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# Age discrimination, sexual orientation and gender identity: UK/US perspectives

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## Abstract

**Purpose** – The purpose of this paper is to show that lesbian, gay, bisexual and transgender (LGBT) elders suffer from particular discrimination when compared to that suffered by elders in general and heterosexual elders in particular, and to argue for specific consideration for those who suffer from discrimination based upon a combination of their age and sexual orientation or gender identity.

**Design/methodology/approach** – The paper is the result of a desk study of US and UK material plus some interviews in the USA with LGBT organisations.

**Findings** – It is found that LGBT elders do suffer from particular discrimination when compared to that suffered by elders in general and heterosexual elders in particular.

**Research limitations/implications** – This research needs to be placed in a wider context of dealing with discrimination on intersectional grounds and is an example of how such an approach is needed.

**Practical implications** – This paper is a contribution to the debate around the newly published Equality Bill in the UK.

**Originality/value** – The paper contains no new empirical data, but existing material is brought together and is subject to analysis.

**Keywords** Sexual discrimination, Sexual orientation, Age discrimination, Gender, United Kingdom, United States of America

**Paper type** Research paper

The article attempts, using material from the UK and the USA, to show that, in the context of a society in which heterosexual norms predominate, lesbian, gay, bisexual and transgender (LGBT) elders suffer from particular discrimination when compared to that suffered by elders in general and heterosexual elders in particular. The purpose in doing this is to argue for specific consideration for those who suffer from discrimination based upon a combination of their age and sexual orientation or gender identity. In so doing it is also argued by implication that further consideration should be given to those who suffer uniquely as a result of other combinations of discrimination, rather than as a result of discrimination on one ground alone.

There are large numbers of people affected by this issue. The statistics are estimates because of the perceived difficulty in asking people about their sexual orientation/gender identity. It is estimated that, in the UK, some 5-7 per cent of the population is LGB (Age Concern). Projections of growth in the older population also suggest that, by 2031, there will be one to 1.4 million people over the age of 60 who are lesbian, gay or bisexual (Musingarimi, 2008a). It is estimated that there are also some 4,000 people in the UK who are receiving medical help for gender dysphoria, indicating a total of some 15,000 in all. This cannot, of course, be an accurate measure of the number of transgender people, but it does suggest that it is a substantial number of people (Gender Dysphoria National Health Service, 2008). In the USA it is estimated that there are some three million LGBT people over the age of 65 years, and that this will grow to four million by 2030 (Cahill *et al.*, 2000).

## 1. Stereotyping

Age stereotyping is concerned with associating certain characteristics, or the lack of them, with certain ages. It in effect homogenises the particular age group as being all



the same, rather than recognising any diversity within that age group (Robinson *et al.*, 2008). There is an impression that older people share certain attributes, patterns of behaviour, appearances and beliefs (Ward *et al.*, 2008).

A US study which examined stereotypical views held about adult and older lesbians and gay men, compared to heterosexual women and heterosexual men, found that the conventional stereotypes of women and men were reversed so gay men and the stereotypes associated with heterosexual women were similar and lesbians were perceived to be similar to heterosexual men (Wright, 2005). There is also evidence of discrimination on the basis of sexual orientation and gender identity in the USA (Badgett *et al.*, 2007) and the European Community. Similar evidence of exclusion is found in the European Community (Takács, 2006).

It is the bringing together of the stereotypes for elder people and for LGBT people that help create important issues for protection from discrimination and important issues for further research. As one study stated: “most people have opinions about aging, and many people have thoughts about homosexuality, but few individuals have considered them simultaneously; many scholars, advocates for older adults and other individuals consider the terms gay and aging to be incompatible” (Grossman, 2003).

## 2. Life experiences of LGBT elders

To understand the discrimination suffered by LGBT elders it is important to consider how recent are many of the changes in Society’s attitudes and norms with regard to sexuality. A person who is 65 years old in 2009 was born in 1944 and someone who is 85 years old was born in 1924. The 85 year old would have grown up in the 1930s when the view of homosexuality was based upon a psychoanalytic model. Homosexuality was a psychiatric disorder which required therapeutic intervention. Methods of treatment included “drugs, aversion therapy, lobotomies and electric shock treatment” (Knauer, 2009). The 65 year old would have lived as a young person through the 1960s. It was not until 1967 that the Sexual Offences Act in the UK was adopted, which provided that homosexual acts in private did not constitute an offence, provided that it was consensual and that the participants were over 21 years of age. It was not until 1973, that the American Psychiatric Association removed homosexuality from its list of mental disorders and it was only in 1992 that the World Health Organisation declassified homosexuality as a mental illness. Only in 2003 did the UK start to make discrimination against people on the grounds of their sexual orientation and their gender identity unlawful. In many parts of the USA it is still not unlawful, the situation probably being worse for transgender people than for lesbians and gay men. In all, some 20 US states plus the District of Columbia prohibit employment discrimination based on sexual orientation. Of these only 13 also prohibit discrimination on the basis of gender identity (The Williams Institute, 2008).

The significance of all these events is that the current cohort of LGBT elders would have grown up in a time of harassment, illegality and discrimination against LGBT people. Some potential consequences of this are discussed further below, but one very important consequence was that “coming out” was much more difficult and challenging than it is perhaps today. One elder respondent in a research project stated, for example, that “I’m going back quite a long way . . . when I was young we didn’t have any choices. . . we didn’t have any choice about whether we would declare we were going to be gay or not, we didn’t. You just accepted that fact, and you got on with it. . . You know, we were the twilight men then . . .” (Heaphy and Yip, 2003).

A survey of LGBs in the UK also found that some 37 per cent of men (particularly older ones) and 23 per cent of women had hidden their sexuality throughout their lives (Heaphy *et al.*, 2003). Heaphy and Yip's (2003) research suggests a number of reasons why LGBs were reluctant to come out and declare their true sexual orientation. These were, firstly, employer perceptions, secondly, the fear of "queer bashing", thirdly, geography as it was more difficult to come out in a small rural community compared to being in a big city. Importantly, many lived in heterosexual relationships which continued and, according to one participant, led to a "very deep sense of isolation and loneliness". Bisexuals also suffer from biphobia and are likely to remain invisible. Most bisexual elders do not come out at all (San Francisco Human Rights Commission). A small US study of elder lesbians in three West Coast States showed how carefully people thought about coming out and to whom (Jones and Nystrom, 2002). This study of 62 lesbians found that many participants reported that they were not out "or were making very conscious and deliberate decisions about whom to tell about their sexual orientation".

There are more issues for transgender individuals in transitioning and it appears that many do not transition until late middle age or beyond. These issues are concerned with the risks associated with surgery and age; the difficulties in changing speech patterns and physical mannerisms; and difficulties in making changes to long-term relationships. The public nature of the changes involved in transitioning make this an issue also for heterosexual partners who may now be perceived as gay or lesbian. There may also be substantial issues with other family members.

### 3. Institutionalised heterosexism

There are a number of issues related to the sex and sexuality of older people in general and LGBTs in particular. These issues stem from an assumption that elder society is either heterosexual or asexual. It is clear from what research has been done that elder people are not regarded as being sexually active. There is a prejudice that turns both heterosexual and homosexual people, as they age, into asexual people. Here are two quotes, gathered in different research projects, from elder people illustrating this point. The first is from a heterosexual woman aged 73 years; and the second is from a gay man aged 59 years:

They don't expect you to want to have a partnership, they don't expect you to want to have a loving relationship, you're just grandma who comes in handy for looking after the kids every now and then and really needs to be looked after a little bit, I think (Bytheway *et al.*, 2007).

I don't experience harassment but I do experience heterosexist assumptions when using health services, ignoring the fact that I might not be heterosexual (River, 2006).

Interviewees in the first project also described encounters with health professionals where it was just assumed that the elder patient was sexually inactive. A difference between older heterosexual and older LGB people is that whilst the former came up against assumptions that they were sexually inactive, the latter came up against disbelief that they could be lesbian or gay. LGBs are defined by their sexuality in a way that heterosexual people are not. These and other issues are sometimes related to the apparent "invisibility" of elder people in general and elder LGBT people in particular.

The reaction of the state to non-heterosexual family structures and the interaction of LGBT elders with health and care providers (see below) result from an institutionalised heterosexism which is only now being tackled. Institutionalised heterosexism is described as "an ideological system that denies, denigrates and stigmatises any non-heterosexual form of behaviour, identity, relationship or community. . . . heterosexism is manifested both in societal customs and institutions, such as religion and the legal

system (cultural heterosexism) and in individual attitudes and behaviours” (Garrett, 1994).

There are a number of issues that affect elders and are of particular importance to same sex families. One issue is in health decision making, especially when there are accidents and illnesses such as Alzheimers (Gallanis, 2002). The “onset of dementia may mean that private matters become public, domestic arrangements and personal circumstances become more evident to outsiders and it is more difficult to keep the information given about oneself secure” (Out of the shadows’ accessed from the web site of the Alzheimer’s Society, UK; taken from Community Care October 2003; www.communitycare.co.uk). A related issue is the fear of negative responses from institutions such as hospitals and medical professionals (Musingarimi, 2008b). At times, when support is needed, a person’s vulnerability to discrimination can be increased. One example of this cited in research is the gay man caring for his dying partner who receives little support from neighbours and has a doctor who asks him if his wife has died (Ward *et al.*, 2008). In a further US study, of some 205 elder LGBTs, it was said that their greatest fear about growing older was being or dying alone. Some 19 per cent also stated that they had little or no confidence that medical personnel would treat them with dignity and respect as LGBT people (MetLife Mature Market Institute, 2006). A UK study (River, 2006) stated, in respect of care homes, that:

The older lesbians we talked to said they would be worried how other residents would react. Older lesbians responded with comments such as “it would be a nightmare” and “I am hoping never to need one”. The perceptions behind these latter comments are, of course, shared by most heterosexual older people. However, older lesbians have particular concerns over and above the basic fears (amplified by television publicity about appallingly bad practice in some homes)...

LGBT elders do not, it has been suggested in US studies, “access adequate health care, affordable housing, and other social services that they need because of institutionalised heterosexism. . . studies have shown widespread homophobia amongst those entrusted with the care of seniors” (Cahill *et al.*, 2000). The same report by Cahill *et al.* states “A number of the problems faced by LGBT elders also stem from the fact that they often do not have the same family support systems as heterosexual people. This is compounded by the failure of the state to recognise their same-sex families. Many gay men and lesbians already have experience providing care”. For older LGBTs this is a particular issue when faced with the need for care or medical intervention. For transgender people it can be significant as their medical histories will reveal, and their bodies may show the marks, of transition.

#### 4. Homophobia and heterosexism

Terry Kaelbar, Executive Director of SAGE (Senior Action in a Gay Environment) summed up the issues in the USA and elsewhere:

Aging for GLBT seniors is informed by discrimination and anti-gay bigotry, which impacts our ability and willingness to access needed programs and services as we age. It is informed by the fact that we, by and large, age as single people without the traditional familial supports of a spouse or children, supports available to the vast majority of heterosexual seniors, which makes us more reliant on the programs that we are not so willing to access. GLBT aging is informed by. . . our invisibility; with care providers who assume that all old people are straight, one of many heterosexist assumptions (National Gay and Lesbian Task Force, 2005).

There are many problems that are common to both LGBT and heterosexual communities in old age. These include concerns about loneliness, ill-health and financial issues (Turnbull, 2001). Homophobia is “the irrational hatred, fear and intolerance of LGB(T) people” (see Stonewall website at [www.stonewall.org.uk](http://www.stonewall.org.uk)) and heterosexism is the institutionalisation of heterosexual assumptions in society. Discrimination on the grounds of sexual orientation and gender identity is, of course, not limited to elder LGBTs. It is also suffered by younger members of the community. It is a particular issue for elder people though when it combines with heterosexual institutionalism. Elder LGBTs are likely to come into contact with institutions that may not recognise their orientation/identity. In this regard, a survey showed that only one third of older non-heterosexuals believed that health professionals were positive towards LGB clients and only 16 per cent believed that health professionals were generally knowledgeable about non-heterosexual lifestyles’ (Heaphy and Yip, 2003).

A UK Government report (Department of Health and Department for Work and Pensions, 2006) stated that:

Older LGBT people have told us about fearing responses on the grounds of their sexuality from institutions when life changing events occur, for example, loss of independence through hospitalisation, going into a residential home, or having home-carers.

In a survey for the UK Commission for Social Care Inspection some 45 per cent of LGB respondents stated that they had suffered discrimination when using social care services. In addition only 9 per cent of service providers in the sample had carried out any specific work to promote equality for LGB people, and only 2 per cent had done this for transgender people (CSCI, 2006). The LGBT community is itself diverse and there were further issues related to this shown in this survey, e.g. a disabled lesbian who stated that she had black lesbian friends who had stopped using services for fear of having a carer from the same community who will “out” them; and the Asian gay man who was also a family carer and who thought it unthinkable that he would tell staff about his sexuality.

Research in the USA has also found widespread discrimination against elder LGBTs. One piece of research gave examples of an older woman resident at a nursing home whom staff did not wish to touch because she was a lesbian; and a home care assistant who threatened to “out” an elder gay male client if he reported her negligent care. Transgender people also suffered. A survey of 194 self-identified transgender people (*The San Francisco Guardian*, 2006) revealed that 40 per cent said that they had suffered discrimination when applying for work and 18 per cent had been dismissed because of their gender identity.

It is not only an issue of homophobia, however. There is the issue of society “de-sexing” old age (Ward *et al.*, 2008). Certain behaviour and attributes are associated with age, e.g. the clothes and hair styles that are seen as appropriate. This attitude may hide an extra layer of problems for some LGBT people, e.g. lesbians who may not wish to conform to an assumed feminine look with their hair styles (Ward *et al.*, 2008). In a further survey, lesbian and gay interviewees referred to sexuality in terms of identity shaped by a lifetime of discrimination. Heterosexuals, in contrast, spoke of sexuality in terms of feelings, desires and sexual practices. They did not mention what it was like to be a heterosexual.

There is, perhaps, a generational problem concerning heterosexual elders. If elder LGBTs have grown up in a hostile environment and suffered from prejudice and bigotry, then the same can be said of those heterosexual elders of the same generation.

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One of the issues for elder LGBTs entering care homes for the elderly is that the elder residential population living there will exhibit the anti-LGBT prejudices of the society in which they grew up. These elder residents grew up and continue to operate within a society where heterosexism was the norm and homosexuality was an unacceptable deviation from that norm. In one US study of 99 elders (Garrett, 1994, cited in Cahill *et al.*, 2000) it was concluded that some 52 per cent of respondents aged 65-72 and 41 per cent of respondents over this age were homophobic.

### 5. Age discrimination

There is some evidence that elder LGB people suffer from discrimination within the community. The “gay scene” is said to be youth orientated. The elder members of the LGB community who participated in research was that “the pervasive story amongst older gay men is that visible signs of ageing can mark one as undesirable or unwelcome in gay culture” (Ward *et al.*, 2008). There are also examples of internalised ageing, where gay men experience themselves as being old at an earlier age than their chronological age; this assumes importance for those “who find much of their social acceptance and life meaning in physical attractiveness and desirability” (Cahill *et al.*, 2000). Ageism manifests itself within the LGBT community by the use of “beauty standards that privilege youth, the exclusion of old people from community discussions, and the absence of senior issues from the mainstream GLBT political agenda” (Cahill *et al.*, 2000).

According to Cahill *et al.* there are also structural problems associated with the separation of elder LGBTs from the rest of the community; such as the age segregation of social organisations within the community, and the general lack of outreach to elders. There are few programmes that honour their contributions and very little material in the LGBT press featuring elders. One survey of elder LGBTs in Chicago (Beauchamp *et al.*, 2001) also confirmed the generational divide within the community and its recommendations included promoting more awareness of seniors within the LGBT community, providing opportunities for seniors to remain active and involved and providing opportunities for intergenerational activities.

### 6. Legislative protection

It is convenient to treat lesbians, gay men, bisexuals and transgender people as a group in order to identify the discriminatory treatment that they jointly suffer as a result of not conforming to the expectations of a heterosexist society. It is self-evident, however, that there are differing issues between these four groups. This is important when considering the regulatory protection needed from discrimination. There is an important distinction in law to be made between lesbians, gay men and bisexuals as a group and transgender people as a separate group (Cook-Daniels, 2002). Although they are often referred to as one in the useful acronym LGBT, the life experiences and the discrimination issues are not necessarily identical. All four groups have particular issues that are unique to them.

#### *Lesbians, gays and bisexuals*

Although lesbians and gay men have their attractions to those of the same sex in common, this does not mean that there are not issues that divide them. Lesbians will suffer from gender discrimination by virtue of their sex, but also because, perhaps, of a failure to abide by stereotypical images of females and female characteristics. For gay

men there are also issues of age discrimination within their community and to what extent they also conform to male stereotypes.

Bisexuals are people attracted to both sexes and, therefore, cannot be defined in the same way as lesbians and gay men. "Bisexuality means the capacity for emotional, romantic and/or physical attraction to more than one gender. The capacity for attraction may or may not manifest itself in sexual interaction". The 2002 US National Survey of Family Growth found that nearly 13 per cent of women and 6 per cent of men were attracted to both men and women; 2 per cent identified themselves as bisexual, compared to 1.8 per cent who identified as homosexual (Miller *et al.*, 2007). Others (Yoshino, 2000) have identified five studies which estimated the numbers of bisexuals from between 2 and 15 per cent of the population. In each study, the incidence of bisexuality was greater than that of homosexuality. It is suggested that bisexuals are being "erased" because both self-identified gays and self-identified heterosexuals have overlapping political interests in making them so. Bisexuals threaten the sexual identification of homosexuals and heterosexuals.

In the UK these different groups are recognised in protective legislation. The Employment Equality (Sexual Orientation) Regulations 2006 define sexual orientation as a sexual orientation towards persons of the same sex, persons of the opposite sex or persons of the same sex and of the opposite sex. The Equality Act 2006, which is the justification for protection concerning discrimination in the provision of facilities, goods and services, has a similar definition. Thus both these pieces of legislation, designed to provide protection from discrimination, include heterosexuals in their definition of sexual orientation. Importantly, the Civil Partnership Act 2004 enables same-sex couples to obtain legal recognition of their relationship by forming a civil partnership. It gives those in such partnerships many of the same rights that heterosexual married couples would have in relation to each other.

The USA does not have Federal legislation protecting LGBs from discrimination on sexual orientation grounds. There has been a long running campaign for a national Employment Non-Discrimination Act (ENDA) to stop discrimination on the grounds of sexual orientation and gender identity. In 2007 the House of Representatives actually adopted such an Act, but it did not include discrimination on the grounds of gender identity (Ramos *et al.*, 2008). Action has been left to the States and municipalities in this regard. As a result some 20 States and the District of Columbia prohibit discrimination based on sexual orientation. Some 15 States have, however, actually passed anti-gay partnership laws (Howenstine, 2006).

Campaigners have been able to use the prohibition against sex discrimination to fight discrimination based on gender, which is said to include sex stereotyping, i.e. on the basis of attributes which are stereotypically associated with different sexes. Thus in *Price Waterhouse* (490 U.S. 228, 109 S.Ct 1775; 104 L.Ed2nd 268 (1989)) a female senior manager was refused a partnership. She, according to the Court, was generally viewed as a highly competent individual, but she was also regarded by some as aggressive and difficult to work with. She was advised to walk, talk and dress more femininely as well as to wear make-up, have her hair styled and wear jewellery. Her aggressiveness and manner were not seen as feminine attributes. The Court concluded that "an employer who acts on the belief that a woman cannot be aggressive, or that she must not be, has acted on the basis of gender". This positive outcome has been relied upon elsewhere. In *Jimmie L Smith v City of Salem, Ohio* (2004 WL 1745840; 6th Cir (Ohio)) a lieutenant in the City Fire Department; had been diagnosed with Gender Identity Disorder and began expressing a more feminine appearance. He was the



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subject of various comments from co-workers, so informed his immediate supervisor in confidence of his plans to transition. His supervisor nevertheless broke confidentiality and informed his superiors, who then took various actions against the complainant in order to encourage him to leave. He claimed that he had suffered sex discrimination contrary to Title VII. The Federal District Court held that Title VII protection was unavailable to transsexuals, but, on appeal, the Court concluded that a failure to conform to sex stereotypes amounted to sex discrimination.

### *Transgender people*

Quite apart from the discrimination suffered as a result of their eventual sexual orientation, transgender people may go through a process of being exposed to bigotry and prejudice whilst undergoing serious physical and mental life changing processes.

For transgender people the issue is one of gender identity and is treated, correctly, in the UK, as a sex discrimination matter. Transgender people in the UK are provided with protection by Section 2A of the Sex Discrimination Act 1975, which is concerned with discrimination on the grounds of gender reassignment. The legislation refers to discrimination on the ground that an individual intends to undergo, is undergoing or has undergone gender reassignment (Section 2A(1)). There are some limited exceptions to the rule of non-discrimination in employment. These include occupations where the job involves intimate physical searches; working in someone's private home or jobs involving living on the premises (Sections 7A and 7B). In addition to this the Gender Recognition Act 2004 provides that a person over the age of 18 years may make an application for a gender recognition certificate. The application will be reviewed by a Gender Recognition Panel who will grant a certificate if certain conditions are met. These are that the applicant has or has had gender dysphoria, has lived in the acquired gender throughout the period of two years ending with the date on which the application is made and intends to continue to live in the acquired gender until death. The effect of obtaining such a certificate is to legally acquire the sought for gender.

A relatively recent UK Employment Tribunal decision shows the contrast now between the UK and the USA. In *X v Brighton and Hove Council* (taken from the website of the Equality and Human Rights Commission [www.equalityhumanrights.com](http://www.equalityhumanrights.com)) the Council was ordered to pay £34,765.18 for twice victimising and discriminating against a transgender ex-employee. In 2003, a teacher had registered with a teacher recruitment agency to try and find work. She lost the chance of work when her previous manager responded to a reference request with a secret fax providing information about her change of gender and the fact that she had previously alleged discrimination. This treatment was held to amount to discrimination and victimisation (retaliation).

The USA does not have Federal legislation protecting transgender people from discrimination on gender identity grounds. As noted above the success in 2007 in the House of Representatives adopting ENDA was limited in that it did not include gender identity as an issue for discrimination. Action has been left to be taken at State and local level, with the result that only some 13 states have adopted some legislation aimed at stopping such discrimination (Ramos *et al.*, 2008).

### *Elders*

In contrast to the protection offered on sexual orientation and gender identity, both the UK and the USA have legislated measures aimed at stopping discrimination on the basis of chronological age. The UK did not do this until 2006 when, in response to a

European Community Directive, 2000/78/EC, establishing a general framework for equal treatment in employment and occupation, it adopted the Employment Equality (Age) Regulations (Sargeant, 2006). The USA has a much longer history of age legislation having adopted the Age Discrimination in Employment Act (ADEA) in 1967. Both measures are limited to stopping discrimination in employment only. The UK is proposing to extend this coverage to include other areas, such as facilities, goods and services, as a result of the introduction of the Equality Bill in 2009.

The ADEA is limited to providing protection for those who are 40 years or older. It includes protection from disparate treatment and, since the Supreme Court decision in *Smith v City of Jackson, Mississippi* 544 US (2005) for disparate impact. It also has exclusions such as that for small employers, a bona fide occupational qualification and seniority. Most importantly, when compared to the UK, the mandatory retirement age has been removed. It is difficult to compare the relative protections offered by the UK and the USA, not least because the employment regulation contexts in which they operate are so different. The importance for this study is that the Age Regulations and ADEA provide some protection for older people in employment, or trying to enter employment, from discrimination on the basis of their age.

### **7. Tackling elder LGBT discrimination**

In the UK at least, there are signs of recognition that there are particular issues of concern to LGBT elders and some action is being taken. The law on tackling discrimination is to be amended in 2009 with the introduction of a new Equality Bill. The Bill will provide for a new Equality Duty in the public sector, extending the present provisions covering disability, race and sex to include age, religion or belief or sexual orientation. There is also the possibility of the government introducing measures to tackle multiple discrimination (The Equality Bill, 2008). More consideration needs to be given to the issue of inter sectional discrimination (Hannett, 2003). This is where multiple discrimination cannot usefully be dissected into its constituent parts. It takes place where it is the combination of grounds that in effect create a different type of discrimination. An elder lesbian in a care home might be able to make a claim for age discrimination and sexual orientation discrimination, but really she may be receiving discrimination because she is an elder lesbian and this should be the ground of complaint. The adoption of such an approach will create further issues to be resolved, not least the question of who the comparator should be. It would be a useful step, however, in tackling this type of discrimination.

It may be that the adoption of a wider Equality Duty that may be the more important catalyst for change. A duty which encompasses, sex (including transgender discrimination), race, disability, age, religion or belief and sexual orientation may lead public organisations to consider discrimination in combination. At the very least they will need to consider multiples of discriminatory practices, but they will need to look at discrimination that results from an intersection of the grounds of discrimination, so care services will inevitably need to look at those services provided to elder LGBTs to ensure that discrimination does not take place against individuals within the group.

This protection will be limited, however, by the current reluctance of elder LGBTs to “come out”. As has been shown above the life experiences of the current elder cohort make it difficult for them to openly engage support services. It may be that the real problem is making contact with the elder LGBT population many of whom have traditionally hidden their sexuality.

In arguing for further consideration on the issue of discrimination on the basis of age and sexual orientation and gender identity, it is not claimed that there is something unique in this combination of grounds of discrimination. Although the issues raised here are important, it will be possible to identify other multiple grounds of discrimination that are also serious and also require attention, such as the issues facing older disabled people and how such a combination perhaps results in a unique form of discrimination. Undoubtedly there are research projects taking place in issues related to multiple discrimination but perhaps a future research agenda should include the co-ordinating of these various research activities to show the general need for protection on an inter-sectional basis rather than the single grounds that are common at the present time.

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