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LGBTQ+ Education: The Legacy of Section 28

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In 1987 Margaret Thatcher gave a speech at the annual Conservative Party Conference. In it, she states that the modern plight of boys and girls is that without being taught to respect moral values, they are being told that they have "an inalienable right to be gay" and are being cheated of a sound start in life.

After national outrage at a book that featured a girl with two fathers, entitled *Jenny Lives with Eric and Martin*, and with 75% of the UK population already believing that homosexual sex was "always or mostly wrong", Thatcher's speech was riding a wave of homophobia within the UK that saw Section 28 become law in May 1988.

So, what was Section 28 and what lasting legacy did it have on the UK?



What was Section 28?

In December 1987, Baroness Jill Knight introduced what was then named Clause 28 into the local government bill which sparked outrage and demonstrations by LGBTQ+ activists.

In May 1988, when the law was officially introduced, they changed the name to Section 28.

This new law prohibited the promotion of homosexuality by local authorities, meaning that it was illegal for social work or education to mention homosexuality in way that might be seen as positive or accepting. For example, teachers were not

allowed to mention the existence or possibility of healthy same-sex relationships. Further, libraries were prohibited from stocking books or films that contained non-heterosexual themes or characters.

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This new law encouraged further fear mongering during a time of stigmatisation and discrimination due to the AIDS pandemic. While a generation of gay and bisexual men were dying (heterosexuals were also affected by this pandemic, only to a lesser extent), the Thatcher government refused to act for years, declaring their deaths as the result of nefarious and criminal behaviour.

What effects did it have?

The existence of Section 28 forced many LGBTQ+ support groups to either hide or close completely to protect themselves. For example, many LGBTQ+ university students were left without vital support networks, such as societies, which did not run due to fears of legal action against universities or student unions. Schools also interpreted the law as strongly as possible to avoid backlash or court cases, since it was a law that was open to interpretation and no one had tested it in risk of prosecution.

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Under Section 28, LGBTQ+ teachers lived in fear of losing their jobs and had to remain in the closet at work. They were not allowed to express or talk about any information regarding their sexual identity or LGBTQ+ relationships at work.





LGBTQ+ people **feared** that their identities, if disclosed, would be aligned with mental disorders such as pedophilia or hyper-sexuality due to the government's narrative that by banning the "promotion" of homosexuality, they were protecting children, the traditional family and the status quo. Some teachers noted that it was the worst experience of homophobia they had experienced since the negative press surrounding the 1967 Sexual Offences Act repeal.

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Due to the climate of fear created by Section 28, LGBTQ+ students were left with only heterosexual role models and an anti-LGBTQ+ curriculum. This meant that students who were LGBTQ+ did not get any advice about healthy relationships or safe sex. Damaging psychological issues were also caused by government propaganda which said that LGBTQ+ identities were immoral. Further results of this stigmatising law include homophobic bullying in schools, which was not dealt with due to teachers' fears of breaking laws. This compounded the issue even more, and cheated students out of a sound start in life.

What lasting effects has it had?

Section 28 was repealed during 2000 in Scotland, and later on in 2003 for England and Wales (2010 in Kent). Despite its repeal, there was negative press around the removal of this legislation. News articles were aimed at parents claiming that the repeal would mean the open promotion of gay sex in schools, for example, headlines stated, 'Gay Sex Lessons for Scots Schools' and 'Keep this out of our schools'.

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However, despite the media hysteria from right-wing newspapers, the repeal of Section 28 only encouraged protections for teachers. The Employment Equality regulation was introduced in 2003 after the repeal, giving LGBTQ+ teachers occupational security, along with part 3 of the Equality Act 2006, which gave employees protection from homophobic harassment.

Despite the progress in the law that the repeal of Section 28 encouraged, its effects were still long-lasting. For example, a 2017 Stonewall School report showed that more than half of students reported hearing homophobia frequently at school, while 45% of pupils actually experience anti-LGBTQ+ bullying. The report also found that despite the repeal of Section 28, most schools do not actively teach about same-sex sexual education, as only one in five pupils have been taught about safe sex in same-sex relationships. In the same report, one pupil stated that when they asked about same-sex relationships, the teacher told them it was inappropriate and not suitable for a classroom, despite this no longer being the case by law for 14 years.

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A more recent report also spoke to LGBTQ+ teachers, some of whom started teaching during Section 28 and some who started post-repeal. 88% of teachers who began working post-repeal of Section 28 were out to their colleagues, and 50% of them were out to their pupils. However, a sad lasting legacy shows in the comparison of teachers who taught during and after Section 28, as only 20% of them were out to colleagues and pupils. These teachers thought talking of their sexuality was an overshare, and often the private lives of LGBTQ+ people were still more scrutinised and over-sexualised compared to people who are cisgender and heterosexual.

In 2020, the Department of Education made it law for schools to carry out inclusive relationships and sex education. Hopefully, the new law will encourage a more open conversation against homophobia in the classrooms. However, headteachers have asked for help to provide the inclusive lessons due to schools still receiving homophobic backlash from parents and beyond.

Anti-LGBT+ rhetoric and actions are still very prevalent in British society - the government must provide schools with all that is needed to tackle these views from school age and stop this form of hate being present for generations to come.

For more resources on this topic, head to our dedicated section on [LGBTQ+ Rights & Issues](#).