

Table B: Mitigating measures for potential risks of judicial participation

Risk 1: Participation would impair judicial discretion and independence.	
Mitigations 1	<ul style="list-style-type: none"> ▪ The project would not seek to impair judicial discretion and independence. Participants would be invited to comment only on how training supports their task of adjudicating asylum. Interview questions were approved following the formal application to involve judges in research to ensure they would not constitute any undue impairment of judicial discretion/ independence. ▪ Participants would be fully informed of the purpose and nature of their participation in the research, the uses and protection of data obtained, and their right to withdraw. ▪ The research would be conducted by an independent PhD researcher who is not linked to either the Judiciary or the government. The research is jointly funded by the University of Exeter (UoE) and the Economic and Social Sciences Research Council (ESRC). The researcher is bound by and committed to UoE's and ESRC's codes of research conduct. These stipulate the key principles of researcher integrity, transparency, true representation of data, and respect of participants' dignity. No conflicts of interest have been declared.
Risk 2: Members of the judiciary would be drawn into areas of political controversy or asked for comment on the merits of government policy.	
Mitigations 2	<ul style="list-style-type: none"> ▪ The project's focus is on how training is put into judicial practice when adjudicating asylum. Participants would be invited to comment only on how training supports their practice. ▪ While it is acknowledged that the area of asylum as a whole is politically sensitive, the project's focus on training which is set by the Judiciary independently of government would ensure that members of the judiciary would not be drawn into areas of political controversy: <ol style="list-style-type: none"> 1) Research participants will not be asked to comment on the merits of government policy. 2) Research participants will not be asked to comment on controversies around asylum. ▪ Interview questions were approved following the formal application to involve judges in research to ensure they would not constitute any undue impairment of judicial discretion/ independence.
Risk 3: Members of the judiciary would be asked about the merits of individual cases.	
Mitig.s 3	<ul style="list-style-type: none"> ▪ Research participants would not be asked about the merits of individual cases. The project's focus is on judicial training relating to asylum adjudication, not on individual asylum appeals. ▪ Participants would be invited to comment only on how training supports their task of asylum adjudication. Interview questions were approved following the formal application to involve judges in research to ensure they would not constitute any undue impairment of judicial discretion/ independence.
Risk 4: Participation would impose an undue burden on members of the judiciary.	
Mitigations 4	<ul style="list-style-type: none"> ▪ A maximum number of 24 salaried and fee-paid FtTIAC Judges would be invited for participation via individual interviews and focus groups in order to limit the demands placed on Immigration Judges as a whole (335 judges in primary appointment in FtTIAC, as at 1/4/19). ▪ Potential participants would be offered a choice of ways to participate (face-to-face/ remote). ▪ Participation would be entirely voluntary and at participants' convenience. Data collection could be spread over several months in order to account for judicial workload. ▪ The duration of interviews/ focus groups would be kept at an appropriate minimum. ▪ Appropriate online technology for conducting interviews/ focus groups remotely would be offered in order to minimise any inconvenience or undue disruption to judges.
Risk 5: Members of the judiciary would be identified in reports.	
Mitigations 5	<ul style="list-style-type: none"> ▪ Neither individual judicial research participants nor observed training courses would be identified in the final PhD thesis or any presentations, publications, or reports arising from it. ▪ Anonymity and confidentiality would be ensured through appropriate information and consent procedures, and anonymised data storage and processing. ▪ Any data that supports project publications, such as extracts from interviews or focus groups, would be quoted without any personal identifiers or identifiable information. Research participants would be given the opportunity to review a full copy of their transcript. ▪ Consent would be obtained for anonymised data supporting publications to be deposited with the UK Data Service, in line with UoE/ ESRC dissemination and data protection guidelines that promote open access to and reusability of publicly-funded anonymised research data.
Risk 6: Members of the judiciary would be misrepresented in any reports.	
Mitigations 6	<ul style="list-style-type: none"> ▪ Members of the judiciary would be given the opportunity to comment on a final draft copy of the PhD thesis prior to publication. The draft copy would be sent to both the senior judiciary approving judicial participation and to the members of the judiciary involved in the project. ▪ Research participants would be given the opportunity to review a full copy of their transcript. ▪ Research data to support publications would not be published until consent to use it has been obtained from the participating members of the judiciary.