

# **Just Tell Us What Happened To You :**

## **Autobiographical Memory And Seeking Asylum**

### **PUBLISHED IN**

Applied Cognitive Psychology, Appl. Cognit. Psychol. 26: 661–676 (2012) Published online 4 July 2012 in Wiley Online Library (wileyonlinelibrary.com) DOI: 10.1002/acp.2852

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### **ACKNOWLEDGEMENTS**

The authors would like to thank Professor Chris Brewin for his helpful comments on an earlier draft of the paper.

This paper was co- funded by the BIG Lottery Fund Research Programme and the Centre for the Study of Emotion and Law. For more information see [www.csel.org.uk](http://www.csel.org.uk).

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### **INTRODUCTION**

In order to claim legal protection in a safe country in the West, asylum seekers must explain why it is that they are afraid to stay in their own country – usually based on an account of experiences of persecution. This means that they must recall details of personal experiences – often traumatic – and give a narrative account, judged sufficiently coherent and consistent, in the context of administrative and legal procedures in the receiving country. The 1951 Geneva Convention Relating to the Status of Refugees offers protection (asylum) for individuals who are in “fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”. Unlike other areas of law, where there may be witnesses or corroborating evidence, there is often nothing but the individual and their account of persecution on which to base a judgment as to whether someone claiming asylum meets this definition. Consequently, the asylum process relies heavily on how the decision maker assesses the credibility of the claimant and the truth of their autobiographical account (Coffey, 2003; Macklin, 2006; Noll, 2005). This process has been criticised as being subjective and hence, more open to inconsistency and unfairness (Herlihy, Gleeson & Turner, 2010; Independent Asylum Commission, 2008; Shaw & Witkin, 2004).

Herlihy and Turner (2007) emphasise that psychologists practicing and researching in the field of autobiographical memory hold a wealth of knowledge that is relevant to the process of deciding asylum claims. They note moreover that psychologists need to develop and make available this evidence base. However, autobiographical memory is researched in many psychological domains and the results are rarely integrated (Conway, 2005) making access to the

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literature difficult. The purpose of this article is to examine where research on autobiographical memory could help better inform the asylum process. It is not the aim of this article to review all relevant work related to memory and the asylum process as the theoretical and empirical field is vast. Furthermore, prominent review papers relating to specific aspects of memory that can be

used to inform the process, already exist (e.g. Cameron, 2010). Rather, the aim of this article is to highlight autobiographical research areas that relate specifically to the asylum process and to review and include a selection of recent review papers and empirical work that is applicable to this situation. The article is divided into five sections, following the challenges that arise in making a claim for asylum. The first section considers the challenge of recalling and selecting autobiographical memories in order to present a claim. Section two addresses the particular challenge of recalling highly distressing, personal experiences. In section three, we turn to the most common psychiatric diagnoses in asylum seekers (Post Traumatic Stress Disorder [PTSD] and Depression) and consider the ways in which symptoms might hinder a coherent, consistent account of persecution. In section four, the challenge of telling and being understood across often widely divergent cultures is considered. Finally, it is acknowledged that people can be motivated to lie about traumatic experiences in order to gain entry into a country. Therefore, the research on deception will be also discussed. This article, then, examines the relevant areas of the autobiographical memory literature as applicable to adults. It is acknowledged that there are many other areas of psychological literature which must be applied, similarly, to the asylum process (Herlihy & Turner, 2009) for both adults and children. In particular the notion of credibility assessment and how it is applied in this context is a crucial area of enquiry. Rogers, Fox, and Herlihy (in press) have begun preliminary studies of credibility assessment of asylum seekers, but it remains a poorly understood area.

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## **The asylum process**

Asylum processes differ across countries, but the basic procedure, as it operates in the West, is the same – offering an account (i.e. making a claim), a first decision (often by the state) and an appeal process. Using the UK as an example, the first step in claiming asylum is to give basic

details and an explanation as to how the individual believes they fit the definition set out in the Geneva Convention<sup>1</sup>. The individual is then interviewed by a UK Border Agency ‘case owner’, who makes the decision as to whether to recognise the individual as a refugee. In 2009<sup>2</sup>, 72% of these first decisions were negative (a fairly consistent figure over recent years). The claimant may then turn to the Immigration and Asylum Tribunal to appeal the decision. Legal representatives often help those who appeal the decision but funding for legal support is under increasing pressure. At this stage, psychologists may be asked (usually by legal representatives) to make assessments and provide expertise to the court. The asylum statistics for 2009 show that 28% of appeals were successful, which suggests that a significant proportion of initial decisions are incorrect (again, a roughly consistent proportion). These statistics are similar to those evident in Australia and other European countries (Australian Government Department of Immigration and Citizenship, 2011; EUROSTAT, 2010). Altogether this process means that the asylum seeker may have to tell his/her story to a decision maker multiple times, over a period of several years.

<sup>1</sup> - Other law (e.g. Human Rights Law) is also applied; for the sake of simplicity we will only refer to the 1951 Geneva Convention Relating to the Status of Refugees (United Nations, 1951) – the ‘Refugee Convention’<sup>2</sup> Latest figures available (Home Office, 2010).

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## **RECOUNTING PERSONAL EXPERIENCES: AUTOBIOGRAPHICAL MEMORY**

As seen above, the asylum process relies heavily on the individual retrieval of autobiographical memories. Autobiographical memory is defined as an explicit “memory of an event that occurred in a specific time and place in one’s personal past” (Nelson & Fivush, 2004, p. 486). The very basis of the asylum claim is an assumption that people can reliably, consistently and accurately recall autobiographical memories.

At the beginning of the process, claimants are required to explain the grounds of their

claim – usually comprising an account of the persecution they have suffered in their country of origin, why they believe it to be as a result of Geneva Convention reasons and why they are afraid to return. If they cannot convincingly describe an event that happened in a specific time and place then they are likely to be seen as fabricating a story. Although of course this may be the case, the science of autobiographical memory, which should underpin this guidance, suggests that retrieving an accurate, consistent and reliable memory is not quite as simple as it may appear. For example, contrary to common lay opinion, research over the last fifty years has provided compelling evidence to suggest that autobiographical remembering is not an exact replaying of an event. This type of memory is a reconstruction of events based on several elements and subject to distortion as well as failure (forgetting or false remembering) (e.g. Bartlett, 1932, 1967; Rubin, 1995; Rubin, Berntsen & Bohni, 2008).

Autobiographical memory is prone to distortion and error which often arise in systematic ways, through the operation of schemata (Rubin et al., 2008). That is, memories of repeated personal events, and the rewards and losses associated with these memories, are used to create schemata, which are then applied to many future scenarios and used in memory recall (Pillemer, 2003). For example, Eldridge, Barnard, and Bekerian (1994) asked participants to describe their

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'typical day' and to recall their work activities of yesterday and of the same day a week ago. They found that people recalled fewer activities from the previous week than they did from the previous day and those activities that were recalled from the previous week tended to be those that were in the daily schema. They suggest that these findings indicate that there are strong schematic influences on the recall of memories. Therefore, many retrieved memories contain details from repeated events that are represented as schemata. Further, Conway (2009) reports work in which participants were asked to list as many specific memories as they can for yesterday, two days ago, three days ago, and so on. They have found that as retention interval increases there is a steady decrease in the number of memories listed and the three-day and

further back memories tend to be much more concerned with routines and schema than with specific memories.

Research has also shown that events that deviate from schemata can influence memory (Brewer & Treyens, 1981; Brown & Kulik, 1977; Reed Hunt & McDaniel, 1993; Rubin & Kozin, 1984; Schrauf & Rubin, 1998). Therefore, people can have a generalised schema for a set of similar events coupled with memories for specific instances that were schema-incongruent or otherwise memorable. This effect can cause problems in the interview that takes place following the submission of an initial written claim for asylum. Interviewers may ask about, for example, the events surrounding an individual's detention, without following up to make sure that there was only one instance of detention. If there were many, and these have become conflated in the asylum seeker's memory, then a specific, detailed description of each one is unlikely to be straightforward. This also applies to questions related to memories about country of origin, trauma and migration experiences which will contain specific details of events but also be likely to contain much general, generic and schema-related information which can result in

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inconsistencies in memory and less specific, less detailed memories which are more likely to be deemed unbelievable (Herlihy, Scragg, & Turner, 2002).

Relying on the memory of an event to make a legal judgment also assumes that it will be an accurate account of the event (setting aside the issue of different people's perceptions of the same witnessed event) (Cameron, 2010). Ascertaining the accuracy of autobiographical memories in research is problematic, as we generally cannot compare the memory and the actual event. Nonetheless there is some research suggesting that that our recollections may be broadly "true" rather than strictly accurate (e.g. Neisser, 1981). Diaries have been used as a source of information about past events. For example, Burt, Kemp and Conway (2001) prompted participants, who had kept diaries in 1987/88, with one of three options, over 10 years later.

These were (a) descriptions of specific events from their diaries, (b) duration events lasting more than one day from their diaries, or (c) fabricated events. Participants were asked to rate how well they remembered the events and to give a beginning and end date for the event. Specific events were less likely to be remembered than duration events. They also found that 22% of embedded false events were endorsed as having happened. Dating errors increased as the time since the event lengthened. When asked to estimate the duration of an event, the authors suggested that participants would reconstruct events in their mind, firstly assigning the event to a category of events (e.g., family holidays), drawing on their schematic/general knowledge of this type of experience, and then using what memory they had of the particular event to adjust the estimate of duration for this ‘typical’ experience to a more customised length. Lhost, Catal and Fitzgerald (2004) found that the order of the cues given to participants to aid remembering was the greatest predictor of recall accuracy, with ‘What’ as first cue being most effective and ‘When’ as second

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cues. These studies raise worrying questions about basing crucial legal decisions on the accurate recall of dates. For example, the asylum seeker who was told

“you then stated that you remained at a friend’s house until 30 October, 1995, when your parents telephoned to let you know that sentence had been passed on Ken Saro-Wiwa. [The Secretary of State] is aware that sentence was passed on Ken Saro-Wiwa ... on 31<sup>st</sup> October, 1995. [He] is of the opinion that these discrepancies must cast doubt on the credibility of your claim (Asylum Aid, 1999).

Cameron (2010) provides a catalogue of legal case examples, alongside further examples of experimental studies of the fallibility of memory for dates.

If it is not the purpose of autobiographical memory to remember exact accurate memories of events the question arises, “*why* do humans remember both mundane and significant life events, often over long periods of time?” (Bluck, Alea, Habermas & Rubin, 2005, p. 92).

Autobiographical memory serves three broad functions (see Bluck et al., 2005). First, it is important in developing, maintaining and nurturing social bonds (Bluck et al., 2005; Cohen, 1998). Therefore, the purpose of autobiographical remembering for the asylum process is quite distinct in function from the social retrieval of autobiographical remembering in everyday life. Second, autobiographical memory has a directive role as the past is used to guide present thought, feeling and behaviour (Bluck et al., 2005; Cohen, 1989, 1998). Pillemer (1998, 2003) suggests autobiographical memory episodes play strong directive roles in people's lives in several different ways such as anchors for personal values, as originating events for chosen life directions and turning points that redirect one's life path. Previous events are thus, updated or reinterpreted in the light of new information and recalling events in order to understand what caused them. Given this, it seems likely that in the case of asylum seekers, autobiographical

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memories will be regularly updated and refined as the meanings and causes for past events are considered. Third, autobiographical memory assists in the definition and expression of self and in the experience of personhood (Conway & Pleydell-Pearce, 2000; Pillemer, 1998).

Autobiographical memory is important for who I am now, if and how I have changed, and how I have stayed the same over time i.e. to maintain a biographical identity (e.g. Bluck et al., 2005).

Therefore, autobiographical memories are especially valuable when the individual faces adverse conditions that challenge the self (such as trauma, torture, persecution, re-locating etc.).

Memories can be modified and refined to maintain and protect the self. In the asylum process it is essential to understand how these functions of autobiographical remembering may be interacting, how memories may have been (and will continue to be) regularly updated and refined, and how this may influence how people present their claims, rather than to expect an exact, consistent account.

## **RECOUNTING PERSECUTION: EMOTION AND AUTOBIOGRAPHICAL MEMORY**

Experiences of persecution are, by definition, distressing. A broad field of study has been dedicated to investigating the effect of emotion on the encoding and retrieval of autobiographical memories for distressing events. Briefly, the focus has been on whether heightened emotion at the time of an event helps or hinders memory for the event. This is of crucial interest to those in the asylum decision making field where it is often assumed that emotional arousal will facilitate detailed memories of the event, for example the Immigration Judge who determined that “given that rape is such a serious thing to happen to any women, I would have expected a raped person to know when they were raped” (Herlihy et al., 2010). However, theory and research suggests

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that very high levels of arousal are inhibitory (e.g. Revelle & Loftus, 1992; Yerkes & Dodson, 1908)

There is a large body of evidence which examines eye-witness remembering and testimony in the laboratory. Reviewing this extensive body of literature is beyond the scope of this paper (see Christianson, 1992a; Christianson & Safer, 1996; Deffenbacher, Penrod, Bornstein & McGorty, 2004; Heuer & Reisberg, 1992). There is considerable support for the hypothesis that high levels of stress negatively impact on eyewitness memory in terms of proportion of correct identifications and accuracy of eyewitness recall. This includes identifying targets in lineups, face recognition, eyewitness accounts of a staged crime and eyewitness accounts following other means to induce stress (Deffenbacher et al., 2004). Experimental studies (e.g. Christianson, 1992b; Loftus & Burns, 1982; Wessel & Merckelbach, 1994) suggest that greater emotionality may have less influence on the central events and the gist of the story but more influence on peripheral details. Other research (Brown & Kulik, 1977; D’Argembeau, Comblain & van der Linden, 2003; Kensinger & Corkin, 2003; Lanciano & Curci, 2011;

MacKay & Ahmetzanov, 2005) suggests that people are able to remember not only the gist of the event, but also the contextual and peripheral details. More recent research has shown that both central and peripheral details decline over time but central details may decline more slowly (Lanciano & Curci, 2011). Therefore there is some evidence that central details of emotionally charged memories are retained better than peripheral, irrelevant details of a remembered event. These findings suggest that it may be unreasonable to expect individuals seeking asylum to recall peripheral details about emotionally charged autobiographical events. However, it is important to note that these studies have tended to use participants who are taken from general samples (often students) and the events shown do not involve them personally, nor, as far as we can be aware, have any particular personal salience for them. We might call the scenes shown in these studies ‘upsetting material’ rather than traumatic personal experiences.

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In a rather closer reconstruction of a personally stressful experience, Morgan-III and his colleagues (2004) recruited US soldiers undergoing training for war situations including “high and low stress stressful interrogation”. They were asked, 24 hours after the exercise, to identify their interrogators, using a variety of techniques designed to enhance positive identifications. Those exposed to the higher stress interrogations were significantly worse at identifying the interrogators than those in the low stress condition. The authors report, “Contrary to the popular conception that most people would never forget the face of a clearly seen individual who had physically confronted them and threatened them for more than 30 minutes, a large number of subjects in this study were unable to correctly identify their perpetrator” (Morgan-III et al., 2004, p. 274). Similarly, Valentine and Mesout (2009) recruited visitors to the London Dungeon “Horror Labyrinth”, where participants are willingly startled and frightened by a series of gruesome figures jumping out at them in the dark. One of these, for the purposes of this study, was an actor, co-opted to the study, who was asked to ensure that they interacted with each participant for a total of seven minutes during the visit. After the visit, participants, who had not

been told that their memory would be tested, tried to identify the actor from a series of photographs. Those whose anxiety had clearly been aroused by the experience, as measured by physiological indices, were significantly less able (only 17%) to identify the actor than those with low anxiety levels (75%). Similarly, those with high anxiety found it more difficult to recall details such as his age, height, hair colour or design of his makeup.

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These studies start to give us a clearer picture of what happens to memories of personal stressful experiences, although only examining the effect on face recognition. More research is also needed to incorporate the central/peripheral distinction into this paradigm. However, again this research suggests that asking individuals about certain elements of an event (e.g. the facial details of a rapist or torturer) may be unreasonable, despite the lay assumption that it would be something people would remember.

### **The catastrophe model**

Deffenbacher et al. (2004) propose a theoretical framework to account for the range of findings on the recall of emotionally charged experiences – spanning both stressful and more traumatic experiences. According to this theory, films of crimes or gruesome pictures provoke an *orienting* response (signalled by heart rate deceleration, increase in skin conductance and close attention) mainly to central information about the material. A *defensive* response, on the other hand, involving increased heart rate, increased blood pressure and muscle tone, is provoked by being in a situation which increases levels of worry and conscious physiological arousal, for example by tasks that arouse the urge to escape or avoid (“pressure tasks”). Therefore, the memory of an eye-witness would depend on which of these two responses is dominant. It would

be enhanced by stimulation of the orienting response but if the defensive response is provoked, memory is catastrophically interrupted. Two meta-analyses support this position (see Deffenbacher, 1983; 2004). They also suggest that the debilitating effects of heightened stress on memory are likely to be stronger for people with already higher levels of anxiety and physiological reactivity. They go further and point out that the studies analysed did not – and

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could not – investigate the stress levels common in genuinely frightening violent crime, persecution or war scenes that people may experience, for this citing the far stronger results in Morgan-III’s study of high-stress interrogations of soldiers. Thus the effect size that they found in the reviews can be said to be conservative.

Immigration Judges in the UK are advised to base their decisions on “experience and common sense” (Independent Asylum Commission, 2008; Thomas, 2007) and a study of assumptions in judicial decision-making has shown judges drawing on their own experience to make judgements about others’ behaviours in anxiety-provoking situations (Herlihy et al., 2010). The experience of most people without exposure to trauma is likely to give a better experiential understanding of the “orienting” version of anxious arousal, leading to an assumption about the facilitatory nature of emotion on recall. However, the “defensive” response is what Deffenbacher et al. find is associated with the opposite effect – the inhibition seen in the US soldiers or the visitors to the London Dungeon, and this is likely to be the experience of refugees exposed to violent persecution. This speculation needs empirical investigation.

## **Summary**

In sum, a broad field of study has been dedicated to investigating the effect of emotion on the encoding and retrieval of autobiographical memories for upsetting material. Briefly, the focus has been on whether heightened emotion at the time of an event helps or hinders memory for the

event. This is of crucial interest to those in the asylum decision making field where it is often assumed that emotional arousal will facilitate detailed memories of the event. First, it seems that extreme arousal inhibits performance. The eye-witness literature provides some support for the

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hypothesis that high levels of stress negatively impact on eyewitness memory in terms of proportion of correct identifications and accuracy of eyewitness recall (Deffenbacher et al., 2004). Following this, we considered studies using closer reconstructions of a personally stressful experience. These studies also highlight that those exposed to the higher stress interrogations/situations are significantly worse at identifying the interrogators/people than those in low stress conditions or with different stress responses.

## **RECOUNTING PERSECUTION AND THE EFFECTS OF TRAUMA: EMOTIONAL DISORDERS AND MEMORY**

Refugees have been subject to persecution, often involving actual or threatened traumatic events. Although the validity of diagnosis in such a disparate and largely non-Western group continues to be debated, studies using psychiatric diagnoses have consistently found PTSD and Depression to best describe the responses to trauma in refugees (Fazel, Wheeler & Danesh, 2005). The three main symptom clusters of PTSD are re-experiencing, avoidance and increased arousal (American Psychiatric Association, 1994). PTSD has been described as a ‘disorder of memory’ (e.g. Brewin & Holmes, 2003). Depression is characterised by symptoms of low mood, markedly diminished interest or pleasure in activities, changes in appetite and sleep, fatigue, concentration problems and feelings of worthlessness or excessive or inappropriate guilt (American Psychiatric Association, 1994). These affective and motivational psychological phenomena have various effects on people’s ability to recall and describe autobiographical

memories, all of which need to be understood and taken into account by decision makers if there is to be equitable access to protection and fair assessment of status for those most in need of it.

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A meta-analysis, drawing together studies of memory for episodic, emotionally neutral, non-autobiographical material in people with PTSD (Brewin, Kleiner, Vasterling & Field, 2007) found a small to moderate decrement in verbal memory performance amongst people with PTSD, compared to trauma-exposed people who had not developed PTSD. Although based on small numbers of participants, they found some evidence that this is a stronger effect for civilians exposed to state persecution (including refugees). Verbal memory is of course what is required of the asylum seeker giving an account of persecution on paper and in interview.

The nature of autobiographical memory for traumatic events continues to be an important focus of attempts to understand what distinguishes an adaptive from a disturbed psychological adjustment to traumatic experiences (e.g. Brewin, Dalgleish & Joseph, 1996; Conway & Pleydell-Pearce, 2000; Dalgleish, 2004; Ehlers & Clark, 2000; Foa, Steketee & Rothbaum, 1989). While cognitive models of PTSD vary in significant ways in how they conceptualise autobiographical memory (see Brewin & Holmes, 2003; Dalgleish, 2004 for reviews), they agree in proposing that autobiographical memory in people with disturbed psychological adjustment shows particular types of disruption, such as the dominance of sensory, perceptual and emotional impressions or deficits in conceptual connection or organisation of the memory of the event, resulting in fragmentation or disorganisation. These theoretical stances are supported by a growing body of empirical evidence (see Jones, Harvey & Brewin, 2007 for a review) and have important implications for a process that requires organised, verbal accounts of traumatic experiences.

A further problem for people who can only produce disorganised narratives of their experiences, is the instability of their account. Consistency of recall is dealt with later, but one area of concern over what is often a long, drawn out process, is the effect of therapeutic

intervention. The creation of a coherent, verbal narrative is the focus of the cognitive treatment of PTSD (Brewin, 1996; Resick, 2001); the problem for the asylum seeker is that this might introduce apparent discrepancies between initial and later accounts. A few studies have explored the prediction that narrative organisation would increase as therapy for PTSD is successful. Using a detailed coding structure to analyse first and last session accounts of their traumatic experience, Foa, Molnar, and Cashman (1995) found increased organization and decreased fragmentation in a study of 14 women successfully treated for PTSD following rape. However, comparing PTSD sufferers who improved in treatment with those who did not, van Minnen, Wessel, Dijkstra, and Roelofs (2002), saw only a decrease in disorganisation in improvers. Neither set of results demonstrate the mechanism by which this might be linked to the theorized shift from a traumatic to a non-traumatic memory (e.g. Brewin, 1996; Brewin, Gregory, Lipton & Burgess, 2010), over and above the generic benefits of a therapeutic contact. Subsequent studies have used varying definitions and found disparate results, although a review of these 19 studies concluded that this is an important opportunity to understand how people retain and recall traumatic experiences and an area for future well defined theory-led research (O’Kearney & Perrott, 2006; See also Brewin, 2011).

What remains clear to clinicians working with individuals who have symptoms of PTSD is that intrusive memories and efforts to avoid them play a major part in the way that accounts are recalled and disclosed. This has obvious implications for the questioning of trauma survivors during the asylum process. Questioning about traumatic experiences can trigger vivid re experiencing of the event, with or without awareness of the current context (of safety). This will understandably mean that many people make conscious efforts not to discuss their past. It can also give rise to less consciously controlled mechanisms, such as dissociation (cutting off from

present awareness) or numbing of emotional response to the event. This has been shown to be happening in immigration interviews in the UK (Bogner, Brewin & Herlihy, 2009; Bogner, Herlihy & Brewin, 2007).

Lemogne, Piolino, Jouvent, Allilaire, and Fossati (2006) recently reviewed the literature related to the role of autobiographical memory in the psychopathology of depression. They reviewed the evidence for three major features of autobiographical memory functioning in depression: an increase in general memory retrieval (discussed further below), the high occurrence of intrusive memories of stressful events and the mood-congruent memory effect. Depression was found to be associated with a high occurrence of spontaneous intrusive memories of stressful life events. Additionally, the mood-congruent effect is a well-known effect in depression; people who are depressed spontaneously recall more negative than positive memories (Williams, Watts, MacLeod & Mathews, 1997).

The more detail a memory has, the more believable and credible the memory is seen to be (Herlihy, Scragg & Turner, 2002). General memories are viewed as not credible, false or exaggerated and are thought to have not been recalled clearly. A common view is that general details can be easily constructed whereas specific details cannot. Therefore, the level of specificity has been seen as a good way of distinguishing between accurate and inaccurate memories.

The policy instruction to UK Border Agency decision makers states :

“The level of detail with which an applicant sets out his claims about the past and present is a factor which may influence a decision maker when assessing internal credibility.”(UK Border Agency, 2011)

The literature on the relationship between lack of autobiographical memory specificity (AMS) and several psychological disorders (such as depression and PTSD) is now well established (see Moore & Zoellner, 2007; Williams et al., 2007 for a review). Specifically, those with PTSD, trauma history and depression have been found to have difficulties in providing specific memories and instead tend to provide overgeneral memories (e.g. Hauer, Wessel, Geraerts, Merckelbach & Dalgleish, 2008; McNally, Lasko, Macklin & Pitman, 1995; McNally, Litz, Prassas, Shin & Weathers, 1994; Schönfeld, Ehlers, Böllinghaus & Rief, 2007).

Most of the AMS research has been conducted with western populations. However, Moradi et al. (under review) found reduced AMS in a non-western trauma survivor sample; ex military personnel from the Iran-Iraq war. This indicates that even in non-western cultures, where autobiographical memory specificity has been found to be lower than those from western cultures (see culture section below for further explanation), trauma survivors, and especially those with PTSD, have reduced AMS. Further, Humphries and Jobson (in press) explicitly investigated the influence of culture and trauma history on autobiographical memory specificity using Chinese international and British university students. This study found that while British participants provide more specific memories than Chinese participants, in both Chinese and British groups the high trauma exposure group provided significantly fewer specific autobiographical memories than the low trauma exposure group. Again these findings suggest that trauma exposure appears to exert a similar influence on autobiographical memory specificity transculturally. In terms of studies with refugees, Moradi et al. (2008) found that refugees with PTSD also showed reduced specificity. The ‘affect regulation hypothesis’ (Williams et al., 2007) suggests that individuals most disturbed by intrusive memories make use of overgeneral memory

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as a cognitive strategy in order to avoid accessing specific disturbing experienced events. More research is needed to examine how these processes interact when asylum seekers are interviewed about traumatic personal experiences.

## Consistency in Autobiographical Memory and Credibility

One of the most common tests for the credibility of an account of persecution is internal consistency (Granhag et al., 2005). If the individual cannot “keep their story straight” then, it is assumed, the story is fabricated. If an applicant gives different (discrepant) accounts of their experiences in the various forms and interviews involved in the asylum process, it can be assumed that they have fabricated a story to assist their case (Herlihy et al., 2002; Herlihy & Turner, 2006). Herlihy and Turner (2006) note that this is one of the main elements of evidence cited by the Home Office in individual refusals. Thus consistency of an asylum seeker’s account has become central in determining asylum status. Herlihy and Turner (2006) highlight a “Reasons For Refusal Letter” which states “there are significant differences between your various accounts, and ... these cast doubts on the credibility of your claim. For instance, in your Statement of Evidence Form (SEF) you stated that you were in hiding at your friend’s house for 4 days but in your Asylum interview this was reduced to 3.” (p. 21). Granhag and his colleagues conducted a study in Sweden and demonstrated that, there too, discrepancies and inconsistency are seen as cues to a belief that a person is lying (Granhag, 2005).

The UK Borders Agency policy guidance to its decision makers states

“It is reasonable to expect that an applicant who has experienced an event will be able to recount the central elements in a broadly consistent manner. An applicant’s inability to

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remain consistent throughout his written and oral accounts of past and current events may lead the decision maker not to believe the applicant’s claim”. (UK Border Agency, 2011).

Some research indicates that memory for trauma is fixed and remains remarkably accurate over the life time of the individual (e.g. Wagenaar & Groeneweg, 1990). Peace and Porter (2004; Porter and Peace, 2007) used a ‘consistency questionnaire’ to monitor the details of 49

community volunteers' memories for traumatic and non-traumatic events within the past year, re-interviewed after 3 months and again after 3.5-5 years. These studies (also replicated in a group of people reporting sexual assault (Peace, Porter & Brinke., 2008)) showed details of memories for traumatic events to be consistent compared to positive memories. Traumatic memories were also reported as more vivid and had, objectively, more sensory detail, compared to the non-traumatic memories. This suggests, that at least some of the memories examined were involuntary 'traumatic' memories, often described as 'flashbacks'(Hellawell & Brewin, 2002, 2004). However, the authors do note that in all of their studies, students, community volunteers and volunteers from a counselling service, despite an inclusion criterion of high scores on the Intrusive Experiences Questionnaire (Horowitz, Wilner & Alvarez, 1979), might all be those who have had the opportunity to form more elaborated and coherent narratives of their experiences. This was also noted by Alexander et al. (2005), in their study of people with documented histories of childhood sexual abuse, interviewed 12-21 years after the record of abuse. They too reported consistent (and accurate, since in this case it was possible to check) recall of traumatic events. Whilst there is no reason to suspect either more or less prevalence of childhood maltreatment in refugees, this study is of interest in that it found that maternal support was a significant mediating factor. This leads the authors to suggest that maternal support (which may also extend to social support in adults) would offer both the opportunity and the encouragement to talk about their experiences with the mother

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and others, and thus an elaborated and more coherent memory would be more likely. In a wide ranging review of the memories of people with child maltreatment histories, Goodman et al. (2009) conclude that the coping style of the individual – particularly the emotion regulation afforded by the encoding and reporting of overly general memories, may hold the key to adults' memory for childhood and other traumatic experiences.

Research on recently returned military veterans and civilian survivors of war, suggests

that trauma memory is “malleable and subject to significant distortion and alteration” (Southwick, Morgan, Nicolaou & Charney, 1997, p. 173). In one of the first of the studies to examine this group, Southwick et al. (1997) asked 59 National Guard reservists to endorse a checklist of combat experiences one month (t1) and two years (t2) after their return from the Gulf War. Eighty-eight per cent changed their responses to at least one item. The researchers found correlations between levels of PTSD symptoms at two years with the overall number of changes and particularly with changes from no to yes. Southwick et al. proposed a number of possible explanations for why people would firstly deny an experience, later to endorse it, such as the conscious processing of previously denied or repressed material; the exaggeration of claims due to social and media pressures; the inflating of experiences to provide an explanation for increasing symptoms; or that involuntary re-experiencing in the form of intrusive memories, flashbacks and nightmares was bringing new experiences to mind. Since this study, several others have found similar inflation of reported experiences over time. A large study of almost 3000 Gulf War veterans used a cross-lagged panel analysis in order to examine causal pathways (King et al., 2000). Participants were asked to indicate whether they had experienced specific combat events, five days (t1) and 18-24 months (t2) after returning from combat. “Did you

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encounter mines or booby traps” was endorsed by 3.9% of the sample at t1 and 10% at t2. The degree of change was modestly associated with PTSD symptom severity at both t1 and t2. The causal analysis suggested a very modest effect of t1 PTSD on recall increases, but only for the men in their sample.

A few studies have investigated the factors that might affect individuals’ ability to give consistent reports. In a study of Dutch soldiers deployed in Iraq (Engelhard, Hout & McNally, 2008), inconsistency was found, with regard to specific, nontrivial events such as being shot at or

seeing human remains. This was related not only to PTSD symptoms but also to the number of prior missions and number of prior negative life events. Although only retesting after a few days (2-7 days), Krinsley, Gallagher, Weathers, Kutter, and Kaloupek (2003) found that consistency can be improved by measuring broader inclusive categories of events; when asked about more narrowly defined, specific events, people are less consistent in their answers. These researchers also found that events that met the full PTSD Criterion A definition (American Psychiatric Association, 1994) were more likely to be consistently reported. These were the events that were not only judged objectively to be distressing, but which participants identified as involving extreme fear helplessness or horror (American Psychiatric Association, 1994). However, studies have not to date distinguished between different types of memory, i.e. the voluntary (verbal, narrative) and involuntary (triggered, disorganised snapshot) memories seen in PTSD (Brewin, 2007). Further empirical research is needed to explore whether these might account for conflicting results with regard to consistency (Brewin, 2011).

A more recent study of Bosnian refugees, interviewed in 1996 and 1999, found that all but four of the 376 participants changed their reporting of experienced traumatic events (Mollica, Caridad & Massagli, 2007). For those with only PTSD, like previous studies, these changes were

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accounted for by an increase in the events reported, but for the whole sample, many of whom (21% at baseline) had co-morbid depression the change was in the opposite direction. This is in line with work by Schraedley et al. (2002), who examined the effects of depression on reporting of traumatic events over an interval of one year and found that worsening of depression symptoms did not affect reporting but symptom improvement led to significantly fewer events being reported at the second time point.

Mollica et al. (2007) also discussed their findings of changed reporting in the context of other research and clinical understandings of memory for traumatic experiences in refugee and

asylum seeking groups, in particular the desire to consign experiences to the past, and the complexities of reporting rape. Thus, whilst 115 participants, in 1996, reported witnessing rape, in 1999 not one participant endorsed this item. No participants reported at either time that they themselves had been raped, despite the large number of reports of this as a weapon of war in the former Yugoslavia. Again this points to the same issue as the studies finding consistency, namely the efforts, conscious or unconscious, to deal with the emotional and, as the Bosnian experience may suggest, relational and practical sequelae of traumatic experiences.

These studies all follow a similar paradigm - asking participants to endorse their exposure (yes or no) to events on a checklist – either predefined or elicited. In a development on this approach, Herlihy et al. (2002) interviewed a sample of 39 program refugees from Bosnia and Kosovo in the UK asking for details about one traumatic and one non-traumatic experience.

When the interview was repeated 4-28 weeks later, discrepancies were common for both event types. They were more likely for peripheral details of traumatic events, for individuals with higher levels of PTSD symptoms, and for a longer delay between interviews. This finding was not replicated by Eytan, Laurencon, Durieux-Paillard, and Ortiz (2008), but they had only seven

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participants, and so probably insufficient power to reach firm conclusions. A larger study investigating this phenomenon and potential underlying mechanisms in asylum seekers is needed.

## **Summary**

Refugees have, by definition, been exposed to persecution, often involving actual or threatened traumatic events and thus can develop psychological problems such as depression and PTSD. These psychological phenomena have various effects on people's autobiographical remembering, all of which need to be understood and taken into account by decision makers if

there is to be equitable access to protection. First, people with PTSD sometimes have impairments in verbal memory. Second, people with disturbed psychological adjustment following trauma show particular patterns of disruption in their autobiographical remembering. Third, while autobiographical memories with more detail are perceived to be more believable and credible, a substantial body of literature demonstrates a relationship between a lack of AMS and depression, PTSD and trauma history. Finally, this section considered the relationship between PTSD and reporting autobiographical experiences. One of the most common tests for the credibility of an account of persecution is internal consistency. While some researchers suggest that some parts of the trauma memory is fixed over the life time of the individual, other studies using both military and civilian survivors of war, suggest that both voluntary, contextualised memories and sensory memories of traumatic experiences can change over time (Brewin, 2011). Perhaps because of the centrality of this issue to forensic decisions, there has been a tendency to ‘take sides’ in this debate, whereas there are strong suggestions in the

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literature that it might be more important to examine the differences between instances of consistency and inconsistency. There are suggestions in the literature reviewed that in survivors of more complex histories of trauma, these differences might be explained by the form of the memory under examination, e.g. ‘normal’/voluntary vs. ‘traumatic’/involuntary (Brewin, 1996; Brewin et al., 2010) or the individual’s efforts to regulate both the emotional (Williams et al., 2007) and practical (culturally constructed) sequelae of the events experienced (Mollica et al., 2007).

## **RECOUNTING PERSECUTION ACROSS CULTURES: MEMORY AND CULTURE**

There is of course a far broader overarching context to individuals from one country seeking

sanctuary in another. Many social discourses are at play (Eastmond, 2007; Herlihy & Turner, 2009). There are usually differences in background and culture between the applicant and decision maker. The many implications of this are beyond the scope of this paper, but one of the more subtle effects is explored in the literature on autobiographical memory and culture. Different cultures construe the self, others and the interdependence between the two in remarkably different ways (Markus & Kitayama, 1994). In individualistic cultures (generally Western) the self is perceived to be an independent, autonomous and self-determining unit, while in collectivistic cultures (generally non-Western and where most refugees come from) the self is perceived as interdependent and related (see Markus & Kitayama, 1991). There are of course within-culture variations (Lee & Zane, 1998). However, normative differences between collectivistic and individualistic cultures are marked (Fiske, Kitayama, Markus & Nisbett, 1998). These cultural differences in self-construal have been found to influence autobiographical

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memories. Autobiographical memory helps people be “congruent with their culture’s goals, values and belief systems” (Wang & Conway, 2004, p. 912).

To understand cultural differences in the remembering of adults, it is important to briefly discuss the influence of culture on the development of autobiographical memory. Parental reminiscing style is fundamental in the development of autobiographical memory (see Nelson & Fivush, 2004). Cultural emphasis on independence or interdependence influences parental reminiscing (Han, Leichtman & Wang, 1998). Several studies have demonstrated that mothers from individualistic cultures encourage their children to contribute their ideas to the discussion, engage more often in memory talk, use more elaborative conversations, focus on the child’s role and predilections and take a partnership role rather than a leadership role in the conversation. In contrast, mothers from collectivistic cultures tend to prompt their children to confirm the information they have already presented to them, discourage children introducing their own ideas into the discussion, take a more directive role, and focus on social interactions, moral rules and

behavioural standards (Choi, 1992; Mullen & Yi, 1995; Wang, 2001, 2006; Wang & Fivush, 2005; Wang, Hutt, Kulkofsky, McDermott & Wei, 2006; Wang, Leichtman & Davies, 2000). These findings suggest that in individualistic cultures autobiographical memory is viewed as a critical source for validating the self and a unique individual identity (Wang et al., 2006). In contrast, in collectivistic cultures identity is related to relationships and social hierarchy and thus, identity is less dependent on a unique autobiographical history (Wang & Fivush, 2005).

Cultural differences are observed in children's autobiographical memories. Research has demonstrated that children from individualistic cultures provide more elaborate, detailed, specific and self-focused autobiographical memories than children from collectivistic cultures (e.g. Han et al., 1998; Wang, 2008; Wang & Conway, 2004; Wang et al., 2000). In contrast,

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children from collectivistic cultures provide relatively skeletal accounts of past experiences that focus on social interactions and daily routines. It is possible, however, that these differences are the result of cultural differences in the events children experience. However, even when children recall memories of a story (Han et al., 1998) or staged event (Chae, Kulkofsky & Wang, 2006) these cultural differences are observed.

These cultural differences are also evident in adult autobiographical memories. Those from individualistic cultures provide lengthy, autonomous, specific, self-focused and emotionally elaborate memories that focus on individual experiences, roles and emotions (Gur-Yaish & Wang, 2006; Jobson & O'Kearney, 2008; Wang, 2001; Wang, Conway & Hou, 2007; Wang & Conway, 2004). Those from individualistic cultures also tend to provide more elaborate autonomous (i.e. work, achievements, school) memories (Jobson & O'Kearney, 2008), think or talk about their memories more frequently and perceive their memories as more important (e.g. Fiske & Pillemer, 2006; Wang & Conway, 2004) than those from collectivistic cultures. Those from collectivistic cultures tend to focus on collective activities, general routines and emotionally neutral events. They tend to recall memories of social interactions, significant

others, focus on the roles of other people and provide more elaborate relatedness (i.e. family, community, social interactions etc) memories than those from individualistic cultures (Jobson & O'Kearney, 2008; Wang, 2001; Wang et al., 2007; Wang & Conway, 2004). While these differences are evident in everyday memories, very little research has investigated the trauma memory. Jobson (Jobson, 2006; Jobson, 2011) has found that aspects (i.e. levels of autonomy) of the trauma memory may be similar across cultures. However, other aspects such as specificity (Jobson, 2009) and levels of interdependence (Jobson, 2011) may culturally differ. Those from collectivistic cultures provided less specific and more interdependent trauma memories than

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trauma survivors from individualistic cultures. Further research is required to investigate the influence of culture on the trauma memory.

Research also demonstrates that these cultural differences can be influenced by language. Marian and Kaushanskaya (2004) investigated autobiographical memories retrieved by bicultural Russian-English bilinguals. They found that when speaking a language associated with an individualistic culture (English), participants produced more individualistic narratives and when retrieving a memory in a language associated with a more collectivistic culture (Russian), participants produced more collectivistic narratives, regardless of language of encoding. Further, bilinguals expressed more intense affect when speaking the same language at the time of retrieval that they spoke at the time when the event took place. They suggest that memories and self-narratives in bilinguals are mediated by the language spoken at any given time and that language functions as a vehicle for culture. Research has also shown that immigrants recall pre-migration autobiographical memories more frequently in their pre migration language and post-migration memories using their new language (Larsen, Schrauf, Fromholt & Rubin, 2002; Schrauf & Rubin, 1998). Therefore, it may be that the language in which applicants are required to recall the memory is likely to influence the content, affect and

organisation of the memory. However, this is likely to be complicated by many other facets of their prior experience with the host language and culture.

## Summary

In sum, culture has been found to influence autobiographical remembering. Those from individualistic cultures provide lengthy, autonomous, specific, self-focused and emotionally

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elaborate memories that focus on individual experiences, roles and emotions. Those from collectivistic cultures tend to focus on collective activities, general routines and emotionally neutral events. They tend to recall memories of social interactions, significant others and focus more on the roles of other people than those from individualistic cultures. While these differences are evident in everyday memories, very little research has investigated these issues in the trauma memory. There is some evidence that aspects of trauma memory may be culturally similar while other aspects may differ. Language has also been found to influence autobiographical remembering. Further research is required to investigate the influence of culture and language on trauma memory. The findings from this body of research go to the core of the assumption underpinning our current asylum process – that asylum seekers can be required to present a detailed, specific description of an experienced event, in such a way that conforms with the norms of the host culture. Of course, decision makers who must identify fabricated accounts of persecution, when faced with a seemingly general, generic account, have to be suspicious. However, this area is extremely problematic, not least as both parties in this process are undertaking their task possibly lacking an understanding as to the differences between their respective expectations of what is required and what is possible.

## THE POSSIBILITY OF DECEPTION

It is important to acknowledge that potential immigrants may fabricate a claim of asylum, and asylum seekers can be motivated to lie about traumatic experiences in order to support their claim. Thus clinical and forensic interviews in the asylum process need to assess deception

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(Frumkin & Friedland, 1995). In this next section we consider the literature on deceptive behaviour.

Accumulating evidence suggests that it is difficult to detect deception (King & Dunn, 2010; Loftus, 2010; Vrij, Granhag, Mann, & Leal, 2011). Research suggests that nonverbal and verbal cues of deception are generally unreliable and faint (Vrij et al., 2011; Vrij, Granhag, & Porter, 2010 and see reviews DePaulo et al., 2003; Masip, Sporer, Garrido, & Herrero, 2005; Sporer & Schwandt, 2006; 2007). These studies, both laboratory and field based, have typically asked raters to watch video footage or analyse transcripts of truth tellers and liars and, blind to which category they are watching, code the frequency or duration of various nonverbal and verbal cues, thus producing a list of observed signs or ‘cues to deception’. In DePaulo et al.’s (2003) review of this research, when 158 of these cues were tested against actual deceptive accounts, 118 (75%) showed no association with actual deception at all. The list includes cues people often associate with lying, such as gaze aversion, postural shifts and pauses (Vrij, 2008). The studies did suggest that liars provided fewer details and made fewer illustrators (i.e., hand movements that accompany and illustrate speech) than did truth tellers. However the effect sizes were small to modest (Vrij et al., 2010). Thus, it is important that future research replicates these cues’ diagnostic value before drawing conclusions (Vrij et al., 2010). Recently, ten Brinke and Porter (in press) also found that liars use fewer and more tentative words than truth-tellers. There are also difficulties associated with detecting deception, especially those communicating high stakes lies (as in the asylum process), as those lying often deliberately attempt to appear credible

and use strategies to achieve this goal (e.g. Vrij et al., 2010; White, & Burgoon, 2001). Lies can also be embedded in truths. That is, rather than telling a lie that is completely untrue, liars are more likely to change specific vital details in an otherwise truthful story (DePaulo et al., 2003).

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Lies that are embedded in predominantly truthful statements may be rich in details typically associated with credible statements, which can make the account seem truthful (Vrij et al., 2010). In the asylum process the issue is further complicated by people who may indeed have a truthful account to give, but are coerced, for example by traffickers, into concealing certain details.

Traditionally, detecting deception has focused on the notion that liars and truth tellers experience different emotions. However, this approach has serious limitations as truth tellers can experience the same emotions as liars, especially if they are aware that they are being scrutinized or are afraid of not being believed and of the negative consequences faced if they are not believed, as is the case in the asylum process (Vrij et al., 2010). More recently researchers have focused on cognitive load which assumes that lying is more cognitively effortful than truth telling. However, again this has limitations as truth tellers also may have to think hard about their account and hence, may display cues of being mentally taxed (Vrij et al., 2010). This may be particularly relevant for asylum seekers who are in a new country, dealing with unfamiliar customs, procedures, and, possibly, language. They may also be experiencing symptoms of PTSD and depression, which have been found to be associated with reduced cognitive capacity (e.g. Samuelson et al., 2009).

There are common errors that are often made in detecting deception. For example, there are general beliefs about how people behave when they lie (e.g. acting nervously; gaze aversion, fidgeting) (e.g. The Global Deception Team, 2006; Taylor & Hick, 2007; Vrij, 2008). However, as stated above, such cues are not reliable cues (DePaulo et al., 2003). Furthermore, they raise the risk of misinterpreting anxious or post-traumatic presentations as deception (Rogers et al., in

press). Second, people generally pay attention to nonverbal behaviour when trying to detect deception (Vrij et al., 2010). However, an overemphasis on nonverbal cues is problematic as

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many speech-related cues are more diagnostic of deception than are nonverbal cues (DePaulo et al., 2003; Vrij, 2008). Third, a reliance on general decision rules (e.g. judging reactions that seem odd as deceptive) rather than carefully scrutinizing someone's responses can result in systematic errors (Fiedler & Walka, 1993; Vrij et al., 2010; Rogers et al., in press). Fourth, there are significant individual differences in people's behaviour and speech (DePaulo & Friedman, 1998). Vrij et al. (2010) highlight that errors are easily made for people of different ethnic or cultural backgrounds as behaviours displayed by those of one ethnic or cultural group may appear suspicious to members of another ethnic or cultural group. For instance, emotional expression (Berry, Poortinga, Breugelmans, Chasiotis, & Sam, 2011) and eye contact (Brant 1993; Johnson, 2006; Loftus, 2010; Vrij et al., 2010) are culturally influenced and studies have found large behavioural differences between two cultural groups regardless of whether people were telling the truth or lying (Vrij & Winkel, 1991). Vrij et al. (2010) note that decision-makers, especially professionals working in the immigration service, need to interpret the nonverbal behaviours of those of different ethnic origins in the light of cultural differences and some guidelines now reflect this understanding (e.g. UK Border Agency, 2011). However, research suggests that cross-cultural nonverbal communication errors occur; nonverbal behaviours that are usual for one ethnic group have been interpreted by Caucasian observers as signs of deception (Vrij & Winkel, 1992, 1994; Vrij et al., 2010). While professionals who have to deal with (potential) deception as part of their job feel confident that their skills at detecting lies are fairly good, research suggests otherwise (Sporer & Schwandt, 2006) and this extends to the asylum process. Granhag, Strömwall and Hartwig (2005) examined beliefs about deception held by Swedish Migration Board personnel working with asylum cases and found that migration board personnel were no more aware of research findings on objective cues to deception than were a

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control group of students. Furthermore, migration board members often refrained from taking a stand concerning the relation between specific behaviours and deception, exhibited substantial within-group disagreement, and expressed a need for education concerning deception detection.

Vrij and colleagues have developed guidelines, based on a substantive body of psychological research, for detecting deceptive behaviours (see Vrij et al., 2010). They highlight some strategies to avoid errors in detecting deception, including attending to the more diagnostic verbal and nonverbal cues to deceit, teaching people to actively elicit or enhance diagnostic cues to deception, not relying solely on nonverbal cues, considering alternative explanations when interpreting cues of emotions and cognitive load (e.g. interpreting signs of nervousness), using flexible decision rules that include multiple cues, and considering deviations from a person's honest reactions in similar situations. Finally, they suggest decision-makers exploit the different mental processes of truth tellers and liars such as using an information-gathering interview style, unanticipated questions about central topics (as liars prepare themselves for anticipated interviews and truth tellers will have encoded the topic of investigation along more dimensions allowing greater flexibility when recalling events), strategic questioning and imposing cognitive load that makes the interview setting more difficult for interviewees (e.g. telling a story in reverse order). Some of this is incorporated in the Cognitive Interview (CI; Memon, Meissner & Fraser, 2010) used in police interviewing, but to date use of the CI with accounts of traumatic experiences has not been validated and consequently its potential for use in asylum interviews is unknown.

## **Summary**

In sum, decision makers have to assess asylum claims that may be partially or entirely fabricated. Research suggests that it is difficult to detect deception as nonverbal and verbal cues to deception tend to be faint and unreliable which makes deception detection a difficult task. However, some cues have been found to be associated with deceptive accounts. In the case of the asylum process an applicant may be nervous and fearful of being scrutinized and/or not believed, especially given the consequences faced if they are not believed, thus, using emotions, cognitive effort and certain behavioural (e.g. acting nervously; gaze aversion) observations may not be reliable indicators of deception. It is also important in the asylum process to note that behaviours displayed by those of one ethnic or cultural group may appear suspicious to members of another ethnic or cultural group and thus, cultural differences need to be considered. For asylum seekers who are using deception, given they are communicating high-stakes lies, they may deliberately attempt to appear credible and use strategies to achieve this goal. Additionally, their lies can be embedded in predominantly truthful statements and thus, may be rich in details typically associated with credible statements. However, it is also important to consider that those seeking asylum can add details to an otherwise true account assuming that it will strengthen their case or lie about some aspects out of fear (e.g. people trafficked, rape cases, those whose families are threatened if they reveal anything about traffickers, etc.). To assist decision-makers, guidelines have recently been developed to improve deception detection but these guidelines must be used with care given that much of the underlying research has been conducted with western groups.

## **IMPLICATIONS FOR THE ASYLUM PROCESS**

The process of seeking asylum means that asylum seekers must recall details of personal experiences (often traumatic) and give a narrative account, sufficiently coherently and consistently, in the context of administrative and legal procedures in the receiving country. Consequently, the asylum process relies heavily on how the decision maker assesses the credibility of the claimant and the truth of their autobiographical remembering. Psychologists working in the field of autobiographical memory hold a wealth of knowledge that is relevant to the process of deciding asylum claims and thus can inform this process. We have reviewed some of the evidence for inconsistency in autobiographical memory, the salience of the order of questions in eliciting valid memories, the effect of emotion on recall, distinctions between central and peripheral memories, the effect of depression and trauma on memory specificity, changes in the reporting of rates of traumatic exposure over time, and the influence of culture on autobiographical memory. From this literature the following implications can be drawn.

First, in the very basis of the asylum claim is an assumption, that people can reliably, consistently and accurately recall autobiographical memories (Herlihy et al., 2010). However, significant research has demonstrated that autobiographical remembering is not an exact replaying of an event. This type of memory is a reconstruction of events based on several elements and subject to distortion as well as failure. Retrieved memories not only contain details of the specific event but can also contain details from repeated events that are represented as schema. This effect can cause problems in the interview that takes place following the submission of an initial claim. Interviewers asking about specific days or events are likely to be provided with a memory that contains these details but also contains details based on the applicant's daily schema. This is especially likely to influence events that were some time ago

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and that occurred on several occasions. Inconsistencies will potentially be the result of repeated interviewing.

Second, relying on the applicant's memory of an event to make a legal judgment also assumes that it will be an accurate account. Some research suggests that our recollections may be broadly "true" rather than strictly accurate. Research has shown that specific events are less likely to be remembered than duration events, dating errors increase as the time since the event lengthens, and estimates of the duration of events are not always accurate. Therefore, an expectation of 'broadly true' rather than strictly accurate may be a more appropriate approach of decision makers and care should be taken when basing crucial legal decisions on the accurate recall of dates.

Third, research suggests that the function of human autobiographical memory is not to remember exact accurate memories of events but rather autobiographical memory serves three broad functions (Bluck et al., 2005); social, directive and maintaining a sense of self. Therefore, the memory will be regularly updated and refined in order to achieve these functions. Again this supports an expectation of 'broadly true' rather than strictly accurate, and raises the possibility of inconsistencies in people's accounts.

Fourth, the experiences refugees have endured are, by definition, distressing. This is of crucial interest to those in the asylum decision making field where it is often assumed that emotional arousal will facilitate detailed memories of the event. A broad field of study has been dedicated to investigating the effect of emotion on the encoding and retrieval of autobiographical memories for distressing events. There is considerable support for the hypothesis that high levels of stress negatively impact on eyewitness memory in terms of proportion of correct identifications and accuracy of eyewitness recall (Deffenbacher et al., 2004). There is

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considerable evidence suggesting emotion facilitates memory for central details or the gist of the event, whereas emotion inhibits memory for peripheral, unimportant (to the subject) details . These findings suggest that it may be unreasonable to expect individuals seeking asylum to recall peripheral details about emotionally charged autobiographical events.

Fifth, refugees often experience psychological disorders such as PTSD and depression. These disorders have been found to influence people's ability to recall and describe autobiographical memories, all of which need to be understood and taken into account by decision makers. The research suggests that those with PTSD have impairments in remembering material. Further, the research suggests those with PTSD show particular types of disruption or deficits in conceptual connection or organisation of the memory of the event, resulting in fragmentation or disorganisation. Questioning about traumatic experiences can trigger vivid re-experiencing of the event, with or without awareness of the current context. This will understandably mean that many people make conscious efforts not to discuss their past. It can also give rise to less consciously controlled mechanisms, such as dissociation (cutting off from present awareness) or numbing of emotional response to the event (Bogner et al., 2007).

Sixth, it is generally believed that the more detail a memory has, the more believable and credible the memory is seen to be. General memories are viewed as not credible, but rather as fabricated or exaggerated, and are thought to have not been recalled clearly. Therefore, the level of specificity has been seen as a good way of distinguishing between accurate and inaccurate memories. However, research suggests that people with particular psychological disorders, including PTSD, depression and trauma history, have difficulties recalling specific memories and thus these general memories are not necessarily non-credible, false or exaggerated.

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Seventh, in the asylum process one of the most common tests for the credibility of an account of persecution is internal consistency. Despite research demonstrating that one of the strategies adopted by liars is the repetition of a rehearsed story (Granhag, Strömwall & Jonsson, 2003), it is often thought that if an individual cannot “keep the story straight” across the various forms and interviews involved in the asylum process, then it can be assumed that they have fabricated a story to assist their case. This is one of the main elements of evidence cited in

refusals of refugee or humanitarian protection (Pettitt, 2011; Herlihy & Turner, 2006) and is included in the official guidance to Immigration staff making these decisions (UK Border Agency, 2011). Thus the consistency of an asylum seeker's account has become central in determining asylum status. However, empirical research suggests that specific and non-trivial trauma memories can be subject to significant distortion, alteration and discrepancies in military and peacekeeping veterans (Engelhard et al., 2008; Southwick et al., 1997) and in refugees (Herlihy et al., 2002; Mollica et al., 2007) Recent studies have furthermore found that reports of combat experiences in veterans increase over time for those with the more severe levels of PTSD (e.g. Harvey & Bryant, 2000; Roemer, Litz, Orsillo, Ehlich & Friedman, 1998; Southwick et al., 1997; Wessely et al., 2003). These conclusions suggest that the asylum process might be improved in a number of ways : by realising that consistency can be enhanced by measuring broad inclusive categories of events rather than asking about more narrowly defined, specific events, about which people are less consistent in their answers; by realising that discrepancies are more likely for peripheral details of traumatic events and for individuals with higher levels of PTSD symptoms; by understanding that a longer delay between interviews is associated with more discrepancies; and by appreciating that memory for traumatic experiences in refugee and

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asylum seeking groups is heavily influenced by the complexities of reporting certain experiences such as rape and the desire to consign experiences to the past.

Eighth, there are usually differences in background and culture between the applicant and decision maker. Research suggests that there are important cultural differences in autobiographical remembering. Those from individualistic, western cultures (often where the decision making takes place) are able to provide lengthy, autonomous, specific, self-focused and emotionally elaborate memories that focus on individual experiences, roles and emotions. Therefore, it is likely that this is the expectation held by decision makers of the content and

organisation of autobiographical memories. However, those from collectivistic, non-western cultures (from where applicants tend to come) tend to focus on collective activities, general routines, emotionally neutral events, social interactions and significant others. Therefore, decision makers need to be aware of these cultural differences in style and function, rather than deem a memory that does not fit with western expectations of autobiographical remembering to be an inaccurate, incredible memory.

Finally, it is important to consider that asylum seekers can be motivated to lie about experiences. Research suggests that it is difficult to detect deception as nonverbal and verbal cues to deception tend to be faint and unreliable. However, some cues have been found and could be used, with care, to detect deceptive accounts. In the case of the asylum seeker, who may be nervous/fearful and using significant cognitive efforts when providing their account, using emotion, cognitive effort and certain behavioural observations (e.g. acting nervously; gaze aversion, fidgeting) may not be reliable indicators of deception (Rogers et al., in press). It is also important in the asylum process to note that behaviours displayed by those of another ethnic or cultural group may appear suspicious to members of another ethnic or cultural group. For asylum

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seekers who are using deception, given they are communicating high-stakes lies they may deliberately attempt to appear credible and use strategies to achieve this goal. Additionally, their lies can be embedded in predominantly truthful statements and thus, may be rich in details typically associated with credible statements. To assist decision-makers guidelines have recently been developed to aid the assessment of credibility but asylum seeker decision makers should receive further education regarding detecting deception and cultural differences.

## **Limitations and Future Directions**

While research in the field of autobiographical memory holds a wealth of knowledge that is relevant to the process of deciding asylum claims, there are several limitations. First, as in most bodies of literature, there exist debates, different perspectives and inconsistencies in findings. This is also true of the autobiographical memory literature. Furthermore, memory is a complex, diverse and heterogeneous entity and this is reflected in the research. This makes generating conclusive recommendations difficult. However, this said, there is compelling evidence to suggest that autobiographical remembering is subject to distortion as well as failure, and that emotion, questioning style, trauma and culture all influence the autobiographical remembering of events. Second, much of the work conducted in the realm of autobiographical memory has been conducted in the laboratory. This raises questions of ecological validity. However, in most of the areas reviewed above, the laboratory studies have been complemented by more ecologically sound studies and in most cases there is convergent evidence. Third, much of the autobiographical memory research suggests that autobiographical memory can contain inconsistencies and inaccuracies and thus these features should not be used to deem a memory

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false or incredible. However, it rarely suggests what makes a memory ‘credible’. Thus, future research should highlight whether there are strategies that can be developed to assist legal practitioners with this very difficult decision-making process. Finally, Herlihy and Turner (2007; 2009) note that psychological knowledge is pertinent to the asylum decision-making process and autobiographical memory has a central role in the asylum process. They highlight that in other areas of law there is an abundance of studies investigating the interface between psychology and the processes at work in legal proceedings. However, to date, very little research has been applied to refugee law. They explicitly suggest that psychology needs to develop the broader empirical evidence base concerning memory and the asylum process and make this evidence accessible to legal practitioners and immigration judges. Thus, future research should focus on the specific memory processes involved in making a claim for protection; for example, whether

distinctions can be made between particular facets or types of memory that are more susceptible to inconsistency than others. Finally, more research is required in the area of deception especially with regard to the asylum process so that current findings can be generalised and have improved ecological validity.

## CONCLUSIONS

The process for formally recognising refugees, as it currently operates in the West, relies very heavily on the memory of those applying for asylum. The onus is on the asylum seeker to explain why they believe that they have been persecuted. Typically, there is no objective evidence (record of arrest or medical examination) to support their narrative. Decisions therefore have to be made both about the relevance of an application statement to the legal tests and also

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about the credibility of the asylum seeker. Often, several statements are made (e.g. at initial application, to a legal representative and at subsequent appeal - if refused). This process demands of applicants that they can present a clear, coherent and consistent account of their experiences – from day one.

Decision makers also have a very difficult job to perform. Faced with an individual with a story of persecution, usually with no witnesses, documentary evidence or other corroborating evidence, the decision maker must decide between on the one hand granting rights to a foreign national to live in the host country, often in the face of political and economic pressures to uphold democratically set immigration controls, and on the other hand, refusing entry to an individual who may be returning to human rights abuses and even death (Thomas, 2005).

The risk is that in situations like this, lay assumptions about psychological concepts such as autobiographical memory are accepted uncritically and without recourse to the scientific

literature. A common theme in assessing credibility is that an experience as significant as persecution will be recalled accurately and consistently. Moreover, it may be common sense to move on from this and assume that if someone is setting out to lie about such an experience, they may be consistent about the central gist (“I was tortured”) but inconsistent about the peripheral detail (e.g. time of day). Yet, as this review has demonstrated, autobiographical memory is often inconsistent; and memory for much of the detail is volatile in the context of a severe trauma. Indeed there is evidence against there being a strong relationship between consistency, completeness and accuracy of memory. Van Giezen, Arensman, Spinhoven, Wolters (2005) concluded, “Memory is a reconstructive process, which is prone to errors. Therefore, we cannot fully rely on its accuracy, completeness, and consistency.”

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It is not just a matter of consistency. The more detail a memory has, the more believable it may appear. Overgeneral memories may be viewed as less credible, false or exaggerated. Again, as this review has demonstrated, there is a false premise in such an assumption. There is also the huge issue of cross-cultural interpretation of memory. We have demonstrated that there are substantial effects of language and culture on memory. In particular, differences have been shown between collectivist and individualist cultures but other variations also exist.

The main conclusion to draw from this review, in the context of judging narratives of asylum seekers, is that autobiographical memory is much more complex than it may appear. Although deception occurs, and can sometimes be hard to detect, this review demonstrates that someone may be telling the truth – exactly as they recall it – and yet still appear inconsistent, incomplete or inaccurate in their account. It is important that this body of general psychological knowledge is more routinely considered in the asylum decision-making process.

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