



Over Not Out

The housing and homelessness issues specific to lesbian, gay, bisexual and transgender asylum seekers



Specialists for over 50 years



Part of

May 2009

Executive summary and
policy recommendations

Foreword

**Barbara Roche,
Chair of Metropolitan Support Trust**

One of Refugee Support's key objectives is to provide 'quality housing and support services to refugees and asylum seekers that are sensitive to their needs and assists with their settlement and integration.' While we fulfil that objective in a number of different ways, at the heart of our work is a commitment to understand some of the key issues facing refugees and asylum seekers so that we are able to tailor our services, making them appropriate to their individual and collective needs.

In July 2008, the Research and Consultancy Unit at Refugee Support identified a significant research gap on the issues facing lesbian, gay, bisexual and transgender (LGBT) refugees and asylum seekers. 'Over Not Out' is the first comprehensive study on the housing and homelessness issues facing LGBT asylum seekers. The analysis demonstrates that LGBT asylum seekers face multiple disadvantages because of their status, sexual orientation or gender identity.

The policy recommendations that we have identified are helpful in shaping our own services, in particular; diversity training in this area for all staff as part of their induction and personal development; confidential reporting mechanisms for LGBT asylum seekers who may experience harassment and a commitment to listen to and act upon the feedback our service users provide. We at Refugee Support look forward to working in partnership with other stakeholders as we develop a strategy to progress this work. Together using our knowledge, skills and expertise, we can bring about change to further develop services to support LGBT asylum seekers.

On behalf of Refugee Support I would like to thank everyone for their contributions. I am grateful to all who took part in the research and know that their experiences will contribute a great deal to our understanding of the issues facing LGBT asylum seekers.

I am particularly grateful to Joyce Gould who has kindly supported this research project and sponsored our launch at the House of Lords. I would also extend my thanks to Michael Bell (Practice Director) at Michael Bell Associates and his team of researchers, Iain Easdon and Cole Hanson, including the community researchers: Melissa Gojikian, Yousef Gojikian, Elzbieta Jezowska, Bisi Olonisakin and Brenda Wade for undertaking this research. Ahmad Yousof, volunteer at the RCU has provided invaluable administrative support for this project. The project steering group had a pinnacle role to play in driving this research forward. My sincere thanks goes to Paul Birtill, Charlotte Keeble and Sarah Walker from Refugee Support, Heather Hutchings from Amnesty International, Bob Green from Stonewall Housing and particular thanks goes to Sebastian Rocca and Florence Kizza from the United Kingdom Lesbian and Gay Immigration Group, who not only sat on the steering group but also provided meeting room facilities and identified research participants who took part in this research.

The full report is available as download only and can be accessed from the Refugee Support website at:
www.refugeesupport.org.uk/researchandconsultancy.html

Please refer to the 'glossary of terms' for a comprehensive list of all definitions.

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We would also like to thank the stakeholders working in the provision of support, legal and housing services, community members and organisations who gave us their time.

Additionally we would like to extend many thanks to Baroness Gould for graciously presiding over the launch of this research in the House of Lords.

Most importantly we would like to thank the Lesbian, Gay, Bisexual and Transgender asylum seekers for the time they have given to this research.

This research has been undertaken by a team at Michael Bell Associates comprising:

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Community researchers

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Executive summary

1. Background to the research

Refugee Support (RS)/Metropolitan Support Trust (MST) is one of the country's leading providers of housing and support for refugees and asylum seekers. In the Autumn of 2008 the Research and Consultancy Unit at RS/MST commissioned Michael Bell Associates to undertake ground breaking research into the housing and homelessness issues specific to lesbian, gay, bisexual and transgender (LGBT) asylum seekers, with particular reference to those living in and returning to London. A key aim of the RCU is to undertake and commission research that will benefit refugees, asylum seekers and migrant populations.

The aims of this research were fourfold:

- to increase knowledge and understanding of the issues and barriers LGBT asylum seekers face with regards to accommodation and homelessness in London;
- to identify potential causal relationships between housing and homelessness and health/well being, personal safety, alcohol and substance misuse;
- to provide evidence to help develop more effective ways of responding to the housing/accommodation needs of LGBT asylum seekers in London; and
- to produce robust policy recommendations.

The research was undertaken in three phases:

Phase One – Project Inception – the activities included: working with the steering group; a desk-based review of evidence; drafting of the interview schedule and developing the sample frame; and arranging a stakeholder meeting of key community organisations from both the LGBT community and the refugee sector.

Phase Two – the second phase of the research focussed on undertaking the fieldwork, including: recruiting and training community researchers drawn from LGBT communities and principal refugee ethnic groups; undertaking 40 face-to-face interviews with LGBT asylum seekers; and data-inputting and analysis of the interviews based upon the taped and transcribed interviews.

Phase Three – This final phase focused on refining the findings and developing recommendations. The key activities included: preparation of a consultative document with key emerging findings; a half day co-operative enquiry workshop for the steering group and key stakeholders to test and refine the findings and develop practice-based recommendations for the future; and further interviews with 19 stakeholders.

A sample frame was developed to assist in the identification of interviewees to reflect LGBT asylum seeker populations. This sample frame included a larger number of gay and bisexual men than lesbians or bisexual women in order to reflect the greater number of men in the overall refugee and asylum seeking population.

The research project culminated in a full report and executive summary. Both documents are downloadable from the Refugee Support website at <http://www.refugeesupport.org.uk/researchandconsultancy.html>

Report structure

Whilst section one has provided the background information regarding the commissioning of the research and research methodology, section two identifies the key findings of this research project. Section three provides key challenges and recommendations and section four, the appendices, includes a glossary of terms.

Key findings

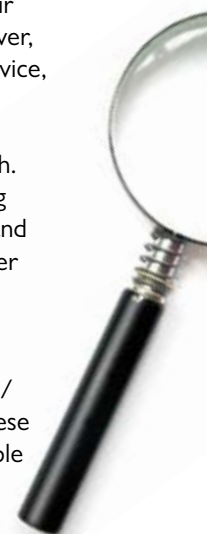
2. Context

This report has reaffirmed the view of RS/MST that, to date, there has been little research into issues relating to lesbian, gay, bisexual and transgender asylum seekers. This research provides the first substantial insight into their lives and experiences, but should only be seen as a starting point for further study rather than a comprehensive picture of their background, lives, needs and aspirations. In line with the research brief, its focus is primarily on housing issues, however, some of the information included addresses the interrelated relationship between housing and health, safety, legal advice, support networks etc.

Little is known about the total number of LGBT asylum seekers currently in the country or those arriving each month. Whilst this report includes a conservative estimation of numbers, these are no substitute for the systematic gathering of data. Researchers have provided an even more cautious estimate of the number of transgender asylum seekers, and whilst numbers may be small, these individuals have a range of unmet needs that are exacerbated by their transgender identity.

In many other research reports the experience of all asylum seekers reflects what has been termed “rough justice”. Access to legal advice can be problematic, the quality of accommodation poor with the experience of detention and/or dispersal uncomfortable and challenging. These findings suggest that LGBT asylum seekers not only experience these problems, but their sexuality or gender identity can add significantly to the problems they face adding layers of multiple disadvantage arguably more acute than for other asylum seekers.

For many asylum seekers there are now a rich variety of support organisations particularly in the voluntary and community sectors in all parts of the country. Although these services may be under-resourced, they provide a warm



and welcoming environment for asylum seekers and are a vital lifeline for many. LGBT asylum seekers too often feel excluded from such services and fear (or experience) discrimination and harassment from their own ethnic and national communities, adding to the challenges they face. Refugee Community Organisations (RCOs), in particular can perpetuate negative attitudes from their home countries to LGBT asylum seekers. Faith based organisations; both Christian and Muslim may also perpetuate these negative attitudes and prejudices. For Refugee Support Organisations (RSOs) it is sometimes assumed that LGBT issues are marginal given their lack of data on numbers on LGBT service users.

Similarly, families and kinship networks can often be great sources of support and comfort for many asylum seekers as they can counter the social isolation of dispersal, and are often a key resource in the provision of accommodation and other material support. But too often, for LGBT asylum seekers, these networks are hostile to issues relating to sexuality or transgender identity, further adding to a sense of isolation and a lack of support.

This study indicates that LGBT asylum seekers have initially sought assistance from larger generic LGBT community organisations and most have had some access to the commercial LGBT sector. The experience of LGBT asylum seekers at the hands of LGBT organisations has not always been welcoming and their experience of the commercial sector has often been one of exclusion because of their lack of finances and the sometimes racist attitudes of people who frequent them. Support has instead come from relatively new and under or un-resourced organisations who combine a focus on LGBT and asylum or ethnic identity issues. Most, although not all, of these groups are in London making access hugely problematic for many asylum seekers who are dispersed to parts of the country where no such groups exist. Even within London, because such groups are generally under or un-resourced, knowledge of them comes by word of mouth and many interviewees spend considerable amounts of time isolated and unsupported before finding these groups.

Such exclusion and isolation inevitably increases the vulnerability of LGBT asylum seekers with many dependent upon the kindness of strangers and casual acquaintances. Young men appeared to be particularly vulnerable to sexual exploitation from casual partners with some engaging in sex work as a means of survival.

In considering the views of LGBT asylum seekers to both RCOs and RSOs, this research draws an analogy with the barriers faced by women attempting to access these services 15-20 years ago. Typically, services were designed around the men running them and because there were fewer refugee women, their needs were deemed as marginal. Since that time there has been a transformation of services for refugee women and their role in delivering and leading organisations has substantially improved. Such a transformation is required to address the needs of LGBT asylum seekers.

The following sections summarise key findings and suggested recommendations for changes in policy and practice that may alleviate the specific hardship suffered by LGBT asylum seekers.

3 Challenges and recommendations

The following information is drawn from sections 3 and 4 of the main research report. Here we highlight key challenges and recommendations.



3.1. Estimating numbers of LGBT asylum seekers

Too little is known about the numbers or profile of LGBT asylum seekers in the UK. Using standard government approaches to the UK population it is estimated that somewhere in the region of 1,200 and 1,800 lesbian, gay and bisexual asylum seekers arrived in the UK in 2008. This is equivalent to 100 to 150 lesbian, gay and bisexual asylum seekers each month. There are no recognised methods of calculating the size of the transgendered population, however, the report provides a crude methodology in this area and estimates that the numbers of transgendered people arriving each month is 2 -3, or around 20 to 30 per year. These approaches may under-estimate the numbers of LGBT asylum seekers arriving in the UK.

The United Kingdom Border Agency (UKBA) does not gather statistics on sexual orientation at asylum screening interviews and does not collate information on claims for asylum based on sexual orientation or transgender identity. Similarly, whilst we appreciate the constraints on monitoring sexuality in refugee support and refugee community organisations the absence of data may further add to the marginalisation of these communities.

- R1** The Home Office should collate and publish data on the number, chosen gender, age and country of origin of those claiming asylum on the basis of sexuality or gender identity.
- R2** The UKBA should add questions on sexuality and gender identity to their screening interviews. The monitoring categories developed for this work should be replicated with housing and other service providers to ensure the comparability of data.
- R3** The Home Office should ensure that data gathered on sexuality and gender identity by country of origin is made available to their colleagues in the Foreign & Commonwealth Office (FCO). This data should be used by the FCO in developing its country human rights profiles and in informing the ethical dimension to foreign policy. As with other areas of human rights in developing countries, this data should be used to inform government aid policy through the Department for International Development (DfID) and its agencies.

3.2. Securing appropriate advice and legal support for LGBT asylum seekers

As with most asylum seekers the majority of LGBT asylum seekers identified the most pressing issue is the resolution of their asylum claim. Access to appropriate legal advice that is able to support a claim on the basis of sexuality or gender identity is particularly problematic. Changes to the commissioning regime for legal services from 2010 may exacerbate this problem.

- R4** Accessibility to specialist immigration advice for LGBT asylum seekers needs to be expanded. To achieve this:
- Further support should be provided to specialist providers such as the UK Lesbian & Gay Immigration Group (UKLGIG)
 - In developing the commissioning strategy and the detailed specification for contracts for generic immigration legal advisers working with LGBT asylum seekers the Legal Service Commission should include requirements in relation to providers' undertaking appropriate training in sexuality and gender identity issues such as that provided by the Immigration Law Practitioners' Group (ILPA) or that proposed by Adviceuk. Training requirements should not only include legal advisers but other staff involved in the legal process, including interpreters.
 - National providers such as the Immigration Advisory Service and Refugee Legal Centre should establish referral protocols with and commission training support from specialist providers such as UKLGIG to ensure access to appropriate and sensitive legal advice.



3.3 The Home Office attitude to LGBT asylum claims

As noted, no data is collated or published nationally on the number of claims from LGBT asylum seekers or the percentage granted asylum on the basis of sexuality. A number of interviewees came from so-called “white list” countries¹. Whilst the Home Office does not operate a formal “white list” the 2002 Nationality, Immigration & Asylum Act does not make provision for maintenance of a list of countries to be “designated for non-suspensive appeals”. There are countries that the Home Office deem as broadly safe even though anecdotal evidence and our interviewees’ testimonies describe cultures of extreme anti-LGBT prejudice. In the Autumn of 2008 the Home Office undertook an analysis of the coverage of LGBT issues through the Advisory Panel on Country Information (APCI)² and is currently implementing the findings from this report.

R5 The Home Office should continue to develop its country of origin information reports to improve reporting on the social sanctions as well as any legal sanctions against LGBT people in line with ACPI report. The Home Office should assure itself that it has sufficient experts to advise on the situation facing LGBT people in countries of origin and expand its range of advisers if necessary.

The burden of proof required by LGBT asylum seekers in relation to their claim acts as a further drive to the isolation of claimants from their ethnic or national compatriots. Similarly, evidence of participation in the commercial gay scene is often required of asylum claimants yet the cost of such participation and the lack of welcome to asylum seekers in the commercial gay scene may militate against such participation. Lesbians with children face specific challenges in proving that they are lesbians and as such at risk in their country of origin.

R6 The Home Office should review guidance to case owners on the evidence base required in determining both the sexuality or gender identity of asylum claimants and the assessment of risks they face in their country of origin. United Nations High Commissioner for Refugees (UNHCR) guidance on claims relating to sexual orientation and gender identity should be the starting point for this guidance and this states ‘self identification as LGBT should be taken as an indication of the individual’s sexual orientation’. Guidance on sensitivities of handling LGBT asylum claims is needed. As a minimum all UKBA case owners and interpreters used by UKBA should undertake diversity training that includes tackling homophobia and transphobia. Ideally this should be extended to all involved in the asylum decision making process including tribunal chairs, judges etc. This training needs to underline the differences between lesbian, gay, bisexual and transgender experiences,

particularly where this has developed outside a Western environment and within a homophobic culture. The development of this guidance should include advice for case owners on appropriate enquiries and interview techniques to use during the asylum process for LGBT asylum claims.

3.4. Accommodation

Some interviewees identified that they had abandoned UKBA accommodation due to intolerable levels of homophobia and the failure of landlords to tackle this. This has been treated as voluntary abandonment and means that thereafter they are denied access to further accommodation services.

- R7** The UKBA should review and refine the guidance and contractual requirements imposed on landlords providing accommodation to ensure that LGBT residents are safe and can live lives free from homophobic or transphobic harassment. This should include ensuring that LGBT asylum seekers have access to well publicised, safe and confidential reporting mechanisms.
- R8** Landlords providing such accommodation should ensure that all policies and procedures promote LGBT inclusion and that all staff (managers and front-line staff) undertake appropriate training of the sort provided by Stonewall Housing that includes identifying and tackling homophobia and transphobia.
- R9** Landlords should consider sub-contracting the management of a proportion of their asylum accommodation to appropriate bodies that can provide more sympathetic support to LGBT asylum seekers.
- R10** Local Authorities should work regionally (e.g. across London) and work with regional bodies, such as the Greater London Authority and national agencies such as the Homes and Communities Agency to develop appropriate accommodation for LGBT refugees.



In some cases interviewees reported that the UKBA or its landlords have been unsympathetic to complaints of harassment suffered due to homophobia or transphobia. Such harassment has been suffered at the hands of other tenants or from neighbours. It should be noted that for the interviewees they not only suffered intolerable levels of harassment but as a result of such harassment left UKBA accommodation and were thereafter denied access to further accommodation services.

R11 The Home Office should review and develop mandatory guidance, with clear procedures for all UKBA staff in dealing with homophobic and transphobic harassment.

R12 A code of practice should be developed for UKBA landlords which includes dealing appropriately with claims of homophobic or transphobic harassment. Compliance with this code of practice should form part of the landlords contract with UKBA.

3.5. Detention

Twenty percent of respondents had spent some time in detention facilities. Whilst many asylum seekers complain about conditions, again the experience of LGBT asylum seekers highlights additional concerns with respondents experiencing bullying, abuse and harassment by other detainees and detention facility staff due to their sexual/ gender identity.

R13 The Home Office should ensure that detention facility staff are governed by comprehensive policies and procedures and are adequately trained to provide a service that is sensitive to the needs of LGBT asylum seekers, including the risk of harassment and domestic abuse at the hands of other detainees. Detention centre staff should be reminded that bullying or abusive behaviour of any detainees will not be tolerated and will result in disciplinary action.

R14 LGBT asylum seekers in detention should be clearly advised that they should not tolerate bullying or abusive behaviour from other detainees or from detention centre staff. Asylum seekers should be given information on how to report acts of abusive behaviour and advised on what action may be taken to protect them.

3.6. The pull of London

A significant number of interviewees had been dispersed outside London but 50 per cent of those moved back to London to counter isolation and to be closer to friends. The absence of LGBT community resources in many places was cited as a key reason for this drift back to London. Alongside London there were other places, such as Manchester, seen as an alternative city that offered a range of LGBT resources accessible to asylum seekers.

- R15** Decisions on the dispersal of LGBT asylum seekers should not be based solely on the capacity of the region to take their percentage of asylum seekers. UKBA should consider the development of guidance to ensure that LGBT asylum seekers are dispersed to parts of the country such as Manchester where there is a vibrant and welcoming LGBT host community. Similar guidance may be appropriate to inform dispersal for other vulnerable groups of asylum seekers.
- R16** UKBA accommodation providers should seek to develop accommodation resources for LGBT asylum seekers in parts of cities where host communities are more tolerant or welcoming of LGBT people or where support and management networks are in place to manage homophobic or transphobic harassment.



3.7. Exploitation

A number of respondents reported both financial and sexual exploitation. This included having to undertake unpaid work to maintain their accommodation and in some cases feeling obligated to perform sexual favours in return for food or accommodation. Young men were more vulnerable than women to both financial and sexual exploitation. As with many other asylum seekers, their immigration status can make them reluctant to report problems to the authorities.

R17 The provision of better support to stay in UKBA accommodation and access to other support services for young gay men in particular would reduce this vulnerability.

R18 Further consideration of the risk of exploitation and greater levels of vulnerability for LGBT asylum seekers by the Equality and Human Rights Commission should be sought.

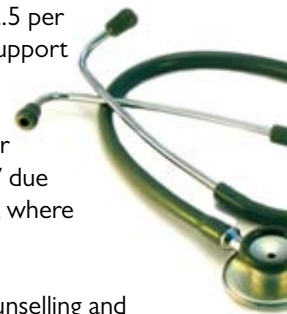
R19 Funding for projects to support male and transgender asylum seekers at risk of, or involved in sex work should be encouraged.

3.8. Health

87.5 per cent of interviewees registered with GPs and most reported that their GP was aware of their sexuality. This high incidence of LGBT asylum seekers registered with a GP is a direct consequence of the signposting provided by other services they have accessed. The majority of the sample (92.5 per cent) were service users of LGBT, Black, Asian, Minority Ethnic groups (BAME), and refugee support organisations.

As with other asylum seekers, LGBT asylum seekers reported physical ill health caused by poor accommodation and poor mental health as the main health-related issues. A higher risk of HIV due to unsafe sex practices was reported by a few individuals, including those engaging in sex work where “bareback sex” (sex without condoms) commands a premium fee.

Whilst access to primary care was available, referral for secondary care including access to counselling and psychological therapies was denied in line with Department of Health guidance.



- R20** The Department of Health should undertake further examination of access to some secondary care for asylum seekers, particularly counselling/psychological therapies. The current expansion of these services through the Improving Access to Psychological Therapies (IAPT) programme, led by primary care trusts provides a potential opportunity for targeted support to LGBT asylum seekers.
- R21** HIV prevention programmes targeted at gay and bisexual men should examine ways in which they could better target their services toward LGBT asylum seekers at risk of sexual exploitation and/or participating in unsafe sex. Such services should also consider providing outreach services, including free condoms to residents of UKBA accommodation and through LGBT asylum seeker organisations.

3.9. Safety

In spite of high levels of name calling and abuse reported by large numbers of respondents, most felt they were safe in their neighbourhoods. There was concern amongst stakeholders that LGBT asylum seekers may be fearful of reporting any incidents because they are afraid of negatively impacting on their asylum claim and/or they may not identify their experiences as hate crime because the violence they are fleeing can seem so much worse that it does not register as something that could be reported.

Within the sample group at least one lesbian was subject to attempted gang rape because of her sexuality.

- R22** Third party reporting centres for hate-crime should be encouraged to develop awareness and support programmes for LGBT asylum seekers to ensure that they are aware of their rights to safety and the recourse they have. Provision should acknowledge the heightened risk faced of sexual assault faced by lesbians identified in other research such as Galop's "Filling the Blanks".



3.10. Support networks

The research identifies that LGBT asylum seekers are more likely to feel cut off from their families, often due to homophobic and transphobic attitudes. Similarly, most of the interviewees felt cut off from their own ethnic and national networks with few using RCOs. There were mixed stories of support from RSOs. LGBT organisations focusing on BAME communities were seen as the most supportive. There were high levels of activism and volunteering by LGBT asylum seekers in the latter.

Most LGBT asylum seekers make some use of the commercial gay scene, not least because this is seen as a way of enhancing their asylum application. However, many have not always found that they are welcome due to their ethnic or racial appearance. There were mixed views amongst stakeholders about the degree to which asylum seekers should be further encouraged to make use of the gay commercial scene.

- R23 Agencies providing community development services to RCOs need to take a more robust and challenging attitude to LGBT issues. This should be modelled on the work done by similar agencies in challenging sexism 15 years ago.**
- R24 Refugee Support and other organisations supporting refugees and asylum seekers need to ensure that all senior managers, front line staff and volunteers undertake diversity training specifically relating to the barriers and needs of LGBT clients. This should be mandatory training forming part of their induction and personal development. They should also examine ways of measuring both service up take by LGBT asylum seekers and the LGBT service users views of services provided.**
- R25 Public and charitable funders should provide more support and challenge RCOs in respect of the accessibility of their organisations to LGBT people.**
- R26 Public and charitable funders should be encouraged to provide support and resources to LGBT asylum groups. Such funding should encourage volunteering and self-help from within these communities.**
- R27 Councils for Voluntary Service and other third sector networks should develop support and networking opportunities for mainstream LGBT organisations to develop their links with smaller LGBT asylum seeker groups.**
- R28 LGBT voluntary and community organisations need training and funding to increase capacity to meet the needs of asylum seekers.**

R29 LGBT community organisations, as part of their commitment to developing more “asylum-responsive” services should seek to include asylum seekers in events and where applicable undertake planning with commercial LGBT venues. This could include promoting social events at non commercial LGBT venues and occasional free nights at commercial venues to address the financial disadvantage faced by asylum seekers.

3.11. Other issues

As noted at the start of this section, this report represents the first substantial insight into the lives and experiences of LGBT asylum seekers. It is however a starting point. The following recommendations provide suggestions for future studies.

R30 This research should be seen as the starting point for further studies. There is a need for further research to explore the needs of LGBT refugee and asylum seekers, including potentially more hidden and excluded sub-communities, such as unaccompanied asylum seeking children and young people leaving care.

R31 The different asylum experiences for LGBT asylum seekers highlighted in this report need to be explored in relation to its impact upon integration for those granted asylum.



3.12. Table of recommendations by Target audience

This section provides a brief table of recommendations by target audience.

Target audience	Recommendation number
Charitable Trusts	4, 19, 25, 26, 27, 28, 30, 31
Councils for Voluntary Service/ Third Sector networking organisations	23, 27, 28
Department of Health/Primary Care Trusts	20, 21
Detention Centres	13, 14
Foreign & Commonwealth Office/ Department for International Development	3
Hate Crime Third Party Reporting Centres	22
HIV Prevention Programmes (Providers and Commissioners)	21
Home Office/UKBA	1, 2, 3, 5, 6, 7, 11, 12, 13, 15, 16, 17, 19, 30, 31
Immigration law providers	4
Legal Service Commission	4
LGBT Community organisations and commercial venues	28, 29
Local Authorities/ London Councils/ Greater Manchester Authorities	8, 9, 10
Refugee Support Organisations/ Community development providers	23, 24
Research organisations and research commissioners	30, 31

Appendices

4. Glossary of terms

Asylum is protection given by a country to someone who has fled persecution in their own country.

Asylum Process is the legal process asylum seekers must go through as the UK Border Agency (see below) assesses their application for asylum and includes asylum screening, Home Office asylum interviews and appeals. Successful applicants are granted Refugee Status and given Leave to Remain in the UK, initially for 5 years³. Unsuccessful applicants are expected to return to their country of origin, or in some cases are allowed to appeal their failed asylum claim.

In the UK, **asylum seekers** are defined as those who have fled their own country and lodged an application for protection on the basis of the Refugee Convention⁴ and are awaiting a decision. Until a request for asylum has been granted, the person is referred to as an asylum seeker.

Asylum support, also referred to as 'UKBA support', is a form of support provided by the UK Border Agency (see below) to asylum seekers and consists of accommodation and /or subsistence support. If they have additional care needs, due to chronic illness or disability, asylum seekers may also be eligible for support from their local authority.

BAME (Black, Asian and minority ethnic) refers to those in black, Asian or minority ethnic groups. BME refers to Black and Minority Ethnic groups and is the language most often used within the equalities field. The London Development Agency and all related bodies use the acronym BAME.

Bisexual is an individual who is physically, romantically, emotionally and/or spiritually attracted to men and women. Bisexuals need not have had equal sexual experience with both men and women; in fact, they need not have had any sexual experience at all to identify as bisexual.

A **case owner** is the person who deals with every aspect of a person's application for asylum, from beginning to end. Asylum seekers who make an application will be allocated to a case owner within a few days of making their application for asylum. The case owner is the single point of contact on the progress of an application, both for the asylum seeker and for anyone who represents them, such as a lawyer or other adviser.

Detention Centre - in some cases, asylum seekers may be detained in UKBA 'secure centres.' Asylum seekers may be detained if they do not make regular contact with their case owner, fail to carry identity documents to meetings with their case owners, and for any other reason that leads the UKBA to believe the applicant may be at risk of breaking off contact or 'going underground.'

Dispersal is an asylum policy which came into force when the Immigration and Asylum Act 1999 introduced new measures to transfer newly arrived asylum seekers from London and the South East to other parts of the country. Since April 2000, unless there are exceptional circumstances, asylum seekers who qualify for asylum support and who need both subsistence and accommodation are offered accommodation outside London and the Southeast.

Gay - this is an adjective used to describe people whose enduring physical, romantic, emotional and/or spiritual attractions are to people of the same sex (e.g., gay man, gay people). In contemporary contexts, lesbian (n.) is often a preferred term for women.

Gender Identity is one's internal, personal sense of being a man or a woman (or a boy or girl). For transgender people, their birth-assigned sex and their own internal sense of gender identity do not match.

Indefinite leave to remain (ILR) - if after the five year qualifying period a refugee is granted continuing status (s)he is given 'indefinite leave to remain.' This is a form of immigration status given by the Home Office. Indefinite leave to remain (ILR) is also called 'permanent residence' or 'settled status' as it gives permission to stay in the UK on a permanent basis.

Lesbian is a woman whose enduring physical, romantic, emotional and/or spiritual attraction is to other women.

LGBT is an abbreviation used to describe people who define themselves as **lesbian, gay, bisexual, and/or transgender**. LGBT is a self-referential category that people may use to describe their sexuality and/or gender identity.

The National Asylum Support Service (NASS) was created by the 1999 Asylum and Immigration Act and charged with deciding which asylum seekers were eligible for state benefits such as asylum support accommodation and income support, providing these benefits, and dispersing asylum seekers from London and the South East. In 2006 NASS ceased to exist as a directorate and its asylum support functions were eventually taken over by the newly formed UK Border Agency in April 2008 (see below for UKBA).

Refugee - the term 'refugee' has a strict legal definition set out in the Refugee Convention (see below) meaning a person who 'owing to a well-founded fear of being prosecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...'

Refugee Community Organisations (RCOs) are 'organisations rooted within, and supported by, the ethnic or national refugee/asylum seeker communities they serve...these RCOs are established by the refugees and asylum seekers themselves.'⁵

Refugee Convention means the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol. This is the key legal document defining who is a refugee, their rights and the legal obligations of states. Originally drafted as a temporary way of dealing with the large number of displaced persons in Europe after the Second World War, the 1967 Protocol expanded the Convention to non-Europeans and removed the temporal limitation.

Refugee Status is a form of immigration status awarded to someone the Home Office recognises as a refugee as described in the Refugee Convention. Since September 2005 individuals awarded refugee status are no longer granted indefinite leave to remain in the country, as they were prior to this date. Instead, refugees are now granted a limited period of five years leave to remain after which their cases will be reviewed to determine whether or not they are still in need of protection, and thus able to remain in the UK.

Refugee Support Organisations/Refugee Organisations (ROs) are organisations that provide advice, support, and sometimes specialist services (on issues such as mental health and disability) to refugees and asylum seekers. They may employ refugees or asylum seekers but were not set up by particular ethnic or national refugee and asylum-seeking communities.

Sexual Orientation - the scientifically accurate term for an individual's enduring physical, romantic, emotional and/or spiritual attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual and heterosexual orientations.

Social Services is the body run by a local authority or council that provides a number of services for adults, children and families who require advice, support or care because of their particular need. Social Services also provide asylum support accommodation in some cases; this is not the same as UKBA asylum support accommodation.

Transgender - an umbrella term for people whose gender identity and/or gender expression differs from the sex they were assigned at birth. The term may include but is not limited to: transsexuals, cross-dressers, and other gender-variant people. Transgender people may identify as female-to-male (FTM) or male-to-female (MTF). Transgender people may or may not decide to alter their bodies hormonally and/or surgically.⁶

United Kingdom Border Agency (UKBA) is part of the Home Office and is responsible for securing the United Kingdom borders and controlling migration in the United Kingdom. UKBA also considers applications for permission to enter or stay in the United Kingdom, citizenship and asylum, and is also responsible for managing accommodation and support for asylum seekers. UKBA was formed in April 2008 from a merger of the **Border and Immigration Agency (BIA)**, Customs and UK Visas. Prior to that date, the BIA was the agency responsible for overseeing asylum support, and before that asylum support was overseen by the **National Asylum Support Service (NASS)**.⁷

5. Commissioners and researchers

Refugee Support/Metropolitan Support Trust

Refugee Support is one of the country's leading providers of housing and support for refugees and asylum seekers, and is the brand name of Metropolitan Support Trust's (MST) refugee services.

MST is a registered social landlord and a registered charity. It operates across London, the East and West Midlands, and Yorkshire and Humberside, and works with refugees, people with mental health needs and learning disabilities, older people and other client groups. MST also advocates for progressive social policy.

One of the exciting initiatives within Refugee Support is the new programmes made possible by the Ashmore Fund. The Ashmore Fund is restricted within MST and was created from the free reserves of the former Refugee Housing Association. It is named after the former Chair, Gillian Ashmore. The purpose of the fund is to support innovative initiatives for the benefit of refugees, asylum seekers and migrants, and the Research and Consultancy Unit has received funding for its set up costs from it.

MST is part of Metropolitan Housing Partnership and is the specialist care and support provider.

www.mst-online.org.uk

www.refugeesupport.org.uk

www.mhp-online.co.uk

Michael Bell Associates

Michael Bell Associates is a research and consultancy practice established in 1993 with experience in social research, community development and health and social care related projects. Clients include a wide range of public bodies from government departments and agencies to NHS bodies and local authorities to not for profit providers.

We provide evidence based and practical solutions to promote social cohesion and tackle social exclusion. Working exclusively with the public and not-for-profit sectors, we aim to provide cost effective and high quality, integrated research and consultancy services.

mBa

www.mba4consultancy.co.uk

6. Research project steering group members

Stonewall Housing

At the heart of Stonewall Housing's work, since they started in 1983, is the aim to find safe and secure homes for lesbian, gay, bisexual and transgender (LGBT) people. They provide supported accommodation for young LGBT people and housing advice and advocacy to LGBT people of all ages through a telephone helpline and weekly drop-in surgeries.

Stonewall Housing also influences housing policy and practice at local, regional and national level and provides training and consultancy services to other housing organisations in order to raise awareness of the housing needs of the LGBT communities.



United Kingdom Lesbian and Gay Immigration Group

Since 1993 UK Lesbian and Gay Immigration Group (UKLGIG) has been providing immigration support, information and advice to the lesbian and gay community. They have had enormous success, achieving the first legal recognition of any sort for same-sex relationships with the creation of the Unmarried Partners Rule. This acceptance of lesbian and gay relationships as valid and equivalent to heterosexual partnerships sowed the seed for all future legal rights and ultimately led to civil partnership legislation.

As the area of need changed, the group's focus shifted to those persecuted because of their sexuality. UKLGIG continues to use its experience, expertise, reputation and skill in promoting human rights and eliminating discrimination through providing support to LGBT people seeking asylum. There is currently no other dedicated organisation tackling the multifaceted problems faced by lesbian and gay asylum seekers in the UK.



End notes

¹The UK does not operate a 'white list' that makes presumptions about the safety on return of failed asylum seekers. The Government believe that the right approach is to consider the protection needs of individuals on an individual basis. The term 'white list' in this report refers to section 94 of the Nationality, immigration and Asylum Act 2002, which concerns the appeal rights in respect of asylum and human rights claims that – after full and careful consideration – are found to be clearly unfounded. Section 94 of the 2002 Act includes provision for a list of countries (or parts of countries) to be designated for non-suspensive appeals and for the Home Secretary to add a country to the list if she is satisfied that (a) there is in general no risk of persecution of persons entitled to reside there and (b) that removal of persons entitled to reside there will not in general breach the UK's obligations under the European Convention of Human Rights. Designation of a country does not mean that all claims from the country will be refused. Countries designated Section 94 of the 2002 Act are kept under review and if conditions in a particular country change to the extent that the legal test for designation is no longer met then the country concerned would be removed from the list.

²All Country of Origin Information reports have a section on LGBT persons. These sections aim to document the position of LGBT persons in the country concerned; covering their legal position, societal attitudes, treatment by the authorities and other relevant information. However, the level of information provided is largely dictated by availability and it is often difficult to obtain reliable information about these issues, particularly for countries where LGBT persons may feel obliged to conduct their personal lives in a clandestine manner.

³Since September 2005 individuals awarded refugee status are no longer granted indefinite leave to remain in the country, as they were prior to this date. Instead, refugees are now granted a limited period of five years leave to remain after which their cases will be reviewed to determine whether or not they are still in need of protection, and thus able to remain in the UK.

⁴The 1951 United Nations Convention Relating to the Status of Refugees is the key legal document in defining who is a refugee, their rights and the legal obligations of states. Under the Convention, a refugee is someone who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."

⁵Zetter, R. and Pearl, M. (2000) 'The minority within the minority: refugee community based organisations in the UK and the impact of restrictionism' *Journal of Ethnic and Migration Studies*. Vol. 26(4), pp. 675-98.

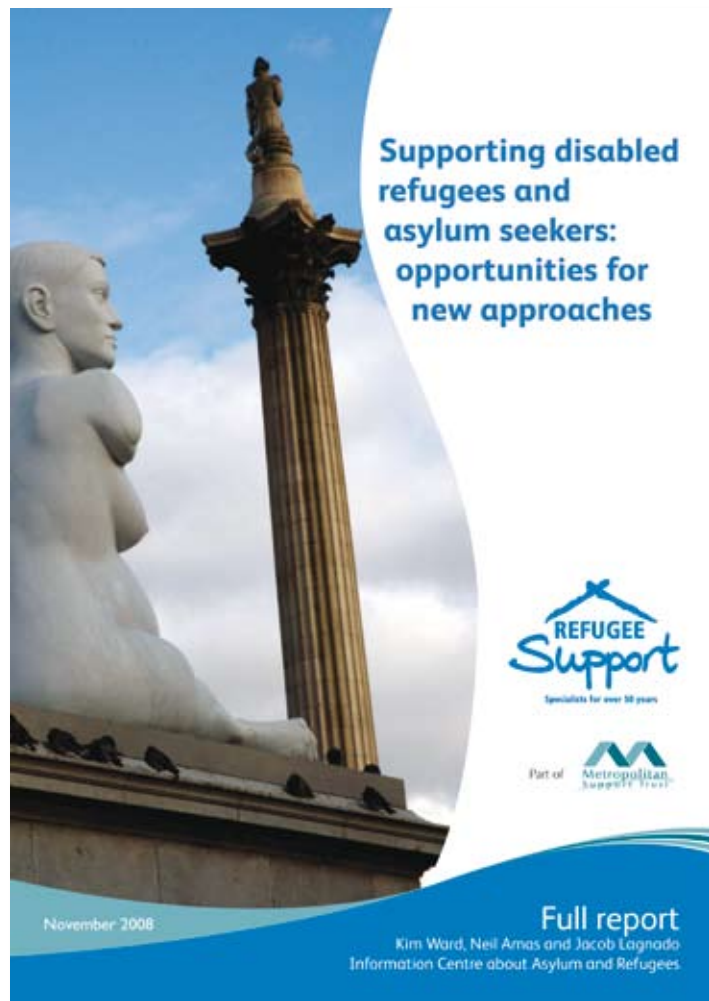
⁶Definition taken from GLAAD's (Gay & Lesbian Alliance Against Defamation) Media Reference Guide, 7th edition, May 2007, available at http://www.glaad.org/media/guide/GLAAD_MediaRefGuide_7thEdition.pdf

⁷The institutional legacy of the National Asylum Support Service (NASS) has been far-reaching and amongst asylum seekers, refugees, and Refugee Support Organisations it is common to refer to contemporary UKBA asylum support services, including accommodation, as 'NASS.' However, NASS ceased to exist as a directorate in 2006 and any current references to 'NASS' must be understood as UKBA asylum support services.

Other research from Refugee Support/Metropolitan Support Trust



This report aimed to fill in a research gap by asking what integration and 'Britishness' means to refugees. It was published as part of the 50th anniversary celebrations of Refugee Support.



Capturing the perspectives of so-called 'hard-to-reach' disabled asylum seekers, refugees and refugee community organisations, this research examined the nature and extent of support these populations received from organisations in London.

If you would like more about this research please contact the Research and Consultancy Unit on 020 7501 2234 or at mst@mst-online.org.uk

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Specialists for over 50 years



Ref: RS007/0509
Please note the identities of all the interviewees in this document have been withheld and all images of people are generic.

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