

"YOU CANNOT SWITCH OFF TRAUMA ON DEMAND"

Mental health, memory and disclosure
for trafficking survivors

September 2026



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The Helen Bamber Foundation (HBF) is a specialist clinical and human rights charity that works with survivors of trafficking, torture and other forms of extreme human cruelty. Our multidisciplinary and clinical team provides a bespoke Model of Integrated Care for survivors which includes medico-legal documentation of physical and psychological injuries; specialist therapeutic care; a medical advisory service; a counter-trafficking programme; housing and welfare advice; legal protection advice; and community integration activities and services.

HBF's Ambassadors for Change is a group of survivors with experience of the UK asylum system who campaign to ensure London is welcoming and fair for other people seeking safety. We extend particular thanks to 'James', a survivor² of trafficking whose comments on the difficulties of disclosure are included throughout this briefing.

Introduction

In November 2025, the Home Office set out a wide range of reforms to the UK's asylum and immigration system in the policy paper 'Restoring Order and Control'. These included, in the section on 'Human rights and modern slavery reform', the proposal that a stronger link should be made between "*timely disclosure*" and credibility.³ Since then, further changes have been made or proposed to legislation and policy⁴ relating to trafficking survivors and credibility, many of which relate to how and when survivors should share their experiences of trafficking and exploitation ('disclose') and seek recognition as victims.

¹ James (pseudonym). A survivor and Ambassador for Change at HBF.

² The terms "survivor" and "victim" are used throughout this briefing. "Victim" is generally used wherein a specific legal test/process is being referred to wherein an individual is identified as such. HBF is led by the experiences of our clients who have informed us that they can prefer the term "survivor".

³ Home Office, "[Policy Paper: Restoring Order and Control: A statement on the government's asylum and returns policy](#)" 21 November 2025.

⁴ See the 2026 Kings Speech which outlined planned legislation to "address potential misuse while maintaining essential protections. This includes addressing late presentation of modern slavery experience, which can significantly increase the time taken to identify individuals and move them through the system" Prime Minister's Office, "[King's Speech 2026: background briefing notes](#)" 13 May 2026

The presumption within these changes that survivors' disclosure of traumatic experiences should be swift, immediate and (above all) within the Home Office's set timeframe is not entirely new but the intensity of the focus on rapid disclosure reflects the narrative adopted by this and previous governments that survivors are 'abusing' the current trafficking and modern slavery protections 'late' in the process, with "vexatious, last minute claims" used as a means of preventing their removal from the UK.⁵ The lack of evidence for this has been repeatedly demonstrated.⁶

The government's changes ignore the lived reality of survivors and of clinical research on this topic. Most concerningly, they risk rendering survivors more vulnerable to exploitation if they are denied access to support, protection and remedies owing to their trauma presentation.

Drawing from professional HBF experience, the experiences of our clients, and existing research⁷ this briefing examines the issues with disclosure for non-British national survivors, with a particular focus on mental health and trauma-related mental health symptoms.

The National Referral Mechanism, asylum system and disclosure

The asylum and immigration systems which survivors of trafficking and other forms of extreme human cruelty often need to navigate depend on disclosure in different forms.

A core component of the National Referral Mechanism (NRM) – the system for both identifying and supporting potential victims of human trafficking and modern slavery in the UK – is the two-stage referral process and system whereby referrals are made by 'First Responders'⁸ (rather than the individuals themselves). This reflects the established duty in the European Convention on Human Rights and the Council of Europe Convention on Action against Trafficking (ECAT) that *States* (rather than the victims themselves) must identify potential victims of trafficking.⁹ This is for many reasons, including, as the Home Office has recognised, that *"victims' disclosures of historic events are often*

⁵ ["Joint Response to the announcement of reforms to the modern slavery network"](#), May 2026.

⁶ Record numbers of negative NRM decisions are being overturned after being reconsidered (see Free Movement, ["Nearly 90% of conclusive grounds reconsiderations result in positive outcome and more UK referrals than ever"](#) 14 May 2026); vanishingly small numbers of individuals have been disqualified on grounds of "bad faith" (In 2025, of the 23,411 NRM referrals made 6 were disqualified on grounds of 'bad faith' Home Office, [Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2025](#), 19 February 2026) and there are high numbers of asylum refusals overturned on appeal (see Refugee Council, [Number of people waiting for asylum appeal almost doubles](#), 12 March 2026; all indicating that of the problem is not deception but poor decision making. In 2022, UN special rapporteurs expressed 'alarm' at the "the rise in unsubstantiated claims by public officials and Government departments" about those seeking modern slavery and trafficking protections, stating that "there is little evidence to support these claims and generalising them is dangerous and regressive". See [UK: UN experts condemn attacks on credibility of slavery and trafficking victims](#), December 2022

⁷ This topic is complex and broader than the scope of this briefing. Links and references to updating research have been included throughout and further HBF research to this topic can be found on the HBF website.

⁸ 'First responder organisations' are (in England and Wales) authorities authorised to "refer a potential victim of modern slavery" into the NRM. A detailed list of all organisations permitted to do so can be found in Home Office guidance. Home Office/UKVI, [National referral mechanism guidance: adult \(England and Wales\)](#), 07 April 2026

⁹ Article 4 of the European Convention on Human Rights (prohibition of slavery, servitude and forced labour) has been established in caselaw to include trafficking *Rantsev v. Cyprus and Russia* (2010) 51 EHRR 1. Article 10 of the Council of Europe Convention on Action against Trafficking establishes the States' duty to identify victims.

delayed" which "may be due to an unwillingness to self-identify, or due to the impact of trauma".¹⁰ It is understood that "a delay in disclosing facts should not be viewed as manipulative or taken to mean that facts are untrue."¹¹

Accordingly, the first of the two NRM identification decisions (also known as the 'Reasonable Grounds' decision) made by the Home Office is to a low legal threshold; i.e. that there are *"reasonable grounds to believe"* that a person is a victim of trafficking - with an understanding that it is likely further evidence/disclosures may come following that initial decision before the final Conclusive Grounds decision is made.

Many non-UK national survivors within the UK are also in the asylum system. Approximately 85% of the trafficking survivors supported by HBF have both claimed asylum and been referred into the NRM.¹² Under the current asylum procedure, adults seeking asylum seekers are usually initially subject to at least two main interviews: a screening interview and a substantive interview.¹³ At the 'screening interview', biometrics are taken and basic information is recorded as necessary to register an individual's asylum claim.¹⁴ Later in the process, an applicant will attend a 'substantive' asylum interview within which details as to the background of their claim are elicited and they are given one of their main opportunities to evidence why they require protection.¹⁵ Both interviews are conducted by Home Office officials whom the person seeking asylum has not previously met. In HBF's experience, people seeking asylum have often not discussed their trauma history with anyone else at the point they are interviewed by the Home Office about it. There is, again, recognition in Home Office guidance that this process might be particularly hard for survivors of *"[t]orture, trauma and serious harm"*. The guidance sets out that such individuals *"[...] may find it difficult to recount or disclose details of what has happened to them because of the traumatic and sensitive nature of those experiences."*¹⁶

However, despite this explicit understanding of the difficulties that survivors experience, proposed legislative changes could make it even more difficult for survivors who have struggled with disclosure.

¹⁰ Home Office, [Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and Non-Statutory Guidance for Scotland and Northern Ireland Version 4.7](#) 27 August 2026.

¹¹ Ibid.

¹² The remaining 15% of trafficking survivors might not have been in both systems for a range of reasons. Some might not meet the legal definition of a refugee and so have sought advice on other routes to regularise their status in the UK. Others might not wish to pursue the process of claiming asylum. On the other side, occasionally clients with pending asylum claims despite being advised on the NRM, do not feel willing or able to pursue it (this can sometimes be the case for the most traumatised of clients, where their trafficking history is still being explored and disclosed).

¹³ Depending on the complexity of the claim and other circumstances, some asylum seekers might have more than one substantive interview.

¹⁴ The ultimate aim of screening is to take details necessary to lodge an asylum claim as opposed to full information on a person's background. Where necessary, further referrals or signposting can be made following this interview. Home Office, [Asylum screening and routing](#), July 2024.

¹⁵ Home Office, [Asylum Interviews](#), October 2025

¹⁶ Home Office, [Assessing credibility and refugee status in asylum claims lodged on or after 28 June 2022: Version 13:0](#) 28 September 2023.

The proposed changes in the Immigration and Asylum Bill

On 30 June 2026, the Immigration and Asylum Bill (IAB) 2026 was formally introduced to Parliament. Under clause 36¹⁷ of the Bill, the following factors would be considered as damaging to the credibility of a referee to the NRM:

- a) Any “delay” in the person making a claim that they are a “victim of modern slavery” or in providing relevant information in relation to NRM decisions¹⁸;
- b) Any material inaccuracies, inconsistencies or omission in the information provided by a person either to the NRM or in other protection or human rights claims as well as in any civil or criminal proceedings they are a part of.
- c) Any “striking similarity” between the information given by a referee in their NRM referral and information provided by another person in connection to in other protection or human rights claims as well as in any civil or criminal proceedings they are a part of.¹⁹

These factors will only not apply to a person’s case if “good reasons” are given for them.²⁰

The language and structure of this proposed legislation closely reflects changes to policy which came into effect in May 2026 with the publication of new, heavily amended, ‘Modern Slavery’ guidance²¹ which explicitly set out the *“impact of the timing of disclosure on credibility”*.²² In July 2026, amendments were also made to the Immigration Rules²³ so that some people might have their asylum claims refused without any substantive interview or the opportunity to present further information.

All these changes risk punishing survivors for not disclosing in a certain way and by a distinct deadline, which does not reflect the way we know disclosure takes place.

¹⁷ This is the relevant clause at time of writing.

¹⁸ It is clarified that delays here can be linked to a new “claim notices” procedure, also introduced by the IAB at (at time of writing) Clause 11, Immigration and Asylum Bill 2026.

¹⁹ See (at time of writing) Clause 36 of the IAA Bill which amends part 5 of the Nationality and Borders Act 2022 (modern slavery).

²⁰ Ibid.

²¹ Aimed at identifying and ensuring support for victims of modern slavery and human trafficking. Home Office, [‘Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and Non-Statutory Guidance for Scotland and Northern Ireland: Version 4.6’](#), 11 May 2026. NB: This guidance has since been updated with these sections retained Home Office, [Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and Non-Statutory Guidance for Scotland and Northern Ireland Version 4.7](#) 27 August 2026

²² Home Office, [Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and Non-Statutory Guidance for Scotland and Northern Ireland: Version 4.6](#) 11 May 2026. For further explanation of these changes, see Helen Bamber Foundation, [Helen Bamber Foundation’s response to updated Home Office guidance on disclosure and credibility of trafficking survivors](#), 12 May 2026.

²² [Joint Response to the announcement of reforms to the modern slavery framework](#), May 2026.

²³ A detailed set of rules which set out regulations of who can enter or remain in the UK.

(a) “Delay” in making a claim to be a victim or “providing relevant information”

“The first interview happens very soon after arriving in a new country, when you don't know anyone or understand what will happen next. Many survivors are living with trauma, memory loss, fear and shame.

You cannot switch off that trauma on demand. It takes time to build enough trust to speak about experiences like trafficking and exploitation, and many people only feel able to disclose what happened little by little.”²⁴

HBF's Trauma-Informed Code of Conduct²⁵ is a best practice guide for all professionals working with survivors and is referred to in Home Office guidance on trauma-informed practice in identifying “victims of modern slavery”.²⁶ Within the guidance, the “difficult process” of disclosure, particularly for legal procedures, is set out in detail and it is highlighted repeatedly that survivors should be enabled to do so at their own pace and with understanding (on the professionals' part) that it is highly unlikely to be possible to obtain full disclosure of a trauma history at an early stage.

The many obstacles faced by survivors disclosing their trauma are also witnessed by writers of Medico-Legal reports (MLRs), which document the psychological and physical results of torture and other forms of ill-treatment to which an individual has been subjected, in the preparation of their reports. The fact that disclosure of ill-treatment (particularly in great detail) can take a very long time is recognised and understood within the Istanbul Protocol (the UN manual which provides guidance on writing MLRs and with which all HBF MLRs are compliant)²⁷ In 2025, research was conducted with people seeking asylum on the process of undergoing MLR assessments. Participants shared that they struggled to disclose a traumatic experience even where it was understood that doing so might assist with their case:

“I felt afraid. Speculatively . . . I imagined getting told to talk about the past which I always want to keep away from”

“[I felt] worried about having to open it all up”

“[...]end of the day this is all for my own good but I couldn't help but feel angry that I had to go through that.”

²⁴ Quote from James, Ambassador for Change.

²⁵ HBF, [Trauma-informed Code of Conduct](#), 24 January 2022.

²⁶ Home Office, [Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and Non-Statutory Guidance for Scotland and Northern Ireland Version 4.7](#), 27 August 2026

²⁷ The manual created by the Office of the United Nations High Commissioner for Human Rights (OHCHR) – offering guidance on investigating and documenting torture and ill-treatment. See amongst others, paras, 274-276, 455 and 530. United Nations Human Rights Office of the High Commissioner, [Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#), 2022. HBF Medico-Legal Reports are prepared in accordance with this protocol. See Helen Bamber Foundation, [Medico-Legal Reports](#).

“I felt like I was...vomiting these horrible things [...] that doesn’t make any sense and to me it felt like I was, I was making it light...it was as if I was talking about a mundane thing but to me it was very painful..

“I felt...lots of pain when I was explaining...the pain I was going through during my torture...and the things I saw there, the way I felt them...sometimes I felt in my body kind of real-time pain...”²⁸

Research has identified multiple barriers to survivors disclosing personal information to all the professionals around them and the “dilemmas around disclosure” including within Home Office interviews (see further details below).²⁹ When rapport is built, disclosure can follow but this can take very considerable time.³⁰ The expectation of a full disclosure of a trauma history in a single interview is unrealistic,³¹ and risks hindering proper and needed identification of survivors.³²

HBF has extensive experience within our Model of Integrated Care³³ (MOIC) of the time it can take to establish sufficient rapport with a client to enable disclosure. It is common that, within our services, clients may disclose a traumatic trafficking experience for the first time, including experiences which have not been discussed with any of the (often many) professionals with whom they have previously interacted. A client might enter our service without having been identified as a trafficking survivor on referral and it is only through established contact with team members over a long period of time that they are identified as a survivor. A key component of trauma-informed working is recognising this and the need to work to build an effective working relationship of trust to build an accurate and detailed understand of what happened in the past.³⁴ These barriers have been observed by HBF clinicians for years in their work with traumatised people.³⁵

²⁸ McDonnell, M., McGowan, J., Weldon, E., & Katona, C [The experiences of undergoing medico-legal assessments when seeking asylum in the UK: an interpretive phenomenological analysis](#). *Psychiatry, Psychology and Law*, 2025, 1–21.

²⁹ Abbas P, von Werthern M, Katona C, Brady F, Woo Y. [The texture of narrative dilemmas: qualitative study in front-line professionals working with asylum seekers in the UK](#). *BJPsych Bulletin*. 2021;45(1):8-14; Bögner, D., Brewin, C., & Herlihy, J. [Refugees’ Experiences of Home Office Interviews: A Qualitative Study on the Disclosure of Sensitive Personal Information](#). *Journal of Ethnic and Migration Studies*, 36(3), 2010, 519–535.

³⁰ Abbas P, von Werthern M, Katona C, Brady F, Woo Y. [The texture of narrative dilemmas: qualitative study in front-line professionals working with asylum seekers in the UK](#). *BJPsych Bulletin*. 2021;45(1):8-14

³¹ Ibid.

³² Bögner, D., Brewin, C., & Herlihy, J. [Refugees’ Experiences of Home Office Interviews: A Qualitative Study on the Disclosure of Sensitive Personal Information](#). *Journal of Ethnic and Migration Studies*, 36(3), 2010, 519–535.

³³ See Helen Bamber Foundation, [Our Referrals](#) for details of this service and its remit.

³⁴ Helen Bamber Foundation, [Trauma Informed Code of Conduct](#), January 2022.

³⁵ Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, [“Report on Trafficking in Human Beings Amounting to Torture and other Forms of Ill treatment”](#) 2013 (see pages 66 onwards) and Helen Bamber Foundation and Kings College London, [Briefing Paper: The mental health difficulties experienced by victims of human trafficking \(modern slavery\) and the impact this has on their ability to provide testimony](#), February 2017.

Habibul's³⁶ story

Habibul had been accessing support from HBF since 2019. He had attended stabilisation and trauma-focussed therapy for years and had two psychological Medico-Legal Reports (a full and supplementary).³⁷ In late 2025, he first disclosed an experience of labour exploitation in the UK that had taken place over a decade ago during an HBF community group. Habibul felt able to disclose the experience for the first time with a group of friends he had made at HBF with similar backgrounds in the company of a trusted HBF professional who was facilitating the meeting. Habibul had no idea that this experience might be of relevance to his legal case and it was only at HBF's suggestion that he then raised this experience with his legal representative. He was then referred to the NRM. His case clearly illustrates that even with extensive trauma-informed support, disclosure might come later in a person's immigration and asylum claim, at no fault of the individual.

(b) "Inaccuracies, inconsistencies or omission": The impact of trauma, shame and fear on disclosure.

Trauma and memory

The proposed changes in the IAB seem to rest on the fundamentally incorrect assumption that memory for traumatic experiences will always be accurate enough to meet the Home Office's high standards. Everyday human experience shows that this is not the case. Memories (even those of non-traumatic events held by people without a history of significant trauma) can be inaccurate, unstable and incomplete depending, for example, on how long has passed since the event took place or the current stability of the person and whether there is any ongoing threat to them. The extent of these inaccuracies can be amplified considerably by trauma.³⁸

Years of research have shown the high prevalence of post-traumatic stress disorder (PTSD) and complex-PTSD amongst survivors of trafficking.³⁹

Trauma affects how the brain stores and retrieves memories. People with PTSD often struggle to recall traumatic events clearly, and especially to give a consistent, chronological account of what

³⁶ Pseudonym used to protect Habibul's identity.

³⁷ A Psychological Medico-Legal Report comprises a psychological assessment and subsequent report, completed by a psychologist which documents the psychological result of the ill-treatment to which an individual has been subjected. A supplementary report is an additional report prepared by another specialist. Both reports were, in this case, psychological so documenting of mental health sequelae rather than physical.

³⁸ Helen Bamber Foundation and Kings College London, [Briefing Paper: The mental health difficulties experienced by victims of human trafficking \(modern slavery\) and the impact this has on their ability to provide testimony](#), February 2017.

³⁹ Jowett S, Argyriou A, Scherrer O, Karatzias T, Katona C. [Complex post-traumatic stress disorder in asylum seekers and victims of trafficking: treatment considerations](#). *BJPsych Open*. 2021;7(6):e181; de Silva U, Glover N, Katona C. [Prevalence of complex post-traumatic stress disorder in refugees and asylum seekers: systematic review](#). *BJPsych Open*.

happened and its contextual details. Rather than being stored as a coherent narrative, traumatic memories can be experienced in a more raw, sensory way as, for example as vivid images, sounds or physical sensations. Memories of traumatic experiences can become fragmented, resulting in “gaps” in a history which can again result in a narrative labelled as “inconsistent.”⁴⁰ Sometimes when a person with PTSD is reminded of their trauma it can be as though it is experienced in the present. This can take the form of flashbacks or nightmares with physical responses by the body as though the person is in danger (e.g. a racing heart rate or sweating). The trauma-focussed therapy offered at HBF is directed in part at reducing these ‘re-experiencing’ symptoms and the distressing physical symptoms that accompany them. When a person has PTSD with more severe symptoms (such as nightmares, flashbacks, intrusive memories and avoidance), their account is more likely to be inconsistent despite its veracity.⁴¹

It is a common misconception that inconsistent memory means that an account cannot be trusted but in fact, people are more likely to give inconsistent details about minor or peripheral aspects of a ‘real’ traumatic experience even where the core of what happens remains true.

Shame and fear

It is common for shame and fear to present huge barriers for survivors especially after experiences of sexual violence and trafficking.⁴² This is, again, reflected in Home Office guidance for assessing credibility for asylum seekers with many examples given as to why “*cultural norms, shame or difficulties in disclosing intimate information*” could create real barriers for disclosure.⁴³

Similarly, the Trauma-Informed Code of Conduct highlights that frequent feelings of “shame and humiliation” which survivors can feel can render them unable to express themselves and assert their needs.⁴⁴ Even having or experiencing mental health symptoms can be a source of shame, fear or misunderstanding for some survivors.⁴⁵ Such fear might not always be expressed in a way

2021;7(6):e194; Brady F, Chisholm A, Walsh E, et al. [Narrative exposure therapy for survivors of human trafficking: feasibility randomised controlled trial](#). *BJPsych Open*. 2021;7(6):e196. and Evans H, Sadhwani S, Singh N, Robjant K, Katona C, [Prevalence of complex post-traumatic stress disorder in survivors of human trafficking and modern slavery: a systematic review](#), *The European Journal of Psychiatry*, Volume 36, Issue 2, 2022,

⁴⁰ Abbas P, von Werthern M, Katona C, Brady F, Woo Y. [The texture of narrative dilemmas: qualitative study in front-line professionals working with asylum seekers in the UK](#). *BJPsych Bulletin*. 2021;45(1):8-14

⁴¹ Helen Bamber Foundation and Kings College London, [Briefing Paper: The mental health difficulties experienced by victims of human trafficking \(modern slavery\) and the impact this has on their ability to provide testimony](#), February 2017.

⁴² Bögner D, Herlihy J, Brewin CR. [Impact of sexual violence on disclosure during Home Office interviews](#). *British Journal of Psychiatry*. 2007;191(1):75-81; Baillot H, Cowan S, Munro VE. [Reason to disbelieve: evaluating the rape claims of women seeking asylum in the UK](#). *International Journal of Law in Context*. 2014;10(1):105-139; Ludt, C., Bjørnholt, M., & Niklasson, B. [Speaking the Unspeakable: Disclosures of Sexual and Gender-based Violence in Asylum Credibility Assessments](#). *Nordic Journal of Human Rights*, 2022, 40(3), 441–460.

⁴³ Home Office, [Assessing credibility and refugee status in asylum claims lodged on or after 28 June 2022: Version 13.0](#), 28 September 2026.

⁴⁴ Helen Bamber Foundation, [Trauma Informed Code of Conduct](#), January 2022.

⁴⁵ Helen Bamber Foundation and Kings College London, [Briefing Paper: The mental health difficulties experienced by victims of human trafficking \(modern slavery\) and the impact this has on their ability to provide testimony](#), February 2017.

which is recognisable to a given professional and again, time can be crucial in understanding a given survivors presentation⁴⁶.

Linked to this, in HBF's clinical experience the survivors we support (both with and without PTSD symptoms) often actively try to avoid reminders of their trauma;⁴⁷ something which could be viewed under new legislation as an "omission".

Research conducted with a range of professionals working with people seeking asylum (MLR-writing doctors, lawyers and psychologists), found that survivors might omit information about their past in the aim of not wanting to engage with a painful experience again. A psychiatrist described one patient of his doing this:

“This wasn’t that she didn’t remember. She clearly did. It was much more of a conscious choice of choosing not to re-engage with something that she knew she would find distressing. And there was a sort of moral component to it that she felt she didn’t want to be defined by what had happened”⁴⁸

Sometimes, in the interests of obscuring what they view as “shameful” experiences, survivors might use more “generic” language to discuss what they have gone through rather than speaking about it in simple terms.⁴⁹ This could mean that a highly traumatising experience is not understood as such by the professional working with that person and further detail on the experience could be read in the future as fabricated.

In HBF's clinical experience, for example, many people who have been raped initially describe becoming unconscious and not being aware of what happened to them; only later, when they have build up trust with the HBF clinician, do they feel able to admit to having been raped or to give details of their assault.

Fear, particularly from those who have exerted control over a survivor of human trafficking can also often prevent them from disclosing their traumatic past. Survivors might even presume, particularly when speaking with government employees, that a professional they are dealing with has previously colluded with their exploiters.⁵⁰ A recent collaborative study between HBF and University College London detailed the firsthand accounts of “oath-taking” (within the context of a

⁴⁶ Helen Bamber Foundation, [Trauma Informed Code of Conduct](#), January 2022.

⁴⁷ Helen Bamber Foundation and Kings College London, [Briefing Paper: The mental health difficulties experienced by victims of human trafficking \(modern slavery\) and the impact this has on their ability to provide testimony](#), February 2017.

⁴⁸ McDonnell, M., McGowan, J., Weldon, E., & Katona, C. [The experiences of undergoing medico-legal assessments when seeking asylum in the UK: an interpretive phenomenological analysis](#). *Psychiatry, Psychology and Law*, 2026, 33(3), 647–666.

⁴⁹ Chaffelson, R., Smith, J. A., Katona, C., & Clements, H. [The challenges faced during home office interview when seeking asylum in the United Kingdom: an interpretative phenomenological analysis](#)¹. *Ethnic and Racial Studies*, 2023, 46(7), 1269–1289.

⁵⁰ Abbas P, von Werthern M, Katona C, Brady F, Woo Y. [The texture of narrative dilemmas: qualitative study in front-line professionals working with asylum seekers in the UK](#). *BJPsych Bulletin*. 2021;45(1):8-14

traditional spiritual practices across a range of West African contexts) and how it had been used to exert control on survivors in the UK. For some participants in the study, part of fear of repercussions from their oath lead to them withholding any mention of it.⁵¹ In 2022 a systemic review of literature on ritual use in human trafficking identified the difficulties of intervention and building trust in these cases. Given the complexity of such cases, the research established that a “cautious, open-minded approach centred on building trust” was crucial.⁵²

Trust and safety

“We are human beings, and before we can talk about our trauma, we need to feel safe and be able to trust the person asking the questions.”⁵³

Establishing and developing a trusting relationship can be a turning point for disclosure and it can occur with a broad range of professionals.⁵⁴ A large part of building that trust can be recognising that survivors can continue to feel unsafe for a long period after objective risk has been mitigated and working to impart a sufficient sense of safety. Research has found that many factors can impact the level of disclosure, including the kind of professional they were interacting with, the length and number of appointments with the person and for how long a professional relationship had been established.⁵⁵

In the updated Modern Slavery guidance, decision makers are told that they should not issue a negative decision regarding ‘delayed disclosure’ if it is deemed that the individual lacked “opportunities to disclose, or if concerns about comprehension, support, or safety were raised at the time of the disclosure opportunity and not addressed.”⁵⁶ It is however suggested that an initial asylum interview could constitute a “safe opportunity” to disclosure. This ignores the wealth of evidence on the psychological, practical and institutional barriers and exist in such interviews.⁵⁷

Research into the experiences of people seeking asylum in their Home Office interviews revealed a strong sense of the experience as a hostile one; with almost all participants perceiving the asylum claims procedure as designed to “find reasons for rejecting an application”.⁵⁸ Home Office interviewers were experienced as tyrannical and domineering.⁵⁹ The assessment of asylum

⁵¹ Wilson, R., Brady, F., Weldon, E., & Gratton, J. [Survivor Accounts of the Use and Impacts of Oath-Taking Within Human Trafficking in the UK](#). *Journal of Human Trafficking*, 2026, 1–14.

⁵² Chisholm A., Mark I, Unigwe S and Katona C. (2022) [Rituals as a Control Mechanism in Human Trafficking: Systematic Review and Thematic Synthesis of Qualitative Literature](#). April 2022, *Journal of Human Trafficking*, 10(4):582-605

⁵³ James, Ambassador for Change.

⁵⁴ Abbas P, von Werthern M, Katona C, Brady F, Woo Y. [The texture of narrative dilemmas: qualitative study in front-line professionals working with asylum seekers in the UK](#). *BJPsych Bulletin*. 2021;45(1):8-14

⁵⁵ Ibid.

⁵⁶ Home Office, [Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and Non-Statutory Guidance for Scotland and Northern Ireland Version 4.7](#), 27 August 2026

⁵⁷ Chaffelson, R., Smith, J. A., Katona, C., & Clements, H. (2023). [The challenges faced during home office interview when seeking asylum in the United Kingdom: an interpretative phenomenological analysis](#)¹. *Ethnic and Racial Studies*, 2023, 46(7), 1269–1289.

⁵⁸ Helen Bamber Foundation, [Home Office asylum interviews – research findings](#), December 2022

⁵⁹ Ibid.

casework by the Independent Chief Inspector of Borders and Immigration (ICIBI) at a similar time identified that while there was evidence of some good practice, caseworkers still used confrontational or insensitive questioning; were openly skeptical of claimants in interviews; and did not respond appropriately to sensitive disclosures of personal information.⁶⁰

Assuming that a survivor can communicate whether they feel safe or not is also highly problematic. It presumes, for instance, that even if there are psychological barriers to disclosure, these will be sufficiently overcome for the person to articulate what they feel (e.g. that they are feeling shame). Sometimes, an individual may be able to express this, but there can be numerous mental health symptoms which might play a part in preventing them from doing so.

HBF mainly accepts referrals from those with trauma spectrum disorders such as post-traumatic stress disorder (PTSD) and complex PTSD. Many people we work with struggle with the symptom of disassociation. Disassociation is a psychological defence mechanism manifested as a perceived detachment of the mind from the emotional state and the body; whereby a person can disconnect from their thoughts, feelings, memories, surroundings or identity. Such dissociation often occurs in the aftermath of severe trauma’.

On a day-to-day basis, a manifestation of disassociation can be a person seeming to day-dream or be completely disconnected from their surroundings. Disassociation can occur for a range of reasons including where a client is reminded of their traumatic history. Plainly for a person in a disclosure ‘opportunity’, if they were to disassociate at the reminder of their traumatic history, for a variable period of time they are not oriented in time and space. As a result, they would not be able to clearly communicate in detail what is occurring and why they cannot speak to their traumatic history.

(c) “Striking similarity”: complexities of narrative dilemmas

Amongst other things, the extensive control exerted on survivors (often for many years) by their traffickers/exploiters, as well as the shame and ongoing fear they have as a result of their experiences, can impact their narrative; as survivors feel pulled in multiple directions with what they should or should not disclose. As already discussed, this can result in delayed disclosure, inconsistencies, incoherence and omission. It is also important to acknowledge that it might involve *“incorporation of others’ stories, and deliberate alteration in the narrative accounts”*⁶¹ given by survivors. Sometimes traffickers might even have explicitly given instructions for survivors to give false accounts and provided them with such accounts.⁶² Survivors might have been threatened or

⁶⁰ Ibid. See also Helen Bamber Foundation and University of Birmingham, [Asylum interviews in the UK: do they follow the Home Office's interview guidelines? A pilot study](#), September 2024; and Helen Bamber Foundation, [Remote Home Office Substantive Asylum Interviews](#), April 2022

⁶¹ Helen Bamber Foundation and Kings College London, [Briefing Paper: The mental health difficulties experienced by victims of human trafficking \(modern slavery\) and the impact this has on their ability to provide testimony](#), February 2017.

⁶² Ibid.

feared repercussions if they did not use the account given to them.⁶³ They might also sometimes have simply repeated false information that they were told by traffickers (such as names of locations crossed in order to reach the UK) in their interviews because they believed it to be correct.⁶⁴ In cases such as these it is possible that survivors' stories might bear a similarity to one another (over and above the natural similarity which can occur in the life stories of people with comparable cultural and trauma backgrounds).

Sometimes survivors might even embellish stories/symptoms in a wish to get urgent medical support. This can result from desperation, as shared by a doctor in HBF research:

“The things she was presenting with were not consistent with any formal diagnosis ... however, she desperately wanted to get her needs met but it was almost as though she'd heard other people had done it so therefore she put that into the pot to be sure that I would recognise that she needed help. That's how I interpreted it, actually”⁶⁵

It is, of course, important to establish where embellishment/fabrication has happened, but the presence of such embellishment should not in and of itself be taken as evidence that someone does not need help at all or that the core of their account is false. Again, this has been something which has been (correctly) understood in guidance on identifying victims for many years. Home Office guidance states:

“In practice it is not easy to identify a potential victim – there are many different physical and psychological elements to be considered as detailed below. For a variety of reasons, potential victims of modern slavery may also [...] tell their stories with obvious errors and/or omissions”⁶⁶

It is therefore highly concerning that in proposed legislative developments, errors, omissions, embellishments and fabrications like these might all be lumped together as indicative of a lack of credibility if they result in “similar” accounts from survivors.

⁶³ Abbas P, von Werthern M, Katona C, Brady F, Woo Y. [The texture of narrative dilemmas: qualitative study in front-line professionals working with asylum seekers in the UK](#). *BJPsych Bulletin*. 2021;45(1):8-14

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Emphasis added. Home Office, [Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and Non-Statutory Guidance for Scotland and Northern Ireland Version 4.7](#) 27 August 2026

Giving “good reason” for disclosure issues: The structural barriers to disclosure

As outlined extensively above, survivors face multiple psychological barriers to fully disclosing their experiences of trauma. The extent to which disclosure happens can be affected by multiple factors, with time, trust and rapport being key components. In addition to these, there are structural problems within both the asylum and NRM systems that can have an adverse impact on survivors’ ability to disclose, or on that disclosure being acted upon.

NRM referrals

In HBF’s experience, Home Office staff, who can act as First Responders and refer into the NRM,⁶⁷ do not always pick up on indicators of trafficking or refer individuals to the NRM after they first disclosed their trafficking account to the Home Office. These issues can persist when a survivor is detained. As documented extensively, there can be many barriers to identification within detention for survivors. The Home Office has routinely failed to identify vulnerable people or even release people from detention when identified as vulnerable or trafficked.⁶⁸

Whilst police forces are also listed as First Responders⁶⁹ their knowledge, and that of others in the criminal justice system, including legal representatives, of trafficking and the legal protections to trafficking survivors can be poor meaning that those who are criminalised for actions they were forced to commit by their trafficker/s are not identified.⁷⁰

There have also been issues of a lack of underfunding of non-statutory organisations in referring into the NRM. In 2024, a survey circulated to organisations in the modern slavery sector found that 80% of respondents had been turned away in the last six months by non-statutory First Responders whilst trying to refer a potential survivor and 62.5% said they gave up looking for a First Responder in over 20 cases.⁷¹

Asylum screening interviews

The asylum screening interview aims (amongst other things) to ensure that ‘particularly vulnerable’⁷² asylum seekers are identified early on in their asylum process in order to ensure that their claims are processed properly. Research has however found that they are inadequate in doing so. The UNHCR’s audit of asylum screening in the UK, published in 2023, highlighted that:

“registration and screening records were often incomplete, inaccurate, or unreliable, and laws and published policies were not complied with. Central aspects of the screening interview were routinely delegated to interpreters. There were no formal quality assurance systems in place, and managerial

⁶⁷ Home Office, [“National referral mechanism guidance: adult \(England and Wales\)”](#) 7 April 2026

⁶⁸ Helen Bamber Foundation, [“Abuse by the System”](#) 04 October 2022.

⁶⁹ Home Office, [“National referral mechanism guidance: adult \(England and Wales\)”](#) 7 April 2026

⁷⁰ Including the “non-punishment principle”; a principle of not imposing penalties on victims of trafficking for their involvement in unlawful activities “to the extent that they have been compelled to do so”. See Helen Bamber Foundation, [When the law changes sides: the criminalisation of survivors of trafficking in the UK](#), 22 July 2026.

⁷¹ Anti-Trafficking Monitoring Group, [“Non-Statutory First Responder Capacity: 2024 Briefing and Analysis”](#) August 2024

⁷² Guidance outlines that these asylum seekers should be signposted to/given help in accessing additional appropriate services where needed Home Office, [Asylum screening and routing](#), July 2024.

oversight was limited....⁷³ HBF have repeatedly highlighted concerns to the Home Office about the current asylum screening process and its failure to identify survivors of trafficking.⁷⁴

Asylum substantive interviews

In March 2026, UNHCR published their report detailing the findings of a two-year audit into asylum interviews in the UK; compiling findings from auditing files, interviewing Home Office staff and observing some interviews.⁷⁵ Many of the problems in the quality of decision making⁷⁶ were found to stem from the interview process.

Overwhelmingly, it was highlighted that many decisions were made despite insufficient evidence being obtained. The amount and quality of the information that was elicited was determined to a large extent by interview styles. Amongst other issues, it was found that many members of staff were unfamiliar with or did not apply best practice communication methods in vulnerable cases. Further, it was observed that, *"many Decision-Makers lacked the necessary skills to effectively ask questions and gather information during asylum interviews"* and that the interviewing style was unclear. In 75% of the interviews observed, the person seeking asylum was asked to 'briefly' explain their basis of their claim (which UNHCR observed was contrary to what they were also routinely told at the beginning of an interview to give "as much detail as [they could]"). This meant that the individual could, for example, be instructed to establish their claim briefly at the beginning of the interview and told that they could give more information later on, but with no indication given of when further information should be provided. As a result, sometimes there was no point where an asylum seeker could have *"the opportunity to fully state their claim."*⁷⁷

Legal representation

*"Access to good legal advice is also essential. Having a lawyer helps people understand the process, gather the evidence they need and feel less alone. Everyone deserves a fair chance to be heard before a decision is made about their future."*⁷⁸

If a survivor was adequately supported and, essentially, had proper legal representation throughout their NRM referrals and asylum claims, they might feel more able to disclose. However, access to legal aid-funded advice and representation remains incredibly low. It has been calculated that in 2023-2024, the minimum deficit in England and Wales was approximately 57% (as a conservative calculation)⁷⁹ which varied according to region. There remain vast 'legal aid deserts'⁸⁰ where no publicly-funded advice is available. Within the immigration and asylum sector, countless

⁷³ UNHCR UK, [Asylum screening in the UK](#), 26 May 2023.

⁷⁴ See, for example, Helen Bamber Foundation, [Ghettoised and traumatised: the experiences of men held in quasi-detention in Wethersfield](#), December 2023.

⁷⁵ UNHCR UK, ["Asylum Interviews in the UK: Audit Findings and Recommendations"](#) 9 March 2026.

⁷⁶ Only 52% of decisions met the Home Office's quality standards in 2023/2024 and the report also highlighted the 45% of refusals overturned in the year ending March 2025. Ibid.

⁷⁷ Ibid.

⁷⁸ James, Ambassador for Change.

⁷⁹ Dr Jo Wilding, [No Access to Justice 2](#), 2025.

⁸⁰ Ibid.

legal aid lawyers were driven to leave the profession and there are fewer sufficiently qualified and experienced representatives able to take on cases.⁸¹

It is very difficult for people to find their own legal aid lawyers - many have never had legal representation before and often do not know about legal aid and/or they do not have the digital skills or ability to call and email numerous firms to lay out their case clearly and coherently. Referrals often go unanswered and those who do not have a third party, be it an NGO or support network, to help them do this will often struggle to find a lawyer.⁸² From HBF experience, many asylum seekers only acquire legal representation following their screening interview.

Even where representation is obtained, there is no guarantee it will be of high quality, let alone trauma informed. From HBF experience, some clients might face the same issues in disclosure during an asylum interview that they do with a sub-par representative; with limited opportunities to: explain themselves, understand the relevance of information to their asylum claims and have the impact on them of trauma understood.

Unless the systemic issues of both Home Office evidence gathering and the legal aid deficit are adequately addressed; there simply cannot be an expectation that survivor can give “good reasons” for their disclosure and will know what “relevant information” is for their legal matter.

Conclusion

This briefing has set out the many and increasing barriers, structural and systemic, to survivors sharing details of their trauma. Yet it must also be understood that facilitating trauma-informed disclosure, where a survivor is properly heard and understood, can provide solace for many. As one person seeking asylum shared before an MLR:

“I had this anxious feeling, but...in a happy way that I’m going to see someone that’s going to help me tell my problems”⁸³

On the other hand, survivors not having sufficient opportunity to disclose or even facing unjustified penalisation for standard mental health issues of disclosure could risk prejudicing the most vulnerable.

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⁸¹ See Helen Bamber Foundation Ambassadors for Change, [“Lost time... and stolen dignity” - Access to quality, free legal representation](#), October 2025.

⁸² See Migrants Organise, [“A view from the frontline of the asylum legal aid crisis”](#) March 2026 and Migrants Organise [Threadbare: The quality of immigration legal aid](#), 2025.

⁸³ McDonnell, M., McGowan, J., Weldon, E., & Katona, C. [The experiences of undergoing medico-legal assessments when seeking asylum in the UK: an interpretive phenomenological analysis](#). *Psychiatry, Psychology and Law*, 2025, 1–21.