being applicable here.

- **Appoint a National LGBT healthcare advisor to lead on the below improvements to LGBT healthcare across the NHS Wales**
Stonewall Cymru’s survey and focus group uncovered a number of health inequalities experienced by LGBT people. Stonewall Cymru propose the appointment of an LGBT healthcare advisor as has been appointed in NHS England. The appointment in England has proven successful since appointment, providing an effective source of strategic leadership when it comes to tackling LGBT health inequalities.

¹⁵ https://gov.wales/sites/default/files/publications/2019-03/nation-of-sanctuary-refugee-and-asylum-seeker-plan_0.pdf, 2019

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¹⁶ Stonewall, 2018, LGBT in Britain: Health Report: <https://www.stonewall.org.uk/lgbt-britain-health>

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- **To embed LGBT specific healthcare training as part of the essential training elements when student healthcare practitioners are trained**

The stakeholders Stonewall Cymru engaged with suggested that this is an opportunity to entrench LGBT inclusive health and social care practices at the core of medical practice by teaching them at educational institutions training the next generation of healthcare practitioners in Wales.

- **Ensure that, pan-Wales, sexual health and related conditions such as HIV are put on the same footing as other long-term conditions, with associated public information campaigns**

- **Pledge to support European Testing Week**, a trans-European initiative to promote awareness and benefits of testing, specifically for earlier diagnosis of HIV and viral hepatitis infections and promote effective links to treatment and care whilst respecting the principle of confidentiality. Becoming actively involved in this public awareness campaign would show that Wales are serious about awareness of the need to manage sexual health, for LGBT people and more widely.

- **Support the Fast Track cities campaign for welsh cities beyond Cardiff and Swansea**

The Fast Track Cities campaigns in Cardiff and Swansea have been effective in promoting the provision of postal HIV kits. More must be done to promote these services across Wales.

- **Commit to updating the outdated 'Frisky Wales' online sexual health resource and run a public sexual health campaign to coincide with this.** Such resources should explicitly discuss LGBT identities and risk cases.

- The above update on sexual health service materials should also **attempt to tackle the regional differences in people's access to said services.**

- **Support the moves to tele-medicine for sexual health appointments where possible and desired by the patient**

Tele-medicine provides protection for vulnerable people accessing sexual health services, including LGBT people who live in unsupportive households, as well as migrants and people with no fixed address. Sexual health services need to be made available and accessible to all.

- **The Welsh Government to support community groups campaigns to tackle HIV stigma**

We heard from community members how this is particularly badly needed in both LGBT and BAME communities, where stigma is especially present.

- **The Welsh Government to take political leadership for sexual health services across Wales**

With the Welsh Government having pledged to reach a 2030 target for zero new HIV transmissions, we hear little about the Government's ownership and role in hitting this target. There has been a perceived lack of Government public information campaigns about sexual health and HIV in particular for decades. The Welsh Government should take a proactive role in advocating these services to drive a pan-Wales

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commitment to an attitude of prevention rather treatment when it comes to our sexual health.

- **The Welsh Government to investigate LGBT Mental Health**

Lack of funding and inadequacy of support from mental health services was raised repeatedly during Stonewall Cymru's outreach with LGBT people of all ages. Due to the high volume of responses testifying to the inadequacy of mental health services, it would appear that these services need urgent improvements to work effectively for LGBT people in Wales. It should be noted that often LGBT people will not find it necessary to disclose their LGBT identity due to its lack of relevance to the reason for accessing mental health services. However due to LGBT people being more at risk than the wider population of depression and suicidal thoughts according to Stonewall's Health Report¹⁷, the lack of adequate mental health services has a disproportionate and distinct impact on the welfare of LGBT in Wales.

Education

The LGBT people who engaged with the outreach were largely optimistic about the opportunities of the new Welsh curriculum, specifically the commitment to teach inclusive, developmentally appropriate RSE (Relationship and Sexuality Education). However, concerns were raised around the implementation of the commitments on a truly inclusive curriculum. Support for LGBT young people in education is also an area that needs addressing to ensure that LGBT young people are able to be themselves in the education system. Stonewall Cymru's survey found that there remains a lack of discussion in educational environments about sexual orientation and/or gender identity, with 44 per cent of those in education in the last three years stating that neither of these topics was discussed. This finding displays how far we still need to go to normalise discussions on issues of equality in the Welsh education system. Furthermore, Stonewall Cymru's survey found that discrimination and harassment are common for LGBT people; 26 per cent of those in education had their identity disclosed without their permission, 18 per cent suffered verbal harassment and 16 per cent suffering other inappropriate comments or conduct.

- **The Welsh Government should provide a centralised resource of approved resources to help the families of LGBT young people**

An issue flagged in Stonewall Cymru's outreach is that parents and carers of LGBT young people often feel unsupported and ill-equipped when discussing LGBT issues. In this regard charity Fflag (Families and Friends of Lesbians and Gays) offers resources for family and friends of LGBT people and are currently in the process of launching their Welsh (and Welsh language) resources. The need for this information displays how such resources should be made available to all in Wales and this is best achieved when it is made from a centralised government level.

- **The Welsh Government to provide an approved statutory national trans guidance resource for schools and local authorities**

There is a need for a trusted national information resource, which provides schools with practical information and tools for supporting trans young people. Every child has the right to access these valuable resources and to be educated in an

¹⁷ Stonewall, 2018, LGBT in Britain: Health Report:

https://www.stonewall.org.uk/system/files/lgbt_in_britain_health.pdf

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environment that inexplicably supports their rights. Such a resource should provide guidance on how to allow trans students to participate fully in school life. The design of these resources should be developed in conjunction with organisations with expertise in this area such as Umbrella Cymru, Gendered Intelligence and Mermaids.

- **Provide investment in teacher training on designing and delivering a truly inclusive curriculum, including developmentally appropriate LGBT inclusive Relationships and Sexuality Education for all**

Many felt that the development of the new Welsh curriculum offered the opportunity to change the way that relationships and sexuality is taught in Wales and improving the lives of LGBT young people and increasing equality in the long term. LGBT young people who attended Stonewall Cymru's focus groups highlighted the inadequacy of current procedure and shared their hopes that the new curriculum will right the wrongs of their own experiences. Stonewall Cymru's outreach discovered that whilst most LGBT people were excited about the opportunities of the new Welsh Curriculum to improve the diversity of the curriculum, some were concerned that this opportunity may be missed, highlighting that it all comes down to the practical application of the curriculum. Within this it was highlighted that teacher training is vital for truly embedding an LGBT inclusive education across the curriculum. In order to ensure that the curriculum works for all, teacher training on RSE and diversity more widely is essential. **The Welsh Government should provide access for all educational professionals to adequate guidance on how to effectively design and deliver an inclusive curriculum, encompassing all areas of learning.** This guidance must be made available to teachers in adequate time before the rollout of the new curriculum, currently scheduled for two years' time.

- **The Welsh Government to provide approved case studies of learning materials for developmentally appropriate relationship and sexuality education**

This is necessary to combat misinformation and inaccuracies in the understanding of what relationship and sexuality education means is and how it can be implemented in a developmentally appropriate manner. Without tangible examples of what RSE looks like, an informed discussion in both the public sphere and in families and in faith groups cannot take place.

- **Ensure that all teachers are adequately trained in supporting LGBT young people**

Young people engaging with the focus groups suggested that they often felt a lack of support from members of staff in educational institutions, often feeling the need to 'educate the educator' on matters of LGBT life. More must be done to provide support for LGBT young people in educational facilities, who often experience homophobic, biphobic or transphobic abuse and discrimination from teachers and pupils alike (as evidenced elsewhere in Stonewall Cymru's, [School Report, 2017¹⁸](#)). It should also be stated that discrimination, exclusion and abuse continue to be problems in higher learning environments as outlined in Stonewall's University Report¹⁹ (2018), displaying how training is required for all those working in education at all levels in Wales.

¹⁸ Stonewall Cymru, 2017, School Report: <https://www.stonewallcymru.org.uk/schoolreportcymru>

¹⁹ Stonewall, 2018, University Report: https://www.stonewall.org.uk/system/files/lgbt_in_britain_universities_report.pdf

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- **Ensure that hate crime and human rights are taught as part of the curriculum** LGBT young people reported that they were unaware of what constitutes a hate crime and how they can effectively report incidents of hate crime. An understanding of human rights and hate crime must be embedded into the curriculum at the earliest stage, to empower young people to combat hate and abuse in all its forms.
- **Provide access to training for all teachers and school staff to tackling homophobic, biphobic or transphobic bullying**
Stonewall Cymru's focus group with young people identified that homophobic, biphobic and transphobic (HBT) bullying remains an all too prevalent experience for LGBT young people in Wales. LGBT young people highlighted how teachers did not address or did not know how to address homophobic, biphobic, transphobic bullying or harassment. The creation of educational environments that are safe and supportive of their LGBT pupils is contingent on a culture of no-tolerance to bullying and harassment. Making sure that all teachers are knowledgeable on identifying and tackling homophobic, biphobic and transphobic bullying is critical for ensuring the safety and security of LGBT young people in education.
- **The Welsh Government should consider how to support the development of LGBT groups for young people both in and outside of educational settings** LGBT young people from across Wales in Stonewall Cymru's focus groups highlighted the importance of local LGBT social groups. It is suggested that there needs to be a centralised resource which helps both schools and students in setting up support groups for LGBT students. **The Welsh Government should also find long-term funding solution to the currently underfunded and typically voluntary organisations which provide valuable support for LGBT young people, especially in more rural areas of Wales.**

Workplace

While progress has been made on making workplaces more equal, this remains dependent on the type of industry and the level of commitment shown by the employer. More and more organisations are taking pride in their commitment to LGBT staff, customers and service users. Yet, discrimination in the workplace remains widespread, requiring action and Government commitment to drive change. Stonewall Cymru's outreach process found that whilst 45 per cent of people reporting that those in the workplace reacted only positively when aware they were LGBT, 24 per cent reported un-permissible exposure of their LGBT identity in the workplace and 10 per cent recounted experiencing verbal harassment. Focus group attendees also stated that they experience workplace inequalities and discrimination, particularly those in more precarious employment. Workplaces in Wales have improved, yet we need to go further in order to eradicate discrimination and empower all those in employment to be themselves as well as championing the positive impact diversity can have in all types of organisation.

- **Ensure adequate training for public sector organisations to ensure equality of opportunity. Such training is particularly required for frontline employment support services**
Within the Welsh Government's particular remit is to provide training on issues of equality in the workplace to all public sector workers in Wales. Such a commitment would ensure that in the multitude of different ways in which LGBT people in Wales

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(as well as other individuals from marginalised communities) come into contact with the public sector they are met with someone who is trained to understand the way that discrimination and inequalities are permeated. Such a stance would show a true commitment on the part of the Welsh Government to enshrine equality for all in the workplace. As Stonewall's Shut Out report²⁰ uncovered, LGBT people face particular challenges when it comes to entering the workplace and fulfilling their potential when they get there. It is thus vital that frontline employment support service are aware of these distinct challenges when supporting LGBT people.

- **Create a more homogenised approach to private workplace training resources for workplaces to become more LGBT inclusive**

The Welsh Government can play a role in combatting workplace inequalities in Wales by providing and promoting a centralised source of training resources available to employers in Wales in order to tackle workplace discrimination. Providing access to these resources would enable the Welsh Government to take leadership of the issues proactively. The lack of education of LGBT issues in the workplace should be addressed through advice on employers on how to: show visible commitment to LGBT inclusion in the workplace, produce LGBT inclusive policies and training, and how to create employee-facing workplace systems that are modernised to enable non-binary identities to be recognised and recorded. A trans woman participant in a Stonewall Cymru focus group reported that they were forced to use men's changing rooms and bathrooms in their workplace as it made her colleagues "uncomfortable". She reported that she felt powerless to combat this issue due to feeling that she has "no rights" as she was in precarious agency employment. We cannot continue to allow such violations to take place in workplaces in Wales.

- **Provide a resource detailing employment protections as well as employer responsibilities for upholding the rights of trans staff working in the private sector**

Trans people in particular reported high levels of workplace discrimination with some cases being especially egregious, this is reinforced by existing Stonewall Cymru research.²¹ Access to accurate information on trans identities is thus vital to ensure that the private sector cannot continue with discriminatory practices.

- **Promote the importance of the collection of diversity data to businesses in Wales**

The collection of accurate data from a workforce is a vital means to uncover how discrimination in the workplace. Meaningful change in the workplace is far easier to achieve when accurate monitoring data is available to inform decision making. Conversations in the focus groups uncovered that many continue to face every day discrimination in the workplace, with many denying their LGBT identity in order to progress in their career. The collection of data and the monitoring of potential biases and inequalities in the workplace can aid the process of making LGBT people in Wales to be treated more equally in their places of work. The Welsh Government has a role to play in promoting the importance of the collection of demographic data to businesses in Wales to combat the layers of workplace inequalities. Indeed, this

²⁰ Stonewall, 2020, Shut Out: The Experiences of LGBT young people not in education, training or work: https://www.stonewall.org.uk/system/files/shut_out_2020.pdf

²¹ Stonewall Cymru, 2018, LGBT in Wales, Work Report:

<https://www.stonewallcymru.org.uk/system/files/LGBT%20in%20Wales%20Work%20Report%202018.pdf>

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action would combat wider inequalities beyond those facing LGBT people, such as those based on gender, race, religion and disability.

Trans Action Plan

It is proposed that specific elements that relate to the improvements to the [Welsh Transgender Action Plan²²](#), published in 2016, should be included in this comprehensive LGBT Action Plan for Wales rather than as a separate plan of action. Trans people who engaged with the outreach process indicated that trans-specific elements should be incorporated as part of this plan to provide a comprehensive set of commitments to protect and further the rights of all LGBT across Wales. Using the evidence gathered from focus groups, surveys and meetings with other organisations, we propose the below commitments are necessary to improve the lives of trans people specifically in Wales:

- **Continue to vocally defend the rights of trans people in Wales to take a full and equal role in Welsh society at all levels**

Trans people we engaged with appreciated the Welsh Government statement of support for trans people in Wales. This was felt to be a meaningful gesture in deviating from a UK policy approach that was increasingly hostile to trans identities. The reaction to this statement provides an indication that such statements of support for the trans community in Wales is a meaningful way to ensure that trans people feel the Welsh Government is supportive of their rights.

- **Investigate legislative measures through which the Welsh Government can protect and extend trans rights in Wales**

Trans people in Wales would like to see the Welsh Government go above and beyond the actions of the UK Government in protecting and furthering trans people's rights. **As part of the scoping process for furthering trans people's rights, the Welsh Government should consider whether the devolution of the Gender Recognition Act is possible under the current devolution settlement.** Numerous trans people consulted in the process stated their support for the devolution of the Gender Recognition Act, as has been the case in Scotland. Trans people in Wales generally trusted the Welsh Government more than the UK Government to act in their best interests.

- **Commit to ensuring the legal rights of non-binary people in Wales**

A problem continually brought up was the lack of legal representation for non-binary people. Non-binary people consistently highlighted how they felt their identity is 'erased' due to the fact that they cannot legally identify as non-binary. The degree to which Welsh Government can unilaterally impact this is unclear, however the Welsh Government can take positive first steps by not only exploring the devolved means through which the legal representation of non-binary people can be achieved, but also through including non-binary identities in all monitoring documents and communications. Such an acknowledgement can act as an immediate means of combatting the feelings of erasure from public life that is experienced from non-binary

²² Written Statement - Launch of the Welsh Government Action Plan to advance equality for transgender people: [https://gov.wales/written-statement-launch-welsh-government-action-plan-advance-equality-](https://gov.wales/written-statement-launch-welsh-government-action-plan-advance-equality-transgender-people)

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people in Wales that we engaged with.

Trans-Specific Health and Social Care

- **Create a clear pathway for the Welsh Gender Service**
Trans people consulted in the outreach felt that there was inconsistency to the treatment they were receiving, with many not being able to access the treatment they felt entitled to.
- **Enable GPs to have the ability to prescribe hormone treatment**
Trans individuals stated that they felt it was discriminatory to withhold the power of GPs to prescribe hormone therapy to their patients, when GPs can prescribe treatments with far higher clinical risks than these treatments. A focus group attendee highlighted how their GP “was disgusted that GPs are not allowed to handle hormones when they can control other more harmful medicines,” the individual emphasised that “people really need help” in the period of awaiting hormone treatment. A survey respondent stated that whilst their experience of the Welsh Gender Service was positive overall their “only wish is more GPs would prescribe and do injections.” Many experienced distress at waiting for hormone therapy, with GPs wanting to prescribe but being unable to do so.
- **Commit to ensuring the Welsh Gender Service is accessible for all trans people, including explicitly non-binary people**
In our outreach process it was indicated that the Welsh Gender Service does not, in some cases acknowledge the experiences and complexity of non-binary identities, not offering adequate guidance for these individuals. A fit for purpose Wales Gender Service must offer a space for non-binary people to achieve the health outcomes they are aiming for. In particular, there is an anxiety about being referred to the London Gender Identity Clinic when binary trans people can be treated in Wales.
- **Ensure that the Welsh Gender Service evolves and grows to become more accessible to service users in North and West Wales**
A number of users of the Welsh Gender Service residing in North Wales reported going to London or Liverpool to access Gender Identity services due to the Cardiff clinic being further away and less accessible. For the Welsh Gender Service must be able to provide services to all those requiring them across Wales. Establishing and continuing to build confidence in both primary care (GPs) and Local Gender Teams (LGTs) to initiate and monitor treatment is key to a decentralised service that is accessible to all across Wales.
- **Establish a clear pathway for children and young people to enter the Welsh Gender Service, with the eventual aim of establishing a Welsh Gender Service that is accessible for children and young people**
Focus group participants, stated how they feel that trans young people are currently stuck in a system which doesn’t acknowledge their experiences, being referred to Child and Adolescent Mental Health Services and accessing the Gender Identity Development Service (GIDS) in London. For a Welsh Gender Service to be fully functional it must provide a service to children and young people who are currently stuck in limbo. Children have the right to these services which are currently not available to them. This is especially concerning given the currently lengthy waiting lists to access treatment at GIDS. As with adults, the aim should be to provide a

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pathway which is flexible, accessible across Wales and which builds confidence among local GPs and clinicians regarding the care of trans adolescents.

- **Significantly more investment must be made to the Welsh Gender Service to address the higher-than-anticipated demand**

As of the Welsh Gender Service stakeholder meeting on 14 February 14 2020, referrals to the Welsh Gender Service were 60 per cent above what was anticipated (500 referrals from April 2019 – January 2020, which was expected to be 300). This problem of a backlog of cases is likely to be impacted by the COVID-19 pandemic. A number of respondents to Stonewall Cymru's survey stated how they were forced to go to private healthcare providers as "the waiting time for NHS treatment was too long." With high numbers of service users stuck on lengthy waiting lists to access the Gender Identity Clinic, the mental health impact on this people must be addressed. A respondent to the survey highlighted how "the service is OK but waiting times are horrendous and there is very little support during the waiting time," whilst another described the waiting time was "excruciating." Individuals on this waiting lists could be experiencing serious mental health implications due to the uncertainty of their situation, this can lead to depression, stress and anxiety, as highlighted in Stonewall's Trans Report (2018)²³. **The Welsh Government must ensure that the welfare of those stuck on the waiting lists have access to appropriate support whilst in or waiting to access the Welsh Gender Service. Support services must be adequately funded to provide these vital services.**

- **Improve use of data across NHS Wales when it comes to trans people's gender identities and names**

It has been regularly stated that trans people are often addressed in correspondence with NHS Wales with their birth name after they have changed their name (deadnamed), or are misgendered. That this happens to such an extent represents a systemic issue which leads to distress and exasperation of trans people accessing NHS Wales services. The Welsh Government must prioritise ensuring that this sensitive information is available and that changes to service users' data is made across services. There needs to be a simple and effective way of consistently creating a new medical record for a trans person in their new name and gender whilst also pulling across relevant medical information from the old record. The lack of a clear and consistent system currently requires recourse.

- **Improve the integration and dialogue between community mental health teams and trans specific report**

With trans people more at risk of depression and suicide than the general population (as is true for the LGBT population at large)²⁴, it is vital that support services are made available for trans people, specifically when they are put on lengthy waiting lists for access to the Welsh Gender Service. The compartmentalisation of services like mental health support and trans healthcare is damaging to achieving the outcomes trans people are seeking from their engagement with the Welsh Gender Service. A more holistic and integrated approach is required.

²³ Stonewall, 2018, LGBT in Britain: Trans Report:

https://www.stonewallcymru.org.uk/system/files/lgbt_in_britain_-_trans_report_final.pdf

²⁴ Stonewall, 2018, LGBT in Britain Health Report: <https://www.stonewall.org.uk/lgbt-britain-health>

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Considerations for Wales's COVID-19 Response

As uncovered by recent research conducted by the University College London and the University of Sussex into the lives of LGBT in Britain during lockdown the coronavirus lockdown has provoked a mental health crisis among the LGBT community, with 69 per cent of respondents suffering depressive symptoms, rising to 90 per cent of those who had experienced homophobia or transphobia²⁵. These findings are reinforced by the results of the Stonewall Cymru survey, with many reporting experiences of isolation as a result of COVID-19. One respondent highlighted how “COVID-19 has cut me off from my LGBT network and support,” while another commented that COVID-19 has resulted in “feelings of isolation, anxiety and depressions, cut off from seeing other queer people and therefore feeling less of a sense of community has impacted wellbeing”. With social isolation and some being forced back into unsupportive or openly-hostile households, the impact of coronavirus has been stark for LGBT people. As such it is important to recognise and consider the experiences of LGBT people in Wales when responding to the crisis.

- **Consider the distinct experiences of LGBT people as we come out of lockdown and plan the post-COVID recovery**

Stonewall's [LGBT in Britain: Health](#)²⁶ report shows that more than half of LGBT people have experienced depression and three in five having experienced anxiety in the last year. Such figures of poor mental health are disproportionately higher than the general population. This displays the need to consider the experiences of LGBT people when planning a recovery response to COVID-19, particularly on the mental health impacts of lockdown and social distancing. The need to combat social isolation is additionally particularly acute for LGBT people.

- **Undertake a thorough investigation into how LGBT people in Wales have been impacted by the Coronavirus pandemic**

Due to a number of higher risk factors, such as being at a higher risk of domestic abuse, LGBT people in Wales are likely to be impacted by the Coronavirus pandemic in a distinct way. More needs to be done to analyse the impacts of COVID-19 on the LGBT population of Wales.

²⁵ The mental health and experiences of discrimination of LGBTQ+ people during the COVID-19 pandemic: Initial findings from the Queerantime Study: <https://www.medrxiv.org/content/10.1101/2020.08.03.20167403v1>, 2020

²⁶ Stonewall, 2018, LGBT in Britain: Health Report: <https://www.stonewall.org.uk/lgbt-britain-health>

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Outreach Overview

An overview of the outreach and engagement process is included below to demonstrate the broad range of individuals and stakeholders that have been involved in developing the above recommendations:

- Stonewall Cymru facilitated eight focus groups – this included 51 individuals. Two focus groups were conducted in Welsh with eleven attendees and six in English with forty attendees.
- The above focus groups involved individuals with multiple different sexual orientations and gender identities as well as including individuals who face multiple intersectional inequalities, such as LGBT people of colour and LGBT disabled people. This has enabled Stonewall Cymru to generate proposals that are more representative of Wales's diverse LGBT population.
- The focus groups engaged with LGBT people in regions across Wales, including North and mid-Wales to ensure that the recommendations above are relevant and applicable on a pan-Wales basis. As such, some of the recommendations explicitly address the often-stark differences in the experiences of LGBT people living in Wales's urban centres and those living in more rural areas.
- The focus groups included individuals from the following organisations in addition to those that were 'unaffiliated': Hidayah, Glitter Cymru, Bi Cymru, Welsh Equality Alliance, Pride Cymru
- 532 LGBT people responded to the Stonewall Cymru survey.
- Interviews and meetings held with stakeholders: Llamau, End Youth Homelessness Cymru, Hidayah, Glitter Cymru, Fflag, Umbrella Cymru, Unique, Welsh Equality Alliance, UKLGIG, University of South Wales Students' Union, Viva LGBT, Bi Cymru, Chwarae Teg, WEN Wales and Welsh Women's Aid.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

LGBT+ Expert Panel
19 January 2021, 10:15 – 11:45

Attendees:

Dr Daryl Leeworthy	Swansea University
Kate Hutchinson	PRIDE Cymru
Ourania Vamvaka-Tatsi	MEAD Cardiff University
Iestyn Wyn	Stonewall Cymru
Joe Rossiter	Stonewall Cymru
Professor EJ Renold	Cardiff University
Rahim el Habichi	Glitter Cymru
[redacted]	Stonewall Cymru
Lisa Cordery-Bruce	
Lu Thomas	

Welsh Government Officials:

Alyson Francis	Communities Division
[redacted]	Equality Branch
[redacted]	Equality Branch
[redacted]	Equality Branch
[redacted]	Equality Branch
[redacted]	Equality Branch
[redacted]	Equality Branch – Social Research
[redacted]	Specialist Advisor

Apologies:

Belinda Davies

Agenda item:

1. Welcome & Introductions (10 minutes)

Alyson welcomed attendees to the first meeting of the LGBTQ+ Expert Panel, and members introduced themselves.

Alyson explained to the panel that this work is a priority for Jane Hutt MS, Deputy Minister and Chief Whip, who is keen to develop a robust, challenging and cross-cutting plan - one that strengthens the protections for LGBTQ+ people across Wales, promotes equality for all and helps coordinate ambitious actions across government and beyond.

Alyson emphasised that the Welsh Government is keen to ensure that the expertise and lived experiences of LGBTQ+ people guides our work and thanked everyone for

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joining and for offering their independent expertise to help draft the first LGBTQ+ Action Plan for Wales.

2. Draft Terms of Reference (10 minutes)

Members were asked to discuss, suggest amends and to approve the Draft Terms of Reference paper.

Panel members agreed the Terms of Reference.

Panel members were also asked to agree an independent Chair for this group from among the membership, to chair the next 2 scheduled meetings of the Panel (16 February and 16 March).

Members asked for clarity around Stonewall's role in the group. Iestyn explained that Stonewall are providing an engagement role, by arranging focus groups to input into the plan, and a secretarial role as they'll be drafting the report between meetings with significant input from panel members.

Iestyn was nominated to be chair and provisionally accepted in the event that another panel member does not wish to fulfil the role.

Action: Panel members to let Equality Branch know by **5 February** if they'd like to make a nomination for chair or co-chair. Members will then be asked to vote to select the final candidate if more than one name comes forward.

The panel discussed whether additional members were required in order to have broader representation of children and young people.

Some members suggested that while it's important that ongoing discussions are happening with LGBTQ+ groups across Wales to feed into the plan it may be more productive to keep the expert panel membership smaller and if extra members are invited, it should be to provide different expertise to the existing membership. Members also raised that Stonewall will be holding focus groups with Children and Young people through their engagement work.

3. Overall Approach (10 minutes)

[redacted] provided the members with a brief overview of the current context of this work:

- The Welsh Government takes seriously its commitment to promoting equality in Wales. In the main, this work is coordinated via the Strategic Equality Plan objectives. However, they are also paying special attention to coordinating efforts for particular groups who may experience additional barriers. For example they have a Framework for Disabled people, are working on a Race Equality Action Plan and in 2016 a Transgender Action Plan was published.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

The recommendations within this are now somewhat out of date and will be revisited and refreshed as part of the current work.

- In Summer 2020, Welsh Government commissioned Stonewall Cymru to carry out some initial engagement with stakeholders on an LGBT+ Plan. This engagement included exploring what important themes should be included in any new Action Plan.
- Stonewall Cymru consulted with approximately 600 participants over the summer and recommended a single plan with a range of actions relating to education, personal and community safety, health and social care, and the workplace.
- The Expert Panel forms part of a broader strategy for stakeholder engagement and sits alongside a newly formed Stakeholder Reference Group which met in mid-November.
- The Welsh Government have also asked Stonewall Cymru to carry out further Roundtable Discussions with specific interest groups to help the plan consider intersectionality. These groups include children and young people, older people, disabled people and Black, Asian and minority ethnic people representatives.
- All this is to inform pre-consultation, initial drafting work. It is then intended to take the draft plan to public consultation in the next Senedd administration.
- Timescales are quite tight so further drafting work with Expert Panel members is likely to be necessary outside of these meetings.
- The Welsh Government is keen to ensure that the LGBT+ Plan is informed by a strong evidence base. Members are invited to forward any relevant reports, data or other forms of evidence to Steven Macey who can collect and coordinate.

[redacted] introduced himself to the group and briefly outlined the role he has played in supporting the Black, Asian and minority ethnic Socioeconomic report, Race Equality Action Plan and the Disability Covid Impacts work.

Action: Panel members to forward any relevant reports, data or other forms of evidence to [redacted]

4. What Next for LGBT Equality in Wales? Stonewall Cymru Report (15 minutes)

Iestyn Wyn (Stonewall Cymru) gave members an overview of the findings and recommendations in the 'What Next for LGBT Equality in Wales?' report, which has been put together from the engagement process undertaken during the summer.

Iestyn explained that the document is broken up into key policy areas which broadly align with the UK Government LGBT Action Plan, whilst taking consideration of areas of devolved powers. The policy areas are Safety; Home and Communities; Health and Social Care; Education; Workplace; Covid-19 Recovery; Specific recommendations to update the Trans Action Plan.

Iestyn explained that in the trans equality section there are trans specific recommendations but throughout the plan there are recommendations which will impact all LGBT+ people.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

Stonewall Cymru will use the expert group discussions to draft changes to the What's Next Report – producing a set of recommendations which will be presented as recommendations of the LGBTQ+ Expert Panel. This will be considered by the Welsh Government before being put out to public consultation.

5. Open Discussion (35 minutes)

Members were asked to give their views on the overall approach for the plan and to consider if they:

- Agree with the proposed areas presented in the 'What Next for LGBT Equality in Wales?' report
- Are aware of any gaps and to explore these
- Are happy for updates to the Trans Action Plan to sit as a section within but distinct from the rest of the plan.

The below points were raised in the discussion -

- - How do we make a plan not sound like a list of actions? Do we want to take a similar approach to the Race Equality Action Plan and set out our vision/aims?
 - The Education section of the report is too focused on schools and does not consider lifelong learning, community based adult learning, universities etc
 - How are young people's lives carved up? Education is a big part, but not the only part. It was suggested that there could be a 'Children and Young people' section, with education included within this as well as youth groups, how they live etc. And education/lifelong learning could be included as a separate heading.
 - Definitely agree that 'education' section should be expanded to children and young people - as well as a separate point to older people - which will be informed by our focus group which is planned.
 - It was felt that the plan would benefit from a life course perspective to take account of the needs of people who may fall between themes - for example, people who fall between school and employment. The needs of older people are often lost, as was mentioned by the broader reference group too.
 - Could consider using similar sort of language as Wellbeing of Future Generations Act.
 - Class identity and socio-economic deprivation often underpin so many of the issues raised in the report and need to be considered. Alyson explained that the Welsh Government will be commencing the Socio-Economic Duty on 31 March and so the plan will need to consider socio-economic impact.
 - What are the mechanisms of this group? We're creating an action plan between now and March, but how do we monitor implementation of the plan?
 - Alyson explained there'll be wider, public consultation on the plan once drafted and the group will need to think collectively about the approach to this. The plan will change depending on feedback from the consultation and a board similar to the panel will need to oversee implementation.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.
 - The Welsh Refugee Council and DPiA are looking at housing needs for LGBTQ asylum seekers and have been rolling out a survey. They will have evidence at the end of this month which will be a good addition to this plan. Would the panel be interested in this evidence?
 - The panel agreed that this evidence would be useful for the plan and Iestyn encouraged members to share knowledge and contacts between meetings to make sure the plan encompasses different policy areas.
 - Question to Welsh Government Officials – what do they need the expert panel to do given the time constraints? Is there an existing plan to build on?
 - Equality branch clarified that although this is the first LGBTQ+ Action plan we are not starting from scratch and asked the group whether they were happy to use Stonewall's initial findings as a basis for the report?
 - It was explained that the expert panel can produce something similar to the plan that Stonewall has written which will then be fed back to Welsh Government to formulate into a consultation document.
 - The Stonewall report was agreed to be a good basis for the action plan
 - Consideration must be given to WG structures to reinforce the implementation of those actions in the report which are for WG to do; there are things that are devolved and others outside of Welsh Government competence currently.
 - If Welsh Government are producing action plans across different characteristics can there be read across between the plans – can they look similar?
 - Alyson explained that this is something the panel can consider, if they think this is the best way forward. However if they go with a life course approach to the plan then it'll look different to the REAP as that is taking a thematic approach. Alyson informed the panel that the Welsh Government have been considering whether to ultimately bring all the single characteristic action plans together to form one intersectional plan which would sit under the strategic equality plan. But as there isn't currently a LGBTQ+ or Race plan, it was important to get these in place before that is considered.
 - Members suggested that if the plans look similar it will make it easier for the public to look at and understand the documents. How we present and formulate this report is a crucial way to aid intersectionality.
 - When you put all the action plans together do you see the overall equality objectives?
 - There's so much work going on in contemporary research, what is the best mechanism to get feedback from other researches/academics? Can panel members share the report, run separate sub-groups and see who wants to get involved? It was confirmed that the report can be shared and this work can take place.
 - In the development of the VAWDASV Act there was a separate marketing and communications group which informed the engagement work and messaging. It was suggested that this type of group might be a useful addition alongside the expert panel. The question of how related work such as the RSE comms work fits alongside this work was raised.

Action: Officials to follow this up and find out further information about this group.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.
- Arts and culture is important to health and wellbeing, need to include this in the plan.
- Can we change the name? It doesn't represent all identities. Iestyn confirmed that nothing is agreed – it is up to the expert panel to make recommendations and provide expertise to Welsh Government.

Action: Consider the name and terminology at a future meeting.

- Accessibility of the language in the report - need to think of this. How do we explain intersectionality?
- A glossary would be useful within the Action Plan (a glossary was produced by the SRE expert panel which could be an example).
- Need to translate final report into other languages.
- Make it accessible for people with visual impairments too and available in easy read
- What software can we use to share documents?

Action: Welsh Government officials to consider what collaborative IT the panel can use.

Action: Members to send any further thoughts/recommendations on structure of the report, or any of its content, to Stonewall by 5th of February. Members were asked to make comments on the report in as much detail as they can.

Action: [redacted] will re-write the report through a lifelong lens so the sections aren't so segregated. [redacted] will reflect the discussion in re-drafting the report as well as feedback from the focus groups, and will share ahead of the next meeting so it can be discussed in further detail at that meeting.

6. Any Other Business (10 minutes)

Members were invited to raise any other issues that have not already been covered. There was no other business.

7. Meeting close

Alyson thanked members for their attendance, and informed them the LGBTQ+ Expert Panel will meet again on the 16th February and 16th March 2021. Officials will be in touch to confirm arrangements.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

LGBT+ Expert Panel Meeting Minutes

16th February 2021, 10:15 – 11:45 via Microsoft Teams

Attendees:

Dr Daryl Leeworthy	Swansea University
Lu Thomas	Individual
Kate Hutchinson	PRIDE Cymru
Ourania Vamvaka-Tatsi	MEAD Cardiff Uni
Iestyn Wyn	Stonewall Cymru
Joe Rossiter	Stonewall Cymru
Lisa Cordery-Bruce	Health
Professor EJ Renold	Cardiff University
Cath Burton	Race Equality First
Lisa Power	Fast Track Cardiff and Vale
Davinia Green	Stonewall Cymru
Belinda Davies	Former Chief Superintendent of South Wales Police

Welsh Government Officials:

Alyson Francis	Communities Division
[redacted]	Equality Branch
[redacted]	Communities Division
[redacted]	Equality Branch
[redacted]	Equality Branch

Apologies: Dr Sophie Quinney, [redacted], Numair Massud

Agenda Item:

1. Welcome and Introductions

Alyson welcomed attendees to the second meeting of the LGBT+ Expert Panel.

Alyson explained that a suggestion had been received for Lu Thomas and Alyson to co-chair the group. Iestyn had been nominated to be chair at the last meeting but had politely declined the request due to the existing role that Stonewall plays in drafting the report.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

Alyson invited Lu to co-chair the remainder of the meeting.

Lu introduced new members to the panel, including Lisa Power, Belinda Davies, Cath Burton and Davinia Green, who has recently been appointed as the new Director of Stonewall Cymru.

2. Minutes of Previous Meeting and Actions

Lu asked members to check the minutes of previous meeting for points of accuracy and approval. Members approved the minutes.

3. Progress Update (20 minutes)

Stonewall Cymru provided an overview of progress made so far in drafting the expert panel's report. They;

1. Summarised feedback they've received so far from panel members. One of the main points raised during the last meeting was that some thematic areas were missing from the report, which covered the different stages of a person's life. Members recommended taking a life course approach to the report instead and Stonewall thanked EJ and Daryl for their support in helping to re-frame the report from this perspective. Stonewall explained that they've now put all the recommendations in chronological order, to align with a person's different stages in life. They've also changed the introduction to include an overview of how the report should be viewed through a life-course perspective. They explained that it was difficult to frame the whole report in a life-course approach due to so many of the recommendations fitting into the same thematic areas, and that they've tried to balance framing the report through a life-course lens versus the need for a way to wrap recommendations into different policy areas.
2. They also shared the initial key messages emerging from Roundtable Discussions and wider engagement sessions.
 - They explained that they've held four different intersectional identity based focus groups including Disabled LGBTQ+ people, LGBTQ+ People of Colour, Young LGBTQ+ people and Older LGBTQ+ people.
 - Focus groups were well-attended and largely reinforced the existing recommendations in the report.
 - Themes that arose included – impact on mental health, isolation, the need for intersectional learning/services, the need for LGBTQ+ inclusive care plans for older people, better training for staff working with LGBTQ+ disabled people. These themes will factor into the final report.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.
 - The Young LGBTQ+ people focus group were happy with the direction the report is going.
 - Stonewall has been holding meetings with different equality organisations too.

Members were invited to provide general feedback and brief comments. No issues were raised.

Stonewall asked members to email them with suggestions of anyone else they should be engaging with.

- It was suggested the Belong group for trans and non-binary children and young people might offer another perspective as a focus group (run by Youth Cymru and The Amber Project).

4. Open Discussion: Thematic Areas and review draft recommendations (40 minutes)

Stonewall Cymru lead an open discussion on the draft recommendations presented in the following thematic areas:

- Safety
- Home and Communities
- Health and Social Care

Members were invited to provide feedback and comment on the draft recommendations:

- Whether they agree or disagree each recommendation
- Considering feasibility and context i.e. devolution
- Suggested amends

During the discussion the following points were made:

- Children's rights should be added to the human rights section.
- Members agreed that a strong evidence base and rationale for each section was needed - every section should be supplemented with research findings, so Stonewall's research and evidence gathering (eg roundtables) can be supported.

Action 1: Panel members to send any research/evidence to the social researcher at Welsh Government

- There's a need to differentiate between which recommendations touch on devolved and non-devolved powers.
- Some members suggested that it is Welsh Government's role to scope out what's within their legal competence and they can choose whether or not to accept the expert panel's recommendations.
- Other members would like to see a report that is achievable with short, medium and long term aims. For instance – the legal recognition for non-

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

binary people recommendation – panel need to be clear if this means accurate data collection, the census, or equality and inclusion pro forma's in job applications – report needs to be targeted and achievable for the action the panel want Welsh Government to take.

- 100 recommendations may be too many
- Alyson agreed that while all the recommendations seem valuable, sometimes when there are so many the message can get lost – she asked the panel to consider what are the priorities for the plan? The Race Equality Action plan (REAP) has long term goals and short terms actions – Alyson asked members if this approach for the LGBT+ plan could help with the volume of recommendations? They could make high-level goals/statements with actions underneath. Also important to link with other equality action plans too - such as recommendations in the REAP.
- Members agreed that short and longer term goals/actions would work, and should also include who is responsible for delivering each one.
- They also agreed that the LGBT+ Action plan should tie in to other WG plans.
- Some members offered to streamline the recommendations in order to reduce overall number of recommendations and find the overarching issues
- Members also suggested setting up sub-groups for each thematic area to refine recommendations
- Another member raised the point that if the panel omit points that have been shared by the community what message does this send to that community – the panel needs to be careful about omitting points (non-binary identification isn't easy to achieve, but it's something we should never be afraid of tackling for instance). The community need to see themselves represented in the report.
- Another member agreed that while it's important to prioritise it can be problematic i.e. if someone is Bi and feels its important then why isn't it a priority? Where do we draw line between it being ambitious and where WG see it as being achievable?
- Lu reassured members that the exercise wouldn't be about excluding and dropping issues out of the report, but looking to see where competencies allow us to be most effective. The Stonewall report will not be watered down in any way, it forms the evidence base but we need to distil it and make it more useful for Welsh Government officials to implement it.
- As an example, one member suggested that an overarching goal could be for Welsh Government to recognise non-binary identities legally with actions that relate to Welsh Governments areas of competence underneath i.e.
 1. All Welsh Government forms will include reference to non-binary identity
 2. Welsh Government will encourage/influence businesses to....
 3. Welsh Government will press UK Government to....

Action 2: Welsh Government officials to go through recommendations in the report and see what is within our competence, where we can encourage partners and where we'd need to influence UK Government.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

Action 3: Welsh Government officials to arrange an initial streamlining session with panel members to condense the recommendations.

Action 4: Welsh Government officials to arrange sub-group meeting for each thematic area.

Structure/Governance of report

- We need to have quick wins but we need a structure and story, we need a clear plan afterwards about how to implement these actions which may help structure the report
- Welsh Government will need some form of group to oversee implementation of this plan and we could include a recommendation within the plan to include this

Safety

Members discussed the 'Safety' section of the report:

- **Hate Crime** – important to detail where Welsh Government have influence and where they have competency (what is devolved/non-devolved)
- **Training** - every single police cadet has online equality training– but police forces should refresh training as it needs to filter to the top of the ladder rather than only being delivered to cadets.
- Training needs to be more meaningful. It's presented in a classroom and seen as a punishment, it's now been moved to electronic training and its boredom by powerpoints, some people pretend to do the training.
- Online training (e.g. survey) is very problematic across all sectors
- A key message from each of the engagement groups was the need for comprehensive LGBT+ and diversity training across a range of public services - might need to be an overarching recommendation?
- Are there more opportunities to influence through our funding of PCSOs?
- Alyson explained that we're redoing our VAWDASV strategy and can look at what we need to include/how we can engage on issues brought to light by LGBT+ Action Plan.

Criminal Justice

- Stonewall explained that this isn't an area that's devolved but the Welsh Justice commissions report highlighted some recommendations about criminal justice in the future and how this should sit in Wales. Panel members were asked if reference should be made to these recommendations in the plan.
- It was suggested that these recommendations could be cut out to reduce overall number of recommendations and that Welsh Government should look at the report that's already been produced.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.
- Members discussed again the need for a high- level vision and then more precise actions that Welsh Government has control over – for instance LGBTQ+ prisoners – HMPP not devolved but we are responsible for prisoner's health and we have services that support prisoners –we don't know what LGBTQ+ services are offered in the prison service
- One member asked, can the plan can be bold, with a vision/recommendations that go beyond Wales (in addition to devolved areas) - influencing change needed for Wales in those areas not devolved

Home and Communities

- Youth section needs to be included in this section to weave in life-course approach
- Museum section can be strengthened – EJ and Daryl to support with this during sub group meeting

Stonewall presented the Plan on a page document and asked members to consider how the plan could be easily communicated in one document.

5. Next Steps and Any Other Business

There was no other business.

Members were encouraged to continue providing feedback to Stonewall Cymru between now and the next meeting. Members were reminded that we intend to have an advanced final draft version of the report by the end of the next meeting – with the view of providing advice to the Deputy Minister and Chief Whip thereafter.

6. Meeting closes

Lu thanked members for their attendance, and informed them the LGBTQ+ Expert Panel will meet again on 16th March 2021. Officials will be in touch to confirm arrangements.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

LGBT+ Expert Panel Meeting Minutes

16th March 2021, 13:00-14:00 via Microsoft Teams

Attendees:

Dr Daryl Leeworthy
Lu Thomas
Kate Hutchinson
Ourania Vamvaka-Tasi
Iestyn Wyn
Joe Rossiter
Davinia Green
Lisa Cordery-Bruce
Professor EJ Renold
Cath Burton
Lisa Power
Dr Sophie Quinney

Swansea University
Individual
Pride Cymru
MEAD Cardiff University
Stonewall Cymru
Stonewall Cymru
Stonewall Cymru
Health
Cardiff University
Race Equality First
Fast Track Cardiff and the Vale
Welsh Gender Service

Welsh Government Officials:

Alyson Francis
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

Communities Division
Equality Branch
Equality Branch
Equality Branch
Equality Branch
Equality Branch
Social Researcher
Specialist policy advisor

Apologies:

Belinda Davies

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

Agenda Item:

1. Welcome and Introductions (5 minutes)

Lu welcomed attendees to the third meeting of the LGBTQ+ Expert Panel.

2. Minutes of Previous Meeting and Actions (10 minutes)

Members were asked to check minutes of previous meeting for points of accuracy and to approve.

Lu asked if her amendments to the minutes sent earlier in the week had been received, WG confirmed that they had and her comments had been noted.

No other issues were raised and panel members approved the minutes.

3. Progress Update (5 minutes)

Emily thanked members for their contributions to the sub-group meetings and for their hard work in drafting the report. Emily highlighted how the report had been strengthened from the initial draft and how members' collaborative efforts have made this a genuinely independently report. Lu also extended her thanks to the hard efforts made by panel members through this process.

Emily also drew members' attention to an additional recommendation on banning conversion therapy which has been added to the Human Rights section of the report.

Lu noted that her amendments/comments had not yet been reflected in the report and agreed to re-send, and to go through the suggested amends during the meeting.

Members discussed the following amends:

9. the word 'continue' to be added after 'Welsh Government should..' and Welsh Government to explore what action can be taken within its own devolved powers to make progress in this area.

10. 'Welsh Government should ban conversion therapy in Wales' to be added.

In discussion, members raised the point that it was unclear yet what powers Welsh Government has to ban conversion therapy, but that they do have powers over health and psychological therapies.

11. Members asked what was meant by 'documentation' and suggested that if this means recruitment documentation, then all unnecessary personal identity markers, such as age and ethnicity, should also be removed to make this recommendation intersectional.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

Some members said it was wider than just recruitment - and would be more relevant to Welsh Gov when it is beyond recruitment. They suggested the recommendation may just need to be explicit in saying it includes recruitment.

Other members also raised that this recommendation is relevant to Education too, and not just workplaces.

Some members suggested saying that the Welsh Government should accept as a general principle that if there is no need to know about gender, it should not be asked.

Other members raised the issue of who determines the need to know, and that it is sometimes needed in health documents.

It was raised that this may be something the panel could provide further guidance on as the action plan is developed.

It was agreed that Welsh Government officials would attempt to redraft the recommendation based on the panel's comments, and to seek panel members' agreement through email.

Safety section

Members raised that there isn't currently a recommendation regarding VAWDASV and LGBTQ+ communities.

Alyson informed panel members that Welsh Government is currently refreshing their VAWDASV strategy - and suggested that the recommendation could be in reference to this? Perhaps around community co-production and VAWDASV and the need to consider LGBTQ+ communities very clearly within the development of the VAWDSV strategy.

Members felt that LGBTQ+ people are often not seen in VAWDASV, that all the paraphernalia is heteronormative and LGBTQ+ are lacking in the data sets.

Action 1: Lu agreed to write some background and a recommendation on this and to seek agreement from other expert panel members.

14. Members asked what is meant by 'state of' reporting – poor reporting or poor record management? It was confirmed that this is in reference to under-reporting.

The aim is to increase the number of people reporting hate crimes – and making sure people are comfortable enough to report hate crime.

It was also raised that the issue is not only to do with increasing public confidence to report hate crime, but also about making people feel confident that when they report a hate crime it will be recorded as such and will be dealt with.

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

It was confirmed that the Welsh Gender Service are engaging with SW Police on how they can increase hate crime reporting, but behind the scenes, rather than publically due to distrust from the community in SW Police.

It was also suggested that hate crime reporting should sit with a different/non police organisation.

Alyson informed members that Welsh Government funds an alternative route for people to report hate crime - and seek support - if they don't want to report directly to the police.

The importance of education in helping to prevent hate crimes from happening was also raised- it was confirmed that this is a recommendation in the education section.

Members to agree final wording of recommendation through email.

15. Do we mean Facebook, Twitter. Grindr etc by social media platforms? And should the wording be changed to 'national and international' social media platforms.

Members agreed that the wording should remain the same.

16. Should we add home office?

Members agreed that the wording should remain the same.

39. The word 'well-being' to be removed as it could dilute the recommendation if it isn't specific enough. This was agreed.

40. The word 'remote' should be changed to 'postal' – members agreed with change of word.

43. The point was raised that although there is a perception that the Welsh Gender Service treats non-binary people differently, or that there is a disparity in the service offered, this is not the reality as they do provide a service for non-binary people.

Members agreed that this has been a historic perception issue and is not currently the case - but that there is work to do to change this perception.

Members asked if we could link to and reinforce this disparity in ways that strengthen the section on WG public communication/support for non-binary identities.

Members to agree final wording of this recommendation through email.

General note from member: lower case to be used for hate crime, remove apostrophe of possession in 16 commissioners rather —er's.

Action 2: Emily to make the suggested amendments as discussed during the meeting and to send back out to members before close of play. Members to make

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

any further comments/amendments by 2pm on Wednesday. Emily will make the final changes and send to members for final agreement and sign off by Friday 10am.

4. Open Discussion: Agree Final Amends (30 minutes)

Members were asked if they had any final amends or inaccuracies they wanted to be addressed. Members agreed to follow the email procedure outlined above.

Members were asked for their views on:

- Naming the Action Plan – What should it be called? And;
- Using the term LGBT+ or LGBTQ+ throughout the report

One member shared that they love the term 'action plan' because when they've talked with young people they understood what it meant immediately.

It was also suggested that naming the action plan is something we could include in the consultation.

Members discussed how terminology is likely to change each year.

Some members discussed using LGBT+ as the current terminology in the report – with a footnote to say who this includes and to say the terminology is likely to change.

Other members raised that the term LGBTQ+ is used by many of the young people they work with and that they wanted young people to feel represented in the report. This is also the term that is being used in RSE (education). Members agreed to using this term.

It was also noted in the comments that 'Queer' hasn't been included in the glossary.

Also, the glossary describe their identities and their gender and sexuality. It was suggested that this should change to 'describe their gender and sexuality'.

Action 3: Stonewall to make the necessary changes to the Glossary.

5. Report Sign-off (5 minutes)

It was agreed that the panel would sign-off the report through email instead as more amendments needed to be made. See action 2.

6. Next Steps and Any Other Business (10 minutes)

3. All Minutes or Meeting Notes for the LGBTQ+ Independent Expert Panel meetings between its establishment in late 2020/early 2021 and the current date.

Emily informed members that after they've signed off the report, officials will make any final copy/proofing edits and will send the report as part of a piece of Ministerial Advice to the Deputy Minister before the end of the month. This will be accompanied by a framework for a draft action plan (based on their recommendations) that we can use as the basis for discussion with officials in other departments and then take to public consultation in the new Senedd Cymru term.

Lu asked Emily to clarify what was meant by a framework for a draft action plan and for when this would go to the Deputy Minister.

Emily confirmed that it would go to the Deputy Minister early next week and would be an early draft, based on recommendations from the panel, but that there would be further work to do internally, as well as further engagement with the panel, before the plan would be ready for consultation in the new Senedd term.

Emily asked members if they'd be happy to be brought together again following the elections to help inform and guide our stakeholder engagement approach to the public consultation. Members agreed and were informed that officials would write to them to confirm arrangements when appropriate.

7. Meeting closes

Lu thanked members of the panel again for their hard work so far.

4. Any information or documents detailing the process or criteria followed by Welsh Government to ensure the independence, expertise, representative function (in the case of representatives of organisations or public bodies), plurality and inclusivity of appointments to the LGBTQ+ Independent Expert Panel.

Information not held.

The independent Expert Panel was not subject to the public appointments process. Volunteers were drawn from discussions with LGBTQ+ organisations in Wales.

5. Any information or documents detailing the process or criteria followed by Welsh Government to ensure that the LGBTQ+ Independent Expert Panel operates in a way that is fair, balanced, inclusive and considerate of diverse voices and opinions in the LGB, T & Q communities.

LGBT+ Action Plan

Expert Panel

Terms of reference

Statement of purpose

1. The primary purpose of the Expert Panel is to provide expert advice and guidance to Welsh Government supporting the work of the policy team developing the LGBT+ Action Plan.
2. The group will provide advice and support engagement to ensure that the Plan adequately reflects the needs and lived experience of the diversity of LGBT+ throughout Wales.

Scope and functions

3. The Expert Panel will perform an independent advisory role in relation to the content of the Plan. Decisions to implement or accept suggestions of the group remain with Welsh Government and Welsh Ministers.
4. The Expert Panel will:
 - Provide expert advice and guidance to inform the development of an LGBT+ Action Plan for Wales;
 - Provide evidence and reports to the Welsh Government policy team where relevant;
 - Support the collation of evidence by the policy team;
 - Provide feedback on reports and evidence collected and produced by the policy team; and
 - Support engagement with a diverse range of stakeholders, representing the often intersectional needs of LGBT+ people.
5. Members of this group are seen as experts in their field with experience of service delivery, lived experience, and an understanding of the strategic framework for equality in Wales.
6. Members perform a representative role on behalf of their sectors, stakeholders and clients.

Membership and attendance

Chair – To be determined

5. Any information or documents detailing the process or criteria followed by Welsh Government to ensure that the LGBTQ+ Independent Expert Panel operates in a way that is fair, balanced, inclusive and considerate of diverse voices and opinions in the LGB, T & Q communities.

Membership includes:

Dr Daryl Leeworthy	Faculty of Humanities and Social Sciences, Swansea University
Lu Thomas	Independent
Kate Hutchinson	Pride Cymru
Ourania Vamvaka-Tatsi	Glitter Cymru
Rahim el Habichi	Glitter Cymru
Numair Masud	Glitter Cymru
Iestyn Wyn	Stonewall Cymru
Joe Rossiter	Stonewall Cymru
Lisa Cordery-Bruce	NHS Wales
Dr Sophie Quinney	Trans Health Services
Cath Burton	Chair Race Equality First
Belinda Davies	Former Regional Commander, South Wales Police
Professor EJ Renold	School of Social Sciences, Cardiff University

Arrangements for meetings

The Expert Panel will be held once a month between January and March 2021 with information shared more frequently electronically as required.

The secretariat for the advisory group will be provided by Welsh Government. This will include:

- Organising meetings and inviting attendees;
- Issue of agenda and papers;
- Taking a record of meetings, issuing minutes and record of actions;
- Maintenance of membership list; and
- Liaison between the Expert Panel and broader Welsh Government policy areas.

The chair will agree an agenda for the Expert Panel in advance, in order for the agenda and papers to be circulated at least one week prior to meetings. Members will be consulted on draft agenda items and supporting papers a week in advance of meetings.

5. Any information or documents detailing the process or criteria followed by Welsh Government to ensure that the LGBTQ+ Independent Expert Panel operates in a way that is fair, balanced, inclusive and considerate of diverse voices and opinions in the LGB, T & Q communities.

Following each meeting, confirmed minutes and actions will be distributed to members within two weeks.

Freedom of Information Act 2000: Section 40(2)

Section 40(2) together with the conditions in section 40(3)(a)(i) or 40(3)(b) provides an absolute exemption if disclosure of the personal data would breach any of the data protection principles.

‘Personal data’ is defined in sections 3(2) and (3) of the Data Protection Act 2018 (‘the DPA 2018’) and means any information relating to an identified or identifiable living individual. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

We have concluded that, in this instance, the information requested contains third party personal data, specifically the names of some individuals who attended meetings of the LGBTQ+ Expert Panel.

Under Section 40(2) of the FOIA, personal data is exempt from release if disclosure would breach one of the data protection principles set out in Article 5 of the GDPR. We consider the principle being most relevant in this instance as being the first. This states that personal data must be:

“processed lawfully, fairly and in a transparent manner in relation to the data subject”

The lawful basis that is most relevant in relation to a request for information under the FOIA is Article 6(1)(f). This states:

“processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”.

In considering the application of Article 6(1)(f) in the context of a request for information under FOIA it is necessary to consider the following three-part test:-

- **The Legitimate interest test:** Whether a legitimate interest is being pursued in the request for information;
- **The Necessity test:** Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question;
- **The Balancing test:** Whether the above interests override the interests, fundamental rights and freedoms of the data subject.

Our consideration of these tests is set out below:

1. Legitimate interests

Freedom of information requests are handled as ‘applicant blind’ and public authorities or not entitled to speculate on why a requester seeks information. To that end, and whilst the Welsh Government acknowledges the general interest in

openness and transparency, we can identify no specific legitimate interest in publishing this information.

2. Is disclosure necessary?

In terms of transparency, how the LGBTQ+ Action Plan was developed through discussions with the LGBTQ+ Expert Panel can be satisfied by the release of the remainder of the information. The identification of the individuals involved in that process is not necessary to meet that interest and, as stated above, no specific legitimate interest to release the information has been identified.

3. The balance between legitimate interests and the data subject's interests or fundamental rights and freedoms

The Welsh Government believes there is a risk to the fundamental rights and freedoms of the data subjects if this information is released, as evidenced by internet articles, posts, forums and blogs personally and professionally attacking those who have so far been named as being involved with the LGBTQ+ Action Plan. These redactions are intended to prevent online trolling and further identification of any additional individuals. We believe these harms, alongside the release of the remainder of the information, outweigh any legitimate interest in the release of the information.

As release of the information would not be legitimate under Article 6(1)(f), and as no other condition of Article 6 is deemed to apply, release of the information would not be lawful within the meaning of the first data protection principle. It has therefore been withheld under section 40 of the Freedom of Information Act. Section 40 is an absolute exemption and not subject to the public interest test.