

Sexual orientation harassment by providers of goods, facilities and services in Scotland – results of a survey

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The Equality Network is a national organisation in Scotland working for lesbian, gay, bisexual and transgender (LGBT) equality.

During the summer of 2007, we consulted our network of LGBT people across Scotland, via postal and online surveys, about Britain's anti-discrimination laws. This included asking whether people thought that harassment on grounds of sexual orientation by providers of goods, facilities and services, should be banned by anti-discrimination law.

UK anti-discrimination law defines harassment of a person as unwanted conduct which has the purpose or effect of violating the person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

We received 97 survey responses, 96 of which stated that harassment on grounds of sexual orientation by providers of goods, facilities and services should be banned by anti-discrimination law, and one of which stated that it should not be banned.

In the survey, we asked people to tell us about any personal experience they had had of harassment by providers of goods, facilities and services.

18 of the 97 respondents described personal experiences. Of those 18 experiences, eight were actually examples of direct discrimination rather than harassment. These included six examples of being refused a double room in a hotel or a bed and breakfast, one example of being refused a lease on a flat, and one example of being excluded from a pub.

Seven experiences were of harassment by providers of goods, facilities and services. The experiences described are quoted directly here:

“Yes, abusive language, pulling faces but did not actually ask me and my partner to leave the café (caused by us holding hands over the table).”

“Yes – in a B&B – once landlady was aware of sleeping arrangements (2F + 2M) she became extremely impolite, banged breakfast down on table and did all in her power – short of throwing us out – to let us know she did not approve.”

“Derogatory comments that clearly referred to an assumption of me (and on occasion, friends) being gay.”

“I told my gynaecologist that I didn’t use condoms because I don’t have sex with men. During our second consultation she pretended to have forgotten my disclosure and told me that my symptoms would disappear when I had children. When I told her I don’t plan to have kids she lectured me on the wonders of childbearing. I wished I hadn’t come out to her as I felt humiliated, as if my way life was being belittled.”

“Partner once had luggage rifled through at a B&B in Scotland after owner took exception to giving a double room to a gay couple.”

“I was the butt of homophobic jokes by a health service worker.”

“When working in one of Scotland’s busiest sheriff courts as a prison officer, I witnessed severe bullying of feminine men, mostly by other prisoners but also by prison officers (men!) No action was taken. Food was thrown at these men, they were called names (this was all by other prisoners) but prison officers laughed it off or ignored it.”

The remaining three experiences were of sexual orientation harassment by third parties, and not by providers: harassment of a community centre user by another user, harassment of a prisoner by other prisoners, and harassment of a university student by other students.

In summary, of 97 LGBT survey respondents, 8 described personal experiences of direct sexual orientation discrimination by providers of goods, facilities and services, 7 described experiences of sexual orientation harassment by providers, and 3 described experiences of harassment by third parties while being provided with goods, facilities or services.

This survey suggests that sexual orientation harassment by providers of goods, facilities and services has been as widespread as direct discrimination. Since the banning of direct discrimination in April 2007, harassment may now be more widespread than direct discrimination.