

THE CONVERSATION

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Officials working within hostile government departments are not free from blame

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The hostile practices of the UK's current government are by no means a secret. It was recently revealed, for example, that immigration officers at the Home Office were offered a cake for arresting the highest number of "illegal" immigrants. The Department for Work and Pensions (DWP), meanwhile, was caught in a scandal after it was revealed that, in the first three months of 2018, 71% of tribunal hearings found that assessments for Personal Independence Payments (PIP), where a "health care professional" judged their disability insufficient for state support, were wrongly decided.

Responsibility for decisions in this area is generally attributed solely to the government, or to the secretary of state responsible for the department in question. This is not a view with which I wholly disagree. But it is important that consideration is given to the role played by individuals working within these departments too.

These people are charged with making crucial decisions, yet often it is assumed that they are just "doing their job", "following the rules". These ideas are thought to absolve them of any responsibility in the decision making process. As one anonymous DWP healthcare professional, writing for the Guardian, states: "Most people I assess understand we are just there to do a job." Is this right?

Hannah Arendt, the political philosopher, provided a way of understanding the everyday contributions individuals make to oppressive systems. Her concept of the "banality of evil" is a useful

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way of understanding how violence can be perpetuated through the mundane, day-to-day, work-related activities of ordinary people; those who are simply “doing their jobs”.

Arendt’s framework was conceived while reporting for the *New Yorker* on the trial of the Nazi Adolf Eichmann, a key player in organising the Holocaust, who repeatedly claimed that he was simply obeying the law and following orders. Unlike most, Arendt viewed this as characteristic of the man’s mundane thoughtlessness, and was amazed by what she felt was the staggering mediocrity of someone responsible for so many deaths. The essence of her idea was that, under certain conditions of authority, individuals lose the ability to think, becoming willing participants in acts of great violence.

If we apply Arendt’s ideas to UK asylum and social security systems, we begin to see the power exercised by individuals, and the impact this can have. Take the role of those who carry out asylum interviews and PIP assessments. Are these individuals just following orders?

Who decides

My research focuses on the function of categories within asylum claims based on gender and sexual identity. These claims arise because individuals are persecuted in their country of origin on the basis of their sexual or gender nonconformity. This persecution can come either directly from the state, through means such as imprisonment, or from the state’s failure to protect sexual and gender minorities from the actions of others.

A core issue arising in this context is credibility. The lack of objective evidence in such cases means claims are largely dependent on the claimant’s narrative. This gives the caseworker conducting the interview a great deal of discretion, allowing them to decide on the legitimacy of the claimant’s identity. Often, this discretion is exercised with reference to the caseworker’s own understanding of sexual or gender identity.

For example, the judge of one tribunal hearing claimed that: “The applicant lacked any understanding of what it means to be gay.” This comment suggests that there is a single way to understand being gay, which the judge was authorised to decide on. Yet there are countless definitions of what it means to be gay, varying widely across cultures.

The personal morals and experiences of those involved in making such decisions about credibility, then, have a real impact on cases. Nonetheless, credibility findings are rarely subject to proper scrutiny on appeal. This means that the caseworker exercises a lot of discretion in determining what aspects of the applicant’s claims are to be believed.



Are those working for the Home Office and DWP really ‘just doing a job’? Kristina D.C. Hoeppner/flickr, CC BY-SA

Read more: Home Office routinely disbelieves people – even those claiming asylum from persecution

The process for assessing the eligibility of disabled people for PIP claims raises similar issues. I recently attended one such assessment as a “companion”, and found major inconsistencies between the events in the room and the assessor’s report. Information provided by the claimant was dismissed or ignored. At one point, he even burst into tears, describing the affects his disabilities have on his daily life, yet the assessor’s gaze remained fixed on the computer screen. No note of this incident was recorded in her report and his claim was denied.

Is this evil?

Both processes described above involve levels of discretion on the part of the individual. If the cultures promoted by both the Home Office and DWP are both a “hostile environment”, this is because people have internalised such cultures. While both are loosely governed by legal principles, precedents, and legislation, they allow individuals a wide margin of interpretation.

Despite this, both environments are constructed in a way that allows individuals to distance themselves from the results of their decisions, leaving them able to claim that they were simply “following the rules”, or that their decision was made by another authority or organisation.

We need to recognise the role of the individual within such processes. Contrary to common understandings, their decisions play a dramatic role in creating the conditions which govern these processes. It is telling that the new approaches to immigration and social security have been as much about changing workplace cultures within departments, or the contractors who work for them, as they have about changing legislation.

Arendt warned us about the “ordinariness” of oppressive structures which absolve individuals of responsibility. It is now crucial that we disavow the idea that forming a part of these processes is “a job like any other”. Those occupying these positions of influence are gatekeepers, often closing doors to the very means of subsistence or survival for those who are seeking protection or support. The role of individuals is key to such processes; they cannot hide behind the excuse of simply “following the rules”.



Law Asylum Social security Responsibility Hannah Arendt Accountability UK government Interdisciplinarity
Hostile environment Personal Independence Payments