

Professor Anthony Good

The Conversion of Asylum Applicants' Narratives into Legal Discourses in the UK and France: A Comparative Study of Problems of Cultural Translation

End of Year Report for 2007

(1) The research is distinctive and innovative in both approach and methodology: extending the US-derived 'new legal pluralism' perspective to the study of European immigration systems; and using ethnographic methods to investigate processes and problems of cultural translation entailed in the legal recording and representing of asylum claims;

(2) it is engaging directly with non-governmental organisations (NGOs) providing free legal representation to asylum applicants, and other non-academic stakeholders such as judges, lawyers and interpreters, thereby facilitating 'connection, communication and exchange... between researchers and a wide range of individuals and organisations who have an interest in their research and its outcomes';

(3) as an empirically-based comparative research project on asylum procedures in both the UK and France, it is furthering the development of 'a body of theory, methods and cases to enable a comparative analysis of diasporas, migration and their associated identities to be undertaken'.

Preparation and Design (Dr Gibb)

Ethical approval obtained from Departmental Ethics Committee, University of Glasgow.

Documentation: Existing Legislation + Official reports + Recent academic research.

Subscribed to five French electronic discussion lists (valuable sources of information).

Followed important changes to wider political and structural context: presidential election (22 April / 6 May 2007); creation of new Ministry for Immigration, Integration, National Identity and Co-Development, with responsibility for asylum (Minister = Monsieur Brice HORTEFEUX), as part of 1st Fillon government (18 May 2007); legislative elections (10 / 17 June 2007); 2nd Fillon government (28 June 2007). Attended meetings and collected documents (e.g. petitions, press releases) about new Ministry, during which made contact with former UNHCR asylum appeals assessor. Attended meeting on European asylum policy (29 June 2007): insights into different positions of national NGOs, and made contact with Office français de protection des réfugiés et apatrides (Ofpra) civil servant.

Field research Important legislative development: New Bill on 'Immigration Control, Integration and Asylum' presented to Parliament (4 July 2007). Interruption to field research from late July to early September (six weeks) due to NGOs effectively closing down for the summer, but continued documentary research.

Followed Parliamentary debates (wider structural context), September-November 2007: 1st Reading: Assemblée nationale (AN), 18-19 September +

Sénat (S), 2-4 October; Commission Mixte Paritaire, 16 October; 2nd Reading: AN + S, 23 October 2007; referral before Conseil constitutionnel 25 / 26 October, and CC decision, 15 Nov. Attended meetings and debates about the new legislation (including one at the Assemblée nationale) and observed street demonstrations: collected documents (reports, press releases, campaign leaflets); made contact with lawyer (GISTI), UNHCR assessor and CIMADE volunteer; insights into tensions and cooperation between different NGOs over political and policy objectives. Attended series of hearings at the Commission des recours des réfugiés (= asylum appeals court): insights into translation issues, presentation of cases by lawyers; discussion of research aims and objectives with lawyers and interpreters. Attended Toulon conference on 'L'étranger entre la loi et les juges' (8-9 November): papers by academics, lawyers and practitioners. Initial contact made with Cimade (NGO) regarding possibility of working as 'intern' (awaiting response).

AG: Preparation and Design (Professor Good)

Ethical approval obtained from School Ethics Committee, University of Edinburgh.

Documentation: Existing Legislation + legal databases + Recent academic research.

Attended meetings of Immigration Advisory Service, Scottish Council, and obtained confirmation of agreement in principle for internship to conduct research – Glasgow, 3 May, 2 August 2007.

Attended annual conference of Electronic Immigration Network, for networking and raising awareness of research plans with senior managers of relevant NGOs – London, 26 October 2007.

Discussions with solicitors of Refugee Legal Group, over access to tape recordings of Home Office asylum interviews (awaiting response).