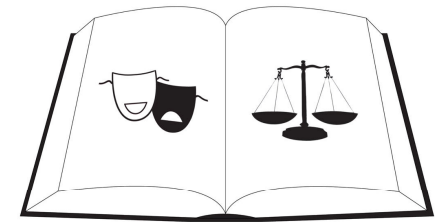
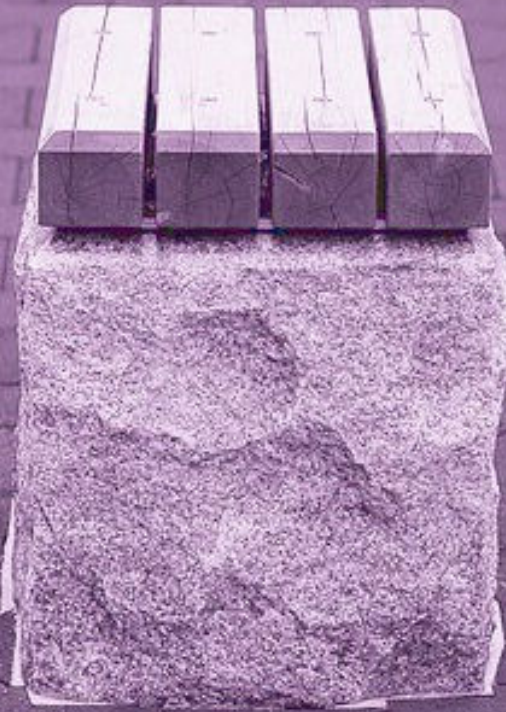
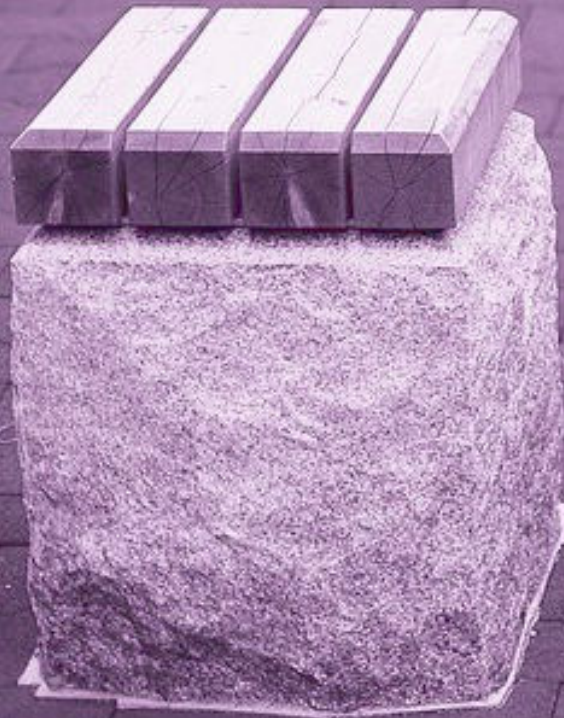


Annual Report 2009-2011



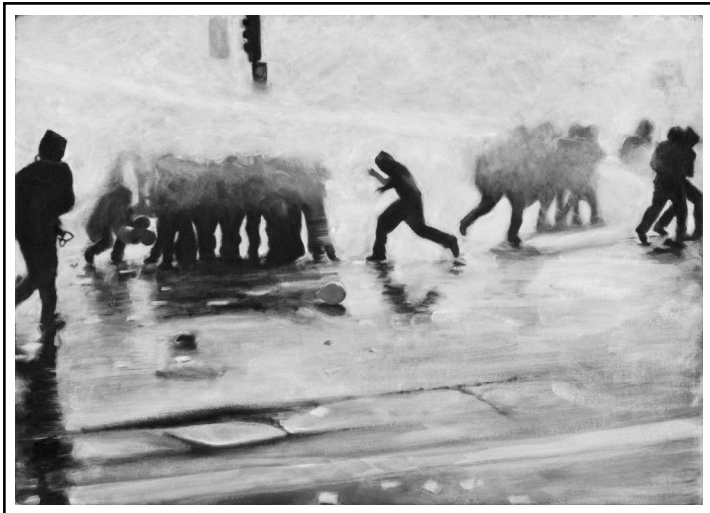
Centre for the study of
Emotion & Law

Welcome!

Welcome to CSEL's third annual report. This year we are actually reporting on 18 months of work, having altered our financial year end (that is why the financial reporting on pages 16 and 17 covers 18 months rather than 12 months). So this year's annual report is full of news, progress reports on our current projects, and hints at our plans for 2011-2012.

Of course, the last 18 months have not been the easiest time to develop a new charity, with funders receiving record numbers of applications, and a number of long-established charities facing financial crises, some refugee supporting organisations even closing down.

Continuing pressure on the amount of legal support available to asylum seekers means that more people are presenting claims with no, or very limited advice, so it is more important than ever that



good quality knowledge about all of the factors that might affect a claim is available and properly understood by everyone involved.

For us, that means the psychological

factors involved in assessing credibility. As we explained in our 2009 paper 'The Psychology of Seeking Protection' (available on CSEL's website), there are important psychological processes that need to be understood if fair legal decisions are to be made. This is especially evident in the legal process of determining refugee status, where the credibility of the claimant is so central, and a background of traumatic experiences so likely to be relevant. CSEL continues to undertake primary and secondary research in this field and has also broadened its activities to include a substantial and growing commitment to training and dissemination.

However, CSEL is not only interested in providing scientific evidence to support decision makers involved in the asylum process. A new study, undertaken with the University of Zurich, of the credibility of witnesses at the UN-backed War Crimes Tribunal in Cambodia is about to commence. We are also planning to undertake basic research in traumatic memory, likely to be relevant to many domains of legal practice, for example in the criminal prosecution of rape.

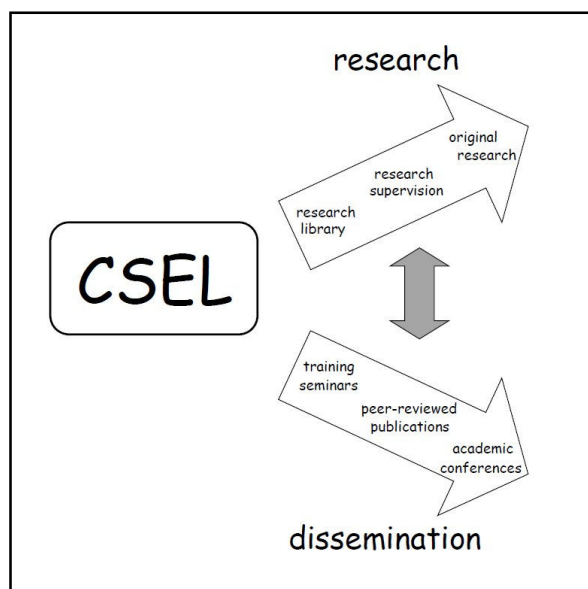
To this end, we continue to pursue the highest quality independent research, undertaking original studies, always grounded in the concrete needs of people in search of justice, protection and properly informed decisions.

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

Who we are & what we do

CSEL is a research centre founded in 2007 'to promote and carry out for the public benefit research and to publish or otherwise disseminate the useful results of such research' in order to promote 'the sound administration of justice'.

As a research centre CSEL has two main parts to its work: conducting empirical psychological research into areas where insufficient knowledge could result in a risk of miscarriage of justice; and disseminating our research findings through well-respected academic and non-academic channels to make them available to those who can use them to ensure fair decision making.



Structure, Governance and Management

CSEL is a charitable company limited by guarantee, incorporated on 1 November 2006 and registered as a charity on 25th July 2007. The directors of the company are also charity Trustees for the purposes of charity law and under the company's Articles are known as Trustees. The charity may by Ordinary Resolution in General Meeting appoint any person who is willing to act to be a Trustee, either to fill a vacancy or as an additional Trustee.

The Executive Director is responsible for the day-to-day management of the charity and execution of policies and practices set by the Board of Trustees. The Board of Trustees is responsible for setting and overseeing the overall direction, policies and finances of the charity. It has the power from time to time to adopt and make, alter or revoke, byelaws for the regulation of the charity and otherwise for the purposes for which the charity is established, so long as such byelaws are consistent with the Memorandum or Articles of Association.

Trustees are appointed on the basis of ability to fulfill a Trustee's role and the skills needed to fill gaps on the Board. New Trustees are elected and appointed through a process that involves all current Trustees, and induction into the Board of Trustees' ways of working.

Our supporters

We'd like to take this opportunity to gratefully thank our committed supporters, without whom our work would not be possible:

- The Big Lottery Fund Research Programme
- Comic Relief
- Swiss Network for International Studies
- Garden Court Chambers
- Trauma Clinic
- Bristol Doctoral Programme in Clinical Psychology
- Dr Christopher Brewin
- Dr Stuart Turner
- Helen Williams
- Ofonimeh Umsh
- Pat and Sybil Herlihy
- Raggi Kotak
- David Sullivan

New friends and sad farewells

This year we've been pleased to watch CSEL's board grow in expertise and size- although sadly we also said goodbye to two trustees who made valuable contributions to CSEL's early development.

At the end of 2010, we sadly said goodbye to **Catriona Jarvis**, a founding trustee of CSEL. Through her experience as a Judge in the Asylum and Immigration Tribunal, Catriona helped to ensure that CSEL's work addressed the needs of judicial decision makers for information. She also brought much-needed guidance to the development of the young organisation. We also said goodbye to **Dr Kate Gleeson**, who was originally a special advisor to CSEL before becoming a trustee. Kate was an extremely valuable friend of CSEL, supporting our organisational development - helping to put in place our appraisal system - and our research - providing the expertise in qualitative analysis for the assumptions research, finally published in 2010 (see page 10). We'd like to give both Kate and Catriona our sincerest thanks for giving so much of their valuable time to help establish CSEL. We wish them both luck, and hope to work with them both in the future.

In January 2011 we were pleased to welcome four new trustees:

- **David Rhys Jones** is well established in our field of work, having worked with UK Immigration Advisory Service, UNHCR, Refugee Legal Centre, Glazer Delmar solicitors, the Medical Foundation for the Care of Victims of Torture, the Helen Bamber Foundation, the Association of Visitors to Immigration Detainees (AVID) and Bail for Immigration Detainees (BID). David co-authored the widely cited article 'Medical Evidence in Asylum and Human Rights Appeals' in the International journal of Refugee Law.

- **Professor Amina Menon** is Professor of Psychology at Royal Holloway College, London, where she has conducted research in psychology and law for over 25 years in partnership with academics in the UK and around the world.
- **Dr Mary Robertson** was previously the director of the Centre for the Study of Violence and Reconciliation (CSV) in Johannesburg, which works to prevent violence and build reconciliation, democracy and a human rights culture in South Africa and other African countries. She is now clinical director of the Traumatic Stress Clinic where she manages the Refugee Service.
- **Clare Hogan** is the Assistant Law Editor on the Law Pages at The Times newspaper and has a longstanding commitment to human rights.

We also welcomed a new staff member in July 2010; **Mary Whitehead** joined CSEL one day a week as administrator on the Big Lottery Funded Discrepancies research project (see page 8). Mary has many years of experience in complex office administration and brings a level head and a real commitment to our work.

We've also been grateful for the time and efforts of five volunteers this year. **Eve Turner** helped throughout 2009-10 developing office systems, administrative tasks and fundraising advice. **Laurence Turner** came on a work experience placement to set up the statistics database package for the Big Lottery Fund discrepancies project and is entering all the data as interviews are completed. **Ben Hibberd** worked briefly on a small research project examining credibility assessment by Immigration Judges. We also benefited from the fundraising expertise of **Dr Marianna Tortell** of Kea Consultancy and **Patrick McAleenan**, a highly skilled marketing and PR executive, whose *pro bono* advice has helped us begin devising our fundraising and communications strategies.

Case notes: Clinical psychologist Ken Carswell's experience of using CSEL's research

I was asked to complete a psychological assessment of a young woman from DRC (Democratic Republic of Congo). She was claiming asylum as she had been arrested and tortured and feared for her life if she were returned. She further reported having been kept against her will and raped in a European country. At her initial asylum interview she did not disclose her history of rape, but did claim to be fearing persecution. During her substantive asylum interview she disclosed the rape but was unable to talk about it in detail and gave simple one word answers. She also failed to answer some supposedly simple questions about the politics and geography of Congo and the ongoing conflict there; and was unable to give a coherent account of her personal history and family contacts. She answered most of the questions "I don't know".

When I met with her for the assessment it was clear that she was experiencing mental health difficulties, as she looked scared, tired and reported feeling low. She wasn't able to give much information about her past as she didn't want to talk about it because it brought back so many bad memories. She was experiencing severe symptoms of PTSD and had been since her imprisonment and reported that the symptoms had increased following her rape. She said she was confused, forgetful, and had periods where she didn't know where she was. I asked her about her asylum interview, about the time when she was asked to describe the rape and torture she had endured. She said she felt dizzy, confused, had a headache and didn't really know where she was. Her description suggested that she had been dissociating at the time of the interview. My assessment supported this, as she dissociated when we spoke about the traumas she had experienced.

In my report I was asked to comment and provide a possible psychological explanation for the inconsistencies in her asylum claim. I suggested that her experiences of trauma and her symptoms of PTSD explained the inconsistencies and her inability to give a coherent account. I further commented that her description suggested she had been dissociating during the asylum interview, which would have had a substantial impact on her ability to engage with the questions.

The appeal was allowed and she was granted asylum. The judge remarked that the psychological assessment had been key in her decision-making, as it provided an account of how her mental health problems had affected her evidence.

The research conducted by CSEL was central to my report. It provided a scientific basis for my observations and clinical opinion. Without it, my formulation of her problems would have been based on my clinical opinion alone. I feel this would have weakened my report, as in psychological assessment it is necessary to base arguments on evidence. Very little research exists in the asylum field which can be so readily used by mental health professionals working in the asylum field. The research published by CSEL helps to provide a scientific explanation for behaviours related to the traumas many asylum seekers experience, which would otherwise lessen their credibility and lead to incorrect decisions for vulnerable people.

—Dr. Ken Carswell is a clinical psychologist in the refugee team at The Traumatic Stress Clinic, London

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).

Fair Judgements: fair progress

Jane Herlihy reflects on the progress of this research funded by the Big Lottery Fund Research Programme

We have now completed two years of our investigation of the mechanisms underlying discrepancies in asylum seekers' accounts of persecution and trauma. The study is looking at psychological factors in inconsistencies in asylum seekers' claims, which are typically interpreted by decision makers as indicating fabricated histories, and follows on from the first study into discrepancies between accounts given in Home Office interviews (See Herlihy, Scragg and Turner, 2002). In next year's Annual Report I look forward to sharing our findings - by then we should have collected and analysed all the data and been able to draw some important conclusions about memory for trauma. At this point in the research, we are deep into the interviewing, and learning much from the process of conducting the study.

We are interviewing both refugees and non-refugees about traumatic experiences, in order to see if the patterns we find are true for all people, or whether there are particular processes at work for refugees. After all, refugees have had many distinctive experiences, which may mean that we should be cautious about making assumptions about how their memory will be affected compared to those who have not had these same experiences.

The recruitment of participants for the study has been an interesting process. An essential component of the study is building the right relationships with the groups, organisations and individuals who we need to help us gather data for the study. Working with us is a two-way process: it means not only providing information, but also ensuring that we are asking the right questions of the right people. If we are to build relationships that will last, and that will enable us to continue to conduct research in the future, the last phase of this project must also include some evaluation of the recruitment process, and we need to ask our research partners how the process has been for them. We know it has

been challenging. Clinicians and service providers who are helping us to speak to their clients have hectic, busy jobs already. We want to give them the opportunity to support important research, without adding too much to the burden of their workloads. Also, we are asking people who have had awful experiences, many of whom are still struggling with the psychological impact of those experiences, to repeat their story, to a stranger, for no immediate benefit to themselves. I have found the willingness of participants to work with us awe-inspiring. These people have chosen to come forward and speak. They want to help other people in their struggles; they want to repay the help they have received, from clinicians and clinics; they want to support an organisation that is trying to change things for the better.

We are now collecting the feedback we are getting from participants. So far it seems to be very much in line with research in the USA which shows that people say that yes, they do get upset talking about their traumatic experiences, but that they believe it is important to help others, and they feel good about themselves as a result of taking part. Some - also in our study - say that talking in the research interviews is contributing to their own recovery.

A lot of organisations have given time to help recruit participants. As well as our partners The Refugee Therapy Centre, I'd also like to thank:

- South West London & St. George's Traumatic Stress Service
- The Traumatic Stress Clinic, Camden & Islington NHS Foundation Trust
- Refugee Resource, Oxford
- NHS Islington (Improving Access to Psychological Therapies)
- Hackney Refugee Forum
- Camden LGBT Forum
- Tavistock & Portman NHS Foundation Trust

Psychology, mental health and law:

PhD Researcher Rebecca Brönniman on integrating psychological knowledge in the Khmer Rouge Trials

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 study is exploring the way in which the credibility of witnesses is perceived in human rights courts, through using observational measures to analyse the levels of traumatisation and distress in witnesses who testify at the Extraordinary Chambers in the Courts of Cambodia (ECCC), and to look at how this influences the consistency and credibility of witness testimony. We are also interested in the impact of trauma on the judicial decision-making process and how lawyers deal with traumatised witnesses.

I developed an observational analysis tool to enable us to observe court witnesses' presentation of post-traumatic stress symptoms, but first I wanted a quicker and more economic method that I could use to get a better overview of the content of exchanges in trial 1, the process against Kaing Guek Eak alias Duch (former head of security prison 21 in Phnom Penh). Trial 1 lasted several months and more than 178 hours of video-taped exchanges had to be analysed. For the analysis I used the Linguistic Inquiry and Word Count (LIWC), a well validated transparent text analysis software developed by Pennebaker, Booth and Francis; the software categorises and quantifies language use and scores words and word stems according to psychologically meaningful categories, such as 'cognitive words', eg. "think" or "remember", or 'affect words' such as "feel" or

"sad". I looked at whether witnesses with a higher level of risk factors for Post Traumatic Stress Disorder present more linguistic indicators of trauma pathology. This includes using more words overall, more words that reflect perceptual processes, more first person pronouns, speaking more often in the present tense, using fewer words that reflect cognitive processes, and in particular using more causal words, and more words relating to death and dying. We identified a number of trends, for example, former detainees tend to use more linguistic elements related to trauma pathology than former guards of the prison. We also used the LIWC to examine how the judge or prosecutor may influence the testimony of witnesses who share comparable traumatic experiences. Variability in witness testimonies is often assumed to be attributable to the style of questioning, and the behavioural, social and psychological attributes of the interrogator - inconsistency in witness testimony is often taken to mean that the witness is unreliable. We analysed the speech samples of 24 witnesses when responding to judges, prosecutors, civil party lawyers and defense counsels and found that differences in witness' testimonies did correlate to different interrogators. Verbal expressions of *affective*, *cognitive*, and *perceptual*

processes, and of personal matters such as *religion*, differed according to who was interrogating the witness at the time.

I'm looking forward to reporting back from the 12th European Conference on Traumatic Stress in June 2011. One aspect of this project that I really value is the interdisciplinary approach and the co-operation of different research centres. It's exciting to be part of a research project that crosses national and disciplinary boundaries and includes a wide range of voices, viewpoints and experiences.

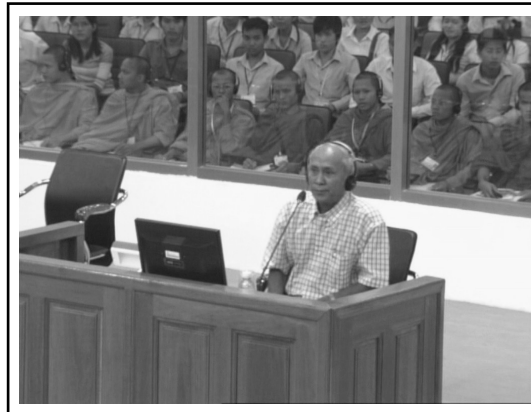


Image: a survivor testifies at the first Khmer Rouge trial

Spreading the message to the voluntary sector

Clare Cochrane looks back at the first 18 months of the Dissemination Project for Refugee Women

The first 18 months of the Dissemination Project for Refugee Women have passed in a blur of activity, with the project reaching far more trainees and seminar participants than we originally anticipated. In this first half of the project our focus has been on devising and delivering the half day training seminars in how to understand CSEL research and use it to support traumatised women. These seminars are the core of the dissemination project, and have been enthusiastically received, and well attended. We've had good feedback too, helping us develop the sessions further, and begin to think about how CSEL might develop a training strategy to provide more specialist training to different organisations. I've also attended conferences to give workshops on CSEL's work, written an article for Asylum Aid's women's campaign newsletter, and developed new proactive communications tools.

Getting the project going

During my first couple of months in post I spent a lot of time reading, not only CSEL's research papers but also papers by other researchers into the effects of memory on trauma, and the focus on credibility in asylum systems in the UK, Canada and Australia, as well as other relevant papers. I used these, and recent research by Amnesty International, Asylum Aid and others, as the basis for designing the training seminar. Although the main focus of the seminar is to explain the research into discrepancies in Home Office interviews, and into barriers to disclosure in Home Office interviews, we quickly realised that the training needs to offer a context in which the value of the research findings can be easily understood.

Since October 2009, I've run training sessions in London, Cardiff, Brighton, Newcastle, and two in Manchester. Originally the plan had been to run six training sessions across the UK over the three years of the project, but demand has been such that I've run additional training

sessions at the invitation of other organisations. Where CSEL organised training seminars, they were promoted amongst both local refugee community organisations and local organisations supporting women who have experienced sexual violence, such as Rape Crisis - I have aimed to use the training as an opportunity to bring together participants from a mixture of organisations with different specialist areas of knowledge. The success of this has depended on how strong and well established links between these two types of organisation are in an area. For example, in Manchester there are already strong links between women's organisations and refugee-supporting organisations, with individuals volunteering in both a women's organisation and a refugee support group, or working in one and volunteering with another.

Feedback

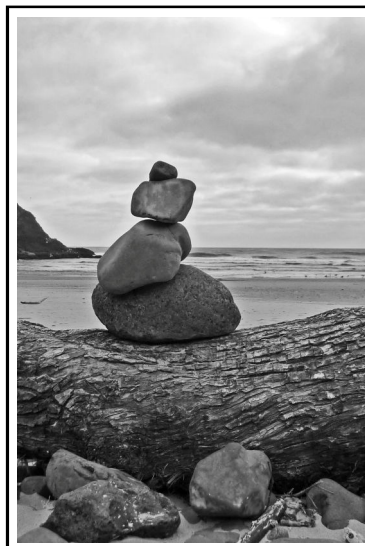
I'm glad to be able to report that overall we've had very positive feedback to the training programme. Where people have made occasionally critical comments they have all been in the spirit of supporting the future development of the training, and I've found it really helpful and I've been able to adapt the training as a result. However, it's one thing hearing that people have enjoyed the training and are enthusiastic about putting it to use, but do they actually use the information they've gained from the seminars? I followed up some of the participants of the early training sessions six months after the seminar, and asked them how they'd managed to put their learning to use. Some training participants had moved on (thanks to the perennial problems of short-term funding and high turnover in small voluntary sector organisations), but many gave positive feedback.

Jill Power from the UK Lesbian and Gay Immigration Group (UKLGIG) said she had referred to the research in workshops she had given about

making statements in support of LGBT people's asylum claims, and had brought it up at a meeting with the UK Border Agency called to discuss issues related to the Supreme Court's ruling on appeals by two gay men against deportation (HJ (Iran) v Secretary of State for the Home Department and HT (Cameroon) v Secretary of State for the Home Department). Jo Miller at Medical Foundation North West was able to quote our research in a report written on a woman who was raped in Congo and cannot give a consistent account of what happened to her and who had become destitute and ill: "Your papers have helped me challenge the views expressed in the determination which refused her case." One participant in the first Manchester seminar spoke for many when she wrote: "For me it's been useful in having that awareness and that awareness informs how you work with people in general, so helps as a worker to have a better attitude and instead of seeing discrepancies and credibility issues as problems, you've got a structure for believing and having a positive attitude, realising that your sympathy has some basis. It helps us to have a positive supportive attitude towards our clients."

Beyond the project

As well as running training sessions, I gave a workshop at the 'Journeys and Justice: Forced Migration, seeking asylum, and human rights' conference at the University of Leeds in January 2010, and at the AGM of the Rape Crisis Federation of England and Wales in February 2011. The Leeds conference yielded exciting new contacts with organisations in the North East and the North West of England, which led directly to the two successful training seminars in Newcastle and Manchester. It also provided an opportunity for me to test my knowledge and presentation skills in giving a workshop early in the project! At the Rape Crisis AGM a year later I focused on encouraging rape crisis services to address the needs of women seeking asylum; in the year between the two conferences I had become



increasingly aware that women seeking asylum who have experienced sexual violence are not presenting for support in the numbers one would expect (given the prevalence of this experience amongst women refugees) at either refugee community organisations (RCOs) or violence against women (VAW) organisations. This is an ongoing concern that I hope the dissemination project can begin to address in more creative ways over the last year of the project. I was inspired by the creative solutions that some rape crisis projects have come up with to meet the needs of BME women, such as Bradford Rape Crisis' Jyoti Project, and Jasmine House in Leicester.

Communicating

In May 2010, Women's Asylum News, which is widely read by most people who work with women seeking asylum in voluntary sector organisations, law firms and legal projects, published 'Trauma and credibility in the asylum process: evidence to help women asylum seekers'. The article was based on my experience of running the training sessions for voluntary sector workers and volunteers; it set out the main findings of CSEL's key papers on discrepancies and barriers to disclosure, and discussed how these findings can be used to support traumatised women seeking asylum. The dissemination project has also made use of CSEL's expanding communications tools, such as the e-newsletter and the website (see p12 for more details).

The future and beyond

Over the next 18 months we're planning more seminars and work to ensure that learning from the project is carried forward by those who can most benefit. I'm looking forward to taking CSEL's work to more people who can put our findings to good use around the UK.

Research activity

Publications

Publishing is central to the work of CSEL: publishing in peer-reviewed journals is essential to producing and testing high quality empirical research; but it's also key to disseminating our work, enabling it to be widely read, understood and used to inform legal decision making.

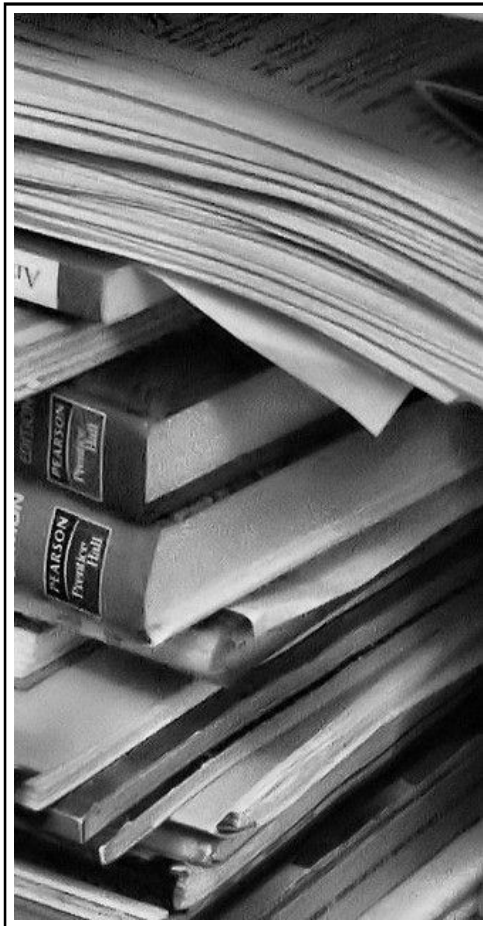
2010 saw the print publication of the qualitative findings from Diana Bögner's study of the disclosure, in Home Office asylum interviews, of personal experiences of violence. 'Refugees' Experiences of Home Office Interviews: A Qualitative Study on the Disclosure of Sensitive Personal Information', co-authored by Diana Bögner, Jane Herlihy, and Chris Brewin, was published in the *Journal of Ethnic and Migration Studies*, issue 35.

Also in 2010, our paper 'What Assumptions about Human Behaviour Underlie Asylum judgements?' was published in the *International Journal of Refugee Law*, volume 22(3). The paper was co-authored by Jane Herlihy, Kate Gleeson and Stuart Turner and looks at the assumptions which form the basis on which immigration judges make decisions about asylum appeals. We found judges not only assume that inconsistencies suggest fabrication, but also make assumptions about what people do when in fear for their lives, what they do after experiences such as rape, how and when they understand how to engage with the asylum procedures, and how and when they disclose distressing and shameful experiences. Some of these assumptions are in line with the best available knowledge in

the psychological research literature; but some are not – and some we do not yet fully understand. We plan to build on this paper to develop new research studies investigating these areas of human behaviour and responses to trauma, in order to enable decision makers to make decisions based on rigorously established, up to date knowledge.

Chris Brewin has published a number of papers in the last 18 months, including a few directly relevant and helpful to the work of CSEL. 'The Nature and Significance of Memory Disturbance in Posttraumatic Stress Disorder' (*Clinical Psychology*, vol. 7) was particularly relevant to CSEL's work, and explored which aspects of memory play a causal role in the development or maintenance of PTSD. Another was 'Intrusive images and intrusive thoughts as different phenomena: Two experimental studies' (in *Memory*, vol. 18 (1)) co-authored with Muriel Hagenars, Agnes van Minnen, Emily Holmes, and Kees Hoogduin. This paper looked in detail at a part of the dual representation theory of PTSD – originally developed by Chris and colleagues in 2006. 'Considering PTSD for DSM-5' (in *Depression and Anxiety*, published online December 2010), co-authored with Matthew Friedman, Patricia Resick and Richard Bryant, made an important contribution to the ongoing debate around definitions of PTSD as part of the process of compiling the newest edition of the Diagnostic and Statistical Manual of Mental Disorders. Chris currently has two papers accepted and awaiting publication: 'Weighing the costs of disaster: Consequences, risks, and resilience in individuals, families, and communities' in a

forthcoming issue of *Psychological Science in the Public Interest* (co-authored with G.A. Bonanno, K. Kaniasty, and A.M. Lagreca); and 'Gender, personality, and involuntary autobiographical memory' in a forthcoming issue of *Memory* (co-authored with M. Soni).



Jane, Stuart and Chris have also been working with Dr. Laura Jobson on a review of the memory literature as relevant to the asylum process. Dr. Jobson is a clinical psychologist at the university of East Anglia and the author of, amongst other work, 'A brief report on cultural differences in specificity of autobiographical memories: Implications for asylum decisions' (published in *Psychology, Psychiatry and Law*, vol.16).

Supervision

Hannah Rogers has completed her doctoral study looking at how credibility judgements are made about people with PTSD, comparing them to perceptions

of people without these difficulties. She has submitted a paper, *The impact of the behavioural sequelae of post-traumatic stress disorder on the credibility of asylum seekers*, co-authored with Simone Fox at Royal Holloway College, University of London, and Jane Herlihy, for review and eventual publication.

Contacts

During this last year, Jane and Stuart had the opportunity to meet with Professor Derrick Silove and clinical psychologist Zachary Steel, both of the School of Psychiatry in Sydney, New South Wales, Australia. Their research group has gained a worldwide reputation for their work on the effects of the refugee decision making process on asylum seekers' mental health and both have written extensively on the asylum process in Australia. Most recently they have published the findings of a broad review of the use of medical expertise in refugee status decision making in Australia. This collaboration between legal and mental health experts tracked the progress of a sample of 46 representative cases, examining the quality of psychological reports and the quality of decisions made in the context of mental health difficulties, finding room for improvement in both. Their report includes extensive guidelines for report writers, legal representatives and decision makers. We are currently looking at ways in which we might plan future research studies together.

Conferences

In January 2010 Clare Cochrane delivered a seminar at the 'Journeys and Justice' conference at the University of Leeds, outlining the discrepancies and disclosure papers as a way of talking about the importance of using empirical psychological research findings to ensure that decision making is based in a proper understanding of psychological processes. The conference proved an ideal first forum for the Women's Research Dissemination project (see p6).

In March 2010 Jane Herlihy was invited to attend the Citizens for Sanctuary away day, having been an expert adviser to the drafting group for the 1st report: Saving Sanctuary. People attended from community groups, advocacy and campaigning groups and frontline support organisations to discuss and reflect on the Independent Asylum Commission's recommendations and key questions about improving the asylum process and support for those who seek asylum, and those who are refused asylum.

In June Jane sat on an expert panel at the Country of Origin Research and Information conference on Challenges and Commonalities in Providing Objective Evidence for Refugee Status Determination. Jane and fellow panel members David Bell, Angela Burnett and Helen Bamber led a discussion on the role of medical and psychological expertise in asylum applications and Refugee Status Determination.

In autumn 2010 Jane had the opportunity to do some valuable networking at two international conferences. In September she was invited by the European Council on Refugees and Exiles (ECRE) to attend the EU Presidential conference in Brussels - a chance for expert NGOs from around Europe to develop briefings on key issues about asylum to inform the ministerial meeting negotiating common asylum policy. In October, Jane and Stuart attended the annual meeting of the international Society of Traumatic Stress Studies (ISTSS), where Stuart was awarded the Sarah Haley Memorial Award for Clinical Excellence (see photo), and spoke about his work for ISTSS with the United Nations. Jane presented data from CSEL's study of decision making assumptions in a session with Derrick Silove of the University of New South Wales, Australia.



At the start of April 2011, Jane took part in a symposium at Edinburgh Law School on Issues in the Production and Assessment of Evidence During Asylum Claims. Professor Vanessa Munro presented initial findings from her work with Sharon Cowan and Helen Bailiot into the legal analysis of the treatment of rape claims in asylum interviews. Their work supports CSEL's findings (Bogner, Brewin and Herlihy, 2010) that people find it very difficult to disclose experiences of sexual violence to immigration officials. This is complicated by the emotional responses of interviewers to hearing the accounts.

Profile & communications

Over the last year CSEL's profile has risen, with our research cited in others' publications, questions asked in the House of Lords, and our own media and communications work slowly growing as our capacity has increased.

Evidence that news of CSEL's research is spreading far and wide came with reports in Hansard that it had been the subject of a question asked in the House of Lords. In July 2010 Lord Hylton asked the government whether the UK Border Agency would take account of our research and change the rules for assessing asylum claims. Baroness Neville-Jones for the Home Office said the UKBA is aware of the research – she mentioned one of our recent papers – but the agency does not have any plans as yet to change the asylum assessment process. Just a few months later in December 2010, Lord Avebury asked the government 'what training UK Border Agency case owners receive with regard to the effect of post-traumatic stress disorder on memory and recollection. Baroness Neville-Jones replied that: 'There is no specific training covering the effect of PTSD on memory and recollection'.

Asylum Aid's new report 'Unsustainable' documented research into the quality of initial decision making in women's asylum claims, looking at how the UK Border Agency's gender guidelines are implemented under the New Asylum Model (introduced in 2007 to speed up asylum decision making). The researchers found a number of gender-specific and gender-related problems with the way that the UKBA processes asylum claims, resulting in particular problems

for traumatised women making asylum claims. For example, 87% of the women's cases studied were initially refused, 'the majority because the UKBA did not accept the credibility of their asylum claim [yet] 42% of these decisions were overturned on appeal' – the average rate of overturn for all asylum cases is just 28%. CSEL's research was cited in the report in the section explaining the particular difficulties that traumatised asylum seekers have in a process that places such emphasis on individual credibility, assessed using uninformed assumptions about memory.

Administrative Justice and Asylum Appeals: A Study of Tribunal Ajudication, by Robert Thomas, Senior Lecturer of Administrative Law at Manchester University, was published by Hart Publishing in 2011. The book reports the findings of Thomas' wide-reaching review of the appeal process, and refers to CSEL's work, particularly citing the disclosure research in the chapter on



credibility. A recent court of appeal case (PO (Nigeria)) referred explicitly to Thomas' book, giving CSEL's research findings very wide coverage via the court of appeal.

In 2010 CSEL had articles published in two widely read newsletters. In May, Women's Asylum News, which is read by most people who work with women seeking asylum in the voluntary sector, law firms and legal projects, published 'Trauma and credibility in the asylum process: evidence to help women asylum seekers' by Clare Cochrane (see page 8). In November, Traumatic Stress Points, the magazine of the International Society of Traumatic Stress Studies carried an article by Jane Herlihy and Stuart Turner: 'Empirical Evidence and Refugee Law' (volume 24, issue 6). The article introduced CSEL, and the challenges that people fleeing persecution face from a system which places such emphasis on individual credibility.

We finished our website in early 2010, providing access to our published articles, and information about our current projects. The site includes a blog where we post updates and CSEL news. It's a great way to be able to share insights we gain from our work in a less formal and more immediate forum.

In September we started a quarterly email newsletter which now has 115 subscribers, many of whom have attended CSEL's women's dissemination project seminars. To receive a copy, email Clare Cochrane: c.cochrane@tsel.org.uk.

Training

Training is a vitally important way for CSEL to disseminate research findings; no amount of research, of however high a quality, can influence the development of better quality decision making unless it is understood by the people who can make effective use of it.

In 2009 Jane delivered training in understanding CSEL research for the Immigration Law Practitioners Association, with barrister Raggi Kotak of 1, Pump Court (and founding member of the ATLeP, the Anti-Trafficking Legal Project). The training was well received, and highlighted in particular a need for support with vicarious traumatisation and burnout.

In March 2010, Raggi and Jane were invited by the Immigration Advisory Service to deliver training to legal advisers working at Oakington Detention Centre. People held at Oakington are largely in the Detained Fast Track process and this presents particular challenges to the case workers working there. They engaged with the training we provided, and we also learnt a lot from them about the ways in which our research can be helpful, whilst recognising the very real struggle they face to provide good quality and well-informed legal support.

In April 2011 Jane and Raggi were invited to Poland to deliver training to lawyers and caseworkers of Halina Niec, a Polish NGO. Halina Niec had received funding from the OSCE's Office of Democratic and International Human Rights to identify and advise victims of trafficking detained in Poland.

Plans for 2011-2012

In the coming year we have deadlines looming for research results and projects, and plans for new research and further strategic development.

Research

By early 2012 we will have finished our major research study, of discrepancies in accounts of trauma. We will submit our findings to the publication peer review process and make sure they are widely known and understood by those involved in refugee status decision making. We were due to complete our Cambodia research in 2012, at the Khmer Rouge trials, but the start of the second trial has been delayed much longer than expected; we hope to extend the project to make sure our research draws as far as is possible on the data available from the second trial.

We are developing several new research studies: a scientific investigation of the role of different types of memory for traumatic experiences; a multi-community survey of people's behaviour after rape; a further refinement of our examination of the barriers to disclosure; and a study of decision makers' assessment of the credibility of traumatised asylum seekers, building on Hannah Rogers' study. CSEL will supervise Belinda Graham, a clinical psychology trainee at University College, London, to conduct a research study looking at over-general memory in asylum seekers; we know that depressed people tend to have very general memories of the past, rather than of specific events. There is also a literature evidencing cultural differences in the way that we remember things - more individually or more as a social group. Belinda's research will look at the interaction of cultural effects on memory in people seeking asylum, who usually have to give individual accounts of specific events as part of their asylum claim.

Dissemination

The training component of our project at the Extraordinary Chambers in the Courts of Cambodia (ECCC) will get underway in the summer of 2011. Jane Herlihy and Julia Mueller of the University of Zurich will travel to Cambodia to deliver training on the psychological aspects of decision making to legal monitors before they attend the second trial. During 2011 we'll be presenting CSEL research at the annual meetings of the European Society for Traumatic Stress Studies in Vienna, and the International Society for Traumatic Stress Studies in Baltimore, USA. In early 2012 the Dissemination Project for Refugee Women will move into its final phase - sign up to our e-newsletter to stay in touch with developments.

We will also continue to offer customised training for legal representatives, professionals, supporters and decision makers. This year we would like to develop our dissemination strategy more widely, as we recognise the importance of using all channels available to us to make sure that our research is known and understood as widely as we can.

Strategic Development

In 2011 we will redouble our efforts to pursue unrestricted funds, to support our restricted funding and reduce reliance on our founding philanthropic donor. We are also exploring ways to develop ongoing relationships with private and corporate donors who understand our work and the need for it. In October 2011 **Dr. Bryn Davies** will compete in the Challenge Barcelona-Maresme triathlon, cycling, swimming and running for CSEL! You can help him to help us at:

www.justgiving.com/bryn-davies.

Financial Statement

Statement of Financial Activities: October 2009 through March 2011 (18 months)

	Unrestricted funds £	Restricted funds £	Total Funds 30/3/2011 £	year end Sept 2009 £
Incoming Resources				
Incoming resources from				
Generated funds:				
Voluntary Income	21,006	143,928	164,934	62,700
Generated Income	0		0	
Donation			0	
Investment Income			0	
Total Incoming Resources	21,006	143,928	164,934	62,700
Resources Expended				
	0		0	
Staff Cost	0	85,135	85,135	30,985
Rent & Rates			0	0
Support Cost	14,609	30,101	44,709	19,339
Governance	557	404	961	957
Total resources expended	15,166	115,640	130,805	51,281
Net Incoming (/Outgoing) resources	5,841	28,288	34,129	11,419
Transfers between Funds	-2,208	2,208	0	
Net Movements in Funds	3,633	30,496	34,129	11,419
Total funds brought forward at 1 Oct 2009	4,722	6,699	11,421	2
	8,355	37,195	45,550	11,421
	0	0	0	
Total funds at 31st March 2011	8,355	37,195	45,550	11,421

Balance Sheet As at 31st March 2011

	2011			year end September 2009		
	Unrestricted	Restricted	TOTAL	Unrestricted £	Restricted £	TOTAL £
Fixed Assets						
Fixed Assets				0	0	0
Current Assets				0		0
Bank	8,354	29,082	37,436	13,814	23,761	37,575
Cash in Hand			0			
Debtors		13,190	13,190	0	0	
Liabilities			0			
Creditors; amount falling due within 1 year		-5,077	-5,077	-400	0	-400
Creditors; amount falling due after 1 year			0			
Prepayment of grants			0	-8,692	-17,062	-25,754
Net Current Assets	8,354	37,195	45,549	4,722	6,699	11,421
REPRESENTED BY:						
Restricted Reserve		37,195	37,195		6,699	6,699
Unrestricted: Designated Reserve	8,355		8,354.9	4,722	0	4,722
				0		0
	8,355	37,195	45,550	4,722	6,699	11,421

This is a summary of income and expenditure for CSEL for the financial year ended September 2009 and eighteen months ending March 2011. For full accounts please contact CSEL. In approving these financial statements as director of the company, I hereby confirm:

a) For the year ended 31/03/2011 the company was entitled to exemption under section 477 of the Companies Acts 2006 relating to small companies.

b) The directors acknowledge their responsibility for under Companies Act for 2006 Act Statement:

i. Complying with the requirements of the Act with respect to accounting records and the preparation of accounts;

ii. ensuring the company keeps accounting records which comply with section 221; and

iii. preparing accounts which give a true and fair view of the state of affairs of the company as at the end of the financial year, and its profit or loss for the financial year, in accordance with the requirements of section 226, and which otherwise comply with the requirement of the Companies Act relating to accounts, so far as applicable to the company.

These financial statements approved by Trustees on June 9th, 2011.

CENTRE FOR THE STUDY OF EMOTION AND LAW

Board of Trustees' Report and Financial Statements
For the Year Ended 31 March 2011

Charity registration number : 1120257

Company registration number : 05985322

Registered Office : Royal London House, 22-25 Finsbury Square,
London EC2A 1DX

Telephone : +44 (0)20 7920 6489

Website : www.csel.org.uk

Executive Director : Jane Herlihy

Trustees : Chris Brewin, Syd Bolton (Treasurer), Clare Hogan, David Rhys Jones, Amina Menon, Mary Robertson, Stuart Turner (Chair)

Accountant adviser : Gotham Erskine LLP, Friendly House, 52-58
Tabernacle Street, London EC2A 4NJ

Bankers : Unity Trust Bank, Nine Brindleyplace, Birmingham B1
2HB.