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Asylum interview: 10 examples of absurdity from the Home Office

Applying is no joke, but some of the questioning and the grounds for refusal appear farcical

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For asylum seekers, their interview with the Home Office is no laughing matter.

One, Zabrain, said he felt the interviewer was so inept, he was sure she must be an intern. “Someone who is incompetent is the decision-maker of your life,” he told the Guardian. “Is this the rule of law?”

But some of the questions asylum seekers are asked, and the Home Office’s interpretation of their answers, do seem farcical. Here are 10 examples from interview transcripts and Home Office refusal letters.

● A Christian convert seeking asylum because his life was in danger in his home country was asked to name two miracles performed by Jesus. After doing so, he was marked down for not

being able to pinpoint the reference for where those stories appeared in the Bible.

31. You were then asked to tell the interviewing officer about miracles Jesus performed on earth (AIR 82, 84). It is noted you have made reference to John 2.1.11 'when Jesus turns water into wine' and John 21 'Jesus and the miraculous catch of the fish'. You were then asked where they appear in the bible you stated *I am so sorry I forgot* (AIR 85). It is considered your answers are vague and lack detail considering you claim to have read the bible and attended prayer groups (AIR 31, 59).

An excerpt from a refusal letter sent by the Home Office to an asylum seeker who claimed to have converted from Islam to Christianity

- The same man was asked who Jesus's earthly parents were. He replied: "Mary, but he did not have an earthly father." The Home Office said he was wrong and the correct answer was "Mary and Joseph". The man's vicar, who made submissions on his behalf, argued that his response was valid as the virgin birth is "a key Christian tenet".
- A man claiming asylum on the grounds he had converted from Islam to humanism and risked being killed if he returned to Pakistan was refused partly because he could not identify "any famous Greek philosophers who were humanistic".
- A man was refused asylum despite medical testimony from an expert that scarring on his body was "either consistent or highly consistent" with torture. The Home Office refusal letter suggested some of the scars might have been caused during karate training.
- A woman had a serious psychotic episode during her interview and began hallucinating. Instead of stopping the interview and getting the woman medical help, the interviewer continued. Afterwards, the case went to the high court, where the judge said:

Reading that interview, it is apparent that the claimant was very unwell at the time ... She appeared to be talking to people who were not there and the interview nonetheless continued including beyond a time when she asked whether or not she had wet herself.

- A letter written in support of an asylum seeker by a lawyer from his home country was dismissed partly because it was "considered that the standard of English used eg abbreviations (don't), in the letter is inconsistent with which an attorney-at-law would use".

17. It is noted that the author of this letter claims to be an Attorney at Law. No evidence has been provided regarding the credentials of this author or any evidence of the employment of this person. It is also considered that the standard of English used eg abbreviations (don't), in the letter is inconsistent with which an attorney-at-law would use. It is not accepted that this letter creates a realistic prospect of success before another Immigration Judge.

A lawyer from the asylum seeker's home country wrote to clarify a point of law, but had his credentials doubted by the Home Office

- Asylum seekers have to be very careful as they tell their stories. Any discrepancy can be used as proof that they are lying or "lack credibility", such as this inconsistency noted in a Home Office refusal letter:

It is noted that you have been inconsistent ... as you initially state that you took sheep and goats to graze and then you stated that you took the sheep. This is a minor inconsistency however it has been noted.

- The Home Office asked a man, claiming asylum because of his sexuality, to describe how he first became aware he was gay. He said that as a child he loved going to bath houses because it meant he could "see naked men". The Home Office rejected this, saying that "children are

sexual beings who are curious about sex and sexuality and will therefore experiment ... and it is not an indication of their preferred gender”.

47. Since being in the UK you state that you feel you have become free without risk of abuse or torture. You are able to be open about your sexuality and have found happiness. You have met gay men on dating apps as well as in gay bars and clubs (AIR q168, 175-176. WS 87). It is noted that visiting gay bars and clubs is not an indication of your sexuality as LGBT clubs are open to all and do not have an exclusively gay membership.

The man's claim to be gay was dismissed by the Home Office in their refusal letter

The Home Office also dismissed his claim that his brother had shot him after catching him with a man, because at one point he said he had been shot in the foot, and at another that he had been shot in the leg, despite the fact that English was not his first language and his interview was conducted without an interpreter.

● A letter refusing protection to a Vietnamese man said he would be able to integrate back into the country because he had spent “the majority of [his] adult life there”, despite the fact he had left Vietnam at 17. It also said he would be assisted by “family members in Vietnam”, despite him no longer having any family living there.

to provide evidence of any significant private life and you have failed to demonstrate that you are socially and culturally integrated in the UK. You have lived in Vietnam until the age of 17 years; it is therefore deemed that you have spent your childhood and formative years and the majority of your adult life there. It is considered that you would be able to integrate in Vietnam to the degree necessary, for example by arranging accommodation and seeking employment in order to support yourself with the assistance of friends and family members in Vietnam.

An excerpt from the refusal letter sent by the Home Office to a Vietnamese asylum seeker

● A man from Malaysia, where gay sex can be punishable by whipping and up to 20 years in prison, claimed asylum based on sexuality. He was refused on the grounds that he was not believed to be gay and that “even if your claim to be gay were accepted (which it is not), various sources shown [sic] there is a flourishing gay scene in Malaysia”.

The Home Office quoted websites, including gayhomestays.com and gaystarnews.com, which had articles about being gay in Malaysia. The articles acknowledged that “LGBT rights do not yet exist in Malaysia”, “gay life ... is very much ‘underground’”, and being gay is “a tough life for many”.

● This article was amended on 13 February 2017. An earlier version referred to the supreme court where the high court was meant.

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