



The Assessment and Evaluation of 'evidence' by Judges in the United Kingdom's Immigration and Asylum Chamber

Presented by:

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Among the tasks facing the judges who decide legal claims is the difficult problem of assessing and evaluating the evidence submitted to the court by the parties in the dispute. This paper investigates this problem as it arises in the assessment of asylum claims heard in the United Kingdom. I draw on the work of Jones (1994) and Redmayne (2001) on the role of 'experts' in the legal process, and the work of Jasanoff (2006) on the limits of scientific evidence in the legal process to examine how British Judges assess expert evidence submitted to the United Kingdom Immigration and Asylum Chamber. Though an examination of decisions in the First Tier Tribunal and in the Upper Tribunal (specifically 'Country Guidance' cases), I identify a number of substantive and procedural problems which arise in the way that immigration judges assess and evaluate evidence which undermines due process and which prevents asylum applicants from securing protection.

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