Cultus

THE JOURNAL OF INTERCULTURAL
MEDIATION AND COMMUNICATION

MEDIATING NARRATIVES OF MIGRATION
2020, Volume 13

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MEDIATING NARRATIVES OF MIGRATION

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To Translate or not To Translate:
Narratives and Translation in the UK Home Office

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Abstract

Translation services in migratory contexts have not been traditionally depicted as an advantage for British society. In fact, the provision of such services in these contexts has been seen as a social and economic burden. In this paper, we aim to connect how the translation and migration narratives that have emerged in the UK over the years have impacted on the provision of translation by the ministerial department responsible for immigration in this country, i.e., the Home Office (HO). As a first stage of an on-going project, the methodological concept of domain is used to investigate the provision of translation services during EU immigration procedures at the HO from a descriptive standpoint. Here, we will examine to what extent translations are available at this key administrative stage at the outset of the migratory experience when migrants, with and without language barriers, need to communicate their narratives correctly in order to be granted EU residence documentation. Our initial findings suggest that both EU migration and translation narratives seem to have influenced an HO translation policy of non-translation, a policy that needs to be further addressed in the near future.

Keywords: translation policy; Home Office; migration narratives; translation narratives; EU immigration procedures

1. Introduction

In recent years, migration has become a highly politicized and controversial issue in the United Kingdom (UK). It is no secret that it dominated the pro-Brexit campaign – a campaign which sought to foreground the threat that European Union (EU) migrants represented for British society. A variety of social actors have also contributed to this trend, such as politicians and the British media in which, as recently reported by Wambach (2018: 212), "the EU is more frequently represented as disadvantaging the UK as opposed to benefitting it. Of particular interest here was the representation of EU migration as straining UK public services while EU migrants' contributions are rarely

mentioned". It is against this background that migration narratives in the British context have emerged, i.e. "explanations, accounts, discourses, and positions that have become given, commonly known and accepted by key players in the […] migration space" (Akanle, 2018: 162). In this context, migration narratives go hand in hand with translation and interpreting narratives. In UK public discourse, translation and interpreting services in migratory contexts have not always been depicted as beneficial for British society (Schäffner, 2009). In his study on Community Translation (CT)[1] in Britain, Townsley (2018) identified two opposing positions in terms of CT narratives. On the one hand, its supporters foreground the "´social inclusion` framing of the function of CT", while the detractors believe that CT "increases segregation of the non-English speaking communities" and perceive it as a social and economic burden (Townsley, 2018: 111-112). Since State obligations to translate are rather limited in international law, González Núñez (2016) argues that States have a lot of discretion on whether to implement translation policies at the national level, especially in the case of migrant languages. In the UK, "there are no laws […] that deal exclusively with translation. Further, very few laws are explicit about translation obligations" (González Núñez, 2016: 120), which allows the UK to approach communication with migrant communities with a great deal of discretion.

Even if traditionally non-EU migrants have been regarded as the most vulnerable group in terms of restriction of rights, several EU reports[2] and previous research (Ruiz-Cortés, 2020; Shaw and Miller, 2013) suggest that substantial implementation obstacles to the right to EU freedom of movement and residence for EU migrants and their family members have persisted in the UK over the years. It should be noted that the general label "EU migration" applies to an array of citizens from EU and non-EU countries, since under EU law, both EU migrants and their third country family members are allowed to move and reside freely in the UK until 2021. In order to confirm their right of residence in the country, EU migrants and their family members need to apply for EU residence

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[1] Undeniably this also applies to interpreting. In this paper the term CT is used as a synonym of Public Service Translation as used in Ruiz-Cortés (forthcoming).

[2] One of the most recent and detailed reports on obstacles to the right to free movement and residence was carried out by the Directorate General for Internal Policies in 2016. Available at: https://www.europarl.europa.eu/RegData/etudes/STUD/2016/571375/IPOL_STU(2016)571375_EN.pdf (last accessed 13 July 2020).

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documentation, a process in which language and cultural barriers play an important role (Codó Olsina, 2008). In other words, throughout the process some of these migrants may come across obstacles that hinder their ability to understand the immigration procedure and complete the application form. Consequently, the benefits of CT to overcome linguistic and cultural barriers should not be underestimated, especially considering that migrants are required to be extremely rigorous with the information provided throughout these procedures, and that previous studies have highlighted the negative impact that fragmented or incomplete migrants' narratives may have on immigration procedures in the UK (Gibb and Good, 2014: 396). Migrants' narratives, in this case, can be defined as the "basic mode of understanding and sharing of experience" (De Fina and Tseng, 2017: 381) on the part of migrants when communicating their situation to the authorities[3]. However, if the immigration procedure or the forms are misunderstood by migrants, information may be miscommunicated to the authorities, which may influence the success of the procedure itself (Sarangi and Slembrouck, 2013).

Foregrounding the "´social inclusion` framing of the function of CT" (Townsley, 2018: 111), we therefore contend that CT has the key social mission of promoting equitable access to public service information for migrant communities, enabling their communication with the Public Services (Taibi and Ozolins, 2016). Thus, our premise is that translation will help to bridge the communication divide that may occur in this context (Codó Olsina, 2008), hence discouraging the construction of migrants' fragmented or incomplete narratives (Gibb and Good, 2014: 396). Based on this premise, we seek to investigate whether the EU migration narratives (Wambach, 2018: 212) and the translation narratives (Schäffner, 2009; Townsley, 2018) that have emerged in the UK over the years have impacted on the provision of translation services in EU immigration procedures at the Home Office (HO), the ministerial department responsible for immigration in the UK. To do so, we will examine a key stage at the outset of the migratory experience, i.e. the application process of EU nationals and their family members to obtain EU residence documentation that confirms their legal residence in the UK[4].

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[3] In this paper, we draw a distinction between **migration narratives** (Akanle, 2018: 162) and **migrants' narratives** understood as defined above.

[4] It is not mandatory to apply for this residence documentation in the UK; however, it helps citizens to prove their legal residence in the country, for instance, for the EU Settlement Scheme. According to the UK government webpage, in 2019 65,606 EU residence documents were issued

This paper reports on the first stage of an on-going project, in which the provision of translation is approached from a descriptive stance. Future empirical studies will be conducted to test our premise; consequently, this is a first exploratory analysis framed within Descriptive Translation Studies (Toury, 2012). By following the descriptive standpoint of González Núñez (2016: 42), we will organise the collection of our data via the methodological concept of "domain"[5], a sociolinguistic context that can be identified in terms of three criteria: location (the British public sector), topic (translation provision in EU immigration procedures) and participants (the UK Home Office and the applicants). Firstly, we will present the participants involved. Secondly, we will delve into the provision of translation services in EU immigration procedures (our object of analysis) to discover whether translation is provided to help migrants construct the narratives needed to complete their application process at the HO (our location).[6] Finally, after analysing our main results, we will present our conclusions.

2. The Home Office and the applicants

Under *Directive 2004/38/EC*,[7] EU nationals and their family members have the right to move and reside freely across the EU. In the UK, this Directive was transposed into UK legislation in *The Immigration (EEA) Regulations 2006*[8], and the executive branch of the British State that has

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https://www.gov.uk/government/publications/immigration-statistics-year-ending-december-2019/how-many-people-continue-their-stay-in-the-uk (last accessed 13 July 2020).

[5] This methodology is useful for this first phase; however, different methodologies may be used in the empirical stage.

[6] At this initial stage of our project we will focus on the analysis of HO´s documents and statements. However, in our empirical study, we plan to include the HO´s position.

[7] *Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States*. https://eur-lex.europa.eu/legal-content/ES/ALL/?uri=CELEX%3A32004L0038 (last accessed 13 July 2020).

[8] In 2006, the Directive was transposed into British law and the last version of it is *The Immigration (EEA) Regulations 2016* http://www.legislation.gov.uk/uksi/2016/1052/made (last accessed 13 July 2020).

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been in charge of implementing this national law over the years is the HO. Consequently, the HO is not only the institution that creates the immigration procedures under study, but is also the one that controls the processing of all EU residence forms - and decides whether EU residence documentation is finally granted. As reflected in this statement on the HO webpage, this ministry has an array of institutional goals:

> The first duty of the government is to keep citizens safe and the country secure. The Home Office has been at the front line of this endeavour since 1782. As such, the Home Office plays a fundamental role in the security and economic prosperity of the United Kingdom[9].

The division of the HO that deals with immigration procedures is the UK Visas and Immigration (UKVI)[10]. Few authors have studied the UKVI or the HO thoroughly, which makes Campbell´s (2016) ethnographic research of utmost importance. After analysing the British asylum system, Campbell describes the HO as a "flawed institution" and a "complex bureaucratic organization" with "poorly conceived policies" (Campbell, 2016: 13, 30, 44). As for the administrative decisions taken, Campbell (2016: 31, 42) highlights that generally:

> Official decisions are marked by an organizational culture that ´included a range of assumptions, stereotypes and myths` about particular nationals and communities, notably the myth that immigration is a ´threat to society` and that success can be measured by the number of individuals who are deported. […] In short, officials seize on minor details of a claim in an effort to undermine the applicant´s credibility and refuse the claim.

However, not only Campbell (2016) has been critical of the HO's restrictive immigration approach. Shaw and Miller (2013) found similar results in their study on the implementation of EU freedom of movement and residence rules in the UK, where they based their results both on legal doctrine and interviews with key national stakeholders in the implementation process. They highlighted the obscurity surrounding this bureaucratic institution while detecting "the importation of immigration case reasoning into EU free movement cases by decision-makers […],

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[9] https://www.gov.uk/government/organisations/home-office/about#responsibilities (last accessed 13 July 2020).
[10] https://www.gov.uk/government/organisations/uk-visas-and-immigration/about-our-services (last accessed 13 July 2020).

with the result that tests or standards which were incorrect or inappropriate were applied" (Shaw and Miller, 2013: 23). In other words, even if more flexible rules were applicable to migrants under EU law, the HO officials neglected these rules, at times, applying more restrictions than those required. Consequently, what all of the above suggests is that the HO has had a restrictive approach towards immigration over time (Campbell, 2016), including EU immigration (Shaw and Miller, 2013).

As for the applicants, their common denominator is that they are all migrants. In other words, the applicants may be EU nationals, i.e. EU migrants, or their third country family members, i.e. non-EU migrants. Due to that common denominator, previous studies indicate that these applicants usually have an initial misunderstanding not only of British bureaucratic procedures, but also of the implications that their statements may have on the final administrative decision (Sarangi and Slembrouck, 2013). At the same time, these applicants have heterogeneous profiles since they differ in age, nationality, language, culture, socio-economic situations or educational backgrounds[11]. Whichever the case, in this bureaucratic context there is an asymmetrical relationship between the participants involved, with the migrant being in a subordinate position to the authorities or, as Sarangi and Slembrouck (2013: 59) put it, with "an examinee supplying information to an examiner, who, in his/her turn, is also mandated to doubt, challenge and probe into any aspects of the applicant´s life that he/she may deem relevant to the procedure". However, although the HO decides the fate of the applicant, "an unsuccessful outcome is often blamed on the client, because the bureaucratic decision is taken in accordance with the information provided" (Sarangi and Slembrouck, 2013: 130). Consequently, providing the information correctly, or in other words, constructing your narrative properly will have an impact on the final outcome. To this end, translation may be essential for a very heterogeneous migrant population with different levels of education and literacy. The question that remains unanswered is: Are translated materials provided by the HO to help applicants with these immigration procedures?

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[11] See "Migration Statistics 2020"
https://commonslibrary.parliament.uk/research-briefings/sn06077/
(last accessed 13 July 2020).

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3. Translation provision at the HO and EU immigration procedures

Unlike the situation in other Member States (see Ruiz-Cortés, 2019 for an analysis of the situation in Spain) EU immigration procedures in the UK do not involve face-to-face contact, which entails that all the information concerning EU application processes is provided online. This implies that investigating whether translation is provided or not in this context requires the analysis of the online information facilitated by this ministry to help the applicant with the application process.

It should be noted that in order to initiate the application process migrants are required to submit EU residence forms by post[12] to the HO, with the necessary complementary documentation having to be enclosed. However, EU forms are only available online on the UKVI webpage, so before completing them, migrants need to download the relevant information concerning their procedure and their application form. Since, as reported by the national stakeholders involved (Shaw and Miller, 2013), EU freedom of movement and residence law is complex enough for legal practitioners and civil servants, arguably it may be even more challenging for migrants with possibly no subject knowledge on the matter and who may be experiencing linguistic and cultural barriers. Bearing this in mind, the first setback these migrants may encounter is that, depending on their personal situation and the kind of residence for which they are applying, they need to choose one out of the five possible forms applicable to migrants under EU Law[13]. It could be argued that these forms, which total 374 pages, are not exactly straightforward for someone who is not literate in EU law since they use complex legal concepts, such as "permanent residence" or "derivative right of residence", that need to be decoded in order to simply choose the right form. This ratifies the perception of previous studies that applicants are sometimes addressed "as someone who will be able to judge him/herself the eligibility condition on the basis of the information provided" (Sarangi and Slembrouck, 2013: 138), which may not always be the case, especially if these applicants are not familiar with the host country language or bureaucracy. What can migrants do if this occurs?

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[12] In very specific cases they are allowed to apply online: https://visas-immigration.service.gov.uk/product/eea-qp (last accessed 13 July 2020).
[13] See https://www.gov.uk/government/collections/uk-visa-forms#forms-for-citizens-of-the-european-economic-area (last accessed 13 July 2020). In other Member States this may differ. For instance, in Spain, only one application form has been created for all family members under EU law (See Ruiz-Cortés, 2019).

Firstly, they may look for the relevant information on the internet. However, even if "websites are a crucial point of entry for many citizens seeking services" (González Núñez, 2017: 163), they will not find the HO´s website translated into any foreign language. Even so, applicants may try to find out if their application forms or other related documents are translated. However, even if they do so, they will find no translated information whatsoever, since no applications forms or any other supporting documents are translated into any foreign language for EU law immigration procedures in the UK. In fact, the only resource the HO makes available to these applicants to solve their doubts is the "Contact UK Visas and Immigration about your application" tab[14]. In this tab, the first question migrants will be asked is if they are applying for residence from inside or outside the UK, as shown in Figure 1.

Contact UK Visas and Immigration about your application

1 Where are you applying from?

If you are contacting UK Visas and Immigration on behalf of someone outside the UK, select 'Outside the UK', even if you are in the UK.

◯ Inside the UK

◯ Outside the UK

Next step

Figure 1. UKVI step 1- Where are you applying from?

On the one hand, if they choose the option "Inside the UK", they will be presented with a list of possible topics their queries may be related to, such as Asylum, British Citizenship and Nationality or the EU Settlement

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[14] This is a general resource that can be used by all migrants in the UK.

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Scheme. After selecting one, they will be given contact details (UK telephone numbers and emails) to solve their queries using English as the language of communication with the authorities. On the other hand, if they choose the option "Outside the UK", they will be directly presented with a list of languages they can use to contact the HO, as can be seen in Figure 2.

2 **What language do you want to use?**

Choose the language you want to use:

- to speak to someone on the phone
- to get a reply by email

○ English
○ Arabic
○ Cantonese
○ French
○ Hindi
○ Mandarin
○ Russian
○ Spanish

Next step

Figure 2. UKVI step 2- What languages do you want to use?

As can be observed, they may choose from eight possible languages, English and seven other languages, to obtain information in this second case. As an example, Figure 3 shows the information they will find if they choose to contact the HO in Spanish.

Contact UK Visas and Immigration in Spanish

You can call or email Spanish-speaking staff with a question about your application. Contact centre staff cannot give you advice about your personal circumstances.

By phone
Telephone: 00 44 203 481 1738
Monday to Friday, 1pm to 1am UK local time
Calls cost £1.37 per minute on top of your standard network charges.

By email
Email UK Visas and Immigration.
Emails enquiries cost £5.48. You will not be charged for any follow-up emails about the same enquiry.

You'll get a reply to your email within 2 days, except on Saturdays, Sundays and UK public holidays.

Report a technical problem

To report a technical problem with your online application, for example problems with passwords, payments, refunds and booking appointments, you must include:

- your name
- what you're applying for (for example Tier 2 visa)

Figure 3. UKVI step 3- Contact UK Visas and Immigration in Spanish

Interesting differences may be inferred from the HO´s division "Inside and outside the UK". Firstly, if migrants are applying from within the UK, they are required to use English to contact the authorities, while being referred to specific immigration services depending on their query. Nevertheless, if they are applying from outside the UK, they will be able to use a foreign language to communicate with the HO (one of the abovementioned), but independent of the language, users are given the same contact details without discriminating the specific residence documentation they are applying for. In both cases, however, solving their queries is not free of charge since migrants must pay £1.37 per minute if they decide to use the phone option or £5.48 for an enquiry if they choose the email option.

As for the linguistic dimension, a number of assumptions seem to lurk beneath the HO´s linguistic decisions. Firstly, according to the HO perspective, if migrants are in the UK they are automatically expected to use English to communicate with the authorities. Secondly, from the seven foreign languages chosen by the HO for those applying from outside the UK, two of them are varieties of Chinese. This may be linked to economic reasons, and particularly to the Tier one investor visas that, as argued in the *Independent*: "have proved popular with Russian and Chinese applicants. They allow anyone investing at least £2m in

government bonds to work or study in Britain"[15] (December 6th, 2018). Whichever the case, all of the above suggests that no translation is provided for EU immigration procedures during the application process in the UK, leaving the applicants with no choice but to pay to contact the UKVI, or to find a translator themselves, if they experience language barriers. What will happen with those migrants who do not speak English or any of the foreign languages chosen to communicate with the HO, or who do not have the means to pay for a translator during the application process, remains a mystery. However, it is worth mentioning that, according to the HO´s webpage[16], this ministry does hire freelance interpreters at times after the form has been submitted for "casework interviews where an individual has been booked in advance". Nevertheless, this approach neglects the fact that potential communication problems may be avoided if translation or interpreting services were provided right from the start of the immigration procedure. It is also relevant to note how the HO justifies the need for interpreters:

> The vast majority of overseas nationals are able to communicate satisfactorily with immigration officers but in some cases, where communication proves impossible, the immigration officer will call on the services of an interpreter.

Thus, two relevant questions to answer in the future would be (1) how does the HO measure "satisfactory communication" and (2) what exactly does the HO mean by "where communication proves impossible"? Both statements seem to imply that interpreting would be used only as a last resort but not as a medium to improve communication or to allow migrants to construct their narratives (Gibb and Good, 2014: 396), even if EU law has a variety of nuances that may mislead applicants during the application process[17]. However, translation of key materials, such as the application forms or the supporting documents, seems not to be a relevant option for the HO to assist migrants in this context. In our view, the translation of these key materials could help migrants to construct their migration narratives when contacting the HO online or by phone (if they do so), since it will foster a prior understanding of the procedure. In turn, the proper construction of narratives will allow them to be advised

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[15] https://www.independent.co.uk/news/uk/home-news/investor-visas-tier-one-uk-suspended-money-laundering-financial-crime-immigration-russia-china-a8670876.html (last accessed 13 July 2020).
[16] https://www.gov.uk/government/publications/guidance-for-interpreters/guidance-for-interpreters (last accessed 13 July 2020).
[17] See Ruiz-Cortés (2020: 279-288).

according to their situation, which will lead them to reproduce their circumstances appropriately in the form. If not legally or institutionally advised, these translated materials may be even more crucial since, in the end, as argued by Sarangi and Slembrouck (2013: 135) "application forms presuppose a client who is literate to understand the instructions contained in the form, who is prepared to provide the information required and who is in a position to judge whether s/he falls within a category". Nonetheless, the genuine contribution that CT may bring to the table to bridge this communicative divide seems to be neglected by the HO, even though "online procedures generate problems of access (e.g. being able to afford an internet or phone subscription), as well as introducing new layers of complexity – especially for individuals who may already have a limited knowledge of the host country's language" (Loveluck, 2015: 93).

However, this underestimation of translation services seems also to be shared by the British government, at least judging by measures such as "How to publish on GOV.UK"[18], where "government editors and publishers", not translators, "can add one or more translations to any published document on GOV.UK". However, at the same time, this website is also proof that the British government is aware that translating documents is necessary for the heterogeneous population of the UK. Undeniably, this institutional position concerning non-professional translation of government documents contrasts with the control exercized on the private translations that applicants enclose with their immigration applications. In fact, the EU Guidance Notes 2020 (3) highlight: "The Home Office may contact your translator or translation company [the applicant's] to conduct further enquiries into any translated documents provided"[19]. This certainly seems to reinforce the "ingrained suspicion" (Shaw and Miller, 2013: 23) surrounding immigration and translation in the UK, while it also suggests that the British government is clearly sending a message: CT is not our concern.

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[18] https://www.gov.uk/guidance/how-to-publish-on-gov-uk/translations (last accessed 13 July 2020).
[19] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/864756/Form-EEA-PR-guidance-notes-v5.pdf (last accessed 13 July 2020).

3. To translate or not to translate?

States have no option but to make choices about translation or non-translation in their countries. Since the HO is the ministry responsible for the management of linguistic diversity in the British migration context, arguably the HO´s decisions on translation are of key symbolic and material significance in the UK context. However, in order to contextualize these decisions, how the HO understands migration should be also considered.

If the statement concerning HO´s goals highlighted in section 2 is taken as a starting point, it is certainly surprising that no mention of immigration whatsoever can be found there. Conversely, the threats supposedly posed by migrants in migration narratives, such as a threat to national security or economic prosperity (Akanle, 2018: 165), are clearly included. This statement seems to imply that among the responsibilities of this ministry, the main one is to keep the country secure, even if that means being more restrictive in terms of immigration. In fact, "A Short Guide to the Home Office 2015" (SGHO, 2015) confirms the tone set in the previous statement highlighting that one of the four priorities of the HO is to reduce immigration and, particularly, to "develop and implement **policies** to reduce net migration and tackle abuse, while attracting and retaining the brightest and best migrants to work, study or invest in the UK"[20] (SGHO, 2015: 4; our emphasis). In both public statements, immigration seems to fade into the background compared to the rest of the HO´s responsibilities. In fact, according to the second quote, reducing immigration is the HO´s goal. As for the participants involved, the statements seem to situate HO officials as guardians of security and economic prosperity, who in order to "tackle abuse", should be strict immigration controllers. As for migrants, both statements refer to them in general, not to specific migrant communities. This is relevant for this study where our heterogeneous group of applicants fall into this general categorization of "migrants" even though they may be nationals from countries profiled as both developed and underdeveloped in migration narratives (Akanle, 2018: 164). Thus, if migration narratives are "a coherent body of knowledge about what migration is, what it should be, and how it is to be managed and addressed" (Pécoud, 2015: 3 cited in Akanle, 2018: 162), in the light of the above, migration for the HO seems to be perceived as a problem to be managed in such a way that only

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[20] https://study.sagepub.com/sites/default/files/Home-Office-Short-Guide1.pdf (last accessed 13 July 2020).

migrants that may benefit the UK, according to the HO criteria, should be allowed to stay.

Does all of the above affect the implementation of a specific translation policy at the HO for EU immigration procedures? Considering that translation policy encompasses translation management, translation practice and translation beliefs (González Núñez, 2016), we will use these three parameters for our description. "Translation management" refers to the "decisions regarding translation made by people in authority to decide a domain's use or non-use of translations" (*ibid*.: 54). In our case, it seems that translation management is inexistent from an institutional stance, since no document is translated by the HO for EU immigration procedures. However, in a wider sense, it could also be argued that leaving the procuring of translation to the applicants themselves may also be a form of (poor) management by the HO[21]. In turn, all of the above entails that translation practice, that "involves questions such as what texts get translated […] into and out of what languages, and where it takes place" (*ibid*.: 55) does not even occur at the HO. Undeniably, behind translation management and practice, there seem to lie negative "translation beliefs" or "beliefs that members of a community hold about the value of translation" (*ibid*.: 55). These beliefs, in our case, seem to be related to the debates concerning the costs of offering translation services to migrant communities, the scarce public resources to do so, or even, their (detrimental) impact on the acquisition of the English language (Schäffner, 2009).

Consequently, our initial results seem to indicate that negative EU migration and translation narratives appear to be connected with the restrictive immigration stance of the HO in terms of translation policy when approaching EU law immigration procedures. On the one hand, this policy of non-translation seems to support the HO's perception of migration, both EU and non-EU, only as migration of economic and highly skilled migrants (SGHO, 2015: 4) who are able to understand English, or able to pay to understand it, in order to be able to access public services. On the other hand, this policy of non-translation seems to foreground the CT narratives that perceive CT as social and economic burden for the UK that could potentially be another way in which EU migration may "strain the UK public services" (Wambach, 2018: 212).

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[21] Furthermore, the fact that interpreting services are offered at times, seems to confirm the trend highlighted in previous studies that CT is considered as "a minor adjunct to interpreting" in the British public sector (Townsley, 2018: 118).

Arguably, this policy is also connected with the "dominant ideology of monolingualism" (Schäffner, 2009) in UK public discourse as highlighted in the 2007 British Commission on Integration and Cohesion report[22]. In this report, statements such as English "binds us together as a single group in a way that a multiplicity of community languages cannot" (73) or "translation can never be a substitute for learning English" (167) can be found. However, interestingly, the same report also highlights that: "translation should be reduced **except where it builds integration and cohesion**" (our emphasis), pointing out that the authorities need to judge when migrants need translation in order to "build integration and cohesion", and specifying that: "where new communities have arrived in a local area then **clearly** they need initial information in appropriate languages" (168; our emphasis). Even if we are not studying a local area, is this not also applicable here? The HO seems to think it is not, which results in newly arrived migrants who are unable to communicate in the dominant language (English), or to pay for multilingual information or translation services (of public documents), being kept from accessing services that others readily access. Therefore, the non-translation policy of this ministry seems to meet the goal of "retaining the brightest and best migrants" (SGHO, 2015: 4), which in this case seem to be those who already know English or, in the absence of this, those who have the means to pay to be provided with multilingual information or CT. The final consequence of this policy of non-translation is that migrants with language barriers would not be able to overcome them in order to construct their narratives throughout these immigration procedures, which may impact on the final outcome. Since, in the case presented, the final outcome is the confirmation of legal residence, this may indicate that the HO acts as a gatekeeper of the aforementioned confirmation in the EU immigration procedures mentioned. This is so because the HO does not only decide which applicants should be allowed through the metaphorical "gate" that gives access to the confirmation of legal residence, but the HO also determines the information on the immigration procedure and the languages in which it is provided, in order to achieve said confirmation. Therefore, as defended by Shaw and Miller (2013: 32) in the context of EU freedom of movement "the quality of information provided to applicants [by British authorities]" may be one of the explanations of why "up to 38% of applications in what is supposed to be a largely rights-based legal framework are turned down". In sum, in the light of the above, the

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[22]http://image.guardian.co.uk/sysfiles/Education/documents/2007/06/14/ourssharedfuture.pdf (last accessed 13 July 2020).

HO´s translation policy in the context under analysis may also be considered to be another "poorly conceived policy" (Campbell, 2016: 44) of this ministry.

5. Conclusions

Migration has traditionally been a contentious issue in the UK where linguistic rights of migrant minorities have caused heated debates. In this study we have investigated whether translation services are available to migrants during the application process of EU immigration procedures at the HO. Our conclusion is that the negative EU migration and translation narratives that have emerged in the UK seem to be connected with the HO´s translation policy of non-translation; a policy that does not contribute to assisting migrants to overcome language barriers when constructing key narratives that may influence their final confirmation of legal residence.

Furthermore, this exploratory research has allowed us to initially identify problems which require a close follow-up investigation in the next empirical stage of our project. Firstly, whether this policy of non-translation affects all immigration procedures (EU and non-EU procedures) to the same extent needs to be studied. Secondly, a pilot study with the applicants that explores the impact of the policy of non-translation of the HO on the success of immigration procedures needs to be empirically addressed. Thirdly, interviews with HO officials need to be carried out in order to investigate their perceptions, not only on migration, but also on the lack of availability of translation services at the HO. Last but not least, the justifications behind the non-provision of translation for migrant languages at the HO should be further examined considering that "arguments about practicability [of the provision of translation] are neither neutral nor innocent, but function to advance dominant groups and disadvantage others" (Mowbray, 2017: 39). In this specific context, these arguments are closely connected with the lack of obligation to translate (González Núñez, 2016: 120) and, especially, the short-term costs of CT. However, when these questions arise, hardly any reference is made to the fact that a policy of non-translation simply passes on the costs of translation to migrants. The burdens that non-translation may cause in terms of cost-effectiveness for the State are also rarely mentioned. These burdens for the State are connected with the time, effort or financial resources devoted by the authorities to reinitiating administrative procedures due to a lack of understanding of the procedure and/or the

application form on the part of the applicant (Barnett, 2007: 9-10), resulting in repeatedly poorly completed forms and longer administrative procedures. Consequently, the cost of the HO´s policy of non-translation in immigration procedures should be aligned with the cost of translation. This line of research will allow us to investigate whether CT is economically viable in this context, while allowing us to raise awareness at the HO so that UK authorities can design a translation policy that not only meets the demands of austerity budgets but, more importantly, the demands of a linguistically heterogeneous society that would benefit from CT.

References

Akanle, O. 2018. "International Migration Narratives: Systemic Global Politics, Irregular and Return Migrations". *International Sociology Reviews*, 33 (2), pp. 161-170. Available at: https://journals.sagepub.com/doi/10.1177/0268580918757105 (last accessed 15 July 2020).

Barnett, R. 2007. "*Designing Useable Forms: SUCCESS GUARANTEED"*. Available at: https://cdn.ymaws.com/www.bfma.org/resource/resmgr/Articles/07_46.pdf (last accessed 15 July 2020).

Campbell, J. R. 2016. *Bureaucracy, Law and Dystopia in the United Kingdom´s Asylum System*. London: Routledge.

Codó Olsina, E. 2008. *Immigration and Bureaucratic Control: Language Practices in Public Administration*. Berlin: Walter de Gruyter.

de Fina, A. and Tseng, A. 2017. "Narrative in the Study of Migrants". In S. Canagarajah (Ed.), *The Routledge Handbook of Migration and Language*, New York: Routledge, pp. 381-396.

Gibb, R. and Good, A. 2014. "Interpretation, Translation and Intercultural Communication in Refugee Status Determination Procedures in the UK and France". *Language and Intercultural Communication,* 14 (3), pp. 385-399. Available at: https://www.tandfonline.com/doi/pdf/10.1080/14708477.2014.918314?needAccess=true (last accessed 15 July 2020).

González Núñez, G. 2016. *Translating in Linguistically Diverse Societies: Translation Policy in the United Kingdom*. Amsterdam: John Benjamins.

González Núñez, G. 2017. "Law and Translation at the U.S.-Mexico Border: Translation Policy in a Diglossic Setting". In G. González Núñez and R. Meylaerts (Eds.), *Translation and Public Policy: Interdisciplinary Perspectives and Case Studies*, New York: Routledge, pp. 152-170.

Loveluck, B. 2015. "Digital Citizenship and Social Inclusion: Uses of ICTs by Migrant Populations and Minority Groups". In A. Alietti, M. Olivera and V. Riniolo (Eds.), *Virtual Citizenship? Roma Communities, Inclusion Policies, Participation and ICT Tools,* Milan: McGraw-Hill Education, pp. 89-96.

Mowbray, J. 2017. "Translation as Marginalisation? International Law, Translation and the Status of Linguistic Minorities". In G. González Núñez and R. Meylaerts (Eds.), *Translation and Public Policy: Interdisciplinary Perspectives and Case Studies*, New York: Routledge, pp. 32-57.

Pécoud, A. 2015. *Depoliticising Migration: Global Governance and International Migration Narratives*. Basingstoke: Palgrave Macmillan.

Ruiz-Cortés, E. 2019. "Comparación de la traducción de recursos digitales en un procedimiento de extranjería en España y en el Reino Unido: un estudio de caso". *Revista de Llengua i Dret, Journal of Language and Law*, 71, pp. 223-237. Available at: http://revistes.eapc.gencat.cat/index.php/rld/article/view/10.2436-rld.i71.2019.3245 (last accessed 15 July 2020).

Ruiz-Cortés, E. 2020. *Investigación-acción en traducción e inmigración: la utilidad del estudio pretraductológico para el análisis crítico de la libre circulación en España y en el Reino Unido (un estudio de caso)*. Doctoral thesis. Granada: University of Granada.

Ruiz-Cortés, E. forthcoming. "A Pre-translation Framework for Public Service Translation: A Sociological Approach". *Translation & Interpreting, The International Journal of Translation and Interpreting Research,* 13.

Sarangi, S. and Slembrouck S. 2013. *Language, Bureaucracy, and Social Control*. London: Routledge.

Schäffner, C. 2009. "Does Translation Hinder Integration?" *Forum*, 7 (1), pp. 99-122. Available at: https://www.jbe-platform.com/content/journals/10.1075/forum.7.1.05sch (last accessed 15 July 2020).

Shaw, J. and Miller, N. 2013. "When Legal Worlds Collide: An Exploration of What Happens when EU Free Movement Law Meets UK Immigration Law". *European Law Review*, 38 (2), pp. 1-34. Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2192253 (last accessed 15 July 2020).

Taibi, M. and Ozolins, U. 2016. *Community Translation*. London: Bloomsbury.

Toury, G. 2012. *Descriptive Translation Studies – and Beyond*. Amsterdam: John Benjamins.

Townsley, B. 2018. "Community Translation in the UK: An Enquiry into Practice". In M. Taibi (Ed.), *Translating for the Community*, Bristol: Multilingual Matters, pp. 110-120.

Wambach, A.M. 2018. *The European Union in British News Discourse from 2014 to 2015: A Dialectical-Relational Critical Discourse Analysis*. Doctoral thesis. Newcastle: Newcastle University.