

## Fair and Consistent? Are asylum appeal hearings the same wherever they are heard?

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<b>Start and End date:</b>	January 2013 – September 2016	
<b>1. Brief summary of what the research is about.</b>	<p>There is a widespread, and growing, expectation that no matter where a person seeks asylum, comparable procedures will be applied in assessing their claim under the Refugee Convention. Researchers from the University of Exeter have observed around 400 asylum appeals in England and</p>	

	<p>Wales, both ethnographically and with a survey, and interviewed a range of actors involved in the legal process, including around 40 former appellants.</p> <p>Findings indicate significant differences between the hearing centres where asylum appellants' appeals are heard, and significant differences in the practices of judges who decide such appeals.</p> <p>While we might expect and encourage vulnerability-redressing differences in judicial behaviour, the correlation of these differences with either extraneous factors or in ways that are vulnerability-neutral and vulnerability-amplifying, runs counter to this expectation.</p>
<b>2. What are the research questions?</b>	<p>How can ethnographic, interview-based and quantitative methodologies be combined in order to develop a systematic approach to investigating differences in legal practices?</p> <p>How are differences in judges' behaviour related to the characteristics of the case and the appellant?</p> <p>How influential are extraneous factors to judicial in-court behaviour?</p>
<b>3. What, if any, outputs so far?</b>	<p><u>Journal publications</u></p> <p>Gill, N., Rotter, R., Burridge, A., Griffiths, M., and Allsopp J., 2015, Inconsistency in Asylum Appeal Adjudication, <u>Forced Migration Review</u>. Issue 50, pp.52-54 (available here: <a href="http://www.fmreview.org/en/dayton20.pdf">http://www.fmreview.org/en/dayton20.pdf</a>)</p> <p>Gill, N., Rotter, R., Burridge, A., Allsopp, J., 2016, Linguistic incomprehension in British asylum appeal hearings, <u>Anthropology Today</u>. Vol. 32, No. 2, pp.18-21</p> <p>Burridge, A., and Gill, N., 2017 (forthcoming), Conveyor-Belt Justice: Precarity, access to justice, and uneven geographies of legal aid in UK asylum appeals, <u>Antipode</u>. Vol. 49, No. 1</p> <p><u>Blog posts:</u></p> <p>Griffiths, M., Gill N., and Burridge, A., 2013, Observing differences: asylum appeals in the UK. <u>The COMPAS Blog</u>. Available at <a href="http://compasoxfordblog.co.uk/2013/08/observing-differences-asylum-appeals-in-the-uk/">http://compasoxfordblog.co.uk/2013/08/observing-differences-asylum-appeals-in-the-uk/</a></p>
<b>4. What outputs are</b>	<p>Various outputs are planned for geographical outlets, but the legal outlets are listed below:</p>

<p><b>planned?</b></p>	<p><i>Refugee Law Initiative</i> Working Paper – Summer 2016.</p> <p>A law journal submission such as <i>Socio-Legal Studies</i> or <i>Law &amp; Society</i>– Summer 2016.</p> <p><i>Refugee Law Initiative</i> end of project event – end of 2016. To be advertised in due course.</p>
<p><b>5. What is the anticipated impact?</b></p>	<p>The project findings played a part in the High Court case brought against the Detained Fast Track by the charity Detention Action that led to the suspension of the Detained Fast Track in 2015.</p> <p>The research has led to two submissions to consultations: to the Shaw Review into the Welfare in Detention of Vulnerable Persons; and to the Ministry of Justice’s ‘Tribunal Fees: Consultation on proposals for the First-tier Tribunal (Immigration and Asylum Chamber) and Upper Tribunal (Immigration and Asylum Chamber).</p> <p>We plan to make recommendations about how to improve the consistency of asylum appeals, in a cost effective way, in our publications.</p> <p>The project was a finalist in the Economic and Social Research Council’s (ESRC) <i>Celebrating Impact Prize</i> 2016, within the ‘Outstanding Impact in Public Policy’ category (<a href="http://www.esrc.ac.uk/research/celebrating-impact-prize/impact-prize-winners-2016/">http://www.esrc.ac.uk/research/celebrating-impact-prize/impact-prize-winners-2016/</a>). This was for the work ‘Halting unfair fast-tracking of asylum claims’: <a href="http://www.esrc.ac.uk/news-events-and-publications/impact-case-studies/halting-unfair-fast-tracking-of-asylum-claims/">http://www.esrc.ac.uk/news-events-and-publications/impact-case-studies/halting-unfair-fast-tracking-of-asylum-claims/</a></p>
<p><b>6. Comments / additional information / requests for data or input from the broader administrative justice community</b></p>	<p>The research team would appreciate comments and feedback on the Refugee Studies Working paper to be released in Summer 2016. Contact: <a href="mailto:n.m.gill@exeter.ac.uk">n.m.gill@exeter.ac.uk</a>.</p> <p>There will be a follow-on, European project, funded by the European Research Council, from 2016 to 2021.</p>