

RESOURCE INDEX

Therapeutic Legal Assistance



A collated reading list of academic and third sector-produced resources relating to trauma-informed lawyering and therapeutic legal assistance in refugee and displacement seekings



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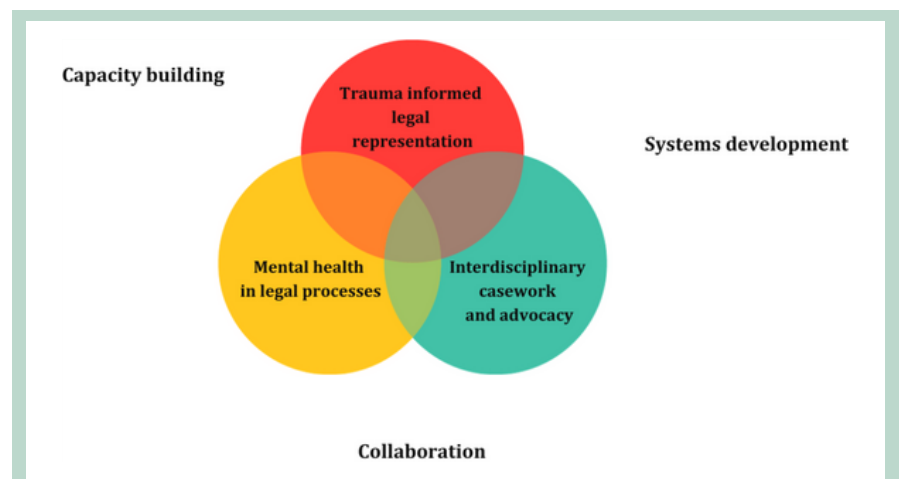
Background to this document

Quality, dignified legal information and assistance are crucial but often incredibly difficult to access services for the vast majority of asylum seekers and refugees. We often refer to legal aid as being the 'clothes peg' upon which so many other rights hang; for those within the asylum system, being able to access safe housing and the right to work, housing, education and avoiding deportation or detention are all too often contingent on being able to navigate and receive a positive decision within a complex legal and bureaucratic process in a new country, often following months or years making deadly journeys across borders to escape persecution.

In addition to having detailed knowledge of asylum and migration law, the impacts of trauma and mental distress on a person's ability to engage with a legal process in the manner required by authorities or legal aid professionals, as well as the impact on the substance of a person's asylum claim itself, mean that those involved in providing legal assistance to refugees would do well to have a thorough understanding of concepts relating to therapeutic legal assistance. This approach can act both to improve legal outcomes, and to preserve and uphold the psychological wellbeing of clients (and themselves) to the maximum extent possible.

Sadly, though there is a growing body of evidence relating to the benefits of trauma-informed approaches, opportunities for lawyers to receive theoretical and practical training and supervision in these areas remains lacking.

This fact, in large part, is what led AMERA International and SolidariTee to collaborate in the creation of what has now become known as the **Therapeutic Legal Assistance Model**.



Therapeutic legal assistance can be considered, in this context, to refer to legal advice, information and representation that is provided to refugees and other migrants in vulnerable situations in a way that gives regard to the psychological state of the client, which is provided in a manner that is trauma-informed, and which incorporates elements of therapeutic jurisprudence in recognising and responding to the therapeutic and non-therapeutic elements of legal aid in displacement settings.

The Therapeutic Legal Assistance Model is a model developed by AMERA International that offers a **framework through which legal practitioners and connected professionals can develop skills, knowledge, and create spaces for reflective practice.** In doing so, practitioners are equipped to provide legal assistance for representation of refugees and others forcibly displaced that has the potential to be therapeutic as an intervention in its own right, and which mitigates against the risks of psychological harm being caused to clients within the asylum system. The model reflects what AMERA considers to be three core pillars of therapeutic legal assistance:

- **Trauma informed legal representation**
- **Interdisciplinary casework & advocacy**
- **Mental health considerations in asylum & protection procedures**

The resources available on subsequent pages are publicly available links to research papers, articles, toolkits and case studies connected to these topics. These were collated by AMERA International as a reading list connected to the topics within the model, and the resource index is now managed and updated by SolidariTee.

The Therapeutic Legal Assistance Model is primarily designed to be delivered as facilitated training and professional development course, and a large number of original resources created by AMERA are available to participants enrolled in a facilitated training cohort, either online or in-person. The resources within this document are grouped according to modules covered within the facilitated training programme.

The development and implementation of the Therapeutic Legal Assistance was funded by SolidariTee between 2022 and 2024, with SolidariTee providing strategic and contextual inputs. Facilitated training based upon the model was subsequently rolled out under SolidariTee funding to legal practitioners in Greece across two cohorts in 2023 and 2024. In June 2024, AMERA International ceased operations, and SolidariTee now hosts and manages all resources. If you or your organisation are interested in participating in a future training, or you have any feedback on the publicly available resources, please email Alexa Netty at alexan@solidaritee.org.uk.

THERAPEUTIC LEGAL ASSISTANCE MODEL

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TRAUMA INFORMED LAWYERING

▶ **Guidelines for Trauma-informed Legal Practice for Lawyers Working with Adult Survivors of Human Rights Violations**

- European Human Rights Advocacy Centre, March 2022 - [HERE](#)

The document outlines a Trauma Informed Legal Practice ('TILP') that is responsive to the needs and experiences of survivors of human rights abuses. The document illustrates:

- *The impact of trauma on the brain, memory, and behaviour*
- *Developing a trauma-informed lawyer-client relationship*
- *Supporting the client through the legal process, incl. details on medical and psychological examinations*

▶ **Trauma-informed Legal Practice: Toolkit**

-Golden Eagle Rising Society, September 2020 - [HERE](#)

This toolkit provides a comprehensive guide targeted at legal professionals, educators, and social advocates, on trauma-informed legal practice, its importance, and how it should be implemented into the legal educational system. The toolkit also includes neuroscientific consideration for trauma related incidents in courts and an action plan for lawyers dealing with such cases.

▶ **Trauma-informed Lawyering** (part of Elder Justice Toolkit)

-Vivianne Mbaku, National Center on Law & Elder Rights, 2021 - [HERE](#)

A brief document outlining how being trauma informed improves communication between the lawyer and their client - often revealing additional legal considerations. The article also outlines how such practices can reduce retraumatization and improve trust between the two parties and in the legal system in general

TRAUMA INFORMED LAWYERING

▶ **Trauma-Informed Lawyering: A Tip Sheet for Family Lawyers**

-The Law Foundation for Ontario, Family Service Toronto and United Way Greater Toronto - [HERE](#)

This resource provides a tip sheet which outlines how to provide high quality legal services and reduce the chance of contributing to clients' trauma. This resource provides an approach to legal services with the objective of empowerment and respect. The resource clearly outlines this approach by outlining the following components of holistic and trauma-informed legal services: Relationship building; Empowerment; Physical safety; Communication; Office setting; Court, and; Vicarious trauma

▶ **Trauma and the Law - Applying Trauma-Informed Practice to Legal and Judicial Contexts**

-Blue Knot Foundation, 2016 - [HERE](#)

This paper outlines the importance of a 'trauma informed' approach in the legal context, by presenting key themes of the relevant research base and through the lens of challenging and changing legal contexts. It provides an evidence-based approach to the contention that 'more effective, fair, intelligent and just legal responses must work from a perspective which is trauma informed'. This paper illustrates multiple grounds as to how a trauma-informed practice can be effectively introduced and embedded in the practice of law.

▶ **Towards trauma-informed legal practice: a review**

-Colin James, 2020 - [HERE](#)

This academic meta-synthesis reviews research on trauma across a number of professional human services with particular regard for vicarious trauma and lawyer wellbeing, and provides a review of options for legal agencies to consider and embed trauma-informed approaches that support mental health within the legal profession.

TRAUMA INFORMED LAWYERING

► **The Pedagogy of Trauma-informed Lawyering**

-Sarah Katz and Deeya Haldar, 8 March 2016 - [HERE](#)

This article outlines how to teach trauma informed lawyering through direct examples of pedagogical approaches. It defines trauma informed practices as 'when the practitioner puts the realities of the client's trauma experiences at the forefront of engaging with the client, and adjusts the practice approach informed by the individual client's trauma experience.' This piece argues that the teaching of trauma-informed practice in law school clinics is essential and a critical aspect of preparing law students for legal careers and posits that the four key characteristics of trauma-informed lawyering are: 1. Identifying trauma; 2. Adjusting the attorney-client relationship; 3. Adapting litigation strategy; and 4. Preventing vicarious trauma.

► **Developing a Trauma-Informed Consciousness for Legal Practitioners,-**

- Torture Abolition and Survivors Support Coalition International, October 2019 - [HERE](#)

This resource is a presentation from training delivered by Caitlin Tromiczak LICSW-C, LCSWC Health & Physiological Wellness Programme Manager, Training Programme Creator & Facilitator from TASSC International. The training furthers practitioners' understanding of trauma, common responses to trauma and how this can work to build a trauma-informed approach (and what this means). The training practically engages with the challenge of building trauma informed approaches in an interdisciplinary and multi-layered manner. Finally, the training offers ways to address vicarious trauma and how to build in reflective and supportive supervision at an organisational level.

TRAUMA INFORMED LAWYERING

► **Trauma-informed Legal Advocacy (TILA) in Asylum and Immigration Proceedings: A Curated Selection of Resources for Attorneys and Legal Advocates**

-National Centre on Domestic Violence, Trauma & Mental Health, September 2016 - [HERE](#)

This article provides a curated selection of resources for attorneys and legal advocates with an annotated bibliography and links to useful resources. The resources cover the following topics: 1. The Asylum & Immigration Process as a Source of Trauma 2. Culture & Trauma 3. Trauma & Memory in Immigration and Asylum Cases 4. Trauma-Informed Legal Advocacy Techniques & Interviewing Strategies 5. Partnering with a Mental Health Provider 6. The Impact of Vicarious Trauma on Immigration Attorneys



Image description: legal aid professionals discuss the principles of trauma-informed lawyering

THERAPEUTIC LEGAL ASSISTANCE MODEL

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CASE MANAGEMENT AND COORDINATION

▶ **'Case Management & Digital Security for Strategic Litigation Against Torture'**

-REDRESS (2021) - [HERE](#)

This guide is part of a series of Practice Notes designed to support holistic strategic litigation on behalf of torture survivors. It is aimed at lawyers and activists who assist torture survivors in the litigation process. This Practice Note explains the key building blocks of effective case management and digital security in the context of torture and ill-treatment cases. It makes suggestions based on consultations with NGOs, research reports, and practical experience. It aims to provide useful approaches/recommendations for those new to strategic litigation to find out more about building effective case management techniques, and also for more experienced practitioners, to encourage reflection on how cases are managed and build on best practices.

▶ **Mary Anne Kenny, 'The importance of psychosocial support in the RSD process' - [HERE](#)**

Mary Anne Kenney analyses the importance of psychosocial support in the refugee status determination (RSD) process. Kenney explores the challenges that asylum seekers and their legal representatives face in the preparation of an asylum seeker's case and in particular, the issue of credibility. Kenney demonstrates the importance of combined legal and psychosocial support in maximising the chances of a successful asylum application.

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▶ **'Marriage of convenience' or 'a match made in heaven': lawyers and social workers working with asylum seekers'**

Lucy Fiske and Mary Anne Kenney, 2004 - [HERE](#)

In this article, Fiske and Kenney present a model of working with asylum seekers in preparing their applications for refugee status. This model was developed through practice by a community legal centre and torture treatment centre in Western Australia. The model seeks to reduce the stress for asylum seekers, while at the same time improve the quality of information made available to decision makers within the refugee determination process. The model presented in this article promotes an interdisciplinary approach to working with asylum seekers.

CASE MANAGEMENT AND COORDINATION

▶ **'Guide to Protection Case Management'**

UNHCR and IRC, 2021- [HERE](#)

This guidance, developed by UNHCR and International Rescue Committee (IRC), were designed to help protection case management staff to recognise and support people at heightened risk of rights violations and who require support to find their own solutions through a process of informed and supported decision making. The guidelines emphasise the importance of adopting a rights-based approach which recognises affected populations as right-holders and empowers individuals to become active drivers in the realisation of their rights. The framework offered in this guidance outlines how service providers should work with individuals through a client-centered approach and support their full and effective participation through the case management process.

▶ **"Saying goodbye - Five Habits of Cross-Cultural Lawyering and More**

Clinical Law Teaching Materials from Sue Bryant and Jean Koh Peters - [HERE](#)

This article offers guidance on how to terminate a lawyer-client relationship in a way which demonstrates care, thoughtfulness and respect. The article outlines four overarching principles for how to 'say goodbye' to a client:

- 1. The termination should match the Lawyer-Client relationship*
- 2. Be honest with the client and yourself as you end*
- 3. Consider carefully what termination means to this client in this context*
- 4. Keep straight what your client is experiencing from what you are experiencing*
- 5. Ten concrete skills and strategy for constructive termination.*

▶ **'Seeking Asylum and Mental Health: A Practical Guide for Professionals**

Chris Maloney, Julia Nelki, Alison Summers, Cambridge University Press 2022-
[HERE](#)

This book offers a practical guide for mental health professionals working with people seeking asylum.

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PSYCHOLOGICAL EFFECTS AND LEGAL CONSEQUENCES

► **Migration & Refugee Division: Guidelines on vulnerable person**

-Administrative Appeals Tribunal, November 2018 - [HERE](#)

This article examines the central role that credibility assessment plays in refugee determinations. It draws on the authors' own empirical study, Tales of the Unexpected, to display the complex ways in which applicants' poor mental health can affect their capacity to present a 'coherent and plausible' account of their experiences.

► **Credibility Assessment in Asylum Procedures: A Multidisciplinary Training Manual**

-Gábor Gyulai et al., 2013 - [HERE](#)

This training manual focuses on the credibility assessment as part of the asylum decision making process and how difficult this aspect of the asylum process can be for those seeking asylum, and their legal representatives. The manual aims to provide a creative, multidisciplinary learning method on credibility assessment, tailored to the needs of asylum decision makers and other asylum professionals. This manual provides a framework for developing knowledge, skills and attitude through multidisciplinary learning, which can help asylum professionals to reduce the possibility of error, reach more objective and fair credibility findings, as well as to apply a more structured approach to credibility assessment.

► **Beyond proof: Credibility assessments in asylum proceedings**

UNHCR, May 2013 - [HERE](#)

This report highlights the impact of trauma on memory and behavior - including symptoms (even where no psychiatric diagnosis), PTSD and avoidance, dissociation, emotional numbing, memories & detail of traumatic experiences, detention and memory.

PSYCHOLOGICAL EFFECTS AND LEGAL CONSEQUENCES

▶ **'Psychology & Refugee Status Determination: Psychological Evidence to help Inform Refugee Status Determination**

Herlihy & Parrott, 2014- [HERE](#)

This article discusses the notoriously_difficult job of satisfying 'general credibility' in the asylum context. This paper argues that there is a 'breadth of evidence' concerning psychological factors relevant to claims for international protection and that to ignore relevant psychological factors which may influence the perceived credibility of the asylum seeker risks denying protection to refugees and granting asylum to those who do not meet the criteria for refugee status. This article introduces the psychological research that can be drawn on in representing people seeking international protection and in making legal decisions about them, and looks at the following: 1. Memory - the functioning of autobiographical memory, specifically those for potentially traumatic events and the common misconception that memories must be detailed, structured and consistent to be true. 2. Psychological processes involved in disclosure - why translating a lived experience into a narrative fit for legal processes is not straightforward. 3. Psychology of the interviewing - factors influencing decision makers' interpretation of testimony, including vicarious traumatisation among adjudicators.

▶ **Impact of Sexual Violence on Disclosure During Home Office Interviews**

-Bogner, Herlihy & Brewin. British Jnl of Psychiatry, 191, (2007), pg 75 - 81 [HERE](#)

This study addresses the issue of how late disclosure or non disclosure during Home Office interviews is commonly cited as a reason to doubt asylum seeker's credibility. The study explores how sexual violence affects asylum seekers' disclosure of personal information during Home Office interviews. The study found that the majority of participants reported difficulties in disclosing personal information during Home Office interviews, were more likely to dissociate during these interviews and score significantly higher on measures of post-traumatic stress symptoms and shame than those with a history of non-sexual violence. The study concluded that judgments which state that late disclosure is indicative of a fabricated asylum claim must take into account the possibility of factors related to sexual violence and the circumstances of the interview process itself.

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MENTAL HEALTH CONDITIONS IN LEGAL CONTEXTS

➤ **Prevalence of complex post-traumatic stress disorder in refugees and asylum seekers: systematic review**

-De Silva, Glover & Katona, November 2021 - [HERE](#)

This review highlights both the high prevalence of complex post traumatic stress disorder (CPTSD) in treatment samples and the lack of research aiming to establish prevalence of CPTSD in refugee and asylum-seeking populations. This review explains that understanding the prevalence of these disabling disorders has implications for policy and healthcare services for the appropriate promotion, planning and provision of suitable treatment and interventions for this highly traumatised population.

➤ **Identifying the critical time points for mental health of asylum seekers and refugees in high-income countries**

-Giacco, 2020 - [HERE](#)

This study explores the prevalence rates of mental disorders amongst refugees and asylum seekers and specifically the issue of the high heterogeneity in prevalence rates across different studies. This study aims at identifying and distinguishing time points in which distinct risk and protective factors for the mental health of asylum seekers and refugees may occur. This study examines the different factors that contribute to high heterogeneity rates including the changing exposure to risk and protective factors for mental health at different phases of people's life before migration and during the migratory journey and resettlement.

MENTAL HEALTH CONDITIONS IN LEGAL CONTEXTS

- ▶ **'Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5)** American Psychiatric Association, 2013 - [HERE](#)

The American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-5) is the standard classification of mental disorders used by mental health professionals in the United States.

- ▶ **Non-clinicians' judgments about asylum seekers' mental health: how do legal representatives of asylum seekers decide when to request medico-legal reports?**

Wilson-Shaw, Herlihy & Pistrang, Eur. Jnl Psychotraumatology, (2012) - [HERE](#)

This study examines the decision making of immigration lawyers, who are an example of a group of non clinicians who decide when and whether to refer asylum-seekers for psychiatric assessment. The study revealed that legal representatives interviewed were well-informed and trained in psychological issues as well as clearly dedicated to their clients. This helped them to attempt quasi-diagnoses of common mental health problems. However, legal representatives nonetheless demonstrated stereotypical understanding of post-traumatic stress disorder and other possible diagnoses and the role of subjectivity. The study has implications for other groups particularly those less trained and compassionate who are required to make clinical judgments without the necessary expertise.



Left: legal aid professionals discuss factors affecting credibility assessments and subjective judgments about asylum seekers' mental health within a facilitated workshop.

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MENTAL HEALTH ASSESSMENTS AND REPORTS

▶ **Three tales of asylum: trauma, credibility and expert evidence. Human Rights Defender**

-Redman, R., San Roque, M., Hunter, J., Hambley, T. & Martin, H., 2006
15 (2), pp.17-19.- [HERE](#)

This article looks at the role that expert psychological evidence can play in the refugee determination process. These three stories – linked by trauma – illustrate the difficulties encountered by many seeking to establish their refugee_status.

▶ **Complex PTSD and Borderline Personality Disorder**

-Ford & Courtois, 2021 - [HERE](#)

This article considers the comorbidity of Border Personality Disorder (BOD)/Complex Post Traumatic Stress Disorder (CPTSD), the distinction of CPTSD and the need to include it in diagnostics. The study explores the history of abuse within people diagnosed with CPTSD (and therefore diagnosis potential confirmation of certain aspects of history).

▶ **Dissociative Amnesia - A Challenge to Therapy**

-Staniloiu & Markowitsch, 2018 - [HERE](#)

This article looks at how dissociative amnesia has a stress or trauma related aetiology. It outlines how affected individuals are frequently more severely and enduringly affected. Most people show severe retrograde amnesia for their biography, usually accompanied by changes in their personality and sometimes also by alterations in other cognitive and emotive domains.

MENTAL HEALTH ASSESSMENTS AND REPORTS

▶ **Examining Asylum Seekers: A Health Professional's Guide to Medical and Psychological Evaluations of Torture**

Physicians for Human Rights, 2001 - [HERE](#)

This is a guidebook for physicians and mental health professionals seeking to develop the knowledge and skills needed to conduct clinical evaluations of asylum seekers and assess physical and psychological evidence of torture and ill treatment. Several sections of this guidebook are based on recent international guidelines for medical-legal documentation of torture. These include sections on how to interview an alleged torture victim as well as the comprehensive guidelines for performing clinical examinations to detect physical and psychological evidence of torture and ill treatment.

▶ **Guidance Note on the Psychologically Vulnerable Applicant in the Protection Visa Assessment Process**

-UNHCR, 2017 - [HERE](#)

This UNHCR guidance note on psychological considerations in the ability to participate in the Protection Visa Assessment Process discusses how credibility should be considered in the context of psychological evidence. It discusses how psychological evidence assists fair and accurate assessment of claims. The note provides guidance and examples from factual evidence around mental state, cognitive capacities, experiences reported in country of origin, diagnosis and treatment. The guidance also outlines the purposes of psychological evidence (p10), Psychological explanations for lack of detail, Impact of trauma on recall, avoidance and memory. The article discusses disclosure of traumatic events over time and variation on memories of traumatic events.

MENTAL HEALTH ASSESSMENTS AND REPORTS

➤ **Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees**

-UNHCR 2019 - [HERE](#)

These guidelines outline how where a medical report is obtained, conclusions of the report should shape the approach of UNHCR officials responsible for determining the individual's refugee claim. The guidelines state that the burden of proof should be lightened for 'mentally disturbed persons' (p.45).

➤ **International Association of Refugee Law Judges' Guidelines on the Judicial Approach to Expert Medical Evidence**

-IARLJ, 2010 - [HERE](#)

These guidelines are a tool designed to assist judges in the fulfillment of their task of ensuring that proper and adequate account is taken of all evidence, including any expert medical evidence within the refugee status determination process or other similar determination processes, for example immigration/migration appeals, humanitarian protection and human rights appeals, which are all matters that affect the lives of individuals directly and profoundly.

➤ **Interviewing Applicants for Refugee Status (RLD 4)**

-UNHCR 1995- [HERE](#)

This UNHCR training outlines how 'mentally disturbed applicants' require special care when being interviewed. It states that interviewers must not expect applicants to remember all details. Traumatized individuals may omit information or provide inaccurate information, but this does not mean they are dishonest.

MENTAL HEALTH ASSESSMENTS AND REPORTS

► **Istanbul Protocol**

-OHCHR, 2022 - [HERE](#)

The Istanbul Protocol sets out specific provisions on how effective legal and clinical investigation and documentation into allegations of torture or ill-treatment should be carried out, which is necessary to bring perpetrators to justice. This manual provides an international point of reference to prevent neglect, misinterpretation, deliberate misuse or falsification of torture evidence by health professionals, either willingly or under coercion.

► **Managing and Understanding Psychological Issues among Refugee Applicants**

-UNSW, 2013 - [HERE](#)

These guidelines were developed in 2010 and are based on the researchers' expertise across the fields of procedural, refugee and administrative law and in the specialised domain of research and clinical practice in refugee mental health uniquely span the health/law disciplinary divides. The aim of these guidelines was to fill a gap in the support of decision makers, mental health professionals and applicants' representatives in order to create an informed and practiced understanding of how to manage the challenges for applicants with trauma-related psychological damage where little or no documentation or other objective evidence exists, and credibility is essential to decision making. This Manual provides a step-by-step guide to best practice strategies that focus particularly upon the circumstances and perspectives of:

- 1. Psychologists and psychiatrists working in the field of refugee health assessment;*
- 2. Decision-makers in the refugee status determination process; and*
- 3. Refugee applicants' supporters and representatives, whether they be migration agents, lawyers or from support organisations.*

MENTAL HEALTH ASSESSMENTS AND REPORTS

➤ **Medical Evidence in Refugee Status Determination Procedures.**

-AMERA International - [HERE](#)

This article provides background to the use of medical evidence in Refugee Status Determination. Format and guidance to how medico-legal reports should be prepared and presented. Links to a range of articles on use of mental health and medico-legal assessments.

➤ **Note on Burden and Standard of Proof in Refugee Claims**

-UNHCR 1998 - [HERE](#)

p 16-23 outlines impairments associated with psychological and psychiatric conditions, including impaired attention and concentration, disturbances in form and content of thought, memory impairment, the effects of traumatic experiences and mood disturbances. Impaired attention and concentration - range of conditions, specifically PTSD. Impairment in form and content of thought and need for psychiatric evidence. Impaired memory - difference between traumatic impaired memory and other mental or cognitive disorders. Impairments associated with torture and other traumatic experiences. Strategies for assisting persons with relevant impairments.

➤ **Psychological Evidence of Torture a Practical Guide to the Istanbul Protocol - for Psychologists**

-Human Rights Foundation of Turkey (HRFT), 2014 - [HERE](#)

Aims to explain how psychologists should understand and apply the Istanbul Protocol in a practical sense. p 11-14 Explains how to conduct the interview section of the psychological evaluation in a manner where sufficient information can be collected without putting the examinee at risk. p 30 - 34 Explains how psychologists should interpret their findings in order to make an accurate psychological evaluation with regards to torture.

MENTAL HEALTH ASSESSMENTS AND REPORTS

▶ **Post-traumatic stress disorder and declarative memory functioning: a review**

-Samuelson. 2011 - [HERE](#)

Prominence of memory disturbances in PTSD, part of diagnostic criteria. The re-experiencing symptom criteria of PTSD include intrusive memories of the traumatic event. Avoidance symptom criteria include the inability to recall important aspects of the trauma. Memory dysfunction as a pre-existing risk factor for PTSD and a consequence of PTSD. Memory disturbances can reduce available resources to cope with life's demands and can limit ability to engage in and respond to treatment.

▶ **Refugee Status Determination Procedure and Mental Health of the Applicant: Dynamics and Reciprocal Effects**

- Vukcevic, Markovic, Kovacevic & Bjekic, 2021 - [HERE](#)

Highlights the effects of the refugee status determination procedure and impacts on applicants' mental health status with a particular focus on trauma related difficulties. Expresses the need for greater sensitivity towards applicants' mental health during this process.

▶ **Refugee trauma measurement: a review of existing checklists**

- Sigvardsson, Malm, Tinghög, Vaez & Saboonchi, 2016 - [HERE](#)

Assessment and review of the current instruments and checklists used to measure trauma of refugees.

MENTAL HEALTH ASSESSMENTS AND REPORTS

▶ **Telling Refugee Stories: Trauma, Credibility and the Adversarial Adjudication of Claims for Asylum**

-Paskey, 2016 - [HERE](#)

Explains why an adversarial hearing is an inherently flawed way to assess the credibility of asylum applicants who have experienced traumatic events p 478 - 483 Part II summarizes the standard for asylum and the process by which asylum claims are adjudicated in the United States. p 483 - 492 Part III discusses the distinction between story and discourse, between the content of a story (characters and events) and the way the story is told. Explains how this accounts for multiple versions of a single story. p 492 - 507 Part IV examines the effects of trauma on a survivor's ability to tell her story and the role of storytelling in the recovery process. p 507 - 521 Part V re-examines the asylum adjudication system. Reconsiders the process by which immigration judges evaluate credibility.

▶ **UNHCR RSD Procedural Standards Unit 2.9: Applicants with Mental Health Conditions or Intellectual Disabilities in UNHCR RSD Procedures**

-UNHCR 2020 - [HERE](#)

Outlines general considerations that should be made by all those involved in relation to applicants with mental health conditions or intellectual disabilities.

Notes procedural safeguards and support measures that should be taken during the refugee application process. p 7-8 In particular notes the measures that should be taken by support persons and legal representatives.

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LEGAL RESEARCH ON MENTAL HEALTH

► **Psychological Research Evidence in Refugee Status Determination**

-Herlihy, Cameron & Turner, Journal of Refugee Studies, (2023)- [HERE](#)

This paper presents evidence that refugee status decision makers make assumptions about how humans think and act that are contrary to decades of scientific evidence about human behaviour and cognition (e.g. memory, risk assessment) – including studies and reviews of studies specifically focused on the RSD context. This evidence is not made available to decision makers. In contrast, decision makers regularly benefit from systems and procedures providing relevant, up to date, methodologically sound, impartial, independent, balanced expert evidence pertaining to country of origin information (COI). This paper proposes similar processes for the collation, assessment, and presentation of psychological evidence in order to ensure fairer, more sustainable refugee status decisions.

► **EASO Practical Guide: Evidence Assessment**

-EUAA, March 2015 - [HERE](#)

This guide is intended to provide support for the daily work of case officers and addresses the challenging tasks related to evidence assessment: gathering information, credibility assessment, risk assessment. A structured approach to evidence assessment, following the three steps above, is presented in checklists and brief guidance on every entry of the checklist. The guide further offers legal references, case law and a dedicated space for possible variations of national practice. The guide also encloses a template, which can be used to apply the structured-evidence assessment method on individual cases.

LEGAL RESEARCH ON MENTAL HEALTH

▶ **Judicial analysis on evidence and credibility in the context of the Common European Asylum System**

-EUAA, February 2023 - [HERE](#)

This judicial analysis provides an overview of the EU legal framework and jurisprudence that pertains to evidence and credibility assessment. It aims to be a useful point of reference for all members of courts and tribunals that either review the evidence and credibility assessment of international protection applications undertaken by the determining authority or carry out such evidence and credibility assessment themselves.

▶ **Thematic Country of Origin Information, Sources toolkit**

-Asylum Research Centre (ARC) Foundation, 2021- [HERE](#)

Database of country of origin information and sources toolkit.

▶ **Researching the situation of lesbian, gay, and bisexual persons (LGB) in countries of origin**

-European Asylum Support Office (EASO), 2015 - [HERE](#)

This guide aims to provide background knowledge as well as useful tips and sources for researching the situation of lesbian, gay and bisexual persons in countries of origin.

▶ **Country of Origin Information (COI) Report Methodology**

-European Asylum Support Office (EASO), 2019 - [HERE](#)

These guidelines discuss the COI methodology and guiding principles for COI research.

LEGAL RESEARCH ON MENTAL HEALTH

▶ **Common EU Guidelines for Processing Country of Origin Information**

-EU, April 2008 - [HERE](#)

The document outlines the methodology for gathering and using Country of Origin Information (COI) for international protection procedures. COI involves detailed information on socio-economic, legal, political, and human rights conditions in countries of origin, supporting decision-making but not dictating outcomes. The methodology was revised with input from various stakeholders and endorsed by EASO's Management Board in May 2019.

▶ **Tools and Tips for Online COI Research**

-EASO, June 2014- [HERE](#)

This resource provides guidance for COI researchers on leveraging various online tools and methodologies. It outlines the use of web search engines, COI portals like Ecolnet and Refworld, and archived content retrieval tools such as the Wayback Machine. It also outlines searching social networks, organizing information with automation and aggregation tools, and ensuring privacy and data protection while conducting online research. The guidelines emphasise the challenges and opportunities presented by new information technologies in the field of COI research.

▶ **Country of Origin Information (COI): Evidencing asylum claims in the UK**

-Asylos and ARC Foundation, 2020- [HERE](#)

This resource developed by ARC and Asylos outlines what COI is, and why COI research is essential in putting together an asylum application. It outlines the scope of COI research in credibility assessments and how to use COI in the different stages of refugee status determination procedure. The guidance also identifies practical COI tips, challenges when conducting COI research and how to address such challenges.

LEGAL RESEARCH ON MENTAL HEALTH

► **People with Disabilities Are Invisible in Asylum Information**

-Pritchard, Free Movement (please note paid access required) - [HERE](#)

This resource aims to fill gaps in existing COI literature by focusing on the unique challenges and discrimination faced by individuals with disabilities in the asylum system. The report includes detailed case studies and combines publicly available information with insights from expert interviews. It emphasizes the need for better understanding and more accurate documentation of the conditions and treatment of persons with disabilities to inform asylum decisions and improve protection measures

► **Researching Country of Origin Information: Training Manual**

-ACCORD, 2013- [HERE](#)

This manual on Researching Country of Origin Information outlines the role and relevance of COI in refugee status determination (RSD) procedures or in procedures relating to other forms of international protection. It presents quality standards for the research and the use of COI.



Above: Mavrovouni camp. Lesvos island, Greece

THERAPEUTIC LEGAL ASSISTANCE MODEL

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LEGAL SUBMISSIONS ADDRESSING MENTAL HEALTH

▶ Refugee Law's Fact Finding Crisis

-Cameron, 2018 - [HERE](#)

This book is by Hilary Evans Cameron, a leading scholar and practitioner on psychological evidence in RSD decision making. In the words of James Hathway: 'Hilary Evans Cameron's book is a meticulously researched account of the way in which judges' 'error preferences' inform their approach to asylum fact-finding. She shows not only that there has been a failure to agree to the rules applicable to nearly every aspect of the refugee fact-finding process, but that disagreement derives from a conflict of judicial values. Cameron makes a unique contribution to resolving this muddle, developing a theory of fact-finding anchored in the importance of doing justice to the predicament of asylum-seekers as vulnerable persons.' The book may be informative for reflecting on factors in decision-making, shedding light for legal practitioners on approaches to making arguments in representations that address 'error preferences'.



SolidariTee conference focused on overcoming barriers, prejudices and hierarchies that exclude certain groups of people who move

LEGAL SUBMISSIONS ADDRESSING MENTAL HEALTH

► **Psychological and Psychiatric Aspects of Recounting Traumatic Events by Asylum Seekers**

-Part of the book *Care Full. Medico-legal reports and the Istanbul Protocol in asylum procedures*. Chapter by EVERT BLOEMEN, ERICK VLOEBERGHES, CELINE SMITS - [HERE](#)

This book chapter focuses on two questions: which psychological and psychiatric factors can obstruct asylum seekers remembering their traumatic memories and speak about these experiences within the context of the asylum application, and what exactly is the impact of those factors on the quality of the statement of asylum seekers? The objectives are twofold: to relate this growing knowledge about trauma and memory to the situation of asylum seekers and to promote the use of this learning in the asylum procedure.

The book chapter covers:

- *Consequences of the traumatic experience*
- *The reaction and processing of traumatic events*
- *Stagnated processing as a psychiatric disorder*
- *Normal functioning of autobiographical memory*
- *Qualitative aspects of traumatic memories*
- *Psychiatric disorders and traumatic memories*
- *Memory and dissociation*
- *Consequences for the asylum procedure*
- *Shame and silence, Distrust*
- *Concentration*
- *Physical problems*
- *Physical expressions of fear and stress*
- *Pain*
- *Sleeping problems & exhaustion*
- *Brain injury*
- *Malnutrition*
- *Meaning for asylum procedures*

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REPRESENTING SURVIVORS OF TORTURE

► **Principles on Effective Interviewing for Investigations and Information Gathering**

-'The Mendez Principles', May 2021 - [HERE](#)

The Principles apply to all interviews by information-gathering officials. Other authorities coming into contact with persons throughout the interview process, for instance legal professionals, including judges, prosecutors and defence lawyers, will also find these Principles applicable. Furthermore, they are of use to oversight bodies, members of civil society, human rights advocates, and others examining situations addressed herein. The Principles set out a general approach to the conduct of effective interviews and do not promote any specific model. Notwithstanding variation in setting, type and aim of interview, however, the Principles apply in every interview, and are based in foundations of science, law and ethics that pertain in every setting.

► **Working with Survivors of Trauma**

-REDRESS, 2021- [HERE](#)

This training module provides an overview of the psychological aspects of working with adult and child victims of trauma in strategic litigation. It is designed to inform civil society organisations and legal practitioners who work on human rights litigation and other forms of public interest litigation involving traumas from violence such as torture, sexual abuse and forced disappearances. It also provides a basic understanding of key psychological considerations to assist lawyers and Human Rights Defenders in instructing and working alongside clinicians such as clinical psychologists and medical doctors, perhaps for an expert witness report. Further, it provides an overview of the psychological effects of trauma on memory and gives considerations for interviewing victims to obtain medico-legal reports and witness statements.

REPRESENTING SURVIVORS OF TORTURE

▶ **Holistic Strategic Litigation Against Torture**

-REDRESS, 2021- [HERE](#)

This practice note explains what holistic strategic litigation is, and how to do it in the context of torture and ill-treatment cases, in particular before international and regional human rights treaty bodies. It makes suggestions based on academic commentaries, research reports, and practical experience. It will be useful for those new to strategic litigation, to find out more about the technique, and also for more experienced practitioners, to encourage reflection on how they do it.

▶ **Protecting refugees and asylum seekers under the International Covenant on Civil and Political Rights**

-Santhosh Persaud, UNHCR, 2006 - [HERE](#)

This research paper examines how the protection of refugees and asylum seekers is addressed under the International Covenant on Civil and Political Rights (ICCPR), with a specific focus on the duty of non-refoulement. The paper also discusses the concept of internal flight alternatives, the legal procedures for expulsion, and procedural guarantees for asylum seekers. Additionally, it highlights the importance of ensuring asylum seekers have access to protection mechanisms and the right not to be turned away at the border.

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PSYCHOSOCIAL NEEDS AND PROTECTION

➤ **Asylum seekers and refugees and the Greek asylum procedure: impacts on mental health and psychosocial wellbeing**

-INTERSOS, 2023 - [HERE](#)

This report outlines the severe psychological and social impacts of the Greek asylum process on asylum seekers and refugees, particularly on the island of Lesbos. The report highlights how the harsh conditions and bureaucratic challenges faced by asylum seekers exacerbate mental health issues, such as PTSD, depression, and anxiety. It details specific cases, including those of gender-based violence survivors, who face additional layers of trauma and vulnerability. The findings emphasise the urgent need for improved mental health and psychosocial support services, as well as systemic changes to the asylum process to better accommodate the needs of these vulnerable populations

➤ **Waiting to be heard: Considerations of the impact of Greek asylum policies on the psychosocial wellbeing of asylum seekers on Lesbos**

-Fenix Humanitarian Legal Aid, 2023- [HERE](#)

This report outlines the detrimental effects of the Greek asylum process on the mental health of asylum seekers. Grounded in the World Health Organization's framework for the social determinants of health, it highlights how asylum seekers face a variety of stressors including legal uncertainties, socio-economic hardships, and social isolation. The report examines how accelerated asylum procedures, poor living conditions, and limited access to critical resources exacerbate mental health issues amongst those seeking asylum and hinders integration. The findings underscore the need for more humane and effective policies to alleviate the mental health crisis among asylum seekers in Greece.

PSYCHOSOCIAL NEEDS AND PROTECTION

▶ **The Cruelty of Containment: The Mental Health Toll of the EU's 'Hotspot' Approach on the Greek Islands**

-International Rescue Committee (IRC), 2020 - [HERE](#)

This report examines the shortcomings at the heart of the EU's asylum and migration policies and their detrimental impact on the mental health of asylum-seekers living in Moria camp on the Greek island of Lesbos. It documents high levels of depression, PTSD, and self-harm, exacerbated by COVID-19 lockdowns. The report criticises political and policy failures at the EU and Greek levels and emphasises the urgent need for policy reform to address the mental health toll and improve the overall wellbeing of asylum-seekers trapped in the Greek island camps.

▶ **Manual on community-based MHPSS in emergencies and displacement**

-IOM, 2021- [HERE](#)

See Chapter 12: Strengthening MHPSS in the framework of protection: This chapter focuses on integrating mental health and psychosocial support (MHPSS) within the framework of protection. It highlights the importance of collaboration between MHPSS and protection actors to ensure effective coordination, referral pathways, and mutual understanding of roles and responsibilities. The chapter underscores the necessity of training MHPSS teams in protection-related areas and vice versa, ensuring safe and non-stigmatizing environments for counselling, and utilising social, art-based, and recreational activities to promote psychosocial well-being and human rights awareness. It also emphasises the need for monitoring and evaluating MHPSS activities to achieve positive protection outcomes.

PSYCHOSOCIAL NEEDS AND PROTECTION

► **Mental Health in LGBT Refugee Populations**

-Messih, 2017, American Journal of Psychiatry - [HERE](#)

This article discusses the mental health challenges faced by LGBT+ refugees, who experience including violence, persecution, and abuse in their home countries, during transit, and upon resettlement. Common psychiatric conditions among these refugees include PTSD, anxiety, and depression, exacerbated by stressors like isolation, discrimination, and cultural bereavement. The article emphasises the importance of understanding the trauma experienced by LGBT+ refugees. The article highlights that, in working with the LGBT+ community, broader social, cultural, and legal aspects of mental illness should be considered by the psychiatrist to understand the patient's experience. Finally, the article outlines several recommendations for clinicians to support LGBT refugees through the asylum process including:

- *Clinicians should be sensitive to cultural differences and the unique experiences of LGBT refugees.*
- *Establishing a sense of safety, preparing clients for trauma disclosure, and mitigating the risk of retraumatization are crucial.*
- *Clinicians are encouraged to advocate for their patients and help them navigate the asylum process effectively.*

► **Identifying the critical time points for mental health of asylum seekers and refugees in high-income countries**

-Giacco, 2020 - [HERE](#)

High heterogeneity was found in the prevalence rates of mental disorders in adult asylum seekers and refugees in high-income countries. This may be related to different problems. Among them, there is a changing exposure to risk and protective factors for mental health at different phases of these people's life before migration, and during the migratory journey and resettlement. This study aimed at identifying and distinguishing time points in which distinct risk and protective factors for the mental health of asylum seekers and refugees may occur.

PSYCHOSOCIAL NEEDS AND PROTECTION

► **Psychosocial Dimensions of the Refugee Condition - Synergic Approach**

-Babel, 2019 - [HERE](#)

This handbook is part of a training manual. It looks at psychosocial dimensions of 'the refugee condition'. The handbook includes theoretical concepts, practical exercises, and experiential activities to help professionals better understand and address the lived realities of involuntarily dislocated individuals. It is intended for a wide range of professionals, including psychologists, social workers, doctors, educators, lawyers, and policymakers, as well as students and others interested in self-study.

► **Babel, Adversity Grid (Papadopoulos)**

-Babel's training manual on Psychosocial Dimensions of the Refugee Condition (pages 78 - 83) - [HERE](#)

This is a visual of Papadopoulos' Adversity Grid. Papadopoulos' Adversity Grid is a framework used to understand and address the multifaceted impact of adversity on refugees and asylum-seekers. This grid helps in designing holistic interventions by acknowledging that dimensions of adversity are interconnected and that addressing one aspect can influence others, thereby fostering resilience and recovery in affected populations. Further information on the different aspects of the grid can be found in Babel's training manual on Psychosocial Dimensions of the Refugee Condition.

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VICARIOUS TRAUMA

➤ **Trauma Stewardship: An Everyday Guide to Caring for Self While Caring for Others**

-Van Dernoot Lipsky & Burk, 2009 - [HERE](#)

This book identifies 16 warning signs of Trauma Exposure Response (TER). The authors also provide a guide for 'trauma stewardship', highlighting five directions for those wishing to provide greater care for themselves, whilst also caring for others.

➤ **Burn Out and Compassion Fatigue: What Lawyers Need to Know**

-Norton et al UKMC Law Review - [HERE](#)

This article provides an overview of the concepts of burnout and compassion fatigue as they apply to lawyers. The article includes an overview of the biology of the two concepts, and research indicating lawyers' susceptibility to them. Finally, the article outlines personal and work-related factors that prevent and treat burn out and compassion fatigue.

➤ **Five Habits of Cross-Cultural and More: Managing Vicarious Traumatization**

-Bryant & Peters - [HERE](#)

These teaching materials aim to give an overview of key factors in managing vicarious traumatization among lawyers. They propose to address it focusing on reintegration of one's self, one's connections to others, and one's sense of meaning into one's daily life. They argue these three sub-principles as forming the core of effective strategies for lawyers to combat stress and vicarious traumatization.

VICARIOUS TRAUMA

➤ **Five Habits of Cross-Cultural and More: Identifying Vicarious Traumatization**

-Bryant and Peters - [HERE](#)

These teaching materials outline an approach to learning about vicarious traumatization and its impact among lawyers.

➤ **Five Habits of Cross-Cultural and More: Concepts in Vicarious Traumatization**

-Bryant and Peters - [HERE](#)

These teaching materials emphasise the importance of lawyers understanding and addressing stress and vicarious traumatization. The materials outline these concepts using a useful visual metaphor. It highlights that while these aspects are intrinsic to the work and unavoidable, the effects can be mitigated.

➤ **Vicarious Trauma in the Legal Profession**

-Nomchong, Journal of the NSW Bar Association, 2015 - [HERE](#)

This article gives a brief overview of the concept of vicarious trauma and how it applies to legal professionals, with some recommendations for being aware of the symptoms and responding to vicarious trauma.

➤ **Addressing Vicarious Trauma in the Legal Profession through a Webinar-Based Format**

-Buzolits, Malik, Gillis & Majeed, Mental Health and Human Resilience International Journal, (January 2023) - [HERE](#)

This article describes a multiple session training on vicarious trauma which were delivered to groups of professionals working as legal advocates which found that addressing vicarious trauma of legal professionals through a webinar-based format lowered trauma exposure responses and lead to better self-care and well-being.

THERAPEUTIC LEGAL ASSISTANCE MODEL

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ACCESSIBLE LEGAL SERVICES

► **Tools for Transformation: Becoming Accessible, Culturally Responsive, and Trauma-Informed Organizations, an Organizational Reflection Toolkit**

-The National Center on Domestic Violence, Trauma & Mental Health (NCDVTMH), 2018 - [HERE](#)

The National Center on Domestic Violence, Trauma & Mental Health (NCDVTMH) has designed this Tool for organisations serving survivors of domestic and sexual violence and their children. Its purpose is to support organisations in their efforts to become more accessible, culturally responsive, and trauma informed (ACRTI) in their approach and services. The document provides a useful overview of focus areas to consider and:

- *Indicators of accessibility in practice*
- *Indicators of cultural responsiveness in practice*
- *Indicators of trauma-informed practice*

The document provides worksheets to support organisational change across the different focus areas.

► **THRIVE Guide to Trauma-Informed Organizational Development**

-THRIVE Initiative, 2010- [HERE](#)

The Guide to Trauma-Informed Organisational Development is designed to help agencies develop strategies to create and enhance trauma-informed system of care service approaches. It is not all inclusive, nor is it intended to be a “one size fits all” approach to becoming trauma-informed. The intent is to provide agencies with information on the options and approaches currently available in the children’s mental health field on trauma informed service delivery. The document provides detailed questions and indicators to support thinking and planning for organisational development on trauma informed practices.

ACCESSIBLE LEGAL SERVICES

► Trauma-Informed Organizations

-New York State Children's Alliance and Northeast Regional Children's Advocacy Center, 2021- [HERE](#)

New York State Children's Alliance and Northeast Regional Children's Advocacy Center have created a collaborative project to assist in the development and enhancement for trauma-informed services. This document provides an overview of principles and 10 key development areas for trauma informed organisations.

This document is reviewed periodically to maintain and update relevant links. If you come across a link which is broken or pointing to the wrong place, please drop us a line at alexa@solidaritee.org.uk and we will fix it asap. Similarly, please do feel free to share any feedback on resources, or to suggest additional ones - our hope is that this piece can be a living index which contributes to a community of practice and supports knowledge-sharing and collaboration.

To read more about SolidariTee and the background to this resource index, visit www.solidaritee.org.uk/trauma-informed-lawyering. SolidariTee is a UK registered charity 1182195, and is entirely reliant on donations to fund our work.