

# The Impact of the Asylum System on Mental Health and Memory

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## Executive summary

People who seek asylum are at a heightened risk of experiencing trauma and stress that negatively impact their mental health. This can be because of traumatic events experienced in their country of origin as well as hardships that they encounter in the process of seeking refuge and claiming asylum. Trauma and stress can be caused by border controls, such as deterrence policies that force people to undertake unsafe journeys to seek asylum, and post-migratory factors, such as long waiting times for an asylum decision, social isolation, poverty or detention. Trauma and stress can impact people's memory, such as what is remembered and how it is remembered. While people experiencing trauma and stress can typically provide reliable testimonies of core events that they have experienced, their recall may be disorganised and distorted. For example, the chronology of an event may be misremembered.

This impact on people's memory is a predictable and avoidable outcome of an asylum system that puts people, who often have already experienced trauma, under an enormous amount of stress. This is a form of epistemic injustice caused by the asylum system. In other words, the asylum system harms people by denying them access to information about their personal past.

A further compounding harm occurs during asylum applications when a person's ability to recall past events impacts how credible they are assessed to be. Disorganised and distorted memory recall can be wrongly interpreted as signs of false testimony.

To remedy these memory-related injustices caused by the asylum system we propose a number of policy changes that target and prioritise the mental well-being of people seeking asylum. These include:

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- Migratory factors: e.g. provide safe and legal routes to asylum, such as expanding resettlement and family reunification schemes
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- Post-migratory factors: e.g. provide a right to work, adequate housing, access to mental health support, end to use of detention
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- Asylum application factors: Caseworker training on the impact of trauma and stress, including post-migratory stress, on memory; lower standard of proof for credibility assessments
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## Understanding how the asylum system can impact memory recall

People seeking asylum in the United Kingdom will often have experienced high levels of stress and trauma in their country of origin. The refugee regime and asylum system of the United Kingdom can exacerbate this stress and trauma, producing further chronic or acute stress, trauma and PTSD.

People seeking asylum are often denied safe and legal routes to asylum, placed in detention centres, given inadequate hotel accommodation that is shared with strangers, provided access to a poor diet, denied the right to work, and so forth. Each of these factors can contribute to chronic or acute stress, acute stress disorder (ASD) or post-traumatic stress disorder (PTSD). In turn, these conditions can impede people's ability to accurately and convincingly recall aspects of their past.

Stress that occurs before someone stores or attempts to retrieve information from memory, uncontrolled stress that occurs over a longer period, and stress that is symptomatic of acute stress disorder (ASD) or post-traumatic stress disorder (PTSD) negatively impact how people recall the past. Under these types of stress, memories can become disorganised, disjointed, and lack details relating to the context in which an event occurred.

The refugee regime and asylum system place people under conditions that elicit stress of this type and thereby increase the chance that people seeking asylum display memory errors. For example, many people seeking asylum have PTSD, and when they do have this condition, they are significantly more likely to have memory issues, including memory gaps and inconsistencies. There is some evidence that stressors encountered after travelling to seek asylum have a worse impact on mental health and therefore pose higher risks to memory for people seeking asylum, than adverse experiences prior to leaving their country of origin.



## The institutional injustice of undermining people's access to their personal past

When features of the asylum system cause people to undergo stress and trauma that causes memory issues, this can prevent them from having knowledge and understanding of aspects of their past. The capacity to know about and understand aspects of our past is important and valuable. It provides self-knowledge, for example about how the person copes under conditions of uncertainty and duress. It can therefore provide the basis for well-informed, autonomous choices. In contrast, a lack of self-knowledge or understanding can reduce a person's sense of self and the trust that they place in themselves. At the same time, memory issues can lead to a reduction in wellbeing in cases like PTSD where people are unable to contextualise a traumatic event in their past and instead regularly relive the traumatic experience.

The loss of self-knowledge, understanding, autonomy, sense of self, self-trust, and wellbeing that occurs when the asylum system imposes stress and trauma on people seeking asylum is the direct result of the policies of the institutions that govern the asylum system. Different policies governing how people can arrive to seek asylum, about the accommodation, right to work, freedom of movement and so forth could reduce the exposure to stress and trauma.



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## Reducing stress and trauma among people seeking asylum

Policies implemented by the UK government can reduce trauma and stress inducing factors during a person's journey to seek asylum and their time in the asylum process.

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Significantly increase resettlement schemes and expand existing ones, such as the UNHCR resettlement, country-specific schemes like the Afghan Citizens Resettlement Scheme, Ukraine Family and Sponsorship Schemes, and Community Sponsorship.

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Dramatically reduce policies that cause post-migratory stress and place people in limbo. This includes for example:

- Lifting the ban on people seeking asylum's right to work
  - End the use of inadequate accommodation away from the community for people seeking asylum, such as hotels
  - End the use of shared rooms in asylum accommodations
  - Reduce social isolation by easing and expanding family reunification routes
  - Reduce the number of appeals, and thereby legal limbo, by approving more applications at the first decision
  - Abolish mandatory reporting
  - End the use of detention
  - Increase cash support for people seeking asylum
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Provide specialised and independent mental health support throughout the asylum application process for all applicants who request it.

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## Compounding the injustice: when disorganised and distorted memories undermine an asylum claim

Credibility assessments form a major part of asylum decisions. The standard of proof for credibility assessments on refugee status claims were increased by the Nationality and Borders Act 2022. Credibility assessments are based on an applicant's recall of past events. They are therefore susceptible to being influenced by issues in memory recall, such as disorganised and distorted memories. It is important to emphasise that people whose memory is impacted by trauma and stress can typically provide an accurate account of the core of what happened to them even where their account may contain chronological and contextual errors. What this means is that there is a discrepancy between, on the one hand, how memories often appear (as disorganised, gappy, inconsistent, etc.) and may be perceived (as untrustworthy guides to the people seeking asylum's need), and, on the other hand, how trustworthy the memories are with respect to the core details that are relevant to the claim for asylum (i.e. that the person faces risk of persecution). Caseworkers are susceptible to misinterpreting the memory issues displayed by people seeking asylum as evidence that they are untrustworthy in relation to the core details of their case.

It is not simply bad luck that the memory errors that people seeking asylum display are misinterpreted in these ways. Policies and practices could be reformed to prevent these misinterpretations. People seeking

asylum could be provided with access to mental health support that reduced their stress and anxiety, and subsequent memory errors (though the effectiveness of this will be dependent on reducing other stress factors in the asylum system). Guidance that is given to caseworkers on how trauma impacts memory, which is currently brief and does not contain reference to post-migratory stressors, could be improved. Training could be bolstered so that caseworkers are thoroughly familiar with the advice. These and other opportunities to avoid misinterpretations of memory issues displayed by people seeking asylum have not been effectively utilised, leaving people seeking asylum at significant risk from their cases being unduly dismissed.

When issues in memory recall negatively impact credibility assessments it is a form of compounding injustice, which we call a mnemonic epistemic injustice. The initial injustice of people experiencing impediments to remembering aspects of their past due to experiences in the asylum system—with all the related harms—is compounded when the same people are disbelieved, and have their case dismissed, due to the same memory impediments. It is an injustice that occurs due to central ways that the institution of the asylum system currently operates, and an injustice that could be reduced or mitigated via changes to institutional policy, practices, and procedures.





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## Reducing unfair responses to memory errors in asylum claims

To prevent the compounding injustice of memory errors impacting a person's asylum claim, reforms can be made to the asylum process and assessment of claims. These include:

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**1** Introduce extensive mandatory training of asylum caseworkers on trauma and memory, provided by independent expert psychologists.

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**2** Lower the standards of proof, in particular for assessing credibility of an people seeking asylum's account of past events.

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## References

Bosworth, M. (2016), 'The Impact of Immigration Detention on Mental Health: A Literature Review', *Review into the Welfare in Detention of Vulnerable Persons*, Cm 9186. London: HSMO., *Criminal Justice, Borders and Citizenship Research Paper No. 2732892*. Available at SSRN: <https://ssrn.com/abstract=2732892>

Herlihy, J., Jobson, L. and Turner, S. (2012), 'Just Tell Us What Happened to You: Autobiographical Memory and Seeking Asylum', *Applied Cognitive Psychology* 26, 661-676

<https://freemovement.org.uk/the-new-higher-standard-of-proof-doesnt-apply-to-human-rights-claims>

Hynie, M. (2018), 'The Social Determinants of Refugee Mental Health in the Post-Migration Context: A Critical Review', *The Canadian Journal of Psychiatry* 63 (5): 297-303

Kendall, F. (2022), "'Catch-22"? The Assessment of Credibility in UK Asylum Applications', *New Sociological Perspectives* 2 (1), 75-91 <https://nsp.lse.ac.uk/articles/87/files/submission/proof/87-1-669-1-10-20220408.pdf>

Khan, S., Kuhn, S.K. and Haque, S. (2021). A Systematic Review of Autobiographical Memory and Mental Health Research on Refugees and People seeking asylum. *Frontier in Psychiatry* 12 (658700)

Schock, K., Rosner, R. and Knaevelsrud, C. (2015), 'Impact of asylum interviews on the mental health of traumatized people seeking asylum', *European Journal of Psychotraumatology* 6 (1) <https://doi.org/10.3402/ejpt.v6.26286>