

Understanding Cognitive Impairments in Asylum Interviews: Current Knowledge and Practice



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INTRODUCTION & OBJECTIVES

The asylum procedure relies on applicants' ability to orally present a detailed, consistent and plausible account¹, which may be challenging for individuals with cognitive impairments. Although it has been acknowledged that asylum seekers with cognitive impairments can face difficulties in presenting evidence to support their claims¹, little research has examined how this should be accommodated within the asylum procedure.

Research from criminal justice settings has indicated that current best-practice interview techniques may not be suitable for individuals with cognitive impairments, and that alternative questioning methods may be needed for vulnerable individuals.²

This review aimed to summarize current knowledge on how to adapt asylum interviews for applicants with cognitive impairments. Findings from other legal contexts were included, as they may be applicable also for the asylum context.

CENTRAL THEMES

Question types

Interviewees with ID may not always recognize the incriminating implications of tendentious questioning, which can result in altered responses or a failure to challenge misleading insinuations.⁴

Repeated, focused questions can contaminate interviews, as this often results in interviewees with ID changing their response.⁵

Transcripts from real-life investigative interviews with individuals with ID and autism showed that interviews relied heavily on yes/no questions and that questioning was not adapted to the interviewees' diagnoses.⁶

Both children and adults with ID are able to provide meaningful and reliable information.^{7,8} However, individuals with ID may provide fewer details and require a slower pace of progression.⁷ Children with moderate ID may need more specific recall prompts and focused questions to elaborate their accounts.⁸

Interview protocols

The cognitive interview can be efficient also for children with severe ID. However, children with ID agreed with more misleading questions and reported less details than children without ID.⁹

The NICHD protocol can be useful for both children and adults with ID.⁸

Communication aids and rapport-building

The integration of non-verbal aids (e.g., drawing or symbol cards) could be helpful but requires more research.¹⁰

A fine balance is required between taking time to develop rapport, while not putting excessive load on the interviewee's limited cognitive resources.¹⁰

The presence of intermediaries can be helpful in cases involving interviewees with communication difficulties, but is not necessarily required in all interviews.¹¹

Misleading gestures can often lead to inaccurate responses when interviewing children with ID.¹²

The physical interview environment can be made more accessible by providing accommodations tailored to diverse sensory and communication needs.¹³

METHOD

A systematic literature search was conducted in seven online databases to identify articles investigating interviewing techniques for individuals with cognitive impairments.

The literature search was conducted and reported in accordance with the PRISMA 2020 guidelines.³

Inclusion criteria:

- Primary studies that have examined asylum/forensic/investigative interviews with the focus on individuals with cognitive impairments, including intellectual disabilities (ID), language impairments and developmental delays.
- Neuropsychiatric conditions were included if they co-occurred with ID.
- We included articles that focused on interviewing techniques, question types, communication strategies and best practice-guidelines.
- As individuals of all ages may be interviewed during the asylum procedure, we included studies involving both children and adults.

Included articles: $n = 24$

CONCLUSIONS

The findings of this literature review suggest that individuals with cognitive impairments are capable of providing reliable information. However, adaptations to current best-practice interviewing techniques may be required.

Future research is needed to investigate especially how individuals with moderate and severe ID can provide their accounts in a coherent manner. This includes research on the potential use of non-verbal aids and alternative communication strategies.

The vast majority of the available studies have been conducted within criminal justice contexts. Future research should examine this issue from an asylum perspective and take into account the unique challenges inherent in the asylum procedure.

REFERENCES



PSYCH-AID WEBSITE

