



Home Office

Detention and Escorting
Services
Immigration Enforcement
3rd Floor Apollo House
36 Wellesley Rd
CR9 3RR

By email:

info@asylumresearchcentre.org

5 March 2019

Dear Ms Huber

REF: FOI 52162

Thank you for your email dated 31 January 2019 requesting information on LGBTQI+ detainees in immigration removal centres (IRC). Your request has been handled as a request under the Freedom of Information Act 2000. Your full request has been answered in turn below:

Please provide me with responses to the following questions:

- 1. Does the Home Office have figures for the number of asylum claimants who identify as lesbian, gay and bisexual in detention, and if so, how far do these figures date back?**
- 2. Does the Home Office have figures for the number of asylum claimants who identify as transgender or with an intersex variation in detention, and if so, how far do these figures date back?**

The Home Office does not hold the information you have requested in questions 1 and 2 of your request.

- 3. What Home Office guidance, training and contractual requirements are in place for Immigration Removal Centre (IRC) contract holders to ensure that LGBTQI+ asylum claimants are not subject to homophobic or transphobic bullying and violence, including by staff or by other detainees in immigration detention?**

Detention Services Order 11/2012 provides guidance on how to care for and manage transsexual detainees. A copy of this document can be found at the link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/438341/1_1_2012 - Care and Management of transsexual detainees v2_1_external.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/438341/1_1_2012_-_Care_and_Management_of_transsexual_detainees_v2_1_external.pdf)

Detention Services Order 02/2016 provides consistent standards for the treatment of lesbian, gay and bisexual detainees in the immigration detention estate and under escort. A copy of this document can be found at the link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/520141/Lesbian Gay Bisexual Detainees.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/520141/Lesbian_Gay_Bisexual_Detainees.pdf)

Service providers are contractually obliged to provide care for detainees in line with the above Detention Services Orders.

- 4. Are individuals claiming asylum on the basis of sexual orientation identified as vulnerable adults for immigration detention purposes as are transgender people?**

The 'Adults at Risk in Immigration Detention' policy came into force on 12 September 2016. It strengthens the existing presumption against the detention of those who are particularly vulnerable to harm in detention. The policy recognises the dynamic nature of vulnerability and makes particular provision for individuals who are regarded as vulnerable, by reference to a list of vulnerability "indicators". Individuals considered to be vulnerable will be detained only when immigration control factors outweigh the vulnerability considerations in the particular case. Transsexual individuals fall explicitly within the scope of the policy. Sexual orientation does not fall explicitly within the scope of the policy. However, any LGB individual who is recognised as vulnerable, in the terms of one or more of the indicators of vulnerability set out in the policy, will be within its scope.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foirequests@homeoffice.gsi.gov.uk, quoting reference 52162. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be re assessed by staff who were not involved in providing you with this response. If you were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

Yours sincerely,

Detention and Escorting Services
Immigration Enforcement
Home Office