

What to expect at your Interview

Notification

After you have lodged your application for a protection visa with the Department of Home Affairs (the 'Department'), you will wait a few months before receiving a letter inviting you to a time and place for the interview.

How to prepare

Review your application for a Protection visa

Read over your application carefully.

It is really important that you read your statement of claims, which explains why you fear returning to your country of origin.

If there are relevant events which have happened in your country of origin or in your life that were not included in your application, make sure that you write this down. This new information should be stated clearly to the officer at the interview.

The interview will also give you an opportunity to change any incorrect information you have previously given. If you have noticed any mistakes in your application since it was submitted, or if you want to add anything new, also write that down.

It is important to **be clear and consistent** in your interview so you can help the officer understand your story. Try to answer their questions as directly and comprehensively as possible. Provide details.

What to bring to the Interview

- Photo identification;
- The original documents with English translations of them;
- Your letter inviting you to the interview; and
- Any other documents you are asked to bring.

Who will be at the interview?

An officer of the Department will be the person interviewing you. The officer who interviews you might not be the same person who makes the final decision (also known as the 'decision-maker').

There will be an interpreter if you have requested one.

You could be interviewed alone or with other members of your family unit. The interviewer will let you know if you will be interviewed alone or if they want to interview you together with members of your family unit.

Who can I bring?

You can bring your migration agent.

If you want to bring a support person to the interview, such as a friend or relative, you should ask permission first. You can do this by contacting the officer listed on your 'request to attend interview' letter before the interview.

What happens during the interview?

The interviewer will ask your consent to audio record the interview. It will be kept on your file.

At the beginning of the interview, the officer will go through some formalities. For example, you will be asked if you know the interpreter and if you object to that interpreter.

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If there are problems with the interpreter during the interview, you should tell the officer immediately.

The officer will ask you questions about why you fear returning to your country of origin. The officer will ask you questions about the events which you have included in your statement and also talk to you about other information they may have obtained. They could ask some very personal questions that might feel intrusive.

If you do not understand a question, it is important that you tell the officer that you do not understand. If you cannot remember an event very clearly, tell the officer.

It is important that you give full and truthful answers to all questions they ask.

Towards the end of the interview

The officer will put to you any information Department has which the decision maker may rely on to refuse your application.

It may seem like the officer does not believe your evidence, but this is not necessarily the case. The officer is raising these issues with you to be fair and to allow you to respond to the information.

You may respond to this information at the interview but you may want to respond at a later date in writing. If the issues are quite complicated, it may be best to have more time to think about your response. If you wish to do this, you may want to ask the officer where they obtained that information from and that you would like to have time to respond after the interview.

At the end of the interview, you should ask your officer what issues arise in your case so that you can have an opportunity to address them.

You will have a break before the end of the interview.

At the end of the interview

You will be asked at the end of the interview if there is anything else you want to add. It is very important that you have told the officer all of the important parts of your case.

It is important to treat departmental staff with respect during your interview. Interviews will be stopped if your behaviour becomes threatening or aggressive.

What happens after the interview?

Once you have been interviewed, the Department officer will make a decision on your case at any time after the interview.

If you are going to provide more documents or evidence to the officer you should ask for the due date for these documents. If you ask this, the officer will not make a decision until after this due date.

What happens once I have a decision?

The decision about your case will be sent to you in a letter.

If it is a positive decision, the letter will also include your visa evidence card. This is your Protection Visa.

If it is a negative decision, the letter will include the reasons for the officer's decision for why you should not be granted the Protection Visa. You will have the

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option to appeal the Department's decision with the Administrative Appeals Tribunal (AAT).

You should get legal advice as soon as possible after receiving your decision. You have only **28 days** from the date you received the letter to lodge an appeal application at the AAT.

Useful Contacts

Legal Aid ACT

9.00am-4.00pm Monday-Friday

www.legalaidact.org.au

Phone: **1300 654 314**

Migration Agents Registration Authority (MARA)

www.mara.gov.au

Migration Clinic – Legal Aid ACT

www.legalaidact.org.au

Phone: **1300 654 314**

Email: migration@legalaidact.org.au

This factsheet was originally developed by the Refugee Advice & Casework Service Sydney (RACS) (www.racs.org.au).

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