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“I cannot do anything from here”: LGBTQI+ asylum seekers in detention

November 29th, 2018

Content warning: suicide. Image by @Carcazan.

*This blog comes from Gabriella Bettiga, Legal Officer at **UKLGIG** (UK Gay and Lesbian Immigration Group). You can find them on Twitter at **@UKLGIG***

Among those held in immigration detention, there is a group of people that feel more isolated than most.

Often scared to reveal their sexual orientation or gender

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where perhaps they are held because they failed to

disclose their SOGI at the first opportunity

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**UKLGIG**
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WATCH: Our executive director tells parliament that the abuse and harassment faced by LGBTQI+ people in detention could amount to indirect discrimination. [#ThursdayThoughts](#)

[Immigration detention has the potential for indirect discrimination against LGBTQI+ people who are seeking asylum. Watch my evidence to @HumanRightsCtte at 15:22 \(goo.gl/rpQxG\) and 15:47 \(and goo.gl/2XNLZf\)](#)

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1:10 PM - 1 Nov 2018

Having left a country where they had to conceal their true selves for fear of persecution, LGBTQI+ asylum seekers are expected to come out in front of the Home Office officers upon arrival.

This is often unrealistic and therefore many do not disclose their SOGI immediately, or at all during their asylum claim. They end up raising it in the context of a “fresh claim”, once they have been in the UK for a while and feel more confident to talk about their sexuality.

Others are unaware that being LGBTQI+ could be a reason to apply for asylum, believing that asylum can only be claimed for political reasons.

Applications based on SOGI are complex because there isn't a specific way to prove that one is gay, lesbian,



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statement one needs a good solicitor, and the opportunity to spend enough time with them. This is not possible in detention, where people can see solicitors for 30 minutes at the free legal surgeries that are run at each centre, but it may take weeks before they find a lawyer who can take on their case on a legal aid basis.

Securing legal representation is not easy, and even when one manages to find a solicitor, it is difficult to communicate with them.

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UK Parliament Human Rights Committee

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Leila Zadeh from @UKLGIG: Policy on detention of those at risk has changed but practice has not. Vulnerable people are still being detained. Onus is on individuals to prove their vulnerability.

[#immigrationdetention](#)

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More than a physical barrier

When you are detained, your phone is taken away, and you get another one, with no access to internet. It is often difficult to contact friends and family who know your sexual orientation or gender identity and could provide support for your claim.

You may end up splitting up from your partner, losing



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• 1h

Morton Hall
Detainee
Visitors
Group was
established
when the IRC
opened in
2011. It aims
to reduce the
isolation that
is all too
common in
detention
centres.
<https://t.co/gNiJSnaF1x>
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• 2h

Thanks
[@egabryx](#)
and
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timely blog
for
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highlighting

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that you could do more if you were free.

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Day after day you wait for a decision from the Home

Office or the tribunal, which will probably be a refusal.

You desperately attempt to put together new evidence.

Your lawyer tells you that they can help you prepare a fresh claim if you have new material. But how can you find new material if you are locked up? If you have lost the phone number of the people who may be willing to support you?

"If they released me, I could contact my friends, my ex-partner, people in my country. I could access my documents".

"I cannot do anything from here, there's no one to help me".

This is what I often hear when I visit LGBTQI+ people detained in IRCs or when they contact UKLGIG by phone.

Sometimes I talk to them once, others call many times, for some legal advice, or simply to have someone at the other end of the line to talk to.

"How can I prove that I am gay? What else can I tell the Home Office if they did not believe me the first time around?"

I understand this frustration, which I am sure is shared by

Gabriella

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for

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@uklgig

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/fL3P05V38C



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• 2h

The Independent Monitoring Board's 2018 report describes Morton Hall as well run, but highlights drug use and poor maintenance. And as our graphic shows (playing time 37 sec), the IMB questions the IRC ^

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barrier between you and the rest of the world. It is a wall of hopelessness, confusion, despair.

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"If I go back to my country I will kill myself."

"I am a trans woman but they kept me at Harmondsworth [a detention centre for men] for a while."

"Here I live openly as a lesbian, in my country my family will force me to marry a man."

"Why the Home Office doesn't understand this?"

I don't have an answer. I can only suggest to each person to get the help of a good lawyer, to keep fighting, to believe in justice. But that's not easy when your future is at stake, and you are behind bars.

problems

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We are calling for an end to the detention of [#LGBTQI+](#) people, a time limit of 28 days and judicial oversight. Find out more on [@DetentionForum](#) website [bit.ly/2ylaNXa](#) [#Time4aTimeLimit](#)

Looking forward to this morning's [@APPGRefugees](#) meeting with [Stephen Shaw](#) to discuss his review of immigration #detention and what we can do to reduce its use. [#Time4aTimeLimit](#)

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8:40 AM - 17 Oct 2018

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