



FORCIBLY DISPLACED PEOPLE NETWORK

Submission to the ACT Government 2021-22 Budget Priorities

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Forcibly Displaced People Network

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About Forcibly Displaced People Network

Forcibly Displaced People Network (FDPN) is the first organisation in Australia to dedicate its work to the issues of LGBTIQ+ forced displacement and be driven by the lived experience of it. FDPN is established to promote human rights and inclusion of LGBTIQ+ persons in forced displacement through peer support and strengthening services and policy responses.

While having a national focus, FDPN operates from Canberra. We provide refugee-led mentoring and peer support to LGBTIQ+ refugee women through its Queer Sisterhood Project. FDPN has provided financial support to LGBTIQ+ people seeking asylum to cope with financial stress due to pandemic in 2020. Our work is guided by the Canberra Statement on the access to safety and justice for LGBTIQ+ people seeking asylum and refugees.¹

Terminology used in this submission

Person seeking asylum

A person who has left their country of origin after being persecuted yet has not been legally recognised as a refugee. In Australia, most people seeking asylum reside in the community on a bridging visa.

Refugee

Under Australian Migration Law, a refugee is a person who has a well-founded fear of persecution in their country of nationality or, if they are stateless, their country of former habitual residence.

LGBTIQ+ forcibly displaced people

We are referring to LGBTIQ+ people seeking asylum and refugees as well as other migrants (both on temporary and permanent visas) who are originating from the countries where they could not have lived safely and openly as LGBTIQ+ persons yet had other migration pathways available to them.

We welcome an opportunity to make a submission in response to the consultation on 2021-22 Budget Priorities.

¹ Canberra Statement on the access to safety and justice for LGBTIQ+ people seeking asylum and refugees is available from <https://fdpn.org.au/policy/canberra-statement/> It is a policy guide for a wide range of stakeholders on reforms necessary to meet protection needs of LGBTIQ+ people seeking asylum and refugees.

Summary of Recommendations

1. Provide ongoing funding for Forcibly Displaced People Network to cover 1.5 FTE and operational expenses (\$100,000.00 per annum).
2. Ensure age, gender, diversity and disability disaggregated data collection on refugees and people seeking asylum in all government and non-government services.
3. Ensure adequate funding to specialist homelessness service and services working with people seeking asylum, refugees, migrants and LGBTIQ+ persons to increase their capacity to provide housing assistance.
4. Ensure adequate investment in social and public housing that is culturally safe and accessible by building design standards.
5. Expand access to income support and Medicare benefits to all people seeking asylum and other people on temporary visas.
6. Change the regulations on the sex and name change to allow people on temporary visas to apply and change their name and sex markers without meeting residency requirements.

Background

Lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) people around the world remain persecuted, subjected to physical and sexual violence, torture, harassment and exploitation. In 2019 there were 70 countries that criminalised consensual same-sex sexual acts, with the death penalty a possibility in 11.² Sexual violence and forced marriages are often used as a coercive tool to 'normalise' and control LGBTIQ+ women's sexuality and avoid familial shame.³ In countries where there are no laws prohibiting same-sex relationships, state sanctioned violence and discrimination in all areas of private and public lives persist. This significantly limits education and employment opportunities for LGBTIQ+ persons, drives people into poverty and homelessness and forces them to engage in forced sex work.⁴

LGBTIQ+ individuals who are persecuted on the basis of their sexual orientation, gender identity or sex characteristics are able to apply for protection under the international refugee law (the 1951 Refugee Convention) as well as Australian Migration law and regulations being recognised either as a 'member of a particular social group' or for their 'political opinion'.

² ILGA World: Lucas Ramon Mendos, State-Sponsored Homophobia 2019: Global Legislation Overview Update (Geneva; ILGA, December 2019) Available from: <https://ilga.org/state-sponsored-homophobia-report>

³ Queer Sisterhood Project (2019) Being Queer and Refugee, ed. by Dixon T., Dixon, R.; available from <http://bit.ly/queer-sisterhood>

⁴ Canberra Statement on the access to safety and justice for LGBTIQ+ asylum seekers and refugees; available at <http://bit.ly/cbr-statement>; ORAM (2012) Rainbow Bridges: A community guide to rebuilding the lives of LGBTI refugees and asylees, available from <https://oramrefugee.org/wp-content/uploads/2016/02/oram-rainbow-bridges-2012-web.pdf>

The Canberra region has been accepting many LGBTIQ+ people seeking asylum being a designated regional area for temporary protection visas and being one of the most welcoming cities in Australia.

Despite this, there is a lack of data in the Department of Home Affairs that disaggregates protection claims by claims based on sexual orientation and gender identity. Globally it is believed that up to 6 per cent of refugees identify as LGBT:

- US-based Heartland Alliances reported 3.8% of refugee claimants in the US to identify as LGBT⁵;
- Another research reported 3.6% of refugee applicants in 2011 in the US identified as LGBT⁶; and
- Organisation for Refuge, Asylum and Migration estimates “that between 4 and 6 percent of the asylees in other countries could be lodging claims based on their LGBTI status”⁷

Compared with non-LGBTIQ+ refugee populations, LGBTIQ+ people seeking asylum and refugees experience compounding marginalisations. Alessi et al. highlight a number of differing and heightened experiences, including ‘the early onset of victimization, the perpetration of violence by family members, the societal stigma that tacitly condones this violence, and the lack of formal and informal supports to help LGBT migrants cope with trauma.’⁸ In addition, it is also important to account for the intersectionality of their experiences and look not only at their sexual orientation, gender identity but also age, race, ethnicity, nationality, religion, disability and migration status.

Despite availability of services for people seeking asylum, refugees and LGBTIQ+ persons as separate cohorts, LGBTIQ+ people seeking asylum and refugees still experience barriers with accessing those services. Specific programs designed to provide peer support to LGBTIQ+ people seeking asylum and refugees are not widely available.

LGBTIQ+ forcibly displaced people are persecuted not only by state actors but their families and communities. This means that the distrust to authority figures is quite prevalent, that results in the lack of engagement with the service system for the fear of discrimination and disclosure of their identities to their communities.

The absence of public recognition of this group, and the lack of services available to them, leaves many LGBTIQ+ people seeking asylum and refugees invisible and

⁵ Heartland Alliance (2012) Rainbow Welcome Initiative: An Assessment and Recommendations Report on LGBT Refugee Resettlement in the United States. Washington, DC, US Department of Health and Human Services, Office of Refugee Resettlement.

⁶ Portman, S., Weyl D. (2013) LGBT refugee resettlement in the US: emerging best practices. Forced Migration Review, issue 42; Martin, C. D., Yankay J. (2012) Annual Flow Report. Refugees and Asylees 2011. Available from:

https://www.dhs.gov/xlibrary/assets/statistics/publications/ois_rfa_fr_2011.pdf

⁷ ORAM (2012) Rainbow Bridges: A Community Guide to Rebuilding the Lives of LGBTI Refugees and Asylees. Available from <https://oramrefugee.org/wp-content/uploads/2016/02/oram-rainbow-bridges-2012-web.pdf>

⁸ Alessi, E.J., Kahn, S. & Chatterji, S. (2016). ‘The darkest times of my life’: Recollections of child abuse among forced migrants persecuted because of their sexual orientation and gender identity. Child Abuse & Neglect 51, 93-105.

marginalised.⁹ This marginalisation has become particularly acute with the outbreak of the pandemic and requirements to quarantine or isolate. In Australia, LGBTIQ+ people seeking asylum and refugees face persistent homophobia and transphobia and cannot rely on their families or ethnic communities for support. With changes to the Status Resolution Support Services (SRSS) program, many LGBTIQ+ people seeking asylum have lost critical access to financial support and many still do not have access to Medicare. Lack of social connections, income support, language skills and employment opportunities as well as systemic gaps in support may result in increased risks to homelessness and violence.

For more background information, read MCA and FDPN (2020) Gender Responsive Settlement: Broader Learnings from LGBTIQ+ Refugees [Report](#) and 2019 Queer Displacements Conference [Report](#).

The case for systemic change

Forcibly Displaced People Network has been supporting LGBTIQ+ people seeking asylum living in the ACT, NSW and VIC (including regional areas). We have been providing financial support, referrals, engaging in policy work and most importantly building a community for LGBTIQ+ people to find their home and safety in Australia.

Since the founding of FDPN, the following has been achieved:

- LGBTIQ+ refugee Advisory Group to FDPN was recruited to draw on their lived experience and expertise.
- FDPN provided financial support to LGBTIQ+ forcibly displaced people to cover their rent, medication, food and phone credits during the pandemic.
- BridgeMeals, an LGBTIQ+ migrants and refugees group in Melbourne, was auspiced to run a mental health for queer refugees project grants and bring events and activities for Melbourne based LGBTIQ+ forcibly people.
- FDPN partnered with Meridian ACT to run a series of sessions on mental health for LGBTIQ+ forcibly displaced people.
- FDPN paid for the training for community members to become trained in mental health and suicide prevention, to create better social media communication and to increase expertise in policy, advocacy and campaigning.
- FDPN ran professional development sessions on the improving the inclusion of services for LGBTIQ+ forcibly displaced people for a number of services around Australia.
- FDPN published [a position paper](#) on LGBTIQ+ inclusive resettlement in partnership with the Migration Council of Australia.
- With a project funding from the Pride Foundation Australia FDPN is building an online training module for services working with LGBTIQ+ forcibly displaced

⁹ Such challenges have been well documented during the 2019 Queer Displacements conference. See Queer Displacements: Sexuality, Migration and Exile (2019) Conference report. Available from: <https://fdpn.org.au/queer-displacements/>

people. We are doing this work in partnership with Meridian ACT, ANU and VIC-based project BridgeMeals.

- FDPN partnered with DLA Piper to produce a comprehensive handbook on the name change across every state and territory that takes into account different visas later in the year.
- FDPN ran a webinar on the good practices and challenges of implementing the Canberra Statement on the access to safety and justice for LGBTIQ+ forcibly displaced people.
- FDPN convened a national community dialogue between refugee-led and LGBTIQ/POC-led organisations to build the bridges.
- FDPN continued engaging closely with the United Nations High Commissioner for Refugees on these issues. FDPN was represented at the 2020 High Commissioner's Dialogue and took part in a series of global consultations on the LGBTIQ forced displacement presenting our learnings and facilitating discussions.
- FDPN won [a grant from the Masterclass](#) to provide free annual membership to the platform for LGBTIQ+ forcibly displaced people. This enabled people to learn new skills.
- Most importantly, we are building a community of safety and belonging for LGBTIQ+ forcibly displaced people in Canberra and Australia-wide.

Despite much progress achieved in the past 3 years, FDPN is not receiving any ongoing or sustainable funding. We are relying on some donations¹⁰ and some short term project funding. While we are grateful to have received two grants from the ACT Government Office of LGBTIQ+ Affairs and Community Services Directorate, receiving an ongoing funding would ensure more support for LGBTIQ+ forcibly displaced people and more sustainability for the organisation.

In the ACT we have strong partnerships with Meridian and Companion House. As an LGBTIQ+ refugee-led organisation we are the first point of contact and trust from LGBTIQ+ people seeking asylum and refugees.

We are seeking funding in the amount of \$100,000.00 per year to cover the costs of 1.5FTE staff members (\$44.57 per hour) and operational costs. Having ongoing funding would ensure that we can achieve a systemic change and provide welcoming and inclusive environment.

In the sections to come we outline critical issues that LGBTIQ+ forcibly displaced people continue to experience both in Canberra and in Australia.

Recommendation:

- 1.** Provide ongoing funding for Forcibly Displaced People Network to cover 1.5 FTE and operational expenses (\$100,000.00 per annum).

¹⁰ We are not registered for a DGR status which makes us ineligible to apply for private philanthropy grants.

Housing and homelessness experiences of LGBTIQ+ people seeking asylum and refugees

Lack of data on prevalence of homelessness among LGBTIQ+ people seeking asylum and refugees

In addition to the lack of data on the number of LGBTIQ+ people seeking asylum and refugees in the community, there is also a lack of data on the housing and homelessness experiences for this group. Available research into homelessness experiences has shown that:

- LGBTIQ people are over-represented amongst homeless people in Australia;¹¹
- People seeking asylum are at risk of homelessness due to a lack of income support and affordable housing.¹²

The 2015 AHURI study has found that “the hardships and trauma many refugees endure prior to resettlement coupled with their lack of financial resources upon entry into Australia means that they are often vulnerable to housing stress, housing insecurity and homelessness.”¹³ It has also identified racial discrimination as “a key impediment for refugees in navigating the housing market”.¹⁴ 23.5 per cent of their respondents strongly agreed with statements concerning the role of racial discrimination as a barrier to housing access.

With changes to Status Resolution Support Service payments, almost 80% of people seeking asylum became not eligible for income support payments. Compounded with other factors this has increased their risk of becoming homeless.

Lack of safe and inclusive housing options for LGBTIQ+ people seeking asylum and refugees

LGBTIQ+ people seeking asylum are experiencing compounding marginalisations arising not only from the intersection of their sexual orientation and gender identity, but also age, race, ethnicity, nationality, religion and migration status.

Despite availability of services for people seeking asylum, refugees and LGBTIQ+ persons, LGBTIQ+ people seeking asylum and refugees experience barriers with accessing those services. Specific programs designed to provide peer support to LGBTIQ+ people seeking asylum and refugees are not widely available. Training of services in relation to gender responsive, inclusive and culturally competent service provision remains a gap across settlement and LGBTIQ+ services.

¹¹ McNair, R., C. Andrews, S. Parkinson and D. Dempsey (2017). *LGBTQ Homelessness: Risks, Resilience, and Access to Services in Victoria – Final Report*. Melbourne, University of Melbourne.

¹² Liddy, N., Sanders, S., and Coleman, C., *Australia’s Hidden Homeless: Community-based options for asylum homelessness*, Hotham Mission Asylum Seeker Project, Melbourne, 2010. Available from: http://library.bsl.org.au/jspui/bitstream/1/1957/1/Australias_Hidden_Homeless.pdf

¹³ Flatau, P., Smith, J., Carson, G., Miller, J., Burvill, A. and Brand, R. (2015) *The housing and homelessness journeys of refugees in Australia*, AHURI Final Report No.256. Melbourne: Australian Housing and Urban Research Institute Limited. Available from:

<http://www.ahuri.edu.au/publications/projects/p82015>

¹⁴ Ibid.

LGBTIQ+ people seeking asylum and refugees come from the contexts where they were persecuted not only by state actors but also families and societies. A distrust to services and authority figures is common especially in the context of not trusting that they will not be discriminated for their gender identity and sexual orientation. This means that many LGBTIQ + people seeking asylum and refugees do not engage with the service system for the fear of discrimination and disclose of their identity to their communities.

The inaugural 2019 Queer Displacements: Sexuality, Migration and Exile Conference has documented a number of challenges in relation to housing access¹⁵. We also have conducted qualitative interviews with LGBTIQ+ people seeking asylum and refugees about their experiences of homelessness and housing support in Australia. The following has been reported:

- 1.** Mainstream housing service providers in some instances placed LGBTIQ+ asylum-seeking women into a mixed gender shared temporary accommodation that contributed to increasing risks of discrimination, bullying and violence (see case study 1);
- 2.** Refugee service provides in some instances placed LGBTIQ+ people seeking asylum into housing without collecting data (safely) that they were LGBTIQ+ and without work on non- discrimination with their broader client base. This has, contributed to increasing risks of discrimination, bullying and violence (see case study 2);
- 3.** In the absence of data collection on sexual orientation and gender identity, at times settlement services are housing LGBTIQ+ refugees in suburbs with their ethnic communities, thus increasing risks of discrimination, bullying and violence (see case study 3);
- 4.** Experiences of homelessness are common among LGBTIQ+ people seeking asylum which increase the risks of sexual and gender-based violence and exploitation including survival sex (see case study 4);
- 5.** Transgender people seeking asylum and refugees are experiencing discrimination and transphobia where their self-identification does not match names and gender markers in their documents (see case study 5);
- 6.** A lack of rental history, racial profiling, homophobia and transphobia create additional barriers for LGBTIQ+ people seeking asylum and refugees to compete on the rental market (see case study 6).

¹⁵ Dixon R. (2019) Queer Displacements: Sexuality, Migration and Exile. 2019 Conference Report. Available from: <https://fdpn.org.au/queer-displacements/>

Case Study 1

Tulika and Manjula¹⁶ are a same-sex couple that came to Australia in 2017 seeking asylum.

They were referred to a mainstream housing service provider that placed them into a temporary accommodation, a shared house where both men and women lived.

Tulika says:

“For the first three months we lived in a shared house. One of our neighbours was so angry when he realised that we were a couple. He would bang on our doors at night, verbally abuse us. He threatened us with violence all the time. We were really scared to be there and tried to spend all our time somewhere else.”

Tulika and Majula reported their experiences to the service but nothing substantial was done to address the situation. They had to find a private rental fearing for their safety.

Case Study 2

Latisah is a queer woman that arrived in Australia seeking asylum in 2016. She was escaping forced marriage and sexual violence inflicted on her because her sexual orientation became known.

A faith-based service provider placed her in a refugee women’s only shared house. Soon other women suspected that Latisah was queer. They started to bully and verbally abuse Latisah every time she went to common areas. She could not eat in the dining hall anymore because of ongoing abuse. When Latisah started taking food to her room, her food began missing from a shared fridge.

Compounded by visa uncertainty, impacts of pre-arrival trauma and depression, Latisah stopped eating and spent most of her time in the room sleeping. Later she was diagnosed with an eating disorder. Latisah’s weight dropped to 45kg.

When Latisah reported ongoing abuse to the service provider, no actions were taken. Latisah was forced to move out into a private rental.

Case Study 3

Mohammed is a gay man who was resettled to Australia under humanitarian program. He tried not to disclose his sexuality to people from his ethnic community worrying that his family would find out and inflict further violence on him.

A case worker in a settlement service in Australia never asked Mohammed about his sexuality or if he had any safety considerations. Instead, they assumed that as all

¹⁶ In all following case studies, all names have been changed for privacy and safety reasons. All case stories are about real LGBTIQ+ forcibly displaced people that FDPN supports.

resettled refugees Mohammed would want to live with his ethnic community, so he was housed accordingly.

Mohammed reported a constant feeling of being unsafe. He is forced to hide his sexuality even after resettlement.

Case Study 4

Sumithri is a transgender woman seeking asylum in Australia. When she arrived, she did not know that she could approach services for support. For the first few weeks she stayed in a hostel until her money run out.

Sumithri said:

“I didn't have where to go on my first months in Australia, didn't have money to pay for accommodation, didn't have job.”

She became homeless living on the street. She was coerced to engage in survival sex in exchange for 'protection' from more sexual and gender-based violence. It was not until several months later that she spoke with a support service and was provided a safe accommodation.

Case Study 5

Onkar is a transgender man who has been granted a temporary protection visa. Despite living in the ACT, an area for temporary migration, he is able to change his ID or gender markers on his documents to reflect his name and gender identity because of his visa status.

He was able to find a suitable private rental for him via a private landlord. Onkar inspected the property and agreed with the landlord on a price and moving date. However, once the landlord saw his documents, Onkar was refused without any explanation. When Onkar insisted on the reasons, a landlord said that they found a more suitable tenant. While it was clearly linked to the fact that Onkar was a transgender man, it was impossible for him to prove this and lodge a complaint.

Case Study 6

Olga is a lesbian woman seeking asylum in Australia. She had to couch surf with some people she met because she could not find a place to live for several months. Olga had some irregular casual shifts at the local shop and could only afford a room in a shared house. Yet she struggled to secure even that being a new arrival to Australia.

Olga said:

“It wasn't easy. My application was refused many times as I didn't have any stable job and rental history in Australia.”

Case studies provided above highlight systemic issues that LGBTIQ+ people seeking asylum and refugees are experiencing in relation to housing. Where existing complaints mechanisms could have been utilised to rectify the situation, a lack of knowledge around legal systems, fears of repercussions, fear of deportation if complaints are raised and often impossibility to prove homophobia, transphobia and racism occurred, prevent people seeking asylum from utilising them. A lack of training and competencies of working with LGBTIQ+ people seeking asylum such as an understanding of their safety needs results in increased risks of discrimination and violence as well as worsened mental health for this cohort.

Recommendations:

2. Ensure age, gender, diversity and disability disaggregated data collection on refugees and people seeking asylum in all government and non-government services.
3. Ensure adequate funding to specialist homelessness service and services working with people seeking asylum, refugees, migrants and LGBTIQ+ persons to increase their capacity to provide housing assistance.
4. Ensure adequate investment in social and public housing that is culturally safe and accessible by building design standards.

COVID-19 impact on LGBTIQ+ people seeking asylum

The COVID-19 pandemic magnified existing structural inequalities and further pushed LGBTIQ+ people into isolation. Material provided below are from the community survey and direct interactions with people.

Social isolation

The pandemic has exacerbated the social isolation that this group experienced. From the onset of the pandemic no targeted information was provided for this cohort. In the context of service distrust and fear of discrimination, many LGBTIQ+ forcibly displaced people remained isolated without any community connections.

Many did not participate to the online events due to a lack of knowledge about such events, lack of access to technology, phone credits and internet.

Employment

Most of the people that FDPN supports have lost their work or had their shifts cut to a minimum. The situation was particular challenging for those LGBTIQ+ people who were on temporary visas. LGBTIQ+ people seeking asylum reported to us the following negative impacts:

- casual employment shifts are being reduced or cut completely;

- it was impossible to gain new employment due to the reduction in employment opportunities as well as employers' reluctance to hire people on Bridging visas;
- with no income, a rental debt accumulated;
- employees holding permanent residency were prioritised over those on temporary visas because of the eligibility for JobKeeper.

Below are some of the comments made to us¹⁷:

"I have been working as a casual employee for the past year. Now I've lost my job. I do not know how I will pay my rent. I am very stressed. I am very scared." David, LGBTIQ+ person seeking asylum

"In the last two weeks the business I work for has been slowing down. They've been cutting my shifts. Soon there won't be any work." Ayah, LGBTIQ+ person seeking asylum

"I dream that I better die than live like this. I have lost my SRSS. I've applied for 400 jobs and no one wants to hire me because of my Bridging visa. I can't go on like this anymore." Ameera LGBTIQ+ person seeking asylum

Forcibly Displaced People Network has been supporting the community during this time providing information and financial support yet as unfunded organisation who relies on donations such support cannot replace long term income support that this group needs.

Income support

While ACT government has been providing some financial support through refugee organisations, many LGBTIQ+ people seeking asylum were unable to access it. Many people we support told us that services were priorities families with children so, despite increased vulnerability, this cohort was left out.

Food insecurity

One of the impacts of not having income support and employment loss is food insecurity. FDPN was receiving reports of LGBTIQ+ people seeking asylum skipping meals or not having enough food at all.

FDPN has been receiving reports that food banks were able to provide food once a fortnight or a month only. Many did not even have enough money for a bus ticket to visit an NGO to get some food.

¹⁷ Names have been changed for privacy reasons.

Case Study 7

Azlan has been living in Canberra on a bridging visa for the past 5 years. He arrived in Canberra as an unaccompanied teenager at the age of 16. As a gay man he knew he'd be unsafe in his country of origin.

Azlan finished some vocational courses and has had short casual contracts during this time, mostly in hospitality. Once the pandemic started his shifts were cut.

Not having any income, any savings and not being eligible for any government support, Azlan was left in destitution. His phone credits finished, and he could not call to any NGO to get food. During the lockdown he was too scared to go out assuming he would be fined.

Not having any family, at FDPN we would check on Azlan to provide support. This time, FDPN did a food drop off and asked Azlan if he had enough food.

Azlan confessed:

"I have not eaten in three days. I had some rice left, so I wanted to stretch it to make it last".

Health and wellbeing

The isolation has worsened already complex mental health needs. Many of LGBTIQ+ people seeking asylum that FDPN supports are not eligible for Medicare making the access to health services and psychologists restricted.

The waiting list to access torture and trauma counselling at Companion House is long. There is a lack of information about how to access other counselling services and whether they are culturally safe.

Safety

LGBTIQ+ forcibly displaced people have been reporting increased safety concerns during the lockdown. There were disclosures of experiences of intimate partner violence and homophobically motivated violence inflicted by landlords (see story 8).

Those LGBTIQ+ people who were still in the process of seeking asylum, the feelings of being unsafe and the fear of deportation were heightened.

Case Study 8

Mudiwa has been living in Canberra for the past 4 years awaiting the resolution of her asylum claim. She claimed asylum in Australia after being outed as a lesbian after she separated from her husband. She left her country of origin escaping possible honour killing. Mudiwa was forced to leave her young son behind with her sister hoping to bring him to Australia once her visa is granted. Only a few family and community members know the real cause of why Mudiwa left for Australia.

In Canberra Mudiwa has been working 3 part-time casual jobs to support herself and send money for her son. With little support, community connections, knowledge about Australia and limited English proficiency, she rented a room privately in the house of a man who is from her country of origin.

When pandemic started Mudiwa stopped getting shifts from two of her employers. She struggled to make the ends meet. Her girlfriend Asiatu would visit her to bring her some food.

Mudiwa's landlord suspected that she was a lesbian. He threatened her with sexual violence and that he would tell everyone 'her secret'. Mudiwa was so scared that she packed and left immediately. She couch-surfed for three month before she could find an affordable and safe room. She was scared to report him to the police or seek any other support through tenants' services fearing that he would out her and subject her to further violence.

Recommendations:

5. Expand access to income support and Medicare benefits to all people seeking asylum and other people on temporary visas.

Change of name and sex markers

Access to change of name and sex markers is life-saving for LGBTIQ+ forcibly displaced people for a number of reasons:

- for trans people it is the affirmation of themselves;
- for many LGBTIQ+ people who went through the forced marriage, name change is about getting their name back;
- for many LGBTIQ+ people name change is about safety and not being found and forcibly taken back to their countries of origin (see story 10).

Case Study 9

After Samah's parents found out about her sexuality she was subjected to family violence and ongoing surveillance. Samah's father arranged for Samah to marry to avoid the knowledge about her sexuality becoming public. For Samah this meant that she would be subjected to sexual violence and reproductive coercion for the rest of her life. Her younger brother decided to disobey and secretly helped Samah to come to Australia.

In Australia, Samah was very fearful that her father will come searching for her. Once she arrived, she applied for a protection visa. She made sure that she never had any contact with her ethnic community here. She changed her name socially and disconnected from all social media. She only stayed in touch with a distant friend from her country origin.

Yet, Samah's worst fear came true. After about a year, her friend informed her that her father was on his way to Australia to take Samah back. While he did not know where exactly she lived, he was hoping to use the community connections to find her.

Since her arrival Samah really wanted to change her name, yet she was not able to because she was still on a temporary visa.

Luckily, Samah's father never found her. But Samah lived in a constant fear. Having an access to name change on safety grounds regardless migration status is about saving lives.

We recognise a number of reforms being done in the ACT to simplify name and sex markers change. However, the access to this requires an applicant to be a permanent resident or a citizen. ACT is an area for regional migration, attracting people on temporary visas here, yet it is contradictory that they are not able to change the name when they need it. We strongly recommend amending these laws and regulations.

Recommendations:

6. Change the regulations on the sex and name change to allow people on temporary visas to apply and change their name and sex markers without meeting residency requirements.

Once again, thank you for the opportunity to make a submission. If you wish to discuss this issue further, please contact Renee Dixson, FDPN Acting Chair.

Renee Dixson

Co-founder, Acting Chair

Forcibly Displaced People Network