



Policy Brief No. 6: November 2017

# Improving Service Provision for Non-Normative Refugees and Asylum Seekers in the UK

## Recommendations for Policy and Practice

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## EXECUTIVE SUMMARY

This policy brief focuses on services currently available for non-normative refugees and asylum seekers across the United Kingdom. It illustrates the gaps in service provision, and provides recommendations on how to fill these gaps. The brief shows how legal support is broadly available to non-normative refugees, but there is a lack of collaborative, widespread psychosocial support upon entry to the UK. Drawing on CTDC's work and research in the Middle East and North Africa region, this brief also highlights the challenges facing non-normative refugees from Arabic speaking countries in particular, as well as recommendations to meet the needs of this group in the UK.

## Key Terms and Definitions:

**Non-normative:** CTDC uses non-normative to mean any individual whose sexual practice or gender performance challenges or subverts societal norms. This term recognises a more diverse group of people who may not conform to sexual and gender norms but who nevertheless are reluctant to or who do not define themselves as LGBT.

*“fitting in’ to LGBT identity categories is necessary to receive legal protection”*

## Research

The law of asylum in the United Kingdom is based on the 1951 Convention on the Status of Refugees. In total, 147 countries are party to the Convention. Article 1A(2) of the Convention defines a refugee as someone who:

... owing to a 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 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, is unable or, owing to such fear, unwilling to return to it (UNHCR 2011).

Non-normative individuals who experience sexual orientation and gender identity (SOGI) based persecution are covered by the Convention on the grounds that they belong to a ‘particular social group’ defined by the immutable characteristic of their sexuality<sup>1</sup>. However, the challenge for many fleeing persecution because of their sexuality is demonstrating that they clearly ‘fit’ into a sexual minority social group, typically defined as an ‘LGBT community’ by asylum officials and decision makers in the UK. The problems of this situation for many non-normative refugees from the Arabic speaking world include:

**Fitting into a Western narrative:** Non-normative refugees and asylum seekers may not be able to or want to identify with identity categories, such as LGBT. Yet, ‘fitting in’ to ‘LGBT’ identity categories is often necessary to receive legal protection in the UK system in part because it is seen to be an important way of proving the ‘credibility’ of one’s claim (Berg and Millbank 2009). However, a migrant or refugee may not articulate their non-normative gender or sexual identity in asylum hearings in ‘precise’ and ‘credible ways’ due to linguistic and cultural differences, trauma or fear of officials. For instance, men who have sex with men (MSM) in the MENA region may not class themselves as gay yet still experience persecution. However, without an ‘identity connection’ (Abu-Assab *et al.* 2017) it can sometimes be difficult to trigger international protection. Moreover, this need to ‘fit’ into a specific identity category can be traumatic and confusing for many going through the UK asylum system (Giametta 2017). In mitigating this, some organisations in countries like Turkey and Lebanon offer psychosocial support to help with ‘identity issues’. There is a clear need for similar support in the UK.

**Lack of support in transmission:** Non-normative refugees/asylum seekers in need of international protection have very little or no rights in transmission between countries. Because of this, refugees try to gain information from informal networks to build and re-build strategies for survival in transmission (Kivilcim 2017). This policy brief will highlight how we have to strengthen and establish networks to support non-normative refugees and asylum seekers at different stages of their journey.

**Paradox of asylum seeking:** The requirement to subscribe the notions of LGBT during the asylum process establishes the migrants’ non-normative sexuality as visible. This may put people off applying for asylum as a survival tactic. As such, there is a need to consider more inclusive ways of responding to the needs of non-normative refugees and asylum seekers.

# Support for Non-Normative Refugees and Asylum Seekers in the UK

Legal support is widely available to non-normative refugees and asylum seekers in the UK. This support generally aims to assist individuals with their asylum applications. For instance, organisations such as UK Lesbian and Gay Immigration Group (UKLGIG) offer targeted assistance to those at every stage of the process, including initial applications for asylum and through to appeals. Other organisations, such as Asylum Aid, the British Red Cross and the UK Refugee Council also offer legal and social support for those in the asylum system, but this is more general.

The UK Refugee Council also offers assistance to individuals who have recently received refugee status and who need to register with banks, or find access to employment and housing support. The British Red Cross offers similar services, as well as legal and financial support for asylum seekers. Neither has targeted support for non-normative refugees and asylum seekers at this stage of the asylum process, yet they can refer on to specific community or support organisations.

However, CTDC has identified that, beyond legal support, there is very limited, targeted psychosocial support available for non-normative refugees and asylum seekers in the UK. By contrast this important form of support is often quite accessible in several countries in the Middle East, including Lebanon and Turkey, despite apparent legal and social challenges presented by such contexts (Greatrick 2017; Myrtinnen *et al.* 2017)

## Gaps in Services:

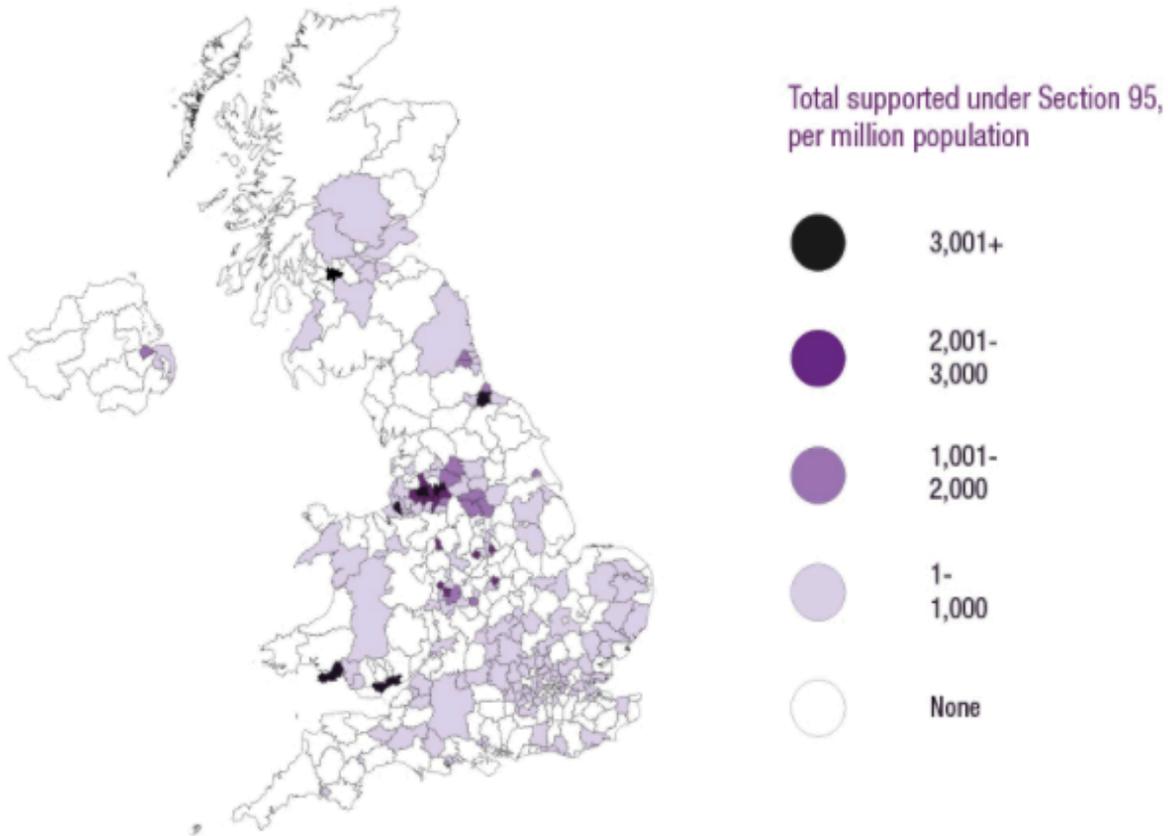
Psychosocial support is very limited if not non-existent in many parts of the UK. For example, whilst the Red Cross does offer psychosocial support services, these are limited to support for young people and refugee women, involving confidence development, socialising and talent nurturing. By contrast, there are no services tailored for non-normative refugees and asylum seekers. Aforementioned support services for “young people” are only available in London, Glasgow, Kent and Hampshire.

A brief comparison between the maps to the right and below show that even the limited support available from the Red Cross alone does not correlate with where the highest densities of refugee and asylum seekers are found. Not only are services lacking in provision for non-normative refugees and asylum seekers: services in general often do not provide essential psychosocial support, nor are they widely accessible in all parts of the UK.

The psychological and social support that is available to non-normative refugees and asylum seekers is often London-centric, and carried out by organisations such as London Friend whose capacity, whilst large, often falls short of the increasing demand for support from non-normative refugees and asylum seekers.



# Asylum seekers in receipt of Section 95 support, by local authority, per million population, as at end of 2015



Home Office, Immigration Statistics October to December 2015, [Asylum table as 16 g](#); Population figures sourced from the ONS 2014 [Mid-year population estimates](#), published 25 June 2015 .

## Limited availability of information about services

Just as access to services is limited due to their geographic spread, so too is access hampered by often limited or out of date information relating to referrals. For example, CTDC examined the information contained in Stonewall's database on LGBT refugee support services and noted the following key problems:

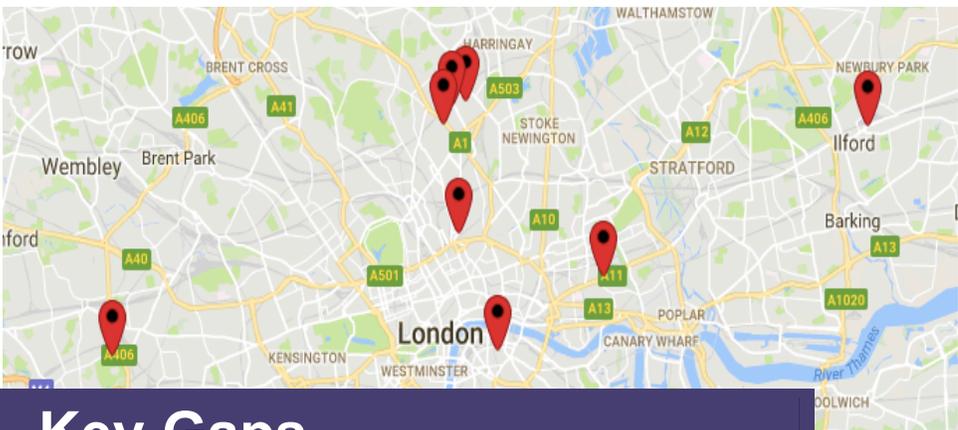
- Many organisations that do work with sexual minority refugees were not contained in a Stonewall database of support services suggesting lack of up to date information.
- Some support listed on the database does not directly relate to sexual minority refugees, for example Metropolitan Support Trust, Refugee Action, and the Scottish Refugee Council. As such, according to the Stonewall database, there are only 6 organisations across the whole of the UK offering support services specifically for sexual minority refugees.
- Limited detail is included on the database about the extent or nature of the support available.
- Through this research, CTDC has created an up to date but still incomplete survey of the support available, which we aim to develop into a widely accessible referral database to be shared with organisations including the British Red Cross, Refugee Council and Stonewall. We also recommend that all organisations collaborate on this to improve knowledge and information for the benefit of refugees and asylum seekers.

See below for a mapping of existing support services identified through this research.



Source: CTDC mapping of organisations that offer LGBTQ+ and Asylum support across the UK. Note: Many of these cannot be found on Stonewall’s database for LGBTQ+ Asylum support.

*N.B: There is a vital need to develop an accurate and well-maintained referral database that is widely available online and in different languages. This mapping, as well as CTDC’s own database, may not reflect the actual extent of current work supporting non-normative refugees and asylum seekers in the UK. We anticipate that there may well be some errors or missing information contained in this map. As CTDC continues its work in this area, we aim to produce a comprehensive report that fully captures the extent of work ongoing.*



*“Access to support is limited by geography and a lack of up-to-date information”*

## Key Gaps

**Lack of support:** Extensive legal support for refugees, but lack of psychosocial support.

**Lack of clarity by organisations of what support is actually offered:** phrases such as ‘offers support’ used, with no clarification of the type of service provision.

**Lack of coordination between LGBT and refugee support services:** There are specific organisations that offer LGBT support with no, or limited, support for refugees and asylum seeker, and refugee organisations that offer no, or limited, support for non-normative refugees. Refugee and LGBT organisations are separated. Moreover, specific LGBT-focused organisations may not collaborate or share knowledge in ways that may maximise support available given the lack of up-to-date information on services that exist.

**London-centricity:** Services are generally more available in London than in other parts of the UK, despite refugees and asylum seekers being more densely populated in other cities.

**Underfunding:** Some organisations are very small and volunteer run, and because of this are not especially active or hard to get in touch with. Larger ones are still often heavily reliant on volunteers and struggle to keep up with demand.

**Difficult to Access:** Non-normative refugees and asylum seekers can sometimes struggle to access services. For example, when trying to find support online using publicly available library computers, some searches for ‘LGBT support’ will be blocked for producing ‘sensitive content’. This is not only odd but also damaging for those who need psychosocial support.

## Solutions:

**Organisational Development (Organisational Capacity Assessment Tool):** CTDC suggests that organisational capacity building and coordination between existing organisations could significantly help to expand the scope and scale of current support for non-normative refugees. In particular, there is a need to capacitate organisations, including support services that are not specifically tailored to sexual minority refugees, to offer important psychosocial support services sensitive to the particular challenges facing individuals from the MENA region.

**Gender and Sexuality Training:** In particular, there is a real need to enhance awareness about the challenges facing sexual minority refugees from the MENA region. CTDC research and training on this topic often focuses on the need to adopt reflective and nuanced approaches to sexuality and gender that do not expect or assume that a person with non-normative gender or sexuality from the MENA region should 'fit in' to LGBT categories. Trainings with practitioners and service providers working on this issue should therefore be encouraged.

**Create Referral System and Publish Improved Database and Pamphlet:** the need to update referral systems is fairly urgent given the out of date and often vague information that currently exists. CTDC proposes developing a more engaging and easier to maintain portal for LGBT specific services that can be developed in part through organisational capacity building and coordination trainings recommended above.

**Pressure for More Funding:** There is a need to generate more responsive funding, especially for hard pushed organisations with limited capacity, i.e. those whose only staff consists of volunteers. Ensuring that funds are available to support these organisations, and that these funds are dispersed to areas where refugees live but where support services are currently lacking, is vital.

**Translate Resources:** CTDC could not find any up to date translated information about available services. If services are to be more inclusive and aware of the individual needs of sexual minority refugees in and from the MENA region, it is vital that such resources, once available, are translated into Arabic, Kurdish and Farsi.

## Bibliography:

- Abu-Assab, N., Nasser-Eddin, N. and Greatrick, A. (2017) "Conceptualising Sexualities in the MENA Region: Beyond LGBTQI Categories" <http://ctdc.org/publication/conceptualising-sexualities-mena-region-undoing-lgbtqi-categories/>
- Berg, L. and Millbank, J. (2009) "Constructing the Personal Narrative of Lesbian, Gay and Bisexual Asylum Claimants" *Journal of Refugee Studies* **22**(2): 195-223.
- Giametta, C. (2017) *The Sexual Politics of Asylum: Sexual Orientation and Gender Identity in the UK Asylum System*. New York, NY: Routledge.
- Greatrick, A. (2017) "Queer (Im)mobilities and the 'Refugee Crisis': Examining Stakeholder Responses to Sexual Minority Refugees in Turkey" UCL Migration Research Unit Working Paper
- Kivilcim, Z. (2017) "Lesbian, Gay, Bisexual and Transsexual (LGBT) Syrian Refugees in Turkey" in Freedman, J., Kivilcim, Z. and Özgür Baklacioğlu, N. (Eds.) *A Gendered Approach to the Syrian Refugee Crisis* (Routledge).
- Myrntinen, H., Khattab, L. and Maydaa, C. (2017) "Trust No One, Beware of Everyone: Vulnerabilities of LGBTI Refugees in Lebanon" in Freedman, J., Kivilcim, Z. and Özgür Baklacioğlu, N. (Eds.) *A Gendered Approach to the Syrian Refugee Crisis* (Routledge, UK)
- UNHCR (2011) "Convention and Protocol Relating to the Status of Refugees" <http://www.unhcr.org/uk/3b66c2aa10>

