

Home Office asylum interviews – research findings

December 2022

This briefing summarises findings from two pieces of research, in which the Helen Bamber Foundation was involved, looking at people's experiences of their substantive asylum interviews:

- The texture of narrative dilemmas: Qualitative study in front-line professionals working with asylum seekers in the UK, 2021¹
- The challenges faced during Home Office interview when seeking asylum in the United Kingdom: An interpretative phenomenological analysis, 2022²

The briefing aims to highlight the key findings that might be most useful for those working with these groups, including those providing direct support and those designing services and policy.

Introduction

Most people seeking asylum in the UK are required to provide an account of their experiences during a substantive interview with the Home Office. This is considered by the Home Office as the "main opportunity for the claimant to provide relevant evidence about why they need international protection" and for the interviewer to "to help draw out and test that evidence".³

Previous research has highlighted that judgements made in an interview, including about credibility,⁴ the appropriate expression of emotion,⁵ and 'reasonable behaviour' when fleeing a situation⁶, are often based on the norms and values of someone living in Britain rather than in the country from which the refugee is fleeing. Research has also highlighted that in order convince interviewers of the truthfulness of their claim, those seeking asylum in the UK are expected to

¹ Abbas, P., Von Werthern, M., Katona, C., Brady, F., & Woo, Y. (2021). The texture of narrative dilemmas: Qualitative study in front-line professionals working with asylum seekers in the UK. BJPsych Bulletin, 45(1), 8-14.

² Rebecca Chaffelson, Jonathan A. Smith, Cornelius Katona & Henry Clements (2022) The challenges faced during Home Office interview when seeking asylum in the United Kingdom: an interpretative phenomenological analysis, Ethnic and Racial Studies

³ Home Office guidance on <u>Asylum interviews</u>

⁴ Ramezankhah, F. (2017). The Tale of Two Men: Testimonial Styles in the Presentation of Asylum Claims. International Journal of Refugee Law, 29(1), 110-137.

⁵ Jubany, O. (2011). Constructing truths in a culture of disbelief: Understanding asylum screening from within. International Sociology, 26(1), 74–94

⁶ Schuster, L. (2020). Fatal flaws in the UK asylum decision-making system: An analysis of Home Office refusal letters. Journal of Ethnic and Migration Studies, 46(7), 1371–1387.

present their experiences in a way that meets UK cultural conventions.⁷⁸ They may be expected to meet the decision maker's conception of 'refugeeness',⁹ demonstrating passivity and victimhood to be seen as 'deserving' of refugee status.

The recent assessment of asylum casework by the Independent Chief Inspector of Borders and Immigration (ICIBI) identified that while there was evidence of some good practice, caseworkers still used confrontational or insensitive questioning; were openly sceptical of claimants in interviews; and did not respond appropriately to sensitive disclosures of personal information.¹⁰ Caseworkers reported that senior managers appeared to value quantity over quality of substantive interviews and subsequent decisions.¹¹ This pressure increases the likelihood that decisions are made based on faulty biases and assumptions.¹²

Texture of narrative dilemmas: qualitative study in front-line professionals working with asylum seekers in the UK – Key findings

Perceived inconsistencies in asylum interviews are often cited as grounds for refusal of claims, but there are a number of factors that affect a person seeking asylum's ability to narrate past experiences fully to the those interviewing them. This research aimed to explore the perspectives of UK-based medico-legal report-writing doctors, lawyers and psychologists on the processes that affect asylum seekers' abilities to disclose sensitive personal information in interview settings. Eighteen professionals participated in semi-structured interviews in individual or focus group settings to discuss, from their perspectives of extensive collective professional experience, the 'narrative dilemmas' experienced by asylum seekers with whom they have worked. These included:

1. Omission of information

The majority of participants had worked with asylum seekers who had omitted a piece of information at least once during their claim for asylum when, for example:

- the information was of a sensitive nature such as sexual trauma, or
- they were unclear about the pertinence of a piece of information for the interviewer, or when they were asked a direct question in one interview but not in another.

People seeking asylum who had perpetrated acts of betrayal or violence often did not disclose these experiences in the first interview or meeting with a professional due to guilt, shame and stigma, as well as lack of trust in the professional. People sometimes omitted information owing to fear of repercussions from people who exercised control over them, such as human traffickers or state authorities in their countries of origin whom they sometimes suspected of colluding with UK state authorities. According to participants, people seeking asylum with whom they worked with

⁷ Herlihy, J., & Turner, S. (2015). Untested assumptions: psychological research and credibility assessment in legal decision-making. European journal of psychotraumatology, 6(1), 27380

⁸ Bohmer, C., & Shuman, A. (2018). Political asylum deceptions. Springer Berlin Heidelberg.

⁹ Nyers, P. (2006). Rethinking refugees: Beyond state of emergency. Routledge

¹⁰ Independent Chief Inspector of Borders and Immigration (2020). An inspection of asylum casework. 148 ¹¹ Ibid. 148

¹² Vrij, A. (2000). Detecting lies and deceit: The psychology of lying and implications for professional practice. Wiley

may doubt the confidential nature of interviews with UK professionals and as a result omit information.

2. Alteration of information

Participants often found that the asylum narratives they heard from their clients were altered over time. This included delayed disclosure of some aspects of asylum seekers' past experiences. Information disclosed later would replace information that had been omitted (as mentioned above) or fabricated (for reasons discussed below.) People seeking asylum sometimes disclosed new information in the setting of an increasingly trusting relationship with the interviewer over time; on advice of a friend or family member; in response to changing levels of stigma in the community; or in situations of external pressure such as being under oath in court. Examples of changed narratives included minor details such as changes of dates to the disclosure of new significant traumatic events such as rape.

Survivors of human trafficking had often been given information by their traffickers, such as names of locations they had crossed in order to reach the UK: they had believed this information and repeated it in their interviews. Some survivors of trafficking had been specifically instructed to tell a fabricated story and had complied with the instruction because of threats, or due to the power they perceived their traffickers had over them.

"With the minor details or changes in dates, and things, I would say that's memory. With more significant, kind of, omissions, I guess, I would say it's normally trust."

3. Embellishment of information

Interviewees gave examples of people embellishing their accounts in the hope that this would make them stronger, when it would actually have the opposite effect if uncovered.

"A lot of [these people] come from a background of very limited education, shepherds, and then have an experience of living in a conflict zone, domestic violence, their father's been murdered in front of them, and then maybe they've decided to add on a torture story because somebody's told them that won't get you asylum and you need to have been tortured [to get asylum]. Maybe they have been and maybe they haven't, but a whole lot of other bad stuff has happened to them."

Psychologist participants also gave examples of people seeking asylum embellishing their symptoms as an attempt to get help for their unmet needs.

4. Influence of trauma on disclosure

Participants reported the inability to verbalise experiences due to the effects of sustained periods of intimidation and subordination on survivors of trafficking and/or servitude and torture. This resulted in an inability to develop an identity or narrative of their own. Sexual trauma, linked to feelings of embarrassment, shame and humiliation, was cited as one of the most difficult experiences for asylum seekers to disclose due to fears of social stigma and resultant social exclusion.

The skewed self-perception of some asylum seekers could affect how they presented certain experiences to their interviewers. This was particularly the case with victims of childhood abuse who had fragmented memories of their past and may not have understood their experiences as constituting abuse, but for who the trauma had continuing or long-standing effects.

All participants spoke about the 'fragmentation' of memories that can occur with Post-Traumatic Stress Disorder, which can lead to 'gaps' in the individual's narrated history and 'inconsistent' accounts. Participants spoke about the effects of dissociation on the people seeking asylum's ability to disclose a full and complete history. Avoiding talking about the traumatic event, and avoiding external reminders of the traumatic event, can also complicate disclosure.

Participants continually underlined the importance of non-verbal cues and noted that non-audible features of clients' accounts were mostly absent from transcripts of Home Office interviews.

5. Other factors

Other factors that contributed to narrative dilemmas experienced by the asylum seekers they worked with included:

- physical features of the room
- the gender of the interviewer
- the role of interpreters
- interviewer expectations of emotional congruence from asylum seekers.

The challenges faced during Home Office interview when seeking asylum in the United Kingdom: An interpretative phenomenological analysis – Key findings

This study aimed to gain an in-depth understanding of refugees' experiences of the Home Office interview process through a rigorous analysis of the content of eight semi-structured interviews. The following specific themes were identified:

1. Lack of knowledge of the realities of refugees' lives prior to reaching the UK

Participants felt there was systemic ignorance in the Home Office of the lived experiences of refugees prior to their seeking asylum in the UK and of the realities of the situation in their countries of origin. Caseworkers struggled to comprehend that a refugee's previous life might have been superior to living in the UK and that someone seeking asylum may not simply have come from poverty in search of a 'better life'. This is linked to a 'colonial view' of the global South as undeveloped and poor.

2. Barriers to disclosure

Fear, shame and trauma are all barriers to disclosure. Many participants struggled to speak about experiences they perceive as shameful. However, the resulting omission of information can end up being used as grounds for refusal. Although therapy can help people transform emotions into words, most of the participants felt that it was impossible to describe everything in an interview.

"A situation where somebody has been under control for many years, it takes a while for everything to come out, at the same time. [...] I didn't lie to you. I said the truth, I didn't say it before, because I was under oath, I was under oath, I was afraid".

(The 'oath' in this quote refers to an oath-taking ritual in which the person was sworn to secrecy with the prospect of powerful punishment if they broke the oath).

People seeking asylum need time and support to articulate their relevant experiences.

3. Hostile interviewing

Home Office interviewers were viewed by most participants as intentionally cruel, domineering and dehumanising. Some were described as intentionally trying to manipulate mistakes and to confirm a pre-conceived notion that the applicant is 'bogus'. The interview process was perceived as very adversarial.

"There are things you've said before, but they will try to put words into your mouth, in order for them to use against you. If you are not strong and you are not accurate enough, you will end up saying what you are not even meant to be saying."

The approach of the interviewer can also negatively affect the interviewee's narrative. This might be quite subtle – for example, using a different tone of voice – but can result in the silencing of an important part of an individual's story. Additionally, the questions which are asked were seen as designed to dehumanise, and to demonstrate that the interviewee is 'less than' the Home Office interviewer. This can exacerbate existing feelings of fear, shame, and trauma and impede what the interviewee can explain coherently.

4. Support through the interview process

Whilst most described a rejecting, destructive interview experience, all participants described moments of relative 'reprieve' and people who worked to understand the interviewees reasons for seeking asylum, listen to them 'properly' and support them through the substantive interview process so they were heard and understood. Many of the participants described the invaluable role of some of the professionals, such as their solicitors or support workers, without whom success, and in many cases survival, would have been impossible.

The importance of having an interviewer of the same gender was emphasised – one participant was interviewed by someone of the opposite gender which inhibited what they felt able to discuss.

5. Long term negative impact

The participants in the research had experienced torture and interpersonal violence prior to arriving in the UK and described their experience of the UK asylum process as akin to that. At times death felt preferable to the suffering experienced while negotiating the UK asylum process. Those interviewed felt dehumanised and unwelcome and that the process has resulted in a further trauma. Research has already highlighted that factors relating to the asylum interview can be a key

part of post-migration stress.¹³ In this study, most participants interviewed indicated that despite their having been being granted refugee status, the negative impact on their mental health, directly related to the Home Office process, was ongoing.

Conclusion

Much has already been written about the 'culture of disbelief' in the Home Office.¹⁴ The research covered in this briefing found that those seeking asylum still experience Home Office caseworkers as biased towards disbelief and the discrediting of applicants. The decisions that Home Office caseworkers make are complex, and no doubt a small cohort of applicants do intentionally use deception to gain refugee status. Yet the participants in the 2022 research, all of whom had claims that ultimately proved successful, described a system they experienced as constructed to reinforce its preconceived disbelief of an applicant's claim. This supports previous research which has described the interview style of the Home Office as adversarial, with little opportunity for the applicant to explain themselves.¹⁵

There is a wealth of existing research on the impact of shame¹⁶ and trauma¹⁷ on a person's ability to disclose and narrate their experiences coherently, particularly if they do not fully trust the interviewer;¹⁸ and the role of fear, particularly for those who have been trafficked.¹⁹ This is also referred to in Home Office guidance.²⁰ Details of traumatic events are sometimes not revealed or revealed gradually over the course of a trusting professional relationship or following the perceived safety of successfully being granted leave to remain in the UK. Any expectation that people seeking asylum can make full disclosures of their past experiences is unrealistic because disclosure is often a prolonged process which cannot be achieved in a singular interview. Similarly, expectations around the accuracy of detail in a narrative, or consistency over time, are incompatible with the processes of human memory, particularly in individuals suffering from PTSD.

A listening, trusting environment which provides time and space is often essential for people seeking asylum to be able to transform their experiences and emotions into words. While it is not impossible to talk about their reasons for seeking asylum in a complete and coherent manner, to do this at the initial interview and particularly in contexts which do not feel open and safe, is an unrealistic and possibly unreasonable requirement.

¹³ Jannesari, S., Hatch, S., Prina, M., & Oram, S. (2020). Post-migration Social–Environmental Factors Associated with Mental Health Problems Among Asylum Seekers: A Systematic Review. Journal of Immigrant and Minority Health ¹⁴ Bohmer, C., & Shuman, A. (2018). Political asylum deceptions. Springer Berlin Heidelberg

¹⁵ Bonmer, C., & Shuman, A. (2018). Political asylum deceptions. Springer Berlin Heidelberg ¹⁵ Generals II, L. B. (2017). Durage using a law and durates in its the United Visconders's evidence of the second states.

 ¹⁵ Campbell, J. R. (2017). Bureaucracy, law and dystopia in the United Kingdom's asylum system. Taylor & Francis.
¹⁶ Bögner, D., Brewin, C., & Herlihy, J. (2010). Refugees' Experiences of HO Interviews: A Qualitative Study on the Disclosure of Sensitive Personal Information. Journal of Ethnic and Migration Studies, 36(3), 519–535

¹⁷ Herlihy, J., Jobson, L., & Turner, S. (2012). Just Tell Us What Happened to You: Autobiographical Memory and Seeking Asylum. Applied Cognitive Psychology, 26, 661–667

¹⁸ Brand, B. L., Schielke, H. J., Brams, J. S., & DiComo, R. A. (2017). Assessing Trauma Related Dissociation in Forensic Contexts: Addressing Trauma-Related Dissociation as a Forensic Psychologist, Part II. Psychological Injury and Law, 10(4), 298–312

¹⁹ Van der Watt, M., & Kruger, B. (2017). Exploring 'juju' and human trafficking: Towards a demystified perspective and response. South African Review of Sociology, 48(2), 70–86

²⁰ See Home Office guidance on <u>Asylum interviews</u>

The poor mental health found among refugees, in comparison to the general population, has been attributed to pre-migratory²¹ peri and post-migratory experiences.²² Although the government has little control over what has happened to refugees *before* their arrival in the UK, many post-migratory stressors are readily manageable and could be mitigated through changes in Home Office procedures and policy. Such changes could have a positive impact on health outcomes for refugees in the UK.

Recommendations

- The Windrush Report called on the Home Office to "recognise that migration and wider Home Office policy is about people and, whatever its objective, should be rooted in humanity". The Home Office should continue working to make this a reality and to create a culture of curiosity rather than one of suspicion and disbelief.
- Home Office interviewers should gain increased awareness of trauma and PTSD through training, guidance on ongoing supervision, so that they are able to understand the process of disclosure in its complexity with the aim of making the interview environment conducive to gaining asylum seekers' trust and making them feel safe enough to disclose their full history. Guidance and training should include reference to the Helen Bamber Foundation's Trauma-Informed Code of Conduct.²³
- All people seeking asylum should be able to make their own decision as to whether to have a remote or face to face interview. They need to be fully informed about the interview process and have the opportunity and space to make that decision, with a full understanding of the risks of going ahead with a remote interview and implications of not going ahead with one.
- Where an interview is face to face, interviewers should consider in advance and where possible adjusting features of the interview setting to suit the specific needs of clients, such as lighting and noise levels, as well as the gender of the interviewer and/or interpreter.
- Non-verbal information shared by the client, such as signs of distress or symptoms of PTSD, should be incorporated into interview notes as standard practice.

²¹ Fazel, M., Wheeler, J., & Danesh, J. (2005). Prevalence of serious mental disorder in 7000 refugees resettled in western countries: A systematic review. The Lancet, 365(9467), 1309–1314.

²² Steel, Z., Chey, T., Silove, D., Marnane, C., Bryant, R. A., & Van Ommeren, M. (2009). Association of torture and other potentially traumatic events with mental health outcomes among populations exposed to mass conflict and displacement: A systematic review and meta-analysis. Jama, 302(5), 537–549.

²³ Helen Bamber Foundation <u>Trauma Informed Code of Conduct (TICC)</u>