'But what is the reason why you know such things?' Question and response patterns in the LADO interview

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ABSTRACT

This study uses the tools of Conversation Analysis (CA) to investigate problems that occur in LADO (Language Analysis for the Determination of Origin) interviews. We analysed five recorded interviews with female asylum seekers, focussing on question and response pairs. Several problems were identified, associated with *directives*, *echo questions*, and *challenges*. The study also looked at how *repair* is initiated and carried out. *Directives* were frequently issued as part of multiple questions from the interviewer, alongside additional questions or modifiers. Interviewees typically provided an answer to the most specific and/ or most recent question rather than fulfilling the directive itself. Directives were also used to elicit language samples, and it was found that including a clear topic for talk was the most effective way of accomplishing this goal. *Echo questions* were predominantly used for requesting confirmation, and were occasionally interpreted as performing this function even where there was evidence that interviewers were using echo questions to prompt for more information or to initiate repair. *Challenges* contributed to a hostile atmosphere in interviews. Similarly, *repair* prefaced by initial *but* was found to be potentially hostile in some instances. Various modes of accomplishing repair were also investigated, but their effectiveness was variable. In assessing the set of question and response pairs in the recordings, we make a number of practical recommendations for improving interview practice in LADO.

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1. Introduction

Since the early 1990s claims for asylum have increased rapidly. In the European Union claims have increased from around 200,000 in 2006 to over 1.25 million in 2016 (Eurostat, 2017). Claimants often lack documentation to confirm their case, and there may be suspicion that a claim is bogus. Tests have therefore been developed to assist border agencies in assessing asylum claims. Language analysis is now widely used as part of the testing process (Zwaan et al., 2010; Patrick, Schmid & Zwaan, in press). This type of analysis, and associated research, has come to be known as Language Analysis for the Determination of Origin (LADO), despite reservations over the appropriateness of this label (Eades et al., 2003; Reath, 2004). In recent years LADO has been employed in around 500 cases annually in the UK alone (Wilson and Foulkes, 2014: 220). As such,

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LADO is an important tool for governments around the world, while the outcome of the LADO interview can have life-changing consequences for the claimant.

It is therefore crucial that the LADO procedure be supported by robust research, so that the interview and subsequent analysis may be as reliable as possible. However, it is a field in which remarkably little empirical research has been published to date. Among the most prominent issues in the LADO literature are: the development of thorough and up-to-date descriptive records of relevant languages and language varieties; assessing the strengths and weaknesses of LADO analysts and their methods; and understanding the potential consequences for asylum decisions of the material used as the basis for those decisions. In most cases this material is an interview with the claimant. This is the focus of the research we present here. Little attention has been paid to trends that occur across LADO interviews. We address one such trend, namely question and response structures observed in five interviews with female asylum seekers. We use the methodology of Conversation Analysis (CA), to our knowledge the first time this approach has been applied to LADO interviews. Our aim was to identify problems that arise in the interviews, related to the structure of the discourse or conversation, and to comment on how these problems may be avoided or resolved.

CA is a method that focuses closely on the properties of talk, examining how social actions are accomplished through language (Drew and Heritage, 1992a,b; Wooffitt, 2005; Sidnell, 2010). CA focuses on recurrent and systematic patterns of conversation, which are not related to people's idiosyncratic styles, personalities or predispositions. All CA findings are directly based on recorded interactions, which are subsequently transcribed in detail to document the exact wording used by all speakers as well as details such as timing and placement of overlapping talk. As such, CA is ideal for analysing interview data such as recordings and transcripts. Among the facets of talk on which CA focuses are turn-taking, correcting errors or misunderstandings, how actions such as requests and questions are accomplished, and how the topic of conversation is negotiated by participants.

Although CA originated as a method for analysing informal conversation, it has also been applied to institutional talk, such as job interviews (Button, 1987), doctors' visits (Heritage and Maynard, 2006), and courtroom discourse (Komter, 2013). Institutional talk has several features that distinguish it from everyday conversation (Heritage and Clayman, 2010). For example:

- participants have specific goals which are bound to their roles (e.g., interviewers ask questions for an overhearing audience, e.g. interviewers in news broadcasts)
- institutionally-specific procedures and frameworks apply (e.g., restricted turn-taking in courtrooms)
- institutional talk is typically asymmetrical in how turns are distributed, and the form these turns may take for the participants (Thornborrow, 2002).

Questions are often central to institutional talk, as in the case of teaching and various types of interviews, including the LADO interview. Interviews are characterised by questions and answers, where one participant is responsible for asking questions and the other for answering them (Schegloff, 1992a). The questioner is typically the more powerful speaker, as he or she determines the topics and structure of the conversation (Drew and Heritage, 1992a,b). The LADO interview is one form of institutional talk in which the interviewer(s) and the interviewee are clearly defined by their roles and understood to have different permissible turn types.

The structure of the rest of the article is as follows. In Section 2 we provide a brief outline of LADO, focussing on discussions of patterns at the discourse level. We then outline the materials and methodology used, including the question types analysed (Section 3). The findings are discussed in detail in Section 4, and we conclude with a summary of the results and recommendations for good practice in LADO interviews (Section 5).

2. LADO in the asylum process

The right to seek asylum is laid out in the Convention Relating to the Status of Refugees (UN General Assembly, 1951). However, it is in the interest of governments to distinguish between false and genuine asylum claimants. LADO has been developed as one tool within the gatekeeping process, conducted relatively early during screening of claims (Home Office, 2017: 9). It has also been claimed that the LADO interview should not be used as the sole basis for an asylum decision (Home Office, 2017: 21), although it remains unclear how a language report is integrated into a decision based also on other types of evidence.

It is hard to generalise how widely LADO is used internationally, but there is evidence to suggest it is used only in a minority of cases (ca. 5% of UK cases; Wilson and Foulkes, 2014: 220). It is usually used when an asylum seeker lacks identifying documents and thus there are doubts about the claim (Baltisberger and Hubbuch, 2010). The aim of LADO is to comment on an asylum seeker's claimed origin through the analysis of language and cultural knowledge, elicited via an interview (Zwaan et al., 2010). The interview may be used explicitly as a means to elicit information about linguistic and cultural knowledge. It may also be used after the event, as a sample of the claimant's language for forensic analysis. It is important to note, however, that LADO cannot make claims about *nationality* − instead, it can offer insight into linguistic socialisation, which may in turn give clues to national origin (LNOG, 2004). Furthermore, in many cases a legitimate claim for asylum is limited to specific ethnic or regional groups. The linguistic basis for ascertaining a legitimate claim might therefore be subtle, based on specific dialectal or sociolinguistic variants.