

Navigating Immigration Law in a “Hostile Environment”: Implications for Adult Migrant Language Education

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In this article the author analyses the communicative demands placed on migrants navigating immigration law in a fast-moving policy environment and implications for adult migrant language education. Data are from an ethnographic study of a lawyer, Lucy, and her clients at a legal advice service in Leeds, England, and include interviews and recordings of lawyer–client interactions. The analytical focus is on Lucy’s stance (Jaffe, 2009b), on how she presents herself as an ally of her multilingual clients, and on the stance-marking strategies she and her clients use as they strive to make meaning. The study took place in 2016, a time of volatility for the policies that impinge on immigration law and on legal interaction for migrants: the upsurge of right-wing populist movements in Europe, erratic positions on migration in the United States, and the referendum that decided the United Kingdom would leave the European Union. The author maintains that the link is rarely drawn between interaction in legal and other institutional settings and the content of language classes designed to aid adult migrant settlement, and argues for an approach to adult migrant language education that critically addresses this point.

doi: 10.1002/tesq.558

Migration is the normal paradigm, a fact of life for many, and a defining feature of 21st-century globalisation. For individuals, however, it can entail huge and sometimes traumatic disruption. This is not least because the communicative challenges faced by migrants when attempting to settle in a new country are far from straightforward. Quite the reverse: In many areas of their lives—including immigration law and the legal dimension of settlement—interaction is complex, involving engagement with unfamiliar discourses in a policy environment that around the globe is ever more volatile. This article is about how the stance of a supportive lawyer aids multilingual migrants

in navigating an immigration legal system. It is also about how an awareness of legal interaction can inform adult migrant language education. Engagement with the processes of immigration law—as with other institutional discourse—is everyday activity for many new arrivals, not only in the United Kingdom, where the research reported here took place, but around the world. In this article I argue that understandings gained from the study of migrants’ legal interaction can inform a critical pedagogy for the language education that many newcomers rely on to support their settlement. As I explain later, a critical approach would present a challenge to current practice and policy in the field. For example, many migrant language learners have to engage with the legal system after arrival, which could be acknowledged in a critical approach to practice. Also, recognising the interactional demands faced by multilingual students in institutional encounters generally would encourage practice and practitioners to address the complexities of everyday interaction in their teaching. Moreover, close examination of legal interaction throws into sharp relief the monolingualism that dominates language policy (seen, for example, in the use of language tests as gatekeepers for citizenship and settlement).

The domains of both immigration law and adult migrant language education are themselves inherently unpredictable. Around 258 million people in the world are migrants from one country to another (United Nations, 2019), and many more are on the move internally, within national borders. Worldwide, the control of immigration through legal structures is a contested area of the law. The response of national governments to large-scale mobility—and in some cases to the growth of superdiverse populations (Vertovec, 2006)—has been inconsistent and paradoxical, with a tendency towards a progressive strengthening of borders and control (De Genova, 2017). Successive UK governments are no exception. A set of legislative measures collectively known as the *hostile environment policy* introduced since 2014 are designed to make staying in the United Kingdom as difficult as possible for people without official permission to be in the country. The policy gained its name when Theresa May, as home secretary, introduced a new Immigration and Naturalisation Bill (2014), one aim of which was to create—in her words—“a really hostile environment for illegal migrants” (*The Guardian*, 2013). These sentiments were in line with discourses in the media, where a campaign of misinformation about migration was fought by sections of the national press in the run-up to the Brexit vote in June 2016 and beyond. The rise of populist right-wing movements in the United Kingdom, with parallels across Europe and North America (Wodak & Krzyzanowski, 2017), and an associated increase in instances of linguistic xenophobia since the

Brexit vote (Burnett, 2016) have led to widespread insecurity amongst migrants and the children of migrants about their settlement status and sense of belonging. Such is the environment in which multilingual speakers in the United Kingdom find themselves, one that has also been characterised by frequent amendments to the complex legislation governing immigration procedures. Nine different acts of parliament over the past 20 years have shaped the legislative provisions of the immigration laws that impinge on migrants, including those relating to asylum and deportation, which affect the participants in this study. The official document containing the rules that an immigration lawyer's clients must abide by now runs to 1,000 pages (Yeo, 2018). Moreover, most people requiring legal support for immigration cases are not able to draw on state funds: In 2012 legal aid (government support to meet the costs of legal advice and representation in court) was cut for non-asylum immigration claimants.

Many if not most migrants also face the difficulty of gaining access to the language(s) that dominate in their new home. In the United Kingdom, this is usually done through classes of English for speakers of other languages (ESOL). The content of ESOL classes typically orients towards supporting students in their basic adjustment to daily life in the new country. Much ESOL content and teaching material ironically does not actually prepare students for the real-world challenges they face (Cooke & Simpson, 2008). These challenges include engagement with discourses about the legal dimension of migration and asylum. These issues rarely provide the topics and situations that form the content of ESOL teaching and materials; migrants are left to cope with high-stakes encounters without such support. Moreover, institutional language in use generally is usually very different from that presented in teaching materials as models of interaction. Real spoken institutional interaction is characterised not only by the hesitations, false starts, overlaps, and repair inherent in spoken discourse, but by unequal power relations and social distance of participants, and sometimes by the ad hoc interpreting familiar to those who live in multilingual settings (Roberts & Cooke, 2009). A power disparity is evident even in the nonthreatening environment of an informal legal advice service such as the one studied here, where participants work hard to lessen the effects of such inequality. This contrasts strikingly with the dialogues of language textbooks, where interactive tasks are accomplished with little misunderstanding.

Later in this article, and with reference to the analysis to come, I respond to this incongruity, arguing for a language education that draws its content and direction from authentic interaction and (following Gumperz & Cook-Gumperz, 2005) that aims to support and potentially transform the out-of-class experience of adult migrants. The

article is based on work carried out on the project *Translation and Translanguaging: Investigating Linguistic and Cultural Transformations in Superdiverse Wards in Four UK Cities (TLang)*.¹ This project investigated how people communicate when they bring into interaction different histories, biographies, and repertoires. One of the project's teams was based in Leeds, in the north of England, a city with a population of around three quarters of a million, where one of our key participants was Lucy,² an immigration lawyer. Between April and late July 2016, we observed and recorded Lucy in interaction with her clients at a free immigration law drop-in consultation service. The data that inform this article are from a research interview carried out with Lucy as she describes her work and from consultations between Lucy and her clients recorded for the project. The focus of the analysis is on sociolinguistic stance as it emerges in narrative and in spoken interaction. Stance-taking is the means through which specific communicative behaviour can be understood as relating to broader social meanings and social life.

The article develops as follows. After this introduction I contextualise the work further by reviewing studies of interaction in immigration law settings. I then describe the methodological basis for the analysis, introducing the approach and relevant aspects of the TLang study. I then present data and analysis of how Lucy establishes herself as a certain type of person through her stance-taking and of the interactional strategies that she and her clients employ as they attempt to make meaning. I draw the findings together in a discussion of the processes of settlement for new arrivals to the United Kingdom, proposing five implications for a critical and multilingual pedagogy to prepare learners for the challenges they face outside classrooms.

LEGAL INTERACTION IN THE CONTACT ZONE

Studies of interaction in immigration law settings (courtroom hearings, appeals, interviews with lawyers), in common with other studies of institutional discourse such as medical interaction, typically highlight the power relations between participants and how language and literacy are implicated in asymmetrical encounters. Blommaert (2001)

¹ The research underpinning this article was supported by the Arts and Humanities Research Council, as a Large Grant in the Translating Cultures theme, *Translation and Translanguaging: Investigating Linguistic and Cultural Transformations in Superdiverse Wards in Four UK Cities (AH/L007096/1)*. The project was led by Angela Creese. The Leeds-based team comprised Mike Baynham, Jessica Bradley, John Callaghan, Jolana Hanušová, Emilee Moore, and James Simpson.

² Lucy's name and those of her clients and of the organisations that she works for have been anonymised.

remarks on the complexity of interactional inequality in the Belgian asylum system, where administrative procedures require highly developed literacy skills as well as access to a standardized variety of language. Likewise Maryns (2006) attends to how discursive processes in the asylum procedure can have an impact on decisions about refugee status. Narrative inequality, as it forms part of broader interactional inequality, is the theme of Bohmer and Shuman's (2007) study of how the stories presented by applicants for asylum are evaluated by bureaucrats to determine whether they are credible. As Eades (2012) and Jacquemet (2013) contend, in courtrooms themselves language ideologies serve the aims of the powerful and the status quo against those without power, contributing to the restriction and containment of witnesses.

Jacquemet (2013) draws on Gumperz's work on contextualization cues, the signalling mechanisms used by speakers to indicate how they mean what they say, to study the asymmetrical encounters of asylum hearings. Miscommunication can occur when contextualization cues are unshared and—suggests Gumperz (1982)—may contribute to social problems associated with inequality. Jacquemet observes that contextualization cues and the inferences they indicate can be misused or ignored by an inimical courtroom opponent and that “examiners and adjudicators are using the communicative power of their technopolitical devices (questioning, procedural objections, metapragmatic requests and so on) to ensure that the asylum hearings reflect the wishes of the dominant class” (p. 209). Moreover, as Jacquemet further notes, asylum seekers themselves “are the ones who need to adjust their conversational style, or face the consequences of their inability to do so” (p. 209).

Not all legal interaction follows the traditional model of institutional gatekeeping encounters marked by professional dominance and distance. In some there is an alignment of purpose, when interlocutors attempt to cooperate (in its non-Gricean, nontechnical sense). This is the case in the less formal contexts of interaction in advice-giving sessions. Maley, Candlin, Crichton, and Koster (1995), in a study of lawyer–client interaction in Australia, found many examples where lawyers strategically show empathy towards their clients and the common touch through the use of colloquial language and evaluative descriptions (cf. Cain, 1979). This trend is not uniform: Bogoch's (1994) analysis of consultations on personal status (e.g., divorce) and labour law in an Israeli legal aid office shows that lawyer–client behaviour resembles an authoritarian rather than a participatory model. These studies, however, do not focus on legal advice for migrants, and those offering such advice face particular communicative challenges in their practice. Immigration law advisors

work in multilingual settings, what Pratt (1991) has termed “contact zones,” “social spaces where cultures meet, clash, and grapple with each other, often in contexts of highly asymmetrical relations of power” (p. 34). Communication in contact zones involves mobilities of different kinds being brought together in new ways, ways that draw attention to both the conception of knowledge and the identity of knowers as being “emergent and contingent on their specific temporal-spatial locations and practices,” as Blommaert and Horner (2017, p. 5) put it. Codó and Garrido (2010) point to an increasingly dynamic and unpredictable interactional environment for legal advisors of late, as “the changing face and voice of their clientele calls into question habitualised forms of service delivery based on the homogeneity of practices and worldviews” (p. 298).

This implies that migrants might encounter difficulties when interacting with even a sympathetic lawyer, one who shows solidarity towards her clients, precisely because of their lack of shared knowledge of the communicative styles and practices of particular types of interaction. Recently, sociolinguistic work has begun to focus on the discourse strategies that monolingual, majority-language-speaking immigration advisors use to negotiate and achieve understanding with their clients. Reynolds’s (2018) study of legal advisor–client interaction noted that the interactions between first-language (English) speakers and their multilingual clients where understanding is achieved are characterised by linguistic accommodation and communicative leniency (cf. Meeuwis, 1994). The analysis to follow develops this theme and—in the subsequent discussion—extends it to a consideration of action that might bring about change in language education practice.

This article, then, links the study of interaction between an immigration lawyer and her clients and the concerns of language education professionals aiming to support their students in navigating and negotiating understanding in the difficult discourse of immigration law. The questions guiding the analysis are as follows: (1) What linguistic and discourse features of Lucy’s talk in narrative and in interaction enact her stance towards her practice of immigration law, her clients, and immigration policy formation? (2) How do Lucy and her clients strive to make meaning in the interactional events of the immigration legal advice consultations that she runs? (3) What are the implications for adult migrant language education?

First I explain the methodology adopted for this study, describe the setting, and introduce the participants.

METHODOLOGY

Linguistic Ethnography

This study is informed by linguistic ethnography, an approach that stems from seminal work on the ethnography of communication (e.g., Gumperz & Hymes, 1986). Linguistic ethnography couples ethnography and linguistics: Ethnography, the study of the social and cultural practices of a group from an insider perspective, provides a focus on wider contexts of practice, and linguistics offers the possibility of micro-analyses of language use that participant observation and field notes cannot provide (Copland & Creese, 2015). The approach stresses the importance of reflexivity, foregrounds issues of context, and highlights “the primacy of direct field experience in establishing interpretive validity” (Maybin & Tusting, 2011, p. 517).

An ethnographic approach is characterised by participant observation over time, in-depth systematic data collection from various sources such as field notes, open-ended interviews, and recordings of naturally occurring interaction. Analysis is inductive, initiated during data collection, with a focus on patterns in situated practice and on the ecology of a particular setting. Such an approach can show the relationships between local lived experiences and practices and macro-level institutional and societal structures. The linguistic ethnographic approach adopted by the TLang project supported the development of an understanding of the role of translation and translanguaging as resources where multiple repertoires are in play in four UK cities, including Leeds. The research was conducted across domains of business and entrepreneurship, sport, libraries and museums, and legal advice.

The Study

In the phase of the TLang project where we examined legal advice, we worked with key participant Lucy, who runs an outreach session at City Mission Leeds, a charity that (from its website) “provides practical assistance to those in need—irrespective of ideology, faith, ethnicity, age or gender.” In the absence of government provision for initial immigration advice other than that relating to asylum claims, City Mission has stepped in to fill the gap. City Mission draws on the services of a second charity providing support for asylum seekers in Leeds, Asylum Hope, which offers free immigration

advice with a particular concern for those whose claims for asylum have been rejected but for whom it is still unsafe to return to the home country. As an employee of Asylum Hope, Lucy runs the outreach service at City Mission, a weekly drop-in session, working with assistants who themselves are qualified to give advice on straightforward cases. In the second year of her law studies, in 2009, Lucy had worked as a volunteer with Asylum Hope. Before then, she had not had a clear idea of the area of law in which she would like to specialize, but was immediately drawn to immigration law, as we see in the analysis to follow.

Members of the TLang team observed 11 weekly drop-in sessions and were present at a total of 105 consultations with Lucy and her clients, around 9 or 10 consultations per observational visit. At the beginning of our involvement, we explained our presence and gained consent to observe from all participants, prior to each consultation. After 3 weeks of observation, we began audiorecording the interaction. All participants, including those discussed in this article, gave their written consent for their interactions to be recorded and transcribed for use in research and academic publications. The data set for this aspect of the TLang project consist of audio recordings of 49 consultations, 13 sets of fieldnotes documenting the sessions and summarising informal interviews with Lucy and her colleagues, and four extensive interviews with Lucy and her managers at City Mission.

In the analysis, I examine in detail an extract from our first in-depth interview with Lucy, coming after a number of informal workplace discussions but still in the early days of our relationship with her. The specific extract was chosen because it came at the beginning of the interaction, demonstrating the ubiquitous nature of stance-taking, which is the focus of the analysis, and for how it exemplifies Lucy's characteristic stance-construction in her narrative strategies. I then examine extracts of consultations between Lucy and her clients, transcribed from three sessions. These were selected for analysis because they exemplify how—despite the inequalities of power between the participants—the talk is typically consensual.

The community centre that hosted Lucy's drop-in sessions is in a linguistically and culturally diverse inner-city area of Leeds. A client's visit would begin in the waiting area, where they were welcomed by a volunteer who noted their basic details (name, nationality) as well as the nature of their query. They were then seen by one of Lucy's assistant advisors. They did not work in isolation; there was a great amount of interaction with Lucy, who would often give advice to her assistants on how to proceed. Lucy herself described this arrangement as "chaotic but I like to think it's quite a friendly environment." The

researcher who carried out the bulk of the observations, Jolana Hanušová, perceived the atmosphere as professional yet friendly and relaxed, with occasional jokes between the colleagues. Clients were multilingual, but Lucy herself claimed to be a monolingual English speaker. The regulations, legal provisions, forms, and other paperwork that she and her clients had to navigate were also written exclusively in English. Official interpreters were expensive, had to be booked in advance, and were only rarely involved in supporting an advice session.

The clients who came to the observed drop-in sessions were nationals of over 30 countries, reflecting Leeds's diversity. Establishing the clients' nationality was not always possible, but we ascertained that nationals of African countries were present in the highest number of sessions (49), followed by people from Asia (21) and Europe (19). More than half of the African nationals were Eritreans (26 sessions). Clients' nationality (as classified here) did not always correspond to their country of origin; there were clients who had been born in African countries, for example, with Austrian or Italian nationalities. The clients' queries related to the asylum application process; becoming a British citizen; the residency permit card, the holding of which is a compulsory step for EU nationals towards obtaining British citizenship; Indefinite Leave to Remain, that is, permission to stay in the United Kingdom indefinitely without restriction; the wide range of UK visa categories; and travel documents. Lucy's service was busy and had become more so in the run-up to the Brexit vote in late June 2016, which heralded a rise in the number of enquiries about residency permits in particular. In all cases, serious or trivial, the clients felt that they needed a qualified legal advisor to help them rectify a situation.

ANALYSIS

The analysis aims to provide enriched understanding of interaction in a setting where migrants typically find themselves, to inform migrant language education practice. I examine the linguistic and communicative methods by which Lucy takes a stance, in relation to her evaluation of the social issues that concern her, to immigration law, and to her self- and other-positioning. Stance is a fundamental property of communication (Johnstone, 2009; Ochs, 1992); through their stance-taking, individuals connect their communicative behaviour with the broader social meanings and social life within which they interact. Sociolinguistic studies of stance identify it as a dynamic evaluation of something (material or conceptual) achieved

in ongoing interaction (Jaffe, 2009b). The interaction in the first part of the analysis took place in an interview with Lucy in June 2016, and her stance is emergent in the many narratives in that interview. I conceive narrative as practice (De Fina & Georgakopoulou, 2012) and contextualized activity with a setting, co-participants, and so on. In the second part of the analysis I examine stance-taking features of Lucy's interactions with her clients as they attempt to navigate the complex territory of immigration law. An interactional perspective on stance accords with an understanding of identity as emergent and situationally contingent, as identities-in-interaction (Bucholtz & Hall, 2005). Focusing on stance rather than identity construction alone allows me to consider not only how identities are constructed in narratives and other interaction but also to explore how that identity construction might index more enduring identities.

Stance-Taking in Narratives in Interviews

Interviews with Lucy are suffused with narratives. Here I attend to how she constructs her stance in just one narrative extract in our first interview, chosen because it came at the beginning of the interaction (demonstrating the ubiquitous nature of stance-taking) and for how it exemplifies Lucy's characteristic stance-construction in her narrative strategies. We were in a busy café in central Leeds. Present at the interview were myself and Jolana Hanušová, the TLang researcher.

Among a cluster of stance-constituting sociolinguistic features I pay attention to two: footing and reported talk. Footing refers to those "changes in alignment we take up to ourselves and others" (Goffman, 1981, p. 128) and is central to the participation framework offered by Goffman (1981) for the study of the dialogic organisation of language. Stance and subtle adjustments in stance are evident in shifts of footing that can signal realignment or the opening up of new spaces in discourse (Simpson, 2011). In my analysis of Lucy's use of reported talk, prominent in her interview, I again draw on Goffman's model of participation to consider how—when she reports other talk—she takes up a stance towards what was done through that talk.

The extract comes soon after I have explained the purpose of the interview. Transcription conventions are modified from those

developed by Jefferson as summarised by Holt and Clift (2007).³ I have just asked Lucy how she “got into” immigration law.

Extract 1

1. I erm (0.5) didn't deliberately get into immigration
2. I wanted to do intellectual property (.) u:m
3. but then (.) in my second year I started volunteering
4. at Asylum Hope project
5. and that was it I was hooked
6. ((JH laughs))
7. I \$fou:nd my ca:lling\$
8. so then when I finished my law degree (.)
9. I (.) couldn't decide whether I wanted to be
10. a solicitor or a barrister
11. thinking they were the only two options available to me (.)
12. and then I got into (.) immigration casework
13. and just I've never left
14. just took my exam and I've just stayed
15. doing immigration basically (.)
16. so yeah it just grabbed me
17. from the first time I met an immigration client
18. as- well asylum at Asylum Hope
19. I was like (.) this this is it this is what I wanna do (.)
20. so yea we ha- cause we handle
21. such a varied caseload
22. it's it's never boring
23. that's what I really like about it

In her response to my question, Lucy first invokes the idea of addiction (line 5), “I was hooked,” and in so doing positions herself as a certain type of committed person, someone who once she had started practicing immigration law found it difficult to stop. Immediately afterwards she mentions a different kind of compulsion: Jolana laughs at the notion of being “hooked,” prompting a slight change of footing as Lucy continues lightheartedly: “I found my calling” (7) is delivered using a smiling and stylised talk, as someone might ironically describe their vocation. I note too an interdiscursive link between the field of drug-taking (being hooked) and religion (finding a calling).

³Transcription conventions used in this article:

(0.5)	timed pause in seconds
(.)	short untimed pause
(())	description and translated text
[overlapping turns
()	indecipherable talk
\$ \$	smile voice before and at the end of affected talk
↓	marked fall in intonation immediately before the shift
:	stretched sound
-	cut-off

She indicates her enthusiasm for immigration law in 16–19: “it just grabbed me” (16), portraying the profession as agentive and suggesting love at first sight. She aligns with her clients, and (in 17) one particular client who was responsible for her getting involved in this area of the law. Then she reports her own inner speech (19): She recreates in her talk what she said to herself, when she first met an immigration client. She marks this quote out from the surrounding talk, introducing it with the quotative “like” and followed by a short pause. In Goffman’s (1981) terms, and with reference to his notion of production format, Lucy here is both the *animator* of the talk and its *author*. She is both the storyteller and the principal character. By presenting her earlier talk (as reported in the interview) as part of the story, she is displaying her own stance towards the career (of immigration lawyer) *in the past*—when she first encountered it as a possibility—and *in the present*, in its retelling in the course of our interview. The change of footing in (20) signals a more prosaic evaluation of her work as being interesting, in contrast to the epiphany humorously suggested earlier.

Lucy takes up a moral stance towards immigration law, “a disposition towards what is good or valuable and how one ought to live in the world” (Ochs & Capps, 2001, p. 43). She does this through her choice of lexis in her self-positioning and her positioning with regard to her alignment with her clients. Moreover, by referring to past events in an assured and unequivocal way, and through reporting her own talk, she is not simply constructing an identity on the fly; rather, she is indexing a “personal identity that endures over time” (Jaffe, 2009a, p. 4), that is, a particular social role as someone who is and has been a dedicated immigration lawyer. The fluency of the talk also suggests that this is a story she has told before. Throughout the extract, and indeed the interview as a whole, she establishes herself as someone who is on the side of her clients. Next I show how this stance is evident in her professional interaction.

Interaction in Immigration Legal Advice Consultations

Here I examine extracts of consultations between Lucy and her clients, transcribed from three audiorecorded interactions. These three were selected for analysis here because they exemplify typical instances of ways in which Lucy and her clients cooperate to achieve mutual understanding. In legal settings, the power asymmetry between advisor and client is evident in terms of language and in terms of knowledge. A characteristic of Lucy’s stance-taking, however, lies in her attempts to flatten these inequalities through the flexible use of her linguistic

and discursive repertoire and other communicative resources available to her; her clients are afforded the discursive space to try to do the same. In the three cases, we see in turn how Lucy and a client shift between legal language and more everyday language to make meaning, how use is made of an informal interpreter, and how the digital technology of Google Translate is brought into service, with some measure of success. In this analysis I consider stance in relation to contextualization cues (Gumperz, 1982), the surface features of talk by which speakers signal and listeners interpret what is meant. My interpretations have been corroborated by colleagues, including other members of the TLang team.

Everyday and specialised language. Lucy can usually communicate even complex matters effectively to her clients. In Extract 2 she does this by shifting from the specialized lexis of the law to everyday language in an effort to ensure her meanings are clear. Lucy is explaining to Cara the consequences of her son's deportation order for his chances of reentering the country. Cara is from Malawi and speaks fluent English. Her son had come to the United Kingdom at age 12. At 16 he was arrested and charged with attempted robbery, for which he received a prison sentence. Upon his release, at age 18, he was deported to Malawi, where he has been for 3 years, and Cara wants to know if there is any way of him being allowed to return to the United Kingdom.

Extract 2

1. L: now (.) you have a big problem here (.)
2. because when somebody is subject to a deportation order
3. C: hm
4. L: which your poor son that's what happened to him
5. C: hm
6. L: it lasts for ten years (.)
7. even after you've been removed from the [UK
8. C: [UK
9. L: yea (.) now you ↑can apply to revoke that
10. C: [revoke it yeah

(20 lines omitted)
31. L: (.) the grounds for revoking a deportation order
32. are that something in the situation
33. is now significantly different
34. to warrant the Home Office opening that (.) [that up
35. C: [back up
36. L: so if nothing is changed if he's if he's
37. still in the same situation and you are (.)
38. it's not gonna be successful (.)

Lucy's use of the evaluative term "your poor son" (4) is a stance-taking signal through which she positions Cara as someone

deserving of her sympathy and simultaneously positions herself as a sympathetic person who is aligned towards her client's concerns. She also knows that Cara needs to understand what she is saying. Throughout the rest of this extract, including in the omitted turns, Lucy uses specific legal terms as she explains the consequences of the decision: *a deportation order; been removed; apply to revoke that; was once excluded; reapply; grounds for; warrant*. This language needs to be manageable for Cara, who is an expert user of English but not necessarily of specialised legal discourse. Cara has a tendency to respond to Lucy's talk by latching her turn very closely to Lucy's or by overlapping. These backchanneling turns act as contextualization cues that signal to Lucy that she is paying close attention to what Lucy says and that she knows what these terms might mean (e.g. *revoke* in 10). At other times Lucy rephrases the legal language in more everyday language. In (34) for example she uses a technical phrase ("warrant the Home Office"), then makes a shift to more everyday language, explaining what the result or consequence will be using everyday terms, in an everyday register. So she does not avoid using complex legal language when she is confident (through listening to Cara's responses) that her client understands what she means; when she is unsure, she still uses these terms, but shifts into a more informal register to rephrase them.

This suggests that we should consider translation not only between societally defined languages (English, Chichewa) but also between registers and discourses (formal and informal registers, legal and everyday discourse). Lucy's talk is exemplary in this respect, rich as it is with examples of transdiscursive movement across specialized registers and discourses and everyday English, in an endeavour to render the complex language of the immigration law process in language that clients understand.

Informal interpreting. The interaction in Extract 3 concerns an appeal against an unsuccessful application for asylum. Musimbwa has received a negative decision on his application, has appealed, and has been summoned to a hearing. His previous solicitor is not willing to conduct the case any further, so he is seeking new representation. He is accompanied by his wife Valentina, who acts as an interpreter. We gained the help of a user of Lingala to translate this extract, and the translation ((in double parentheses)) is a word-for-word equivalent. The talk in Lingala includes words that are associated with French or English, pointing to the complexity of the participants' communicative practices, including the translanguaging practices inherent in everyday communication, and the

frequent lack of adherence to the boundaries of societally defined languages.

Extract 3

1. L: so what I'm just doing here is I'm writing out a: (.)
2. permission so what I what it's going to say is that
3. um Musimbwa gives me um (.) gives Asylum Hope
4. permission to get all the old papers
5. from the old lawyer because I we will need those to
6. help start the case to prepare the case [ok
7. V: [()ok
8. L: so () I'll just write it out
9. and then if you wouldn't mind just telling Musimbwa
10. exactly what it says
11. cause obviously you should never sign anything
12. you don't understand so I'll I'll write it and
13. then if he's happy he can sign ok
14. V: ok alobi eza papier azokoma pona baza mibale
15. bango mobimba bako etudier case nayo (.)
16. sikoyo soki yo osepeli te oyebisi bango
17. te ou bien osigner te (.) mais baza na dossier
18. na yo po ba etudier yango mibale (.)
19. soki osepeli te oyebisi bango o signer te
20. ((ok she's saying she's writing papers both of them
21. will study your case (.) so if you are not happy
22. tell them (.) or good you sign (.) but they have
23. your file so that they can study both of them (.)
24. if you are not happy at the end you will tell them you
25. don't sign))
26. M: te yebisa abasala yango
27. M: ((no tell them to do that))
28. V: he's he's ok
29. L: ok
30. V: yea
31. L: wonderful perfect

In enabling the presence of an informal interpreter, and in how she interacts with the interpreter, Lucy's communicative actions align with the moral stance that she has established elsewhere in her actions and her interactions (e.g., Extract 1). Lucy explains to Valentina what she is going to write in the letter before she begins to write it (1–8). In (9) she asks Valentina to explain what its contents will be to Musimbwa, before she writes it down. Still in this turn, she provides a commentary on what she is asking Valentina to do; that is, she explains the letter's contents in Lingala (11–12). When she says “you should never sign anything you don't understand” she uses *you* as a generic *one* (“one should never sign ...”). The purpose here appears to be to train Musimbwa and Valentina bureaucratically, so there is a fleeting change of footing from “advisor” to “teacher.” Because they understand English, both Lucy and Valentina have access to knowledge that Musimbwa—the person most affected by the knowledge—does not, or at least not without Valentina's mediation. Importantly

throughout, Lucy asks Valentina to translate what Musimbwa has to sign and request his consent rather than assume he will sign no matter what, and hence Musimbwa is not infantilised through his lack of English. Valentina explains to Musimbwa in Lingala what Lucy is proposing to do (13–24), and only once Musimbwa’s agreement is obtained about the letter (27) and Lucy herself is confident he has agreed (29, 31) does she begin to write it.

Digital technology. In legal settings where immigration is the focus, digital communication and media infrastructures play an increasingly salient role (Jacquemet, 2018). In Extract 4 communication across languages is eventually enabled through the use of digital technology, Google Translate (GT), as used on an iPhone. The use of GT in professional encounters is both common and problematic. Examining the use of GT for medical phrase translations, Patil and Davies (2014) found only 57.7% accuracy, concluding that it should not be trusted for important medical communications. In Lucy’s legal setting, where she sees people from around the world on a drop-in basis, translation and interpreting is needed ad hoc; where the concerns are relatively low-stakes, GT appears to be a first rather than a last resort.

Extract 4 concerns an application for a residency card by Mahamadou, an Italian-speaking man. We called on the support of an Italian user for the translation in this extract. In making his application Mahamadou might run into problems because (it appears at first at least) he has been jobseeking in the United Kingdom for a long time. Lucy uses GT to establish this.

Extract 4

1. L: you want (.) a card?
2. M: (l' ho fat) pa- passaport ((I have a passport))
3. L: ok let me just (2.0)
4. M: si ((beep)) fai la carta si
5. ((yes do the card yes))
6. L: would you like a registration card for the UK
7. GT: vuoi una scheda di registrazione per il Regno Unito ((beep))
8. ((would you like to have a UK registration form))
9. M: si ((yes)) my like erm residente
10. L: () resident
11. M: (uh uh)
12. L: ok perfect ok I will write
13. M: si si ((yes yes)) hm hm
14. L: ok
15. M: (perfect-) long working per personato (perm)
16. L: you jobseeker
17. M: job- jobseeker si
18. L: ah perfect
19. M: jobseeker
20. L: no problem lovely
21. M: job- jobseeker

Lucy has taken out her phone and has opened the Google Translate app. The “card” she refers to in (1) is a registration card for the United Kingdom. In (4), Mahamadou’s turn “si fai la carta si” (do the card yes) is interrupted by the beep of GT opening, and in (6) Lucy speaks into her phone and the app. Lucy has prepared for this in (3), and in (6) a change of footing is evident: Lucy is no longer addressing Mahamadou but is talking to her phone and uses a full sentence, spoken slowly and clearly, as she does so. The app translates in (7–8): “registration card” appears as “scheda di registrazione” (registration form). Mahamadou’s “si” (9), following Lucy’s addressing of GT in (6) and the subsequent translated turn (7–8), is key. Without GT, it is possible that the purpose of his visit to Lucy would have remained unclear for longer. Eventually, in (15), when Mahamadou says “working,” it becomes clear to her that it might be a work permit that he needs: (16) “you jobseeker.” Throughout, Lucy’s talk is interspersed with the words that are characteristic of her advice: *perfect, no problem, lovely*, markers of stance that are surely designed to make clients feel at ease and confident that she can support them. The tool (the smartphone) and the app (GT) both support and constrain the interaction. Having recourse to GT appears to afford Lucy a way into the interaction; communication is possible. Yet constraints exist, insofar as the translation provided is not particularly accurate; understanding is mainly achieved through perseverance in face-to-face, human–human interaction.

In sum, then, interaction in Lucy’s consultations, as with other institutional encounters, is replete with examples of shifts from a specialized register into everyday English and with other markers of stance designed to set the tone of her relationship with her clients. Where she cannot do the interactional work needed to make complex (and monolingual) legal processes comprehensible, interpreting is called on in an attempt to make meaning, often informally and even more often using the emergent technology of machine translation.

DISCUSSION

A legal advice drop-in is the kind of service frequently visited by multilingual migrants who are English language learners, and the types of discussion that happen there are likewise commonplace. Language teaching needs to relate to students’ experience if it is to hope to support and potentially transform that experience. With this principle in mind, a fuller understanding of interaction in such settings should inform language education practice. To finish, therefore, I propose five implications of the analysis above for a critical pedagogy (approach, methods, topics, materials, syllabi and curricula) that is

responsive to and reflective of the experience of adult migrant language learners.

Reflect Domains of Practice and Topics in ESOL Pedagogy

Starting with the setting itself, a responsive adult migrant language education will reflect the domains of practice where migrants are actually present. One such domain is immigration law, including not only the challenging space of a court or the office of an immigration bureaucrat but the supportive environment of an advice centre such as Lucy's. Yet the legal domain is notable by its absence in ESOL practice, mirrored in the lack of reference to it in materials. In the United Kingdom the materials that were published alongside the Adult ESOL Core Curriculum (AECC; 2003), distributed to teachers nationwide as part of the now-defunct Skills for Life policy, are still extensively used in ESOL classrooms. These materials correspond with the five levels of the AECC, Entry Level 1 (nominally benchmarked at CEFR A1) through E2, E3, and Level 1 to Level 2 (nominally CEFR C1). The topic focus across these materials is predominantly daily life (shopping is a major concern). Institutional discourse is represented by "education" and "the health service." Finding work, and how to behave at work, are prominent too (see Cooke & Simpson, 2009, on the positioning of ESOL students as low-grade employees). Legal interaction is mentioned nowhere. Gaining accessible, accurate, and supportive immigration advice is something ESOL students have to prepare for by themselves.

Understand but Do Not Simplify Interactional Complexity

Like Roberts and Cooke (2009), I maintain that students' needs are not adequately met by denying interactional complexity through the use of oversimplified functional materials. In the interactions above (Extracts 1–4), Lucy's clients respond to contextualization cues as best they can, and Lucy compensates for their limited knowledge of the legal setting by providing interactional support, working to ensure that the linguistic and the knowledge inequalities inherent in legal discourse are flattened as far as possible. Bremer, Roberts, Vasseur, Simonot, and Broeder (1996) suggest that "a holistic approach" to second language research would orient towards "*understanding* the nature of intercultural communication and the conditions under which a measure of shared interpretation and language development may take place" (p. 214). Useful classroom practice might draw on research findings about such interaction to facilitate students preparing to

engage (in our case) with the legal sphere. (Similarly, training for immigration law practitioners could use the same findings when focusing on how best to communicate with foreign language-speaking clients [Reynolds, 2019].) The analyses reported in this article show how a lawyer taking a supportive stance works to lessen the inequalities of advisor–client interaction; in other less hospitable contexts, the interlocutor might not be so accommodating. Classroom practice might then orient towards a critical approach that exemplifies the social relations and discourse routines of institutional interactions, highlighting inequalities in knowledge, examining how these are typically lessened in practice, and subsequently developing strategies to address them.

Recognise Inequalities in Knowledge of Specialised Discourses

By extension, ESOL pedagogy needs to recognise that gaining access to communicative resources to support settlement in the new home relates not only to language learning, narrowly defined as development of a repertoire of lexical and grammatical features and functions to be deployed in daily life. Much misunderstanding in institutional interaction does not occur between languages but between discourses and registers. Recall that Cara (Extract 2) is a fluent English speaker; nonetheless she does not have access to the specialised lexis of legal discourse, and Lucy has to engage in careful interactional work to support her understanding. This also needs to be recognised in language pedagogy. Attention should be paid to empowering students to develop resources for effective navigation of an unfamiliar discourse, not just a new language.

Students might be encouraged to do this by having access to professionals as a classroom resource. An immigration lawyer could explain to students that they are allowed to ask those who advise them to explain and to provide more information as necessary. An alternative is to consider public legal education initiatives aiming to enhance general understanding of the legal domain. An example from asylum law in the United Kingdom is the Right to Remain Toolkit (<https://righttoremain.org.uk/>).

Acknowledge Multilingualism as a Learning Resource

Lucy's multilingual clients are interacting in an environment where practices, processes, and texts are monolingual and where Lucy herself

has only limited knowledge of languages other than English. In institutional settings a path to understanding might be supported by informal interpreting, as with Musimbwa (Extract 3), or machine translation, as with Mahamadou (Extract 4). Speakers in migration contexts and more generally are not confined to using languages separately, however. The TLang research, in common with other sociolinguistic work on language and literacy practices in migration contexts (e.g., Roberts, Davies, & Jupp, 1992) and elsewhere (e.g., Blommaert & Backus, 2011), recognises that in home and social communication people use the multilingual, multimodal resources in their own repertoires flexibly and contingently as they attempt to make meaning. And if students' experience is multilingual, the purpose of language education for migrants must be to develop that multilingualism. Any teaching approach, critical or otherwise, that attends to the realities of interaction outside the classroom to inform what happens inside class *de facto* implies incorporating multilingualism. On the whole, however, multilingual pedagogies addressing students' daily linguistic experience are conspicuously thin on the ground. (A useful counterexample, where systematic use is made of students' multilingual repertoires, is the Our Languages project [Cooke, Bryers, & Winstanley, 2018]). Institutional prohibitions on the use of languages other than English in class are even today not uncommon, rendering ESOL classrooms "English-only" spaces.

Pay Critical Attention to Inequalities of Power

The interaction between Lucy and her clients is not easy but proceeds quite smoothly because of her efforts to flatten inequalities in language and knowledge, and through the interactional work that all participants do to achieve understanding. This is despite Lucy's own monolingualism and that of the entire bureaucracy of immigration law. The relative ease of their interaction belies its high-stakes and potentially hazardous nature, at least in the cases of Cara and Musimbwa, and the profound problems they are facing as migrants and relatives of migrants. Cara's son underwent an extreme form of forced migration—deportation—following punishment for a relatively minor offence and will not be allowed into the country he calls home for 10 years. Musimbwa faces deportation himself and separation from his family. It is incumbent on language educators therefore to incorporate criticality into their practice. Students should be encouraged to develop not only an awareness of language but a critical understanding of discursive practices in the contexts within which they interact, and—by extension—of the sociopolitical circumstances that those practices relate to.

Auerbach (1992) describes participatory pedagogy that advocates that students set their own agenda and—importantly for our context—take action on the issues that they identify as important. As Auerbach puts it, the direction of the instructional process should be “from the students to the curriculum rather than from the curriculum to the students” (p. 19). Hence teachers might work with students not only on how to navigate difficult—and inescapably monolingual—interactional settings such as immigration law offices, but on why they might have to do so and on the implications of doing so unsuccessfully. Current models of critical ESOL pedagogy as described by Auerbach are hard to find; one notable example is the English for Action project in London (www.efalondon.org/).

CONCLUSION

The questions guiding the analysis in this article were around the linguistic and discourse features of an immigration lawyer’s talk; how that talk enacted a particular stance towards her practice of immigration law; how she and her clients negotiated understanding in legal advice consultations; and, in the subsequent discussion, some implications for adult migrant language education. I maintained in the analysis that Lucy’s moment-by-moment positioning of her self and of her advice-seeking clients, in relation to migration policy and law, may well be ephemeral, but suggests a more stable allegiance towards those clients and their concerns. In her practice, through her alignment towards her interlocutors, she indexes a stance of solidarity. Such encounters are not unusual for adult migrants; many have reasons to engage with immigration law at some point during their process of settlement, which—as I maintained in my discussion—can be reflected in educational practice. Not every interaction will be agonistic, but all will involve complexity, and I have made the point that bleaching out interactional difficulty in pedagogy does not help students when they are faced with this in out-of-class life. I also stressed that gaining access to new specialist discourses can require as much support as gaining access to general linguistic (e.g., lexico-grammatical, functional) knowledge.

Marilyn Martin-Jones (2015, p. 257) suggests,

The study of the day-to-day practices and lived experiences of adult migrant language learners—and of the discourses about migration policy, about language and about pedagogy that confront them—gives us a powerful lens on the processes of political, social and linguistic change taking place in the wake of globalisation.

The broader sociopolitical milieu within which these practices, experiences, and discourses operate—and of which they are constitutive—can be challenging. Returning to the themes of my introduction, the animosity seen towards migrants, both in policy (e.g., being made “illegal” through hostile policy formation) and in their daily lives (e.g., through racism and linguistic xenophobia), is not unique to the United Kingdom. Populist right-wing movements have been on the rise in Europe (Vieten & Poynting, 2016) and elsewhere in the Western world (Rydgren, 2005) for some time. Simplistic responses to migration by politicians can be widely observed, and the anti-immigration actions of certain states have attracted much critical attention nationally and internationally. The final implication for practice, then, was a call for critical attention to the reasons why an adult migrant needs recourse to a free immigration law advice service in the first place.

ACKNOWLEDGEMENTS

I thank Mike Baynham and Judith Reynolds for their insightful notes on an earlier version of this article. The supportive comments of *TESOL Quarterly* reviewers were also invaluable. I would like to acknowledge the contribution of the TLang research team and of Lucy and her clients.

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