

Immigration, asylum seekers and refugees

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Immigration, Asylum Seekers and Refugees

Nora Honkala

Introduction

This chapter discusses three of the most common areas of challenge for an asylum seeker. The first part of the chapter explains the basis of a refugee claim and the refugee determination process in the UK. The second part highlights a number of issues relating to trauma and memory and their impact on disclosure in the asylum context. Thirdly, the challenges relating to country of origin information are noted, and finally some thoughts on credibility in this context are offered. Expertise from the field of psychology and psychiatry are crucial, not only for the asylum seekers' claim to be understood in this system but also to improve the process itself.

Globally, refugee determination systems vary to a considerable degree. They exist within different legal traditions and systems and in the context of a variety of governmental structures, cultures as well as politics. As such, this chapter focuses on the UK context, with the addition of selected examples of international comparisons. Despite this variation, the key issues discussed: namely trauma, memory and disclosure, country of origin information and credibility assessments, are common concerns within refugee determination processes.

Determination process

The refugee determination process is challenging for an asylum seeker for various reasons, including navigating a bureaucratic system potentially in a language they are unfamiliar with and relaying difficult information about the reasons for their flight, including trauma. The Refugee Convention defines a refugee as a person who

“owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of the country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”¹

¹ The 1951 *Convention Relating to the Status of Refugees*, hereinafter the Refugee Convention, Art 1 A (2). Countries that have ratified this international Treaty are obliged to offer protection to refugees within their territory according to internationally agreed standards.

An asylum seeker is someone who has applied for asylum out of their home country and is awaiting for a decision on whether or not they will be granted refugee status. A refugee is a person who qualifies for refugee status under the Refugee Convention. Although each of the state parties to the convention employ this legal definition of a refugee, they all are free to set up their own refugee determination processes. Although globally there are major regional differences, for instance the Middle East and Asia having no legally binding regional instruments providing refugee protection, there are currently 145 state parties to the international Refugee Convention. Most of Asia, and other parts of the world that do not employ local refugee determination systems, rely on the United Nations Refugee Agency (UNHCR) to carry them out instead. UNHCR (2019) has produced an international Handbook on Procedures and Criteria, which is designed to assist government officials, judges, practitioners and UNHCR officials in applying the Refugee Convention. The extent to which it is relied upon by them varies however.

In the UK, the decision whether to grant refugee status or not is made by an official at the Home Office, a government department. The asylum seeker has a right to appeal a rejection in an independent Tribunal. This is in contrast to some other countries, such as Canada, where in the first instance decisions are made by an independent administrative Tribunal (namely the Immigration and Refugee board of Canada). The differences of the backgrounds of decision-makers is perhaps also interesting to note. In the US, asylum officials are most often recruited from law schools, NGOs or immigration programs within the government (Immigration and Refugee Board of Canada, 2018). In the Netherlands the case workers are trained lawyers. And in France and Sweden, individuals with international experience are sought, whereas the UK recruitment poster emphasised the requirement to meet performance targets (Immigration and Refugee Board of Canada, 2018).

For those claimants who do not qualify for refugee status, other forms of protection may be available. A person may be entitled to protection under European Convention on Human Rights which prohibits sending a person to a country where there is a real risk of facing torture, inhumane or degrading treatment. The UK may also grant other forms of humanitarian protection for persons not qualifying for refugee status. This may be in the form of humanitarian protection (HP) or discretionary leave (DL).² In some cases an individual may be returned to another part of their country of origin, through so-called ‘internal relocation’. And

² Prior to 2004, this took the form of Exceptional Leave to Remain (ELR).

some individuals fall out of protection of the Refugee Convention entirely, for instance, those who have committed a serious crime and pose a danger to the community of the UK.

Asylum claims are made on arrival to the UK or at a later stage 'in-country', by the asylum seeker themselves. This is usually at the Home Office in Croydon.³ The decision on whether to grant refugee or humanitarian protection status to an asylum seeker is made by a 'case owner' at the UK Visas and Immigration (UKVI), an official of the Home Office. The first step in the process is for an asylum seeker to attend an 'asylum screening' where they will be assigned their 'case owner' who takes down basic information regarding the claimant, including nationality, religion, details of family members, what their claim is based on and why they cannot return to their home country, their travel route and whether they have any family in the UK. Biometric information, including fingerprints and a photograph are also taken. At the end of the screening interview the claimant are given a record of the meeting. A decision whether to detain the claimant or not is then made. If the claimant is detained, they will be sent to Harmondsworth Immigration Removal Centre or Yarl's Wood Immigration Removal Centre, where their application for asylum will be "fast-tracked". In other words, their application is made within seven days during which they will be held in detention (Consonant, 2020).

After the screening interview, the asylum seeker will receive a letter arranging the second, 'substantive' interview when the refugee determination decision is made. This interview can last several hours. Breaks are usually scheduled by the interviewer every hour or two. There is a right to ask for a break, which the claimant ought to use if necessary. The interview is by its nature tiring and the stakes are high. The asylum seek may make 'mistakes' or generate inconsistencies in their story, which might later hurt their credibility in the eyes of the interviewer. The interview is usually face-to-face and any interpreter that has been previously requested would usually sit with the interviewer. Legal representatives can attend the interview but they can only interrupt if there is a serious misunderstanding between the client and the interviewer (Gbikpi, 2018). The interview will be transcribed and a record will be given to the claimant. For the claimant, it is important to check the record and correct any mistakes within 5 days. If the case goes to appeal, correcting any errors promptly can be beneficial to the claimants' credibility (MM (unfairness; E&R) Sudan, 2014), and vice versa.

³ This information is correct as it stands prior to Covid-19 and the temporary changes to these locations and procedures.

More often than not, the claim is rejected. This year, however, the rejection rate was lowest since 2003, at 46% (National Statistics, 2020). The decision is usually sent via post within 6 months of the interview, though it may sometimes take over a year (Gbikpi, 2018). If the claim is rejected, the asylum seeker then has the right of appeal to the Immigration and Asylum Chamber of the First-tier Tribunal, and thereafter an onward appeal to the Upper Tribunal.⁴ The asylum seeker has 14 days in which to appeal the decision of the Home Office. The period of uncertainty and anxiety between the initial rejection and an appeal will typically last a minimum of several months, but for some may continue for several years, including time spent in detention (Burridge & Gill, 2017). During this time, asylum seekers are usually denied paid employment. Many rely on a very small government benefit while others live in destitution or seek informal employment (Allsop et al., 2014). There are other countries that take a different approach. Denmark, Spain and Canada have been cited as good practice examples of countries which facilitate access to employment for asylum seekers in order to promote integration as well as secure economic savings (Lift the Ban Coalition, 2018).

In 2019, 43% of the rejections at first instance were finally overturned on appeal, revealing an ongoing problem of poor first instance decision-making (Refugee Council, 2020). Indeed, criticisms of poor first instance decision-making have been widely recounted by refugee organisations (e.g. Amnesty International UK, 2004; Independent Asylum Commission, 2008; Muggeridge & Manman, 2011), academics (e.g. Jubany, 2011; Schuster, 2018; Sweeney, 2009, Thomas, 2011), UNHCR's Quality Initiative Reports⁵ and the Independent Chief Inspector of Borders and Immigration Reports⁶, both of which have reviewed the work government decision-makers in depth.

If an appeal to the First tier Tribunal (Immigration and Asylum Chamber) is dismissed, an asylum seeker can make a further appeal to the Upper Tribunal (Immigration and Asylum Chamber). This further appeal requires permission to proceed and must be made on the basis of an "error in law", or in other words a legal mistake made by the first instance judge. Further appeals are made to the Court of Appeal and Supreme Court.

⁴ First-tier Tribunal (Immigration and Appeals Chamber) is part of the UK's courts and tribunals system. It hears appeals against some immigration decisions of the Home Office. The Upper Tribunal is a superior court of record which hears appeals against decisions made by the First tier Tribunal.

⁵ The Quality Initiative Project ran from 2005 till 2009 aiming to 'positively influence first instance decision-making'. Their findings highlighted a number of causes of concern, particularly relating to the application of the refugee definition, approaches to credibility and the conduct of interviews. See specifically, UNHCR, 'Quality Initiative Project: Second Report to the Minister, 2005' <http://www.unhcr.org/uk/quality-initiative-and-integration.html>

⁶ Available at <https://www.gov.uk/government/organisations/independent-chief-inspector-of-borders-and-immigration>

Trauma, Memory and Disclosure

The environment in which UK asylum interviews are held is not particularly conducive to disclosure. There is little privacy at Lunar House at Croydon, which includes an open plan waiting area and interview rooms being separated by glass screens. Sometimes it is possible to hear what happens in the next room (Gbikpi, 2018).

Yet, it is not only the environment that is difficult for an asylum seeker. The asylum interview, by its very nature, presents an asylum seeker with limited scope to narrate their experiences. Case owners' questions must be answered without an opportunity for expansion on other factors that might be important for the claimant but which the case owner considers irrelevant or unimportant (Kälin, 1986). Throughout the refugee determination process, the claimant's narrative is repeatedly re-moulded and re-narrated by various people, including lawyers, interpreters, experts, and adjudicators (Baillot, Cowan & Munro, 2009). In such circumstances it is very difficult to provide a 'coherent' narrative.

Difficulties with the asylum interview are undoubtedly exacerbated by the psychological factors involved. Many asylum seekers will have gone through traumatic experiences, often including severe violence. A commonly held assumption is that an experience of severe violence is so important that it will be remembered very clearly over a period of time (Herlihy & Turner, 2007). This assumption however is based on a belief that all memories are the same and capable of being easily articulated in a sequential way starting from the beginning and continuing until the end. Yet responses to trauma, for example depression or Post-traumatic Stress Disorder (PTSD) may have significant effects on memory (See chapter 18, by Conway, this volume). Memories of traumatic events may include memory blocks making the accounts incomplete. Or they may include flashbacks that are experienced in the present and which are often triggered by external and internal cues rather than being subject to conscious recall (Evans Cameron, 2010; Herlihy & Turner, 2007). Asylum seekers may also experience altered time and space perceptions, discomfort or even disassociation (Rousseau, Crepeau, Foxon & Houle, 2002; Steele, Frommer & Silove, 2004). In an environment where a coherent narrative is the measure of one's credibility, these effects present serious impediments to this expectation. It is here in particular where the process can benefit from experts in the field of psychology and psychiatry who can provide evidence as to the effects on memory of trauma, psychological distress and any injuries. If taken seriously, evidence such as this can not only provide assistance to the asylum seeker in having their narrative better understood but it can also provide legitimacy for the decision-making process by reducing troubling assumptions of the decision-makers.

One such common assumption is that inconsistencies correlate to lack of veracity in the asylum claim. Indeed, the assumption that a truthful account is one which is clear and free from inconsistencies has been tested empirically by psychologists. In their study, Herlihy, Scragg and Turner (2002) found that “peripheral details of a traumatic account are more volatile than the central details”. They also noted that it demonstrates that those with a longer delay between the interviews and higher scores on a measure of PTSD had more discrepancies in their accounts suggesting that those who were most traumatised were in fact most likely to be disbelieved on the basis of this assumption (Herlihy, Scragg & Turner, 2002). In the same vein, another study by Graham, Herlihy and Turner (2014), which focused on over general memory and trauma, found that asylum seekers who suffered more symptoms of depression and PTSD were less specific when questioned about memories of personally experienced events. Therefore, it follows that those asylum seekers’ credibility may be consistently underestimated (Graham, Herlihy & Turner, 2014).

Disclosure may also be limited by the psychological effects of the process on the interviewers themselves. Bögner, Herlihy and Brewin (2007), conducted a study on the impact of sexual violence on disclosure during Home Office interviews and found that, in a sample of 27 participants, *all* those who disclosed a history of sexual violence, reported being prevented from talking about it further in the interview by the Home Office official. They noted that vicarious traumatising suffered by the interviewers working with trauma survivors could be one explanation for limiting disclosure. Research conducted in a Canadian refugee determination context similarly found evidence of vicarious traumatising. Rousseau et al. found that this together with uncontrolled emotional reactions were among the factors having a negative impact on the Canadian Immigration and Refugee Board members’ ability to evaluate credibility and on the overall conduct of the asylum hearing (Rousseau, Crepeau, Foxon & Houle, 2002). Rousseau et al., also noted how over exposure to traumatic accounts often produces defensive reactions in the listener, which can lead to trivialisation of horror, cynicism, and lack of empathy. The difficulty in listening to stories of trauma daily and its psychological impacts should not be underestimated.

Evidential Issues

Under human rights law as well as international refugee law, namely the principle of *non-refoulement*, a person cannot be returned to a country where they face a real threat to their life. In the UK, Home Office officials are regularly required to evaluate what the conditions are in the country of origin of the claimant. To effectively do so the official, of course, needs accurate,

reliable, up to date and comprehensive country of origin data. Unfortunately, it has been repeatedly noted by academics, NGOs and regulators that the country of origin information the Home Office relies on needs significant improvement.

Reliable country of origin information is also an area where expert evidence can be crucial in accurately understanding the country of origin conditions for an asylum seeker. This is particularly the case for asylum seekers whose persecution is often considered more ‘private’, for instance as is the case with gender-based persecution. When making a decision, the case owner often refers to this so-called country of origin information (COI). COI reports often include information from US Department of State Reports, Danish Immigration Reports, Amnesty International, Oxfam and other human rights organisations. Previously, COI and Operational Guidance Notes (OGN) which set out the Home Office policy with regards to asylum seekers from a particular country, were separate documents. Since 2014 however, country reports have included Home Office policy guidance (Clayton & Frith, 2016). Currently they take the form of ‘Country Policy and Information Note’, which does not distinguish policy from fact.

Several NGOs have criticised country of origin reports produced by the Home Office due to them containing basic inaccuracies, being out of date, being insensitive to gender issues and for being partisan (Carver, 2003; Collier, 2007; Thomas, 2006).

The Independent Advisory Group on Country of Origin Information (IAGCI) advises the Chief Inspector for Borders and Immigration by commissioning and monitoring the quality of Home Office Country of Origin information and policy notes. Although the IAGCI makes recommendations it is ultimately up to the Home Office whether or not to accept a recommendation. There is also a problem that by the time that they get adopted, the updates themselves can become outdated.

In addition, the Chief Inspector for Borders and Immigration, who provides independent scrutiny of the UK’s border and immigrations functions, reports to the Home Secretary in the form of yearly publicly available reports that are placed before the UK Parliament. Each of the reports deal with different areas of the work of the UKVI. Two reports are particularly relevant to COI. The first, written by John Vine in 2011, and the second by David Bolt in 2019. Many of the problems identified in 2011, remain in 2019. For instance, challenges such as institutional constraints in time and cost have remained, if not worsened.

There currently exists COI for 41 countries. These are the countries from which the UK receives most asylum applications (Bolt, 2019; Vine, 2011). Case owners are not experts of nor have first-hand experience or specialist knowledge of the countries the asylum seekers

come from (Schuster, 2018). Furthermore, the training for UKVI caseworkers, including interviewing, assessment of evidence and reasoning decisions and learning the relevant case law, is limited (Webber, 2012).⁷ The COIs are the primary source of information for the case owners and in most cases they do not employ further research (UNHCR, 2005). The people who compile the COI, the Country officers in turn, mostly rely on online sources and have had their subscriptions to certain resources, such as academic journals or Reuters limited due to austerity cost cutting (Bolt, 2019).

In 2011, the Chief Inspector found that there exists a great degree of variability in the approach taken by a case owner in situations in which no COI is available. Some regions encourages case owners to do their own research while others discouraged this based on grounds such as time limitations (Vine, 2011). The Chief Inspector also noticed that in one region there was an unofficial list of “objective sources” while others simply referred to the United States State Department (USSD) Reports (Vine, 2011).⁸

The 2019 report in turn, noted that concerns over whether the COI function was adequately resourced and whether the staff producing COI reports receive the appropriate training, still remain valid. The report further questioned whether the “dual role of producing country information and developing and advising on policy constitutes a “conflict of interest” and compromises objectivity of the COI, in reality or people’s perception’ (Bolt, 2019: 15). The problems identified go to the heart of the capacity of the decision-makers ability to make a decision on country conditions, as well as credibility, under such circumstances.

Credibility Issues

Credibility is often the most significant aspect of the asylum claim. (See also chapter 19, Milne & Kebbel, this volume.) Most cases are rejected because the decision-maker has not believed the claimant. And most criticisms levelled at the Home Office have been with regards to the approach to credibility which academics and refugee organisations have showed that they institutionally employ (Burrige & Gill, 2017; Lift the Ban Coalition, 2018).

Due to asylum seekers often being unable to point to any documentary evidence, for instance of having been detained or tortured, decisions can be heavily reliant on initial findings of credibility (Herlihy & Turner, 2015). It has also been shown that the ways in which trauma and

⁷ In 2011, Webber noted it was mere 25 days.

⁸ Most commonly seen non-country specific sources cited by Vine (2011) included the USSD, the Refugee Documentation Centre (Ireland), Human Rights Watch, the Immigration and Refugee Board of Canada, Danish Immigration Service reports and the Red Cross.

credibility may interact, can place those who experience PTSD or related symptoms at a disadvantage (Herlihy & Turner, 2015).

The international standard for credibility in the refugee determination context according to the UNHCR is that the basic requirement ought to be whether the asylum seeker's account is "coherent and plausible" and "not run counter to generally known facts" (UNHCR, 2019: para 204). The asylum seeker's story should be "capable of being believed" (UNHCR, 1998: para 11). The question is therefore whether the applicant is capable of being believed rather than a subjective conclusion as to whether the specific caseworker believes a particular applicant. There is no requirement for an asylum seeker to "prove" their story. Indeed the very circumstances that lead to a person being persecuted and/or fleeing persecution may mean that there exists no documentary proof of the persecution. Asylum seekers therefore ought to be afforded a low standard of proof. Yet, in practice it is clear that the Home Office acts as if asylum seekers need to corroborate their story. This practice in turn has several implications, some of which are gendered. For instance, women or sexual minorities are disproportionately affected as there is usually limited country-specific information on their status and treatment within their countries and the nature of persecution suffered. It has been noted that in cases involving sexual violence or rape, some decision-makers hold the view that "all women say they have been raped" (Freedman, 2008: 423).

Even though the Asylum Policy Instruction acknowledges that late disclosure should not be taken as evidence of non-credibility, Baillot, Cowan and Munro in their research on stakeholder interviews showed that a number of case owners thought that disclosure of sexual violence was likely to occur at an early stage in the asylum process (Baillot, Cowan & Munro, 2012). Subsequently, the respondents felt that in cases where sexual violence or rape was not disclosed early, both the rape and the credibility of the claimant could be legitimately doubted (Baillot, Cowan & Munro, 2012). Thomas has also pointed out that it has been both late and prompt disclosure of torture, rape or persecution which has been used to make adverse credibility findings (Thomas, 2006).

In order to facilitate disclosure of traumatic experiences, refugee NGOs have repeatedly advocated for the sex of the interviewer to be a choice for an asylum seeker, and indeed applicants are now being asked whether they would like a male or a female interviewer (Asylum Aid, 2011; Home Office, 2019). The right to request a female interviewer is significant for example for women who have experiences sexual violence as it may help create an environment that is more conducive to disclosure. Being asked about a potential preference for the sex of the interviewer does not come without its problems however. Asylum Aid (2011)

found that the reason many of their clients felt that they were not able to give an informed response to the question was because of the environment in which the question was posed. Some of them described feeling intimidated, having their interviews held via glass window and having felt hurried, confused and uninformed (Asylum Aid, 2011). A majority of women said that with hindsight they would have requested a female interviewer (Asylum Aid, 2011). However, as Baillot, Cowan and Munro (2013) have noted, there is a risk that female interviewers would be regarded as a panacea in this context, particularly if the assumption is made that women would necessarily make for more receptive listeners. Furthermore, if there is an assumption that ‘all’ women who have experienced sexual violence would prefer a female interpreter, a claimants lack of preference may count against them in an already doubting decision-making environment.

Similarly, even though the Home Office Asylum Policy Instruction recognises that the presence of children would be stressful for applicants, as well as potentially inhibiting disclosure, the provision of childcare is often unavailable. This results in some women, who have experience sexual violence, being interviewed in front of their children (Asylum Aid, 2011).

Even if a woman requests a female interviewer, operational time constraints mean that this does not always happen (Baillot, Cowan & Munro, 2014). And when it does, as Jubany (2011) has noted the assumption that women may disclose sexual violence more readily to a female interviewer may have an effect on the immigration officials too. Due to this assumption, and the fact that female interviewers represent a minority in the workforce, women interviewers regularly listen to stories of rape and sexual violence. This in turn can have a desensitising effect on them and create scepticism (Jubany, 2011).

A further issue tied to credibility is the potential cultural assumptions that a decision-maker will bring to bear on their decisions. (See chapter 40, by Shepherd, Mandu & Rose, on cultural competence) Given that the countries from which asylum seekers originate are diverse, that the decision-makers are not experts in the COI, and the existence of external pressures such as time and cost, as well as targets, mean that the risk for the decision-makers to employ their own cultural assumptions of claimants story is high. For instance, Schuster (2018) mentions the different norms about dates and times pertaining to Afghans when asked about birth dates. She explains that most Afghans, particularly those who are illiterate would tie their birth to a season, Eid or Nowroz or to that of another child in the family. She also notes that in the West, vagueness around ages and birth dates would be considered evidence of inconsistency (Schuster, 2018). This simple example shows how easily cultural assumptions may negatively

impact on credibility assessments. This is even more so in an adversarial context and one where a ‘culture of disbelief’ exists.

In her study on the asylum screening process, Jubany (2011:82) noted that new case worker recruits were not taught about refugees and asylum seekers as holders of rights and options but through techniques to ‘identify the lies’ in the asylum seekers’ stories. Similarly, the problematic way in which COI has been used by decision-makers within the culture of disbelief has also been pointed out by many. In her analysis of Refusal Letters of Afghan asylum seekers, Schuster, for instance, noted that COI reports cited were not used appropriately by the decision-makers. She noted out of date reports, cherry picking information to undermine the credibility of the applicant and speculation of the country conditions and a general failure to consider the particular circumstances pertaining to Afghanistan (Schuster, 2018).

Even though studies have shown that people are in fact poor at detecting deception despite decision-makers regularly have confidence in their ability to do so (Vrij, 2004). The larger context of how to improve decision-making therefore would include training for decision-makers to more critically evaluate their own decision-making and increasing awareness of “intuitive influences” (Herlihy & Turner, 2015).

Conclusion

The refugee determination process as conducted in the UK has received widespread critique, particularly with regards to its adversarial nature. The culture of disbelief that exists at the Home Office is arguably a product of a political strategy of a hostile environment to particular forms of migration. Asylum seekers and refugees are, however, legally entitled protection from persecution.

Though care should be used to extrapolate the issues raised in the chapter to other contexts, concerns over the impact of the quality of decision-making, adequacy of training of decision-makers and politisation of asylum are recurrent concerns in other countries, as well. As discussed above, the refugee determination process is often lengthy and, importantly, it should be recognised to be a potentially re-traumatising one. It is also recalled that trauma has a significant impact on memory of those seeking asylum, which in turn affects how they disclose their experiences in their journey through the UK’s determination process. As it was argued, the non-disclosure of experiences, understandable due to their deeply traumatic character, can then negatively impact credibility findings. The consequence of an erroneous decision in this context is severe, a question of survival in some cases. Psychiatrists’ and psychologists’ wealth of knowledge in the field of trauma and memory and their implications in the context of

disclosure and credibility can therefore be of crucial assistance during the refugee determination process.

References

- Allsopp J, Sigona N and Phillimore J (2014) "Poverty Among Refugees and Asylum Seekers in the UK: An Evidence and Policy Review." IRiS Working Paper Series No. 1/2014, University of Birmingham
- Amnesty International UK (2004). *Get it Right-How Home Office Decision Making Fails Refugees*. https://www.amnesty.org.uk/sites/default/files/get_it_right_0.pdf
- House of Commons Library (17 March 2020). *Asylum Statistics Briefing Paper*. <https://commonslibrary.parliament.uk/research-briefings/sn01403/>
- Baillot, H., Cowan, S. & Munro, V.E.(2012). "Hearing the Right Gaps": Enabling and Responding to Disclosures of Sexual Violence within the UK Asylum Process. *Social & Legal Studies*, 21(3), 269-296.
- Baillot, H., Cowan, S. & Munro, V.E.(2013). Second-hand Emotion? Exploring the Contagion and Impact of Trauma and Distress in the Asylum Law Context, *Journal of Law and Society*, 40(4), 509-540.
- Baillot, H., Cowan, S. & Munro, V.E.(2009). Seen but not Heard? Parallels and Dissonances in the Treatment of Rape Narratives Across the Asylum and Criminal Justice Contexts. *Journal of Law and Society*, 36(2), 195-219.
- Baillot, H., Cowan, S. & Munro, V.E.(2014). "Reason to Disbelief: Evaluating the Rape Claims of Women Seeking Asylum in the UK", *International Journal of Law in Context*, 10(1), 105-117.
- Burridge, A. & Gill, N. (2017). Conveyor-Belt Justice: Precarity, Access to Justice, and Uneven Geographies of Legal Aid in UK Asylum Appeals. *Antipode*, 49(1), 23- 42.
- Bögner, D., Herlihy, J. & Brewin, C.R. (2007). Impact of Sexual Violence on Disclosure During Home Office Interviews. *British Journal of Psychiatry*, 191, 75-81.
- Carver, N. (2003). *Home Office Country Assessments: An Analysis*. London: Immigration Advisory Service Research & Information Unit.
- Clayton, G. & Frith, G. (eds.) (2016). *Textbook on Immigration and Asylum Law* (7th edition). Oxford: Oxford University Press.
- Collier, B. (2007). *Country of Origin Information and Women: Researching Gender and Persecution in the Context of Asylum and Human Rights Claims*. London: Asylum Aid.
- Consonant (2020). *The Asylum Process made Simple*. <https://legal.consonant.org.uk/campaigns/the-asylum-process-made-simple/>
- Evans Cameron, H. (2010). Refugee Status Determinations and the Limits of Memory. *International Journal of Refugee Law*, 22(4), 469-511.

Jane Freedman, 'Women's Right to Asylum: Protecting the Rights of Female Asylum Seekers in Europe?' (2008) 9 *Human Rights Review* 413.

Gbikpi, N. (2018, August 29). How to Claim Asylum in the UK. *Free Movement*
<https://www.freemovement.org.uk/how-to-claim-asylum-in-the-uk/>

Graham, B., Herlihy, J. & Brewin, E. (2014). Overgeneral Memory in Asylum Seekers and Refugees. *Journal of Behavior Therapy and Experimental Psychiatry*, 45, 375-380.

Herlihy, J. & Turner, S.W. (2007). Asylum Claims and Memory of Trauma: Sharing our Knowledge, *British Journal of Psychiatry*, 191, 3-4.

Herlihy, J. & Turner, S. (2015). Untested Assumptions: Psychological Research and Credibility Assessments in Legal Decision-Making. *European Journal of Psychotraumatology*, 6(1), 1-5.

Herlihy, J., Scragg, P. & Turner, S. (2002). Discrepancies in Autobiographical Memories: Implications for the assessment of Asylum Seekers. Repeated interviews Study. *British Medical Journal*, 324(7333), 324-327.

Home Office (2019). *Immigration Statistics Sept 2019*.

<https://www.gov.uk/government/publications/immigration-statistics-year-ending-september-2019/summary-of-latest-statistics>

Home Office (2019). *Asylum Policy Instruction: Asylum Interviews*

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410098/Asylum_Interviews_AI.pdf

Immigration and Refugee Board of Canada (2018). *Report of the Independent Review of the Immigration and Refugee Board: A Systems Management Approach to Asylum*.

<https://www.canada.ca/content/dam/ircc/migration/ircc/english/pdf/pub/irb-report-en.pdf>

Bolt, D. (2019). *Independent Chief Inspector of Borders and Immigration: Inspection of Country of Origin Information - January 2019 Report*

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/809931/Inspection_of_Country_of_Origin_Information_2019_Burma_Iraq_and_Zimbabwe.pdf

Vine, J. (2011). *The Use of Country of Origin Information in Deciding Asylum Applications: A Thematic Inspection October 2010-May 2011*.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/545935/Use-of-country-of-origin-information-in-deciding-asylum-applications_2011.pdf

- Independent Asylum Commission (2008). *Fit For Purpose Yet?: The Independent Asylum Commission's Interim Findings*.
<http://www.citizensforsanctuary.org.uk/pages/reports/InterimFindings.pdf>
- Jubany, O. (2011). Constructing Truths in a Culture of Disbelief: Understanding Asylum Screening from Within. *International Sociology*, 26(1), 75-79.
- Kälin, W. (1986). Trouble Communication: Cross-Cultural Misunderstandings in the Asylum Hearing. *International Migration Review*, 20(2), 230-241.
- Lift the Ban Coalition (2018). *Lift the Ban: Why People Seeking Asylum Should Have the Right to Work*. <https://www.refugee-action.org.uk/wp-content/uploads/2018/10/Lift-the-Ban-report.pdf>
- Muggeridge, H. & Maman, C. (2011). *Unsustainable: The Quality of Initial Decision-making in Women's Asylum Claims*. <https://www.refworld.org/docid/4d3435d12.html>
- MM (unfairness; E & R) Sudan [2014] UKUT 105 (IAC)
- National Statistics (2020). *Summary of Latest Statistics, 21st May 2020*.
<https://www.gov.uk/government/publications/immigration-statistics-year-ending-march-2020/summary-of-latest-statistics>
- Refugee Council (2020). *Asylum Statistics: Annual Trends 2020*.
<https://www.refugeecouncil.org.uk/information/refugee-asylum-facts/top-10-facts-about-refugees-and-people-seeking-asylum/>
- Rousseau, C., Crepeau, F., Foxon, P. & Houle, F. (2002). The Complexity of Determining Refugeehood: A Multidisciplinary Analysis of the Decision-making Process of the Canadian Immigration and Refugee Board. *Journal of Refugee Studies*, 15(1), 43-49.
- Steel, Z., Frommer, N. & Silove, D. (2004). The Mental Health Impacts of Migration: The Law and its Effects- Failing to Understand: Refugee Determination and the Traumatized Applicant. *International Journal of Law and Psychiatry*, 27(6), 511-528.
- Schuster, L. (2018). 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.
- Sweeney, J. (2009). Credibility, Proof and Refugee Law, *International journal of Refugee Law*, 21(4), 700-726
- Thomas, R. (2011). *Administrative Justice and Asylum Appeals: A Study of Tribunal Adjudication*. London: Bloomsbury.
- Thomas, R. (2006). Assessing the Credibility of Asylum Claims: EU and UK Approaches Examined. *European Journal of Migration and Law*, 8, 79-96.
- UN General Assembly (1951). *Convention Relating to the Status of Refugees*, 28 July

1951, *United Nations, Treaty Series*, 189, 137,

<https://www.refworld.org/docid/3be01b964.html>

UNHCR (2019). *Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees*. <https://www.unhcr.org/en-au/publications/legal/5ddfc47/handbook-procedures-criteria-determining-refugee-status-under-1951-convention.html>

UNHCR (2005). *Quality Initiative Project: Second Report to the Minister*.

<http://www.unhcr.org/uk/quality-initiative-and-integration.html>

UNHCR (1998). *Note on the Standard of Proof*, 16 December 1998.

<http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=3ae6b3338>

Vrij, A. (2004). Why professionals fail to catch liars and how they can improve. *Legal & Criminological Psychology*, 9(2), 159-181.

Webber, F. (2012). *Borderline Justice: The Fight for Refugee and Migrant Rights*. London: Pluto Press.