

<p>Institution: Manchester Metropolitan University</p>
<p>Unit of Assessment: C23 Sociology</p>
<p>Title of case study: European and Global LGBT Rights: Changing Legal and Professional Practice</p>
<p>1. Summary of the impact</p> <p>Interdisciplinary research at Manchester Metropolitan University on transgender law, lesbian, gay, bisexual and transgender (LGBT) politics, polyamory, and bisexuality has had a direct role in transforming legal and professional practice, and in improving the treatment of LGBT people within Europe and globally. Specifically, this research has advanced health care, public policy, and the legal status of transgender people throughout Europe and worldwide through research with activist, national and supra-national governmental bodies. Research with LGBT/polyamory communities has benefitted physicians, activists and artists in the LGBT rights struggles in the UK, and Central and Eastern Europe (CEE).</p>
<p>2. Underpinning research</p> <p>An absence of legal protection and the prevalence of homophobia, biphobia and transphobia in UK, European and global contexts is manifest through high levels of ongoing prejudice, discrimination, violence and inequalities. Dr Stephen Whittle OBE (Equalities Law; Professor since 2006; Reader 2001-06), Dr Jon Binnie (Human Geography; Reader since 2005, Senior Lecturer 2001-2005) and Dr Christian Klesse (Cultural Studies & Sociology Senior Lecturer since 2009, Lecturer in Cultural Studies and Sociology, 2006-2009) form an interdisciplinary group researching LGBT rights.</p> <p>Whittle's research brought transgender socio-legal theory to prominence. Developing a mixed-method trans standpoint methodology using legislation and case law analysis, online surveys, intensive semi-structured interviews, activist participation and narrative, discourse and observational analysis, in the 1990s, Whittle documented the discrimination experienced by transgender people and comprehensively demonstrated the need for legal protection and rights recognition. Research with Dr Lewis Turner (Research Assistant, formerly of Lancaster University, of Press For Change) was instrumental in obtaining legal recognition, through the European Courts and national legislation, of trans people's preferred gender identity. Supplemented with new quantitative methods of en-masse narrative analysis, research for the <i>Discrimination Law Review</i> (2006) [1] and a wide-ranging multi-language study for the Council of Europe (2008) which co-ordinated data collection using European sociologists [2] found entrenched structural inequalities resisting legal change, demonstrating a need for positive equalities policies, particularly in the public sector. This served as a platform for the development of wider, dynamic research into transgender rights, with a focus on transgender health care [3] in recent years and the activism/scholarship connection.</p> <p>This relationship between activism and scholarship was central to research on transnational LGBTQ activism in Central and Eastern Europe by Binnie and Klesse (2008-2009). An interdisciplinary qualitative project examined the spatial dynamics of LGBTQ activist networks at protest events in Poland, it involved a mixed-method qualitative methodology, in-depth interviews with 35 transnational LGBT activists, and participant observation of LGBTQ protest events. The key findings of this research were that solidarity is a key to the formation of transnational activist networks, and that coalitions are subject to tensions around age, gender, class and nationality. Moreover, the project demonstrates the centrality of transnational coalitions and socio-economic inequalities to contemporary European LGBT politics.</p> <p>As a pioneer of the geographies of sexualities, through a series of ground-breaking publications, Binnie has charted the development of research on the spatialities of sexual subjectivities and politics since the mid-1990s. His work provided a theoretical overview and critique of the emerging field of global sexualities studies between the mid-1990s and the mid-2000s culminating in his ground-breaking book <i>The Globalization of Sexuality</i> [4]. This monograph established a political economic framework for research on global sexualities, foregrounding questions of class and redistribution as key dimensions of transnational sexual politics and activism. This established a</p>

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theoretical framework for collaborative research on transnational LGBT activism in Central and Eastern Europe with Klesse (2008-2009). Binnie also examines socio-economic inequalities in publications drawing on data collected of the qualitative ESRC-funded study on sustainable gay space entitled *Violence, Security, Space: A Study of the Practical and Policy Context of Sustainable Safe Public Spaces*, in Manchester (1999-2001), led by Professor Beverley Skeggs [5]. This project entailed a mixed-method project including qualitative interviews and focus groups with different user groups of Manchester's gay village.

Klesse's [6] qualitative interview-based, discourse-analytical research on non-heterosexual, non-monogamous relationships and identities (undertaken between 1997 and 2003) established non-monogamy as a key theme within sexuality studies. It also demonstrated the social invisibility of, and discrimination against bisexual and polyamorous communities. This work highlighted the centrality of conflicts around non-monogamy in gay male, bisexual and polyamorous politics.

3. References to the research

[1] Whittle, Stephen, Turner, Lewis and Al-Alami, Maryam (2007) *Engendered Penalties: Transsexual and Transgender Experience of Inequality and Discrimination by Trans People*, (Cabinet Office, London) available at <http://www.pfc.org.uk/pdf/EngenderedPenalties.pdf>. (Commissioned DLR)

[2] Whittle S, Turner L, Combs, R, Rhodes S, (2008) *Transgender EuroStudy: Legal Survey and Focus on the Transgender Experience of Health Care*, Brussels: ILGA Europe available at [http://www.ilga-europe.org/home/publications/reports_and_other_materials/\(offset\)/15](http://www.ilga-europe.org/home/publications/reports_and_other_materials/(offset)/15) (commissioned ILGA/CoE) ISSN: 1998-751X

[3] Whittle S, Combs R, Turner L. (2008) 'Gender Identity Services in England': The Mapping Project Report, London: Press for Change available at http://www.pfc.org.uk/pdf/UK_GIC_Mapping&ServicesProject_4DoH.pdf (Commissioned by Department of Health (DoH))

[4] Binnie, Jon (2004) *The Globalization of Sexuality*, (Sage, London). ISBN: 978-0761959366

[5] Binnie, Jon and Skeggs, Beverley (2004) 'Cosmopolitan knowledge and the production and consumption of sexualized space: Manchester's gay village', *Sociological Review*, 52(1): 39-62. DOI: 10.1111/j.1467-954X.2004.00441.x

[6] Klesse, Christian (2007) *The Spectre of Promiscuity: Gay Male and Bisexual Non-Monogamies and Polyamories*, (Ashgate, Aldershot). ISBN: 978-0-7546-4906-9

Grants to indicate research quality

- Whittle & TGEU, Legal Survey/TransEquality, ILGA & Council of Europe, 2008 €55000
- Whittle & PFC, Provision: Gender Identity Services in UK, DoH 2008, £10900
- Whittle & PFC, How to meet the Public Sector Duty for Trans People, DoH, 2011, £11000
- Whittle & WPATH, Workshops: Trans Health care & Trans Prisoners, 2009, SOROS: €20300

4. Details of the impact

Research on European and global LGBT rights has impacted on international, European and UK human rights law, standards of care, health policies, and the training of mental health professionals. It has shaped public debate on gender and sexual politics in national and international arenas, including the United Nations, the Council of Europe, UK Parliament, international and UK media, European activist and artist networks.

Since 1990, Whittle's research has had a real and significant impact for the better on the legal status of more than 5 million trans people in the Europe Union and Council of Europe states, and many more throughout the world. He worked on the drafting of the UK Gender Recognition Act (2003-4). Further research led to Whittle's appointment to the DTI's Discrimination Law Review [2007], the DCLG's Equalities Review [2008] the Government Equalities Office Single Equality Act Stakeholders Reference Group, and Specific Duties Advisory Group [2008-10], so ensuring transgender inclusion in the Equality Act 2010. Work with local activists ensured the Gender Recognition Act 2004 (UK) was the model for legislation in South Africa (2003), Spain (2007) and Sweden (2011). Whittle was invited by the International Commission of Jurists to become a co-author of the proposed United Nations' Yogyakarta Protocols on Sexual Orientation, Gender Identity and Human Rights http://en.wikipedia.org/wiki/Yogyakarta_Principles which are

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increasingly used as guidance by courts worldwide. These led to the UN General Assembly Statements [A] (2009, 2011) recognising human rights violations and confirming international protections for LGBT people.

The first non-medic and trans person to become President of the World Professional Association for Transgender Health (2007-09), Whittle obtained SOROS funding for workshops at the 2009 WPATH symposium, which led to a unanimous vote placing Human Rights at the heart of the new International Care Standards [B]. A paper to the American Psychiatric Association's Diagnostic Manual's (DSM5) review on classification of Gender Dysphoria as a mental disorder [C] led to the acknowledgement of gender identity as core to personal autonomy, and amendment of the DSM5 mental health category, leading to material change in Gender Identity clinical provision.

The results of Whittle's comprehensive European legal survey and study of trans discrimination in the Council of Europe (CoE) States, were presented to the CoE Human Rights Commissioner [D], Thomas Hammarberg, and led to an issue paper [E] launched at the World Out Games, in Copenhagen. Whittle was a member of the steering committee for the Office of the Commissioner for Human Rights study on LGBTI Discrimination in Europe [F], and was Transgender Europe's observer to the Council of Europe Committee on Sexual Orientation and Gender Identity Rights, ensuring trans inclusion in the Council's Recommendation on Sexual Orientation and Gender Identity Discrimination CM/Rec(2010)5 [G].

Whittle's contribution to the rights of transgender people has been recognised by a growing number of awards: the North American National LGBT Bar Association Frank Kemeny Life Time Achievement Award (2012) for the education of activists, academics and lawyers, and his amicus briefs to the US and international courts and governments (<http://www.lgbtbar.org/awards/frank-kameny-award/>), and the American Bar Association Commission's Stonewall Award in recognition of his contribution to "removing barriers and championing diversity for the LGBT community, both within the legal profession and impacting the greater human universe." (Email from Chair of the ABA's Commission on Sexual Orientation and Gender Identity, 27/08/2013 [H]). Whittle has been a frequent commentator on Radio 4, the World Service and TV, and has widely raised awareness in the UK and other countries of the problems faced by trans people.

Binnie's work on class within LGBT communities has raised awareness about socio-economic inequalities within LGBT communities, and strengthened queer arts networks in Manchester. His work on 'The Globalization of Sexuality' was featured on BBC Radio 4's 'Thinking Aloud', and a related article in *The New Humanist* has contributed to more critical public understanding of global LGBT politics. His work has contributed towards public art events including 'Exam' by the Ultimate Holding Company, at the 2010 Queer Up North festival, and 'On a Day unknown' with the artist Jason E. Bowman and the Out in the City Group of Age Concern at the Whitworth Art Gallery (50 participants from the Out in the City group) [I].

Research by Binnie and Klesse on LGBT activism in Central and Eastern Europe raised public awareness of European LGBT human rights, and enhanced the networking capacity of activists/scholars from Poland through the organisation of the workshop 'Debating Anglo-Polish Perspectives on Sexual Politics at MMU (15 activists/scholars). Klesse presented this research at the 'Untold Stories' exhibition on LGBT oppression and politics in CEE at the Art House Tallinn, Estonia (16/06/2011) funded by European Community Programme for Employment and Social Solidarity (30 LGBT activists) [J].

Klesse's work has raised understandings of polyamory and bisexuality among health practitioners and therapists. It has also been utilised by polyamorous and bisexual activists, as well as artists, journalists, broadcasters and mental health practitioners/therapists. Klesse has contributed his expertise to UK and European activist events, including the International and UK Bisexual Conventions in London, 26/08/2010 (200 bisexual activists) and Bradford, 09/08/2012 (120 bisexual activists). His research was discussed at 'The Mutiny - Love on Trial' – an artist/activist event at the Resistance Gallery, London, 10/02/2011 (80 LGBT activists) [K]. Klesse's research also informed public debate by being featured on BBC Radio 4 Woman's Hour, 26/02/2009. Klesse enhanced awareness of polyamory and bisexuality among health professionals and therapists at the Critical Sexology Workshop Up North (23/09/2011 Manchester) (80 participants), the 23rd

Scientific Convention of the German Society for the Research of Sexuality (18/09/2010 Aachen, Germany), and the distinguished Psychotherapie Seminar Freudstadt (24/09/2011) (30 psychiatrists and psychotherapists). Dr Claudia Schmid (GP) has requested his research publications on behalf of a psychotherapeutic practitioner supervision group in Germany, which signals a growing recognition of polyamorous, and bisexual identities in the international mental profession.

5. Sources to corroborate the impact

- [A] UN General Assembly: 70th and 71st plenary meeting, Morning session: United Nations: Statement Affirming Human Rights Protections Include Sexual Orientation and Gender Identity (08/07/2009) & European Parliament resolution at the United Nations HRC (28/09/2011). Link to wiki with further information here:
http://en.wikipedia.org/wiki/UN_declaration_on_sexual_orientation_and_gender_identity
- [B] Coleman E, Bockting W, Botzer M, et al incl. Whittle S. (2012) World Professional Association for Transgender Health Standards of Care for the Health of Transsexual, Transgender, and Gender Nonconforming People, Version 7, *Intl. Jnl of Transgenderism*, 13:4.
- [C] Green J, McGowan S, Levi, J, Wallbank R, Whittle S. (2011) Recommendations from the WPATH Consensus Process for Revision of the DSM Diagnosis of Gender Identity Disorders: Implications for Human Rights, *International Journal of Transgenderism*, 13:1, 1-4.
- [D] Whittle S, Turner L. et al (2008) Transgender EuroStudy: Legal Survey and Focus on the Transgender Experience of Health Care, Brussels: Ilga Europe available at http://www.ilga-europe.org/home/issues/trans_and_intersex/trans/ie_resources/transgender_eurostudy_legal_survey_and_focus_on_the_transgender_experience_of_health_care_april_2008 Commissioned by the Office of the European Council Commissioner for Human Rights.
- [E] Hammarberg T (2009) Council of Europe Commissioner for Human Rights, Human Rights and Gender Identity; CommdH/IssuePaper (2009), Strasbourg: Council of Europe available at: <https://wcd.coe.int/ViewDoc.jsp?id=1476365>
- [F] Office of the Commissioner for Human Rights (2011) Discrimination on grounds of sexual orientation and gender identity in Europe, Strasbourg: Council of Europe, at http://www.coe.int/t/Commissioner/Source/LGBT/LGBTStudy2011_en.pdf
- [G] Council of Europe (2010) Recommendation CM/Rec (2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, Strasbourg: Council of Europe at <https://wcd.coe.int/ViewDoc.jsp?id=1606669>
- [H] Email on file from Chair of American Bar Association's Commission for Sexual Orientation and Gender Identity corroborating impacts on breaking down barriers for the LGBT community.
- [I] Untitled (On a Day Unknown...) Whitworth Art Gallery <http://www.youtube.com/watch?v=qC-2ahWG07c&feature=plcp>
- [J] 'Untold Stories', Diversity Enriches programme, European Community Programme for Employment and Social Solidarity Tallinn - http://www.kunstihoone.ee/index.php?mode=pl_kunstihoone_yritused&yid=437&yritus=n2itus&asukoht=Kunstihoone&aeg=arhiiv&lang=est&club=1&page=4
- [K] Love on Trial, Join the Mutiny - <http://jointhemutiny.wordpress.com/2011/02/04/love-on-trial-dr-christian-klesse-on-love-activism-polyamory/>