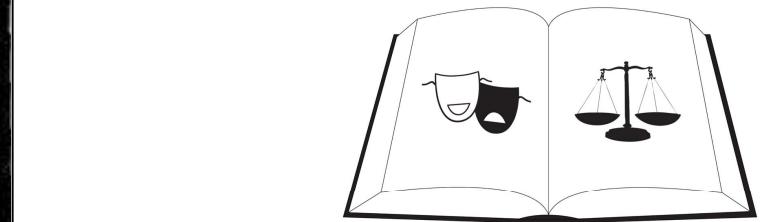


# Annual Report 2011-2012



Centre for the study of  
**Emotion & Law**

# Welcome!

Welcome to the fourth Annual Report of the Centre for the Study of Emotion and Law, reflecting on a year of change and growth for CSEL.

This year we welcomed Mary Robertson to the Board of Trustees. Mary is Clinical Director of the Traumatic Stress Clinic, in the Camden and Islington NHS Trust. Previous to this she ran the Trauma Clinic at the Centre for the Study of Violence and Reconciliation in Johannesburg. Mary also kindly took over the role of Treasurer from Syd Bolton, who left to join the Executive Committee of the Immigration Law Practitioners' Association. We wish him all the best and look forward to continued links with him and his work.

We have continued to broaden our funding base. We have secured a two year grant from Unbound Philanthropy to develop our dissemination work, a significant contribution to our core costs from Esmee Fairbairn, and grants to support our research work from the Samuel Sebba Charitable Trust and an anonymous foundation. Support covering core costs for research work is crucial for us, as many academic research grants do not cover management and other associated non-direct costs. Bryn Davies took part in the Iron Man challenge in Barcelona, earning over £1000 for CSEL.

We have also had some great volunteer help this year. Alex Moscicki joined us in September 2011 for a year while studying for his MSc in Cognitive Neuroscience at University College London. He has done sterling work assisting in analysing the data from our study of discrepancies in repeated interviews. Eman Siddiqui, reading for a BA in Law and Anthropology at the London School of Economics, compiled a database of potential corporate funders for us, and Anna Herlihy came to us for work experience in April, to help tidy our filing systems and research library.

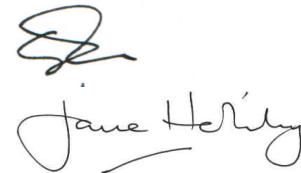
With the help of external consultation from the Timebank Leaders Together project, we have developed more concrete strategic direction and put in place team meetings and trustee away days to help us grow in a managed way, ensuring that our main focus remains on delivering high quality

psychological research to decision makers who can deliver properly-informed justice to those most in need of it.

With a growing team and increasing interest in our research, training and experience, we have really shifted up a gear this year. This has been reflected in an increased interest in our work, with unsolicited enquiries, and very positive feedback from funders and partners, including this from Ariel Shidlo, a lawyer in the USA and co-founder of Research Institute without Walls (<http://riww.org>):

[In March 2011] I testified in immigration court in New York about an asylum seeker who had a history of severe sexual violence and trauma. Your research paper, "Impact of sexual violence on disclosure during Home Office Interviews", was incalculably helpful in supporting my expert testimony. As the *pro bono* evaluating psychologist in this case for Physicians for Human Rights, I was able to contextualise my clinical observations in the empirical findings that your study provided. This made for a much sounder and more effective testimony and I was just delighted to be able to quote empirical data that go beyond anecdotal clinical observations. Your work [provides] much needed research in this area and works toward using empirical data to educate [the] immigration officials about the challenges in evaluating asylum applicants who have difficulty in being forthcoming about their sexual trauma.

We are very pleased to present this year's annual review of our work. We hope you find it interesting and inspiring reading.



Dr Stuart Turner, Chair of Trustees  
Dr Jane Herlihy, Executive Director



## CSEL in print

Publishing is key to any researcher or research centre. As an independent research centre, dissemination is a core part of our mission; we aim to go beyond conducting and supervising research and ensure that effective dissemination of our research findings makes them available for use by decision makers, so that our research findings make a difference to vulnerable people seeking justice.

We do this in a number of ways – mainly of course through publishing research findings in peer-reviewed academic journals, but also through publishing articles in professional publications, chapters in textbooks, and other channels.

In January 2012 Syd Bolton contributed a chapter to *Working with Refugee Children: Current issues in best practice*, edited by Lisa Woodall and published by the Immigration Law Practitioners Association (ILPA). Also in Spring 2012, David Rhys Jones advised on 'The use of expert evidence by asylum applicants at appeal', an article by Anna Morvern in issue 83 of 'Frontline', the Law Centre (NI) Social Welfare law Quarterly.

Jane Herlihy and Stuart Turner collaborated with Laura Jobson of the University of East Anglia on an extensive review of memory, covering the key areas pertaining to the asylum process. It also includes a brief

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**Financial results:** This year we raised an income of just over £154,000 in the 12 months to 30/3/2012, a little more than the previous 18 month period (1/10/2010 – 30/3/2011) and our expenditure was just under £118,000. The general (unrestricted) fund balance was approximately £18,000 at the end of the year, compared to £6500 at the end of the last financial period. We continue to seek sustainable funding to support our work. CSEL's full accounts and financial statements are available upon request.

summary of the literature on detecting when someone is lying. The paper will be published in the summer of 2012 in the high impact, peer reviewed journal *Applied Cognitive Psychology*, and will be a featured article, preceded by a commentary by Professor Amina Memon.

Lucy Wilson-Shaw's study of immigration lawyers' decision to commission a medico-legal report has been written up and submitted to a European scientific journal. It raises the issue of people who are not clinically trained being required to identify mental health issues. This is of course timely, as it follows upon the report into the Detained Fast Track by the Independent Chief Inspector of the UK Border Agency, which raised serious concerns about the detention of improperly assessed survivors of torture and their inclusion in the Detained Fast Track (DFT) system contrary to the Agency's own policy of ensuring their removal from this process.

Meanwhile, trustee Amina Memon has co-authored a number of papers on memory and eyewitness identification, and on interview techniques, which are currently awaiting a publication date later in 2012 – a full list will be available on her page at the website of Royal Holloway College, University of London. Trustee Chris Brewin published a variety of papers on traumatic memory, PTSD, intrusion and depression. All are listed on his webpage at the University College, London website.

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**We'd like to take this opportunity to thank our supporters:** BIG Lottery Fund Research Programme; Comic Relief; Bryn Davies and sponsors; Mike Driscoll; Esmee Fairbairn; Garden Court Chambers; Anna Herlihy; P & S Herlihy; Alex Moscicki; Samuel Sebba Charitable Trust; Eman Siddiqui; Swiss Network for Interdisciplinary Studies; Trauma Clinic; Unbound Philanthropy; anonymous foundation.

## ***Practice notes: Academic and practitioner Kate Smith on using CSEL's research***

I first heard about CSEL's work from colleagues: several members of the team I was then managing at Kirklees WomenCentre had attended a Women's Dissemination Project seminar in 2010. They were thoroughly inspired by the research findings and wanted to share the information as widely as possible with me and others at work.

I find CSEL's research is clearly presented in terms of theory and methodology, which makes the papers easy to use and to present to others. As a result I can strongly recommend the work to others, and share the studies in my training sessions, or provide links in my lecture notes. In terms of my own work and practice, I use CSEL's research findings to improve and inform my own research work and practice in a number of ways, including:

- To support therapeutic interventions with women affected by traumatic events who have claimed asylum. This research is vital to inform and support women seeking asylum to understand the asylum decision making process and what might be happening to them when they struggle to recall events or make different decisions about disclosure.
- To enhance the training that I deliver at a regional level on working with women affected by rape and sexual violence. This training supports practitioners in range of different disciplines, and also seeks to dispel myths about memory and recall, particularly in the area of trauma and physical violation. The training supports practitioners to understand the asylum process and approach women with gender awareness.
- To enhance lectures I deliver at different universities. These sessions often help dispel myths about memory recall and the asylum process, and help trainee practitioners and

students gain a better understanding of the barriers to refugee status that many women seeking asylum face.

- To support grassroots campaigns and awareness raising work such as campaigns against detention and removal, and detained fast track. The research illuminates many of the reasons why women are placed in fast-track when they do not disclose their needs for protection immediately and are therefore wrongly assessed.
- To enhance my PhD literature reviews and inform my narrative approach to my study. This research also works well in conjunction with other work nationally and locally, such as the Asylum Aid women's charter. The empirical nature of the research enhances its credibility and that of work which makes reference to it.

One of the key benefits to the CSEL research is the way that the approaches often reflect research findings from other familiar areas, such as domestic abuse. The historical links to other work around trauma and memory are also useful, but the focus on asylum is original and extremely useful for researchers and practitioners to follow.

I'm able to keep up to date with the latest news from CSEL and new research papers through the website, which I'm glad to say is very user-friendly, and I find the CSEL email newsletter really informative. I hope the work will continue and it would be a pleasure to work more closely with CSEL in the future. Your reputation is strong and positive and I wish you every success.

Kate Smith

PhD researcher and part time sessional lecturer, The University of Huddersfield; Advisor and Regional Trainer, WomenCentre, Kirklees.

## *Putting Evidence to work*

### *Maggie Eisner from Freedom from Torture on using research in writing Medico-Legal reports*

I work at Freedom from Torture (Medical Foundation North West) in Manchester, interviewing survivors of torture and writing Medico Legal Reports (MLRs), which forensically document evidence of torture and are used by legal representatives to support their asylum applications and appeals. Recent research has found that the appeal allowal rate in the immigration tribunal for cases where a Freedom from Torture medico-legal report had been submitted was almost double the overall rate of asylum cases. Psychological evidence of the effects of trauma is an important part of an MLR, especially if the person has been ill-treated in ways which do not leave many physical scars. Evidence on the effects of trauma on memory is important when the client's credibility is called into question because of inconsistency or gaps in their account of their experiences.

I attended a CSEL study afternoon on memory and trauma in March 2011. I was glad to have an opportunity to augment my broad understanding of mental health issues (developed over 30 years as a GP) with specific and up to date information on this area, which is critical to my work as an MLR writer.

Among other useful things I learned through the training session, I developed a clear understanding of the dual representation theory of memory. When my clients have memory difficulties which affect their accounts of their experiences of ill treatment, I include a paragraph explaining the dual representation theory (using the academic reference provided by CSEL) and relating it to their individual case. Here is an example of a paragraph from a report on a client from Congo (DRC) who had been repeatedly raped in detention:

She has memory difficulties characteristic of trauma survivors. There are two kinds of memory, served by different parts of the brain (Brewin, Dalgleish and Joseph, A dual representation theory of post traumatic stress disorder *Psychological Review* (1996) 103 671-686). Deliberately recallable

memory (involving a part of the brain called the hippocampus) is required to put the event into its proper context and to produce a chronological verbal account of events. Sensory-emotional memory has no chronological structure and is stored in the form of images rather than being verbal. In trauma victims, recallable memory can be deficient while emotional memory can be very active and can even make accurate chronological memory more difficult. In addition, both kinds of memory are affected by stress. In stressful circumstances, chronological memory becomes less accurate and emotional memory more intrusive. Deficient chronological memory is reflected in Ms X's difficulty in her UKBA asylum interview in recalling accurately the dates, times and other precise details of the traumatic events of her detention, as well as in her initial difficulty recalling dates, times and sequences of events in her interviews with me, and her problems remembering her children's appointments with the GP. Enhancement of emotional memory, with involuntary intrusion of distressing memories, is illustrated by her experience of flashbacks and nightmares.

The client was granted asylum.

Since the training session, I have found the CSEL website a valuable source of research papers, both for increasing my own understanding and for reference in MLRs – especially when sexual violence is involved, or when the client's memory is an issue. The papers I have found particularly useful include *Discrepancies in Autobiographical Memory* (Herlihy, Scragg and Turner, 2002) *Impact of sexual violence on disclosure during Home Office Interviews* (Bogner, Herlihy and Brewin, 2007) *Refugees' Experiences of Home Office Interviews: A Qualitative Study on the Disclosure of Sensitive Personal Information* (Bogner, Brewin & Herlihy, 2009), and the review article *The*

*Have you used CSEL's research to support a medical report or legal case? Let us know; please contact Jane Herlihy (address on back page).*

## ***Psychology for Justice: Integrating psychological knowledge in the Khmer Rouge trials***

***Jane Herlihy reflects on the last year of this project, and possibilities for the future***

From the start of our involvement with this project we have been interested in the ways in which psychological research can contribute to the quality of justice being delivered in the historic hearings in Cambodia at Extraordinary Chambers of the Court of Cambodia (ECCC).

After more than 30 years, the people who suffered under the Khmer Rouge regime are coming forward to speak of what happened to them and their families and communities. Horrific accounts are being told, to a public court, and to lawyers and judges who are grappling with different legal systems and, in some cases, groundbreaking law to deliver justice, reparation to individuals and the possibility – although a hotly debated concept – of some sense of closure for the communities and society of present day Cambodia.

This unique research project is a collaboration between the Department of Psychiatry of the University Hospital Zurich; the Faculty of Medicine of the University of Zurich; the Centre for the Study of Emotion and Law, the Department of Clinical Psychology at the Institute of Psychology, University of Zurich; the Faculty of Law at the University of Zurich; and the War Crimes Study Centre, University of California, Berkeley.

The project has three strands: research, training and supervision. The psychological research has resulted so far in two papers suggesting that



witnesses' language can be affected by who they are talking to in court (the prosecutor, the defence lawyer or the judge). This is interesting as it links to research showing how people with higher levels of posttraumatic stress use language differently, for example, work co-authored by Chris Brewin showed people using more sensory words when describing the more distressing aspects (involuntary memories) of a traumatic experience. Rebecca Brönimann is currently submitting these for publication, in part fulfilment of her PhD, which she is currently finalising.

The most exciting part of the project so far for me came when I visited Cambodia in January 2012 to meet with people who have been working – some for years now – to ensure that the hearings have the best possible outcome for the victims of the regime. Hosted by the Transcultural Psychosocial Organisation (TPO), CSEL associate Dr Pennie Blackburn and I – along with Dr. Muny Sothara of TPO – delivered two days of training to lawyers, legal assistants and assistant psychologists working at the court, where they are supporting individuals to work with lawyers and attend court as witnesses and civil parties.

We worked through the common manifestations of post traumatic stress and depression, and 'baksbat', a Khmer word which describes specific, locally observed presentations in response to traumatic experiences. We then looked together at the ways in which these

difficulties might manifest themselves in the courts in Cambodia, and how lawyers can work to mitigate their effects on the witnesses and their evidence. We drew on CSEL research to illustrate specific issues with consistency of recall and disclosure. Finally we spent some time with them looking at the effects of the work on them and how they can stay connected to the important values and commitments that brought them to the endeavour, however challenging.

Following this we delivered the training to the members of the Asian International Justice Initiative (AIJI) monitoring team, who are funded by the War Crimes Study Centre at the University of California, Berkeley, to produce a weekly digest of the court proceedings. The team also develop video programmes which are shown to communities around the country and they participate in radio broadcasts and radio phone-in programmes to answer questions from the public. We hoped to raise their awareness of some of the psychological processes at work in the courts, in order that their understanding is underpinned by good psychological knowledge.

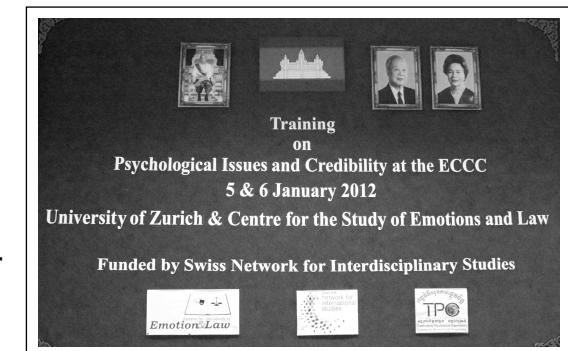
Both training programmes received highly positive evaluations, which we will be writing up for publication in the coming year.

The importance of CSEL's research has been appreciated by others working on this unique human rights project, and is cited by S Megan Berthold and Gerald Gray in their chapter 'Post-Traumatic Stress Reactions and Secondary Trauma Effects at Tribunals: The ECCC Example', in *Cambodia's Hidden Scars: Trauma Psychology in the Wake of the Khmer Rouge*. Berthold and Gray draw on CSEL's research to highlight psychological issues pertinent to the hearings and recommend appropriate training for legal professionals working in this area,

including training in support for secondary traumatisation.

The supervision of the monitors at the ECCC continues, with Judith Strasser of TPO meeting regularly with them. The literature on vicarious traumatisation – the notion that working with other people's traumatic histories can affect us personally – tells us that supervision is key to mitigating its effects. Accordingly, Jane is supervising Judith Strasser, a clinical psychologist at TPO, who is meeting regularly with the monitors, running support groups or individual supervision as required.

In June 2011 Rebecca, the project coordinator Julia Möller and I presented the project at the Vienna meeting of the European Society for Traumatic Stress Studies. We described the different strands of the project and paved the way for a presentation of our final results at the next meeting of ESTSS, in Bologna in 2013.



## *Credibility in Europe*



While asylum systems and procedures, and specific asylum challenges, differ across the European Union, credibility assessment is crucial in asylum decision making everywhere. Decision makers face the same challenges in assessing credibility in the UK as in Greece or Italy. Although the UNHCR has issued guidance on assessing credibility, and many national

governments within Europe have issued their own guidance for border agency and other relevant officials, it is important to keep a close eye on how those guidelines are being implemented on the ground, day by day.

The CREDO project is a collaboration between the UNHCR Regional Bureau for Europe, the International Association of Refugee Law Judges (IARLJ) and Asylum Aid, funded by the European Refugee Fund and led by the Hungarian Helsinki Committee, an international non-governmental organisation that monitors compliance with international human rights instruments. The CREDO project is looking at various aspects of credibility assessment in asylum decision making across the European Union, including surveys of the practice of credibility assessment in Belgium, the Netherlands, the UK and Sweden.

CSEL was approached by UNHCR to guide their research design, and offer some consultation on the research interviews. We have also been involved in feeding in to the data gathering process, given our experience of working with other key stakeholders. In parallel with this, Jane has met with a group within the IARLJ to offer consultation on early drafts of a new chapter of their training manual, as part of the CREDO project. We're excited to be taking part in this collaboration as it's a new opportunity for us to bring our knowledge to important players in this field, and to extend our work on human rights, building our reputation in this area.

## *Evaluating in Partnership*

Evaluation of our work is critical to developing CSEL as an independent research centre which not only carries out and supervises original research, but aims to ensure that research is useful to, and is used effectively by, decision makers. If we are to help increase the fairness of decision making in legal processes affecting the rights of the most vulnerable, we need to have an idea of the extent to which decision makers are accessing our research findings and making use of them.

This year, supported by Unbound Philanthropy, we began a new evaluation project in partnership with Clifford Chance, who are generously supporting CSEL with staff time and expertise. Facilitated by Tom Dunn, the Pro Bono Director, a team of trainee lawyers at Clifford Chance have made a systematic search of 6 months of upper tier tribunal decisions, as published in BAILLI (the British and Irish Legal Information Institute's database) and the public database of the Immigration and Asylum tribunal. This gives us a benchmark measure of our influence in the upper courts, and we will re-run the same search in two years time to see if there is any evidence of an increase.

Of course most decisions are made at the first tier of the tribunal, but these determinations are not published. To establish the extent to which we are influencing these decisions we will need to contact asylum seekers (probably through their lawyers) for consent to give us access to their appeal determinations. We will be seeking funding for this important future project.



## *The Benefit of the Doubt: Investigating discrepancies in repeated interviews*

To be recognised as refugees, people fleeing persecution must give a consistent account of what happened to make them afraid. If they 'can't keep their story straight', they may be judged to be lying. UK government guidance instructs case owners to give people a chance to explain discrepancies in their story, but campaigning and advocacy groups are still documenting examples of inconsistencies that have not been given this 'benefit of the doubt'. However, many psychological studies have shown that people are not consistent when describing traumatic experiences.

Our three year study of inconsistencies in repeated accounts given by asylum seekers, funded by the BIG Lottery Fund Research Programme, is drawing to a close. It has encompassed a comprehensive review of salient areas of the psychological literature on memory. We firstly looked at the challenge of recalling and selecting personal, autobiographical events in the context of making a claim of asylum. Then we looked at the effect of heightened emotion – particularly distress – at the time of the event on how people recall and report those events. Extreme events can cause patterns of psychological distress leading to diagnoses of psychiatric disorder, and we reviewed studies examining memory processes in people with these diagnoses. We then looked at the challenges of communicating accounts of autobiographical events – including traumatic events – across different cultures. Finally we gave a brief review of the literature on deception, and how to recognise it. There will soon be a link to the published paper from the publications section of our website.

With regard to inconsistencies, our review concluded that, while some researchers suggest that parts of the trauma memory are fixed over the individual's lifetime, other studies using both military and civilian survivors of war suggest that detailed memories of traumatic experiences can change. These differences might be explained by different forms of memory, the individual's efforts to mitigate their emotional responses (e.g. avoidance behaviour) or cultural differences.

In the study we interviewed, on two occasions, 69 people who had had at least one traumatic experience. About half of the group were refugees. We asked about a traumatic and a non-traumatic event with a series of 15 standard questions about each. We also administered a series of other tests.

We are still analysing the data, but it is clear already that there is considerable inconsistency between interviews in a research setting in which there is nothing to be gained by deception. We're also finding preliminary indicators that language interpreting may introduce discrepancies in testimony, which has already been highlighted as an area of concern, in the context of changes to the contracting and provision of interpreting services to the courts. The Freemovement immigration law blog raised these concerns in March 2012 in a post about the newly contracted supplier of interpretation services to the Immigration Tribunal ('Applied Language solutions: I say Tomato', 16 March 2012).

These results help us further explain to decision makers how there may be psychological reasons why people are inconsistent, and that inconsistency does not necessarily mean they are lying. The latest findings will now become part of our growing evidence base, and along with our other research findings we will disseminate them through our developing networks to Home Office decision makers, immigration judges, lawyers and others supporting people seeking asylum. We will also take this into our training of solicitors and barristers so that they too can explain the difficulties that their clients have in being consistent over the course of their asylum claims.

***Despite government guidance, campaigners are still documenting cases where discrepancies have not been given this 'benefit of the doubt'.***

## ***Supporting those who support traumatised women***

### ***Clare Cochrane reflects on the last months of the dissemination project for women***



This year saw the final phase of the Dissemination Project for Refugee Women, which was funded by Comic Relief for three years to take our research findings to voluntary sector organisations supporting traumatised women seeking asylum. We did this largely through training seminars around the UK, run either alone or in partnership with voluntary sector

organisations, making the most of their networks, and building our own relationships in this field.

Over the life of the project we ran 11 training seminars, trained 570 people to understand our research findings, published articles in widely-read newsletters, and presented at national conferences. In 2011-12 we ran the last four seminars of the project in Bedford, Sheffield, Glasgow and London, and delivered a well-received workshop at the Red Cross north west conference on supporting women refugees and asylum seekers.

Our evaluation of the training seminars throughout the life of the project has yielded extremely positive feedback: participants expressed a real enthusiasm for learning about the research findings and ways to use them to support clients. Freedom From Torture in the north west of England now recommend CSEL's research to all their medico-legal report writers. Others around the country are making use of it in training and in their own research and practice, as Kate Smith writes on page 4.

The project has also generated a lot of interest via word of mouth, and by the end of year 2 we had feedback from many individuals and organisations that people had heard from us from a number of different

sources. As a result the training programme has proved a highly effective outreach strategy for CSEL in general, ensuring that our reputation amongst the refugee-supporting voluntary sector and grant making funders has spread quickly in a very short period of time.

In part this was because of the way that the training incorporated basic information about the refugee context, gender issues, and how memory works. The main aim of the training was to explain our research findings in such a way that people working with traumatised women seeking asylum could appropriately and confidently refer to credible scientific evidence to support their clients. We realised early on that this information is complex and can seem quite abstract; by including additional information we were able to present CSEL's research as relevant and accessible.

The success of the women's dissemination project has also allowed CSEL to strengthen its identity as an independent research centre that conducts and supervises research, and takes the research to those who can make use of it to improve the fairness of legal processes for vulnerable petitioners.

The project is due to end in December 2012 and the last few months will see the production of a resource pack making CSEL's research more widely available to non-specialists, and a final event that will bring violence against women support organisations and refugee-supporting organisations together to explore solutions for women seeking refuge following sexual violence.

It has been an inspiring project to work on – I've met many wonderful people and I've seen how many organisations in the voluntary sector work hard with very limited resources. I'm excited that we'll be leaving a legacy from the project in the form of the resource pack and the final event, and look forward to reporting on these in next year's annual report. I'd like to thank Comic Relief for their support throughout the project, and for encouraging the development of CSEL over the last three years.

## **Conferences 2012**

A lot of networking happens informally through meeting others in related fields of work when the opportunity arises. This year thanks to the work of staff and the support of trustees, CSEL has been able to make the most of formal relationship building opportunities and informally making new relationships through attending conferences.

Trustee Chris Brewin was invited to give a keynote address at a number of conferences this year in the UK and internationally, including the Defence Mental Health conference in July 2011; the annual meeting of the Italian Society of Traumatic Stress Studies in December 2011; the 14th annual conference of the German-Speaking Society for Psycho-Traumatology in March 2012; the British Association of Behavioural and Cognitive Psychotherapy conference on trauma in April 2012; and the British Psychological Society's annual conference in April 2012. He was also an invited speaker at the conference on Empirically Supported Therapies in March 2011, the conference of the European Network for Psycho-Social Aftercare in Case of Disaster (EUTOPA-IP) in April 2011, and the World Congress of Psychiatry in September 2011, and presented his research at the 5th International Conference on Memory in August 2011.

In May 2011 trustee Professor Amina Memon led a two-day masterclass on the cognitive interview at the International Investigative Interviewing Research Group (IIIRG) conference at Dundee University. The masterclass centred on reviewing current developments within the field and focusing on the modified version of the cognitive interview which is in line with PEACE (Planning and Preparation, Engage and Explain, Account, Closure and Evaluation). The class was very well received, with participants from several European countries.

Clare Cochrane attended the 'Safety Through Justice' conference, an anti-trafficking law training day run by the Anti-Trafficking Legal Project and the Aire Centre where she learnt about this very specialised area of law and

met campaigners and practitioners interested in finding out more about CSEL's work.

In June, Amina Memon presented the keynote address on Assessing Credibility at the fourth European student conference on Law and Psychology in Krakow, Poland. Jane Herlihy took part in a symposium at the University of Edinburgh's School of Law, where Vanessa Munro and Sharon Cowan presented the first results of their study into how rape is dealt with in asylum courts. Symposium participants included an anthropologist, academic and practitioner lawyers, a UKBA official, and an immigration judge, giving CSEL an opportunity to take our research to a diverse interested audience.

Also in June 2011, Jane Herlihy travelled to Vienna, Austria to the European Conference on Traumatic Stress where she, Julia Möller and Rebecca Brönnimann presented a symposium on research findings from the Khmer Rouge trials project. For the symposium, Jane introduced the research project as a whole, Rebecca presented a paper on her work on linguistic analyses of witness testimonies, and Julia gave a paper on vicarious traumatisation and legal decision making.

In March 2012, Clare Cochrane was invited to give a workshop at the Red Cross North West or the Dissemination Project for Refugee Women. The workshop ran twice and was enthusiastically attended by a range of people working in voluntary and statutory services in the Greater Manchester area. The response showed continuing interest in CSEL's work amongst voluntary sector practitioners, and is helping us develop our future dissemination work.

## ***Outreach and Influencing***

Besides publishing, networking and communications provide other important channels for disseminating research findings. Networking often takes the form of pre-arranged meetings with key stakeholders who can make use of our research in their own work, or by putting it in front of those who will use it to improve legal decision making.

This has included Jane Herlihy's work developing our relationship with the UK Border Agency (UKBA) through meetings with senior staff involved in delivering their quality agenda and internal training programmes. Previously we've reported on how evidence presented in the House of Lords (in answer to a question by Lord Hylton) showed that the UKBA was aware of CSEL's published research findings; since then we have been seeking ways to support the agency to incorporate the information in CSEL's and others' relevant research into their training to increase the fairness of asylum decision making.

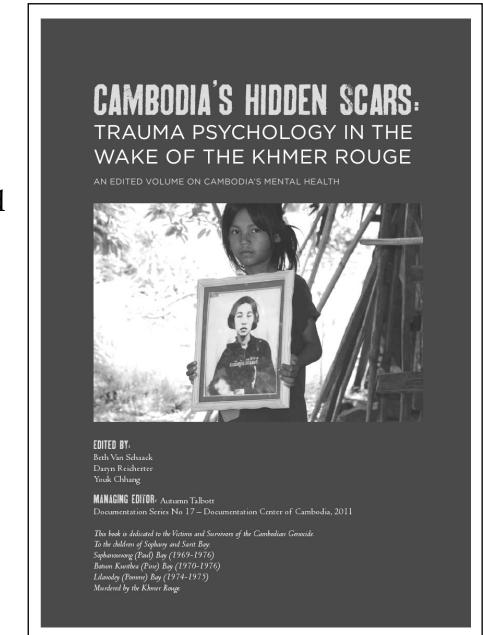
Our networking in the asylum sector over the last year has continued, and has borne fruit in the form of references to CSEL's research in important and influential research reports, both in the UK and in Switzerland.

In May 2011, Freedom from Torture (formerly the Medical Foundation for the Care of Victims of Torture) published *Body of Evidence: Treatment of Medico-Legal Reports for Survivors of Torture in the UK Asylum Tribunal*. The report found that while many Immigration Judges understand and appropriately regard medico-legal reports (MLRs), there was a worrying lack of consistency, and noted that there is a 'higher than average overturn rate on appeal' of cases involving MLRs, suggesting that UKBA case owners in the first instance do not give due regard to this evidence. In the section on Consistency, Recall and Late Disclosure the authors cited Diana Bögner, Jane Herlihy and Chris Brewin's paper 'Impact of Sexual Violence on Disclosure During Home Office

Interviews', Jane Herlihy, Peter Scragg and Stuart Turner's paper 'Discrepancies in autobiographical memories: implications for the assessment of asylum seekers: repeated interviews study', and Jane Herlihy and Stuart Turner's paper 'The Psychology of Seeking Protection'.

In December 2011 the Swiss organisation Terre des Femmes Suisse issued their report *Les Femmes Dans La Procédure d'Asile: La Reconnaissance des Motifs de Fuite Spécifiques aux Femmes dans la Pratique de l'Asile en Suisse* (Women in the Asylum Process: Recognition of Flight Motives Specific to Women in the Swiss Asylum System). The author Wiebke Doering, a specialist in Gender Based Violence and Women Refugees, referred to 'The Psychology of Seeking Protection' in a section explaining that the way that questions are asked can influence the responses given.

In January 2012, Asylum Aid published their groundbreaking report *I Feel Like As A Woman I'm not Welcome*, a comprehensive gender analysis of the UK asylum system and process. The report covered the procedures and institutional structures concerning women's asylum claims, and included a number of stories from women who had sought asylum in the UK and whose experiences both illustrated and informed the report. The section on disclosure referred to Jane Herlihy and Stuart Turner's paper 'The Psychology of Seeking Protection'.



## *The year ahead: 2012-2013*

Over the next year we'll be getting some exciting new work underway, in partnership with new funders, completing our dissemination project and discrepancies research, and continuing to develop CSEL as an independent and sustainable research centre.

Our first funded major research project, the Big Lottery funded study of inconsistencies in repeated accounts given by asylum seekers (see p9), will draw to a close in mid-2012. We are still analyzing the statistical data from this study of repeated interviews, and will be able to explain what we found in next year's report. Our collaboration with Zurich University and the Berkeley War Crimes Study Centre is also due to end in the summer of 2012. We will be reflecting on all that we have learned from these two projects and how to take that learning forward into new research and training collaborations.

We'll be developing our research programme with both new primary and secondary research. We're hoping to source funding to investigate vicarious traumatisation and the emotional burden of their work in the people who have to make crucial and politically charged decisions about asylum – decisions that affect the lives of traumatised people. We are currently looking for the next clinical psychology doctoral study to support, to help carry forward our research programme.

In secondary research, our latest grant, from Unbound Philanthropy, allows us to do something we've thought about from our inception – to host colloquiums that bring together expert legal practitioners with psychological researchers to define key current psychological questions and to provide the latest and best available knowledge from the literature, in accessible terms. The first of these events will be held in mid 2012, with a full dissemination programme to ensure the widest awareness of the results developed by late 2012.

Our dissemination work will include an exciting new venture in the form of a series of 'Psychology and Law' seminars together with the Refugee Law Initiative at the University of London School of Advanced Study. These will bring together psychologists, lawyers and judges, to engage in lively debates about some of the key points where psychology and the laws of humanitarian and refugee protection overlap. Capacity permitting, we'd also like to expand our e-newsletter and develop our website as an effective and useful resource for lawyers.

During 2012 we will be publishing a number of new papers that we will need to disseminate to people working in positions of influence and decision making where psychological knowledge can improve the fairness of legal decisions. Papers currently under review include the paper by Lucy Wilson-Shaw on the commissioning by non-clinically trained legal professionals of medico-legal reports (see publications section, p 3). We are also looking forward to new publications arising from the Cambodia project, on the responses of witnesses in the ECCC trials and on evaluation of our training at the ECCC in Phnom Penh. During the next year we also plan to publish a new paper in a general law journal, marking our move into the bigger world of law and emotion studies.

Over the coming year we plan to continue with our existing training, once again offering CPD accredited training through the Immigration Law Practitioners Association (ILPA), and also to develop our training in response to new enquiries from law firms and voluntary sector organizations. Likewise we'll be continuing to develop our relationship with the UKBA, the judiciary and the UNHCR, offering training consultancy and other support to these bodies of decision makers, to ensure that relevant psychological understanding is available to all those responsible for making fair decisions about asylum.

## **CENTRE FOR THE STUDY OF EMOTION AND LAW**

Board of Trustees' Report and Financial Statements  
For the Year Ended 31 March 2012

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