



**UKLGIG submission to the
Independent Chief Inspector of Borders and Immigration
inspection of the Home Office's Use of Interpreters
June 2019**

1. The UK Lesbian and Gay Immigration Group (UKLGIG) supports lesbian, gay, bisexual, trans, queer and intersex + (LGBTQI+) people through the asylum and immigration system. We provide one-to-one psychosocial support and facilitate support groups. We also offer legal information and advice to LGBTQI+ people seeking asylum.
2. We are pleased to send this submission on the Home Office's use of interpreters to the Chief Inspector. We would like to thank the following organisations for their input into this submission: Humanists UK, Metropolitan Community Church of North London, Micro Rainbow, Pride Without Borders, SOGICA and Time to be Out. Please annex for information on these contributors.
3. We recommend that:
 - a. Home Office interpreters receive adequate training on LGBTQI+ awareness and sensitisation, so that they are familiar with the terms and issues people normally face.
 - b. In order to help put LGBTQI+ people at ease during asylum interviews, the Home Office caseworker should say at the outset of the interview that the interpreter is not there to judge them and that they have a duty of confidentiality so cannot share anything that is said.

Experience of the Home Office's provision of interpretation during the asylum process

A. Interpreters do not always have the necessary or correct language skills

4. We are concerned that interpreters do not always speak the first language or same dialect as the asylum applicant.

CASE STUDIES

ONE

A gay man from Senegal, whose first language is Wolof and his second is French, believed that his application for asylum had been refused because no Wolof interpreter had been available at his substantive interview. Instead, he had been asked to use French (his second language) and he had difficulties understanding the interpreter provided, who spoke a totally different form of French (a form current in Cameroon and very difficult for people in other parts of Francophone Africa to understand). At his appeal hearing a Wolof interpreter was available, and the judge accepted the argument that the Home Office decision had been based on misunderstandings and mistranslations. A great deal of time, money and distress would have been saved had an appropriate interpreter been available at an earlier stage¹.

TWO

A man from Benin struggled to understand the French used by his interpreter, who was from Congo. The interpreter also had to use a dictionary to understand some of the clients words².

5. On other occasions, the client's English has been better than that of the interpreter's, and the client has corrected what the interpreter has said.

B. Prejudice against LGBTQI+ people

6. The existence of homophobia, biphobia and transphobia can impact the experience of LGBTQI+ people during their asylum interviews in several ways.

- a. There have been reports from LGBTQI+ people that their interpreters have provided a poor service because of prejudice against them, for example by mistranslating, rebuking or judging people, or being dismissive of their fears such as the death penalty.
- b. LGBTQI+ people can feel inhibited (sometimes extremely so) to talk about their claims in front of an interpreter from the same country of origin for fear of such prejudice and/or fear being outed to others from the same community, with potential negative consequences for the decision.
- c. Interpreters from the same community may not always act appropriately if they see the client in other contexts, such as at community events or places of worship.
- d. Concepts can be hard to translate across cultures and languages.

7. In a survey of LGBTQI+ people seeking asylum, 3 out of 14 respondents said they were not happy with the interpreting service (the other respondents either left empty, said 'not sure' or 'not applicable' but none said 'yes' they were happy).³

¹ Input from Time to be Out.

² Input from SOGICA.

³ Input from SOGICA.

CASE STUDIES

ONE

One Ugandan person who could understand English but was not confident in speaking it, had an interpreter at her initial interview. She could understand what her interpreter was saying and it became clear that her Ugandan interpreter upheld the majority belief within that country that being gay is wrong. His translation was very inaccurate, made little/no connection to the applicant's sexuality and appeared to be a deliberate attempt to deny the applicant's sexuality, to introduce doubt to her claim and inevitably to impact negatively upon her asylum claim⁴.

TWO

An Egyptian man's application for asylum on the grounds of his sexual orientation was rejected since, according to the refusal letter, he had been 'open about' his sexuality before he left Egypt so there was no reason why he could not return. The man is adamant that he said no such thing, but he did say that his family had 'found out about' his sexuality. He suspects that the Arabic speaking interpreter made a mistake when translating the term 'found out'⁵.

THREE

A Palestinian man who has been preparing his case with the help of an Arabic-English interpreter has had difficulty because, he says, there is no distinction in his first language between 'a relationship' and 'a sexual relationship'⁶.

FOUR

An Iranian asylum seeker experienced difficulties because of mistranslations arising out of confusion between 'friend' and 'sexual partner'⁷.

FIVE

A person from Nigeria who was using an Igbo interpreter was asked about his experience of 'coming out'. He explained that he believed that the interpreter had not understood the question and, in any case, there was no way in which the concept made sense in a Nigerian context, where admitting to same sex desire was a total taboo. Since it is unutterable, there is no language for it⁸.

SIX

Some gay men have said they were simply unable to speak to male interpreters from their own language group for fear that they would be thought of as effeminate or unmanly. A gay Pakistani man reported how he was unable to speak about his experience with the female Muslim Urdu - English interpreter⁹.

⁴ Input from Pride Without Borders.

⁵ Input from Time to be Out.

⁶ Input from Time to be Out.

⁷ Input from Time to be Out.

⁸ Input from Time to be Out.

⁹ Input from Time to be Out.

SEVEN

One person said that the interpreter had told her what not to say because of their prejudice.

"I didn't trust her as most Ugandans dont like gay people. And as I was telling her what happened, she could tell back in my language that you can't say that".¹⁰

EIGHT

A Roma trans man was given Slovakian (non-Roma) cis male interpreter. They preferred to go without an interpreter to having this man translate for them¹¹.

C. Unprofessional interpreter behaviour

8. There have been times when interpreters have refused to translate or say things considered blasphemous or critical of religion in interviews. This is a problem for non-religious asylum claimants for whom accusations of blasphemy are relevant to their cases¹².

CASE STUDIES

The following case studies¹³ provide first-hand testimonies. Emphasis has been added by the author of this submission.

ONE

I had faced a very bad experience with the Bangladeshi interpreter ... in 2015! [his name] means an Islamic dedication person who [is] conscious about Quran and Hadis! Bangladeshi interpreters are mostly appointed from "Sylhet" the place of Bangladesh where [the] highest Islamic religious and extremism practice and apply by the people everyday.

An asylum seeker directly fell discrimination when [translators] can not speak 'Sylheti! there are huge language differences between Bangla and Sylheti! As Sylheti is a regional language of Bangladesh!!

An interpreter's attitude and non cooperation entirely damage one's interview in a lifesaving stage!! Wherein Sylheti Bangla interpreters are not representing or not speaking Bangla furthermore [are] too religious then an asylum seeker like me just in danger situation who is trying to talk about non-religious beliefs or against Islam.

I would like to share with you my very recent immigration interview at Heathrow airport ... during my interview when I started talking about Islam the Sylheti Bangladeshi interpreter cut the line herself and my interviewing officer expressed her shocked "look she she cut the line".

¹⁰ Input from SOGICA.

¹¹ Input from SOGICA.

¹² Input from Humanists UK.

¹³ Input from Humanists UK.

TWO

I must say that not only is this one of the most important issues, it is also an extremely sensitive matter as it involves serious religious, cultural and educational differences, that could potentially put people's lives at great risk as a result of incompatible cultural and religious beliefs, total lack of proper education or training, misunderstanding and misinterpretation of the true spirit and sense of the argument.

I have been a victim of being put in a situation where my case ended up in the hands of a Pakistani Muslim solicitor with (several) completely illiterate interpreters who could neither understand nor speak English in a professional manner. When I received the decisions made by the Home Office and immigration tribunal, I realised the gravity of the situation that I was forced into as a result of having a Muslim solicitor and much worse, number of utterly incompetent interpreters/translators.

Due to total lack of education and training they were completely unable to understand what I really meant or felt yet they decided to carry on regardless of the devastating impact of their reckless and irresponsible actions on my life.

It was after (accidentally) befriending a genuine activist and responsible interpreter, when I realised that during my interview in the Home Office and tribunal, I was kept in the dark by solicitors and interpreters as they refused to properly and accurately translate and pass the messages between me and the authorities.

I must say that I have heard, seen and met hundreds of fellow victims who had been mistreated in the same manner and their lives put at great danger because of utterly incompetent interpreters and their misjudgment.

9. At other times, interpreters have offered opinions which are not required of them, which again could impact the asylum decision.

CASE STUDY

A Ugandan woman, whose first language is neither English nor Luganda, was given a Luganda interpreter. The interpreter then exclaimed, to the Home Office interviewer, 'This woman might not even be from Uganda'.¹⁴

The timeliness and quality of the services provided

10. There have been times when an interpreter has not been provided, possibly because the Home Office made a mistake in the booking or because the interpreter did not turn up.

¹⁴ Input from Metropolitan Community Church of North London

Factors affecting the accuracy and value of interpretation and translation and their impact on asylum decisions

11. There have been times when the Home Office have accused translators of not being certified/genuine, which has a potential negative impact on asylum decisions.

CASE STUDY

The following case study¹⁵ is first-hand testimony. Emphasis has been added by the author of this submission.

I took the service of a professional and certified translator but I did not require an interpreter.

I had to spend weeks searching for a professional translator who would not be offended by my anti-religious writings. Otherwise, it poses a risk of wrong translations and most importantly personal information being passed to extremists and terrorist groups.

Most non-religious asylum applicants who write against religions face difficulty finding a translator or interpreter they can trust with documents and personal safety.

Most translators overcharge the non-religious clients because of the nature of the writings/documents.

After going through all this, the Home Office wrongly accuse the translator being not certified/genuine despite providing all the information and reference number of the translator.

Opportunities to correct possible misunderstandings and errors

12. We are happy with the opportunity that the Home Office provides to correct misunderstandings and errors that arise during asylum interviews.

¹⁵ Input from Humanists UK.

Annex: contributors to this submission

Humanists UK

Humanists UK is the national charity representing and championing the rights of non-religious people. Founded in 1896, they are trusted by over 85,000 members and supporters to campaign for equal treatment and freedom of religion and belief for all both in the UK and internationally. Their policies are informed with the support of over 150 of the UK's most prominent philosophers, scientists, broadcasters, and other thinkers and experts and they seek to advance them with the help of over 100 UK parliamentarians in membership of the All Party Parliamentary Humanist Group (APPHG). They provide support to non-religious asylum claimants who would face persecution because of their beliefs if returned to their countries of origin, and advocate for better understanding at the Home Office of issues related to non-religious persecution and apostasy

Metropolitan Community Church of North London

MCCNL strives to be a passionately open, active and Spirit-led Christian faith community. Whilst founded in the LGBT community, the church is open to everyone.

Micro Rainbow

Micro Rainbow's vision is to create a world where lesbian, gay, bisexual, trans and intersex (LGBTI) people are free from discrimination, persecution and have equal opportunities in life, including in accessing employment, training, education, financial services, healthcare, housing, places of faith, and public services.

Pride Without Borders

Pride Without Borders is an independent group that works with, but is not part of Leicester City of Sanctuary. Their aim is to connect together groups of LGBT asylum seekers linked to City of Sanctuary for mutual, support, information sharing and campaigning for the rights of LGBT asylum seekers and refugees in the UK.

SOGICA

SOGICA is a research project funded by the European Research Council (ERC) that explores the social and legal experiences of asylum seekers across Europe claiming international protection on the basis of their sexual orientation or gender identity (SOGI).

Time to be Out

Time to be Out are working for a world where people do not need to flee from their own countries because they are at risk of attack on the basis of their sexual orientation or gender identity. However, for as long as LGBT+ people do need to seek asylum and refuge in the UK, Time to be Out aims to support them and be advocates on their behalf