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Moving Towards a National Roadmap for LGBT Equality: The Use of Theory of Change

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1. Introduction

Major Advances on LGBT Equality

The past two decades has been a period of unprecedented change in Ireland for lesbian, gay, bisexual and transgender (LGBT) people. Cultural change and empowerment of LGBT people have been a cause and a consequence of major changes in public policy, starting with decriminalization in the early 1990's, the introduction of powerful equality legislation (in 1999, 2000 and 2004) and the passage of civil partnership legislation in 2010-2011. Civil partnership legislation in turn has fueled a significant momentum towards full equality in civil marriage (with all political parties supporting the passage of a constitutional amendment to permit access to civil marriage) and other legislative change relating to LGBT families.

Proposals for gender recognition legislation are also at an advanced stage and there has been considerable progress on LGBT equality in policy and practice across areas such as education, employment and health. In 2013 for example, the Department of Education and Skills developed an Action Plan on Bullying that included a strong focus on addressing homophobic bullying in schools¹. In this, and in other areas, measures to promote equality for LGBT people have been strongly supported by the main social partners and by a whole range of organizations and associations across the country, including individual employers and trade unions and education partners.

Similar policy advances have occurred in countries in Western Europe, North America and South and Central America. Less change has been evident in other places, although important advances have been made in promoting LGBT rights transnationally, including through the UN. Again, transnational progress has been particularly evident in Europe through the institutions of the Council of Europe and the European Union. Ireland has played a very important role in promoting LGBT equality both in Europe and internationally. This has included the central role played by Irish governments in facilitating the inclusion of sexual orientation as a protected ground in anti-discrimination provisions of the Treaty of Amsterdam. It has also included the role of Irish government departments, including the Department of Justice and Equality, in promoting this and other equality provisions at EU level.

Developing Roadmaps to promote further Progress

While noting the progress that has been made, the European Parliament has called for more 'intentionality' around the achievement of equality for LGBT people across the EU through the development of strategic roadmaps for equality. The need for such intentionality has been

¹ Department of Education and Skills (2013). [Action Plan on Bullying](#).

evident from ongoing research by the Fundamental Rights Agency which has found that LGBT people continue to face discrimination across all areas of social and economic life, including vulnerability to verbal and physical attacks, even in those EU countries where major legislative and policy progress has taken place²

Strategic roadmaps, which demonstrate a “path” for moving from the present to a future situation of equality, have been identified as having a number of important benefits for the development and coordination of appropriate policies to address these issues. These include the role they can play in the development of clear long-term goals and the process to achieve these goals. Also important is provision they make for the involvement of a wide set of actors that reflect the broad array of issues that need to be addressed in promoting equality for LGBT people and which cut across the competences of most EU Commission directorates and national ministries³.

This paper has been prepared to suggest a method and process to support the development of a roadmap for equality for LGBT people in Ireland that can sustain and build on the major advances that have been made over the past two decades. This is the use of ‘Theory of Change, which is a conceptual approach focused on how outcomes are met, and a method that has increasingly been used in a range of policy settings as a way of explaining how and why change can be attained in a particular context.

In line with this suggested approach, this paper outlines:

- An introduction to Theory of Change and its core components.
- An outline of how this approach can help guide the development of a National Roadmap for LGBT equality in Ireland using a method that could also be adopted in other country contexts or across other areas of equality and human rights.
- Suggestions on a possible trajectory for the application of a Theory of Change process to support the development of a National Roadmap for LGBT Equality in Ireland.

2. Applicability of Theory of Change

Theory of Change is an approach to strategic planning and evaluation that draws the analysis away from actions or activities as the starting point towards a more structured focus on the precise conditions and opportunities that are necessary to drive sustainable change. It is

² See reports of the FRA at <http://fra.europa.eu/en/theme/lgbt>

³ See report of the European Parliament <http://www.lgbt-ep.eu/wp-content/uploads/2012/10/European-Parliament-Study-PE462.482-Towards-an-EU-roadmap-for-equality-on-grounds-of-sexual-orientation-and-gender-identity.pdf>

essentially a framework of how and why a change process is expected to happen in a particular context. Developing this framework has a number of key components. These are:

- Rather than projecting outcomes from activities or actions Theory of Change reverses the process by focusing first on what goal a social change initiative is seeking to achieve and then thoroughly considering all necessary preconditions/outcomes for achieving this goal. These are then arranged in ‘causal pathways’ – in other words, working back from the overall goal are a set of outcomes/preconditions necessary to achieve this goal and each of these in turn has a set of preconditions which are mapped out until an ‘outcomes map’ is developed outlining how change is expected to happen over time.
- Activities or interventions are then based on these preconditions/outcomes so that the social change initiative is clear about why it is engaged in these activities. For example, preconditions for employers supporting inclusive employment practices (which are likely to include a demonstrated commercial interest in doing so) may be different from preconditions relating to trade union support or the support of regulatory bodies. This is likely to require different types of activities or approaches depending on which stakeholders an initiative is seeking to influence.
- The outcomes map/framework includes a whole set of associated indicators so that it is possible to reliably track progress over time. Working through the preconditions necessary to get to a long term goal and then measuring progress on meeting these preconditions/outcomes provides a more robust way of evaluating whether the initiative is on track. For example, a precondition for making schools safer and more inclusive of LGBT young people is likely to include a more welcoming school environment for all students, the indicators of which can be developed and measured through school climate surveys.

An example of a theory of change implicitly driving a strategy can be drawn from the Building Sustainable Change, the plan developed by GLEN in 2006 to advance major change for LGB people. This strategy received considerable support from a range of organizations including the **Department of Justice and Equality** which funded and facilitated a **liaison** process between GLEN and government departments to advance equality across a broad range of policy areas.

In line with a theory of change approach:

- The GLEN strategy started with the articulation of an **ultimate goal**, namely, that “Being LGB would be ‘unremarkable’ or totally normalized”⁴.

⁴ The full wording of the goal identified by GLEN was: “Aiming towards a society where being gay is unremarkable; where people can aspire to be openly gay as Taoiseach, CEO, teacher, nurse, construction worker or any occupation they choose. It works towards a society where a young gay or lesbian person can come to terms with their sexuality, confident of support from their family, friends, school and society at large. It seeks to ensure that LGB people can form their own relationships and families and have these recognized on an equal basis with others.

- From this ultimate goal, the strategy identified a number of **long-term outcomes**, including equality in civil marriage, considered to be key preconditions for the achievement of this goal. Access to marriage was considered a legal change that would both deliver practical benefits for same-sex couples and also underpin a wider equality for LGB people by promoting the principle that same-sex relationships were equal to others. Other preconditions for the ultimate goal included equality of provision and experience in education, employment and health.
- From these **long-term outcomes**, GLEN worked to an implicit understanding of the **preconditions** necessary to achieve them. For example, in relation to marriage and relationship recognition, key preconditions included building a political consensus for marriage, which in turn was based on building public support and the support of key political leaders and also building institutional support (for example, the Colley Group established by the Minister for Justice and the Law Reform Commission) for the principle of equality in relationship recognition.
- It was possible to identify a range of indicators connected to each of these preconditions to gauge whether progress was being made towards the long-term outcomes that GLEN had established. For example, an indicator of growing political support for marriage was that by 2007 all political parties had included a commitment to some form of legal recognition of same-sex couples in their election manifestos.
- There were also a number of broad assumptions underpinning the GLEN strategy. Of overriding importance were the assumptions that change on this issue was possible and that people in general responded more favorably to visible expressions by LGBT people themselves on the issues they faced in their lives and why progress was necessary.

Further strategy development by GLEN has emphasized addressing preconditions for change across three inter-related 'pathways'. These have been described as:

- 'Changing the Rules' – in other words changing legislation and policies that impact on LGBT people, including equality in civil marriage and family law;
- 'Changing the Culture' – in particular, working to build and sustain public awareness and support for LGBT people but also the culture of specific sectors including key providers and stakeholders in families and communities, education, employment and health.
- 'Changing the lived experience of LGBT people' – which focuses on ensuring that legislative, policy and cultural change translates into real improvement in the lives of LGBT people. This can include addressing the legacy of stigma that has had a particularly strong impact on sections of the LGBT population, including older LGBT for example who will have grown up at a time of greater prejudice and lack of awareness of the lives of LGBT people.

3. Using a Theory of Change Approach in the Development of a National Roadmaps for LGBT Equality

Developing a Roadmap for Equality in Ireland provides an important opportunity to build on and consolidate the major progress that has been made on LGBT issues. Using a theory of change approach provides a strategic mechanism to articulate goals and to build strategic activities around proven preconditions and opportunities for change. In particular:

1. The approach, as outlined, provides an opportunity to specify what the ultimate goal of LGBT equality would look like in practice and to review how much progress has been made in reaching this goal. This is especially important in countries (including Ireland) where substantial progress towards legal equality has taken place and where assumptions can be made that the issue is therefore 'sorted'. In fact, as with other areas of civil rights, legal equality is generally just one of many preconditions (necessary, but not sufficient) for realizing the ultimate goal of actual equality in people's lived experience.
2. The preconditions that are necessary to reach the ultimate goal can then be elaborated across a range of thematic areas and it is these preconditions that can help determine what strategic activities are necessary and how best to identify and involve key stakeholders. For example, creating LGBT inclusive workplace cultures should be based on analysis of the preconditions necessary to influence different stakeholders in employment including employers, trade association, trade unions and so on. As noted earlier, considerable progress has been made in promoting employment equality by developing activities relating to some of the preconditions identified for driving change in the private sector – the Diversity Champions Programme in GLEN has successfully attracted a range of major employers to promote employment equality by emphasizing the commercial and human resources advantages of diversity.

Basing the roadmap on key preconditions for change in this way can contribute to more effective projects/partnerships for change. It provides an opportunity for relevant stakeholders to see where or how they might fit in (and benefit from) the roadmap without having to agree on a collective approach or agree with every element of the strategy.

4. Moving towards a National Roadmap for LGBT Equality in Ireland

In line with the approach just described, we recommend a number of steps for the development of a roadmap for LGBT equality that would move from using past lessons towards developing a full LGBT theory of change for Ireland. This in turn could contribute to a set of generalizable principles and preconditions that can inform the development of conceptual frameworks for LGBT rights in other countries and contribute to human rights more generally.

1. A first step towards capturing the lessons from Ireland's experience is to articulate the conditions that led to achievement, what made those conditions possible and what particular factors and assumptions were necessary for change. A theory of change can, retrospectively, organize and present Ireland's conceptual framework and path to LGBT equality in a way that is easy to interpret and analyze for applicability elsewhere. Such a retrospective analysis to draw out lessons will also make it clearer to see, prospectively, which areas still need work.

We would recommend beginning, therefore, with the development of a basic conceptual framework based on the experiences of LGBT successes, which clearly articulates the specific contextual factors, opportunities, barriers that were overcome and the roles of key players. This will serve two purposes:

- a. Understanding how progress was made, how challenges were addressed and roles and activities played by a range of stakeholders including political parties, government departments and state agencies, social partners as well as the diverse LGBT movement itself. This should be done with attention to conditions and events that were contextual or serendipitous compared to more "universally" applicable preconditions (e.g. school climate regulations that actively discourage bullying may be a precondition to end the experience of being bullied in almost any context).
- b. Provide a basis for creating a broader framework for LGBT goals by having a "starting point", where stakeholders don't have to start from scratch but can reflect on progress made, key factors and challenges to that progress and where they still need to go.

Beginning with even a rough draft of a partial theory helps "kick-start" and orient participants who have something to react to, adds to and stimulates their participation as they see if and where their own perspective either fits in, or is missing. With this beginning, there is both common ground and a head start for engagement.

2. Moving next from this step, we recommend developing greater specificity around different issues. Greater specificity would involve a more detailed retrospective analysis of the critical preconditions that have led to progress around relationship recognition (passage of civil partnership and progress towards marriage), education (with a focus on the preconditions for greater institutional recognition of LGBT young people in schools) employment, health and so on. (A range of evaluative data exists that can inform this process including independent evaluations of the factors behind the passage of civil partnership legislation⁵, reviews by the National Economic and Social Forum⁶, studies on the economic case for equality⁷ and a range of

⁵ See for example report of the Advocacy Initiative

⁶ The NESF undertook a follow up review in 2008 on the implementation of policy recommendations of from its report *Equality Policies for Lesbians, Gays and Bisexuals*.

policy publications on progress in education undertaken by the Department of Education and Skills, education partners such as the Association of Principals and Deputy Principals and reports and activities by GLEN and BeLongTo Youth organization.

3. Following the above, we suggest creating a draft theory that identifies **long-term outcomes** for LGBT equality moving forward, highlights what has been achieved and identifies what remaining preconditions across different thematic areas need to be in place to achieve these outcomes.

4. Upon completion, two possible conceptual frameworks emerge in addition to a detailed roadmap for LGBT equality in Ireland - a basic framework that is adaptable to LGBT equality elsewhere (with attention to context-based factors for every country as they test and apply the framework) and a basic framework of some preconditions (e.g. changes in policy, policy implementation, institutional practices, local behaviors and broad-based attitudes) that provide a conceptual underpinning and methodological approach to creating roadmaps for human rights in other areas.

Process

We suggest the above can be operationalized in a three-stage process:

Stage 1: A possible partnership between GLEN and DOJ would lead the initial conceptual framework at a broad level, followed by having that framework presented and vetted across a broad spectrum of stakeholders.

Stage 2: The second stage, of developing specific roadmaps across topics, would be developed with the participation of key LGBT stakeholders, politicians, social partners, state agencies etc..

Stage 3: Using the specificity of the work done as mentioned above, a core team would prepare a conceptual framework for testing that can be put forward for consideration by other EU countries and in other areas of human rights.

The result of this three-stage process would be a clear conceptual framework that is evidence-based, contextually explicit, representing a cross-section of LGBT issues and stakeholders, which Ireland can put forward to the EU as a possible model and approach from which other EU countries can change, adapt, or add their own frameworks.

⁷ See for example recent (2014) Ernest and Young report *Working it Out: Driving Business Excellence by Understanding Gay and Bisexual Experiences* (Brian McIntyre and Elizabeth Nixon) and Dublin city Council report (2011) *The Economic Case for Equality*.