WOMEN FOR REFUGEE WOMEN

See Us, Believe Us, Stand With Us

The experiences of lesbian and bisexual women seeking asylum in the UK

About Women for Refugee Women

Women for Refugee Women (WRW) challenges the injustices experienced by women who seek asylum in the UK. Our vision is a world where women no longer need to seek asylum because they are safe from persecution and have equal power and access to opportunities.

Acknowledgments

The lead author for this report was Women for Refugee Women's Campaign and Advocacy Manager, Priscilla Dudhia, with editorial support from the founder and former co-ordinator of Rainbow Sisters, Sarah Cope. Sarah's unwavering commitment to the group made this research possible and her experiences strengthened this report. We are very grateful for Sarah's dedication, courage and kindness, which made Rainbow Sisters the safe and welcoming space it is today.

This report would not have been possible without the dedication of the peer researchers, Raolat and Olivia, members of Rainbow Sisters who shaped and conducted this research alongside us.

We would like to thank Kiki, member of Rainbow Sisters, for translating the questionnaire into French, helping us to reach Sisters whose experiences are often overlooked.

We are very grateful to Hannah Lynes of Garden Court Chambers for reviewing a draft of the questionnaire, and Sonia Lenegan of Rainbow Migration for reviewing a draft of this report. In addition, we would like to thank our funders who make our work possible.

As always, our deepest gratitude goes to those women who shared their stories with us. We hope this report does justice to your bravery and openness.

Women for Refugee Women
Tindlemanor
52-54 Featherstone Street
London, EC1Y 8RT

020 7250 1239
admin@refugeewomen.co.uk
www.refugeewomen.co.uk
@4refugeewomen

Charity number: 1165320

Report designed by Ben Vaughan

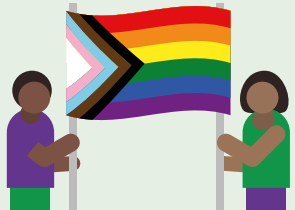
A note on names and photography used throughout this report

Most of the names given to asylum-seeking women throughout this report have been changed for the women's privacy and safety.

Some of the photography within this report is by refugee and asylum-seeking women who form part of the Rainbow Sisters group, except where otherwise stated.

Photo Credits: Natasa Leoni (front cover),
Luke Tapley (p2, p3, p15, p16, p17),
Samantha Hudson (p7, p21),
Simon Tang (p10, p19, back cover).

Contents



Key findings

Profile of respondents

- 24 lesbian and bisexual women who have claimed asylum in the UK
- Fled the following countries: Nigeria (8), Uganda (5), Cameroon (4), Pakistan (2), Kenya (2), Iraq (1), Senegal (1), Ghana (1).
- Fear persecution because of their sexual orientation.

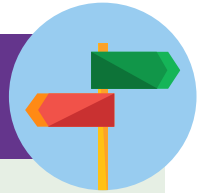
Claiming asylum

- Almost 90% of women entered the UK with a visa.
- Over 80% did not claim asylum within the first month of entering the UK, experiencing multiple, overlapping barriers to disclosure:
  - 14 out of 18 women who gave further details were unaware of their right to claim asylum on the basis of sexual orientation; 12 women were too traumatised by past experiences; seven feared reprisals or exclusion from diaspora communities; six needed time to understand and accept their sexual orientation before seeking protection.

Lack of quality legal aid

- Three women did not have legal representation at the time of their asylum interview.
- Only 13 women had legal aid lawyers.
- Twelve women who had legal aid lawyers rated the quality of support they received:
  - Almost half described their support as 'Poor' or 'Very Poor'.
  - Not one woman described their support as 'Very Good' or 'Excellent'.
  - Key challenges experienced by women: lawyers did not ask enough or appropriate questions about past experiences and the dangers women face in their countries of origin; poor quality personal statements; lack of trust towards lawyers.

Home Office decision-making



- Sixteen women told the Home Office that they feared persecution on the basis of their sexual orientation when they first applied for asylum.
  - However, all 11 women who chose to give more details about the outcome of their case, following disclosure, said they were refused asylum. In most of these cases, the Home Office did not believe the woman's sexual orientation.
- The seven women who had a form of leave to remain at the time of participating in this research did not secure refugee or other status when they first made their claim for asylum in the UK; they had to make a successful fresh claim before being correctly recognised as a refugee.

Introduction to Rainbow Sisters

By Sarah Cope, Founder of Rainbow Sisters

The first Rainbow Sisters meeting was held on 8th January 2018, in a small room at the office of Women for Refugee Women (WRW) in London. One woman attended. Fast forward a little over five years and we have over 120 members from across England and Wales. At the time of writing, over 60 members have been granted refugee status or another form of leave to remain in the UK.

The Rainbow Sisters group was set up in order to provide a safe and positive space for women who were claiming asylum based on their sexual orientation. Many were unable to disclose the reason for their claim in WRW's wider network of women for fears of homophobic reactions and rejection.

At that time, there was also no women-only lesbian and bisexual asylum support group in London. Some women told us that other meetings they attended for LGBTQ+ people seeking asylum were often male-dominated which affected women's confidence and sense of safety. We knew at WRW the importance of women-only settings for those who, in the majority of cases, had been raped or sexually abused by men. In the case of women being able to discuss their sexual orientation, the need for such a space was even more pressing.

Rainbow Sisters is a trans-inclusive space and we now have three trans women in the group We know it is extremely difficult for trans women to find safety in the UK, facing different and often additional challenges in accessing a fair assessment of their protection claims. The trans women in Rainbow Sisters have added new perspectives, and I am pleased to say have been fully welcomed by the lesbian and bisexual members of the group.

Rainbow Sisters meet every week, sharing their experiences and building sisterhood. Members of the group have marched at Pride in London and performed at UK Black Pride. They have also campaigned against immigration detention, enforced destitution and, more recently, the Nationality and Borders Bill.

London Pride 2022

We are the Rainbow Sisters

We accept ourselves and each other and celebrate who we are!
Our motto is to care and to share,
To fight the cause of righteousness,
And justice for a better living,
Arise and shine, Rainbow Sisters!
Arise and shine, Rainbow Sisters!
Arise and shine, Rainbow Sisters!!!

(Extract from song written by Rainbow Sisters)

London Pride 2022

The need for this research

By Raolat & Olivia, peer researchers from Rainbow Sisters

Rainbow Sisters is a family, a home and a safe space for lesbian, bisexual and trans (LBT) women and non-binary people seeking asylum. It is the only group we've found where we feel truly welcome and comfortable to be ourselves. Through Rainbow Sisters, and the support and dedication of our former coordinator Sarah, we've found our voices again. We're proud to share with you the experiences of our Sisters and we hope that as you read this report you will hear us, believe us and support our calls for change.

This is our first report specifically about the experiences of lesbian and bisexual (LB) women seeking protection in the UK. We wanted to do this research to show you what it is like to have to go through the asylum process from our perspectives. As researchers with experience of these issues ourselves, we have designed and carried out this research in a way that's allowed our Sisters to feel at ease and give open, insightful answers.

Seeking asylum has never been easy for our Sisters. Through this research we've seen that our individual experiences of fear, intimidation and struggle are part of a wider pattern of hostility that LBT women and non-binary people seeking asylum are subjected to. Here in the UK, we face the triple discrimination of racism, sexism and homophobia. The Home Office routinely disbelieves our stories and denies us protection.

Asylum decisions can be life and death decisions, and more often than not the Home Office is getting them wrong. In fact, all of the women who took part in this research and who had refugee status at that time were initially refused asylum. What's more, the Nationality and Borders Act is set to make it even harder for LBT women and non-binary people to be granted protection in this country. It is a terrifying set of changes that will further dehumanise and retraumatise people like us.

With the Act now in force and more harmful legislation on the horizon, we need your solidarity more than ever before. We want to thank you for reading our report and learning about our experiences. **You give us hope that change will come; that one day we will all be treated as equal human beings.**

Methodology

Twenty-four members of Rainbow Sisters took part in this research, all of whom applied for asylum before the introduction of the Nationality and Borders Act 2022. At the time the research was launched this represented 30% of the membership, which stood at 80 women.

The age range of the women who took part was wide: eight were aged between 21-30, another eight were aged between 31-40, seven were aged between 41-50, while one was aged 60 or over.

The primary method of data collection was an online questionnaire that was created with peer researchers from Rainbow Sisters. The questionnaire featured a mixture of closed and open questions, and was available in both English and French.

All women were asked to give consent before proceeding with the questionnaire, following a detailed description of the purpose and content of the research. Since the questionnaires were completed remotely, we did not ask any questions that could be retraumatising, for instance about women's past experiences of persecution.

The peer researchers circulated the questionnaire among Rainbow Sisters in September 2021, supporting interested members to share their experiences. Twenty-two women completed the English-language questionnaire, and two completed the French one. More detailed experiences of the two women whose stories are featured in this report were captured through one-to-one interviews.

Peer researchers helped shape the recommendations of this report which were developed jointly with the wider Rainbow Sisters group.

Although the questionnaire was open to all members, the trans women did not take part; two had joined Rainbow Sisters shortly after the questionnaire was launched, and one after the research was complete. The findings are therefore limited to the experiences of lesbian and bisexual members. WRW is committed to ensuring that all women who wish to share their experiences as part of our research are supported to do so. To that end, we will continue to ensure that our future research projects allow our trans Sisters to participate, so that we can effectively advocate for all women seeking asylum.

‘Anu’s’ story

In Nigeria

I grew up in Nigeria. When I was 10 years old, I was raped. It’s really difficult to talk about, I am still dealing with the trauma of this incident today.

I was 13 when I began a relationship with another girl. I didn’t know what that was called, I didn’t know the word ‘lesbian’. The year we spent together was the happiest time I ever had.

On one unfortunate day my mum came home early and found me and my girlfriend together. She was so angry. She started shouting, calling me an abomination. I felt so exposed. **The violence started that day, and it grew.** My mum beat me using a cane and bats and anything else she could get her hands on. I became a stranger in my own house. I didn’t smile or talk.

About a week later my parents came home with two men. They took me to a room in our house and asked me to take off my clothes. They grabbed me, holding my hands down and spread my legs. One of them knelt between my legs and tried to circumcise me. I was screaming, he was making so many cuts. I was swollen and blood was everywhere. I wasn’t given any medication. **I almost died.**

After that, I became something else. I didn’t know about depression. I just knew I was not myself. My parents thought that the circumcision had worked, that ‘the devil’ was taken out of me. But, of course, nothing had changed about my sexuality and I was terrified that people would find out. Even now, I am still traumatised by what my parents did to me.

> Even now, I am still traumatised by what my parents did to me.

In the UK

In 2012, my parents sponsored me to come and study Business Management in the UK. **After my first year, they started pressuring me to get married to a man.** I didn’t want to be with a man, but in 2013 I ended up getting married to one. I felt ashamed of my sexuality at the time. I also come from a very conservative community in Nigeria and felt pressure to appease my parents. Of course, the marriage didn’t last long. At some point after we separated my parents stopped paying my tuition fees, so I couldn’t study anymore. Despite being in the UK, I still hid my sexuality, also because my community discriminates against LGBTQ+ people.

I couldn’t go back to Nigeria because I feared for my life, so I stayed here where I at least felt some safety. But, after my student visa ran out, the Home Office detained me at Yarl’s Wood detention centre. I was locked up there for six months in 2017. It was the lowest point in my life. **Yarl’s Wood felt like a prison, a lion’s den.** It wasn’t just me, there were so many women locked up there, women with different vulnerabilities.

I saw women trying to kill themselves. **I had suicidal thoughts** as well because I did not know how to help myself and death seemed like the only way out. I applied for asylum a week after arriving at Yarl’s Wood. **That was the first time I heard about asylum.**

Someone in my community connected me with a Nigerian solicitor, but he was bad; he never explained the asylum process to me or told me what to expect during the interview, so I was totally unprepared. **He didn’t ask me anything about why I couldn’t go back to Nigeria. Because he was a man and from my community it was difficult for me to open up about why I had left my country.** I wasn’t able to tell him about my sexuality. I was scared and still felt ashamed of who I was. **Being in detention also made it so hard for me to share.** I had never told anyone my story before and I was in this awful, hostile place.

I told the Home Office about the attempted circumcision, and was checked by an expert. I also showed them the scars I got from being beaten and tortured by my parents. I have been diagnosed with post-traumatic stress disorder and **during the asylum interview I kept having flashbacks. I felt intimidated by the barrage of questions I was being asked by the interviewer.**

I wasn’t given any mental health support during the asylum process, and this affected me a great deal because I felt intimidated and ashamed to speak openly in the interview, also because the Home Office interviewer was a man.

> [The Home Office] doubted my sexuality even though I couldn't tell them about it during my interview, as I felt so scared.

For all these reasons, I wasn't able to tell the Home Office about my sexuality at the time of my interview. The Home Office then refused my asylum case, with no right of appeal in the UK, and wanted to send me back to Nigeria. I became really ill in detention. My haemoglobin level was so low I had to keep having transfusions and I became bed-bound at one point. The Home Office didn't care; they were still trying to deport me.

Things changed when I reached out to a charity for help. They helped me see a doctor who said that my blood level was too low for me to fly so I couldn't be deported, and got me a legal aid solicitor. I also met someone from an LGBTQ+ support group and they encouraged me to tell the Home Office about my sexuality.

I told my new solicitor, a woman, about my sexuality. She then challenged the Home Office's decision in court, arguing that they hadn't considered everything about my story properly, particularly the fact that I am a lesbian. The judge agreed and ordered the Home Office to look at my case again. In the meantime, my solicitor helped me to apply for bail and I was finally released from Yarl's Wood.

In 2020 though, the Home Office refused my claim again. **They said that they did not believe my sexuality.** Because I had married a man the Home Office argued that I wasn't really a lesbian. They doubted my sexuality even though I couldn't tell them about it during my interview, as I felt so scared.

It's been almost five years and I am still waiting for status. Appealing the decision has taken so long and meanwhile my life is on hold. I am thankful for Rainbow Sisters which is a group for LGBTQ+ women and non-binary individuals who are seeking asylum. This group has motivated me and helped me to become more open about my sexuality. I feel seen and supported…they are like family to me.

I wish the Home Office would treat us as human beings and believe us when we share our trauma. I have a degree in my home country and my family are averagely well off. If things were equal and I could be accepted as a lesbian in Nigeria, I would not have left. But the opposite is the case. I have seen videos and pictures of people being maimed and murdered in Nigeria because of their sexuality…similar to what happened to me. If I go back there my life will be in danger. I just want to be given a chance at life and have the freedom to be myself.

Since sharing her story for this research, 'Anu's' appeal was allowed and she has now received refugee status in the UK.

> I just want to be given a chance at life and have the freedom to be myself.

Why lesbian and bisexual women seek asylum

All 24 women who took part in the research came from countries where same-sex consensual acts are criminalised. In some cases, these laws are legacies of Britain's colonial past.[1] In all cases, abuse and discrimination against LGBTQ+ people is commonplace and well-documented.

A third of the women (8) originated from Nigeria, where same-sex acts are punishable with up to 14 years' imprisonment, and death by stoning in the northern states. The Human Dignity Trust highlights *'consistent reports of discrimination and violence…against LGBTQ+ people in recent years, including assault, mob attacks, harassment, extortion, and the denial of basic rights and services.'*[2] Five women came from Uganda, where the government recently tried to resurrect a bill, dubbed locally as 'Kill the Gays', which imposed the death penalty for same-sex acts. Other women originated from Cameroon, Kenya, Pakistan, Iraq, Senegal and Ghana.[3]

In most of the countries from which members of Rainbow Sisters originate, misogynistic social attitudes and patriarchal cultural norms prevail, leading to high levels of gender-based violence, often within a climate of impunity. WRW have found that LB women seeking asylum often experience double persecution: on account of their sexual orientation as well as their gender. The Home Office does not collect statistics on whether sexual violence or other forms of gender-related persecution form part of women's asylum claims. However, **WRW's research has consistently found that a high proportion of women seeking asylum, including LB women, have experienced some form of gendered persecution in their countries of origin**. This includes rape, sexual abuse, female genital mutilation, forced prostitution, 'honour'-based violence, forced marriage and domestic abuse. For our 2020 report, 78% of women we spoke with said they had fled gender-based violence.[4] For our 2017 research that figure was 85%,[5] and 66% in 2012.[6] Our research has also shown that women are often subjected to further gendered violence when they cross borders for safety.[7]

How and when lesbian and bisexual women claimed asylum

How women arrived in the UK

Around 90% of respondents (21) entered the UK on a visa, such as a student or tourist visa. The Home Office does not publish regular data on how people seeking asylum have entered the UK. However, over the years WRW have supported many women who have fled persecution in this way. We have seen, most recently in the context of the Nationality and Borders Act, the Home Office espousing a false notion of choice: that vulnerable people have various options before them when seeking safety. Yet when the threat to their lives is so severe, people are forced to uproot themselves quickly, by whatever means available.

It is important to remember that there is no formal visa that can be applied for in order to come and claim asylum in the UK; the immigration rules make no provision for this. Further, not everyone is able to access a resettlement scheme. In 2022, 5,792 people were granted resettlement in the UK,[8] a drop in the ocean when considering the 100 million people worldwide who were forcibly displaced as a result of conflict, persecution or human rights violations that year. It is also a small proportion when compared to the 74,751 asylum applications that the UK received in 2022.[9] It is worth remembering that resettlement programmes are generally focused on areas where there are conflicts, for example Syria and Afghanistan, rather than countries where people may need to flee due to fear of persecution based on their sexual orientation or gender identity, such as Nigeria. Eighty percent of those resettled by the UK in 2022 were from Afghanistan.

Asylum barristers have highlighted the challenges that women in particular may encounter in seeking safety, given that *'they are less likely to enjoy the socio-economic conditions or political or civil support in their own country of origin, which could enable them to organise to leave via a regular route'*.[10] The challenges may be particularly pronounced for LB women. In their response to the Government's consultation on the New Plan for Immigration, the Rainbow Sisters stated: *'It is neither realistic nor fair to expect women who are in danger due to their gender identity or sexual orientation to rely on resettlement as a route to safety. This is because not all of us can safely access a resettlement programme. Some of us would be targeted if our governments found out about our attempts to flee. Lots of us wouldn't feel secure in disclosing our sexual identity before we've reached a stable place of safety.'*[11]

Therefore, entering by a student or tourist visa is often the only safe way for women seeking sanctuary to reach the UK. The alternative would be dangerous journeys that could expose women to further sexual violence and abuse. Indeed, four respondents were forced to enter the UK irregularly, such as in a lorry.

Barriers to disclosure

Over 80% of respondents (20) did not apply for asylum within the first month of their arrival to the UK. In fact, it took the majority of women many months, if not years, to feel safe enough to seek protection.

Each of the 18 respondents, who chose to give further details as to why they did not apply for asylum on arrival, experienced multiple, overlapping barriers to disclosure.

1. Lack of awareness of the right to claim asylum based on sexual orientation

The most common reason - shared by 14 of the 18 respondents who provided further details on the reasons for 'delay' - was that they did not know that they could make an asylum claim. **People fleeing persecution on account of their sexual orientation are often unaware that they can claim international protection on this basis.** In fact, WRW have found that many women associate the word 'refugee' with war or political persecution. This is unsurprising given that the Refugee Convention was drafted in the wake of World War II, and the fact that it has taken decades for persecution based on sexual orientation and gender to be recognised as falling within its ambit.[12]

The vast majority of LB women in our network did not have sufficient funds to pay for legal advice when they arrived in the UK, through which they may have learnt about their right to claim asylum. It is worth noting that legal aid for most immigration cases ceased in 2012. Prior to this, an LB woman who did not have leave to remain and who did not know about asylum could have made an appointment simply to discuss immigration issues with a legal aid lawyer. At that point she presumably would have been advised that asylum was the correct course of action for her.

However, since the 2012 changes, this is no longer possible, as there is a barrier to that initial appointment. Although many LB women are offered assistance from lawyers within diaspora communities, homophobia within those communities acts as a bar to disclosure. From our experience, it is often only after attending charities and LGBTQ+ support groups that LB women become aware of their ability to claim asylum on the basis of their sexual orientation.

2. Effects of past traumatic experiences

Twelve of the 18 respondents said that they were too traumatised by past persecution or too scared of being disbelieved by UK officials and returned to their countries of origin. Speaking of her experience of claiming protection, 'Victoria', a respondent, said: *'Being a refugee in a new country you don't trust people easily. When you've gone through so much hatred, so much abuse…it's hard to open up and trust people.'*

Having spent their lives trying to conceal their identity, and facing abuse and rejection, the thought of speaking to a government official, and a complete stranger, about the most intimate aspects of their lives was incredibly frightening for respondents. For some, the asylum interview was the first time they had spoken to anyone about their identity. The Home Office's guidance, *Sexual Orientation in Asylum Claims, acknowledges that 'discussing matters such as sexual orientation will for many in the official context of an asylum interview, be extremely daunting. It is to be expected that some [lesbian, gay and bisexual] asylum seekers may struggle to talk openly about their sexual orientation and find it difficult to disclose material information in a coherent or detailed manner.'*[13]

LB women who have survived sexual and gender-based violence are likely to encounter additional challenges, as such experiences often go hand-in-hand with post-traumatic stress disorder. The effect that gender-based abuse has on memory, confidence and disclosure is well-acknowledged, including in the Home Office's guidance, *Gender Issues in the Asylum Claim: 'There may be a number of reasons why a claimant…may be reluctant to disclose information, for example feelings of guilt, shame, and concerns about family 'honour', or fear of family members or traffickers...Those who have been sexually assaulted… may suffer trauma that can impact on memory and the ability to recall information. The symptoms of this include persistent fear, a loss of self-confidence and self-esteem, difficulty in concentration, an attitude of self-blame, shame, a pervasive loss of control and memory loss or distortion.'*[14]

Despite these acknowledgements in their published guidance, WRW have seen numerous cases where the Home Office has treated 'delays' in disclosure as damaging to credibility, and rejected cases where survivors of gender-based violence present accounts with gaps or inconsistencies that are explained by medical reports detailing evidence of abuse.

3. Fear of reprisals or exclusion from diaspora communities

Seven respondents told us that fears of reprisals or exclusion from diaspora communities in the UK prevented them from claiming asylum earlier. One respondent, 'Beatrice', shared: *'My community members were against anything to do with sexual orientation. But I depended on them for food, basic needs and accommodation.'*

Like 'Beatrice', many Rainbow Sisters stay with community members when they arrive in the UK, relying on them for food and shelter. They often attend religious settings, like churches, or other social and community groups, with people from their countries of origin, in order to access sources of support, community and connection. Yet, as mentioned above, 'coming out' to them is generally not an option for these women due to homophobic attitudes, discrimination and, at times, abuse. As a result, many LB women lead low-profile lives in the UK, in which they are not openly expressing their sexual orientation, for significant periods, especially given their past experiences of persecution.

4. Challenges in accepting their sexual orientation

Six women told us that they felt ashamed of their sexual orientation, and needed time to understand and accept their identity before claiming asylum. That the journey to acceptance can be slow is acknowledged in Home Office guidance: *'Recognising, understanding and accepting one's own sexual orientation…can be a long and or painful process, and in some instances, may only come in later stages of life.'*[15]

Most women were forced to navigate this journey without mental health support. However, several respondents highlighted the importance of LGBTQ+ support groups in encouraging acceptance and disclosure. One respondent, 'Julie', told us: *'Joining Rainbow Sisters improved my confidence in believing in myself and accepting my identity in a safe space around kind, respectful and supportive people.'*

Augusta's story

It took a long time for me to accept my sexuality. In Nigeria, it is illegal for a woman to be in a relationship with another woman. That, combined with my traditional upbringing, made it really difficult to accept who I am. Eventually, in 2017, I decided to apply for asylum in the UK.

I told the Home Office that I wanted to claim asylum because of my sexuality. The first form I had to complete asked me whether I was 'single' or 'married'. I explained to the official that I was in a relationship, but they said that wasn't an option, so I had to put 'single' on the form.

The fact that I ticked 'single' was used against me throughout my asylum claim. How can you say that my girlfriend and I are not together based on a question where being in a relationship is not a box to tick? But that was one of the Home Office's arguments for not believing me.

I got a legal aid lawyer just before my interview but he did a terrible job. It was like he had no idea what he was doing. I told him everything about my sexuality and what I had been through. I asked him whether he wanted to use pictures of me and my girlfriend, and text messages between us, for my case, but he said the Home Office would say it's 'self-serving' and not believe it.

The main interview was gruesome. I was so agitated from not sleeping the night before. Everyone was late. It felt as though I was saying one thing and the interviewer was hearing a different thing entirely.

> My interviewer was insensitive and brought up a lot of memories that I had tried to bury. It also felt like he was trying to catch me out.

My interviewer was insensitive and brought up a lot of memories that I had tried to bury. It also felt like he was trying to catch me out. He asked me in several ways why I couldn't move to another part of Nigeria, even though abuse against LGBTQ+ people happens across the country. If I went back, I would be forced to live a life in hiding and I would never be safe. I got through the interview but it took a huge toll on me. **I am someone who struggles with post-traumatic stress disorder, anxiety and depression, and the intrusive questions they asked me really messed with my head.** There was no mental health support available to me which made it even harder.

The Home Office refused my asylum claim in 2018, saying that they didn't believe my sexuality. I went to court several times, even with my then girlfriend. I don't know what else they wanted from me. Eventually Women for Refugee Women connected me with a good legal aid solicitor who helped me to prepare a fresh claim.

The solicitor helped me gather lots of evidence, including a report by a psychologist, an expert report on Nigeria, and letters from my GP and Sarah, the coordinator of Rainbow Sisters.

I put in my fresh asylum application in June 2021 and thankfully by October I was granted refugee status.

Home Office decision-making

Treatment of sexual orientation

Respondents were asked whether they disclosed their sexual orientation in their initial application for asylum, as the reason for why they could not return to their country of origin. Of the 20 women who answered this question, four respondents said they did not disclose their sexual orientation to the Home Office until they were refused asylum and applied for a fresh claim,[16] whilst 16 said they disclosed their orientation in their initial application.

Of those 16 women, 11 gave further details about the outcome of their case following disclosure of their sexual orientation in their initial application. **All 11 stated that they were refused asylum. In nine cases the Home Office did not believe the women were lesbian or bisexual.**

These findings are consistent with the well-documented culture of disbelief that operates within Home Office decision-making; research shows how LGBTQ+ people face serious hurdles in proving their claims to an impossible standard, and are routinely denied asylum on spurious grounds.[17] Such practice blatantly ignores UNHCR standards that emphasise the difficulties people have in proving their asylum claims, as well as the potentially life-threatening harm to the person should the wrong decision be made. Given these challenges, UNHCR standards only require an applicant to establish their claim to a 'reasonable likelihood' threshold; this is even less than 51% likelihood, the standard of proof in civil cases. Yet the accounts we heard during this research suggest that too often this was not the standard applied by the Home Office.

In determining an asylum claim, a decision-maker should *'assess the validity of any evidence and the credibility of the applicant's statements'*.[18] Corroborative evidence is not, however, a prerequisite for granting protection. UNHCR standards remind us that *'in most cases a person fleeing from persecution will have arrived with the barest necessities and very frequently without personal documents'* and *'it is therefore frequently necessary to give the applicant the benefit of the doubt.'*[19]

In many cases, the only evidence an LB woman will have is her own testimony. In spite of the above-mentioned standards, several respondents were deemed not credible because their claim 'lacked' evidence, despite being from countries where homophobic persecution against women is widely reported. One respondent, 'Mary', shared: *'The Home Office told me the evidence [I presented] was insufficient and the fact that I'm not in a relationship didn't make me credible.'*

Over the years, we have consistently witnessed a disconnect between the lived reality of LB women and the narrative the Home Office expects from them when assessing their claims for protection. As one respondent, 'Tina', put it: *'The way the Home Office expects us to behave… [those standards are set] from a Western lens, even though we come from very different cultures.'* Home Office guidance appears well-intentioned, acknowledging that *'Many claimants may come from cultures which shun any open discussion of sexual orientation…[where lesbian, gay and bisexual] activity and identity will often be surrounded by taboo, stereotypes and prejudice and be seen as being contrary to the fundamental moral, religious and political values of many societies.'*[20]

However, in practice decision-makers often fail to recognise that LGBTQ+ people from different cultures are unlikely to present a narrative consistent with Western conceptions. LB women seeking asylum may not have 'always' known their identity. They may not have a same-sex partner nor much experience of same-sex sexual activity. However, just as we do not say a person is not heterosexual unless they have an opposite sex partner, the Home Office should not use the absence of a same-sex partner to discredit someone's sexual orientation.

As well as cases where the Home Office has used the absence of a same-sex partner to dispute sexual orientation, WRW has also supported members, like Augusta, who attend their court hearings with a partner, only for this evidence to be disputed and have no weight attributed to it. Unsurprisingly, we have found such experiences have sometimes discouraged partners, current or past, from even writing a supporting statement for a woman, much less appearing at a hearing and being questioned by a hostile Home Office representative.

One respondent, 'Jolie', told us: *'The [Home Office] couldn't believe me and my partner because we're not staying together, one stays in [South East] and the other stays [in] East London. We had a lot of evidence as we had spent two years in [a] relationship. I felt like I don't belong anywhere as that was the end of my life by not believing me, I felt like taking away my life, being refused three times…'.*

This is just one of many examples that WRW has seen where Home Office decision-makers have disregarded the barriers asylum-seeking women face to establishing and maintaining 'conventional' relationships. When surviving day-to-day and navigating the hostile asylum system, women often do not have the mental or physical resources to expend on much else. If a woman is destitute and sofa-surfing, or if her mental health is suffering, it is undoubtedly difficult to maintain a relationship.

Some respondents spoke of being caught in a 'catch-22' situation when it came to proving their credibility. As 'Shola', a respondent, said, *'we are being forced to come out'* and provide evidence of sexual orientation. Yet if they are then wrongly refused asylum and returned to their country of origin, the consequences could be further persecution or even death. Indeed, some members of Rainbow Sisters who have revealed their sexual orientation on social media whilst in the UK have received death threats from people in their country of origin.

Other respondents told us that 'delay' in claiming asylum was used by the Home Office as a reason for refusal. These findings are consistent with research that has shown how decision-makers routinely treat such 'delays' by LGBTQ+ people as damaging to credibility, once again disregarding the Home Office's own guidance on sexual orientation, which states that 'late' disclosure should *'not be seen as undermining the 'genuineness' of an individual's claim'*.[21]

Internal relocation

In two of the 11 asylum applications that were refused, the Home Office believed the women's sexual orientation but concluded that they could safely relocate elsewhere in their countries of origin.

In deciding whether relocation is both relevant and reasonable, decision-makers must assess whether the claimant *'would be exposed to a risk of being persecuted or other serious harm upon relocation'* and whether they *'could lead a relatively normal life without facing undue hardship'*.[22] Over the years, WRW have seen numerous cases where the Home Office has shown a poor understanding of the issues that affect the ability of lone women to relocate safely in their country of origin, in particular their vulnerability to sexual abuse, and exploitation such as trafficking.

Most of the women we support in Rainbow Sisters are extremely mentally vulnerable, and would have no support network to protect them against societies that discriminate against both lesbian or bisexual women and single women. As a result, they would be at increased risk of destitution, which would force them into abusive or exploitative situations.

The accounts from respondents show a failure by the Home Office to consider even their own guidance on the threats to LB women. One of the respondents comes from Kenya and has been living destitute since her asylum claim was refused. The Home Office's country guidance on Kenya acknowledges the *'increased vulnerabilities and discrimination against [lesbian, bisexual and queer] women on account of multiple biases of gender and sexual orientation'*, [23] resulting in *'marginalization, violence and exclusion... not only by the general society but also within the LGBTIQ community.'*[24] That guidance also states that *'[d]espite encountering frequent violence, [lesbian, bisexual and queer] women hardly report cases to the police.'*[25]

The second respondent was from Cameroon, who had been raped and tortured by state officials because of her sexual orientation. Again, there have long been credible reports on abuse and attacks against people who are LGBTQ+ in Cameroon,[26] as cited in the Home Office's country guidance.[27] Fortunately, this respondent now has refugee status, after making a fresh claim, but being disbelieved and destitute during the lengthy amount of time she had to spend fighting her case had a severe impact on her mental health.

Impact of refusals of protection

Seven respondents had a form of leave to remain at the time of completing the questionnaire. **Six of the seven respondents had refugee status but all were initially refused asylum and had to make further submissions to the Home Office before they were correctly recognised. Three of the seven respondents with refugee status made further submissions on more than one occasion.**

These findings are consistent with what WRW have found over the years: women with legitimate claims being forced to make multiple submissions to the Home Office before being granted protection to which they are rightly entitled. At the time of publication, we are aware of six respondents who have gone on to secure refugee status. However, most of the respondents who were refused asylum are still waiting - some as far back as 2012 and 2013 - whilst living in extreme poverty. Once women are refused asylum they are forced to live without government support and with no right to work, which exposes them to further gendered violence. One respondent, 'Veronica', shared the following about her experience of destitution in the UK: *'When I became destitute, I had to sleep on the street. Some of us end up having sex with men for money, some of us end up having sex for food. You do things you don't want to because you don't have the means. You sleep on the bus, I slept on the bus for some time. A charity helped me make a fresh claim, after almost seven years of waiting.'*

The constant struggle for survival, together with the lack of availability of quality legal aid, traps women in an indefinite and dangerous limbo, unable to return to their country of origin whilst prevented from building a safe and secure life in the UK. They are also at risk of being locked up in immigration detention.

Lack of quality legal aid

Three of the 24 respondents had no legal representation at the time of their asylum interview.

Thirteen women told us they had a legal aid lawyer, whilst six said they had a private lawyer.[28] Respondents were then asked to rate the quality of legal support, with options including 'Excellent', 'Very Good', 'OK', 'Poor' and 'Very Poor'.

Of the 13 women who said they had a legal aid lawyer, 12 went on to answer this question. **Seven women rated their legal aid representation as 'OK', whilst five said it was 'Poor' or 'Very Poor'. No one rated their legal aid representation as 'Very Good' or 'Excellent'.**

'Brenda', a respondent who selected 'Very Poor', shared further details about her experience: *'My [legal aid] lawyer didn't support me in preparing my case. She kept saying that I look for more evidence, which I did and then she missed the deadline for the appeal without submitting anything. That turned out to be a problem for my fresh claim.'* 'Agnes', who also selected 'Very Poor', told us *'Je fais la rencontre de mon avocat la première fois moins d'une heure avant mon passage devant le juge'* [sic] ('I met my lawyer for the first time less than an hour before my appearance before the judge').

The fact that almost half of the women rated their legal aid support as 'Poor' or 'Very Poor' is incredibly concerning, given the grave consequences of a wrongful asylum determination. However, the findings are not surprising, in light of the crisis in the UK's legal aid system. Whilst demand for legal aid has continued to rise, successive cuts and changes have meant that the number of providers has fallen, such that in every part of England and Wales there is now a deficit between the need for immigration and asylum advice and the provision available.[29] More specifically, at least 6000 adults in need of legal aid advice for asylum applications and appeals are going without that support.[30] This undoubtedly places them at significant disadvantage when having their asylum claims assessed and, as a result, many are likely missing out on refugee protection that they are entitled to. One respondent, 'Glory', told us: *'My lawyer had too many other clients to deal with and so he did not have enough time to handle or prepare my application properly.'*

One of the challenges with the legal aid system is the standard fee structure, whereby a fixed fee is paid to a legal representative irrespective of how long they work on the case (unless the case reaches what is known as the escape fee threshold, which is difficult given the low hourly rate). In practice, this means that lawyers may end up doing work on a case that is unpaid, as any work between the fixed fee and the escape fee threshold will not be reimbursed. A recent study found that 'high-quality lawyers lost money on every [fixed] fee case they did'.[31] Thus, the legal aid fee structure clearly disincentivises lawyers from taking on complex cases or doing the job properly. Indeed, **six of the nine women who chose to give further details about the quality of legal aid support they received said that their lawyer did not ask enough or the right questions about their past experiences and the dangers they face in their country of origin.** This failure to obtain accurate information about women's experiences was reflected in the quality of witness statements, with **five women stating that the statements were not sufficiently detailed, contained mistakes or contradictions and/or were submitted before the women had an opportunity to review.**

The effects of the legal aid crisis may be particularly pronounced for LGBTQ+ people, whose lawyers may require more time for effective representation. Since our Supreme Court held that a person at risk of homophobic persecution should not be expected to return to their country of origin and be discreet about their identity, the Home Office has shifted its focus; instead of arguing that a person should be discreet, or simply relocate to another part of their country of origin, the Home Office has instead turned to disputing their sexual orientation. This has had significant implications for legal representatives, as sexual orientation, being an innate characteristic, can be incredibly difficult to prove. This is particularly the case given the barriers to living openly in the UK that LGBTQ+ people seeking asylum experience, such as fear of discrimination from diaspora communities, as well as destitution, meaning that they cannot live as they would like to.

For LB women the need for quality representation is even more compelling when they are survivors of both homophobic persecution and gender-based abuse; such experiences of violence will mean that their cases are particularly complex. A strong, trauma-informed relationship between lawyer and client is key to effective representation in asylum cases, but experiences of rape and other gender-based abuse mean that LB women are likely to need more time before sufficient trust can be established. **Four of the nine women who provided further details about their legal aid support said they did not feel comfortable with or trust their lawyer.**

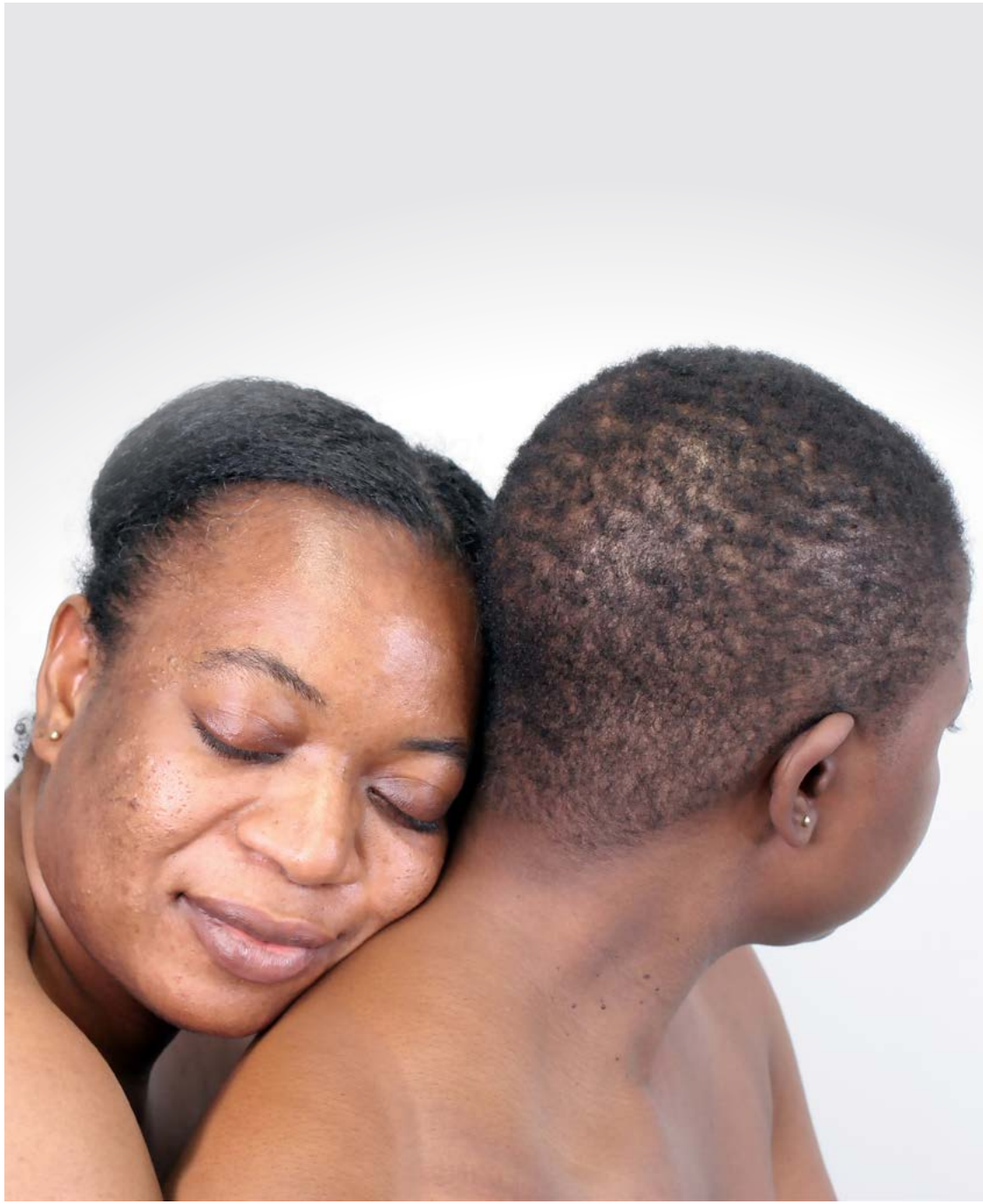
Experiences of gender-based abuse may also mean that LB women's cases are more difficult to corroborate. As Home Office guidance acknowledges, *'violence against women is commonly inflicted by family or community members'*.[32] Yet such abuse, by its nature, is hidden and often poorly documented in human rights reports, and may therefore require expert research.

Lack of mental health support

Research has found that LGBTQ+ people are at a higher risk of experiencing mental health problems as compared to the general population.[33] Past experiences of persecution, including sexual abuse, the stress of understanding identity and/or keeping it secret, rejection from family and community members, as well as the uncertainty of their situation in the UK are some of the issues that seriously harm the mental health of LB women seeking asylum. Indeed, several respondents, including 'Anu' and Augusta, whose stories are featured in this report, disclosed that they were suffering from post-traumatic stress disorder at the time of their asylum interview. **Almost all respondents stressed the need for specialist mental health support at the outset of making their asylum claim, yet around 70% (16) said they did not have access to such care.**

Of the nine women who provided additional details on the impact of having no mental health support, all expressed concerns that it negatively affected their experience of the asylum interview. Female survivors of sexual abuse will often speak to multiple officials during the asylum process, retelling traumatic experiences to a Home Office screening officer, when completing the Preliminary Information Questionnaire, the official who conducts their asylum interview, and her legal representative(s). If the case is rejected and there is a tribunal hearing, the woman will repeat her story to a judge and a Home Office presenting officer. The case for mental health support is even more pressing in light of the Home Office's often hostile approach to people seeking asylum, as Augusta's story demonstrates.

The lack of specialist psychotherapeutic support available on the NHS meant that LB women were forced to look towards voluntary organisations for trauma counselling. Many respondents also spoke of the importance of Rainbow Sisters and other LGBTQ+ support groups to mental health and well-being, particularly in the absence of more formal support. One respondent, 'Farah', shared: *'These groups are my family…We share our struggles and peer support is provided…You meet people who understand your situation…As we see others achieve freedom [when they get refugee status] we are given hope which is also good for our mental health.'*



Impact of the Nationality and Borders Act 2022

Our research has shed light on how lesbian and bisexual women experience numerous challenges in having their protection needs identified and correctly recognised in the UK. **But rather than making the asylum system safe and supportive, the Nationality and Borders Act makes it even harder for women, including lesbian, bisexual and trans (LBT) women, to be granted refugee status, and increases the harm of the asylum system for them.** Below, we have highlighted some of our key concerns with the Act.

WRW are incredibly troubled that almost a year after the Act became law there seems to be no monitoring by the Government of the impact of those changes on women. This is despite repeated warnings from organisations such as ours about the impact of the changes on women, and repeated requests for disclosure of the Goverment's monitoring plans.

Two-tier system of protection

The Act allows LB women to be punished for 'late' claims, despite the severe challenges to disclosure that we have explained above. Under these new changes, over 80% of the women who took part in this research could have been treated as second class - 'Group 2' - refugees, since they did not claim asylum right away.

As a 'Group 2' refugee they would be granted temporary protection status, a form of limited leave, that will compel women to keep their identity hidden, given the very real risk that they could be removed to their country of origin and face further persecution. They will face the repeated trauma of having to re-enter the asylum system every two years, and they will not be granted stability by way of indefinite leave to remain, until they have had temporary leave and lived in limbo for a decade. The Home Office could also attach a 'no recourse to public funds' condition to such leave, placing vulnerable women and survivors of gender-based abuse at increased risk of (further) violence and abuse in the UK.[34] As well as this, family reunion rights will be extremely limited, meaning women with children could face lengthy, if not permanent, separation.

'Late' evidence

The Act will force LBT women to present evidence by a fixed date. However, having spent their lives concealing their identities, it could be years before LBT women open up about their same-sex partners, attend events such as Pride or post on social media about their identity, all of which could be used as supporting evidence in an asylum claim. Yet the Act encourages decision-makers to treat any failure to provide evidence within the deadline as damaging to credibility, and to give 'minimal weight' to such evidence.

Rainbow Sisters sent postcards to members of the House of Lords urging them to take action against the Nationality and Borders Bill

A member of Rainbow Sisters addressing the crowd at the Refugees Welcome rally in London, October 2021

Removal notices

Similarly, the Act allows the Home Secretary to issue an LBT woman with a priority removal notice, with a cut-off date for providing a statement as to the basis upon which she should be allowed to remain in the UK, along with supporting evidence. If she misses the deadline, the Home Secretary must treat this as damaging to her credibility, unless there are 'good' reasons for why this was provided late.

Reception centres

Large-scale reception centres will trap LBT women in unsafe environments, increasing their risk of suffering homophobic and sexual abuse. When women in our network experience harassment and abuse, WRW has supported them to move into safer housing. Yet it would be incredibly challenging, if not impossible, for LBT women to access support groups such as ours if they are placed in remote, rural centres, rather than in the community. We are also concerned that accessing legal advice will be exacerbated in remote locations with inferior legal aid provision.

Standard of proof

The Act introduces a new test for determining whether an individual should be granted refugee status. This test imposes an even higher hurdle for LBT women to overcome in proving their need for protection. The stories we heard from respondents supports previous research that has shown how the Home Office routinely disbelieves LGBTQ+ people. We are concerned therefore that the existing problem of poor decision-making will be amplified by the new test, such that many more LBT women will be wrongly refused asylum in the UK. Furthermore, challenging those refusals will be even more difficult in light of the new standard of proof.

Removal to Rwanda

Prior to the legal challenges, the Government had targeted women with removal notices for Rwanda,[35] where their asylum claims would be processed and where they would remain if they are granted protection. Rwanda's poor record on protecting the rights of LGBTQ+ people gives us reason to believe that LBT women would be placed at increased risk of suffering (further) sexual violence.[36] The sexual harassment and violence that women detained offshore by the Australian government were subjected to has been well-documented.[37] Even in detention centres in the UK, where there are a range of safeguarding mechanisms in place, this has not been enough to protect people in detention from abuse.[38] In December 2022, the High Court ruled that the Government's Rwanda plan was lawful. In January this year, the Court of Appeal granted permission to appeal this ruling, and at the time of writing the case was pending.

We need change

'We don't feel heard by the Home Office'

'The system is racist and prejudiced against us'

'We need protection from the moment we enter the system - a system that protects us from abuse, intimidation and violence.'

'Close detention centres'

'No more destitution'

'Give us permission to work'

'The culture in the Home Office needs to change towards people seeking asylum'

'The Home Office should believe our claims instead of treating us as liars. It takes so much to actually open up to someone about your fears.'

'We need more people in the Home Office who understand us, staff who have knowledge about the countries we come from and our cultures.'

'The system is already inhumane'

'The Government needs to scrap the Nationality and Borders Act'

'We need a system that supports us to gather evidence. Often we have no idea what we need to do to prove our case.'

'Think about our mental health'

Our calls

The Rainbow Sisters and Women for Refugee Women call on:

The Home Office to:

- **Meaningfully engage with LBT women about their experiences in their countries of origin and in the UK, in order to create a safe and supportive asylum system.**
- **Ensure that decision-making in the asylum process is centred on belief and fairness, and is sensitive to cultural differences as well as the specific challenges faced by LBT women who may be survivors of both homophobic and gender-based abuse.**
- **Remove changes introduced by the Nationality and Borders Act that will cause further harm to LBT women and increase the risk of wrongful refusals of protection.**

The Ministry of Justice to:

- **Ensure access to quality, funded representation when LBT women first apply for asylum, and, thereafter, if they are refused protection and wish to make further submissions to the Home Office.**

The Department of Health & Social Care to:

- **Ensure access to specialist, funded mental health support at the outset of an asylum claim.**

References

1. Human Rights Watch (2008) This Alien Legacy: The Origins of "Sodomy" Laws in British Colonialism, https://www.hrw.org/report/2008/12/17/alien-legacy/origins-sodomy-laws-british-colonialism
2. https://www.humandignitytrust.org/country-profile/nigeria/
3. According to the Home Office's statistics, Pakistan, Nigeria, Iraq, Ghana, Kenya and Cameroon were in the top 10 nationalities with the highest proportion of asylum claims based on sexual orientation in the year 2021: https://www.gov.uk/government/statistics/immigration-statistics-year-ending-june-2022/asylum-claims-on-the-basis-of-sexual-orientation-2021--2#:~:text=The%20sexual%20orientation%20element%20could,the%20claim%2C%20or%20the%20decision
4. Women for Refugee Women (2020) Will I Ever Be Safe? Asylum-seeking Women Made Destitute in the UK, https://www.refugeewomen.co.uk/wp-content/uploads/2020/02/WRW-Will-I-ever-be-safe-web.pdf
5. Women for Refugee Women (2017) We Are Still Here: The Continued Detention of Women Seeking Asylum in Yarl's Wood, https://www.refugeewomen.co.uk/wp-content/uploads/2019/01/women-for-refugee-women-reports-we-are-still-here.pdf
6. Women for Refugee Women (2012) Refused: The Experiences of Women Denied Asylum in the UK, https://www.refugeewomen.co.uk/wp-content/uploads/2019/01/women-for-refugee-women-reports-refused.pdf
7. Almost half of the 106 women we spoke with for our 2020 research, Will I Ever Be Safe?, had been retraumatised on their journeys to the UK, acts which included rape, sexual abuse and torture.
8. Home Office (2022) Immigration statistics, year ending December 2022 https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-december-2022/summary-of-latest-statistics#how-many-people-do-we-grant-protection-to
9. Home Office, Immigration statistics, year ending December 2022.
10. Dirie, U., Fitzsimons, E., Harrison, S., Lynes, H. (2021) Nationality and Borders Bill: Advice to Women for Refugee Women, https://www.gardencourtchambers.co.uk/news/the-nationality-and-borders-bill-legal-opinion-prepared-by-garden-court-barristers-for-women-for-refugee-women
11. https://www.refugeewomen.co.uk/rainbow-sisters-strongly-oppose-the-governments-proposed-immigration-plan/?doing_wp_cron=1658127245.6861031055450439453125
12. Although sexual orientation is not explicitly mentioned as a ground in the Refugee Convention, it is now well-accepted that refugee claims of this nature can fall under the ground of 'membership of a particular social group'. See: https://www.unhcr.org/509136ca9.pdf
13. Home Office (2016) Asylum Policy Instruction: Sexual Orientation in Asylum Claims, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/543882/Sexual-orientation-in-asylum-claims-v6.pdf
14. Home Office (2018) Gender Issues in the Asylum Claim, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/699703/gender-issues-in-the-asylum-claim-v3.pdf
15. Home Office, Asylum Policy Instruction: Sexual Orientation in Asylum Claims.
16. Their reasons for not disclosing were the same as those discussed in the report (i.e. too traumatised from past experiences, needed time to understand their sexual orientation, fearful of reprisals etc.).
17. See, for example: Freedom From Torture (2019) Lessons Not Learned: The Failures of Asylum Decision-Making in the UK, https://www.freedomfromtorture.org/sites/default/files/2019-09/FFT_LessonsNotLearned_Report_A4_FINAL_LOWRES_1.pdf; Wendy Williams (2020) Windrush Lessons Learned Review, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874022/6.5577_HO_Windrush_Lessons_Learned_Review_WEB_v2.pdf, UK Lesbian & Gay Immigration Group (2018) Still Falling Short, https://www.rainbowmigration.org.uk/publications/still-falling-short/

18. UNHCR (1992) Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, https://www.unhcr.org/4d93528a9.pdf

19. Ibid.

20. Home Office, Asylum Policy Instruction: Sexual Orientation in Asylum Claims.

21. Ibid.

22. UNHCR (2003) Guidelines on International Protection: "Internal Flight or Relocation Alternative" within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees, https://www.unhcr.org/uk/publications/legal/3f28d5cd4/guidelines-international-protection-4-internal-flight-relocation-alternative.html

23. Home Office (2020) Country Policy and Information Note, Kenya: Sexual orientation and gender identity and expression, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/879496/Kenya_-SOGIE-CPIN-v3.0__GOV.UK_.pdf

24. Ibid.

25. Home Office, Country Policy and Information Note, Kenya: Sexual orientation and gender identity and expression.

26. See, for example: https://www.amnesty.org/en/latest/news/2015/07/defying-homophobia-cameroon/; https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people

27. Home Office (2020) Country Policy and Information Note, Cameroon: Sexual orientation and gender identity or expression, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/865882/Cameroon_-_SOGIE_-_CPIN_-_v1.0__Final_Feb_20__Gov.uk.pdf

28. Two women told us they had legal representation but did not specify whether this was a legal aid or private lawyer.

29. Wilding, J. (2022) No Access to Justice: How Legal Advice Deserts Fail Refugees, Migrants and our Communities, https://assets.website-files.com/5eb86d8dfb1f1e1609be988b/62a1e16cba8478993c7d512c_No%20access%20to%20justice-%20how%20legal%20advice%20deserts%20fail%20refugees%2C%20migrants%20and%20our%20communities.pdf

30. Ibid.

31. Wilding, J. (2019) Droughts and Deserts: A Report on the Immigration Legal Aid Market, http://www.jowilding.org/assets/files/Droughts%20and%20Deserts%20final%20report.pdf

32. Home Office, Gender Issues in the Asylum Claim.

33. See, for example: Stonewall (2017) LGBT in Britain: Health Report, https://www.stonewall.org.uk/system/files/lgbt_in_britain_health.pdf

34. The Unity Project (2019) Access Denied: The Cost of the 'No Recourse to Public Funds' Policy, https://static1.squarespace.com/static/590060b0893fc01f949b1c8a/t/5d0bb6100099f70001faad9c/1561048725178/Access+Denied+-+the+cost+of+the+No+Recourse+to+Public+Funds+policy.+The+Unity+Project.+June+2019.pdf

35. https://www.theguardian.com/uk-news/2022/jul/05/female-trafficking-survivor-targeted-for-uk-removal-to-rwanda-says-charity

36. https://www.ecoi.net/en/document/2061342.html UNHCR reports that LGBTQ+ people have had their asylum claims verbally rejected in Rwanda, see: https://www.refworld.org/docid/607763c64.html

37. See, for example: Refugee Council of Australia (2020) Australia's Man-made Crisis on Nauru, https://www.refugeecouncil.org.au/nauru-report/

38. The 2016 Lampard Report on Yarl's Wood – which up until last year was the main detention centre for women in the UK – highlighted that between 2007-15, 10 members of staff were dismissed for incidents involving 'sexual impropriety' towards women held there. See: https://www.serco.com/media/215/215.original.pdf?1468316176

Women for Refugee Women
Tindlemanor
52-54 Featherstone Street
London, EC1Y 8RT

020 7250 1239
admin@refugeewomen.co.uk
www.refugeewomen.co.uk
@4refugeewomen

Charity number: 1165320

WOMEN FOR REFUGEE WOMEN