

# Preparing for your interview with the Department

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### Who is this Infosheet for?

Once you've lodged a valid application for a Protection Visa - including a Temporary Protection Visa (TPV) or a Safe Haven Enterprise Visa (SHEV) - you will likely have to attend an interview with an officer from the Department of Home Affairs (DHA). This Infosheet provides some general tips for preparing for your interview.

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### IMPORTANT

- **Your interview with the Department is a very important part of your application for a Protection Visa. It is your opportunity to tell your story, and to make sure the Department has all of the information it needs to make a decision on your application.**
- **Due to the ongoing COVID-19 pandemic, most interviews are being held remotely via video link or telephone. Your letter from the DHA will tell you how and when your interview will be held.**
- **If you have received a request to attend an interview with the DHA, we strongly recommend that you attend and that beforehand, you obtain legal advice from a migration agent or lawyer. The ASRC may be able to provide you with legal advice. You can contact us by calling our Legal Triage Helpline. If the line is busy, please keep trying:**

**Legal Triage Helpline: 0478 700 605 – available Mondays & Thursdays from 10:30am to 12:00pm**

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## When will I have my interview and where will it be held?

You will receive a letter from the DHA requesting that you attend an interview. This may be months or even years after when you first lodged your application. The letter you receive will look similar to the image below:



Your interview letter will tell you how and when you will have your interview. If you are in the community, you would usually have to go to the office of the DHA and have your interview in-person. **Due to the ongoing COVID-19 pandemic, most interviews are being held remotely via video link or telephone.**

**It is vital that you attend your interview. If you do not attend, then you will almost certainly receive a refusal of your application by the Department. If it is impossible for you to attend your interview at the scheduled time due to a compelling reason, you will need to request rescheduling of the interview in advance and provide strong evidence of your compelling reason (ie evidence you were in hospital or otherwise medically incapable of attending).**

Your interview will usually take between 1-3 hours, but it may be longer or shorter. You can take a break at any time during the interview and can take as many breaks as you need to.

## Who will be at my interview?

**You will be interviewed by a case officer from the DHA. The person who interviews you is likely to be, but may not necessarily be, the person who will decide whether to grant you a Protection Visa.**

Apart from you and the case officer, the following people may also attend your interview:

- An interpreter, if you require one.
- Your migration agent or representative, if you have one.

- An approved support person, if you require one. You can choose to have a friend, family member or other independent person to attend your interview to support you during your interview. Your support person cannot speak for you – you must tell your own story. If you want to have a support person with you, you must contact the DHA, and provide proof of their identity.

### **Do I need an interpreter at the interview?**

**If you do not speak English and require an interpreter, your interview letter should tell you that an interpreter who speaks your language will be at the interview. If it does not, you must contact the DHA so that they can arrange to have an interpreter present.**

Even if you speak English well, it is a good idea to have an interpreter with you during the interview. You might be able to explain your story more clearly by speaking in your first language. It is important that the case officer understands everything you are telling them because the information you tell them in the interview is used to decide whether or not you are eligible for a protection visa. If you decide to ask for an interpreter to be at the interview with you, you can choose how and when to use the interpreter. If you feel comfortable answering some questions in English and other questions in another language, you can do so.

If you speak a specific dialect, or would prefer either a male or female interpreter, then you should make sure that the DHA knows this beforehand so they can arrange the right interpreter for you..

### **What if I am not happy with the interpreter at my interview?**

**It is very important that if there is a problem with the interpreter you let the case officer know as soon as possible during the interview.** If there are problems with the interpretation or if the interpreter makes a mistake, this can mean the case officer doesn't properly understand your story properly, which could negatively impact on your chance of getting a protection visa. **It is your right to have an interpreter that interprets your story accurately.** The officer can readily arrange for a different interpreter. Do not worry about insulting the interpreter by asking for a different interpreter. It is more important that you have confidence that the interpreting for your interview is accurate.

### **What should I bring to the interview?**

You should bring your identity documents and the originals of any documents that you have provided to the DHA. If your interview is being held remotely, you should have these documents with you so you can talk about them with the case officer. You should always let your migration agent or lawyer know beforehand if you intend to provide any additional documents, so you can benefit from their advice before the documents are included in your application.

### **What is the interview about?**

The case officer will ask you questions about your application. The purpose of the interview is for you to provide further information about your application and reasons for seeking asylum in Australia, and to clarify anything in your application that was unclear. The case officer will be considering whether you meet the definition of a refugee or should be granted complementary protection. These are two different tests used to decide whether you should be granted a Protection Visa and be allowed to live in Australia. For more information on these tests, see our **'HRLP Infosheet – Overview of the**

**process for seeking asylum in Australia'**. It is important that you understand these laws as the case officer will speak to you about them at your interview.

### **What will the case officer ask me at the interview?**

The case officer will start by explaining what is going to happen during the interview. They will check your identity by looking at your identity documents, including your passport, if you have one. You may also be asked some background questions about your family, education, and work history.

Each case officer approaches the interview differently. Some case officers will ask you to tell them your whole story from the beginning and explain to them why you are a refugee. Other case officers will ask you about specific parts of your story if they want more information or if they are concerned about something you have said in your application.

Usually the case officer will ask you about the information you put in your written Protection Visa application. The case officer will also read news and other information about your home country, and they might ask you about what they have read about your country and how it affects your refugee claim.

Sometimes the case officer will research your story before the interview. They may look for more information about the people, places and dates of things that have happened to you. This is why it is important that everything in your original application is true and correct. Sometimes during the interview the case officer will present information to you which is against your claim. Do not be worried if this happens. This means you have a chance to respond and explain this information. If you arrived in Australia with a valid visa, the officer may also ask you questions about your original visa application.

### **Is the information I give in the interview confidential?**

**Yes – any information you provide, and anything you do or say will be confidential. The case officer and interpreter (if present) are required by law to keep the details of your interview confidential.**

However, the DHA might seek your permission to give your details to the authorities in the countries where you have lived or travelled in order to verify your identity and story. They may give them your name, photograph, or biometric information (including fingerprints). **The DHA will not give your details to the government in the country from which you are seeking protection.**

Your interview must be recorded by the case officer. This is to make sure that there is an accurate record of what happened during the interview. **You should request a copy of the recording of your interview once it is finished so that you can double check any details and decide whether any further written explanations or evidence may be necessary.**

### **What can my migration agent or representative do during the interview?**

Your migration agent or representative is there to make sure you have a fair interview and can intervene if there is some problem with the interview process. Your migration agent or representative cannot answer the questions for you.

Towards the end of the interview there will be a short break. During this break you can privately discuss your case with your migration agent or representative. They can let you know if there is any

information you need to explain in more detail or if there are any problems with your case you need to address. The case officer will come back and ask you if you have anything to add after this break.

Your migration agent or representative will usually also make a 'submission' for you at the end of the interview. This is a chance for them to explain how your case satisfies the law and to draw together all the reasons why you should be granted a Protection Visa.

### **How should I prepare for my interview?**

Your interview is a very important part of your application for a Protection Visa. You can take the following steps to prepare for your interview:

- Read through your application forms, your statement, and any other documents you have previously submitted to the DHA.
- Make a note of any mistakes or omissions you find so you can tell your migration agent about them (if you have one), and you should tell the case officer about any mistakes or errors at the beginning of the interview. You can also provide additional information in the interview.
- Read about the laws and legal tests that the case officer will be applying when they consider whether or not to grant you a Protection Visa. For more information on these laws, see our **'HRLP Infosheet – Overview of the process for seeking asylum in Australia'**
- On the day of your interview, try to relax and stay calm. Remember that the questions all relate to your own experiences. It is your story, and you know it well.
- Listen carefully to the questions and ask for clarification if the question is not clear. It is their job to make sure the questions are clear. Do not attempt to answer unless you clearly understand the question.
- Ask for breaks as needed.

### **How can I get legal assistance for my interview?**

You can get a migration agent or lawyer to help you prepare for your interview, and they can attend your interview with you.

**Disclaimer:** This fact sheet provides general information to people seeking asylum in Australia through the onshore protection visa application process according to the law in August 2021. This fact sheet is not legal advice. You should not rely on this fact sheet to make decisions about your immigration matter. We strongly recommend that you get independent advice from a qualified legal practitioner or a registered migration agent. For information please visit: <https://www.mara.gov.au>.

**Date: 9 August 2021**