

**Title page**

Lawyers' experiences of discussing trauma with asylum seeking clients

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## Thesis declaration form

I confirm that the work presented in this thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

Signature: 

Name: Katharine Laver

Date: 28.06.2024

## Overview

This thesis comprises three parts and explores the relationship between lawyers working in asylum law and their clients, with a particular focus on the discussing traumatic narratives.

Part one is a systematic review aiming to synthesise qualitative research into the relationship between lawyers working in immigration and asylum law and their clients, from lawyers' perspectives. The synthesis reviews seventeen qualitative research studies across a range of disciplines. The synthesis generates themes relating to emotional detachment; the experience and impact of eliciting and manipulating traumatic narratives; the impact of values and the policy environment, and a sense of being stuck in the middle between clients and the decision maker.

Part two is a mixed methods acceptability and feasibility study which aims to develop, pilot and evaluate a training session on navigating conversations about trauma for lawyers working in immigration and asylum law.

Part three is a critical appraisal, which is a reflective discussion of the researcher's experience in developing and conducting the research, including the challenges and dilemmas faced and steps taken to move through these.

## **Impact statement**

### **Systematic review**

This is the first systematic review to focus on qualitative research into the lawyer-client relationship in immigration and asylum law. The findings have implications for future academic research, as well as practice in the field of immigration and asylum law, and the development and implementation of guidance and support for lawyers in this field.

The findings in the review highlight the transdisciplinary nature of research in this area, but with little research in the field of psychology and a lack of research specifically considering this aspect of legal practice. The findings from the thematic synthesis point to unique aspects of the lawyer-client relationship in this area of law which make it distinct from other helping professions in the field of asylum support, as well as the practice of law more generally. A key feature of this is the tension and dilemmas inherent to eliciting, shaping and communicating clients' traumatic narratives in line with shifting legal criteria. It broadens our understanding of the nature of "detachment" in this population, offering a more holistic understanding of professional detachment as a dynamic process, not simply a coping mechanism.

### **Empirical paper**

This paper explores the development, feasibility and acceptability of a training session specifically addressing lawyers' experiences of discussing trauma with asylum seeking clients. The findings have implications for legal training and supervision, as well as mental health support in this field. It is hoped that this research may support the development of a larger scale pilot study of an intervention that incorporates both training and reflective practice, or a training series. The study found that there is an appetite for training in this area and suggests that it has the potential to lead to changes in practice which may improve the experience of asylum seekers. The results flag that standardised measurement of outcomes needs careful consideration, as they were not found to be feasible and yielded no significant results. However, qualitative findings suggest enthusiasm, support and appreciation for the training offer, as well as suggestions for

improvements. The qualitative findings offer insight into participants' experiences of this aspect of their work, which have the potential to inform legal supervisors, legal training providers and mental health professionals offering support in this field.

Combined, both papers point to the impact of a particularly hostile working environment for lawyers in this area of practice, in the UK and beyond. Lawyers described feeling anxiety about the responsibility they feel towards their clients in supporting them to navigate this environment. The findings point to the value of nurturing collective solidarity and support, and explicit consideration of the impact of personal characteristics, experiences and identities on this aspect of their work, as well as to areas for future training development, including a consideration of cultural humility.

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## **PART 1: SYSTEMATIC REVIEW**

A thematic synthesis of qualitative literature on lawyers' perspectives of the lawyer-client relationship in asylum law

## Abstract

**Aims:** There is increasing recognition that legal professionals who work with asylum seekers experience mental distress, and that the relationship between legal professionals and their asylum-seeking clients is highly complex. While the reasons for this are multifaceted, this review aims to identify some potential sources or drivers of distress in the lawyer-client relationship by synthesising current qualitative literature on legal professionals' experiences of this aspect of their work.

**Method:** A systematic search across six databases retrieved 17 studies across a range of disciplines and methodological approaches. A thematic synthesis was completed.

**Results:** The quality of the studies according to a standardised quality appraisal tool was mixed, but this may reflect variation in methodological and reporting standards across disciplines. Five themes were constructed through the thematic synthesis: Professional Detachment; Shaping the Narrative; Integrating Values and Legal Practice; Shifting Sands; and Stuck in the Middle.

**Conclusions:** The present review integrates findings from ethnographic, observational and self-report qualitative research to deepen our understanding of the unique features of the lawyer-client relationship in asylum law yet raises concerns regarding the level of consideration of ethical issues and relational dynamics in the qualitative research in this field. The thematic synthesis highlights complex themes which have the potential to inform approaches to psychological formulation and support for this population. Clinical implications, limitations and suggestions for future research are discussed.

## Introduction

One hundred and forty-six countries worldwide, including the UK, are signatories of the 1951 UN Convention Relating to the Status of Refugees (hereafter referred to as the UN Convention). This agreement sets out an internationally recognized definition of a refugee and defines obligations of signatories regarding the legal protection, rights and assistance a refugee is entitled to receive. It defines a refugee as “someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion”, yet this definition encompasses a myriad of complex cultural and individual understandings of what is “well founded”, what is “fear” and what is “persecution” (Shuman & Bohmer, 2004). However, the burden is on the asylum seeker – and, if they have one, their lawyer - to present their claim in a way that is felt to be not only credible, but eligible under the cultural assumptions and legal framework of the host country within which it is being considered (Fisher et al, 2022). Furthermore, both parties are unaware of the differences between these discourses, and the onus is on the asylum seeker to adapt to host country’s expectations, not the other way around (Dandy, 2009).

It is therefore highly desirable, even crucial for an asylum seeker to get expert legal advice on navigating the complex asylum application process (Hynes, 2023). Access to effective legal support characterised by a productive lawyer-client relationship is considered to be imperative not just for individual claims, but for the facilitation of an effective justice system (Gleeson, 2021), and therefore in the effective adherence to the principles of the UN convention. Lawyers play an integral role in evidencing and communicating the trauma that their clients have experienced and supporting them to access critical rights and protections. Asylum seekers are required to communicate their experiences of trauma to their lawyer, who in turn must probe it and translate it into a narrative that is legible to the relevant decision-maker. This in-depth exploration of the trauma narrative is akin to aspects of trauma-focused therapeutic approaches (Ehlers & Clark, 2005; Gwozdziwycz & Mehl-Madrona 2013). but carried out with an entirely different goals, structures and support systems integral to therapeutic work. Moreover, the lawyer-client relationship in

asylum law is characterised by a significant imbalance of power and in which the client is particularly dependent upon their lawyer.

### **Mental health and the lawyer-client relationship**

In the context of this highly complex relationship, asylum seekers and lawyers experience significant challenges to their mental health. A recent systematic review which explored findings from 26 studies comprising results for 5,143 adult refugees and asylum seekers across 15 countries found an increased prevalence of mental health problems (specifically PTSD and depression) which continued for many years following displacement (Blackmore et al., 2020). The experience of going through the asylum process in a host country can itself be a trauma for asylum claimants, compounding existing experiences of trauma in country of origin, in the migratory journey and in relocating (Cartwright et al., (2020). Without seeking to imply equivalence between the experience of both groups, another systematic review found increased mental health distress among legal professionals working in the field of asylum law (Holt et al., 2024), attributed to repeated exposure to traumatic narratives, traumatised clients and stressful working conditions. In the UK, immigration lawyers are also working in the context of hostile government and media narratives specifically directed towards their profession (for a review, see O’Nions, 2020), while cuts to legal aid have meant that fees paid to legal aid lawyers have not risen since 1996, and were further cut in 2011.

### **Trauma informed approaches and the lawyer-client relationship**

The adoption of “trauma informed” approaches across a wide range of physical health (Forky et al, 2021), health (Butler et al, 2011), educational (Christian-Barndt et al, 2020), policing (Rich, 2019) and social care (Kusmaul, 2019) provision indicate an increasingly widespread acceptance not only of the impact of trauma on the individual seeking support, but that exposure to traumatized clients, traumatic narratives and stressful working conditions impacts on the individual offering support (Forky et al., 2021). Research shows that trauma informed organisational cultures are associated not only with better outcomes for clients, but with staff retention and satisfaction (Purtle, 2020). A synthesis of qualitative research on trauma informed care

found that egalitarian, trusting and understanding relationships are foundational not just in the provision of trauma-focused therapy, but in the provision of trauma informed services (Reeves, 2015). Yet the lawyer-client relationship in the context of asylum is inherently unequal, with the client hugely dependent on the lawyer. A study on the lawyer-client relationship in employment law found that, given their position of dependence, clients experience a sense of “forced deference” to their lawyers (Berry et al., 2017, p.142). It appears reasonable to assume that a similar dynamic is potentially in operation in asylum law. There is a growing body of research in the field of “trauma-informed lawyering” (James 2020), which emphasises the centrality of the lawyer-client relationship in the legal provision more generally, yet there is a lack of research drawing together findings into the lived experience of that relationship, particularly in asylum law, limiting the extent to which it is understood.

### **Learning from research with other professions supporting traumatized populations**

As outlined above, the adoption of trauma-informed approaches in a range of professions supporting traumatized populations points to an organisational drive to improve understanding around sustaining and supporting workers in this field (Huckshorn & LaBel, 2013; Hales et al, 2017). A range of overlapping concepts such as vicarious trauma ((Vrklevski & Franklin, 2008), secondary traumatic stress (Figley, 1995; 2002 in relation to the work of psychotherapists) and compassion fatigue (originally termed “compassion stress” by Joinson (1992) in research with physical health nurses, and adapted by Figley 1995) have been proposed as occupational stressors among this group. A review by Rauvola et al (2019) proposed the term “empathy based stress” to encapsulate these concepts, emphasising that their distinctively relational nature, wherein “the experience of adverse psychological and/or physical reactions to trauma exposure at work, results from *empathic engagement* following trauma exposure” (Rauvola et al, 2019; emphasis added).

## **Conclusion and Research Aim**

It is therefore imperative to develop our understanding and formulation of the experience of both clients and lawyers in the lawyer-client relationship in asylum law, with a view to developing evidence-based clinical and professional recommendations to support both populations. This qualitative review aims to begin this process by synthesising relevant literature to explore the following research question: in the context of their work in asylum law, what are lawyers' experiences of the lawyer-client relationship?

## **Methods**

This review followed the guidelines by Siddaway et al. (2019) in conducting a qualitative synthesis, the Enhancing Transparency in REporting the synthesis of Qualitative research (ENTREQ) guidelines (Tong et al., 2012) for reporting the review, as well as the Preferred Reporting Items for Systematic Reviews and Meta-Analyses (PRISMA) Checklist (Page et al., 2012). A search protocol designed around PROSPERO form was developed but as the review did not relate directly to healthcare it was not accepted onto the Prospero register.

## **Epistemological position**

This review took a critical realist epistemological position, seeking to acknowledge that the themes outlined in the study have been produced by the researcher, from data which has already been interpreted and shaped by the original researchers. The themes derived from this review should be considered as fluid and indicative, rather than essential and fixed - yet a critical realist position holds that the findings presented represented an indication of participants' subjective perceptions of their experience. The research question points to a presumption that there is something that can be learned about lawyers' subjective experiences based on the data presented in the studies.

## **Reflexive statement**

The primary reviewer is a white, European middle class cisgender female completing a clinical psychology doctorate, and with a professional background of working in an admin and paralegal support capacity in a law firm specialising in human rights and civil liberties, including immigration and asylum law. Although efforts have been made to ensure the integrity and transparency of findings, for example cross checking, reviewing, presenting divergent evidence, the reviewer's experience and values are likely to have influenced the interpretation of data and generation of themes.

## **Use of language**

Given the heterogeneity of terminology used across research in this field, this review will use the term "lawyer" to denote participants whose professional role is that of offering legal advice and support with the process of asylum and "client" to denote people accessing their services. This is for clarity of reporting and does not necessarily reflect the terminology used in the studies.

## **Search strategy**

To maximise retrieval of relevant articles, broad search terms used were used and included a range of synonyms for three concepts: legal practitioner; asylum seeker and qualitative research. The search strategy can be found in the appendices. The search was carried out in the following databases in August 2023: PsychInfo; CINAHL, Index of Legal Periodicals and Books; PubMed; SCOPUS and World of Science. These databases were selected to cover as wide a range as possible psychological, legal and qualitative repositories. Reference and citation search was completed for all included studies.

## **Eligibility criteria**

Eligibility criteria were developed through an iterative process of discussion, checking and refinement and are presented in Table 1 below.



**Table 1***Eligibility criteria for screening*

<b>Domain</b>	<b>Eligibility criteria</b>
<b>Population</b>	Legal professionals working in asylum law. Retrieved studies sometimes also included professionals working to support asylum seekers. Studies were only included if findings were reported for legal professionals specifically.
<b>Phenomenon of interest</b>	Studies needed to report evidence relating to the relationship between legal professionals and their clients. Studies were not included if the primarily reported on participants' experience of the asylum claim process, without reference to this relationship or interactions between lawyer and client.
<b>Setting</b>	Studies were not limited by country of completion
<b>Report characteristics</b>	Studies were limited by language of publication if no English language version was available. Journal articles and published dissertations presenting primary data from qualitative or mixed methods methodologies were included in the review. To be considered primary data, data needed to be collected directly from participants in the form of surveys, interviews or focus groups. Observational, ethnographic data was also considered if it related to the direct reporting of observed interactions.
<b>Date</b>	Any
<b>Geographical location</b>	Any
<b>Publication type</b>	Peer reviewed
<b>Age of participants</b>	Any
<b>Exclusion criteria</b>	
<b>Study design</b>	Quantitative studies; Non empirical studies (i.e. not based on primary or secondary data collection), anecdotal reports; opinion pieces; journalistic interviews if not part of qualitative study; conceptual pieces
<b>Participants</b>	Studies considering lawyers outside of asylum law, and other professional's experiences of offering legal advice or supporting asylum seekers (sample: social worker, physical or mental health professional)

**Screening process**

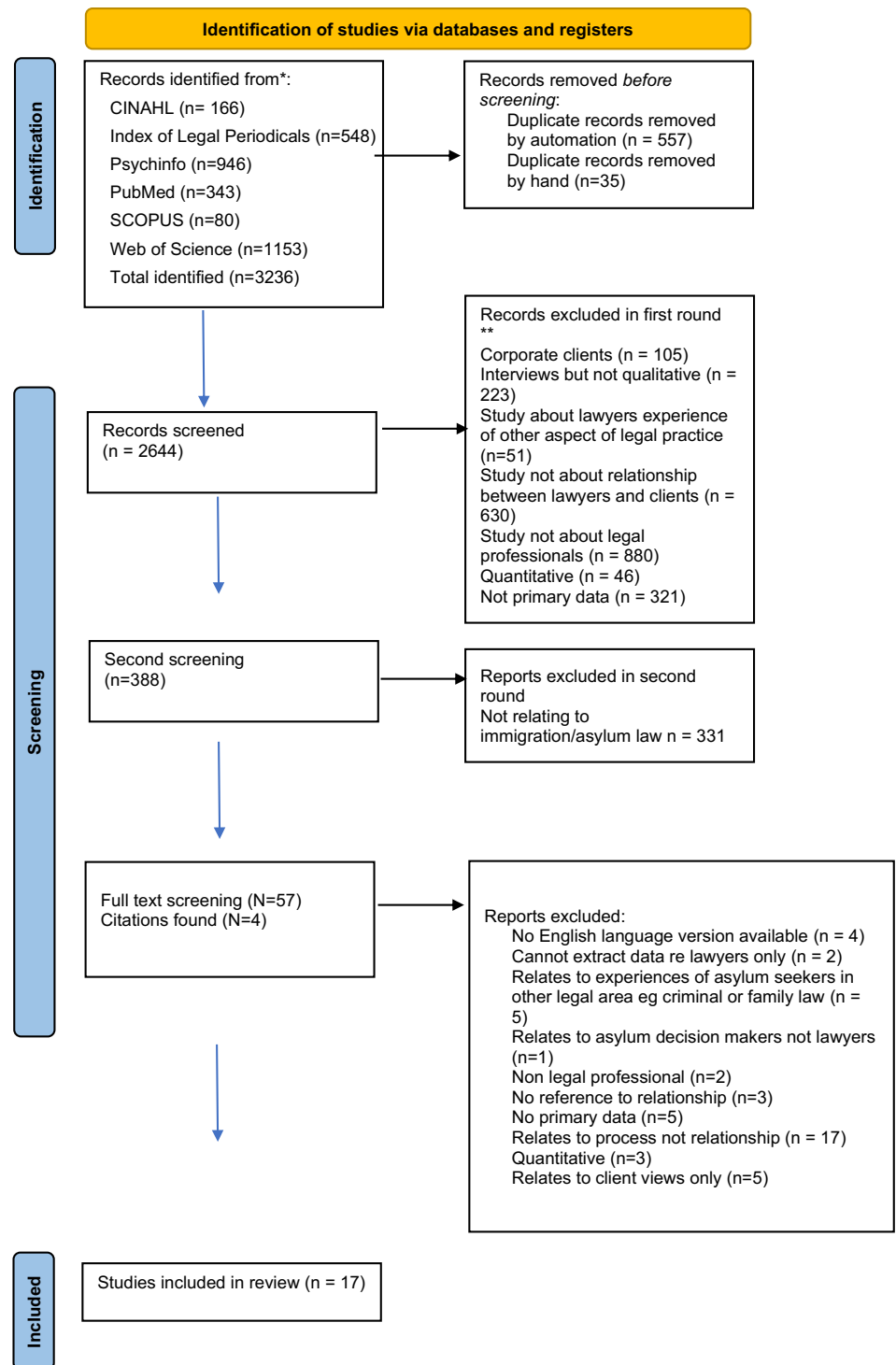
The initial search across all databases retrieved 3236 results and were screened by the main researcher as per the PRISMA flow chart illustrated in Figure 1 below. Fifty-seven potential studies were identified from screening of titles and abstracts and were considered in full.

Full text was acquired for all included articles and reviewed against the studies were included if they were primarily about process but had at least one substantive finding addressing the nature of the relationship.

For each of the included studies the following data were extracted: Author, Year of publication, type of article, journal title, population, demographics, sample size, study design, setting, recruitment method, analysis method.

**Figure 1**

*PRISMA diagram outlining screening and decision-making process*



## Quality appraisal

Quality appraisal was conducted to make an informed judgment about the credibility and transferability of the findings (Tong et al., 2022). Use of the Critical Appraisal Skills Programme (CASP) checklist was guided by Long et al. (2020) who report that it is the most widely used quality assessment tool

for qualitative research and suitable for the appraisal of diverse methodological approaches. The original checklist outlines a series of questions with three closed responses – Yes, No and Can't tell. The limitations of these categories are discussed by Long et al. (2020), and the appraisal process incorporated their suggestion of utilizing a fourth response option "Somewhat", which reflects when some information is provided to address the question, but with limitations.

While the CASP checklist was utilised to screen studies to flag potentially unusable findings (for example unethical practice; incoherent methodology), it was not used to exclude studies, simply to provide guidance on where to begin the coding process and to provide a contextual understanding for the findings reported. Given that utilising the CASP checklist to "score" studies is not recommended, a tiered approach was taken to utilising the results from the CASP quality analysis process (Long et al. 2020). Rather than excluding studies based on a "cut off", studies that had a higher number of "yes" responses in the checklist were analysed first and draft themes derived from this, which were then informed by an analysis of studies with fewer "yes" or "somewhat" responses. This method is noted as being comparable to sensitivity analyses on synthesis findings, in which "higher quality" studies contribute comparably more to the synthesis than "lower quality" findings (Long et al. 2020).

In line with others who have adapted the checklist (Atkins, 2008; Newton, 2012) question 11 on the CASP checklist, "How valuable is the research" was not addressed, as the "value" and impact of the study was not considered relevant to the research question of the review. Rather, an additional question 12 was proposed: "How relevant is the research to the research question". Considerations in this question included the extent to which perspectives from lawyers only could be identified, the volume of primary data or direct observations reported and the extent to which findings relating to the lawyer-client relationship were reported. This adaptation is in line with Thomas & Harden's (2008) guidance on thematic synthesis that the emphasis of the synthesis is not the research design of studies but the ability of the studies to answer a given research question.

The results of the quality appraisal process are presented in Table 2 below, colour coded for ease of review.

**Table 2**

Quality appraisal based on CASP checklist

Paper	1. Was there a clear statement of the aims of the research?	2. Is a qualitative methodology appropriate?	3. Was the research design appropriate to address the aims of the research?	4. Are the study's theoretical underpinnings clear, consistent and conceptually coherent?	5. Was the recruitment strategy appropriate to the aims of the research?	6. Was the data collected in a way that addressed the research issue?	7. Has the relationship between researcher and participants been adequately considered?	8. Have ethical issues been taken into consideration?	9. Was the data analysis sufficiently rigorous?	10. Is there a clear statement of findings?	11. How valuable is the research?	Additional question 12: How relevant is research to research question?
Abbas et al, 2021	Yes	Yes	Yes	Somewhat	Yes	Yes	Somewhat	Can't tell	Somewhat	Yes	n/a	Somewhat - limited lawyers-only data, and limited findings regarding lawyer-client relational dynamics
Baillot et al, 2013	Yes	Yes	Somewhat	No	Yes	Yes	Can't tell	Can't tell	Somewhat	Yes	n/a	Yes – findings related to relationship and specific to lawyers
Butter, 2022	Yes	Yes	Yes	Somewhat	Yes	Yes	Yes	Yes	Can't tell	Somewhat	n/a	Yes – findings relate to relationship and specific to lawyers
Graffin; N, 2019	Yes	Yes	Yes	No	Yes	Yes	No	Can't tell	Somewhat	Yes	n/a	Yes - findings related to relationship and volume of primary data
Kahn & Alessi, 2018	Yes	Yes	Yes	Somewhat	Somewhat	Yes	Somewhat	Yes	Yes	Yes	n/a	Yes, relationship considered and specific findings re relationship with lawyers and LGBTQI+ client group
James & Killick, 2022	Yes	Yes	Yes	No	Somewhat	Somewhat	Can't tell	Can't tell	Can't tell	Yes	n/a	Somewhat – relationship considered but very broad findings, not a lot of primary data
Kubal, 2021	Yes	Yes	Yes	No	Somewhat	Yes	No	can't tell	can't tell	Yes	n/a	Somewhat - very specific research question re documentation but some relevant findings

Paper	1. Was there a clear statement of the aims of the research?	2. Is a qualitative methodology appropriate?	3. Was the research design appropriate to address the aims of the research?	4. Are the study's theoretical underpinnings clear, consistent and conceptually coherent?	5. Was the recruitment strategy appropriate to the aims of the research?	6. Was the data collected in a way that addressed the research issue?	7. Has the relationship between researcher and participants been adequately considered?	8. Have ethical issues been taken into consideration ?	9. Was the data analysis sufficiently rigorous?	10. Is there a clear statement of findings?	11. How valuable is the research?	Additional question 12: How relevant is research to research question?
Lakhani, 2013	Yes	Yes	Yes	Yes	Yes	Yes	Can't tell	Can't tell	Can't tell	Yes	n/a	Yes – findings relating to relationship and volume of primary data.
McGuirk, 2018	Yes	Yes	Yes	No	Yes	Can't tell	No	Somewhat	Can't tell	Yes	n/a	Somewhat - difficult to extract lawyers only information, but some relevant findings
Mellinger, 2021	Yes	Yes	Yes	No	Yes	Yes	No	Can't tell	Somewhat	Yes	n/a	Yes – offers findings relating to relationship and volume of primary data.
Muñiz , 2022	Yes	Yes	Yes	Yes	Yes	Yes	No	Can't tell	Yes	Yes	n/a	Somewhat - highly specific research question but helpful to have ethnographic view
Ottosson & Lundberg, 2013	Yes	Yes	Yes	No	Somewhat	Yes	No	Can't tell	can't tell	Yes	n/a	Somewhat – Findings regarding relationship but is only study regarding children so may be difficult to generalise across themes
Riva & Routon, 2021	Yes	Yes	Yes	Yes	Somewhat	Yes	Yes	Somewhat	Can't tell	Yes	n/a	Yes – findings relating to relationship and volume of primary data.
Sagy, 2006	Yes	Yes	Yes	Yes	Can't tell	Somewhat	Somewhat	Can't tell	Can't tell	Yes	n/a	Yes – findings and volume of primary data.
Shuman & Bohmer, 2004	Yes	Yes	Yes	Somewhat	Somewhat	Somewhat	No	Can't tell	Can't tell	Somewhat	n/a	Yes – offering perspective on relationship and asylum narratives, but limited reporting of primary data

Paper	1. Was there a clear statement of the aims of the research?	2. Is a qualitative methodology appropriate?	3. Was the research design appropriate to address the aims of the research?	4. Are the study's theoretical underpinnings clear, consistent and conceptually coherent?	5. Was the recruitment strategy appropriate to the aims of the research?	6. Was the data collected in a way that addressed the research issue?	7. Has the relationship between researcher and participants been adequately considered?	8. Have ethical issues been taken into consideration ?	9. Was the data analysis sufficiently rigorous?	10. Is there a clear statement of findings?	11. How valuable is the research?	Additional question 12: How relevant is research to research question?
Smith-Khan, 2021	Yes	Yes	Yes	Yes	Can't tell	Yes	Yes	Can't tell	Yes	Yes	n/a	Yes – offering findings on relationship and volume of primary data. Yes – offering findings on relationship and volume of primary data
Westaby, 2010	Yes	Yes	Yes	Somewhat	Can't tell	Yes	No	Can't tell	Somewhat	Yes	n/a	

## Synthesis approach used

Thematic synthesis was selected as a synthesis approach as it aligned most closely with the RETREAT criteria for qualitative evidence synthesis approaches (Booth et al., 2018). Thematic synthesis has the potential to address the research question by identifying common themes and patterns across a diverse data set as identified through this search; it aligns with a critical realist epistemology which underpins this review and the accompanying empirical paper; it was considered achievable in the timeframe available and within the researcher's expertise and resources. Typically, thematic synthesis has three stages, as outlined by Thomas and Harden (2008). The following steps were taken:

1. Coding of text 'line-by-line': Presentation of findings in qualitative studies is heterogenous, and typically any section in which primary data and author's descriptions of findings considered for coding. However, as indicated above, some studies included for review had findings which only partially related to the research question. If this was the case, only the findings related to subjective experiences of the relationship between legal representatives and their instructing clients were coded. Given the heterogeneity of reporting conventions across the studies, the whole body of the paper was considered for the reporting of findings. Findings were not coded if they related to an aspect of the asylum process, or if they related to the relationship between clients and other stakeholders in the immigration/asylum system. Initial coding was entirely inductive, with no coding framework developed prior to coding. NVivo was used to allow for a systematic approach to coding.

2. The development of 'descriptive themes': The codes from the first stage were organised into clusters considered for similarities and differences, and an iterative process of grouping, checking, re-organising and rechecking was used to develop descriptive themes using a hierarchical structure of themes and subthemes, which fit the data as closely as possible.

3. The generation of 'analytic themes': the analytic themes seek to "go beyond" the study findings by using the clusters identified to answer the research question by proposing new constructs, explanations or hypotheses.



To explore inter-rater reliability between authors, the second author also coded 24% of the papers (four out of seventeen) against the analytic themes and subthemes. Scores achieved 90% percentage agreement.

## **Findings**

### **Study characteristics**

Seventeen studies published between 2004 and 2022 were selected from the review process. The characteristics of each study are presented in Table 2 below. Seven studies were completed in the USA, five in the UK (including one which included a participant from the Republic of Ireland); and one each from Australia, Sweden, the Netherlands, Canada and Russia. Of the four studies that were excluded based on an English language version being unavailable, two were from Canada (Dahin, 2021; D'Aoust, 2018), one was from Colombia (Pelacani & Moreno Velásquez, 2022) and one from Turkey (Birinci & Erden, 2016).

The studies included in this review represent an interdisciplinary perspective, including publications from journals across several different disciplines. Three studies are from the *Journal of Refugee Studies* (a multidisciplinary journal) and two are from the *International Journal of the Legal Profession*, while other studies are from journals exploring various aspects of legal practice, philosophy, folklore and immigrant & minority health. Only one article (Abbas et al., 2021) is from a psychologically oriented journal.

Six of the studies were ethnographic studies, in which researchers were volunteering or working alongside the lawyers they are researching. Four other studies had an observational element, either alongside semi structured interviews, or as a standalone methodology. The value of these ethnographic and observational studies is that they offer an alternative to the self-report nature of participant interviews and can provide insight into potential differences between subjective experience and professional practice, as well as yielding unique perspectives of researchers coming from a professional background in the field rather than an external perspective. However, those studies using an ethnographic approach were less likely to report features such as demographics, recruitment method, analysis method, impacting on their quality appraisal based on the CASP checklist. This is in line with a recent scoping review of ethnographic approaches (Gertner et al., 2021)

which found great variation in reporting of ethnographic studies, with recommendations for increased consistency and transparency.

**Table 3**

*Study Characteristics*

Author	Year	Title	Publication	Country	Legal professional	Clients	Sample size	Demographic of legal professionals	Study design	Recruitment method	Analysis method
Abbas et al	2021	The texture of narrative dilemmas: Qualitative study in front-line professionals working with asylum seekers in the UK	BJPsych Bulletin	England UK	Medical professionals; mental health professionals; lawyers.	<u>no</u>	18 total, inc 6 lawyers	10 female, 8 male. Experience ranging from 4 - 57 years.	Focus groups and interviews	Direct email outreach, chain sampling	thematic analysis
Bailiot et al	2013	Second-hand Emotion? Exploring the Contagion and Impact of Trauma and Distress in the Asylum Law Context	Journal of Law and Society	England UK	Immigration Judges, Legal Representatives, NGO practitioners, UKBA personnel, Interpreters	<u>no</u>	104 total, inc 25 legal representatives	not reported	Semi structured interviews and observations of immigration tribunal	Purposive sampling	not reported
Butter, T	2022	Ethics in practice in asylum law: asylum legal aid lawyers' moral reasoning in respect of 'hopeless cases'	Legal Ethics	Netherlands	Legal aid lawyers	<u>no</u>	22	Not reported	Semi structured interviews	Not reported	Not reported
Graffin, N	2019	The Emotional Impacts of Working as an Asylum Lawyer	Refugee Survey Quarterly	England UK and Ireland	Lawyers, immigration caseworkers.	<u>no</u>	10, inc 7 lawyers and 3 immigration caseworkers	8 female, 2 male. Experience range 1 - 30 years.	semi structured interviews	Purposive, snowballing	thematic analysis
James & Killick	2012	Empathy and expertise: case workers and immigration/asylum applicants in London	Law and Social Enquiry	London, England, UK	Immigration caseworkers	<u>Yes</u>	Not reported	Not reported	Observational study	Observations of client consultations across 32 individual cases and 5 immigration court hearings; interviews with paralegals	Not reported

Author	Year	Title	Publication	Country	Legal professional	Clients	Sample size	Demographic of legal professionals	Study design	Recruitment method	Analysis method
Kahn & Alessi	2018	Coming Out Under the Gun: Exploring the Psychological Dimensions of Seeking Refugee Status for LGBT Claimants in Canada	Journal of Refugee Studies	Canada	service providers of legal services to LGBT migrants	Yes	22	Ages 26-51; Experience range 1 – 10 years.	semi structured interviews	Purposive sampling for professionals, not reported how migrants were recruited	Constructivist grounded theory
Kubal, A	2021	The lawyers as guardians of the case file: on human-material encounters in immigration law in Russia	International Journal of the Legal Profession	Moscow, Russia	Immigration lawyers	-	not reported	not reported	ethnographic fieldwork	not reported Three years of ethnographic participant observation research within a nonprofit organization and meetings of a group of lawyers and other nonprofit attorneys; six months of ethnographic observations at two legal nonprofit organizations; forty-eight interviews with lawyers and law centre staff	not reported Coding, memo writing and theorizing about the complete data set along the lines suggested by Timmermans and Tavory (2012).
Lakhani, S	2013	Producing Immigrant Victims' "Right" to Legal Status and the Management of Legal Uncertainty	Law & Social Inquiry	Los Angeles, USA	immigration attorneys	<u>female undocume nted migrants</u>	not reported	not reported	ethnographic fieldwork	not reported	not reported
McGuirk, S	2018	(In)credible Subjects: NGOs, Attorneys, and Permissible LGBT Asylum Seeker Identities	Polar-Political and Legal Anthropology Review	New England, California ; Washingt on DC, USA	Attorneys, NGO staff and volunteers	<u>Yes</u>	22 service providers and 40 asylum seekers	US citizens	ethnographic fieldwork	not reported	not reported

Author	Year	Title	Publication	Country	Legal professional	Clients	Sample size	Demographic of legal professionals	Study design	Recruitment method	Analysis method
Mellinge r, H	2021	Quality over quantity: Legal representation at the Asylum Office	Law & Policy	USA	Immigration attorneys	n/a	28	20 female, 8 male. "Several" self-identified as being from a minority racial or ethnic group	semi structured interviews	snowball sampling	grounded theory and flexible coding
Muñiz, A	2022	Gang Phantasmagoria: How Racialized Gang Allegations Haunt Immigration Legal Work	Critical Criminology	Los Angeles, USA	attorneys at eight nonprofit agencies	n/a	19	not reported	Semi structured interviews; observations; Analysis of 16 Executive Orders and 130 speeches by Donald Trump.	snowball sampling	thematic analysis of collected data in relation to concept of "gang phantasmagoria"
Ottosson & Lundberg	2013	'People Out of Place'? Advocates' Negotiations on Children's Participation in the Asylum Application Process in Sweden	International Journal of Law, Policy & the Family	Sweden	legal representative	n/a	10	7 female, 3 male	semi structured interviews, some observations	recruited from a wider research study	thematic analysis
Riva & Routon	2021	Reinforcing and Contesting Neoliberal Citizenship: Legal Advocates and the Asylum Interview at the US-Mexico border	Journal of Refugee Studies	South Texas, USA	legal advocates working in family detention centres	n/a	not reported	not reported	ethnographic participatory observational fieldwork and interviews	researchers were also volunteering as legal advocates	not reported
Sagy, T	2006	Even heroes need to talk: Psycho-legal soft spots in the field of asylum lawyering	bePress Legal Series	San Francisco, USA	immigration lawyers	n/a	9	not reported	interviews	Purposive	not reported
Shuman & Bohmer	2004	Representing trauma: Political asylum narrative	Journal of American Folklore	Ohio, USA	n/a	Yes	not reported	not reported	ethnographic fieldwork	not reported	not reported

Author	Year	Title	Publication	Country	Legal professional	Clients	Sample size	Demographic of legal professionals	Study design	Recruitment method	Analysis method
Smith-Khan, L	2021	I Try Not to Be Dominant, but I'm a Lawyer!': Advisor Resources, Context, and Refugee Credibility	Journal of Refugee Studies	Australia	Australian migration advisors	n/a	8	3 male, 5 female.	semi structured interviews	not reported, part of a wider study	Thematic analysis drawing on social field theory
Westaby, C	2010	Feeling like a sponge': the emotional labour produced by solicitors in their interactions with clients seeking asylum	International Journal of the Legal Profession	Yorkshire, England, UK	immigration solicitors	n/a	6	4 female, 2 male. 3 "from an ethnic minority" 3 white. The ages of participants range from 27 to 39.	semi structured interviews	Purposive, targeted	Deep/thick description (Geertz, 1973). Interpretation of interviews by referring to already identified themes and concepts from the review of the literature.

Seven studies directly reported their sampling method, and those studies reported using purposive sampling (including snowball sampling/chain sampling). Other studies either did not report their sampling method and this information was either inferred from narrative descriptions of the work or is described in the table above as “not reported”, or ethnographic studies described the contexts in which the study took place.

Reporting of demographic data was variable but overall limited. In relation to gender, a higher number of female participants were reported than male, with none reported as any other gender category. Only two studies reference lawyers’ ethnicities: Mellinger (2021), who reported that “several self-identified as being from a minority racial or ethnic group”; and Westaby (2010) who reported that of the six participants, in that study, three identified as from an “ethnic minority” and three identified as “white”.

Of ten studies that reported their analysis method, nine reported using variations of thematic analysis, one reported using constructivist grounded theory.

### **Qualitative synthesis**

The thematic synthesis generated five themes in total. The themes of Professional Detachment and Shaping the Narrative each had three subthemes, and there are three further standalone themes entitled Integrating Values and Legal Practice, Stuck in the Middle and Shifting Sands. All themes mediate and interact with one another in a complex matrix that serves to inform, impede and influence the lawyer-client relationship. Table 4 outlines the themes and offers examples of the clusters and codes which informed their development and Table 5 offers a salience table that indicates which themes were identified in which paper:

**Table 4**

*Table of themes, subthemes, sample clusters and sample codes from the thematic synthesis*

<b>Theme</b>	<b>Subthemes</b>	<b>Sample Clusters</b>	<b>Sample Codes</b>
<b>Professional Detachment</b>	Maintaining as the status quo	Professionalism; Distancing not absolute	Detachment as protective, detached concern, projecting detachment
	The risks of not being detached	Vicarious Trauma, Enmeshment, Impact of burnout	Failure to detach, Impact of Gender, Impact of repetition
	Getting too detached – role alienation	Depersonalisation, Cynicism	Experience and distancing; Disbelief; Judging clients
<b>Shaping the Narrative</b>	Complex humans, complex stories	Transforming messy stories; Prioritizing certain narratives	Crafting good citizenship; Western concept of time, Blocking unhelpful details
	Eliciting trauma	This subtheme was also an original code	
	Coaching	This subtheme was also an original code	
<b>Integrating Values and Legal Practice</b>		Professional dilemmas; ethical dilemma; fighting injustice	Narrative rings true; which cases get accepted; pushing back
<b>Shifting Sands</b>		Hostile environment; vagueness as hostile; Harm to clients	Bewilderment; media portrayals; silenced; continuous change
<b>Stuck in the Middle</b>		Compromising; Affiliated with decision-maker; Walking a fine line	Perceived as decision-maker; barriers to rapport; Pragmatic decisions; Place of believing



**Table 5**

*Saliency table*

Author	Professional Detachment	Shaping the Narrative	Integrating values and legal practice	Shifting Sands	Stuck in the middle
Abbas et al					
Baillet et al					
Butter, T					
Graffin, N					
James & Killick					
Kahn & Alessi					
Kubal, A					
Lakhani, S					
McGuirk, S					
Mellinger, H					
Muñiz, A					
Ottosson & Lundberg					
Riva & Routon					
Sagy, T					
Shuman & Bohmer					
Smith-Khan, L					
Westaby, C					

**Professional Detachment**

The development, maintenance and impact of a sense of emotional distance from clients, or professional detachment is a recurring theme among papers such as Graffin (2019), Baillet et al (2013), Butter (2022), Westaby (2010) and Sagy (2006), which explore this issue in detail with participants, while in others such as Riva & Routon (2021) and Smith Khan (2021), it appears more indirectly. The studies note variation in the attitude of lawyers towards detachment, with a sense that it is a spectrum ranging between positive, neutral and negative. Subthemes within this overarching theme are: professional detachment as the status quo; the risks of not being detached; getting too detached - role alienation.

### ***Maintaining the status quo***

Having a sense of “professional detachment” can be framed as the default, common sense approach, an optimal stance that facilitates the lawyers’ objective - the smooth running of the legal process and the “best possible” (Butter, 2022) support for the client.

*One lawyer explains: ‘I do keep somewhat of a distance to the client. The client is the one who builds the case. I just make sure that the process runs well and that he gets the best possible legal aid during the process’ (Butter, 2022)*

Detachment is characterised as prioritizing objectivity, rationality and neutrality, and setting aside, ignoring or disengaging from one’s emotional responses.

*I think most people do adopt a version of themselves but one in which certain elements are taken out, so a professional distance. You have to have that. I think it’s better to have that professional distance just for reasons of survival but also it’s to do with the expectations of the client as well and because your role is not to be the person’s friend (Tribunal advocate – 15 years’ experience). (Graffin, 2019)*

Being detached here is described as a “*version of themselves but one in which certain elements are taken out*” and implies a presumption that the lawyer has sufficient self-mastery to delineate and set aside “*certain elements*” of themselves. Kubal (2021) positions the lawyer working in immigration law in Russia being as the “*custodian of the case file*”, detaching them entirely from a relational interaction with the client. The drive towards a sense of detachment is likely to be linked to positivist traditions of legal practice that positions the lawyer as an objective expert or neutral intermediary, much like other high-status professionals such doctors or scientists (Sarat, 1993).

*. . . because of the profession that I’m in, and I say it’s like a doctor as well, you know. If he’s*

*treating a patient he would not want to take the treatment home. So he has to detach himself, you know. (Solicitor with 8 years' experience) (Westaby, 2010)*

If being detached is the expectation, then a risk of becoming emotionally involved is that it may be perceived by other lawyers as being unprofessional by “*admitting a weakness or failure, or inability to perform one's work effectively*” (Baillot et al, 2013). Therefore, although there is room for emotion within the realm of professional detachment, it is rationalised, presented as conscious and deployed with the professional aim of building rapport.

### ***The risks of not being detached***

The morality of professional detachment in lawyers has been described as that which serves the goals of the profession (Oakley, 2001). Being detached is framed as an alternative to being “emotional”, and being “emotional” is not in the client’s best interests:

*“I don't think it helps anyone if you get emotional”. Kitty seemed concerned about appearing to be a cold person. She insisted on the ineffectiveness and un-professionalism of emotional expressions, not distinguishing between being emotional and falling apart. (Sagy, 2006)*

In the extract above, “being emotional” and “falling apart” are positioned as equivalent, suggesting that being emotional carries with it an unacceptable risk which means you are no longer available to be of service to your client. Elsewhere in Sagy (2006) a distinction is made between “*being sympathetic*” and projecting competence, suggesting these two states are experienced as being at odds with one another.

Empathy is to be feared as it can increase the likelihood of experiencing vicarious trauma. Making oneself available to clients and hearing their trauma can mean that gets inside you, “like a sponge”:

*[S]ometimes I have spent literally a week (pause), just listening to people's stories of having been tortured, raped, beaten up, threatened . . . and you do tend to feel like a sponge . . . I think that's the best way of describing it, because you have spent day after day listening to people explaining these horrible things that they've been through, and how awful their lives have been and that there's a possibility that they're going to get sent back. (Westaby, 2010)*

Shared aspects of identity such as gender (Graffin, 2019), as well as work with children (Ottoosson & Lundberg, 2013) and repeated or particularly visceral narratives (Baillot et al, 2013; Kahn & Alessi, 2021) are presented as challenges to maintaining detachment. The ability to remain detached is further challenged by working within a system which can emphasise the massive disparity in power between lawyers and their clients, placing lawyers as a sole source of support for their clients in a complex and opaque system (see Shifting Sands theme, below). This can place lawyers in a position of tremendous power, but carrying the weight of tremendous responsibility:

*Tamara recounted the case of a Sri Lankan Tamil woman whose son had been put in detention and was about to be deported. The woman threw herself at Tamara's feet asking for help and saying, "You are like a god to us," giving her an almost insupportable sense of being a supplicant's sole defender against the arbitrary forces of a heartless bureaucracy, and the sole guarantor of that supplicant's family's future. (James & Killick, 2012)*

The solicitor in the above extract moved to working in the corporate sector as the weight of the above responsibility proved too much to bear, with the researchers drawing on the concept of compassion fatigue to articulate the cost of seeking to offer empathy and connection within a dehumanizing context (James & Killick, 2012).

Struggling with maintaining professional detachment is often characterised as something which other, usually more junior people do, and are attributed in the studies to increased likelihood of those people experiencing “burnout”. Becoming detached is therefore something that comes with experience and facilitates survival within the role, with solicitors reflecting that after some time “*I don't think about the reality of it*” (Baillot et al, 2013). There is a slight paradox here that lawyers appear to be grappling with – if it is in the client’s best interests for them to be detached, then if they “really” care about them, it becomes imperative to set their own emotional state aside. The difficulty here, though, is the impact of regularly setting aside emotions may engender the more negative aspects of detachment.

### ***Getting too detached – role alienation***

The consequences of getting “too detached” are suggested in the research by terms such as depersonalizing, cynicism, avoidance, minimizing, dismissive, sceptical, disbelieving and estranged. It may be helpful here to consider a distinction between being emotionally detached from clients and being emotionally detached from the role, or role alienation (Oakley, 2001). When a lawyer becomes alienated from their role, for example “*treating clients as cases or numbers*” (Graffin, 2019), they become desensitised to the circumstances in which their emotional detachment may no longer be meeting the goal of the profession, as illustrated in the example below:

*I've got one example of somebody who I was trying to supervise. They just had become quite cynical and that was hard because they would regularly talk about just, you know, things in, yes, just a quite cynical way where I, kind of, thought if you're cynical about the client, how are you going to get good information from that client? (Solicitor – 12 years' experience).*

(Graffin, 2019)

Cynicism to the point of disbelief is framed as problematic not because of its impact on the client, but because of its impact on the task of obtaining information from the client, or undermining the relationship altogether:

*One must be careful, because it's not up to me to believe their story or not; disbelief may undermine the clients' trust, and what will come of that? I will lose a job and the clients end up with another representative in the same situation. (Ottoosson & Lundberg, 2013)*

Baillet et al (2013) considers this tendency towards distancing of clients as a disengagement from the relationship and refers to previous research with therapists working with Holocaust survivors, which identified a “conspiracy of silence” in which discussion of trauma is avoided. While the participant quoted above in the Graffin (2019) study recognised this tendency in themselves, the negative aspects of detachment are generally attributed to other people, such as this participant in Baillet et al (2013) who describes how detachment can lead not only to depersonalisation of the clients, but can lead to a dehumanisation of the self:

*Meanwhile, a legal representative observed that 'people are incredibly hardened to accounts of violence in this field and are no longer shocked to their socks as they ought to be, and horrified at the inhumanity of man.'* (Baillet et al, 2013)

### **Shaping the narrative**

This theme describes how lawyers elicit, probe and communicate their client's story to the relevant decision-maker so that it meets a set of frequently shifting, culturally specific criteria. These criteria are met through the citation and repetition of what Luker (2015) describes as "refugee-ness" tropes, which serve to normalise and legitimise specific phenomena as proof of the need for protection and create a story which is recognisable to the decision-maker, but which may or may not be meaningful or recognisable to the client. In her

ethnographic study, Lakhani (2013) reports her ethnographic observations of this process in action:

*However, in the cases I worked on and observed, only rarely did clients' self-described accounts entirely mirror the victim narrative that attorneys aimed to present. Attorneys edited clients' accounts as they were being uttered and, afterward, statements that lawyers considered damaging or irrelevant were omitted, downplayed or rephrased. Via these social processes, lawyers interactionally and dialectically helped immigrants to "become" the kinds of victims that they thought would be recognizable to Vermont adjudicators (Lakhani, 2013)*

Shuman & Bohmer (2004) is an exemplar study for this theme, exploring and identifying seven areas in which an asylum seeker's account conflicts with country-specific expectations: time; relevance; chronology & coherence; emotional presentation; dates, details & evidence; and plausibility. In describing the task of mediating these sets of expectations, imagery such as games of Tetris, puzzle pieces, fitting into a box can be found throughout findings. Subthemes within this theme are: Complex humans, complex stories; Eliciting trauma and Coaching.

### ***Complex humans, complex stories***

Lived experiences rarely adhere to prescribed criteria. Lived experiences are “messy” (Riva & Routon, 2021), as is the communication of those experiences. For lawyers, this messiness can be source of tension and their task is to remove the “bumps” and edit out the “wrong” types of distress, rationalising and justifying this process through to meet cultural, legal and political norms of “credibility” (Baillot et al, 2013).

*What you must do is explain that the Migration Board will never believe this – instead we*

*need to emphasise this and this and this. But it is difficult; all asylum seekers have reasons for coming here but maybe they don't have the right reasons from the perspective of the Migration Board. (Ottosson & Lundberg, 2013)*

Lakhani (2013) develops this idea further, describing an imperative to portray clients as not only credible, but simultaneously threatened and unthreatening, drawing on the concept of “pure victim[s]” – a reference to the work of Picart (2003) which interrogates the false dichotomy between “victimhood” or “victimized” and “agency” or “autonomy” in the context of violence against women; and which itself draws on the work of Crenshaw’s work on intersectionality and the rhetoric of law. Crenshaw’s work arose from a consideration of the double discrimination faced by Black women within the US justice system (and beyond) and describes intersectionality as a way of recognising that multiple sources of disadvantage interact and build upon one another, to generate complexity “that often are not understood among conventional ways of thinking” (Crenshaw, 1989). This concept is particularly relevant to an understanding of this subtheme, where complex, multiple levels of adverse experience must be censored, edited and “smoothed” over to meet conventional ways of thinking about refugee-ness. Lakhani (2013) offers the following example of a lawyer silencing a client when they suggest that they may not meet rigid ideals:

*“When Paula, an undocumented immigrant, told her lawyer she had used a name that was not her own to obtain employment, Mona quickly hushed her, knowing that if she learned more about Paula's deviant behavior, her ability to represent her client as a "clean" victim and law-abiding proto-citizen could fall into jeopardy.” (Lakhani, 2013)*

The 1951 convention allows for refugee status to be refused on certain bases, one of which is being found to have committed “a serious non-political crime outside their country



of refuge prior to the admission to that country as a refugee”. Muñiz’s (2022) research uses the term “gang phantasmagoria” to illustrate the persistent, nebulous, erratic risk of racialised gang allegations which “haunts” and shapes the work of lawyers.

*When attorneys spoke about cases in which young Latin American immigrants applied for a status change or deportation relief, they described a constant undercurrent of anxiety elicited by the potential for gang allegations. (Muñiz, 2022)*

Complexity arises not purely from experience, but in the narration of that experience. The study by Abbas et al. (2021) describes professionals’ perceptions of the range of dilemmas faced by asylum seekers in narrating their asylum story, such as the impact of trauma on the avoidance, dissociation or fragmentation, as well as the omission, alteration and embellishment of details. The following extract from Smith-Khan (2021) offers an example of how a lawyer responds to omissions by client:

*Ebrahim cites examples where he drew on knowledge of sociocultural norms that his clients were unable to verbalize, filling a hermeneutical gap or transforming their experiences into language that the decision-maker could understand. (Smith-Khan, 2021)*

The phrasing of the 1951 UN Convention does not include specific provision for refugee status based on sexual or gender identity. Claims made on that basis must demonstrate that claimants are members of a “particular social group”. LGBTQI+ identities are therefore identified as particularly complex, as lawyers and clients must meet not only expectations around the trauma, but they must also demonstrate that they meet culturally specific expectations around sexual and gender identity:

*It’s hard because, you know, you have to ask difficult questions to answer, such as, ‘Did you have any sexual intercourse? What did you like about [the] woman? Were you excited by this*

*or that?’ because you know, at the hearing, the main issue is to prove that the person is a homosexual. And this can lead to very personal questions. (Kahn & Alessi, 2017)*

Furthermore, lawyer’s own biases become highly salient - for example, McGuirk (2018) reports an example of attorney who specialised in representing LGBTQI+ clients describing a culturally specific assumption about the “coming out narrative” (Cisneros & Bracho 2019) which he positions as universal, as something that “*all LGBT people have*”:

*One thing that I do find is helpful is that all LGBT people have a narrative about coming out to themselves. Even if it involves intense self-hatred, if it involves intense discomfort, if it involves—and, you know, that’s a story that people who are pretending to be queer, they just don’t have as much of. (McGuirk, 2018)*

The above extract, from a lawyer conducting a training session for other legal professionals, positions a coming-out narrative as a fundamental component of LGBT identity reflects a culturally specific perspective predominantly informed by the experiences of white, gay men in the United States (Acosta 2008; Moore, 2013). Characterised by "intense self-hatred", this reductionist narrative positions the archetypal LGBT asylum seeker as previously closeted and distressed, ultimately attaining stability and authenticity (and, crucially for their legal claim, credibility) through the act of coming out.

### ***Eliciting trauma***

Lawyers described feeling obliged to elicit traumatic narratives from their clients for that narrative to inform the asylum claim, but that the process of doing so can be fraught. So, while clients may experience narrative dilemmas, there is a sense that lawyers experience an *elicitation dilemma* - they know that eliciting trauma narratives from traumatised clients has

the potential to be harmful, but that it is essential for the credibility and legibility of their case. As noted above, Abbas et al. (2021) present findings regarding the omission of trauma details, in which asylum seekers' reluctance to discuss traumatic events is attributed to a range of reasons such as avoidance, the impact of trauma on memory, and shame – particularly in relation to sexual trauma. Riva & Routon (2021) offer an example of this, and the potential impact that such omissions could have:

*Lina (pseudonym) talks about another client: 'At first, she told me that she came here because of the insecurity she suffered at home, she wouldn't say anything else, just that her country was very insecure. "Tell me what you mean when you say your country is insecure" I asked her. Then she told me how her two daughters had been kidnapped and raped for three straight days. Can you imagine if she had just [said] to the asylum officer that she had left her country because it was insecure?' Lina evidences that her client's case would have been dismissed as frivolous had she not detailed her traumatic experience. (Riva & Routon, 2021)*

These findings indicate that when considering the impact of vicarious traumatization on lawyers, there is a need to acknowledge that lawyers are not simply exposed to trauma narratives, they are compelled to elicit those trauma narratives from traumatized clients:

*It's really awful to have to make someone tell you about something they don't want to tell you. And sometimes you have to try really hard, and you have to push and push a really traumatised person... I'm fairly sure that I do stuff that isn't healthy for those people and that's difficult. (Baillot et al, 2013)*

There is a sense of guilt and concern for clients throughout this process, and a recognition the difficulty for clients of sharing the trauma narrative stems not only from the nature of the trauma itself, but due to the highly unstable, vulnerable position of clients

throughout the asylum application process:

*But how can a person focus on telling a story that is the most important story they need to tell to determine their future when they don't have a place to live... or they don't know if they're... you know, when their next meal will be, right? (Kahn & Alessi, 2017)*

### ***Coaching***

Coaching in this context means providing clients with instructions on the manner, language and content of their narratives, with the aim of making them legible to the decision maker. The reviewed studies describe two aspects of coaching – lawyers coaching their clients and clients being coached by others. Lawyers coach their clients to convey experiences of personal trauma as acts of persecution and political aggression, which need to be presented in ways that are graphic, evocative and visceral. Part of this entails pushing clients to use terminology or give voice to experiences that they may not feel comfortable with:

*I explain what refugee means, "Whatever they ask, say 'I am afraid to go back,' stress fear." I tell them, 'Never volunteer anything except maltreatment suffered by you and your family. If you do it, say it in a way the judge will feel it. 'They hit me.' Say what part of the body was affected, what they hit you with . . . how that affected you emotionally and physically then, and are there remnants of that now . . . 'I have nightmares ... backaches.'" (Shuman & Bohmer, 2004)*

This coaching extends beyond the articulation and communication of the asylum narrative, with lawyers describing pressurising people to act in certain ways to meet assumptions about, for example, expression of their sexuality.

*I know this is unfair, but I've pressured people to, like, at least show up to this event so I can,*

*like, be there and snap a couple photos of [them]. Like, I can think of one instance. A fellow from Cameroon. He was very closeted. Our organization was marching with the Pride parade. He was very hesitant about showing up, but his hearing was around the corner.... So, I remember; it was one of the funniest things. He was in the crowd. He, like, kind of ran out into the street, posed for a photo with staff who were all wearing, like, super-gay rainbow stuff. And then he, like, hustles back into the crowd and left. And that must have been, like, very embarrassing and anxiety inducing for him, but it was legally very important. (Kahn & Alessi, 2017)*

The above extract demonstrates how coaching has the potential to lead to a depersonalisation of the client involved, in which a lawyer described a potentially humiliating experience as being “the funniest thing”, rationalising it as “legally very important”. This was a feature across studies with lawyers working with LGBTQI+ clients.

Finally, lawyers also experience their clients being coached by others such as friends or communities. Although the rationale for this coaching is the same – to improve the client’s chance of their asylum claim being approved - this coaching by others is generally presented as problematic or undermining:

*There was a thing, when I first started in 2009 when I got a few Zimbabwean clients, because there was a big Zimbabwean case in 2008 that was really helpful, so a lot of people came out the woodwork... There were loads who had claimed to be South African on arrival, and... that’s not even helpful.... they say, oh the whole community, they told us what to do. (Solicitor – 8 years’ experience). (Graffin, 2019)*

## **Integrating values and legal practice**

*You have the privilege to being exposed to a side of life that most people don't know about and maybe are not equipped to deal with. And that's a very, very deep privilege and deep honour to be able to help people in their hour of need (Solicitor B – 8 years' experience).*

Graffin, 2019

Lawyers described their relationships with clients being driven, challenged and/or strengthened by a sense of values such as a commitment to their clients' best interests and to challenging injustice. Clusters within this theme include ideas such as pushing back against the system, a moral duty, and being non-judgmental. Butter (2022) explores the issue of moral reasoning of lawyers in detail, utilising a framework that positions lawyers as being dutiful; adversarial; moral and/or relational. The extract from Graffin (2019) above points to a relational standpoint, while the following extract from Mellinger (2021) flags values driven by morality, in which the acceptance of a client's case is positioned as a proxy for "confronting injustice".

*One interviewee succinctly summarized her desire to confront injustice: "I'll take it [a challenging case], because something has to be done. (Mellinger, 2021)*

This theme interacts with that of Professional Detachment, in that lawyers describe being detached as a moral imperative to meet their client's best interests, while others feel driven to be more emotionally available or flexible in their approach. This recalls the concept of "emotional labour" (Hochschild, 1983) - the management of emotional responses and experiences conducted by a worker in order to present and /or interact in a particular way. Harris (2002), researching emotional labour amongst barristers, notes that a unique drive for emotional labour in professional roles such as solicitors is that the work is underpinned by a sense of morality – the service of justice – *as well as* the intent to serve the needs of clients.

This integration of values with legal practice influences the lawyer client relationship by shaping how lawyers utilise the legal system to support clients beyond simply progressing their claim:

*If a client explains to me why he wants to stall – documents are on the way, wife needs to give birth – that can be a reason to start a certain procedure or lodge an objection even if it has not that much chance of success. Then there is at least the suspensive effect. [...] Yes, it's all temporary, but if people say they need a few months, it is possible. That can be a reason.*

(Butter, 2022)

This theme interacts with lawyer's elicitation dilemmas identified in "Shaping the Narrative", as eliciting the trauma narrative can pose a direct challenge to lawyer's commitment to anti-discriminatory practice. Values also influence lawyers' decisions regarding which narratives they choose to engage with, for example through "*refusing to differentiate between 'worthy' and 'unworthy' refugees*". Riva & Routon (2021). Yet as a counterpoint to this, McGuirk and Mellinger present evidence moral justifications were offered by lawyers declining to represent clients with "challenging" case.

### **Stuck in the middle:**

This theme could be considered a counterpoint to the above theme of "Integrating values and legal practice", in that it points to circumstances in which the integration of values and legal practice is prevented, challenged or highly complex. The asylum lawyer's work has within it the potential for resistance and liberation while simultaneously drawing on its ability to oppress (Coutin, 1994). This theme describes a sense of feeling "stuck in the middle" – between their client to whom they feel a sense of moral obligation, and the shifting, anxiety-provoking context within which they are operating. This theme hints at a discomfort

experienced at the power imbalance inherent in the lawyer-client relationship, particularly in the asylum context. There is a sense of needing to walk a fine line:

*One issue raised by the legal representatives we interviewed was the problem of establishing their clients' trust. Often, they said, it is difficult for the applicant to work out whether the representative is independent from the migration authorities. (Ottosson & Lundberg, 2013)*

Because consistency is associated with credibility, and credibility is a key feature of the asylum determination process, findings from lawyers indicate a sense of feeling affiliated with the decision-making system and taking on the role of the decision-maker. Carving messy stories into prescribed categories, as described in the theme of “shaping the narrative”, enhances a sense of being aligned with what feels like an unjust system.

*In direct contrast to the requirement to develop mutual trust and confidence, the participants also emphasised the need to identify any weaknesses or contradictions in the client's story. [S]ometimes (pause) they feel threatened because we'll be asking them very difficult questions, and I try to explain to them that, 'I'm here to represent you to the best of my ability, and for me to be asking you these questions . . . is for you to be ready when you do the Home Office interview'. So, I'm playing devil's advocate. I have to prepare them. (Solicitor with 6 years' experience) (Westaby, 2010)*

Lawyers described coming from a “*place of believing*” (Riva & Routon, 2020) as a counterpoint to a stance which aims to challenge so-called inconsistencies in an applicant's narrative. While some studies presented findings that describe lawyers as ‘*caught*’ *within such punitive and differentiating regimes, rather than as willing mediums for them*” (Riva & Routon, 2020); others present different findings that suggest some lawyers maybe be more ambivalent about their position:



*I mean, the IND is not established for nothing, they also have to reject. If they don't meet the criteria, they are rejected. I don't want to be the one who does that, but I do see the need for that. They must tell their story. If they are eligible for a permit based on that, they must get it. In case they just tell they fled, because they did not have a job and it's just all ...other reasons and not because they are in danger, then they just have to go back. (Butter, 2022)*

### **Shifting sands**

This contextual theme articulates lawyer's perspectives of the backdrop against which the lawyer-client relationship takes place. Lawyers describe the relationship being challenged, undermined and threatened by a sense of continually shifting parameters, criteria and expectations, which can be experienced by both parties as being simultaneously ambivalent and capricious yet calculating. In the UK, for example, immigration laws are described as being extremely lengthy and complicated; have "quadrupled in length in the last ten years" and have been "comprehensively criticised for being poorly drafted" (Hynes, 2023). Lawyers express a sense of needing to be continually on guard on behalf of their clients, and maintain and awareness not just of policy changes, but in changes to the way that policies are implemented.

*Moreover, participants emphasize how recent policy changes have undermined access to assistance altogether. There is no right to advice, and government funding for free migration assistance has been greatly reduced in recent years, now limited to a very small number of people, who meet vulnerability criteria. (Smith Khan, 2021)*

These shifting parameters engender a sense of shared bewilderment and anxiety in unanticipated shifts in process and policy, in this case the salience of gang affiliation, for which a lawyer was unable to "coach" their client.

*The gang tangent appears and concludes with equal abruptness in a gas-lighting whirlwind that leaves asylum seekers and their attorneys wondering what just happened while the Officer proceeds as if nothing is out of the ordinary. (Muniz, 2022)*

The volume of work generated by the continually shifting parameters, echoed in other studies wherein lawyers refer to having to prepare clients for all continually changing eventualities, contributes to a sense of being overwhelmed and ineffective. This hopelessness and powerlessness relate to the concept of role alienation, as aspect of the “Professional Detachment” theme.

*[There] was a constant downgrading of rights, scope and so on. There were numerous new pieces of legislation. It was a combination of feeling hopeless, not being able to do anything useful, and being overwhelmed by the amount of knowledge I had to acquire to advise somebody. (Graffin, 2019)*

## **Discussion**

This review is the first to synthesise qualitative observational and first-hand accounts of lawyers’ experiences of the lawyer-client relationship in the field of immigration and asylum law. The findings have implications not only for improving understanding of lawyers’ mental health, but also for informing the development and implementation of support for lawyers in this field of practice. Seventeen qualitative studies which contained findings related to the lawyer-client relationship were identified, although no studies explored the issue as a specific research aim.

## **Conclusions from the thematic synthesis**

The findings from the thematic synthesis illustrate that there are distinct features of the lawyer-client relationship in asylum law which distinguish it from other “helping” professions supporting asylum seekers, and other lawyer-client relationships. The need to manage, monitor and project certain emotional responses while eliciting, communicating and translating a narrative of often extreme trauma from a highly vulnerable individual is further complicated by hostile, shifting context in which that task takes place.

The review develops our understanding of the nature of detachment. In the recent review of mental health of immigration lawyers (Holt et al., 2023), detachment is noted to be a coping strategy to manage the demands of the work. This review offers a more holistic view of detachment, suggesting it can be understood as a facet of professional identity which changes over time and in response to individual clients, and which can be used consciously and thoughtfully with the client’s best interests in mind, rather than being simply reactive or symptomatic.

The review identifies the concept of “role alienation” which may account for the more problematic expressions of detachment such as depersonalisation and cynicism. The concept of alienation from one’s professional role has been considered in depth by researchers and philosophers such as Seeman (1958) and Marx (1844), and while their conceptualisations differ, they share a position that when a person becomes detached from one’s work, the work itself becomes alien and therefore threatening. Findings from the subtheme of “Getting too detached – role alienation”, as well as findings from the theme of “Shifting Sands” relating to the disorientation of working within a hostile environment, align with this concept.

These findings suggest the potential relevance of the related concepts of “moral injury” or “moral distress” as a contributing factor in lawyers’ experience of mental ill health. Moral

injury is conceptualised as “a character wound that stems from a betrayal of justice by a person of authority in a high-stakes situation” (Shay, 2014). Moral distress is used more in nursing research and has been summarised as a sense of psychological distress which arises from experiencing a moral dilemma or “event”. These definitions would appear in line with the thematic findings of the present review, for example anxieties around eliciting traumatic narratives, shaping personal trauma stories into prescribed narratives or feeling affiliated yet unable to keep up with continually shifting policy and decision-makers.

### **Conclusions from the review process**

It is difficult to draw firm conclusions regarding the quality of studies in the present review, given the variety of disciplines and publications from which the studies are drawn. This is not uncommon, as approaches to quality assessment in qualitative research synthesis are subjective, fraught with ambiguity and tension (Newton et al., 2011) and lack the same empirical evidence and academic consensus as quantitative quality appraisal (Long et al., 2020). While the appraisal process raises questions regarding the “quality” of the studies included, it also raises questions regarding the suitability of the CASP checklist for the present review in quantifying that quality. The issue of “relevance” became more salient in the quality appraisal process, with the results of the quality appraisal process used to guide the development of coding, rather than to exclude studies. The effect of this was although ethnographic and/or observational studies tended to score “lower” on the checklist, they offer a valuable counterpoint to self-report semi structured interviews. Furthermore, it appeared that more recent studies were likely to score higher on the checklist, which is potentially a feature of the development of reporting conventions rather than “better” or “worse” studies.

A concerning finding in the quality appraisal process was the lack of reporting, and therefore the potential consideration of, ethical issues and relational dynamics, with only two studies clearly noting ethical considerations and only four studies explicitly considering the reflexive position of the researcher. While this does not indicate that reflexive and ethical issues were *not* taken into consideration, and may be a reporting issue, it does not exclude the possibility that this is a methodological issue that was overlooked. This is particularly striking considering the high number of studies using ethnography, where it may have been assumed that the position of the researcher is highly likely to have a bearing on the findings of the study. Concerns around this include insufficient consideration of power dynamic between lawyers, researchers and asylum-seeking clients. For example, issues related to the power imbalance between lawyer and client are typically referred to indirectly. The theme “Shaping the Narrative” identifies potential sources of bias in the interactions between lawyers and clients, with certain narratives encouraged and amplified and others downplayed. While this is typically framed as being in response to the demands of a rigid immigration system, this review highlights evidence on the influence of lawyers’ own identities and biases, particularly in relation to the experience of LGBTQI+ clients. There were little to no findings reported relating to racial difference between lawyers and clients, and studies that included both lawyer and client participants would report racial demographics for clients but not lawyers, an omission which potentially illustrates researchers’ perceptions of the relevant salience of lawyers’ and clients’ identities. Qualitative studies exploring asylum seekers’ perspectives present findings relating to relational imbalance and control much more explicitly, particularly in relation to having one’s personal history “shaped”, with asylum seekers reporting feeling coerced, manipulated and disbelieved by their lawyers (Jordan 2009; MacIntyre, 2009; Kenny, 2023). This review therefore suggests that there is work to be done in acknowledging and making visible the salience of the lawyer’s own positionality. Bryant & Peters (2005) propose ways of

working toward this through the development of “five habits” of cross-cultural legal practice, for example noting lawyer/client differences/similarities; acknowledging the interrelation of the client, the lawyer and the legal world; acknowledging alternative explanations for client behaviour (for example narrative omissions as a trauma response); identifying warning signals of faltering lawyer/client communication and identifying factors that lead to unacceptable lawyer behaviour.

### **Limitations**

The studies included in this review are exclusively from the “Global North”, though insight from studies from Colombia and Turkey were lost due a methodological limitation of this review. This limitation is highly salient, particularly given that most asylum seekers (80%) are hosted by lower income countries, and Turkey and Colombia are the two countries that host the highest number of refugees. Therefore the opportunity to explore experiences of legal professionals and asylum seekers in these contexts, which may have offered valuable points of convergence or divergence has been lost.

A further limitation is that while the search strategy sought to include a wide range of terms to denote “lawyer”, it is possible that the search did not capture all those offering legal services.

Finally, the thematic synthesis may have decontextualised certain aspects of lawyers’ experiences as it did not distinguish between the particular time and setting of the study – for example the context for lawyers in Australia in the early 2000s (Shuman & Bohmer. 2004) is potentially qualitatively different from Netherlands in the early 2020s (Butter, 2022)

## **Recommendations**

In conducting this review, it became apparent that while there is interdisciplinary research published in this field, there is a lack of research explicitly considering the relational dynamics relevant to the lawyer-client relationship in asylum law. The themes generated through the thematic synthesis offer potential sensitizing concepts (Blumer, 1954) to orientate and guide further research in this field. Areas identified for further research could include a review of research on client experiences of the lawyer-client relationship; qualitative research exploring lawyer and client experiences of power and control in the lawyer-client relationship; an update of Shuman & Bohmer's (2004) research on asylum narratives to consider different country narratives and changes over time. Development of support for this professional group should hold in mind the distinctive characteristics of the relational dilemmas which immigration lawyers must navigate. For example, reporting feeling detached or distanced from one's clients may not have the same implications for this group as it would have for other helping professions. An understanding of the protective value of promoting psychological detachment from work (Sonnetag et al, 2010), needs to be balanced with an awareness of the lived experience of professionals such as immigration lawyers who work relating to "social justice", which can both integrates and challenge personal ethics and values, and how this can either drive or inhibit detachment (Reynolds, 2019.) Reynold's (2019) model of the Zone of Fabulousness, seeks to account for the tension felt by activists and workers in areas relating to social justice, by acknowledging the relationship between, values, burnout and detachment, and may be a valuable model to draw upon if considering support for this professional group.

Given that the quality appraisal process suggested that there is a lack of transparency in the ethical considerations of work in this area, it is recommended that studies both consider and report the ethical considerations and dilemmas encountered in research in this field. One avenue of increasing accountability could be for asylum seekers to be involved in the

development of research (Verschuere, B et al., 2012). It may be helpful to consider the “Ladder of Co-production” to inform decision-making in this area (National Co-Production Advisory Group, 2021).

Finally, the theme of “Shaping the Narrative” highlights the importance of considering trauma-informed approaches to legal practice in this field (James, 2020), ensuring that lawyers understand the psychological impact of trauma on memory, narrative accounts, demeanour, and behaviour of their clients, and on themselves. This has the potential to impact lawyer’s own assessments of a client’s credibility, sense of disbelief or decision to accept the case, as well as offering guidance on eliciting trauma narratives from clients and recognizing the impact of traumatizing narratives can have on themselves as lawyers. This could also influence the support or “coaching” they offer to clients in presenting their account, or for advocating for their client through ensuring that the decision-maker is aware of the ways in which trauma may contribute to inconsistencies or unexpected affect (Webb, 2022).

## **Conclusion**

This review found that qualitative research into the relationship between lawyers and clients in asylum law is taking place across disciplines and methodologies. The findings indicate that cultural norms in the legal profession such as being emotionally detached and fitting real-life stories to prescribed categories are experienced as ongoing dilemmas and potential drivers of mental distress for lawyers, and that these dilemmas and the decisions that flow from them are mediated by lawyers’ individual values and their experience of the prevailing policy environment. Research recommendations include culturally sensitive, co-produced research exploring or synthesising extant studies of client’s experiences of the relationship, and research which explores power dynamics of the lawyer-client relationship in



this field of law as explicit research objective. Clinical recommendations include drawing on “trauma-informed” practice to develop psychological interventions for lawyers to navigate the dilemmas identified through the synthesis, such as a recognition of the impact of detachment; an understanding of the impact of trauma on their clients and how this interacts with the communication of their asylum claim; and an acknowledgment of the stressful, shifting context in which lawyers are operating.

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## **PART 2: EMPIRICAL PAPER**

**Navigating conversations about trauma: developing training for lawyers working with asylum seekers**

## **Abstract**

**Aims:** To develop and conduct a feasibility and acceptability study of a training program to support lawyers working with asylum seekers when discussing trauma, and to explore what, if any impact the training programme has.

**Method:** A mixed-methods, phased approach was used to develop, run and evaluate a single session training offer for lawyers working with asylum seekers. Participants completed three standardised questionnaires (the Emotional Labour Scale, The Vicarious Trauma Scale and the Professional Quality of Life scale) pre and post training. Participants were also asked to complete a bespoke qualitative feedback questionnaire and attend a semi-structured interview.

**Results:** A training session was developed using existing research and input from experts in the field of asylum law, trauma, and experts by experience. It was well attended and delivered as planned. There was low uptake of post-training quantitative measures and qualitative questionnaire, with no significant differences in scores detected. A thematic analysis of participant interviews generated three analytic themes and two descriptive themes to inform training development.

**Conclusions:** A scaled-up research study of training incorporating multiple sessions and/or follow-up reflective practice is likely to be feasible, with qualitative results suggesting participant interest and support for training development.

## **Introduction**

Lawyers working in immigration and asylum law often need to engage with the traumatic experience of their clients, listening to distressing accounts of violence, suffering and loss, sometimes considering visual evidence such as photos, drawings or videos, drafting details of harrowing narratives and arguing their significance in a frequently shifting legal system (Iverson & Robertson, 2021; James, 2020; James, 2023). In the UK at least, this work is taking place against a backdrop of heightened political, societal and cultural tension, including the names and addresses of immigration law firms, asylum support organisations and individual lawyers reportedly being posted online as potential targets during the 2024 UK race riots.

Education around the effect and impact of trauma is not a feature of legal training, and the impact of neoliberal approaches to management and cuts to legal aid funding appear to drive law firms to measure performance against billing targets rather than competency or professional development (James, 2020). A recent systematic review of mental health of lawyers working in immigration law suggests that a common approach to trauma in this field is to emotionally detach, to be resilient or toughen up (Holt et al., 2024). This may explain why lawyers have little exposure to training or guidance on the impact of trauma not only on their clients, but on themselves (James, 2020).

### **Lawyers working with asylum seekers in the UK – a traumatizing context**

Asylum seekers and asylum lawyers are currently operating in well recognised “hostile environment” for asylum seekers in UK (Yeo, 2017), with qualitative research demonstrating how frequently shifting policies and legal boundaries have on contribute to a sense of powerlessness and hopelessness (Graffin, 2019). In the UK this has escalated in

recent years (Sen et al., 2022, p 165) with the ratification of the new UK Nationality and Borders Bill and which has been linked to an increase in immigration detention rates and deportation orders, as well as delays to asylum appeals, further traumatising or leaving in limbo asylum seekers who are already vulnerable and traumatised, compounding the impact on their mental and physical health (Sen et al., 2022). Meanwhile, funding for legally aided legal representation has diminished, with a 10% legal aid fee cut in 2011 and further reduction to legal aid funding in following the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) in 2012. Furthermore, media and political narratives about the work of lawyers in this field has become increasingly hostile itself, with terms such as “lefty lawyers, state-funded Rottweilers, fat cat lawyers, a legal aid gravy train, and defendants being handed large sums of legal aid, constructing both lawyer and client as abusive, particularly in cases against the government itself” (Wilding, 2021, p. 24). Asylum seekers are frequently unable to access basic resources such as food, warm clothing, stable housing, education, contact with family members, financial support, physical and mental health services (Allsop et al., 2014; Asgary & Segar, 2011; Beaton et al., 2018), and if their asylum application or appeal is unsuccessful they may be deported and exposed to further harm, all of which contributes to lawyers’ “extreme sense of responsibility” (Wilding, 2021, p. 26).

The relationship between lawyers and their asylum-seeking clients is therefore situated in a highly complex political and social context. Within this working relationship, lawyers and their clients are required to discuss and particularise the experiences of their clients, including events that may be highly traumatic. Lawyers need to draft written accounts of these events, analyse reports and evidence relating to those events and work closely with clients who may be highly traumatised and vulnerable (Holt et al., 2023). Lawyers working

with asylum seekers are therefore exposed to high levels of vicarious trauma (Rønning, 2020) and emotional labour (Westaby, 2010).

### **Vicarious trauma**

Vicarious trauma is a concept developed by McCann and Pearlman (1990), outlining the experience of Post Traumatic Stress Disorder (PTSD)-like symptoms and trauma-related cognitive changes experienced by professionals working closely with people who have experienced trauma, and is closely related to the concept of secondary traumatic stress as conceptualized by Figley (1995). Vicarious trauma leads to increased levels of stress, burnout (McCann and Pearlman, 1990), and was introduced to DSM-5 in 2013 as an additional category of causation of PTSD, where it was defined as “repeated or extreme exposure to details of the event(s)”, typically in the context of professional duties (Friedman, 2014). Vicarious trauma, stress and burnout precipitated by high levels of emotional labour may make it more difficult for lawyers to respond sensitively to clients and more likely for lawyers to quit the profession (Graffin, 2019).

In qualitative interviews, lawyers have suggested that a major factor in their experience of vicarious trauma was a lack of training and confidence in navigating traumatic conversations (Fleck & Francis, 2021). Traumatic conversations are considered as being conversations in which lawyers working with asylum seekers need to discuss the details of traumatic events, as well as the communication of potentially traumatic news (e.g. refusal of bail application or asylum application). Although they are a key feature of their work, lawyers report receiving no/minimal training in having these conversations (Fleck & Francis, 2021).

## **Emotional labour**

Emotional labour, defined as the extent to which professionals suppress or alter their internal feelings and/or external expressions to demonstrate congruence with clients' feelings and expectations (Hochschild, 1983). It has been identified in qualitative research (Graffin, 2019; Westaby, 2010) as a uniquely complex feature of immigration lawyer's work, but has not yet been measured quantitatively in this population. It is typically linked to service-related jobs where employees must frequently engage with clients and exhibit a range of emotions at different intensities (Morris & Feldman, 1996). The terms "surface acting" or "deep acting" are used to achieve this type of emotion management (Brotheridge & Lee, 1998). When employees engage in surface acting, they mask their true emotions and present "fake" ones to communicate necessary emotions without truly experiencing them. When deep acting, employees seek to integrate their inner and outer emotional presentation. Like mental health professionals, lawyers are required to engage clients' emotionally laden, stressful and/or anxiety provoking narratives while they have to remain calm and empathetic (Kanno & Giddings, 2017; Smith et al., 2007). For mental health professionals at least, "surface acting" is associated with having a negative impact on mental health and wellbeing which has the potential to impact the delivery and outcome of treatment (Singh & Hassard, 2021).

## **Trauma-informed lawyering**

Trauma-informed approaches, which seek to acknowledge and respond to the impact of trauma, have become increasingly widespread in the field of physical and mental health, education, policing and social care services, and are acknowledged as promoting staff satisfaction and retention (Purtle, 2020). While the use of the term trauma informed lawyering is a relatively recent development, it aligns with longer standing concepts in legal scholarship such as therapeutic jurisprudence, "the law's impact on emotional life and on

psychological well-being” (Wexler, 2012, p.517). Trauma informed lawyering approaches argue that lawyers should focus on identifying trauma; adjusting the lawyer-client relationship accordingly and preventing vicarious trauma (Katz & Haldar, 2015); transparency, predictability, client control and reliability (Kraemer & Patten, 2014) and recognizing stigma, organizational support, trauma informed supervision and self care (James, 2020).

### **Research aims**

As noted above, lawyers report having little or no exposure to training or guidance in relation to the impact of trauma on themselves or their client (James, 2020). There is also a dearth of existing empirical research to evaluate continuing professional education for legal professionals, in contrast with research examining continuing education for health professionals (Sirota, 2022). Yet to be successful, professional training offers must be acceptable and appropriate to the intended audience (Surr et al., 2017). The aim of this project is to use a mixed methods approach to develop, trial, and explore the feasibility and impact of a trauma-informed skills-based training program for lawyers. This exploratory but pragmatic study has two primary aims and one secondary aim:

#### ***First primary aim: Intervention development***

Using expert input and existent research in this field, to develop a training program to support lawyers working with asylum seekers when having conversations about traumatic material.

### ***Second primary aim: Feasibility and acceptability study***

Using a mixed-methods approach, to explore whether attending this clinical skills training program is feasible and/or acceptable for the target population of lawyers working with asylum seekers.

### ***Secondary aim: Exploring outcomes to inform intervention development***

Using a mixed methods approach, to explore what, if any impact the training programme has in order to inform any potential future development of the training, if it is found to be feasible and acceptable.

## **Methods**

### **Epistemological position**

This research derives from a critical realist ontology that assumes a reality of a lived experience, and that the participants in this study seek to articulate that experience through the spoken or written word. It is underpinned by a contextualist epistemology, recognising that those accounts are socially mediated (Madil et al., 2000). Working at a semantic level, it focuses on how participants describe their experience, rather than seeking to reveal latent interpretation of what the accounts say about an individual.

### **Reflexive statement**

In line with the critical realist stance, this study acknowledges the subjective influence of the researcher. Therefore, this statement seeks to make explicit my subjective standpoint and to allow for a consideration of how my personal perspective may have shaped the research process and analysis.



I am a white Irish woman with experience of legal, unforced migration to UK but no personal or family history of asylum seeking. Prior to clinical training, I spent five years working in a law firm supporting asylum seekers, first as a secretary and later as a paralegal. My experience in this role entailed speaking with clients about traumatic events when taking new enquiries and drafting statements, reviewing forensic evidence and supporting traumatised clients as they sought to engage with the highly restricted support offers available to them. I had no guidance or training in this work, nor considered it a possibility. It was only when I began training in clinical psychology that I learned about the impact of trauma on individuals and on those who support them, and about working reflexively, acknowledging how my personal context may influence my relationships with others. This professional experience motivated the development of this research project, which is shaped by the assumption and hope that support for lawyers in this area would be helpful, but I was unsure what or how. I further assumed that it would be difficult to recruit participants to the study and suspected that it would be met with scepticism.

The research supervisors comprised of two senior clinical psychologists working in the field of trauma support for asylum seekers, both of whom are employed by a prominent non-governmental organisation (NGO) that supports this population (referred to hereafter as the partner NGO)

### **Ethical considerations**

Ethical approval for this study was provided by the UCL Research Ethics Service, under project ID 24533/001. Along with standard considerations around privacy, confidentiality and informed consent, we considered the potential impact on training participants of attending training on the subject of trauma and on experts by experience who we planned to consult regarding training development. The training and consultation was

conducted by the lead researcher, a trainee clinical psychologist with expert supervision from two qualified clinical psychologists, and participants were invited to follow up if needed and could be signposted for further support.

## **Design**

The study took a phased approach which broadly mapped on to the three aims as outlined above. The three phases were: training development; training recruitment and delivery; and a mixed methods training evaluation.

### **Phase 1: Intervention development**

The lead researcher and the research supervisors developed the training materials based on research into cultural norms in the legal profession around professional detachment (Baillot et al, 2013; Butter, 2022; Ottosson, 2013; Riva, 2021; Smith Khan, 202; Westaby, 2010); individual values (Kahn & Alessi, 2018; Lakhani, 2013; McGuirk, 2018; Mellinger, 2021; Sagy 2006) and the prevailing policy environment (Baillot et al, 2013; Butter, 2022; Graffin, 2019; Kahn & Alessi, 2018; Muñiz, 2021), as well as evidence-based models for clinical skills for therapists working with trauma (for example Reynolds, 2019; Chessell et al., 2019). The research team also drew on clinical knowledge of working with trauma and professional experience of working with lawyers and practising asylum law.

The intent behind the training was to make visible and therefore potentially lessen participants' experiences of emotional labour and of distress around vicarious trauma through seeking to validate and reflect on issues such the values which may have drawn participants to this area of law, the traumatizing context in which they are practising. The training also sought offer an overview of the neurobiological impact of trauma and offering practical

strategies draw from clinical practice, aiming to lessen distress through normalisation, increasing confidence and self-efficacy.

Draft training material was shared with experts in the fields of trauma and legal work. Experts were invited to a meeting in the first instance, and invited to submit written feedback if they could not attend. The panel meeting was attended by three experts: two senior legal professionals (one working in the partner NGO, one working in a different NGO) and a postdoctoral researcher in the field. Feedback was submitted in writing by a specialist clinical psychologist in the field of trauma, and from a published author in the field.

Following the panel discussion, two experts by experience (EBEs) were consulted. EBEs were approached via an EBE advisory group from the partner NGO, comprising of individuals who have experienced the asylum-seeking process who have consented to and have experience in participating in research projects at the organisation. Consultation with EBEs led to further revisions of the training material, particularly in a section relating to self-care, and the inclusion of individual slides relaying the EBEs' words verbatim. Revised slides were sent to all experts including EBEs for their final comments and approval. A diagram outlining the drivers of training development is outlined in Appendix O.

The finalised training session was a single standalone session of two hours, delivered remotely via Zoom by one facilitator, who was also the lead researcher. The training session included active and reflective learning tasks, small group work, video clips and recommendations for practical strategies when working with traumatised clients. The slides are available in the appendices.

## **Phase 2: Training recruitment and delivery**

Participants were employees of law firms which have a regular working relationship with the partner NGO. To gain insights from practitioners across all experience levels, no restriction was placed on participants' level of qualification or prior experience.

The project aimed to recruit 30 people to attend the training intervention. National Institute for Health Research (NIHR) guidance states that a power calculation for a feasibility study is not required, but that the sample size needs to be adequate to estimate parameters such as recruitment rate. (NIHR, 2019). The target of 30 people is broadly similar to the figure used in some published pilot studies of clinical skills interventions for non mental health professionals of 24 (Westbrook et al., 2008) 20 (Rimes & Wingrove, 2011), and 20 (Ziesmann et al., 2013). A slightly larger sample size of 30 allows for some attrition based on those numbers and is in line with recommendations for pilot and feasibility studies more generally (Lancaster et al., 2004).

Eleven law firms were sent an invitation via email by head of legal services at the partner NGO. The email invitation included the participant information form (see Appendices) and lawyers were invited to express their interest in the training session via an online form. The training session took place on four separate occasions, on different days of the week across two weeks late September/early October 2023, at four different times in the day.

A week prior to the training date for which they had expressed an interest, participants were emailed a Zoom link to the online training session, a further copy of the participant information form; a link to an online version of the informed consent form, and a link to

online versions of a demographics form and to three standardized questionnaires. Participants were invited to contact the researcher with any queries. All sessions were delivered as planned.

### **Phase 3: Training evaluation**

In relation to feasibility, the NIHR defines a feasibility study as one which asks whether something can be done, should we proceed with it, and if so, how. It outlines the value of preparatory research such as feasibility studies as being helpful in exploring uncertainties that may in place, with a view to informing a potential larger scale rollout or trial. The uncertainties which this study seeks to explore derive from NIHR guidelines and are:

- What training content may be considered relevant
- What is the acceptability of the intervention to the users. For the purposes of this study, Sekhon's proposed framework of acceptability was used. This framework defines acceptability as "multi-faceted construct that reflects the extent to which people delivering or receiving a healthcare intervention consider it to be appropriate, based on anticipated or experienced cognitive and emotional responses to the intervention".
- Do people attend, and if so do they use any skills proposed by the training?
- Acceptability of and response rates to questionnaires
- Practicality of delivering the intervention(s) in the proposed setting

The training was evaluated to establish the acceptability and feasibility of offering the training session, with a view to this informing a larger scale study or randomly controlled trial.

Triangulation of data from different sources is a recommended approach to training evaluation (Fitzpatrick et al., 2012; Grammatikopolous et al., 2008), so this evaluation used a mixed methods approach to explore the acceptability and feasibility of a) different forms of feedback and b) of the training itself.

### **Quantitative measures**

Quantitative data was collected anonymously through online versions of the standardized questionnaires. The rationale for this was to explore the practicality of administering standardized questionnaires to this participant group; to explore if/whether and statistically significant change was demonstrable on measures which had been identified as relevant to this participant group. Pre-training measures were sent to all people who signed up for a training session one week prior to the training. This time point was selected to allow people sufficient time to access and complete the measures prior to attending the training. Post-training measures were sent 5-6 weeks following training completion, with a reminder sent at 7-8 weeks. The measures were administered via Microsoft Forms to allow for ease of completion. Participants input unique reference numbers when completing the measures to allow for data to be anonymised but later withdrawn if required. The following standardized measures were administered:

Emotional Labour Scale (ELS): As outlined above, the psychological construct of Emotional Labour and in particular the concept of “surface acting” had been identified as relevant to this population. The Emotional Labour Scale (ELS) has been found to have good internal validity ( $\alpha$  ranged from 0.74 – 0.9, considered good), convergent and divergent validity (Brotheridge & Lee, 2003). It consists of 15 items rated on a five-point Likert scale, ranging from 1 (Never) to 5 (Always), with answers based on the query “On an average day

at work, how frequently do you...” The items measure six aspects of emotional display in the workplace, comprising the frequency, intensity and variety of emotional display, the duration of interaction, and surface and deep acting. Sample items include “Display specific emotions required by your job” measuring frequency; “Express intense emotions”, measuring intensity; “Pretend to have emotions I don’t really feel”, measuring surface acting. The ELS can be found at Appendix K.

Vicarious Trauma Scale (VTS): Similarly to emotional labour, the psychological construct of vicarious trauma had been identified as being relevant to this population. What’s more, the VTS was developed in research with the legal profession to gauge subjective levels of distress that may be incurred when working with traumatised clients (Vrklevski & Franklin, 2008), aiming to identify the degree of secondary exposure to traumatic material and the level of distress experienced. It consists of eight items rated on a seven point Likert scale, ranging from one (strongly disagree) to seven (strongly agree). This measure has been found to have high internal consistency, with Cronbach’s alpha on a sample of members of the legal profession of .88. It has also been used in a key study exploring vicarious trauma in lawyers working with asylum seekers (Rønning, 2020). Sample items include “My job involves exposure to distressing material and experiences”, “My job involves exposure to traumatized or distressed clients”, “I find myself distressed by listening to my clients’ stories and situations.” The VTS can be found at Appendix L.

Professional Quality of Life Questionnaire (PROQOL): The ProQOL is the most commonly used measure of the impact of working in a role that supports others who experience suffering and trauma. It is comprised of three subscales: compassion satisfaction, burnout and secondary traumatic stress, which have been demonstrated to be distinct

constructs, with some shared variance between burnout and secondary traumatic stress, and which good internal reliability within the subscales, with Cronbach's alpha for all subscales at least 0.75 (Stamm, 2010). The ProQOL has subscales for compassion satisfaction (Cronbach's alpha = 0.88), burnout (Cronbach's alpha = 0.75) and secondary traumatic stress (Cronbach's alpha = 0.81). It consists of 30 items rated on a five point Likert scale, ranging from one (never) to five (always), asking participants to rate how frequently they experience a given item over the past 30 days. Sample items include: "I am happy" (burnout subscale); "I am preoccupied with more than one person I help" (secondary traumatic stress subscale) and "I get satisfaction from being able to help people" (compassion satisfaction subscale)

### *Qualitative measures*

Qualitative measures entailed a bespoke online feedback questionnaire and semi structured interviews. The feedback questionnaire and the semi structured interview schedule drew from Sekhon, Cartwright and Francis's (2017) theoretical framework of acceptability, incorporating questions covering seven key domains: affective attitude, burden, perceived effectiveness, ethicality, intervention coherence, opportunity costs and self-efficacy across three temporal periods: prospective acceptability, concurrent acceptability and retrospective acceptability.

A link to the feedback questionnaire was emailed to all participants within an hour of their attendance at the training session. The feedback questionnaire elicited reactions to the course content and participants' satisfaction with the training. The feedback questionnaire consisted of open text response questions (see appendices) soliciting attendees' views on aspects they found helpful or unhelpful about the training and what changes they anticipate making to their practice following the training.

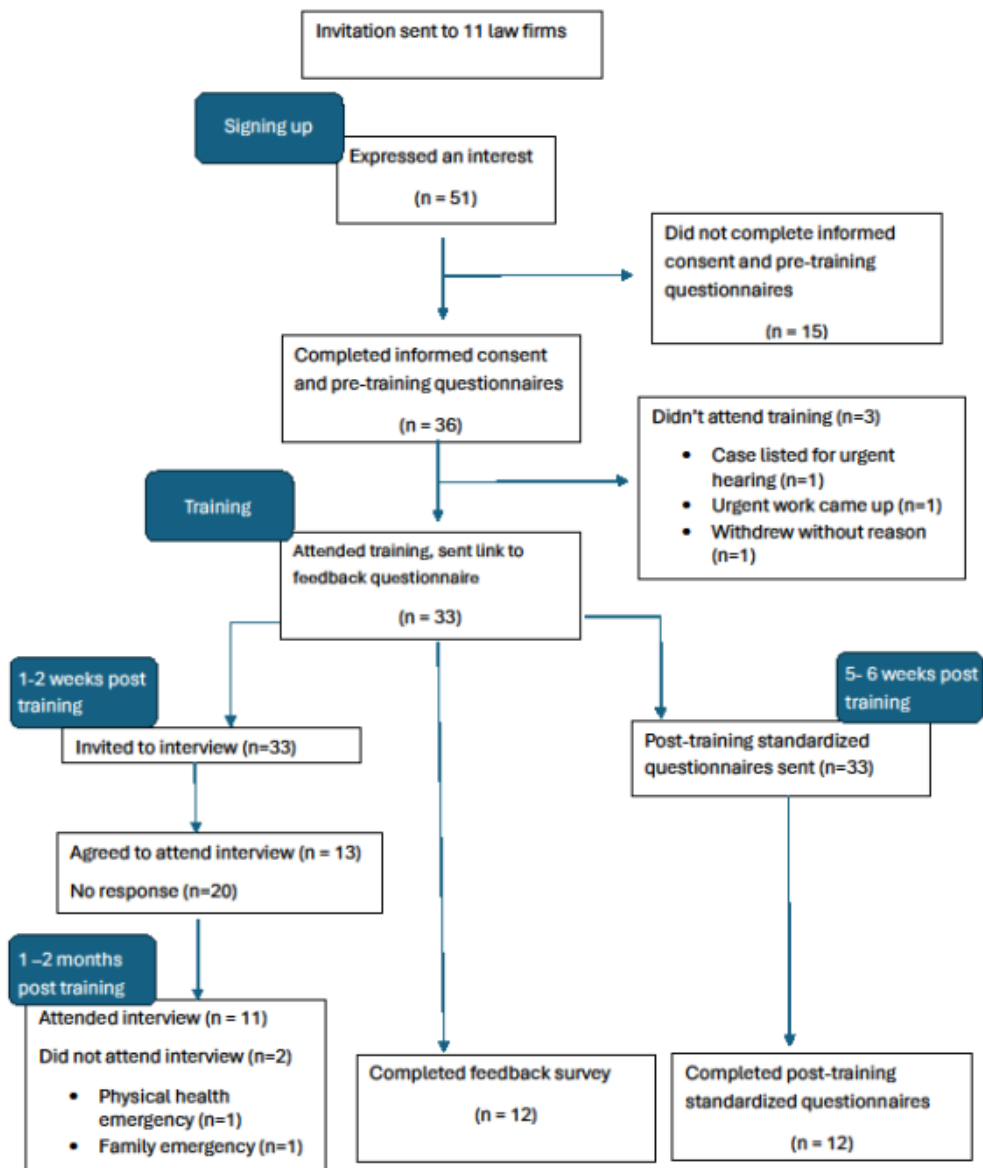


All participants were contacted one to two weeks following the training to invite them to a semi-structured interview, which was conducted five to nine weeks post training, depending on participant availability. The decision to leave at least a month before commencing interviews was to allow for the interviews to explore whether participants made any changes to their practice following the training. The semi structured interview sought to explore participants' experiences of the training in greater depth, as well as exploring specific practical aspects of the training and any changes to practice since the training period. The interview schedule can be found in the appendices.

Participants were offered a choice of attending an interview either in person or online. Two interviews took place in person and the remainder took place online via Microsoft Teams. All interviews were recorded, and the recordings saved in the UCL Research Data Storage Service. The principal researcher created an accurate transcription of each audio recording. A flow chart depicting the flow of participants through the training and evaluation stages can be found in Figure 1 below:

**Figure 1**

*Flow chart of participants*



## **Data analysis**

### ***Quantitative measures***

Results were imported to JASP, an open source statistics program. Descriptive statistics were explored, the data was checked for normality of distribution and within subjects t tests were conducted to identify any statistically significant change between pre and post scores.

### ***Qualitative measures***

Qualitative data was analysed using a thematic analysis, using the stepped approach outlined by Braun and Clarke (2006). The first step of data immersion was completed through the process of creating an accurate transcript of the audio recordings and making notes and reflections and impressions formed throughout. The second step entailed reading through the data and generating codes (labels assigned to sections of text). A “binocular” approach was taken to coding (Frosh & Saville Young, 2008) – a dual deductive-inductive approach that attempted to acknowledge the dynamics of the study’s subjective focus on participants’ evaluations of the training session, without losing sight of the semantic content expressed by the participants and additional or contradictory issues raised by them.

The third step involved searching for descriptive themes. Themes explain larger sections of the data by combining different codes that may be like one another, or which consider similar aspects of the data. The fourth stage was the refinement of themes on two levels – firstly, ensuring that the coded data formed a coherent pattern, and secondly that those patterns were reflected across different participants. During this stage, it became clear that it would be appropriate to draft a separate “descriptive summary” of key procedural

issues and areas for development related to the delivery of the training. This is because it was felt relevant to report a purely descriptive account of these findings to support replicability and future development of the session, but as these findings were not analytic and did not move beyond a descriptive summary of responses it was not appropriate to report them as a thematic analysis.

Once a clear idea of the various themes and how they fitted together emerged, analysis moved to phase five. Phase five entailed defining and naming analytic themes that moved beyond a description of the findings, attempting to clearly define each theme and draft a detailed analysis. Considerations was given not only to the individual themes themselves, but how they worked together to form a coherent narrative. Choosing sample extracts is the final stage, and this was integrated into the analysis writing phase, as the content of analysis was inextricable from the content of the extracts. The qualitative results are therefore reported below in two sections: descriptive summary and thematic analysis. The descriptive summary outlines feedback on key procedural issues and areas for development related to the delivery of the training, while the thematic analysis articulates key areas of participants' reflections on the relevance and acceptability of the training.

## **Results**

### **Demographics**

#### ***Training participants***

Fifty-one people from seven different law firms expressed an interest in attending the training. Thirty-three people from six different law firms attended the training sessions. The demographics of people who attended the training are outlined in Table 1 below. When

designing the demographic data collection form, we considered how using pre-defined closed categories for ethnicity collection can be problematic, potentially legitimizing and buttressing stratification of racial and ethnic difference (James, 2001), so followed guidance from Burton et al. (2010) to invite participants to self-define both ethnicity and gender. Participants varied in their interpretation of “ethnicity”, with some people reporting racial characteristics and some reporting nationality. However, this then necessitated the summarizing of descriptors for the purpose of reporting, in order to preserve confidentiality.

**Table 1**  
*Demographics table, training attendees*

<b>Category</b>	<b>n</b>
<i>Total</i>	<b>33</b>
<i>Session attended</i>	
Monday 12pm – 2pm	12
Tuesday 9am – 11am	13
Wednesday 6pm – 8pm	3
Thursday 3pm – 5pm	5
<i>Ethnicity</i>	
Multiracial or “mixed” descriptors	6
White/White British	12
White European/White Irish/White Italian	7
UK/British	3
Asian and Middle Eastern countries	5
<i>Age</i>	
18 – 25	4
25 – 34	20
35 – 44	6
45 – 54	1
55 – 64	2
<i>Qualification</i>	
Unqualified - not in training (for example paralegal)	3
Unqualified - in training (for example trainee)	16
Qualified - 1 to 5 years	4
Qualified - 5+ years	10
<i>Years working in immigration and asylum law</i>	
Less than 1 year	6
1-5 years	15
5+ years	11
Missing	1
<i>Previously attended training on vicarious trauma or self care</i>	

Yes	21
No	12

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Gender is hugely weighted towards female participants and is not reported here to preserve confidentiality. The largest single group of self-defined ethnicity was white or White British (n=12). No participant identified as Black or Black British. Black lawyers are reported as making up 3% of solicitors in the UK in total, though the breakdown for solicitors in immigration/asylum law was not available.

There was a reasonably wide age range of attendees, with attendees in standard age brackets from 18 to 64, though the largest group was within the 25-34 bracket (n=20).

Similarly, there was a range of experience levels represented among the attendees, ranging from unqualified, not in training (n=3) to solicitors with over 5 years post qualification experience (n=10). The largest group was trainee solicitors (n=16). This may reflect the fact that there are a large baseline number of trainee solicitors; trainees have protected time within their working week for study and/or trainees have a greater interest or need for training in this area. Twenty one out of the 33 training attendees had previously attended training on vicarious trauma and/or self-care. Finally, sessions in the first half of the day were much more heavily subscribed than those at the end of the working day or after working hours.

### ***Interviewees***

Eleven people attended an interview. Specific categories for gender, ethnicity and age are not reported here to preserve confidentiality of the group, however seven out of the eleven

interviewees reported their ethnicity as White, White British or White European. The largest single age group was 25-34, but interviewees were represented across age categories. Six interviewees were trainee solicitors, two were one to five years qualified and three were 5+ years qualified, so the sample has reasonable representation across different levels of experience.

**Table 2**

*Demographics table, interviewees*

<b>Category</b>	<b>n</b>
<b>Total</b>	<b>11</b>
<i>Qualification</i>	
Unqualified - not in training (for example paralegal)	0
Unqualified - in training (for example trainee)	6
Qualified - 1 to 5 years	2
Qualified - 5+ years	3
<i>Years working in immigration and asylum law</i>	
Less than 1 year	2
1-5 years	6
5+ years	3
<i>Previously attended training on vicarious trauma or self-care</i>	
Yes	8
No	3

### **Quantitative results**

There were no significant results from statistical testing of scores on the standardised measures, although given the small sample size, any statistical analysis below should be considered exploratory. Furthermore, given that only 12 training participants completed both pre and post measures, any findings would have been underpowered. The findings are reported below.

### ***Emotional Labour Scale***

An error was made in the administration of the Emotional Labour Scale, as one of the items under the “Variety” subscale was omitted from the online form. Therefore this subscale

was not calculated. Composite scores of results from the remaining 14 items were summed and total scores on pre and post measures met assumption checks for normality and were analysed using a paired t test. The results from the pre-training (M=40.5, SD = 8.86) and post-training (M=43.9, SD = 6.21) indicated that there was no significant change in scores on this measure  $t(11) = -1.51, p = 0.16$ .

As no significant change was detected, no further statistical analyses were run. The descriptive statistics for the frequency, intensity, surface acting and deep acting subscales in order to consider what the data indicated about participants' rating on the ELS, as averaged across both time points, in order to build a picture of participants' experience of the construct of emotional labour. Mean scores for each subscale were found by combining the mean pre and post scores for each subscale and dividing by two. The mean scores for each subscale are presented in Table 1, with comparisons from the original validation study (Brotheridge and Lee, 2003) with service industry workers in Canada, as well as the relevant results from a study of emotional labour with allied mental health professionals in the UK (Singh and Hassard, 2021). While it is not possible to draw any firm conclusions from this data, particularly given the sample size, the results appear broadly comparable with the original validation study, apart from the surface acting score which is lower in both this and the Singh & Hassard (2021) study, suggesting that allied mental health professionals and the lawyers in the present study may engage in surface acting less. The widest variance is in the present study is in the deep acting subscale indicating a wider variation in participants' experience of this concept



**Table 3***Scores on Emotional Labour Scale subscales in the present study and two comparable studies*

	Brotheridge and Lee, 2003 (service industry workers, Canada)		Singh and Hassard, 2021 (allied mental health professionals, UK)		Present study, mean of pre and post measures	
	M	SD	M	SD	M	SD
Frequency	3.58	0.91	n/a		3.64	0.83
Intensity	2.54	0.71	n/a		2.86	0.65
Variety	2.82	0.79	n/a		error	error
Surface						
Acting	3.95	1.08	2.81	2.35	2.84	0.65
Deep						
Acting	2.56	0.74	3.07	2.99	2.64	1.22

***Vicarious Trauma Scale***

The results from the pre-training (M=44.75, SD = 6.37) and post-training (M=44.58, SD = 5.2) on the Vicarious Trauma Scale met assumption checks for normality and were analysed using a within subjects t test. The results of the t test indicate that there was no significant change in scores on this measure  $t(11) = 0.15, p = 0.88$ .

Scores 1-32 are within the normal range. Scores of 32-40 suggest moderate vicarious trauma; 41- 48 suggest severe vicarious trauma and scores of 49-57 suggest extremely severe. So although the results do not indicate any change between pre and post scores, they suggest that the mean score for the sample at both timepoints is within the range for severe vicarious trauma.

***Professional Quality of Life Questionnaire***

The PROQOL has three subscales: Compassion Satisfaction, Burnout and Secondary Traumatic Stress. The relevant responses were reverse scored and total scores for each

subscale was calculated. The means and standard deviations for the pre and post training results are found in Table 4.

**Table 4**

*Pre and post training scores on each PROQOL subscale*

	N	Mean	SD
Compassion Satisfaction Pre	12	39.58	4.98
Compassion Satisfaction Post	12	40.17	5.20
Burnout Pre	12	27.67	4.87
Burnout Post	12	26.83	5.08
Secondary Traumatic Stress Pre	12	29.67	6.82
Secondary Traumatic Stress Post	12	29.83	7.33

The data met assumption checks for normality of distribution. Paired t tests were completed, with no significant change found in the scores for any of the three subscales. The results from paired samples t test are represented in Table 5 below.

**Table 5**

*Paired t test scores on each PROQOL subscale*

PROQOL Subscales	t	df	p
Compassion Fatigue	-0.600	11	0.561
Burnout	0.989	11	0.344
Secondary Traumatic Stress	-0.162	11	0.874

For each subscale, scores of 22 or less are regarded as low; scores between 23 – 41 are regarded as moderate and scores of 42 or more are regarded as high. Mean scores for this sample indicate that levels of compassion satisfaction (pre mean = 39.58; post mean = 40.16)

are on the high end of the moderate level. Burnout scores (pre mean = 27.67; post mean = 26.83) suggest that on average participants are at the lower end of the moderate level. Secondary Traumatic Stress scores (pre mean = 29.67; post mean 29.84) suggest that this sample is around the middle of the moderate level. The PROQOL manual suggests that higher scores on compassion satisfaction and moderate scores on burnout can be considered as a positive result, suggesting that people in this category get positive reinforcement from their work, are not at great risk of becoming inefficacious and are not holding significant fears. The manual suggests that this group may benefit from engagement and education (Stamm, 2010)

### **Qualitative results – Descriptive summary**

The following results outline two descriptive summaries relating to specific areas of participant experience: practicalities of training attendance; and areas for improvement.

#### ***Practicalities***

The following is a descriptive summary of interviewee and questionnaire responses to queries regarding the delivery of the training.

**Remote participation.** Ten interviewees reported that remote participation increased accessibility of the training, citing reasons such as no travel time, less commitment, potential for increased privacy. However, the same number of interviewees also said that remote participation can be a barrier to communication and that it's preferable to be "held in a space together" (P11). Interviewees and questionnaire respondents valued the use of breakout room to facilitate discussions.

**Barriers to attendance.** Generally, participants said that while their employers are supportive of them attending training, the only potential barrier to attendance being finding the time to attend, particularly in the context of needing to meet their chargeable/billable hours targets.

**Training as a one-off session.** Similarly, seven participants felt that holding the training session as a one-off session made it more accessible – but all eleven participants felt that there were drawbacks to this. The main drawbacks cited were that there was not enough space for reflection and a large amount of content covered in a short period of time.

**Different levels of experience.** This question yielded more diverse opinions and viewpoints than others. While the majority of participants felt that overall it was helpful to mix people with different levels of experience, there was diversity of opinion on this, which is considered further in the Personal is Political theme below.

**Questionnaires.** Interviewees expressed few strong opinions about completing the standardised questionnaires, which at the time of interviewing had been 5-9 weeks previously. They did not recall them as being particularly onerous, with some interviewees commenting that it was sometimes difficult to quantify their experience with the answer set.

**Content.** Reflections on the content of the training were overwhelmingly positive overall, with all interviewees and all but one questionnaire respondent reporting that the content was relevant to them, regardless of their level of experience. Interviewees valued having a mix of theoretical content and practical strategies. They described most of the content as being not entirely new information, rather a drawing together of concepts and information which they may have been familiar with from other sources.

The main critique regarding the content, mentioned by four separate interviewees, was that the concept of “enmeshment” potentially does not adequately account for the lived experience of solicitors and their clients in that the solicitor may be the client’s only source of support within a highly hostile environment. This is elaborated further in the “Dramatic Environment” subtheme below.

### *Areas for training development*

This descriptive theme draws together areas identified by interviewees and questionnaire respondents for development of the training session. Some areas were explicitly suggested by interviewees or questionnaire respondents, and some generated through the thematic analysis process from codes across the data set.

**Cultural humility.** As noted in the theme above, interviewees reflected on the impact of ethnicity on their experience of discussing trauma with clients. During the training, racism was mentioned briefly as a feature of the “traumatizing context” in which lawyers are working, but it was not considered in depth. However a comment in the anonymous feedback questionnaires noted that racism was not explicitly addressed, drawing attention to the fact that there was a lack of explicit invitation in the training to consider the impact of race and racism.

**Remote communication** Only one interviewee explicitly suggested improved guidance around remote forms of communication as a potential area for improvement, but seven interviewees reporting that most of their communication with clients is remote, with trainees in particular citing frequent usage of messaging apps. The use of remote communication is not necessarily client or solicitor preference but can be due to lack of

funding for client or solicitor travel for in-person appointments and gaps in legal aid provision outside London. The training did not cover telephone/videocall communication in depth and did not cover text communication at all.

**Client suicidality** Client suicidality was mentioned by four interviewees as present, common feature of their work with one interviewee stating that it is “so real” and “very heavy” (P5). Interviewees did not explicitly suggest increased guidance around client suicidality in the training, but this subject matter was not directly addressed in the training and is a potential point for inclusion. Although no studies were identified which explore the impact of client suicidality on lawyers, suicide is positively associated with burnout and compassion fatigue with social workers and counsellors (Sherba et al, 2019). Guidance for development in this area could be adapted from research into the impact of client suicidality with mental health professionals (Moody, 2010; McAdams et al, 2000) and social workers (Sanders et al, 2008) as well as suggested interventions for working with suicidality (Mackelprang et al, 2014).

**More time.** The area for improvement cited by most interviewees would be for increased time for the training – with most interviewees saying that breaking the training into multiple sessions would likely be most helpful. Three out of the 12 questionnaire respondents advocated for more time, arguing that it would have facilitated increased discussion and interactivity.

### **Qualitative findings - Thematic analysis**

The thematic analysis generated three analytic themes, which each have attendant subthemes. The themes are presented in Table 6 below, with sample clusters and sample codes to illustrate the process of analysis.

**Table 6***Themes, subthemes, sample clusters and sample codes*

<b>Theme</b>	<b>Subthemes</b>	<b>Sample clusters</b>	<b>Sample codes</b>
High stakes	Am I causing harm	Mitigate client distress; avoid re-traumatisation; contribute to research; impact on own mental health	Eliciting trauma; pushing clients; worry about harming clients; feeling on edge
	Am I complicit?	Aligned with Home Office; stuck in the middle	I have to ask about traumatic things; Feeling complicit with the Home Office; Needing to probe; Feeling torn
	Dramatic environment	Hostile environment; reality of enmeshment	Operating in hostile environment; threats to lawyers; I'm really the only one
	Self efficacy and client impact	Validation; Increased confidence; Mitigate client distress	Worrying less; attending to structure of sessions; training led to more work



<b>Theme</b>	<b>Subthemes</b>	<b>Sample clusters</b>	<b>Sample codes</b>
Personal is political	Impact of race and ethnicity	Impact of shared ethnicity; impact of not sharing ethnicity; impact of racism	Shared ethnicity – shared values; shared ethnicity – draining; white saviour concern; lack of identification; race not discussed
	Being female	Emotional responses; physicality	Being female and empathy; menstrual cycle; pregnancy
	Personal or family history	Personal experience of trauma; family history of migration; personal experience of migration;	Sharing personal experience gets in way of objectivity; no shared background; values from personal experience
	The impact of hierarchy	Senior staff need training too; Importance of training for junior staff; benefits of mixing; downsides of mixing	Helpful to mix experience; junior staff need support; senior staff divide; withholding views from senior staff
Sink or swim	Just chucked in	Gap in training; lack of support; gap in knowledge	“On the job” training is all that’s available; just get on with it; in-house training bad
	Looking to others for help	Supporting other staff; desire for connection; collective care	Importance of connection for junior staff; sharing own experience to help others; working in a bubble

### *Acknowledging high stakes*

Frequently cited drivers for the prospective acceptability of the training were interviewees' fears that they may re-traumatize their clients, become complicit with a trauma-inducing decision-maker; or fail to act in their clients' best interests in a system in which can be openly hostile. Interviewees reported that attending the training did not lower these high stakes but offered a sense of security and self-efficacy by offering acknowledgment of and space to reflect on the impact of the traumatising context of the work, validation of existing practice and suggesting ideas for adjustments. Interviewees felt a high level of responsibility to "do the best job I can" (P6) but that they were unsure of their sense of self-efficacy in relation to discussing trauma. Self-efficacy is a longstanding concept in psychological research, describing a person's belief in their own ability to complete a particular task. This theme comprises four subthemes: Am I causing harm?; Am I complicit?; Dramatic environment and Self efficacy and the impact on clients.

**Am I causing harm?** Interviewees described signing up to the training due to concerns about causing harm to their clients, as well as reflecting on the potential harm of vicarious trauma on themselves as practitioners. Interviewees describe being caught in a position of needing to elicit traumatic narratives from people who may not wish to talk about them, but feeling obliged to push them into doing so to meet the demands of the system.

*Yeah, I think I think I always have worried that that that, you know, clients you have to talk to, I guess specifically there's all of the asylum clients, so people who are talking about something terrible has happened in the past that it's so upsetting for them to talk about it and that they're such a high risk of re-traumatising them that I just always wanted to be so careful on how I did it and to be as informed as I could on how I did it, to try and make it as the least*

*bad experience that it could be. (P8)*

The complexity of the concept of “harm” in legal theory is widely debated (Shiffrin, 2012) as there is no simple symmetric dichotomy between harm and benefit. In legal theory, aversion of harm is of greater consequence than provision of benefit and offers a stronger reason to act. Furthermore, there are clear issues around the degree to which lawyers’ clients can offer informed consent to sharing their narrative given that they must do so in order to meet the demands of the asylum system.

**Am I complicit?** The potential for traumatization lies not only in the elicitation of the trauma narrative, but in the necessity for the lawyer to probe and test that story so that it stands up to scrutiny. The following participant described feeling that they were “*semi compounding trauma*”:

*I feel sometimes complicit in someone's trauma, if I'm trying to like be like, “Well, I hope you know your credibility, blah, blah, blah, the Home Office. I need to ask this. Are you sure you're telling...”, you know, so yeah, my positionality in that. P10*

The following interviewee described below a unique tension between recognizing that inconsistencies in his narrative are likely for reasons linked to trauma (for more on the concept of narrative dilemmas, see Abbas et al. (2021)), but needing to “*be really quite real with him*”.

*We've got to explain this, this means that I'm doing things that are traumatizing, even if the initial “What happened to you, tell me about this” wasn't traumatic or wasn't retraumatizing this, this part of it is and it will be and it does mean me being scrutinizing what he's saying and being that figure that is disbelieving, because the Home Office are not going to believe it.*

P7

The above extracts situate “the Home Office” as a unitary entity. Scholars have argued that framing state bodies such as the Home Office as essential, stable, unitary entities in this way can mask the way in which they are multilayered, contradictory, localised collectives (Abrams, 1988). However others argue the importance of being open to the ways in which people treat states and state bodies as distinct beings which can be imbued with ideas of oppression and/or protection (White, 2023). In this instance this sense of an “us/them” dynamic, framing of the Home Office as a unitary entity with which they can feel complicit offers an insight into the way in which interviewees not only experience the Home Office, but frame it to their clients, and is potentially a relevant dynamic for future trainers to be aware of

**“Dramatic environment”.** This subtheme highlights the saliency of offering within the training a opportunity to reflect on the politically charged context in which lawyers are operating, which makes their experience particularly distinctive in comparison to other helping professions. Four interviewees commented on how they can find themselves as one of few sources of support for clients within a highly hostile environment.

*I think particularly when with detained clients, that enmeshment thing becomes, like, really quite intense because that feeling of like being the only person that can help that person actually has some truth in it, so it's quite hard to set that aside. P5, trainee*

“*The enmeshment thing*” in the above quote relates to a concept in the “Zone of Fabulousness” (Reynolds, 2019), a framework introduced during the training session to describe the emotional impact of working with traumatised clients in a traumatising context. Within that model, enmeshment is positioned as opposite to distancing and describes a sense of being overly emotionally involved with the work, to the potential detriment of the client

who may experience enmeshment as a transgression of boundaries, but also to the worker, for whom enmeshment can increase susceptibility to burnout (Reynolds, 2019).

Other interviewees reflected on the impact of media narratives around immigration lawyers and how that impacts their sense of safety at work, with one interviewee reporting direct threats made to colleagues, and the following extract demonstrating both the “dramatic” (P9) escalation of tension for lawyers in this area, and the potential relevance this has to the concept of self-care:

*Times are very difficult, politically, um, we talked a bit about or at least I introduced I think the climate where lawyers have been under attack and kind of chambers that we work with have hired security dogs since which is the whole paradigm which shouldn't be happening but is, umm, so I think dealing with self care within that quite dramatic environment has been quite conscious about that since. (P9)*

**Self-efficacy impacting clients.** Through validation of existing practice and/or offering direction and practical guidance, participants articulated the retrospective acceptability of the training through an increased sense of confidence in their practice, assuaging anxieties they may previously have had about their clients’ wellbeing:

*I think I hang up the phone less with that worry of like “Oh god, how are they at the other end”, because I think I’m just checking in a bit more and that sort of thing. (P6)*

An area of potential impact on interviewees’ sense of self efficacy following attendance at the training was increased attention given to planning for client sessions. This comprises of actions taken prior to the session, and at the beginning of the session. For example, interviewees describe taking more time to review existing documentation to

establish what questions need to be asked; and increased awareness of safeguarding planning.

Actions taken include clarifying a session agenda and structure with clients and slowing down the pace of the session:

*Interviewee: (discussing a client) We have an asylum questionnaire to do and I was explaining it to her and I just said like “I’m gonna do what I can from what I already have because I want to avoid even approaching that subject with you, but if I have to, I will give you a heads up if it’s coming up and you tell me if you want me to just stop”, and she was very receptive to that and she really appreciated that.*

*Interviewer: How did she show that? How did you know that she appreciated that?*

*Interviewee: Because she said it. (P4)*

Potential drawbacks of increased planning were noted by two interviewees who stated that these actions increased their already heavy workload and/or increased their exposure to traumatic material as they were considering it in more detail before a session. What’s more, P1 goes on to describe how since the training they’ve sought to take a more “*holistic, therapeutic approach*”, which, while not framed as a criticism, points to a potential risk that this training places unreasonable expectations on solicitors to take on a “therapeutic” role or create a “therapeutic” space.

While these findings cannot demonstrate what, if any, impact the training had on solicitors’ clients from a client’s perspective, interviewees expressed tentative confidence that the changes they had made or were planning to make would have a positive impact on their clients – particularly in relation to increased sensitivity towards their clients and increased care given to planning and structuring sessions.

### ***The personal is political***

“The personal is political” is a phrase found in an essay by feminist scholar Carol Hanisch (Hanisch, 1969), in which she challenged the integrity of personal therapy with the argument that personal and interpersonal experiences are inextricably linked to one’s position in a wider system of power relationships. This theme draws on that idea to account for the way in which lawyers described their individual identities as interacting (or not) with their experience of the work, how they approach discussing and engaging with client’s traumatic narratives, and the degree to which the training offered (or did not offer) an opportunity to reflect on this. Hanisch’s paper was particularly concerned with gender, race and socioeconomic status which feature here, as do ethnicity, personal and family experience of trauma and migration, and age and professional experience.

**Impact of race and ethnicity.** Three interviewees reflected sharing aspects of their ethnicity with clients, and how this can be both a source of empathy and empowerment as well as a source of vulnerability and tension. Two interviewees reflected on how sharing aspects of their ethnicity with clients can be helpful, that clients “*feel almost like a weight being lifted off their shoulders*” (P4) or “*sometimes having that little like connection that’s like the outside of the like lawyer client box helps*” (P10). However, the following extract illustrates a potentially more complex picture in which this participant described being motivated to support those with whom she shares a “*demographic and background*” but finds the lived experience of doing so depleting:

*I got into this work because I specifically wanted to work with people from my own demographic and background. But actually, whenever I have worked with someone from my own demographic and background, I found it extremely emotionally draining and I feel, especially if I have speak in my own language as well, because I usually I think I speak in*

*[language] to my family so then to speak in [language] to our clients as well, I find that to be a really personal thing that is actually really difficult for me to do and also feel like there's a professional relationship there still. (P2)*

The same interviewee did not feel able to discuss her experience of this tension with her supervisor due the issues around ethnicity feeling “*personal*” rather than “*professional*”, and therefore not nameable. This experience may have been echoed in the delivery of the training, as a feedback questionnaire respondent noted that the issue of race was inadequately addressed through the training, and that this may have been different if “*the lawyers had been black*”. This suggests the presence of “White fragility”, a concept outlined by DiAngelo (2011) to describe how White people can retreat from discussions around race, or lack racial stamina, thereby perpetuating a cycle that holds racism in place. Another interviewee reflected on this discomfort and the relevance of their Whiteness to their interactions with clients:

*Yeah, I guess I just, yeah, kind of question that sometimes of like you know, just not actually understanding fully people's experiences but thinking I can help it can feel a bit reductionist or like savioury, you know? It makes me feel a bit uncomfortable sometimes, but I just the try and sit with that to then just like at least then try and do the best I can, if that makes it does make sense. (P6)*



**Being female.** The sample of eleven interviewees was almost exclusively female, and five interviewees reflected on the impact of their gender, naming areas such as the impact of their menstrual cycle on mood, the impact of pregnancy and motherhood on hearing stories of family separation or domestic violence, and on speaking with female clients about experiences of sexual trauma or oppression.

*I had a client very recently tell me about her experience of telling her partner or her ex husband that she had she was pregnant and how that went for her and how that was a very abusive situation and I think that felt very personal and very upsetting in a way that I hadn't experienced before. (P7)*

**Personal or family histories.** Interviewees described having personal or family experiences of migration, asylum or trauma and reflected on the relevance of this to their work. Similarly to shared aspects of ethnicity, shared experiences of trauma, asylum or migration can have a complex impact, acting as an inspiration or source of empathy, but also as a source of vulnerability.

*I guess it keeps you going through hard times as well because you have that personal knowledge or experience or inherent umm motivation. It's not just an area you've fell into and then you know there's different ones, different areas of law you can go into, you know the importance and you know when, particularly when a government is getting harsher and harsher and more and more hostile that you're needed more than ever, I suppose you you go back to those that family history a bit and keeps you going. (P9)*

Personal experiences of trauma can have a variable impact, with some interviewees feeling that it can increase empathy and connection with clients, but reflecting that this empathy has the potential to impact on your objectivity, which “takes away from you being able to do your best legal work for the client”. Another interviewee described how the impact

of their own personal experience of trauma may not be constant or predictable, and can be “triggering”:

*I have a client from [country] and she's saying things that happened to her, or like things that were said to her, and I'm like, oh my gosh, like, depending on how I'm feeling, sometimes it's actually really helpful because I'm like “ohh yeah, like, actually, you're gonna get asylum because of this, like this is a really bad thing to have happened to you”, and then other times it's not like it's reliving, but it's like getting close to that, like quite triggering. So that is very like mood dependent.” (P11)*

Some interviewees noticed feeling alienated from friends or family who work in jobs with little or no expectation of exposure to injustice or trauma. It is described as “*a bit sort of isolating*” to hide or mask the trauma of their work from friends who work in different industries.

This subtheme overlaps with the “self efficacy and client impact” subtheme above, as the impact of personal experiences of trauma may interact with the pressure lawyers may feel to offer a “therapeutic” or “holistic” approach, and may be valuable to hold in mind if considering offering the training more widely.

**The influence of hierarchy.** Interviewees felt that on balance it was helpful to be in a training session with people of mixed levels of experience as it offered a chance to learn from one another's experience. However, when considering experience in relation to relative levels of seniority, there was a sense of division between trainee solicitors and qualified, more senior solicitors. There were strong views from trainee interviewees that they can experience senior solicitors as being dismissive or invalidating:

*I think some of the drawbacks [of being in a group with mixed experience], I guess, not so much if they're not from the same firm, but there's that kind of feeling of hierarchy and sort of I hope it's not entitlement but kind of like you know "Oh well I've been there and this is how it is and, you know, I know best". (P11)*

Even if senior staff were not perceived as being invalidating, being in a mixed group could still be a source of tension and vulnerability due to the power imbalance between senior and junior staff and "the authority of what they say because they're in a more senior position", potentially inhibiting more junior lawyers' engagement with the training:

*I felt that I me with my like because I'm like a foetus in this field to be with like someone so senior and I was there like talking about the issues that I faced, like all I could think of was got this person must have faced so many issues throughout their many incredibly many years of experience. Like I was like pretty I was a bit like self-conscious about like what I was saying. (P2)*

Interviewees acknowledged that junior lawyers tended to have a much greater frequency of direct client contact, increasing their exposure to traumatised clients. More senior interviewees tended to position the training as particularly useful for more junior staff and acknowledged that it can be easy to forget the impact of discussing trauma. Some junior

staff on the other hand, positioned the training as being particularly useful for “*fatigued*” (P11) senior staff. Two interviewees stated that they did not notice the difference in experience levels during the session – one of whom was a trainee, the other a 5+ years qualified solicitor.

### ***Sink or swim***

This theme informs our understanding of the appetite for and acceptability of the training as it articulates participants’ experience of the absence, variability or even harmfulness of available support and guidance around supporting traumatized clients. This chimes with wider critiques that the field of legal training focuses too heavily on a cerebral application of legal doctrines, but not enough on practical skills and professional values (Kruse, 2013). Participants describe seeking to address or compensate for this by reaching out to peers, supervisors and training sessions. The two sub-themes in this theme are “Just chucked in” and “Collective Care”.

**Just chucked in.** No interviewees felt that their legal training adequately prepared them for discussing traumatic events. Although this may reflect that working with refugees and asylum seekers is a specialist area of practice, the need to discuss traumatic events is not unique to this area of law with areas as diverse as family law, criminal law, mental health law, coronial law, child protection, personal injury and others are likely to necessitate this type of interaction.

*So yeah, you're kind of just chucked in and told to, like, take this statement and not, you know, really equipped with how to do it. I remember like I don't think I was even told there's basic things are like, ask open questions or closed questions like, you know all the kind of basics. (P4)*

Indeed, one interviewee commented that their legal training did not adequately prepare them for working in human rights law, and was rather geared towards “*the expectation that your clients will be rich, rich people in the corporate and commercial sphere*”, P1.

However, most participants felt that they had some level of access to guidance on supporting clients through difficult conversations, but any training or support available had been “*on the job*” (P6) via supervision or observation, via pre-training experiences or through taking the initiative to seek out “*rare*” (P4) specific trainings such as this one. This was a key driver for this participant to attend not only the training, but to consent to being interviewed:

*Just think, yeah, I think when I saw it, I was like, Oh my gosh, I I feel like I so need that. And it feels like a really important area of research cause, yeah, I think I just feel really quite on the edge of like, on the edge of my mental health, in keeping up this job and it felt, I think I just saw it and I was like, yes, a) I want that training and support for myself whatever I can access and b) if I can contribute and tell someone how stressful this job is, I'm very up for that, yeah. (P10)*

However, a complication of accessing training offers is that although lawyers reporting being encouraged by their employers to avail of training opportunities, they are not afforded any time in which to attend training, as training time is not “billable”. Billable or chargeable hours are the amount of a solicitors’ work time that can be charged either to a client or a public funding body.

*I think because it's to do with work and I can't charge my time for it. I do feel a little bit of resentment whenever I do anything to make myself better at work that I can't charge for*

*because then it feels like I'm working for free. (P2)*

Most participants described have access to supervision and peer support, but reported that this varied depending on issues such as personality, ethnicity and availability, while access to peer support felt less accessible as solicitors increased in seniority, and with the increase in remote working. Some participants who had experience of psychological support offers via their current workplaces noted that generalised reflective practice or emotional support that does not take into account the specific complexity and traumatizing context of their work can be experienced as harmful or aversive:

*Someone was saying "I've got a client overseas in a British territory, like really horrific treatment, loads of people have committed suicide, he's made suicide attempts like I'm really struggling, like he's disclosing this to me, threatening suicide..." She makes no comment about that, and it's just like, "Ohh alright and how are you feeling about your time recording?", because that's been a previous, you know, discussion and and it's like, it wasn't me who was talking about having a distressing time, but it was distressing, even just the overhear that as just being totally ignored effectively. And so yeah, I haven't been often, but the times I have been, it's that you come up feeling worse, I would say. (P11)*

**Collective care.** This subtheme reflects a recognition among interviewees that seeking connections with others within the profession was not only a driver to attend the training, but that interviewees expressed an appreciation of the value of “*collective care*” as articulated by Reynolds (2019) and covered in the training. Interviewees that held more senior positions described being on a “*perpetual search*” (P9) for training to explore and learn how best to support others, whether that be in supervisory relationships or in creating more supportive working environments. Some interviewees noted how, due to the pressure of the work, they can feel as if they’re in a “*bubble*” (P11), disconnected from other practitioners, and that sharing practice with people from other firms has the potential to “*bolster*” (P5) empathy and normalisation, encouraging a sense of community and offering cautionary tales:

*The sector is so fragmented, it can be so variable. And I mean, we know that terrible practice goes on and I think that if you're, if you're linking together, particularly more junior members of staff across the sector and across the board and reflecting on practice, that does lead to more accountability and that does lead to people going well, hang on a minute, why are we doing it this way here, why aren't we doing it that way, you know? (P7)*

Some interviewees offered concrete examples of steps they had taken since attending the training to engage more with collective care, such as engaging more with colleagues on a social basis, and engaging with existing peer support, or introducing a regular peer supervision component to a team meeting.

While almost all interviewees felt that on balance it was positive to mix with people from other law firms during the training, five interviewees and one questionnaire respondent voiced hesitation about this. Two senior solicitors noted that it can take longer to build

rapport and “*read the room*” (P3). Three trainees noted concerns about stigma around distress and needing to be careful about what they say about their firm or their own vulnerability.

*I'm not sure that it was helpful having people from other firms in the session as I was worried they would judge me for sharing some of my experiences. I was then worried that anything negative I said could be perceived as something negative about my firm.* Feedback questionnaire

## **Discussion**

Lawyers working with asylum seekers experience multiple aspects of mental distress which have the potential to impact their relationship with the clients and therefore their effectiveness, and therefore the implementation of an effective system of justice. There is limited evidence relating to effective support mechanisms for this group, who are key advocates for highly vulnerable people. The first and second primary aims of this study, to develop a training intervention and to test its feasibility and acceptability, were completed. The results suggest that the delivery of this training session is both feasible and acceptable, with recruitment targets exceeded for the training sessions and qualitative interviews and all sessions running as planned. While the quantitative data found no statistically significant impact on the participants' experience of emotional labour, vicarious trauma or professional quality of life, the qualitative data indicates a more promising picture, with participants reporting that they found the training content relevant good prospective, concurrent and retrospective acceptability across multiple domains of acceptability such as affective attitude (attitudes towards the intervention were positive), burden (low levels of drop-out between completing informed consent and attending training), perceived effectiveness (participants reported examples of utilising strategies from the training), ethicality (the training appeared



in line with participants' values), intervention coherence (participants described the training understandable and relevant) and self-efficacy (participants reported increased confidence in their understanding of trauma and management of conversations about traumatic events).

This suggests that training for lawyers on recognising and responding to the impact of trauma on themselves and their clients is a potentially useful approach that warrants further development and exploration.

This discordance between quantitative and qualitative findings may arise from a number of sources, which it may be valuable to address in further research or training/evaluation development (Fetters et al, 2013). It may be, for example, that issues related to emotional labour were not sufficiently addressed in the training session. It may be that support should be offered over a longer period of time – for example spreading the training over a number of sessions and/or offering follow up reflective space. Further consideration needs to be given to whether and how to demonstrate quantitative outcomes for this work, as there was a large drop-off in the number of people completing the pre- and post- training measures, and no statistically significant results were found. The following procedural and conceptual issues should be held in mind when considering further development of this work.

### **Procedural issues**

The recruitment target for the training session was exceeded, and the level of interest in the training offer indicates that there is an appetite among lawyers in this field across experience levels for training in this area. Although participants who completed the feedback questionnaires and interviews were self-selecting, increasing the risk of demand bias, there was strong appreciation for the training offer, for research in this area and for the further development of training and/or ongoing support in this work. Run online, the training has the

potential to be offered to a wider audience at low cost. Online delivery of the training improved its accessibility, particularly in relation to being able to fit the training into a working day, facilitating the interaction of individuals from different law firms, as well reducing the cost of delivery. In addition, remote delivery offers the scope to model remote communication practices, an area identified for training development.

However, qualitative findings suggest that there would be value in exploring in-person options to enhance social and professional networks and collective care. Running the training as a discrete session improved accessibility, but given the consistent feedback advocating for more time, consideration could be considered to offering training over a number of sessions, complementing the training with ongoing in person reflective practice. Guidelines specific to reflective practice for lawyers have been proposed (Casey 2013; Leering, 2014). Careful consideration should be given to the benefits and drawbacks of offering mixed sessions with lawyers from different law firms and different levels of experience.

The results from the quantitative findings suggest that in this study, standardised questionnaires had limited feasibility and lacked acceptability as measures of difference pre and post training. In retrospect, it may have been impractical to expect a measurable difference on the psychological constructs explored by the standardised measures within of five weeks a single session online training, which is a potential ethical consideration as this may have been a waste of participant time. Practically, the measures could be distributed and administered via online format. However, while there was a high level of completion of the pre-training measures, there as a relatively low level of completion of the post-training measures. Similarly, there was a low level of completion of the qualitative questionnaire.

What's more, it is likely that there was overlap between the participants who completed the standardised questionnaires, the feedback questionnaire and the semi-structured interviews. If a scaled up study is run, further consideration could be given to the use of a control group for any quantitative measures used as well as the way that post-training feedback and measures are solicited, for example incentivizing feedback or integrating feedback/measure completion into the training session directly. It may also be helpful to consider measuring confidence and understanding in key aspects of the training before and after the session(s).

### **Conceptual issues**

**Standardised psychological constructs:** The completion of the standardised questionnaires pre-training had the potential to offer insight into participants' experiences of vicarious trauma, secondary traumatic stress and burnout; emotional labour and compassion satisfaction. The results suggest that this sample were experiencing high levels of vicarious trauma; but levels of emotional labour that are comparable with other professions. The results from the PROQOL indicate a potential positive finding in that although there were moderate levels of secondary stress and burnout, there were moderate-high levels of compassion satisfaction, which is considered protective. Groups with this scoring profile are noted as being particularly likely to benefit from engagement and ongoing training (Stamm, 2010). Given this finding, it may be helpful to consider the relevance of "vicarious resilience", which was first proposed by Hernandez et al. (2007) in the context of psychotherapists working with trauma survivors, and is described as the unique and positive effect that can transform therapists' inner experience in response to their clients' own resilience. It has been aligned with compassion satisfaction and has been found to increase with years of experience in the profession, potentially due to increased exposure to resilience among the client group (Killian et al., 2017). This was supported by the findings from the qualitative results in this

study, which found a difference in the experiences of more experienced and less experienced lawyers reported in the “Collective care” and “The influence of hierarchy” subthemes. This issue was particularly salient in relation to motivation for attending training, with more senior lawyers expressing motivations around offering support for more junior colleagues, but more junior lawyers expressing concerns around senior colleagues’ lack of awareness or support. Research in this area recommended the development of education, suggesting that an awareness of the concept of vicarious resilience contributes to people’s experience of it (Sova, 2021) It may also be worth future trials of this training trialling the use of the Vicarious Resilience Scale (Killian et al, 2017) as a relevant standardized measure rather than the Vicarious Trauma scale, as a means of measuring whether resilience is increased.

**Power dynamics between senior/junior staff:** The results from the thematic analysis suggest that there was variation in attendees’ experience of the training depending on their level of seniority. Yet the reasonably wide range of experience represented in the training attendees suggests that senior lawyers find the prospect of the training acceptable. The thematic analysis suggests that although senior lawyers may express a particular interest in developing their understanding of ways to support junior staff, junior staff feel unsupported by senior staff who present themselves as unaffected by trauma. It may be worth exploring if the variation indicated in the quantitative data of participants’ experience of the construct of deep acting correlates with level of experience. It may be worth exploring differentiating the training, with different sessions for different levels of seniority. For example the qualitative findings suggest that concepts around compassionate leadership, which emphasise the recognition and provision for the stresses and challenges of working in an traumatizing context (du Zulueta, 2015) may be helpful in the development of training for more senior staff, as well as guidance around trauma informed legal practice (James, 2023). However

careful consideration should be given to the loss of opportunity for increasing mutual respect, appreciation and understanding between groups.

**Stigma:** The ongoing lack of guidance and variable support for lawyers for consideration of the impact of trauma suggest that stigma may be a consideration in this area. A review of research designed to identify effective organisational responses to vicarious trauma in a range of professions identified reluctance to disclose experiences of vicarious trauma based on stigma (Molnar et al., 2017, p.130). This stigma appeared to be a driver of professionals isolating and individualising their experience; not wishing to disclose their experience of vicarious trauma to colleagues or employers. In the legal profession, this stigma extends beyond the experience of vicarious trauma, to mental health distress more generally and make reflect a lack of awareness of the potential impact of lawyer's mental distress on the lawyer-client relationship and a sense of shame about mental health distress in the legal profession more generally (James, 2020; James, 2023). The results of the thematic analysis suggest a sense of vulnerability among participants about disclosing anything that could be perceived as "weakness" to either senior staff and/or people in different law firms, but suppressing symptoms limits the possibility for organisational or peer response and risks exacerbating mental distress (James, 2020), potentially contributing to attrition from the field (Law Society of Scotland, 2020). However the onus is on legal firms to nurture professional cultures where these conversations can occur.

It may be worth considering stigma as a influencing factor on motivation to sign up to the training. Almost two thirds of the training attendees (n=21) had attended training in the past on vicarious trauma and/or self care, indicating a prior acceptance of and motivation to develop their understanding in this area. in the gender imbalance of the training participants,

who were almost exclusively female. Baseline figures for the gender breakdown of immigration law practitioners in the UK were unavailable, but findings for solicitors in general suggest that 53% of solicitors in the UK are female. A recent review of experiences of mental distress among immigration law practitioners found a gender imbalance in the distribution of sample populations, with a pooled sample of 26.46% of participants were male, 71.79% were female, and 1.74% as unidentified or “other”, suggesting either an unequal baseline or differences in attitudes towards participation in research (Holt et al., 2024).

Research on overcoming stigma, particularly in relation to mental health, suggests that one of the key “active ingredients” of any approach is to include the perspectives of people who have utilised a given service (Pinfold et al, 2013). This training sought to include the perspectives of the clients of immigration lawyers, while the evaluation provides evidence of the perspectives of training attendees. With this in mind further development of the training could be the development of a “train the trainer” model of training delivery (Orfaly et al, 2005), supporting clients or lawyers to become training facilitators. Other alternatives to consider could be trialling “in house” training; offering training sessions to targeted groups; or developing a self-directed training model – although the present evaluation suggests that these options could compromise other key features of the training such as learning from diverse perspectives.

## **Limitations**

**Single researcher/training facilitator:** A major limitation of the study was that the training was developed, delivered and interviews conducted by the same individual. Although care was taken to encourage critical feedback in interviews, and the feedback questionnaires were entirely anonymous, this has the potential to have limited the extent to which interviewees and questionnaire respondents felt able to be critical of the training and increased the potential for confirmation bias. Critical or constructive comments were highlighted throughout the analysis to balance this, with critiques reported even if they were only referred to by a single respondent. The thematic analysis developed through an iterative process of analysis, drafting and revision following discussion with the research team. However, the final analysis has not been offered to participants for review, which would have improved its integrity.

**Recruitment:** Recruitment was limited to a specific set of law firms with links to a single partner NGO. This was a pragmatic decision taken to ensure that it was possible to complete the study within the time available. A further limitation is the gender and ethnic imbalance of the participants means that findings include limited views from people not identifying as female, and there were no participants who identified as Black British. A more targeted approach to recruitment or the use of pro-active recruitment of underrepresented groups in any future pilot may address this issue (Uybico et al. 2017).

The reasonably high number of people who described attending training in vicarious trauma and/or self-care suggests that training attendees were already motivated to seek out continuing education in this area, and potentially indicating a recognition of the importance of repeated exposure to embed learning. This potential avenue for learning current

participants' motivations for attending training was lost as it was not followed up on in the semi-structured interview. This also raises questions about who *did not* attend the training. Findings from this study suggest that at least, pressures of time and workload may be a factor. However, given that it is those who are less likely to be reached by trainings that ideally are the target of training initiatives, particularly in mental health (Lyon, 2011) it would be valuable to understand whether people who did not attend did so for pragmatic reasons such as this, or for other reasons such as stigma (as discussed above) lack of perceived relevance, or sufficient existing confidence in this area of practice.

**Co-production:** This training could have been an opportunity for meaningful co-production with people who have experience of instructing asylum lawyers. Although EBEs were involved in the development of the training, and their words were used in the training materials, the nature of their involvement – offering their perspective on training material which had already been developed by professionals - could be considered as “consultation” or “engagement”, rather than co-design or co-production. Co-produced programs are more likely to have impact; are of higher quality; brings the potential of dismantling stereotypes and power imbalances inherent in relationships such as this one (Soklaridis et al., 2015); while holding in mind that co-production is not without cost to those whose input is being sought (Oliver et al, 2019).

**Selection of time points for follow-up:** This project cannot demonstrate the long term impact of attending training, a limitation common to training for non-mental health professionals (Booth et al, 2017). Future studies should consider measuring change over a longer period.



**Lack of measurement of client impact:** Although not uncommon in the field of professional development, particularly in the field of mental health training (Lyon et al., 2011), this study did not measure the impact of training attendance on the experience of clients of lawyers. While it may be overly optimistic to expect significant change following a single training session, interviewees offered examples of changes to their practice and there could be value in exploring how or whether this impacted clients. Approaches to measuring impact could be co-produced, as outlined above, and could potentially be done through exploring clients' experience over time via questionnaires, survey or interview.

## **Conclusion**

In conclusion, the results of this study indicate that a scaled up research study culminating in an RCT of training incorporating multiple sessions and/or follow-up reflective practice is likely to be feasible with immigration lawyers, and potentially with other legal professionals working in areas of law that necessitate an engagement with trauma narratives. Careful consideration should be given to the outcome measures used, and the time points at which they are administered. The findings build on the existing literature around trauma-informed legal practice and suggest that a targeted training intervention has the potential to impact lawyers' confidence, wellbeing and professional practice, as well as the retention of workers in this field.

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### **PART 3: CRITICAL APPRAISAL**

This critical appraisal will outline my reflections on the experience of developing and conducting the systematic review and the empirical paper. It will be informed by my reflective log, findings from other researchers and discussions that arose with the research team, consulting experts and with participants during the training and evaluation stages. I seek to cover two main areas of reflection – reflections on positionality and reflections on process.

### **Reflections on positionality**

Regarding positionality, I will offer a description of my personal and professional positioning in relation to the project which illustrates my pre-study beliefs about “how things are” and the subject of investigation; my motivation for exploring this field, and the influence this has on my epistemological and methodological approach. Without minimising the complexity inherent in considering positionality, I offer reflections on two salient aspects of my identity: my “quasi-insider” status; and my Whiteness.

It may be helpful to clarify my understanding of “positionality”. To me, this term denotes the impact that my personal decisions and perspectives had on the development, execution and outcomes of this research project, and recognising that those individual decisions and perspectives did not evolve in a vacuum, but were shaped by a range of personal, social, cultural and political influences.

### ***Quasi-insider status***

The conception and motivation driving the development and execution of this project is inextricably linked to my own personal and professional experience of working in a law firm specialising in human rights, and in the positions of my supervisors as clinical

psychologists in a third sector organisation supporting refugees and asylum seekers, who regularly liaise with and are instructed by legal professionals.

Prior to training in clinical psychology, I spent five years working in legal firm specialising in human rights law. As a legal secretary and latterly a paralegal, I rapidly became aware of the level of desperation experienced by people in the asylum system in the UK, not only due to the trauma they faced in their home countries and journeys here, but by what I experienced as the callousness and complexity of the system they needed to navigate on arrival. It was not uncommon for clients to express suicidal plans, intent and, occasionally, attempts if a decision was not made in their case or if they received removal directions. I typed up harrowing statements and listened to heartbreaking narratives while triaging new enquiries. Meanwhile, the solicitors and caseworkers were having much more in depth conversations with our clients, and eliciting, probing and trying to find the words for the trauma that they had experienced, and carrying the responsibility for their asylum appeals and applications. While we spoke about how stressful the work was, it was rarely discussed as being due to vicarious trauma (or similar terms). There was a sense that it would be obscene to complain about *hearing* about someone's trauma, when they had *lived* it. Reflective practice was not part of the discourse, although I don't know what happened in solicitors' supervisory spaces. It is not until I started working in mental health – and in psychology in particular – that the relevance and potential impact on others of my own response to the work was made visible to me. I felt embarrassed when I was first asked “how did that make you feel” – how were my feelings relevant? Was this a trap?

I share this personal experience to make clear my sympathetic positionality in this research and flag a sense of protectiveness towards lawyers in the field. I also wish to note

that when working in mental health, and clinical psychology in particular, it can be very easy to take “reflective practice” and even “supervision” for granted. My experience has been that outside health and social care (and often within it), the word “supervision” is synonymous with oversight and management rather than reflection, guidance and development. This assumption influenced my motivation to include reflexive and discursive spaces in the training offer, and to include reflexive questions in the semi-structured interview. An example of the influence of this assumption can be traced through to the development of the “Personal is Political” analytic theme in the empirical paper. I ask myself, as Braun and Clarke (2022) advise: could I have guessed that theme prior to conducting that analysis? Did the inclusion of a question relating to the influence of personal background create that theme? I recognise that this is entirely possible, though note that this theme only developed quite late in the analysis after discussions with supervisors. Yet what the data offered was the specificity of the content – in what *ways* – expected and unexpected, and sometimes in response to entirely different questions in the interview - for these participants, the personal was political.

I recognise that being motivated to develop something “helpful”, has the potential to influence data collection and interpretation, increasing the risk of confirmation bias. However I note that there is debate around subjectivity and bias in qualitative research, and arguments against conceptualising bias as a source of error to be eliminated to improve the validity of the study (Roulston & Shelton, 2015). So, I sought to make explicit my position through a reflexive statement, conversations with my supervisors and reviewing the literature in the area, noticing and highlight critical perspectives, for example papers which articulated client’s negative experiences of lawyers. I wonder at what my approach would have been if my personal views aligned with a political standpoint more critical of immigration. I wonder what impact it would have had on the training development, delivery, and the conducting of



the semi-structured interviews. This demonstrates that this piece of research was political. I cannot claim that I was a “neutral”, but I strived to be rigorous, transparent and to seek and to illustrate diverse interpretations and points of view.

I also leaned on my quasi-insider status to build training participants’ trust and confidence in the training. I mentioned it at the beginning of the training, as well as making explicit the names of the experts who had contributed. On reflection, it would have been valuable to have explicitly explored the impact of this on training participants – or even better, to have partnered with another researcher to conduct the interviews.

Finally, I reflect that this positionality centres the experience of lawyers, with the experience of asylum seekers de-centred. I held the assumption that supporting lawyers would have a causal impact on the experience of their clients, but this has not been explored in the evaluation of the study.

### *Whiteness*

Like most clinical psychology trainees in the UK, I am White. In addition, both of my supervisors are White, the legal and mental health experts who contributed to the development of the research are White. Most of the training participants and interviewees are White. The experts by experience were people of the global majority (PoGM), as well as many of the training participants.

Prior to training and throughout the training experience, I have sought to engage with and reflect on my personal relationship with my Whiteness. Through reading, reflective spaces, supervision and clinical practice, I notice that racism permeates my personal and professional experience, it is in the air that I breathe. I am seeking to sit with this discomfort

without allowing that air to choke me and stop me continuing to engage. I recognise that silence on the issue maintains the status quo and is emblematic of perpetuating a system that privileges White experience. And yet, awareness without action perpetuates complicity. An example of my complicity can be illustrated by my appropriation of the concept of “self-care” in the training. I was aware of the origins of “self-care” in the work of anti-racist scholars and sought to simply raise “awareness” of this. So, for example, an early draft of the training which was sent to EBEs for feedback introduced self-care thus: “Radical self-awareness originates in the work of Black and Latinx feminist writers”, and included a quote from Audre Lorde. One of the EBEs expressed her frustration that concepts around “self-care” have been co-opted by those who have little or no understanding of the experience of people who are multiply disadvantaged, and that the concept’s origins as a means of survival have been lost, and how the words of writers such as Audre Lord are taken out of context (for more, see Zuckerwise, 2024). We worked together to take a more critical and contextual introduction to the concept, so the text read “Self-care originates in the work of Black and Latinx feminist writers working in the context of systems which offer them little or no resources or support. Many argue that the concept of “self care” has been co-opted and commercialised” and removed the Audre Lorde quote.

The same EBE also encouraged me to ensure that racism was openly acknowledged as a feature of the “traumatising context” in which lawyers and their clients were operating. I did so by listing “Racism” at the top of a list of suggested factors, but this list was long, the text on the slide was small and consideration of racism was, at best, fleeting and dependent on trainees raising it as an issue they wished to discuss. This is reflected by comment in the feedback questionnaire that racism was not referenced throughout the two hour session. My tokenistic, rushed reference to racism was emblematic of “faking good” or performative

allyship, a potentially more destructive form of racism that overt, explicit acts and closely linked with white, middle class, highly educated people (Ng et al, 2020). I flag this example to illustrate how I intend for the shame that comes with recognising this in myself to be a driver to engage with the amount of active and reflective work I still need to do, and the imperative that I “do better”.

An example of a way to “do better” could be the route of co-production. The “co-production” element of the project was that of consultation, one of the lowest rungs on the “ladder of co-production”. The EBEs were consulted after the training had been drafted and approved by experts, and while material changes were made following their input they were not involved in the design of the training, nor offered the option to co-facilitate it. As I reflect on this, I recognise that I seek to mitigate my culpability in perpetuating institutional racism by turning to the “pragmatic” reasons why this may have been the case, but in a system that protects white people, will always facilitate “pragmatic” reasons for turning away from a consideration of racial dynamics, making it simpler and easier to turn a blind eye.

### **Reflections on research process**

The following section describes my reflections on the research process and seeks to illustrate and make visible some key decisions, dilemmas and learnings. It will cover areas relating to development of skills in conducting systematic review including question development, quality assurance and reflections on the potential impact of artificial intelligence. It will also consider issues relating to the empirical study, including the process of conducting the thematic analysis and noticing barriers to research development.

### *Navigating newness – a first systematic review*

This was my first experience of conducting a systematic review and I significantly underestimated the amount of work it would entail – particularly at the development stage. I found the scoping searches particularly frustrating. The research questions I trialled either had insufficient research published on it (eg asylum seekers’ experience of the lawyer-client relationship), or already had a systematic review (eg mental health of lawyers working in asylum law).

I reflect that my position as a novice systematic reviewer was reflected in my epistemological stance - leaning more towards an inductive than a deductive approach, an experiential, positivist orientation rather than a constructivist one. I think part of my reasons for making these decisions perhaps speaks to a lack of confidence in “imposing” a more theory-driven approach on the data, a position common for novice researchers (Casanave & Li, 2015), but I also must accept that my own positionality as a researcher “imposes” its own framework regarding what I do and do consider as relevant.

On discussion with my supervisors, we reflected that we were particularly interested in the power dynamics inherent in the relationship between lawyers and clients, reflecting our assumption that issues of power were integral in the relationship. The systematic search was a highly iterative process of refinement and discussion to ensure that the results were addressing a clear research question, and that they were reflective of the research. I found completing the PROSPERO application form very helpful to narrow down the parameters of my search and focus the research question. I was disappointed that it was rejected as it was not explicitly about an area relating to “health”, and this also impacted my confidence on the relevance of the research question to clinical psychology. The final research question of “What does qualitative research tell us about the lawyer’s perspectives of the lawyer-client relationship in asylum law” reflects those decisions and priorities. A decision was made late

into the research question development process, after the initial systematic searches were completed, to exclude papers or sections of papers that related solely to clients' experiences. Client experiences were originally included so that the review could address both perspectives, but given the small number of papers published in this area I felt it would be disingenuous to present the review as an adequate representation of client and lawyer experiences. My supervisors agreed with this, although I was glad to have the client-focused findings to refer to in the discussion.

I struggled with this process as I felt that it was necessary to have a "proper" research question in mind *before* conducting systematic searches the review, but was supported in this through discussions with my supervisors and reflecting on writing on the subject such as Braun and Clarke's (2012, p. 57) reflection that "Analysis produces the answer to a question, even if, as in some qualitative research, the specific question that is being answered only becomes apparent through the analysis".

### ***The quality of quality assurance***

As described in the systematic review, I struggled with the "quality assurance" process and the use of the CASP checklist, which appeared to me to be highly subjective and premised on approaches to reporting of qualitative research that have only developed reasonably recently and which potentially prioritise a narrow range of scholarship that adheres to specific reporting conventions but which may be no "higher quality" in relation to its rigour and potential for insight. This was particularly the case with ethnographic research. And yet, what is the solution? Without a tool, decision-making is purely guided by researcher's subjectivity, and a tool can serve to orient the reviewer to patterns of omission, as they did in this case such as the reporting of ethical considerations.

## **Developing systematic review skills and the development of AI**

As I was conducting the review, I reflected that the skills I was developing in systematically reviewing literature were closely aligned with the capability of Artificial Intelligence (AI) such as processing and analysing large volumes of data, isolating patterns and trends, proposing insights, and automating complex tasks. I felt as I was conducting the review that it would seem likely that in the reasonably near future the task of systematic reviewing may be that of checking and triangulating an AI output, rather than conducting the review itself. A quick review of recent scholarship in this area revealed that I am certainly not alone and that this is an area already under serious review and consideration. For example van Dijk et al (2023) propose a table of potential pitfalls and remedies in utilising an AI tool for systematic reviews, while acknowledging that not enough research is yet available to evaluate that accuracy of AI tools.

### ***Thematic analysis – topic summaries to analytic themes***

When conducting the thematic analysis of the data for the empirical project, very early on I strayed into the common pitfall of producing topic summaries rather than analytic themes, feeling that it would be more “helpful” to report a descriptive summary of what interviewees had shared rather seeking to analyse it. My supervisors highlighted this to me, and I revisited the data, and my analysis notes, taking increased ownership of my own interpretations and ideas. Given the research question I was keen to present certain elements of data purely descriptively, as I felt that it was important to offer a clear summary report of two aspects of the training delivery – “practical” aspects of delivering the training, and areas for improvement. I was emboldened by Braun & Clark’s (2022) guidance that positivist topic

summaries can have a place in a thematic analysis, provided that they are explicitly acknowledged as such.

### ***Noticing barriers to research***

When reflecting on the process of obtaining ethical approval for the study, I noted my dismay at the volume of administrative procedures to be followed. While these helped to clarify and shape my thinking around the project, it felt as if there were a huge number of barriers or “hoops” to jump through. I was privileged enough to have study time, support from supervisor - as well as the imperative that I needed to complete the project in fulfilment of the doctorate. Without these facilitators and drivers, I struggle to see how it would be possible to complete a research project and reflected that the proliferation of administrative processes, while having the aim of ensuring ethical, transparent practice, may also be potentially limiting access to research. I note that disengaging from research is not uncommon for clinical psychologists (Smith, 2017) and reflect that if clinical psychologists, with all the skills and training we have been afforded, find it difficult to engage in research, what implication does this have for researchers outside academia?

### **Conclusion**

Working reflexively has allowed me to appreciate the ways in which my positionality has shaped and influenced this research, rather than seeking to mask or minimise it. This in turn has impacted my consumption of research, particularly when it is reported in the media – I find myself noticing and wondering about the assumptions behind the methodology. I reflect how this allows me to turn towards and engage with areas I may otherwise have turned away from in shame, fragility or embarrassment – being a novice, being “biased”, my Whiteness. I recognize that research can be creative, thoughtful and fluid – provided that this

fluidity is made visible. I am humbled by the enthusiasm of the participants who gave their time to attend the training and interviews, as well as that of the experts who offered their time in developing the training. I believe that through this research we identified a gap in the research and provision for lawyers working in this field and offers an imperfect but promising option for future support.



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## **APPENDICES**

## Appendix A: Letter giving ethical approval

RESEARCH AND INNOVATION SERVICES



Dr Francesca Brady  
Clinical, Educational and Health Psychology  
UCL

Cc: Katharine Laver

05 June 2023

Dear Francesca and Katharine,

### **Notification of Ethical Approval**

**Project ID/Title:** 24533/001 / Clinical Skills for Lawyers working with Asylum Seekers

I am pleased to confirm that your study has been ethically approved by the UCL Research Ethics Committee (UCL REC) until 30 June 2024.

Ethical approval is subject to the following conditions:

### **Notification of Amendments to the Research**

Please seek Chair's approval for proposed amendments (to include extensions to duration) to the research for which this approval has been given. Each research project is reviewed separately and if there are significant changes to the research protocol you should seek confirmation of continued ethical approval by completing an 'Amendment Approval Request Form' <https://www.ucl.ac.uk/research-ethics/responsibilities-after-approval>

### **Adverse Event Reporting – Serious and Non-Serious**

It is your responsibility to report to the REC any unanticipated problems or adverse events involving risks to participants or others. The REC should be notified of all serious adverse events via the Research Ethics Service ([ethics@ucl.ac.uk](mailto:ethics@ucl.ac.uk)) immediately the incident occurs. Where the adverse incident is unexpected and serious, the Joint Chairs will decide whether the study should be terminated pending the opinion of an independent expert.

For non-serious adverse events, the Joint Chairs should again be notified via the Research Ethics Service within ten days of the incident occurring and provide a full written report that should include any amendments to the participant information sheet and study protocol. The Joint Chairs will confirm that the incident is non-serious and report to the REC at the next meeting. The final view of the REC will be communicated to you.

### **Final Report**

At the end of the data collection element of your research we ask that you submit a very brief report (1-2 paragraphs will suffice) which includes issues relating to the ethical implications of the research

Research Ethics Service  
Research and Innovation Services  
University College London  
[ethics@ucl.ac.uk](mailto:ethics@ucl.ac.uk)  
[www.ucl.ac.uk/research-ethics/](http://www.ucl.ac.uk/research-ethics/)

## **Appendix B: Training slides**

Not included in open access submission

## Appendix C: Participant information sheet – training participants



### PARTICIPANT INFORMATION SHEET

UCL Research Ethics Committee Approval ID number: 24533/001

#### Title of Study: Clinical skills for lawyers working with asylum seekers

Researcher: Cassie Laver, Trainee Clinical Psychologist, [katharine.laver.21@ucl.ac.uk](mailto:katharine.laver.21@ucl.ac.uk)  
Principal Researcher: Dr Francesa Brady, Clinical Psychologist, [f.brady@ucl.ac.uk](mailto:f.brady@ucl.ac.uk)

**We would like to invite you to take part in this study. Before you decide whether you want to take part, it is important for you to understand what the study involves and why we are doing it. You will be given a copy of this information sheet to keep. The information below will help you to make your decision. Please ask the research team if there is anything unclear or if you would like more information.**

#### What is this study about?

This study is being conducted in collaboration with the Helen Bamber Foundation. We would like to see if immigration lawyers could potentially benefit from attending training about discussing peoples' traumatic experiences in the context of their work.

Immigration lawyers are required to hold conversations with their clients about traumatic events which their clients have experienced. Research suggests that lawyers receive little guidance on navigating these conversations, and that this is a potential source of stress and/or vicarious trauma. Mental health professionals working with clients who have experienced trauma receive clinical skills training in holding conversations regarding traumatic events. We would like to explore whether there are any benefits to immigration lawyers attending a brief clinical skills training session tailored for them and their work.

#### Why have I been invited to take part?

You have been invited to take part in this study because we understand that you are employed as a lawyer at a law firm offering immigration advice to asylum seekers or other vulnerable migrants. We understand that your role involves taking instructions from people who may have experienced traumatic events. This is a pilot study and we have contacted a small number of firms whose work largely focuses on immigration law to explore the usefulness of this training.

#### What does taking part involve?

If you are interested in participating, we will invite you to speak with a researcher who will answer any questions you may have. If you agree to participate, you will be asked to sign a consent form. You will then be invited to the training sessions, which will be a 2 hour online session taking place at selected dates and times in September and October 2023. The training will include common difficulties which lawyers find when discussing traumatic events and memories with the people they are instructed by. It will also include suggestions of strategies which may be useful when holding those discussions.

You will be asked to complete four questionnaires before and after the training, and again between one and three months after the training takes place. Completing all of the questionnaire is expected to take approximately 15 minutes. You will also be asked if you be happy to have a conversation with the researcher between one and three months after the training about your experience of the training and whether it has influenced your professional practice. Further information will be provided about this interview if you choose to take part.

We will also ask you to complete a demographic form that asks some information about yourself, age, gender, ethnicity  
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and basic information about your job role. You do not have to give all of this information if you do not want to. All information will be kept confidential and anonymous.

**Will my participation in this study be kept confidential?**

Anything you say during the interview will be kept strictly confidential. Only the people involved in the research will be able to read the information you give. All data will be collected and stored in accordance with the UK Data Protection Act 2018 and General Data Protection Regulation (GDPR) 2018. Names and other personally identifiable information will be removed from transcripts to ensure anonymity.

If during the training, you tell us anything that made us worried about your safety or somebody else's safety, this will be discussed with the research supervisors determine the best course of action, which may include notifying another health or social care professional. Where possible, any follow up plan will ensure your full consultation with and involvement. The kinds of things that would cause us concern would be if you were feeling suicidal, or you told us that someone else was in immediate danger.

We will write a report about what we found out during the study. This will cover information we gather from everyone we speak to, not just you. We may include direct quotations from interviews in the published report, but we will not include names of participants and we will ensure that any quotations we use cannot be linked or identified as coming from any specific individual.

**Do I have to take part?**

**No.** Your participation is voluntary, and you are free to choose whether or not to take part. You are also free to withdraw from the study at any point up until **January 2024**. **If you change your mind about taking part after the interview, you can contact us and you will be able to withdraw your data from the study.** Unfortunately, after **January 2024** as your data will be compiled with others it will not be possible to withdraw from the study.

**What are the risks and benefits of taking part?**

You may find some positive outcomes of participating in the study. Training on talking about traumatic events may not have been part of your legal training, and research suggests that lawyers may find this useful.

Attending training on holding conversations about traumatic events may bring up strong emotions. The researcher/trainer will be available to speak with after the training sessions and/or signposting to organisations such as The Samaritans or Law Care.

For some people, talking and thinking about their experiences can be helpful. We also hope that the information we learn from the study will be of interest to you but will most importantly improve training provision for immigration lawyers working with people who have experienced trauma, and potentially in other areas of law in which lawyers are required to have conversations with clients about traumatic experiences.

**What will happen to the information I provide?**

Any audio recording of the feedback meeting will be deleted as soon as possible after being used to check for accuracy to align with data protection principles. The information you provide via questionnaire will be stored anonymously and securely at University College London for ten years. The results of the study will be written up as a part of a doctoral thesis, which may also be published in a peer-reviewed scientific journal. If you would like a copy of the final study, please indicate this on your consent form, or you can contact the researcher on [Katharine.laver.21@ucl.ac.uk](mailto:Katharine.laver.21@ucl.ac.uk)

**What other information would you collect?**

We will ask you to provide some personal information about yourself, such as age, gender and ethnicity. This is to help provide some background information about the people who take part. This information will be made anonymous so that it is not possible to identify you from the data we keep.

**What if something goes wrong?**

Please inform the researcher (Cassie Laver) if you have any concerns about your participation in this research. If you wish to raise a complaint about this study, please contact the principal researcher (Dr Francesca Brady). If you feel

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your complaint has not been handled to your satisfaction, you may contact the Chair of the UCL Research Ethics Committee ([ethics@ucl.ac.uk](mailto:ethics@ucl.ac.uk)).

<p style="text-align: center;"><b>Data Protection privacy notice</b></p> <p>UCL's Data Protection office can be contacted at <a href="mailto:data-protection@ucl.ac.uk">data-protection@ucl.ac.uk</a>. You can read UCL's privacy notice at: <a href="https://www.ucl.ac.uk/legal-services/privacy/participants-health-and-care-research-privacy-notice">https://www.ucl.ac.uk/legal-services/privacy/participants-health-and-care-research-privacy-notice</a> and details of your rights at: <a href="https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/">https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/</a></p> <p>Your personal data (name, contact details, gender, ethnicity) will be processed as described in this information sheet.</p> <p>(Data Protection Privacy Notice)</p> <p><i>The lawful basis that would be used to process your personal data will be public task and 'research purposes' will be the lawful basis for processing special category data.</i></p>	<p style="text-align: center;"><b>If I have any questions, who can I ask?</b></p> <p>Cassie Laver, Trainee Clinical Psychologist</p> <p>Email: <a href="mailto:katharine.laver.21@ucl.ac.uk">katharine.laver.21@ucl.ac.uk</a></p> <p>Supervised by Dr Francesca Brady Telephone: 020 7679 1897 Email: <a href="mailto:f.brady@ucl.ac.uk">f.brady@ucl.ac.uk</a></p> <p><i>If you are unhappy about the study at any stage, please contact the researchers on the email address above. If you would like to complain further, you can email <a href="mailto:ethics@ucl.ac.uk">ethics@ucl.ac.uk</a>.</i></p>
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**Thank you reading this information sheet and for considering taking part in this study.**

Ethics ID:





## Appendix D: Informed consent – training participants

LONDON'S GLOBAL UNIVERSITY



### CONSENT FORM FOR TRAINING PARTICIPANTS

Please complete this form after you have read the Information Sheet and/or listened to an explanation about the research.

**Title of Study:** Clinical skills for lawyers working with asylum seekers

**Department:** Clinical Psychology

**Name and Contact Details of the Researcher(s):** Cassie Laver, [REDACTED]

**Name and Contact Details of the Principal Researcher:** Dr Francesca Brady, [REDACTED]

**Name and Contact Details of the UCL Data Protection Officer:** Alexandra Poole, [REDACTED]

**This study has been approved by the UCL Research Ethics Committee:** [REDACTED]

**Project ID number:** 24533/001

Thank you for considering taking part in this research. The person organising the research must explain the project to you before you agree to take part. If you have any questions arising from the Information Sheet or explanation already given to you, please ask the researcher before you decide whether to join in. You will be given a copy of this Consent Form to keep and refer to at any time.

**I confirm that I understand that by ticking/initialling each box below I am consenting to this element of the study. I understand that it will be assumed that unticked/initialled boxes means that I DO NOT consent to that part of the study. I understand that by not giving consent for any one element that I may be deemed ineligible for the study.**

		Tick Box
1	I confirm that I have read and understood the Information Sheet for the above study. I have had an opportunity to consider the information and what will be expected of me. I have also had the opportunity to ask questions which have been answered to my satisfaction.	
2	I consent to participate in the study. I understand that my personal information, including my name, email address, phone number, place of work and job title will be used to maintain contact with me. I understand that this information will be deleted on completion of the study.	
3	I understand that confidentiality will be respected unless there are compelling and legitimate reasons for this to be breached. If this was the case we would inform you of any decision to breach confidentiality.	
4	I understand that my data gathered in this study will be stored anonymously and securely. It will not be possible to identify me in any publications.	
5	I understand that my participation is voluntary and that I am free to withdraw at any time without giving a reason. I understand that if I decide to withdraw, any personal data I have provided up to that point will be deleted unless I agree otherwise.	
6	I understand the potential risks of participating and the support that will be available to me should I become distressed during the training.	
7	I understand that no guarantee of benefits have been made to encourage me to participate.	

8	I understand that the pseudonymised research data will not be made available to any commercial organisations but may be shared with others for future research. Nobody will be able to identify me from the data that is shared.	
9	I understand that the information I have submitted will be published as a report and I wish to receive a copy of it.	
10	I am aware of who I should contact if I wish to lodge a complaint.	
11	I understand that my participation is voluntary and that I am free to withdraw up until January 2024 without giving a reason. I understand after this time as all data will be analysed and compiled together it would not be possible to withdraw.	
12	I voluntarily agree to take part in this study.	

**If you wish to be contacted when this study is completed to hear about our findings please tick the box. Your contact details would be stored securely until this date. If you do not wish to be contacted this will not impact your participation in this study.**

<input type="checkbox"/>	Yes, I would be happy to be contacted once the study is completed to hear about your findings	
<input type="checkbox"/>	No, I would not like to be contacted	

**If you would like your contact details to be retained so that you can be contacted in the future by UCL researchers who would like to invite you to participate in follow up studies to this project, or in future studies of a similar nature, please tick the appropriate box below.**

<input type="checkbox"/>	Yes, I would be happy to be contacted in this way	
<input type="checkbox"/>	No, I would not like to be contacted	

\_\_\_\_\_  
Name of participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## Appendix E: Participant information sheet – Contributing experts



### PARTICIPANT INFORMATION SHEET for CONTRIBUTING EXPERTS UCL Research Ethics Committee Approval ID number: 24533/001

**Title of Study:** Clinical skills for immigration lawyers

**Researcher:** Cassie Laver, Trainee Clinical Psychologist, [REDACTED]  
**Principal Researcher:** Dr Francesca Brady, Clinical Psychologist, [REDACTED]

We would like to invite you to take part in this study. Before you decide whether you want to take part, it is important for you to understand what the study involves and why we are doing it. You will be given a copy of this information sheet to keep. The information below will help you to make your decision. Please ask the research team if there is anything unclear or if you would like more information.

#### **What is this study about?**

We would like to see if immigration lawyers could potentially benefit from attending training on holding conversations about traumatic events and memories. We plan to develop a training session for lawyers, deliver the training session and evaluate the training.

#### **Why have I been invited to take part?**

You have been invited to take part in this study because of your experience of working with immigration lawyers/asylum seekers/trauma in clinical practice, and we would value your input on training development. You were identified because you have published research in this field; have been identified by the researchers as an expert in this field; or are an expert with lived experience of the issues accessing an immigration lawyer.

#### **What does taking part involve?**

If you are interested in participating, we will invite you to speak with a researcher who will answer any questions you may have. If you agree to participate, you will be asked to sign a consent form. You will then be sent some draft training materials to consider. You will then be invited to an online meeting to discuss your views on the draft training materials. If you cannot attend the meeting you will be asked for your feedback in writing.

#### **What are the risks and benefits of taking part?**

We do not anticipate any risks to your wellbeing while taking part in providing feedback. If after providing feedback you would like to speak with someone, you will be given the lead researcher's contact details.

You may find some positive outcomes of participating in the study. We also hope that the information we learn from the study will be of interest to you but will most importantly improve the training and support for immigration lawyers working with people who have experienced trauma.

If you are an expert by experience, you will be paid £17.50 per hour for your time, for a maximum of two hours.

#### **What will happen to the information I provide?**

If you attend the feedback meeting, we will make notes of your input so that your contribution can be acknowledged in the training material, if you wish for it to be. These notes will be anonymised and stored securely. The meeting will also be audio and video recorded to check for accuracy. All information will be

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stored securely at University College London. The recording will be stored securely once notes have been checked for accuracy.

If you cannot attend the feedback meeting and provide your feedback in writing, that feedback will be saved anonymously and securely. Your input can be acknowledged on the training materials, unless you would prefer it not to be.

All written information will be stored anonymously and securely at University College London for 10 years after the study has been published.

Your feedback will be considered by the research team and influence the development of the training we aim to provide for immigration lawyers.

The results of the study will be written up as a part of a doctoral thesis, which may also be published in a peer-reviewed scientific journal. If you would like a copy of the final study, please indicate this on your consent form, or you can contact the researcher on [REDACTED]

**Will my participation in this study be kept confidential?**

You will be asked to provide your written agreement for your contribution to the training to be acknowledged on the training materials. If you do not wish for your contribution to be acknowledged, you can still participate but your name will not be included on the training materials. All data will be collected and stored in accordance with the UK Data Protection Act 2018 and General Data Protection Regulation (GDPR) 2018. Names and other personally identifiable information will be removed from feedback notes to ensure anonymity.

We will write a report about what we find out during the process of training development, delivery and evaluation. This will cover information we gather from everyone we speak to, not just you. We may include direct quotations from feedback sessions in the published report, but we will not include names of participants and we will ensure that any quotations we use cannot be linked or identified as coming from any specific individual.

**What if something goes wrong?**

Please inform the researcher (Cassie Laver) if you have any concerns about your participation in this research. If you wish to raise a complaint about this study, please contact the principal researcher (Dr Francesca Brady). If you feel your complaint has not been handled to your satisfaction, you may contact the Chair of the UCL Research Ethics Committee ([ethics@ucl.ac.uk](mailto:ethics@ucl.ac.uk)).

**Contact for further information**

If you would like further information on the study, please contact Cassie Laver. You will be given a copy of this information sheet.

**Thank you reading this information sheet and for considering taking part in this study.**

<p><b>Data Protection privacy notice</b></p> <p>UCL's Data Protection office can be contacted at <a href="mailto:data-protection@ucl.ac.uk">data-protection@ucl.ac.uk</a>. You can read UCL's privacy notice at: <a href="https://www.ucl.ac.uk/legal-services/privacy/participants-health-and-care-research-privacy-notice">https://www.ucl.ac.uk/legal-services/privacy/participants-health-and-care-research-privacy-notice</a> and details of your rights at: <a href="https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/">https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/individuals-rights/</a></p> <p>Your personal data (name, contact details, gender, ethnicity) will be processed as described in this information sheet.</p> <p><i>The lawful basis that would be used to process your personal data will be public task and 'research purposes' will be the lawful basis for processing special category data</i></p>	<p><b>If I have any questions, who can I ask?</b></p> <p>Cassie Laver, Trainee Clinical Psychologist</p> <p>Email: [REDACTED]</p> <p>Supervised by Dr Francesca Brady</p> <p>Telephone: [REDACTED]</p> <p>Email: [REDACTED]</p> <p><i>If you are unhappy about the study at any stage, please contact the researchers on the email address above. If you would like to complain further, you can email <a href="mailto:ethics@ucl.ac.uk">ethics@ucl.ac.uk</a>.</i></p>
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## Appendix F: Informed consent – Contributing experts



UNIVERSITY COLLEGE LONDON

### CONSENT FORM FOR CONTRIBUTING EXPERTS

Please complete this form after you have read the Information Sheet and/or listened to an explanation about the research.

**Title of Study:** Clinical skills for immigration lawyers

**Department:** Clinical Psychology

**Name and Contact Details of the Researcher(s):** Cassie Laver, [REDACTED]

**Name and Contact Details of the Principal Researcher:** Dr Francesca Brady, [REDACTED]

**Name and Contact Details of the UCL Data Protection Officer:** Alexandra Potts [data](#) [REDACTED]

This study has been approved by the UCL Research Ethics Committee:

Project ID number: 24533/001

Thank you for considering taking part in this research. The person organising the research must explain the project to you before you agree to take part. If you have any questions arising from the Information Sheet or explanation already given to you, please ask the researcher before you decide whether to join in. You will be given a copy of this Consent Form to keep and refer to at any time.

**I confirm that I understand that by ticking/initialling each box below I am consenting to this element of the study. I understand that it will be assumed that unticked/initialled boxes means that I DO NOT consent to that part of the study. I understand that by not giving consent for any one element that I may be deemed ineligible for the study.**

		Tick Box
1	I confirm that I have read and understood the Information Sheet for the above study. I have had an opportunity to consider the information and what will be expected of me. I have also had the opportunity to ask questions which have been answered to my satisfaction.	
2	I consent to contribute to the development of the training "Clinical Skills for Immigration Lawyers". I understand that my personal information, including my name, email address, phone number, place of work and job title will be used to	

	maintain contact with me. I understand that this information will be deleted on completion of the study.	
3	I understand that I can contribute by providing feedback on draft training materials by attending a feedback meeting with other experts, or by providing written feedback	
4	If I attend the feedback meeting, I understand that the meetings will be audio/video recorded to check for accuracy and the researcher will make notes of my input so that my contribution can be acknowledged in the training material, if I wish for it to be. These notes will be anonymised and stored securely.	
5	I understand any meeting recording will be stored securely until the study is completed but may be deleted before this date. The recording will be Audio Stored anonymously, using password-protected software and will be used only for this study.	
6	If I provide feedback in writing, this will be saved anonymously and securely.	
7	I would like my input to be acknowledged in the training materials.	Yes/No
8	I understand that confidentiality will be respected unless there are compelling and legitimate reasons for this to be breached. If this was the case we would inform you of any decision to breach confidentiality.	
9	It will not be possible to identify me in any publications and I understand that if the researchers would like to use a direct quote in a publication, they will use a pseudonym.	
10	I understand that my participation is voluntary and that I am free to withdraw at any time without giving a reason. I understand that if I decide to withdraw, any personal data I have provided up to that point will be deleted unless I agree otherwise.	
11	I understand the potential risks of participating and the support that will be available to me should I become distressed during training development	
12	I understand that no guarantee of benefits have been made to encourage me to participate.	
13	I understand that the pseudonymised research data will not be made available to any commercial organisations but may be shared with others for future research. Nobody will be able to identify me from the data that is shared.	
14	I understand that the information I have submitted will be published as a report	
15	I am aware of who I should contact if I wish to lodge a complaint.	
17	I understand that my participation is voluntary and that I am free to not provide feedback, or to withdraw my name from the training materials without giving a reason up until the date of training delivery. I understand after this time as all	

	data will be analysed and compiled together it would not be possible to withdraw.	
18	I voluntarily agree to take part in providing feedback	

**If you wish to be contacted when this study is completed to hear about our findings please tick the box. Your contact details would be stored securely until this date. If you do not wish to be contacted this will not impact your participation in this study.**

	Yes, I would be happy to be contacted once the study is completed to hear about your findings	
	No, I would not like to be contacted	

**If you would like your contact details to be retained so that you can be contacted in the future by UCL researchers who would like to invite you to participate in follow up studies to this project, or in future studies of a similar nature, please tick the appropriate box below.**

	Yes, I would be happy to be contacted in this way	
	No, I would not like to be contacted	

\_\_\_\_\_

Name of participant                      Date                      Signature



## Appendix G: Participant information sheet – Interviewees



### PARTICIPANT INFORMATION SHEET

UCL Research Ethics Committee Approval ID number: 24533/001

Title of Study: Clinical skills for immigration lawyers

Researcher: Cassie Laver, Trainee Clinical Psychologist, [REDACTED]

Principal Researcher: Dr Francesa Brady, Clinical Psychologist, [REDACTED]

**We would like to invite you to take part in this study. Before you decide whether you want to take part, it is important for you to understand what the study involves and why we are doing it. You will be given a copy of this information sheet to keep. The information below will help you to make your decision. Please ask the research team if there is anything unclear or if you would like more information.**

#### What is this study about?

We would like to see if immigration lawyers could potentially benefit from attending training about discussing peoples' traumatic memories in the context of their work.

#### Why have I been invited to take part?

You have been invited to take part in this study because you have agreed to participate in the training "Clinical Skills for Immigration Lawyers", and we would like to invite you to an interview to discuss your experience of the training and whether it has had any impact on your professional practice.


#### What does taking part involve?

If you are interested in participating in an interview, we will invite you to meet with a researcher who will answer any questions you may have. If you agree to participate, you will be asked to sign a consent form. The researcher will then arrange a date and time to speak with you online or in person. You will be asked about your experiences of statelessness and mental health. **The conversation between yourself and the researcher will be audio-recorded.**

We will ask you to complete a demographic form that asks some information about yourself, such as your age, gender and ethnicity. You do not have to give all of this information if you do not want to. All information will be kept confidential.

The interview will last approximately up one hour and if you would like to do it using video call or phone, we ask that you find a quiet, comfortable and private space to talk. If you would like the interview to be in person, we will arrange a confidential and safe space at University College London. You would be reimbursed for your travel expenses within London.

We will also invite you to provide feedback on our analysis of your interview i.e., how we understand what you told us. We will send you a written summary of the main themes in your interview and ask for any comments you may have. You do not have to participate in this part of the study if you prefer not to.

The findings from the analysis will be written up as a thesis report and journal publication. If you would like a copy of the final study, please indicate this on your consent form, or you can contact the researcher or 

#### **Do I have to take part?**

**No.** Your participation is voluntary, and you are free to choose whether or not to take part. You are also free to withdraw from the study at any point up until January 2024. If you change your mind about taking part after the interview, you can contact us and you will be able to withdraw your data from the study. Unfortunately, after January 2024 as your data will be complied with others it will not be possible to withdraw from the study.

#### **What are the risks and benefits of taking part?**

Talking about your work with clients who have experienced trauma may bring up some difficult feelings. Whilst we will take every step to make sure you feel comfortable, if you find the interview difficult, you can take a break or stop the interview altogether. You will not have to answer any questions you do not feel comfortable answering. If after the interview you would like to speak with someone, you will be given the lead researcher's contact details.

You may find some positive outcomes of participating in the study. For some people, talking and thinking about their experiences can be helpful. We also hope that the information we learn from the study will be of interest to you but will most importantly improve training provision for immigration lawyers working with people who have experienced trauma, and potentially in other areas of law in which lawyers are required to have conversations with clients about traumatic experiences.

#### **What will happen to the information I provide?**

The researcher (Cassie Laver) will listen to the recording and carefully type out a copy of what yourself and the researcher say in the interview. Any audio recordings will be deleted as soon as possible after transcription to align with data protection principles.

We will ensure that there is no personal information in the written version so that it is not possible to identify that it was you who is speaking in the interview. For example, if you say any names in the interview, these will be removed from the written version.

All information will be stored securely at University College London. The written version of the interview will securely be stored for 20 years after the study has been published – this will contain no identifiable personal information.

The written version of the recordings will be analysed by the research team and will identify the main themes expressed by everyone who participated.

The results of the study will be written up as a part of a doctoral thesis, which may also be published in a peer-reviewed scientific journal.

**What other information would you collect?**

We will ask you to provide some personal information about yourself, such as age, gender and ethnicity. This is to help provide some background information about the people who take part. This information will be made anonymous so that it is not possible to identify you from the data we keep.

**Will my participation in this study be kept confidential?**

Anything you say during the interview will be kept strictly confidential. Only the people involved in the research will be able to read the information you give. All data will be collected and stored in accordance with the UK Data Protection Act 2018 and General Data Protection Regulation (GDPR) 2018. Names and other personally identifiable information will be removed from transcripts to ensure anonymity.

If during the interview, you told us anything that made us worried about your safety or somebody else’s safety, we may have to tell someone else so we could help keep you safe. This person would likely be your GP, but might also be another health or social care professional. The kinds of things that would cause us concern would be if you were feeling suicidal, or you told us that someone else was in immediate danger. We will try to tell you before we share anything with another professional, however this may not always be possible.

We will write a report about what we found out during the study. This will cover information we gather from everyone we speak to, not just you. We may include direct quotations from interviews in the published report, but we will not include names of participants and we will ensure that any quotations we use cannot be linked or identified as coming from any specific individual.

**Thank you for reading this information sheet and considering taking part in an interview.**

<p><b>Data Protection privacy notice</b></p> <p>UCL’s Data Protection office can be contacted at <a href="mailto:data-protection@ucl.ac.uk">data-protection@ucl.ac.uk</a>. You can read UCL’s privacy notice at: <a href="https://www.ucl.ac.uk/legal-services/privacy/participants-health-and-care-research-privacy-notice">https://www.ucl.ac.uk/legal-services/privacy/participants-health-and-care-research-privacy-notice</a> and details of your rights at: <a href="https://ico.org.uk/for-organisations/data-protection-">https://ico.org.uk/for-organisations/data-protection-</a></p>	<p><b>If I have any questions, who can I ask?</b></p> <p>Cassie Laver, Trainee Clinical Psychologist</p> <p>Email: [REDACTED]</p> <p>Supervised by Dr Francesca Brady Telephone: 020 7679 1897 Email: [REDACTED]</p>
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<p><a href="#">reform/overview-of- the-gdpr/individuals-rights/</a></p> <p>Your personal data (name, contact details, gender, ethnicity) will be processed as described in this information sheet.</p> <p><i>The lawful basis that would be used to process your personal data will be public task and 'research purposes' will be the lawful basis for processing special category data.</i></p>	<p><i>If you are unhappy about the study at any stage, please contact the researchers on the email address above. If you would like to complain further, you can email <a href="mailto:ethics@ucl.ac.uk">ethics@ucl.ac.uk</a>.</i></p>
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## Appendix H: Informed consent – Interviewees

<<IC - Interviews.docx>>



**CONSENT FORM FOR TAKING PART IN AN INTERVIEW**

Please complete this form after you have read the Information Sheet and/or listened to an explanation about the research.

**Title of Study:** Clinical skills for immigration lawyers

**Department:** Clinical Psychology

**Name and Contact Details of the Researcher(s):** Cassie Laver, [REDACTED]

**Name and Contact Details of the Principal Researcher:** Dr Francesca Bradbury, [REDACTED]

**Name and Contact Details of the UCL Data Protection Officer:** Alexandra Potts, [REDACTED]

**This study has been approved by the UCL Research Ethics Committee:**

**Project ID number:** \_\_\_\_\_

Thank you for considering taking part in this research. The person organising the research must explain the project to you before you agree to take part. If you have any questions arising from the Information Sheet or explanation already given to you, please ask the researcher before you decide whether to join in. You will be given a copy of this Consent Form to keep and refer to at any time.

**I confirm that I understand that by ticking/initialling each box below I am consenting to this element of the study. I understand that it will be assumed that unticked/initialled boxes means that I DO NOT consent to that part of the study. I understand that by not giving consent for any one element that I may be deemed ineligible for the study.**

		Tick Box
1	I confirm that I have read and understood the Information Sheet for the above study. I have had an opportunity to consider the information and what will be expected of me. I have also had the opportunity to ask questions which have been answered to my satisfaction.	
2	I consent to participate in an interview about my experiences of attending the training "Clinical Skills for Immigration Lawyers". I understand that my personal information, including my name, email address, phone number, place of work and job title will be	

	used to maintain contact with me. I understand that this information will be deleted on completion of the study.	
3	I consent to my interview being audio/video recorded and understand that the recordings will be destroyed immediately following transcription.	
4	I understand that confidentiality will be respected unless there are compelling and legitimate reasons for this to be breached. If this was the case we would inform you of any decision to breach confidentiality.	
5	I understand the recordings will be stored securely until the study is completed but may be deleted before this date. The recordings will be Audio Stored anonymously, using password-protected software and will be used only for this study.	
6	It will not be possible to identify me in any publications and I understand that if the researchers would like to use a direct quote in a publication, they will use a pseudonym.	
7	I understand that my participation is voluntary and that I am free to withdraw at any time without giving a reason. I understand that if I decide to withdraw, any personal data I have provided up to that point will be deleted unless I agree otherwise.	
8	I understand the potential risks of participating and the support that will be available to me should I become distressed during the training.	
9	I understand that no guarantee of benefits have been made to encourage me to participate.	
10	I understand that the pseudonymised research data will not be made available to any commercial organisations but may be shared with others for future research. Nobody will be able to identify me from the data that is shared.	
11	I understand that the information I have submitted will be published as a report.	
12	I am aware of who I should contact if I wish to lodge a complaint.	
13	I understand that my participation is voluntary and that I am free to withdraw up until January 2024 without giving a reason. I understand after this time as all data will be analysed and compiled together it would not be possible to withdraw.	
14	I voluntarily agree to take part in an interview.	

**If you wish to be contacted to provide feedback on our analysis of your interview please tick the box. Your contact details would be stored securely until this date. If you do not wish to be contacted, this will not impact your participation in this study.**

<input type="checkbox"/>	Yes, I would be happy to be contacted to provide feedback on your analysis of my interview	
<input type="checkbox"/>	No, I would not like to be contacted	

**If you wish to be contacted when this study is completed to hear about our findings please tick the box. Your contact details would be stored securely until this date. If you do not wish to be contacted this will not impact your participation in this study.**

<input type="checkbox"/>	Yes, I would be happy to be contacted once the study is completed to hear about your findings	<input type="checkbox"/>
<input type="checkbox"/>	No, I would not like to be contacted	<input type="checkbox"/>

**If you would like your contact details to be retained so that you can be contacted in the future by UCL researchers who would like to invite you to participate in follow up studies to this project, or in future studies of a similar nature, please tick the appropriate box below.**

<input type="checkbox"/>	Yes, I would be happy to be contacted in this way	<input type="checkbox"/>
<input type="checkbox"/>	No, I would not like to be contacted	<input type="checkbox"/>

\_\_\_\_\_

Name of participant                      Date                      Signature

## **Appendix I: Email invitation**

**Would your staff be interested in taking part in a free training session developed by UCL and the Helen Bamber Foundation on navigating conversations about traumatic events?**

We are contacting you as a partner law firm of the Helen Bamber Foundation, to invite you to take part in a research study to see if immigration lawyers could potentially benefit from attending a 2 hour online training session about discussing peoples' traumatic experiences in the context of their work.

We know that immigration lawyers need to hold conversations with their clients about traumatic events which their clients have experienced. We also know that this can be a potential source of stress and/or vicarious trauma for lawyers, and that they may get little guidance or training on this as part of their legal education. Mental health professionals receive clinical skills training in holding conversations regarding traumatic events. We would like to explore whether there are any benefits to immigration lawyers attending a brief clinical skills training session tailored for them and their work.

The training is being run by Cassie Laver, a trainee clinical psychologist at UCL with experience as a paralegal in immigration and asylum law. The training content has been developed with input from experts in the field of immigration and asylum law, experts in therapeutic approaches to trauma, and experts by experience of accessing immigration law services.

Please see the attached participant information form for full details.

Training dates:

Monday 25<sup>th</sup> Sept 12pm – 2pm



Wednesday 27th Sept 6pm – 8pm

Tuesday 3<sup>rd</sup> Oct 9am – 11am

Thursday 5<sup>th</sup> Oct 3pm – 5pm

If you would like to register your interest, please complete [this form](#)

**Please only circulate this information within your law firm, as we are currently only able to offer this training to partner law firms with the Helen Bamber Foundation. If you are aware of another firm that may be interested, please let us know.**

If you have any questions or queries, please contact Cassie Laver on [REDACTED] or

Dr Francesca Brady on [REDACTED]

## Appendix J: Demographics form

6/20/24, 11:47 AM

Navigating Conversations about Trauma Pre-training questionnaires

### Navigating Conversations about Trauma Pre-training questionnaires

There is some demographic information and 3 questionnaires to complete, and it will probably take about 20 minutes to complete them all. You will be asked to complete these again approximately 1 month after your training session.

The first questionnaire is the Emotional Labour Scale, and consists of 15 questions

The second questionnaire is the Vicarious Trauma Scale, and consists of 8 questions

The third questionnaire is the Professional Quality of Life Scale, and consists of 30 questions

\* Required

#### Participant information

1. Please insert your unique ID number

(You can find your unique ID number in the email containing the link to this questionnaire) \*

2. Age

18 - 25

25 - 34

35 - 44

45 - 54

55 - 64

65+

3. Gender

4. Ethnicity

⋮

5. Are you a qualified solicitor and if so how many years qualified?

- Unqualified - not in training (for example paralegal)
- Unqualified - in training (for example trainee)
- Qualified - under 1 year
- Qualified - 1 to 5 years
- Qualified - 5+ years

6. How many years have you been working in immigration and asylum law?

- less than 1 year
- 1 - 5 years
- 5+ years

7. Have you previously attended training on working with traumatized clients?

- Yes
- No
- Other

8. Have you previously attended training on vicarious trauma or self care?

- Yes
- No
- Other

## **Appendix K: Emotional Labour Scale**

Copyright material, removed from open access submission

## **Appendix L: Vicarious Trauma Scale**

Copyright material, removed from open access submission

## Appendix M: Feedback questionnaire

6/14/24, 2:11 PM

Navigating conversations about trauma - Training Evaluation

### Navigating conversations about trauma - Training Evaluation

1. Which training session did you attend?

- Monday 25th September
- Wednesday 27th September
- Tuesday 3rd October
- Thursday 5th October

2. What did you find most helpful about the session?

3. What did you find least helpful about the session?

4. Did you find the training relevant to you and if so how?

5. Was the training easy to understand?

6. Do you think you will make any changes in your communication with clients as a result of the training?

7. Was there anything which got in the way of you making the most out of the session?

8. Would you recommend the training to other lawyers? Why?

9. Any other comments?

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This content is neither created nor endorsed by Microsoft. The data you submit will be sent to the form owner.



## Appendix N: Semi-structured interview schedule

### Thanks

### Consent form - check

### Purpose of interview, what will happen to information, confidentiality

### Context

1. Can you tell me a little bit about your current role?
2. What is your current level of contact with clients who have experienced traumatic events?
3. How well do you think your legal/job training/training contract has prepared you for having conversations with clients about traumatic events?
4. In your current role, how well supported do you feel with this aspect of your work?
  - a. Prompt: In what ways are you (or are you not) supported?
5. How do you think your particular background affects your approach these conversations?

### Getting into the training,

6. What motivated you to sign up for this training?
7. Was there anything that made you think you couldn't/shouldn't attend it?
8. What were your hopes going into the training?
9. How did your manager/supervisor support your attendance at the training (or not?)
10. How did you find completing the questionnaires (if you completed them?)

### Experience of training

11. What would you say were the benefits and drawbacks of the following:
  - a. Holding the training online
  - b. Holding the training as a one-off session
  - c. Being in a session with people from other law firms
  - d. Being with people of different levels of experience
  - e. The size of the group that you were in
  - f. Breakout rooms
12. Did the training feel suitable for your level of experience?
13. The training was structured in two halves – the first part was about the impact of this work on you, and the second part was about trauma and specific ideas around what to do during, during and after a conversation.
  - a. What did you think about the content that was covered?
  - b. Did it feel relevant to you? Did anything feel less relevant?
  - c. Did anything feel new?
14. Acknowledging trickiness of the question, but anything I personally could have done differently as a trainer – all feedback welcome!
15. How do you think the training could be improved?



16. Were there any ways in which you think the training was unhelpful or caused problems for you?
17. Any topics that were missing or not given enough time?

**Experience post training**

18. Have you noticed any difference in how you feel about or how you are approaching conversations with your clients about traumatic events they have experienced, since attending the training?
  - i. Prompt –For the client? For yourself personally?
19. What ongoing challenges or dilemmas are you faced with that weren't covered by the training?
20. What 3 (or 1, or 2) things from the training are you most likely to utilise in your work?
21. Do you think there are ways in which your clients may benefit from you attending the training?
22. We reflected in the training on the relevance of self care and/or seeking support. What was your experience before the training of engaging in seeking support/self care?
23. What steps have you taken in relation to self care or seeking support since training? Or what stopped you?
24. Is there anything else which you think is relevant that I haven't asked?

**Appendix O: Diagram of training development**

