

Grice at the Border

Pragmatic expectations in UK asylum disclosure

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Abstract

An asylum answer may be judged evasive before anyone establishes whether the applicant understood the question. This article uses Grice's Cooperative Principle to examine how a judgement about an answer's relevance, detail or expression becomes a judgement about the speaker's truthfulness. I call this movement pragmatic credibility migration. Drawing on research into asylum communication and four published UK decisions, I distinguish misunderstanding, limited knowledge, interpreting error and the later misreading of a record. I argue that assessors should identify the proposition attributed to an applicant, show how the record supports it and address any explanation for the apparent difficulty. Communicative safety names the conditions in which uncertainty and correction can be examined as evidence without deciding credibility in advance.

Keywords: Grice; Cooperative Principle; asylum interviews; metapragmatics; credibility assessment; interpreting

Introduction

In the UK asylum process, language carries an evidential burden. An interview answer may later be read by someone who did not hear it, compared with a statement given on another occasion and used to decide whether the applicant should be believed. How the answer became a written record therefore matters to its evidential value.

Williamson's (2024) study of UK asylum interpreting, focused on Scotland, draws on policy analysis, hearing observations and nine interviews with people involved in the asylum system. It finds a gap between the scrutiny applied to applicants' words and the attention paid to interpreting as linguistic and sociocultural mediation. This shifts attention from the finished answer to the process that produced it.

Applicants must infer what a question requires and how much information will satisfy it. An interviewer may need a detail whose legal significance is unfamiliar to the applicant. The applicant can understand the words and still misunderstand the task. A question about a relationship, for example, may invite an account of affection when the interviewer wants evidence of contact. Repetition will not help if the purpose remains unclear.

Grice's account of conversational cooperation provides a way to examine this problem. His Cooperative Principle relates a contribution to the accepted purpose or direction of a conversation (1975, p. 45). In an asylum interview, however, the institution controls the procedure and the questions. The applicant's participation does not prove a shared understanding of what a satisfactory answer requires. I use metapragmatics to describe how participants frame the activity, including how they explain why a question is being asked.

The central issue is what happens when a communicative difficulty becomes evidence against the speaker. I call this pragmatic credibility migration: an answer is treated as insufficient, irrelevant or unclear, and that judgement supports an inference about the

applicant's truthfulness. The inference may be justified, but it must be distinguished from other explanations supported by the evidence.

I examine Home Office questioning and the later assessment of asylum evidence by UK tribunals and courts. Research on asylum communication is read alongside published decisions in which the treatment of particular answers can be traced. The argument is simple: an assessor must establish what an answer conveys before using it against its speaker. I then develop communicative safety as a practical way to let applicants explain uncertainty and challenge an attributed meaning while leaving decision-makers free to test their accounts.

Material and approach

This is a conceptual analysis of four published decisions, selected because each reveals a different communicative problem: omission, uncertainty, an independently verified interpreting error and the misreading of a screening answer.

The cases are *M A M* (2025), *Mrs KMA* (2023), *O I D* (2021) and *JA (Afghanistan)* (2014). The first three are unreported Upper Tribunal decisions and are used as documented examples of reasoning, not as generally binding authority. *JA* is a Court of Appeal judgment. Each case is read within its own procedural setting.

For each case, I separate the answer reproduced in the decision from the meaning attributed to it. I then examine the explanation offered, the evidence available to test it and the effect on the challenged finding. Published reasons cannot reconstruct the entire interaction: they select material relevant to the appeal, and I have not analysed the full recordings, original-language exchanges or case files. They can, however, reveal the inference that the tribunal or court accepted or rejected.

I use the anonymised names given in the judgments. The references identify the decisions and scholarly sources; paragraph or excerpt numbers locate the passages central to the analysis.

Cooperation and access to the question

Grice's maxims concern the amount of information supplied, its truth and evidential support, its relevance and its expression: Quantity, Quality, Relation and Manner (1975, pp. 45-46). They explain how people interpret contributions, not how courts should identify an honest witness. Grice also distinguishes several ways in which a maxim may go unfulfilled, including clashes between requirements and conspicuous departures that invite an inference (pp. 49-51). An unexpected answer therefore has no single explanation.

Conversational cooperation is compatible with disagreement, but an asylum interview distributes authority unevenly. The interviewer decides what to pursue, and the decision-maker assigns evidential weight. Calling an answer uncooperative may hide that imbalance by making the applicant responsible for discovering an unstated purpose. I use the maxims to identify the expectation at work and ask whether the applicant could recognise it.

Jacobs (2022) examines metapragmatic framing in legal advice communication in Belgium. In excerpt 5, a lawyer asks a Congolese client about his relationship with his children. Their bond may support a residence application, but the lawyer leaves that purpose implicit. The client describes the relationship and explains limits on contact without

consistently supplying the evidence the lawyer seeks. The exchange shows how someone may understand a question's words without grasping its institutional purpose.

A legal consultation differs from an official interview, but both can contain a gap between the detail sought and the speaker's reason for supplying it. An interviewer should make that reason clear enough for the applicant to answer without suggesting the substance of the answer. Explaining that a question concerns frequency of contact, for example, still leaves the applicant free to say that contact is rare or absent.

Gumperz (1982, ch. 6) shows how intonation and other contextualisation cues help people recognise the kind of exchange they are in, although the meaning of those cues depends on experience. Maryns and Blommaert's (2002) account of pretextual gaps likewise directs attention to the unequal communicative resources people bring to institutional encounters. Fluent speech does not prove familiarity with the conventions being used to judge it.

An interviewer's confidence that a question is plain cannot settle whether the applicant understood its scope. The exchange must supply that evidence. The interviewer should ask what the applicant understood, clarify the question and see whether the answer changes. Nor should an assessor invent a cultural explanation on the applicant's behalf. The relevant evidence is the applicant's explanation and the effect of clarification.

Institutional accounts also change as people prepare them for legal use. Jacobs and Maryns (2022) analyse a Belgian consultation in which an Afghan applicant, his adviser and his lawyer prepare an experiential account for an asylum hearing. Barsky's (1994) study of two Canadian refugee cases similarly treats interpretation and narrative production as part of the hearing. In both, the final account emerges through interaction rather than from the applicant alone.

Richardson (2026) offers a closer UK comparison. Her study of published Upper Tribunal decisions examines how interpreting problems affect the assessment of evidence and includes O I D, discussed below. This article extends that analysis by separating the production of an answer from the later inference drawn from its wording or apparent inconsistency. Pragmatic credibility migration names that inferential step.

From an answer to a credibility finding

Truthfulness, factual accuracy and pragmatic alignment are different. Truthfulness concerns whether speakers sincerely present what they believe to be true. Factual accuracy concerns whether the proposition is correct. Pragmatic alignment concerns whether an answer meets the requirements of the exchange as the participants understand them. A sincere speaker can be mistaken; an accurate statement can be irrelevant; a relevant answer can be a lie.

Consider a simple exchange. A asks, 'What was the temperature yesterday?' and B replies, 'It was 23 degrees centigrade.' The answer fits the question, assuming a shared location and scale, but that fit says nothing about its accuracy or B's sincerity. B may believe the temperature was 18 degrees and deliberately supply a different figure.

If B instead replies, 'I woke up at 10 o'clock on Monday,' the relevance is unclear. B may have misunderstood, begun a longer explanation or avoided the question. The exchange gives A a reason to clarify, not enough evidence to choose among those explanations.

Asylum assessment presents the same problem in a more consequential form. The decision-maker must first establish what proposition the applicant asserted, then compare it with other answers or independent evidence. Failure to prove a proposition is not the same as knowingly stating a falsehood. Keeping those questions separate makes credibility an assessment of particular evidence rather than an undifferentiated judgement about the person.

Pragmatic credibility migration occurs when a communicative feature of an answer contributes to an adverse credibility finding. Its force depends on the intermediate reasoning. Was the scope of the question clear? Does the record preserve the applicant's qualification? Is the supposed contradiction between propositions the applicant actually asserted? These questions test the evidence for the inference.

The inference can be justified. If an applicant understands a request, possesses the information and repeatedly avoids supplying it after clarification, that conduct may support an adverse finding, especially when other evidence indicates concealment. The assessor need not eliminate every theoretical misunderstanding; the alternatives that arise from the exchange or the evidence require attention.

Detail and the limits of knowledge

The tension between Quantity and Quality is sharpest when an interviewer asks for precision the applicant cannot support. Quantity concerns how much information the exchange requires; Quality concerns the speaker's belief and evidential basis. A request for an exact date may exceed the speaker's knowledge. Grice's discussion of clashes between maxims frames the conflict (1975, pp. 49, 51), but the circumstances determine what the answer means.

Suppose an applicant remembers leaving a village shortly after a family wedding but not the date. The wedding may anchor the chronology and narrow the period. Pressing only for a day and month may instead elicit a guess that looks certain in the written record. A later difference between two guesses may then be read as a contradiction between memories.

An estimate can be assessed only if the record preserves it as an estimate. It should distinguish what the applicant remembers, what they calculate from another event and what they cannot place. A specific recollection and a provisional estimate warrant different comparisons; transcription as two unqualified dates erases that difference.

Herlihy, Scragg and Turner (2002) studied repeated accounts of traumatic and non-traumatic events among Kosovan and Bosnian refugees. Participants gave more discrepant accounts of peripheral than central details, and discrepancies increased with the interval between interviews among those with high levels of post-traumatic stress. The study weakens a simple equation between inconsistency and fabrication, although it cannot explain any individual discrepancy.

Manner raises a separate issue. A sequence may be difficult to follow because the speaker moves between periods, a question changes the topic, or an interpreter or record-maker alters the expression. That problem differs from a conflict between two dates. The first requires reconstruction of the exchange; the second requires identifying what each date referred to and how confidently it was given.

A statement of limited knowledge is itself evidence. In Case 2, the applicant explains that she cannot remember an event alleged to have happened when she was a baby. That explains the absence of direct recollection without establishing whether the event occurred. If

she later claims knowledge, the interviewer should ask how she acquired it. A yes-or-no demand cannot establish the source of that change.

Interviewers should therefore seek the best account the person can support and record its limits. They may press for missing information while marking an estimate as an estimate. Decision-makers can then assess both the answer and the reason for its uncertainty, rather than treating caution as evasion.

Credibility in the UK framework

This distinction matters in law. Section 8 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 requires specified behaviour to be considered when credibility is assessed. Section 8(2) includes conduct designed or likely to conceal information, mislead, obstruct or delay a claim. Because the provision reaches beyond intentional lies, communicative analysis must focus on the weight properly given to a particular answer.

In *JT (Cameroon) v Secretary of State for the Home Department* [2008] EWCA Civ 878, the Court of Appeal placed section 8 within the overall assessment of credibility. The specified behaviour must be considered, but the fact-finder decides its weight in the context of all the evidence (paras. 19-21).

Home Office guidance also requires attention to personal circumstances and explanations. Version 13.0 of Assessing credibility and refugee status covers claims made on or after 28 June 2022, subject to transitional arrangements. Its structured approach directs assessors to consider the evidence as a whole and factors that may affect detail and consistency (Home Office, 2023).

The interview guidance instructs interviewers to probe unclear answers and give applicants an opportunity to explain apparent inconsistencies (Home Office, 2025, 'Interviewing techniques'). The quality of that opportunity depends on what the record preserves: the question asked, the difficulty identified and the applicant's explanation. Without those links, a later reader sees the disputed answer but not how it developed.

Worked examples

Case 1 An omitted relative

In *M A M v Secretary of State for the Home Department* (UI-2024-000488, 27 March 2025), the First-tier Tribunal treated the omission of the appellant's sister from his screening answer about family in the UK as deliberate withholding. He had referred to 'no close family' and an aunt he did not know, then said he had misunderstood the question. The Upper Tribunal held that the explanation had been considered and permissibly rejected. The transcript relied on in the challenge concerned the substantive interview rather than the disputed screening exchange (paras. 92-95), and the First-tier Tribunal's decision stood (paras. 106-107).

The word close can describe either kinship or contact, but the appellant introduced it; the question reproduced at paragraph 94 asked about any family in the UK or another European country. Mentioning an unfamiliar aunt did not explain the omission of a sister. On the published material, the adverse finding survived review because the claimed misunderstanding lacked support.

The case nevertheless exposes the inferential step. An omission was classified as intentional and then used against the appellant's wider credibility. Testing that inference required evidence about the screening question, its interpretation and the appellant's understanding of its scope. A problem in a different interview could not answer those questions.

Future screening interviews could reduce this ambiguity by asking separately about relatives with whom the applicant has no contact. The narrower follow-up would clarify the scope without suggesting whom the applicant should name.

Case 2 An answer about not knowing

Mrs KMA v Secretary of State for the Home Department (UI-2021-001331, 4 December 2023) concerned a Nigerian mother's account of risk to her daughter from female genital mutilation (FGM). Asked whether she had undergone FGM, she answered, 'I don't know, I was a baby.' She added that her mother discouraged questions and that female relatives had not given her information (para. 21). The Upper Tribunal set aside the decision allowing her appeal and ordered a fresh hearing because the First-tier Tribunal had not resolved the difference between her earlier uncertainty and the later account it accepted (paras. 17-22).

The first answer states an epistemic limit: she cannot identify the event from her own memory. Her account of family silence adds a limit on what she could learn from others. These explanations bear on what information she could reasonably supply, but they do not establish whether FGM occurred. The relevant distinction is between refusing to disclose known information and being unable to establish it.

The later account required the tribunal to ask what had changed. The applicant may have acquired new information, understood the earlier question differently or remained unable to reconcile the two accounts. Communicative safety requires an opportunity to explain that change and a decision that addresses the explanation.

In Gricean terms, Quantity cannot be detached from Quality. A question may seek information that the person cannot responsibly give. The task is to identify the boundary of the applicant's knowledge and explain how any later account crosses it.

Case 3 An interpreting error checked against the recording

O I D v Secretary of State for the Home Department (PA/06881/2019 (V), 29 April 2021) connects an interpreting error directly to an adverse finding. The dispute concerned who put a receipt in a bag. The First-tier Tribunal treated the interview record as inconsistent with the appellant's account, but an independent interpreter later examined the recording. The Upper Tribunal accepted that the record was inaccurate and that the previously rejected explanation of interpreting error was supported (paras. 25-37). It set aside the decision and ordered a fresh hearing with no preserved factual findings (paras. 41-45).

The rendering 'he said he put the receipt in the bag' left the actor unclear, and later answers in the interview also required consideration (paras. 22-26, 35). Richardson (2026, section 4.3.4, extracts 9a-c) discusses the decision in her analysis of interpreting in asylum appeals.

This was more than a possibility that translation had gone wrong. The recording was checked, and the resulting evidence was accepted. Once the textual basis of the supposed inconsistency was displaced, the inconsistency could no longer carry the same weight.

Manner directs attention to the expression through which an answer reaches its audience. Here, however, the disputed expression arose through interpreting and recording, not from the applicant alone. Responsibility for the wording nonetheless migrated to the applicant when the tribunal treated it as inconsistent. Before using an expression to judge truthfulness, an assessor must establish whose wording it is and whether it represents what the applicant said.

Correcting the record removed an unsafe basis for assessment and required a fresh decision. *O I D* therefore shows the value of recording and independent language expertise: they allowed a disputed attribution to be tested after the interview.

Case 4 A record read as saying something else

In *JA (Afghanistan) v Secretary of State for the Home Department* [2014] EWCA Civ 450, the Court of Appeal considered interview evidence from an Afghan claimant who was about fourteen and a half when he first sought help. A screening answer recorded that his mother had accompanied him to Pakistan. The Secretary of State and the First-tier Tribunal nevertheless read it as placing both parents in Afghanistan. The court rejected that reading (paras. 17-19), stressed that the circumstances of an interview affect the weight of its record (para. 24), allowed the appeal and sent the case to a differently constituted Upper Tribunal (para. 37).

The error arose when the record was read, not when the applicant spoke. The written answer already contradicted the meaning attributed to it. Before declaring two accounts inconsistent, an assessor must identify the proposition each account actually contains; otherwise, the contradiction is created by the reader.

JA extends the analysis beyond the applicant's conversational performance. The evidential chain continues through interpretation, transcription, quotation and reading. A mistake at any stage can alter the proposition later assessed.

Communicative safety therefore includes the ability to challenge an attributed meaning. If the surrounding text resolves the issue, the assessor should correct the proposition before considering the applicant's motives.

Communicative safety in practice

The four cases establish different things. *M A M* preserves an adverse finding after a claim of misunderstanding; *Mrs KMA* leaves a change in stated knowledge to be explained; *O I D* verifies an interpreting error; and *JA* corrects a misreading of the record. Together they show why an assessor must distinguish a possible explanation from one supported by evidence.

Communicative safety describes the conditions in which applicants can explain a difficulty with disclosure and challenge how an answer has been understood. It requires an opportunity to identify the problem and an institutional means of examining it without treating correction itself as dishonesty. It does not determine the result.

The first requirement is access to the question's purpose. When a response suggests that the applicant is answering a different question, the interviewer should explain what

remains unresolved. A request about contact with a relative can specify whether it concerns visits, other communication or knowledge of the person's whereabouts. This identifies the relevant topic without suggesting which answer would support the claim.

The record should preserve the clarification. Replacing an initial response with a tidier final answer conceals why the answer changed. The written record should include the original wording, the revised question and the new response. If an interpreter identifies an ambiguity, the record should include both the problem and its resolution so that a later reader can follow the answer's development.

Home Office guidance provides for audio recording and access to the interview record and recording (Home Office, 2025, 'Interview recording policy'). *O I D* shows how a recording can support scrutiny, but the safeguard works only if the disputed passage can be located and competently reviewed. Applicants may need language expertise to recognise an English error, explain its importance and test it against the recording.

A decision-maker should address the applicant's explanation where the disputed answer is used. If detail is missing, the reasons should identify the detail and why the applicant could be expected to know it. If two accounts conflict, the reasons should compare the propositions in context. Calling an account evasive does not perform that analysis.

Clarification need not investigate every conceivable ambiguity. It should respond to a difficulty that emerges in the exchange or later carries adverse weight. A minor recording error that is readily corrected requires little inquiry; a disputed attribution central to a credibility finding requires more. The depth of scrutiny should match the use made of the answer.

Training could present short anonymised exchanges in stages. Trainees would identify the initial inference, then revise it when surrounding answers or a corrected interpretation appear. Some examples should leave the adverse inference intact. The exercise would train assessors to compare propositions and explanations rather than reward a preferred outcome.

Limits and further inquiry

These four published appeals cannot show how often pragmatic credibility migration occurs or whether the proposed practices improve decisions. Appeals make visible the problems that were challenged, while successful clarification during interviews may leave no published trace. Prevalence and effect therefore require a different study.

That study should link interview material to the decisions that use it. A defined period and sampling rule should include claims with different outcomes, not only successful appeals or obvious interpreting disputes. Subject to consent, confidentiality and data protection, researchers could compare recordings, written records and reasons for decision. Qualified analysts would examine the languages used where interpreting is disputed. The unit of analysis should be the particular answer and its later evidential use.

Researchers could code whether the question's scope was explained, whether a claimed misunderstanding was explored and whether uncertainty markers survived into the proposition assessed. Independent coding and reported disagreements would help distinguish observable features from interpretation. Including cases in which clarification strengthens an adverse finding would prevent selection from determining the result.

Training also requires evaluation. Useful measures include fewer adverse findings that ignore a material clarification already in the record and more accurate preservation of

estimates and qualifications. A before-and-after comparison, with an appropriate comparison group and adjustment for changes in case mix, could test these effects. Grant rates alone would not measure the quality of evidential reasoning.

Conclusion

Grice makes the expectations behind an answer available for examination. As such, relevance depends on conversational purpose; available detail depends on knowledge; and the wording before a later reader depends partly on interpreters and record-makers. These factors do not decide whether a claim is true, but they do identify what must be established before communication can support a judgement about truthfulness.

The cases show that pragmatic credibility migration must be tested even when the applicant's challenge ultimately fails. Communicative safety gives applicants a practical opportunity to explain disputed answers and gives assessors better evidence on which to decide.

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