

'Vile liars and truth distorters'

Truth, trust and the asylum system

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Fig. 1. Campsfield House Immigration Removal Centre (IRC), seen through two sets of security fences.

Asylum seekers and refused refugees are some of the most mistrusted persons in British society, and are commonly assumed to be manipulating the immigration system. The majority of the some 300 asylum applicants I spoke to during research on identification requirements, were at some point accused by the UK Border Agency (UKBA) of providing untrue information about who they were and what had happened to them, or requesting asylum when they had no valid claim under the Refugee Convention¹. Such accusations are crucial, given that the notoriously difficult decision of whether to grant refugee status is often bound up in assessments of the applicant's honesty or 'credibility'.

Rather than focus on the 'traditional' relationship between asylum seekers and the truth however, this paper takes the systemic emphasis on their honesty and the widespread mistrust of asylum seekers as context. It turns the tables on assessments of confusion and incoherence in order to explore how asylum applicants experience, understand and explain the bureaucracy they are embedded in. The paper argues that deception, uncertainty and mistrust are as much characteristics of the asylum seekers' perspective of the immigration system as the reverse. But whilst an asylum applicant's inconsistency is routinely interpreted as evidence of lying, that of UKBA representatives is considered indicative of inconsequential errors or even new versions of the 'truth'. As such, the paper contributes to an ongoing discussion in this journal about the fairness, trust and certainty of the immigration system in the UK and elsewhere (White 2012; Whyte 2011).

This paper draws on qualitative fieldwork I conducted in 2008-10 with migrants who had claimed refugee protection in the UK. Some were still awaiting decisions to their cases but most had been refused and were either living as refused asylum seekers in Oxford, or were detained at an immigration removal centre (IRC), primarily, but not exclusively, at Campsfield House in Oxfordshire². There are considerable methodological and ethical challenges in

conducting fieldwork in closed institutions and with such vulnerable individuals, as others have noted (Duvell et al. 2010; White 2012). As with other anthropologists unable to perform 'normal' participant observation, I utilized a variety of research access points³. I was fully committed to avoiding any harm caused by my research and ensuring confidentiality and anonymity. However, although all names and identifying information have been changed, I believe that serious questions remain regarding the extent to which anyone in incarceration can give full consent (Brown 2002).

A culture of disbelief

Throughout my fieldwork, it was common for individuals to spontaneously insist that I read their 'evidence', implore me to check the veracity of their stories on the internet or make comments such as 'can you believe me?' (Oxford-based Afghani Nassir) or 'I know it's hard for you to believe me' (detainee Felix). Such concerns reflect an understanding of the import placed on truth-telling in the asylum system, alongside people's common experience of being disbelieved. Given the paucity of evidence generally available in asylum claims, asylum decisions often come down to assessments of the 'credibility' of the person and their story. It has been suggested that the British authorities adopt a broad approach to the legal concept of credibility in relation to asylum decisions, conflating it with 'truth' (Sweeney 2009), and allowing concerns in one aspect of an applicant's story, even if not directly pertinent to the case, to undermine their claim for protection (Coffey 2003; Herlihy et al. 2010).

An institutional emphasis on truthfulness exists alongside an endemic image of asylum seekers as liars and opportunistic cheats. Chronic suspicion of asylum seekers is described as a 'culture of disbelief' (for example Sales 2002:463; Smith 2004; Trueman 2009) and is evident in refugee systems across the world (Daniel & Knudsen 1995; Whyte 2011). In a world of increasingly restricted

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(From left to right, above to below)
Fig 2. Lunar House, one of the UK Border Agency (UKBA) offices where people can claim asylum.
Fig 3. One of the housing blocks at Campsfield House.
Fig 4. Campsfield House during an anti-detention demonstration in 2008.
Fig 5. Eaton House, one of the UKBA reporting centres for migrants.
Fig 6. Campsfield House during an anti-detention demonstration in 2008.
Fig 7. Security camera at Eaton House.
Fig 8. Security camera at Campsfield House.

mobility, where recognition as a refugee is one of the few legitimate means for the financially or educationally poor to move, the ‘genuine’ refugee has become such a stylized and pure figure that it is near-impossible for individuals to meet the ideal. The combination of a high standard of honesty and a presumption of suspicion, has serious implications, given that being branded a liar tends to not only affect the outcome of asylum claims, but the likelihood of being detained and the ability to obtain legal representation.

Of course, constructs of truth-tellers and liars are subjective, relying on expectations about how people think, remember and behave, and drawing on cultural assumptions regarding ‘common sense’ reasoning, gender stereotypes and political norms. British decision-makers tend to assume that truthful asylum seekers have a good recall of events, provide ‘plausible’ accounts, present their stories in a consistent and unhesitating manner, and offer the ‘right kind’ of evidence and testimony (Coffey 2003; Feder 2010; Herlihy et al. 2010; James 1997). In contrast, narrative variations and anomalies are associated with lying. An emphasis on ‘discrepancy-counting’ however can be insensitive to the many reasons why people forget or do not provide details (Bögner et al. 2010; Kagan 2003).

There were however various ways in which people I spoke to admitted that they *had* been deceptive, from speaking untruths to altering documents, generally in order to work illegally or to better their immigration chances. The term ‘liar’ is problematic and subjective however, dependent upon context, intent and the nature of the perpetrator. It is generally too simplistic to imagine that there is a ‘truth’, with any alternative existing as a ‘lie’. In some situations ‘lies’ may even be a rational response. For example, reductive immigration categorization and a bureaucratic inability to manage complexity or doubt may discourage full truthfulness if not explicit lie-telling. Administratively, the UKBA assumes that people know ‘basic’ information such as one’s date of birth or parent’s date of marriage, inherit names in particular ways, and that spellings remain consistent despite transliteration from different alphabets. In response, people may guess or invent identifiers rather than admit ignorance or risk producing discrepancies. In so doing, they adapt their narratives and identities to fit the system – to meet decision-makers’ requirements, expectations and assumptions. Although highly evident in the asylum system, given that it is a space of extreme cultural diversity and one imbued with a moralistic prioritization of truth-telling, most bureaucracies encourage at least a mas-saging of the truth.

Mutual suspicion

Entrenched suspicion and accusations of deception and trickery are not only directed towards asylum seekers and immigration detainees. Rather, mistrust is experienced by, and of, most persons involved in the refugee system, with the various authorities, asylum applicants and NGO volunteers all displaying some degree of disbelief of each other. Mutual mistrust is however particularly characteristic of the relationship between asylum claimants and the UKBA. Indeed, the strongly-worded accusation of ‘vile’ deception in the article’s title is spoken *by* (rather than *of*) a refused asylum seeker, in relation to the UKBA. Not one of my informants expressed trust in the UKBA but rather gave me comments such as: ‘I don’t have any faith in the establishment, you understand? They deceive me’ (Eritrean detainee), or ‘I’m not trust that immigration ... Immigration are stupid’ (Iranian detainee).

For some, the mistrust tipped over into believing that the authorities deliberately lied to them. Scores claimed that the UKBA distorted reality in order to tarnish reputations, with one immigration detainee accusing the UKBA

of ‘fabricating lies and falsehood behind us’ and creating a ‘clandestine report’ to smear his name. Abdou, a Sudanese detainee I met at Campsfield, claimed that the previous year the UKBA had potentially dangerously – broken their promises of confidentiality when he arrived for a UKBA meeting to find that his interviewers were officials from the Sudanese embassy. They appeared to have been given details of his asylum claim and of his family members in Sudan⁴. He complained to me that such incidents were common: ‘The Home Office, they lying for me. And not just me... How can I trust people like that? How can I?’ Abdou went ‘underground’ after this event, telling me ‘once they broke the rules, I broke them too’, suggesting that betrayed trust can have implications for asylum applicants’ decisions and actions.

Confusion and inconsistency

Mistrust of the UKBA arises from an immigration system that is deeply confusing for people and imbued with uncertainty, a high error rate, and sometimes apparently arbitrary decision-making. Working in this field, one frequently witnesses mistakes made by the UKBA, from their use of multiple names or dates of birth for one person within a single letter, to extremes such as confusing which individual has been deported or incorrectly bestowing refugee status.

Three times I spoke to people who had themselves, or knew of others who had been granted leave to remain in the UK, only to later receive correspondence saying this had occurred in error. For example, one failed asylum seeker emailed me about a housemate of his:

He’s a victim of bloody Home Office. They gave indifinate [sic] leave to remain. Few months [later] he has got a letter saying they made a mistake... It’s terrible shock he has been [told] to leave the accommodation [sic] on [date] and get ready to go back to his country.

In addition to mistakes, people spoke of UKBA decision-making as unfair and unfathomable. Release from immigration detention for example often appears arbitrary or inexplicable. People can be released suddenly and unexpectedly, only to be promptly re-detained, as happened with Cameroonian Sebastian: ‘They have a lot of confusion there. One month they detain you, one month they release you on bail, one month they detain you again. It is a matter of luck.’ In fact, Sebastian had been suddenly released from Campsfield the day after losing his asylum appeal, at exactly the point at which he had become most removable. Another detainee I knew, a Burundian failed asylum seeker, was informed one Friday that he would be deported on the following Monday. He had no applications pending, it was a bank holiday weekend and his solicitor was out of contact, so removal seemed inevitable. And yet when I rang him on the Tuesday he answered not from Burundi but from his friend’s house in Birmingham, having not only not been deported, but having been released instead.

Another – not unusual – example of institutional confusion is provided by my attempts in 2009 to help Oxford-based Ahmad contact the Home Office. Ahmad wished to know what was happening to his asylum claim and why his financial support had suddenly stopped. Unfortunately my calls alerted the UKBA to the fact that Ahmad had no right to be in the country, something which had hitherto gone unnoticed because the relevant box on his file had not been ticked. The officer updated his file and informed me that Ahmad would receive a letter shortly instructing him to leave the UK. We were both left devastated. Several anxious days passed but no letter arrived. Although I was perplexed, his friend sagely informed me ‘Home Office lying’. Finally, some weeks later, Ahmad received two letters from the UKBA. The first announced Ahmad’s imminent removal but the second contained a new card for him

1. The 1951 Convention Relating to the Status of Refugees states that refugees must have a well-founded fear of persecution on one of five specific grounds. People who have requested recognition as refugees and are awaiting a decision are known as asylum seekers. Because I am examining the asylum system rather than the veracity of individuals’ asylum claims, I use the term ‘asylum seeker’ in a loose sense, including individuals who have been refused refugee status.

2. Immigration detention is an administrative (rather than penal) power used for ‘the holding of foreign nationals... for the purposes of realising an immigration-related goal’, such as removal from the country (Silverman & Massa 2012).

3. Roberto González’s excellent piece in this journal explores these methodological issues further (González, 2012). My roles included volunteering for local NGOs (non-governmental organizations) and working as an MP’s caseworker. I spoke to about 160, mostly male, asylum seekers in Oxford. They came from a total of 30 countries, although most were Iraqi, Afghan or Iranian. I also spoke to around 160 male immigration detainees, from some 50 countries, and conducted interviews with NGO personnel, UKBA representatives and a senior employee of a private company running an IRC.

4. The veracity of this allegation is bolstered by NGO findings of the UKBA passing confidential personal information onto the countries from which people are fleeing, even forcing some asylum seekers to meet embassy representatives (Migrants’ Rights Network 2011).

5. Under Section 35 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004, not cooperating with the removal process means failing to comply with actions that would enable a travel document to be issued, which often affects individuals whose nationality is in dispute. For more on this see Griffiths (2012).

Fig. 9. Eaton House (UKBA offices) – people queuing to ‘report’ to the authorities.



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to obtain financial support (which he was no longer entitled to) and promised him five weeks back-payment. Not only were no further steps taken to remove Ahmad, but a few months later he was detained after a random ID check. Again, Ahmad was told he would be removed and again I assumed this was the end of the line. However, after two days in detention, and to both of our great surprise, Ahmad was mysteriously released without explanation, to continue, as he still does three years later, living in the UK.

A lack of predictability is not confined to the UKBA, but also experienced in relation to the immigration judicial system and the private companies running detention centres (for example Bail for Immigration Detainees 2010). Caroline White’s article in this journal demonstrates the inconsistent nature of immigration bail hearings, providing examples in which decisions to grant bail appeared arbitrary or unfair (White 2012). This was also my experience talking to bail applicants and attending hearings. For example, one detainee I knew was refused bail on the basis that at his bail address lived a man with a criminal record, even though the ex-prisoner himself had been released from Campsfield on bail two years earlier. Bail is frequently refused on the basis that the applicant is likely to abscond, even if they have previously always reported as required; or because they have ‘no close ties’ in the country, even when have partners and children in the UK.

Furthermore, the sense that the asylum and detention systems are inconsistent is not only held by those subject to immigration control, but is shared by many working in the field. As an illustration, the director of one Oxford asylum NGO told me:

I wish I could tell you the formula... if you’ve done this, this and this you’ll get status. Or, you will be detained or you won’t. No idea! No... when someone says ‘I’ve got to report, will I get kept, are they going to keep me this time?’ [I say] don’t know. Might do. Might give you status. Might give you a passport, they might put you in detention and have you home or back in Algeria in two days’ time. No idea... I remember talking to this [UKBA] bloke... and he said ‘oh I’ve been working in this area for ten years, I’ve still not got a fucking clue!’

Perhaps even more tellingly, the view was not only held by those in the NGO sector, but shared by some working for the companies running IRCs, including a senior member of staff at one centre:

I have, still, no idea who’s going to stay, who’s going to go... I think what I find most difficult is that I just can’t reason with who goes, who stays... There doesn’t seem to be a flowchart or a grid or: ‘how do I make the decision?’

Contradiction and the irrational

At times however, my informants not only expressed the opinion that the immigration system was unpredictable and confusing, but that it was downright irrational. This included instances in which the UKBA held multiple, but incompatible, positions. For example, although Richard’s assertion to be homosexual (the basis of his asylum claim) was refuted by the authorities, he was also refused legal aid for a solicitor, because of the income level of his *male* British partner, with whom he was considered to be in a relationship. Twice I knew individuals who were imprisoned for using false identity documents, whilst simultaneously the UKBA insisted that their ‘real’ identities were those on the false document. For example, although Victor was sentenced to 12 months imprisonment for false documentation in the identity of ‘Fred’, he was still referred to as Fred in all his correspondence and records, as though the documentation was fake but the identity correct.

I spoke to over 20 people who, by insisting on a nationality that conflicted with that believed by the UKBA, were deemed uncooperative and therefore threatened or punished with prison⁵; and a handful that had been refused

refugee status because they had *not* committed identity offences, but had travelled with ‘real’ passports or visas, which was taken to prove that their government was not seeking them. I knew one man accused of absconding from the authorities at a time when he was working as a police informer and another when he was actually in prison. As the latter exclaimed: ‘They say I absconded, I didn’t abscond. At the time of court appearance I was in custody! ... How am I going to abscond if I’m in prison?’

The circumstances around detainee Mark’s removal were Kafkaesque, but not unique. He was due to be removed with his family (detained at a different IRC), and only knew that he would not be removed when no one came to take him to the airport. He then discovered that the rest of his family had been deported without him when his wife called from abroad in distress the following day. To add to the confusion, the next morning Mark had a bail hearing which he had not requested, at which the Home Office representative told the judge that Mark had not been removed because he was so violent at the airport. When Mark exclaimed that he had not even been taken to the airport, the representative apparently shrugged her shoulders and said: ‘that’s what I was told’. Mark felt a combination of incompetence and cruelty had occurred, bemoaning, ‘they mix up, they don’t know what they’re doing’.

Understanding uncertainty

These examples suggest a system which often made little sense to those subject to it. How though, can we understand the UKBA’s propensity towards error and confusion and how do asylum applicants themselves explain, understand and negotiate it? Perhaps surprisingly, it was far more common for asylum seekers to describe the UKBA as incompetent, disorganized, chaotic and understaffed, than as all-powerful and cruel. People often felt that immigration outcomes were based on pure luck or the whim of individual officers, frequently linking decisions to the state of a caseworker’s love life. One man would always ask me to wait until the afternoon to call the UKBA for him ‘so they’ve had their lunch... and their bellies are full... then they are quiet’. This sense of incompetence and inconsistency may have also been shared by others working in the system, but generally contrasted with the view of UKBA representatives themselves, who generally gave me the impression that the system was fair and functional.

Given the number of overhauls of the immigration system, performed in the name of tackling the perpetual ‘crisis’ it is supposedly under, it is worth questioning why the system never appears to significantly improve and whether some purpose is served by it operating the way it does. Occasionally asylum seekers suggest that immigration goals are furthered by the way the system works, including by wearing people down. Chronic mistrust and uncertainty may be a technology of power; one that

Bail for Immigration Detainees 2010. *A nice judge on a good day: Immigration bail and the right to liberty*. London: BID.

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encourages people to be hopeless and helpless. After all, it is extremely hard to actively negotiate a system if there are no goal posts to orientate towards. In the context of Danish asylum centres, Whyte contrasts a Foucauldian notion of power based on surveillance and total visibility (Foucault 1977; Foucault 1991), with one of 'blurriness', describing the uncertainty as 'fundamental to the system's functioning', rather than an 'unfortunate byproduct' (Whyte 2011: 21). In the British context too, chronic mistrust and uncertainty contribute to the passivity and deportability of people. Rather than suggest conscious design though, I would suggest that it is attributable to the institutional culture, high level of restructuring, and a workforce that is undertrained, underpaid, overworked and that respond defensively to feeling constantly deceived.

New truths and uneven playing fields

When immigration lie it is acceptable, but when I speak they call it deception. They have language for it (detainee Roger).

This article drew from conversations with asylum seekers, to suggest that although trust and honesty are issues central to the whole British asylum system, a reductive emphasis on that of asylum applicants overlooks wider systemic uncertainty and mistrust. Asylum applicants feel that the authorities make arbitrary and unfair decisions that they cannot make sense of and that hinder their ability to know what to say and do. For them, the state is not a powerful monolithic entity, but a collection of administrators who are in permanent contradiction. That policymakers and bureaucrats might make errors or unfathomable, inconsistent decisions, is not in itself surprising. Despite the enduring image of Weberian bureaucracies operating with rational and methodological efficiency, anthropologists have long demonstrated that they are sites of contradiction and error (Douglas 1986; Herzfeld 1992). Or as one detainee put it, 'the Home Office is not God, they make mistakes'. However, two points make this particularly pertinent in the context of the asylum and immigration detention systems.

Firstly, for asylum seekers and detainees, the immigration system is not simply a bureaucracy that they are sometimes frustratingly forced to engage with. Rather – especially for those incarcerated – it is one that frames their entire lives and in which mistakes have serious repercussions for their immediate lives and potential futures. For them, internal disagreement or unfair responses are intensely experienced and may be of 'life or death' importance.

Secondly, there is an irony in a system, that is itself imbued with error and confusion, placing such great primacy on the truthfulness of asylum seekers that narrative inconsistencies can undermine the chances of a person receiving refugee protection. The British asylum process operates under the assumption that 'truthful' applicants present their stories in a 'coherent and consistent' manner (Home Office 2012: 14); attributes that are often missing in the authorities' own responses. As such, asylum seekers are held to a higher standard of truth-telling than those making decisions about their claims.

Many applicants allude to there being different rules for them and the UKBA, with the latter making multiple mistakes or unfounded allegations without consequence, and the former hounded for minor discrepancies and blamed for any inconsistency. As one detainee put it, 'it seems the Home Office never makes mistakes even if their mistakes are evident'.

One example illustrates this well. Nakib, an Oxford-based asylum seeker, told me that at his asylum appeal, the UKBA's representative insisted that he had travelled through Greece on his way to the UK, and claimed to have evidence of this in the form of a photograph in which

Nakib stood in front of a Greek flag. Nakib strenuously denied that he had travelled through Greece and insisted no such photograph existed. When asked by the judge to provide the photograph, the UKBA representative said it was misplaced. Later in the hearing, Nakib drew the judge's attention to photographs he noticed sticking out of the representative's file. She then admitted that this was the photograph in question, although when she produced it, there was no such flag in the image. Nakib believed that the woman had lied twice – firstly falsely claiming to have a photograph with a Greek flag in it and secondly that she had lost it. Nakib felt it was unfair that the judge did not reprimand her, especially when he himself was repeatedly accused of lying. He told me that the UKBA frequently lie, but that whilst this is overlooked, he is required to provide nothing but the pure truth, a sentiment shared by Roger in the section's opening quote.

The risk is that different standards, expectations and definitions of honesty are at play, creating a system that is bound up with power hierarchies and politicized forms of morality. Not only is this discriminatory and undermining of trust, but potentially dangerous, operating as it does in the sphere of protection decisions.

I would go even further and suggest that the 'truth value' of UKBA representatives is considered far greater than those subject to the asylum and detention systems, allowing the former to insist on particular versions of the 'truth', and threaten individuals who resist it with immigration detention or even persecution. This commonly includes disputes over the nationality of failed asylum seekers with individuals imprisoned for not cooperating with removal to a country that they insist is not their own or even being deported to a 'foreign' country. Furthermore, errors made but denied by the UKBA can become a new version of the 'truth', with applicants being accused of deception if they do not conform to them. It is difficult for individuals to demonstrate that the authorities have made errors, especially when their own honesty has been doubted. Instead, official mistakes can be used to further undermine the credibility of the asylum applicant. For example detainee Brima's date of birth was once incorrectly recorded by an immigration officer. The UKBA denied that one of their officers had made a mistake and instead accused Brima of 'supplying false information' and used the two birth-dates to contest his trustworthiness. It took four years and repeated representations from his MP, before the UKBA admitted and corrected the error.

I do not suggest that asylum seekers do not 'lie' (as problematic as that term is), merely that an examination of the context in which they are embedded may help illuminate the decisions they make as well as systemic tensions. In fact, lying can even be interpreted as a rational response to negotiating a complex and inconsistent immigration system. In any case, the terms 'truth' and 'lies' are too simplistic. Sometimes people give incorrect information because they do not know the 'truth' because it conveys information that is more 'truthful' than the strict 'truth', or because they anticipate a bias of mistrust. This may not necessarily be the same as lying.

The reality of my fieldsite was messy and complicated and although I frequently encountered scenarios which I knew involved untruths, my uncertainty as to where the 'truth' lay and the nagging sense of irrationality that I often felt, was as much the case in conversations with the UKBA as with asylum seekers. In this way Nakib's tale offers important cautions against simplistic conclusions. Despite the unfairness Nakib felt in how the UKBA representative's apparent deception was treated, he freely admitted to me that he *had* actually travelled through Greece. As he says, 'Home Office lie, definitely. But of course we lie also'. ●

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