



SAFETY

Reducing Social Isolation and Suffering of LGBTI Asylum Seekers and Refugees

Safety is the second of three resources that address issues faced by lesbian, gay, bisexual, transgender and intersex (LGBTI) asylum seekers and refugees in the UK. Safety provides practical guidance for organisations supporting asylum seekers regarding the specific needs of LGBTI asylum seekers in areas such as housing, mental health, poverty, and exploitation. As some points are relevant to all areas of LGBTI asylum work, the reader may want to refer to the other two documents Safety and Solidarity.

All three documents are also available in PDF format at www.equality-network.org/our-work/intersectional/asylum



Issue

Asylum seekers have very limited financial resources and may lack funds for basic necessities. The Home Office can look for “evidence” that a person is LGBT. For example, this “evidence” can involve attending LGBT clubs, buying LGBT magazines, travelling to support groups, or buying items like clothes, makeup, chest binders, or breast forms to express their gender identity. These demands can create additional financial hardship for LGBTI asylum seekers struggling to afford basic necessities like food, clothing, and household items. They may not feel comfortable accessing services on their own.

What You Can Do

Provide asylum seekers with contact information for local services that provide free or low cost items, such as food banks or clothing drops. Check that these services do not require participants to already have refugee status. Offer to go with them, even if the services are specifically aimed at LGBTI people or asylum seekers, as not all staff at all services may understand the needs of LGBTI asylum seekers. Transgender asylum seekers may be particularly vulnerable to harassment, discrimination, or violence when trying to shop for clothes, makeup, or other items that people use to express their gender identity. If you are unable to send staff with people who express concerns about seeking these services on their own, offer to call ahead if they wish to have staff at the other site briefed in advance on how to support and respect the LGBTI asylum seeker. Staff providing these services are also more likely to treat people respectfully when they are aware that another organisation is monitoring how they treat people.

Work with LGBT organisations to find ways to make it easier for LGBTI asylum seekers and refugees to access their support groups (e.g. by assisting with transport costs and writing letters of support).



Issue

Many services that provide free or low cost services are faith-based and may not be welcoming or safe for LGBTI asylum seekers. Some may openly discriminate against LGBTI people. At the same time, some people within LGBT organisations may not be welcoming or safe for people of faith and/or migrants. The result is that LGBTI asylum seekers and refugees can become very isolated and less able to access support.

LGBTI asylum seekers may not yet be connected with possible sources of financial and other support in the UK. They may be unaware of LGBT-specific support and services that do not exist in their countries of origin.

What You Can Do

Faith can be a very important part of a person's identity and way of life, so it is as important to be led by each person's needs as with any other aspect of identity. If a person requests to be signposted to faith-based organisations, find out which organisations in your area are positive about including LGBTI people. If the person asks to be signposted to an LGBT organisation, find out what groups in your area are positive about including asylum seekers and people of faith.

In both cases, ask asylum seekers to report back to you about their experiences with these services and address any concerns that they raise.

Check not only whether asylum seekers understand their potential eligibility for financial support, but also their knowledge of the range of services provided by LGBTI-specific organisations.



Issue

LGBTI refugees are at higher risk of unemployment and/or predatory employment situations, such as those associated with subsistence sex work, due to multiple discrimination and intersectional barriers to accessing employment. Transgender and intersex refugees may be even more likely to encounter discrimination due to visual perceptions of their gender and/or lack of documentation in their self-identified gender. Fear of greater persecution may deter transgender and intersex refugees from applying for jobs with application procedures that could reveal sensitive information about their gender identity or gender history. This inability to provide for themselves financially can lead people to accept undocumented work in unsafe or predatory conditions.

Some LGBTI asylum seekers may be at physical risk of violence or sexually transmitted illnesses due to subsistence sex work.

What You Can Do

Make sure people are aware of their legal rights to various forms of financial assistance and UK laws against employment discrimination on the basis of sexual orientation or gender identity. Offer to advocate for LGBTI refugees who are facing discrimination.

Let them know they can come to you for non-judgemental support if they find themselves in an unsafe or predatory employment situation.

Educate your staff about the needs and concerns that LGBTI asylum seekers might have regarding subsistence sex work and keep up to date with available rape crisis and sex worker services. Make sure this information is available to your staff.



Issue

Asylum seekers and refugees have reported being refused NHS medical services and LGBTI asylum seekers face additional forms of health care discrimination.

The NHS provides free health care services to refugees and all asylum seekers whose applications for refugee status are still being considered by the Home Office and asylum seekers cannot legally be denied gender-related NHS medical care. Even asylum seekers whose applications have been rejected may be eligible to continue receiving some medical services deemed necessary by medical professionals.

Some transgender asylum seekers have been told that they are not eligible for necessary gender reassignment medical services. This is a widespread misconception. Transgender and intersex asylum seekers have the same entitlement as other transgender and intersex people living in Scotland to access NHS gender reassignment medical services. Breaks in hormone access can lead to physical and mental health issues that can interfere with asylum-related interactions.

What You Can Do

Inform LGBTI asylum seekers and refugees that they are eligible for free health care services and that discrimination in NHS services on the basis of sexual orientation or gender identity is unlawful. Let them know that they can report any negative experiences to you and that you will help them to file an official NHS complaint, if they wish. Always enquire about transgender and intersex asylum seekers' medical needs and connect them to safe, trans-aware and intersex-aware services as soon as possible. Contact transgender organisations for specific advice and resources, but keep people anonymous if they prefer.

Specialist gender reassignment health services can be directly referred by agencies and self-referred to The Sandyford NHS Gender Identity Clinic.

Offer LGBTI asylum seekers and refugees both general and LGBTI-specific resources. In addition to providing printed copies of Home Office health care guidance documents and the NHS factsheet about health care for asylum seekers and refugees in Scotland, you can also offer NHS resources that address transgender and LGB health. Share this information with any agency that refuses services or discriminates on the basis of immigration status, sexual orientation or gender identity, in addition to reporting them.



Issue

Many LGBTI asylum seekers have experienced sexual assault and victimisation, including state-sponsored forms of torture and abuse. Trauma responses can affect people's ability to interact effectively with asylum officials. LGBTI asylum seekers often have complex health and wellbeing needs.

LGBTI asylum seekers often face discrimination from Home Office officials and the UK public. They may have had negative experiences with faith-based services, LGBT organisations and other asylum seekers. These experiences can have negative impact on people's mental health and wellbeing.

What You Can Do

Listen to people's stories and reassure them that they are not alone and that the violence was not their fault. Keep a list of both asylum/migrant and LGBTI friendly mental health and wellbeing services available and note which ones are specifically transgender friendly.

Implement and advertise a reporting system for addressing hostility or discrimination disclosed by asylum seekers. Responding swiftly to incidents of discrimination within your own organisation will make your service and the asylum process safer for everyone.



Issue

LGBTI asylum seekers may be at higher risk of experiencing harassment and assault from staff and from other asylum seekers in detention facilities because of prejudice against their sexual orientations or gender identities.

What You Can Do

Inform asylum seekers of their rights and ask about their living conditions. If you feel people are experiencing harassment or abuse, assist them to complain and help them advocate for safety improvements. Unfortunately, the current detention system leaves people with few options for dealing with mistreatment. Advocating for change in this system will improve conditions for all asylum seekers, especially those who face additional marginalisation due to sexual orientation or gender identity.

Transgender asylum seekers are often placed in detention centres that do not match their gender identity. This can occur if officials “fear for their safety” and/or the gender marker on their identity documents is different from how they identify.

You may need to advocate for transgender asylum seekers with the Home Office and other officials. Educate your staff about the legal requirement to house transgender asylum seekers in the gender-specific facility they require. It is safer for transgender people to be detained within the facility they identify as appropriate. Transgender asylum seekers who wish to be housed with others of their self-identified gender do not legally need a Gender Recognition Certificate or any documentation in their self-identified gender to be housed appropriately. Transgender equality organisations may be able to advise and assist you with fleshing out these arguments. Always remember to check with asylum seekers first, to avoid disclosing information about their gender identity that they wish to keep private from detention centre staff and/or other detainees.



Faith

Metropolitan Community Church – Glasgow
www.mccinglasgow.moonfruit.com

Health & Wellbeing

Edinburgh Women’s Rape and Sexual Abuse Centre
www.ewrasac.org.uk

LGBT Centre for Health and Wellbeing
www.lgbthealth.org.uk

NHS Complaints Information

www.hris.org.uk/patient-information/information-about-health-rights/charter/feedback-and-complaints

NHS factsheet about health care for asylum seekers and refugees in Scotland:

www.hris.org.uk/index.aspx?o=6604

See also:

www.nhs.uk/carersdirect/guide/asylum-support/pages/asylum-support.aspx

NHS Open Road Project

www.openroadproject.com/resources.html

NHS Scotland Gender Reassignment Information:

www.nhsinform.co.uk/health-library/articles/g/gender-dysphoria

NHS Scotland Gender Reassignment Protocol:

www.sehd.scot.nhs.uk/mels/CEL2012_26.pdf

Quay Services in Aberdeen and Aberdeenshire

www.quayservices.co.uk/index.html

Rape Crisis Scotland

www.rapecrisisscotland.org.uk

Saheliya

www.saheliya.org.uk

The Welcoming Project

www.thewelcoming.btck.co.uk



Housing

Positive Action in Housing

www.paih.org

Legal

GayLawNet UK LGBT Asylum

www.gaylawnet.com/laws/uk.htm#asylum

National Coalition of Anti-Deportation Campaigns

www.ncadc.org.uk

UK Lesbian and Gay Immigration Group

www.uklgig.org.uk

Asylum Aid

www.asylumaid.org.uk

Stop Hate UK

www.stophateuk.org

Guidelines on International Protection No. 9: Claims to Refugee Status based on Sexual Orientation and/or Gender Identity within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees

www.unhcr.org/refworld/docid/50348afc2.html

LGBT Asylum and Migration

Gay in the UK LGBT Asylum & Refugee Support

www.gayintheuk.webs.com

Justice for Gay Africans

www.jfga.org.uk

Iraqi LGBT

www.iraqilgbt.org.uk

Iranian Queer Railroad

www.irqr.net



SIPD (Uganda & E. Africa Intersex Org.)
www.sipd.webs.com

Somali Gay Community
www.somaligaycommunity.org

Lesbian Community Project in Manchester
www.lesbiancommunityproject.co.uk

LGBT Asylum News
www.madikazemi.blogspot.co.uk

Unity Centre Glasgow LGBT Helpline
www.unitycentreglasgow.org/?page_id=366

Support for Organisations

BEMIS Scotland
www.bemis.org.uk

Equality Network
www.equality-network.org

LGBT Youth Scotland
www.lgbtyouth.org.uk

Organisation Intersex International in UK
www.oiiuk.org

Scottish Refugee Council
www.scottishrefugeecouncil.org.uk

Scottish Transgender Alliance
www.scottishtrans.org



These documents are based on findings from the 2011 Sanctuary, Safety, and Solidarity report on issues facing LGBT asylum seekers and refugees in Scotland. The Sanctuary, Safety, and Solidarity report was produced by Equality Network, BEMIS Scotland, and GRAMNet, with funding from the Equality and Human Rights Commission and additional support for printing the summary version from Glasgow Refugee Asylum & Migration Network (GRAMNet) and Glasgow Human Rights Network (GHRN).

The FULL 202-page research report and a 22-page summary version is available to download at www.equality-network.org/our-work/intersectional/asylum

EQUALITYNETWORK

Lesbian, Gay, Bisexual and Transgender Rights in Scotland



BEAUIS

Empowering Scotland's Ethnic and
Cultural Minority Communities

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