



# Onshore Protection Interviews - Practical guidance

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# 1. Introduction

## 1.1. Purpose and scope

This document provides practical guidance on conducting protection visa interviews in an effective and sensitive manner. It provides specific guidance on:

- interview arrangements
- preparing for an interview
- how to investigate protection claims, including key interviewing principles, questioning techniques, presenting adverse information and factors to consider when interviewing vulnerable applicants
- Self-evaluation and self-care for PV officers following the interview.

This guidance relates to, is consistent with and complements the procedural advice on interviews contained in both Procedural Instruction VM-4825: Refugee and Humanitarian – Protection Visa Processing Guidelines and VM-5345: Refugee and Humanitarian – Gender and Sexual Orientation.

## 2. Policy and principles

### 2.1. Purpose of the interview

The assessment of protection claims involves consideration of both information provided in the application and country information. An interview with the applicant may be required to clarify information that is at the disposal of the officer. The protection visa (PV) interview can provide a further opportunity for an applicant to give detailed evidence about their protection claims, and often constitutes a key component of affording procedural fairness to the applicant and conducting identity and credibility assessments.

During a PV interview, officers must identify and investigate the key issues related to the assessment of the application through a focused and sensitive approach to questioning, particularly as some evidence may relate to instances of persecution or serious harm, torture or sexual violence. Obtaining sufficient relevant information and being able to subject claims to sensitive but rigorous enquiry can be a crucial step in ensuring that protection claims are thoroughly considered.

### 2.2. Interviewing principles

When conducting protection visa interviews officers must:

- provide a positive and secure environment in which applicants feel able to disclose sensitive information to support their claims
- treat all applicants with respect, humanity, dignity and fairness regardless of age, disability, ethnicity, nationality, race, gender, sexual identity, religion or belief
- ask appropriate and focused questions to encourage full disclosure and gather relevant evidence on key aspects of the claim. This will allow the officer to examine the credibility of the applicant's statements and provide an opportunity for the applicant to explain anything that appears to be unclear, implausible, inconsistent or relevant 'adverse' information

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- focus on the aspects of the case that need further clarification to reach a decision but also provide the applicant with the opportunity to raise any new claims or relevant details not included in the application.
- refer vulnerable applicants to appropriate services, for example, where there are concerns over physical and mental health, sexual or domestic violence or child protection concerns.

## 3. Interview arrangements

### 3.1. Interpreters

Applicants may request a male or female interpreter. Every effort should be made to meet this request. Where no such request is received, but it is apparent from the application that claims are related to sexual orientation, gender identity, sexual violence or other gender related issues, the officer should consider the sex of the interpreter and the interviewer as this may affect how the applicant responds during interview. The Department cannot request an interpreter with specific characteristics other than gender (for example, an interpreter who is Christian) unless there is a business case to do so. Refer to TIS National Policy for further details about TIS services: <https://www.tisnational.gov.au/en/Agencies/Frequently-Asked-Questions-for-agencies>

It may be useful to have a brief discussion with the interpreter to ask:

- how many (if any) protection visa interviews they have done before. If they have no experience of protection visa interviews, the officer should explain the process to them.
- if the interpreter has any questions or concerns.

It is recommended that officers advise the interpreter before the interview if there will be a discussion about sensitive claims, such as sexual assault, gender-based claims or lesbian, gay, bisexual, transgender or intersex (LGBTI) related claims. Interpreters should be asked if they are comfortable being the interpreter for the interview and are familiar with LGBTI terms, if relevant.

The officer should speak clearly and pause frequently to allow the interpreter to interpret short segments, especially if detailed or complicated questions are asked or explanations given. At the start of the interview, it can also be beneficial to brief the applicant on the use of the interpreter, advising them to pause after a couple of sentences to allow the interpreter the opportunity to interpret everything they are saying. Officers should avoid talking over the interpreter or the applicant, and may need to ask the applicant and interpreter not to talk over each other for the benefit of the recording.

Where an applicant speaks English, but is not able to explain themselves clearly in English, the applicant should be asked to speak through the interpreter in their language to ensure that all information is accurately communicated.

Officers should also request that if the interpreter needs to clarify something with the officer or the applicant during the interview they should do so, as it is critical that all information is interpreted accurately. Interpreters should tell the officer (or applicant) when they need to clarify anything with the applicant (or officer) to avoid confusion. If interpreters are unable to effectively aid communication or if they display unprofessional conduct, such as scoffing at the applicant or declining to interpret something they have said, the interview should be paused so that the interpreter can be removed and an alternative interpreter engaged over the phone. Unprofessional conduct by interpreters should be reported to the officer's supervisor for escalation to TIS.

An online training course [Working with TIS National interpreters](#) is available in OurPeople. Module 4 of the training 'Working with Interpreters' provide tips on how to deal with interpreter in an interview situation.

## 4. Interview preparation and plan

Preparation is the key to a good interview. It can ensure that all relevant information is obtained from the applicant and assist in making a well-balanced decision. Effective preparation will minimise the risk of exceedingly long interviews, poorly framed questions, unnecessary and ineffective lines of enquiry and officers getting lost in a tsunami of information. Good preparation will ensure that time is spent on the core issues that will assist the officer to assess the case and not upon matters that the officer has already accepted or issues that will not affect the assessment. To ensure the interview is carried out in a structured and efficient way and all relevant information is gathered, the following steps should be taken:

- Review and analyse all information provided in the application with an open mind, establishing a clear picture of the applicant through biodata, protection claims, family composition and travel history.
- Identify protection claims and integers of claims made out in the application,
- Map relevant details of material facts and key events or incidents (for example, develop a timeline) as this will assist officers to organise the information in their mind. Note and highlight any gaps or long periods of time with no information that may be pertinent to the claims.
- Give key events or incidents a short hand reference (for example, “the 2010 attack” or the “white van abduction”). This is especially helpful where there are multiple similar events. Carry these references through to the interview, with the applicant’s agreement, as it is a useful way to bring the applicant to the event officers are questioning them about and avoids confusion.
- Assess the contents of any supporting documents and cross check against the map or timeline of claims to consider whether there are any inconsistencies.
- Consider whether any of the documents appear to be bogus and how the applicant obtained them, allowing an opportunity for a reasonable explanation to be provided.
- Review relevant Country of Origin Information Services section (COISS) products and/or other reports. Conduct country of origin information (COI) research on key issues of each claim. Make note of any inconsistencies with the application.
- Check departmental systems for information relevant to the assessment of the application, in particular additional information or documentation pertaining to the applicant’s identity, nationality, family situation, personal circumstances and migration history.
- Refer any inquiries to other areas early to provide sufficient time for response (for example, document examination, character/war crimes, COISS).
- Form an initial impression of future risk of harm. It is entirely permissible to form preliminary views, but officers must maintain an open mind that is capable of persuasion. In many cases, concerns regarding the applicant’s claims could be explained by the applicant when given the opportunity to do so.
- Identify any s57 relevant ‘adverse information’ that must be put to the applicant for comment.
- The Fast Track Interview preparation worksheet and pro forma s. 22(1)(a)(ii) has been developed to assist officers to focus on the core information and issues at interview.

This interview preparation should form the basis of the interview plan that outlines the questions officers intend to ask, groups questions in logical and sequential order and identifies procedural fairness matters.

There may be aspects of the visa assessment that do not need to be discussed at interview. For example:

- There may be enough information in the application, supporting documentation and on departmental systems to make an identity finding.

- There may be claims that can be accepted based on the evidence in the application, including supporting documents, and country information (for example, claims about the applicant's profession). However, where there are concerns a claim could be fabricated, ask the applicant an open question to gauge whether there are any credibility issues needing further questioning.
- Where there is a claimed past event, which seems implausible (such as an applicant's abduction and subsequent escape), but in the applicant's particular case this event does not impact on the assessment of future harm, officers should not spend time challenging whether or not it occurred.
- The claim combined with country information suggests that real chance of persecution in all areas of the receiving country or reasonableness of relocation need not to be explored further.
- The claim combined with country information suggests that effective protection is not available and does not need to be explored further.
- The applicant's claims may indicate that modification of behaviour should not be considered.

## 5. Conducting the interview

### 5.1. Building rapport

The interview situation is new and alien to most applicants. Some applicants may have had negative experiences dealing with the authorities and government officials in their countries of origin. It is important to take time, before the formal interview begins, to help the applicant feel at ease and ensure they understand the process of the interview.

The interview pro forma <sup>s. 22(1)(a)(ii)</sup> provides an important introduction to the applicant, including information about the purpose of the interview, confidentiality and the assessment process. Although officers have read through this pro forma many times, it is important that these statements are projected with sincerity, otherwise the applicant may question the sincerity of those statements and lose confidence in the process.

The way in which the officer communicates in the interview can greatly influence both the quality and the quantity of the information obtained. It is a good investment to spend sufficient time on developing a good 'communication atmosphere', in which all relevant persons feel safe and interact in a positive manner. The following techniques can be used by officers to build rapport with the applicant:

- Be flexible, patient, calm and listen actively. The use of neutral utterances, such as 'mm', confirm the officer is listening and invites the applicant to continue talking.
- Be mindful about using 'ok' when discussing credibility concerns as this may give the applicant the impression that the officer has accepted the applicant's statement.
- Maintain awareness of body language and the risk of being perceived as disinterested or aggressive. Displaying open body language and facial expression gives the impression officers have an open mind and are non-threatening.
- Address the applicant directly, rather than speaking to the interpreter. The officer's verbal and non-verbal communication skills should make clear to the applicant that they are the focus of the interview.
- Avoid recording excessive notes on a laptop or a notepad while the applicant is speaking as this can imply the officer is not actively listening. This would only be necessary should the applicant not agree to the interview being recorded. If the interview is being recorded, note down only the pertinent information or record the time on the recording a pertinent statement is made.



- Do not advise the applicant that there is limited time for the interview. This may cause the applicant to feel anxious about the process and assume that they are not being provided with a genuine opportunity to provide their claims. It is the officer's responsibility to prepare for and manage the interview appropriately.
- Foreshadow that it is common for some applicants to become uncomfortable during the interview due to some questions or information discussed. Remind them that this is an opportunity to have a fair chance to comment on the information.
- Reinforce that any new information or claims the applicant provides will be considered and that no final decision has been made on the application.
- Advise the applicant that they are familiar with the applicant's statement of claims and the other information in the application. This reassures the applicant and may prevent them from feeling they need to repeat what has already been stated in the application.
- Step the applicant into the process gently by asking simple identity related questions that they should have the answer to, such as '*What is your full name? Date of birth? Citizenship? Are you married? Do you have children? Where does your family live?*' This can then lead into questions about identity and then into claims for protection. Commencing with neutral topics helps to establish rapport.

## 5.2. Managing other parties at interview

Officers should manage the conduct of other parties at the interview, such as agents and support persons, in a professional and respectful manner. Officers may seek support from their supervisor or other experienced case officers at any time during the interview if needed.

Prior to the interview, officers should remind agents:

- not to intervene during the interview and that they will be given an opportunity to make verbal submissions at the end of the interview. Alternatively, agents may be given seven days following the interview to provide written submissions
- not to answer any questions directed to the applicant
- that the interview is an opportunity to gather further information and for the applicant to respond to any adverse information
- that at the end of the interview the agents may request a break to discuss any matters they may have with their client
- that a decision will not be made until all the information has been considered following the interview and they are keeping an open mind to the information presented.

Agents can sometimes take an adversarial approach during the interview. This can be confronting for applicants who may think their interview is not going well or that the officer is biased, and in turn become a barrier for disclosing relevant information. Officers should be careful not to engage in an argument or lengthy discussions with agents or be goaded into making findings at the interview.

If the agent intervenes or tries to answer questions directed to the applicant during the interview, the case officer should remind the agent that they will be given an opportunity to raise questions at the end of the interviews. The case officer has the discretion to ask the agent to leave the interview if they hinder the proceeding or engage in unprofessional behaviour, such as using abusive language or appearing to coerce the applicant.

The PV interview can be difficult for some applicants and the presence of a support person, such as a friend, relative or independent person at the interview can help applicants feel more comfortable. The 'Important information about your protection visa interview' attachment to the 'Request to attend interview' letter requests that applicants advise the Department prior to the interview if they wish to bring a support person.

also states that they should provide photographic identification as proof of their identity. Officers may still allow a support person to attend the interview without prior notice. However, it is important to identify the support persons, their relationship to the applicant and ensure they are not a PV applicant himself/herself. The decision to allow a support person to attend the interview is at the officer's discretion.

If the support person wishes to record the interview, officers can advise them that the Department, with the applicant's consent, will record the interview and a copy of the recording can be provided to the applicant if requested through FOI. Support persons may sometimes try to answer questions on the applicant's behalf or try to advise them what to say. Officers should remind support persons not to intervene in the interview. If the behaviour continues, they should be asked to leave the interview.

Applicants might bring babies or small children with them to the interview. Before the interview begins, officers should ask the applicant if there is someone who can supervise their child during the interview. If there are sensitive issues to be discussed during the interview, officers should ask the applicant whether they are comfortable discussing those issues in the presence of their children, agent or other support persons present at the interview. It may be more appropriate to reschedule the interview to a time when the applicant can obtain alternative care for their children. If the interview is able to proceed, case officers should be mindful of their questioning, as some issues, such as sexual violence, are not appropriate for discussion in the presence of children or other support persons present at the interview. Officers can request applicants to provide further information on sensitive issues or respond to adverse information in writing after the interview. Children should not be left unattended in the waiting area.

### 5.3. Questioning techniques for discussing protection claims

There is no one way to conduct an interview. Officers may need to adjust their approach as the interview progresses. Below is an explanation of the different questioning techniques that can be used throughout the interview.

#### 5.3.1. Open questions

When discussing protection claims, it is best practice to start by inviting the applicant to talk about a particular part of their claim that is of interest by asking an open, yet focussed, question. For example, *'Tell me about the attack on your village in May 2014'*. This question will prompt the applicant to start a free narrative that is a useful tool in filling in any gaps in the applicant's timeline or obtaining more details about an event which may have been broadly mentioned in the application. It will in most cases give the officer a large amount of information and provide details that they can come back to later, if necessary. Officers should refrain from interrupting the applicant and allow the applicant to finish their story. However, if the applicant seems to be getting off track, it may be necessary to clarify the question. To avoid a long narrative, which may be of little value, officers should ensure the opening question is focussed on a particular aspect of the claim they are interested in, such as *'Tell me about your involvement in the March 2015 demonstration'*.

#### 5.3.2. Probing questions

Officers should probe for further detail on areas of concern identified in the interview plan or any new areas that come to light in the applicant's narrative. Probing questions focus on the 'who', 'what', 'when', 'where', 'why' and 'how'. The substance of what happened during a particular event of key significance is potentially more important than precise dates, which may not always be consistent throughout an account. It is, for example, more important to obtain details of a person's political affiliations, organisation they belong to, the nature of the governing regime, prison location and conditions than to focus narrowly on the precise dates of detention which may be hard to for the applicant to recall accurately or for the officer to verify.

Throughout the interview, officers can use a combination of open and focussed questions as each topic is discussed.

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It is helpful to introduce the topic the officer wishes to cover before posing focussed probing questions. A topic can be introduced by stating, for example, *'I'd like to talk about when you were attacked at work in March 2015'*. Signposting can increase the applicant's sense of security about what is coming next, reduce the likelihood of confusion over which incident is being discussed, and allow the officer to draw to a close a section of the interview where no further questions are needed. Question structures should be kept simple. Trying to clarify two issues in one question should be avoided, for example, *'what happened after he punched you and who else saw him do that'*.

### 5.3.3. Closed questions

Closed questions are answered with a 'yes' or 'no' answer. Their use should generally be avoided, however, they can be used if the other questioning techniques have failed to draw out the information the officer is seeking on a particular issue, for the officer to check their understanding of information provided or to preclude other scenarios. For example, a closed question would be *'Did you see who attacked you?'* It is often useful to follow a closed question with a clarifying question such as *'Why couldn't you see them?'*

### 5.3.4. Silence

Silence in conjunction with questioning can act as a powerful tool to elicit more information on a subject. A pause after the applicant has answered a question may influence the applicant to volunteer more information in order to 'fill the space'. However, silence at inappropriate moments or for extended periods can be intimidating and create barriers to communication. Therefore, it is important that the use of silence is supported by body language and eye contact, demonstrating to the applicant that the officer is interested in what they have to say, encouraging them to provide further detail.

### 5.3.5. Adapt language to applicant

Officers should adapt questions according to the capability, age, background and educational level of the applicant. When asking questions, the officer should use the applicant's own words and phrases when possible.

Officers should be aware of possible cultural or linguistic issues that may arise. The best way to avoid misunderstandings is through the use of open questions, obtaining a free account about a topic or claim, allowing the applicant to present the information in their own way with minimum interference from the officer. It is important that officers clarify any matters that are unclear, by asking a few more questions. For example:

*'Were you ever personally stopped by the terrorist group while driving your truck?'*

*'No I wasn't personally stopped. I was stopped as part of a group'.*

*'Can you explain how you were stopped as part of a group but not stopped personally?'*

*'I mean I was never stopped personally but I was driving in a convoy and it was stopped.'*

*'So you mean that you were never stopped when you were driving by yourself, but only when you were driving as part of a convoy?'*

*'Yes, that's correct'.*

If the officer had stopped asking questions after the first question, it might have resulted in an adverse credibility finding, but asking the third question confirms that there was a miscommunication or a different translation of the meaning of the word 'personally.'

### 5.3.6. Listen for the 'unsaid'

Officers should listen out for pauses, phrases or euphemisms (for example 'he hurt me', possibly meaning 'he raped me') suggesting that there may be information difficult to divulge. Interviewers should ask appropriate questions if there are indications of gender-based persecution or where country information shows that such harm is common in certain conditions (for example, rape in detention). The officer may ask,

for example, *'I understand it may be difficult to talk about, but can you help me understand what else happened to you in detention?'*

## 6. Sensitive interviewing

Protection visa interviews are non-adversarial in nature and should be carried out with sensitivity and tact.

Many protection visa applicants have been exposed to traumatic experiences. An interrogatory style of questioning should not be used and officers should maintain an awareness of their tone of voice and body language to ensure they do not have an intimidating bearing. Officers must be aware of the factors that can inhibit them in obtaining information at interview and consider each applicant's individual circumstances when completing the interview plan, considering the applicant's responses to questions and assessing their demeanour. Some factors, which may pose a challenge to obtaining information, are:

- the applicant's past treatment by, or fear of, authority figures
- the applicant's level of education or literacy
- age, gender, culture, social or economic status
- sexual identity, gender identity or intersex status
- mental and physical health
- effect of traumatic events, including torture and other ill-treatment
- officers should also keep in mind the fallibility of human memory.

Where an applicant becomes:

- sad or teary
- agitated, tense or aggressive
- short of breath, change in facial colour
- dazed, confused and unable to concentrate
- withdrawn or not verbally responding.

Officers should provide an initial response by assisting the applicant to calm down and bringing them back to the present by using any of the following techniques, as needed:

- Offer them some water or a tissue.
- Use a soft but firm voice, use their name and ask *'Are you ok?'*
- Encourage them to breathe slowly.
- Allow them to take a break, as they are more likely to come back calm. During this time, officers should reassess what they are trying to achieve in the interview and whether they are asking the right questions. Some applicants may be hesitant to take a break, and it may be helpful for officers to state that they will be taking a five minute break and that it is ok for them to take a break as well.
- Gently remind the applicant of the purpose of the interview and questions.
- Acknowledge their reactions and difficulties by saying, for example, *'I understand that it must be difficult'*, or *'You might not want to talk about what happened'* or *'It must be difficult to answer so many questions'*.
- Ask the applicant if they are able to continue. If the applicant agrees to continue, start by asking some easier questions to ease them back into the interview. If the applicant indicates they need more time, provide them with additional time to compose themselves.

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The case officer should terminate the interview if the applicant indicates they cannot continue or becomes too distressed or aggressive. The case officer can then decide whether to re-schedule the interview or seek information from the applicant in writing.

For further information about sensitive interviewing techniques for applicants with LGBTI claims see and Procedural Instruction – Refugee and Humanitarian – Gender and Sexual Orientation.

## 7. Credibility

One of the functions of the interview is to seek an explanation from the applicant about any perceived inconsistency in their story or in information previously provided to the Department. Similarly, if statements appear to be inconsistent with reliable COI or seem implausible, the applicant should be given an opportunity to address these concerns. Officers do not need to prove the applicant wrong or convince them of an alternative view.

It can be helpful to address inconsistencies and concerns as they arise (refer to [Section 9 Presenting Adverse Information](#)). For example, discuss an inconsistency about an applicant's employment timeline while on the topic of work history. This saves time providing extra context about the concern and avoids stating several concerns at the end of the interview.

When exploring credibility concerns officers should:

- ask questions in a non-judgemental way
- explore inconsistencies and gaps
- allow for lengthy or several attempts at explaining an issue
- use follow-up questions and invite clarification.

A false statement by itself is not always reason to refuse an application, and it is the officer's responsibility to evaluate such statements in light of all the circumstances of the case. An applicant's testimony may include lies or exaggerations for a variety of reasons, not all would reflect adversely on other aspects of the case. The significance of false statements will vary from case to case and will depend on their relevance to the core of the claim. Officers should consider this when deciding whether to spend time on examining a potentially false statement at interview.

Where an applicant's statements appear inconsistent or implausible and these statements are likely to impact on the decision, officers should raise this with the applicant to seek further clarification. The officer can explain that it is difficult to understand why the applicant gave a different/inconsistent account and that this inconsistency could cast doubt on the credibility of the applicant's statements. Similarly, an officer can suggest that a statement made by the applicant seems implausible, explain why it seems implausible and invite them to comment. For example, an officer may state *'You stated that you were severely injured and had difficulty walking following your first arrest on 12 May. You also said that you participated in an opposition march two days later, on 14 May. I find it difficult to believe that you participated in the opposition march while you were recovering from your injuries and had difficulties moving. Can you elaborate on this?'* It is important that the officer informs the applicant that they have not made up their mind on the inconsistency or implausibility in the applicant's statements, but if the applicant has any more information, they should provide it to them.

Where there are several pertinent inconsistencies or implausible statements, each issue should be examined separately and the applicant given the opportunity to provide further information. Try to ensure all credibility issues are discussed at interview because some issues that may not seem relevant during the interview may become important when writing the decision.

Post-traumatic symptoms may impact on the applicant's presentation and statements. Officers should keep this in mind when assessing credibility of applicants with claimed experiences of torture or trauma. See [Section 6 - Sensitive interviewing](#) for more information on this topic.

Refer to Procedural Instruction VM-4825: [Refugee and Humanitarian – Protection Visa Processing Guidelines](#) and LS- 1814: [Refugee and Humanitarian – Refugee Law Guidelines](#) for more information about how to assess credibility.

## 7.1. Managing vague responses

There may be circumstances where an applicant is not forthcoming with information or they are hesitating when providing an answer. Repeatedly asking the question the same way is unlikely to elicit the information the officer requires and can come across as aggressive. Instead, officers should ask whether the applicant understands the question. Officers can ask that they repeat the question back to them or rephrase the question to the applicant, without losing the original meaning. The hesitation may be due to confusion, which can then be clarified.

Officers should also be aware that in some cultures people are very literal in the way they answer questions. Officers may need to rephrase the question or break it down into sub-questions to be more specific. For example:

*'Tell me about your involvement in the March 2015 demonstration'.*

*'I was at the demonstration.'*

*'But what was your involvement?'*

*'I took part in the demonstration.'*

*'What did you do during the demonstration?'*

*'I held a placard and we chanted slogans.'*

*'What slogans did you chant?'*

*'We said 'down with the head of government'.'*

*'Did you help to organise the demonstration?'*

*'No, I came with my friends who told me it was happening.'*

Where the applicant understands the question being asked and is continuing to provide vague answers, it may be useful to address this by asking *'I can see you are hesitating, why?'* or *'The answers you are giving me are vague, why?'* This provides an opportunity for the applicant to explain how they feel. The officer can then explain why this information is needed and the level of detail required. It may be that the applicant is distressed or does not want to talk about a sensitive matter. See [Section 6 - Sensitive interviewing](#) and [Chapter 11 Applicants with psychological vulnerabilities including mental health conditions](#) for more information on how to handle these situations.

Where these strategies have been used and the applicant continues to provide vague answers the officer should put the applicant on notice that this may have an adverse impact on their application.

## 8. Discussing relocation or protection in all areas of receiving country

The issue of relocation or protection in all areas of the receiving country can create some difficulty in the interview as applicants may react defensively or become upset at the suggestion that they could be returned to their country of origin to live in an area that is not familiar to them. As this topic can create a barrier between the applicant and the officer, timing is important and, ideally, it should be discussed towards the end

of the interview. If an officer is considering it in the decision, it is best to put the topic to the applicant squarely. Prior to asking specific questions, it may be helpful for officers to explain that:

- they are required to consider what would happen to the applicant if they were to live in another area of the country as part of their decision
- they want to get as much information as possible and have not made up their mind.

It is important that officers discuss the applicant's fear of harm in another area as well as their personal circumstances (for example, ability to gain work, previous residence, family connections or any claimed health issues) which may impact their ability to transition back into the proposed safe area. This will ensure all aspects of the legal tests relating to relocation under the refugee and CP assessments are covered. For example, officers could ask:

- 'What do you think would happen if you moved to a different area of [country]?'
- 'Why do you think that would happen?'
- 'Are there any other personal reasons why you cannot move to another area?'

Refer to [Chapter 11 Applicants with psychological vulnerabilities including mental health conditions 1](#) for advice on how to respond and manage applicants who may become distressed during this discussion.

## 9. Presenting adverse information

The purpose of seeking comment on adverse 'relevant' information is to get an explanation from the applicant on matters material to the assessment of their application. Depending on the circumstances of the case, adverse information can be presented to the applicant prior to, during or after the interview.

If a case officer identifies 'relevant' adverse information before the interview, it is recommended that this information, which may include documents that can be disclosed to the applicant, be put them prior to the interview in writing (in a section 57 letter) and the applicant is invited to respond to the information at the interview or in writing. This will give the applicant an opportunity to consider the issues carefully, and discuss it with their agent if they have one, before providing a response.

During the interview adverse information can be presented to the applicant at the end or while discussing a relevant topic. If adverse information relates to a topic that can be discussed in isolation, then it should be presented to the applicant towards the end of the interview as raising this issue may cause the applicant to feel uneasy and, therefore, become a barrier to communication. In other cases, it might be more practical to present adverse information and seek the applicant's comment while discussing a relevant topic during the interview rather than waiting until the end of the interview.

When presenting adverse information during the interview, care should be taken not to appear as trying to "catch" the applicant out. It can be helpful to introduce the discussion by explaining that the applicant will be notified of the adverse information and why it is important to the decision and will then be invited to comment either at interview or within seven days. Refer to the interview pro forma for suggested wording. This can reduce the likelihood that applicants will interrupt the officer before they are able to explain why the information could lead to a decision to refuse the application, hence not satisfying s57 requirements.

Officers should remind the applicant that, as mentioned at the start of the interview, some applicants become uncomfortable when presented with adverse information but to remember they have not yet made up their mind and, that they are required by law to give the applicant this opportunity to provide any further information that may be relevant. As an example, an officer could say:

*'I am required to put to you information that I might consider to be the reason or part of the reason for refusing to grant a visa. I would like to provide you with an opportunity to comment on this information.'*



*'I need to make you aware of information that may be adverse to your claims for protection. The Department has credible information that indicates [summary of information].'*

*'I have concerns about [outline the concern] and this could potentially form part of the reason for a negative outcome. In your claims, you have stated that [claims] and in light of this information it is open to me to make a finding that [finding].'*

Officers may need to ask further questions following the applicant's account if it seems implausible or inconsistent – see [Section 7 - Credibility](#). These should not be framed in a judgemental or dismissive way, as officers should merely seek to better understand the issue. At the end of the discussion, officers are not required to state whether they accept the applicant's explanation.

When putting adverse information to an applicant, which is based on a document that can be disclosed to the applicant, a copy of that document could be provided to the applicant, if it has not already been provided.

Refer to [Chapter 11 Applicants with psychological vulnerabilities including mental health conditions](#) for advice on how to respond and manage applicants who may become distressed during this discussion.

## 10. Documents

Where the officer asks questions about a document, a brief description of the document they are referring to should be provided for the recording. When discussing a document, officers should make it clear in the recording what part of the document is being discussed. For example, *'The applicant has produced a taskera and has pointed to X part of the document'*. This is especially important for the IAA who rely on the audio recording.

The applicant should be asked when and how the document was obtained. Where a document's relevance is unclear, the applicant should be asked how it relates to the application. When documents regarding certain elements could be presumed to exist but were not submitted, the officer should further examine the reasons for non-submission, without prejudice.

## 11. Applicants with psychological vulnerabilities including mental health conditions<sup>1</sup>

This chapter:

- addresses ways to identify and assist psychologically vulnerable applicants;
- provides techniques and options that can be used to better engage with applicants whose ability to participate in the Protection visa (PV) assessment process is reduced due to their disordered mental state and/or impaired cognitive abilities; and
- describes a range of procedural modifications that can be adopted to facilitate the fair and accurate assessment of the applicant's claims.

For the purposes of this chapter, applicants with who are mentally unwell and applicants who are vulnerable are collectively referred to as 'psychologically vulnerable applicants'<sup>2</sup>

<sup>1</sup> This section relies in large part on the *Guidance note on the Psychologically Vulnerable Applicant in the Protection Visa Assessment Process*, November 2017, prepared by mental health experts in consultation with the UNHCR.

<sup>2</sup> This definition of psychologically vulnerable applicants is adopted from the above noted document.



Mental illness, post-traumatic conditions, brain injury, neurological disorders, and intellectual and developmental disabilities and the effects of medication may manifest in a wide range of symptoms. However, with regard to the psychological considerations relevant to PV assessment, what is important is how the applicant's ability to participate in the process is affected and consequently, how it can be accommodated.

Psychologically vulnerable applicants may have a reduced ability to participate in the PV assessment process due to specific cognitive impairments arising from their mental state. It is important to identify applicants who may be psychologically vulnerable as soon as possible in the PV assessment process to give due consideration to their ability to participate in the PV assessment process and adjust procedures and modes of interaction with the applicant accordingly.

**Note** Key points to keep in mind when harnessing this chapter:

- The measures are not expected to be applicable or utilised for all applicants, as not all applicants are psychologically vulnerable.
- Case officers can consider using all or combination of these measures, depending on each individual case and the severity of an applicants' condition.

A panel of mental health experts in consultation with the UNHCR developed the '*UNHCR table*' (available in TRIM ADD2018/1154128). This table is contained in the UNHCR's '*Guidance note on the Psychologically Vulnerable Applicant in the Protection Visa Assessment Process*' document as Table 1. This table identifies psychological abilities required for participation in the PV assessment process and provides a non-exhaustive list of causes and consequences of their impairment. This is referred to and included to assist you with understanding how certain conditions of impairments may affect the ability for an applicant to participate in an interview or other aspects of the PV assessment process. The extent of these abilities' impairment will determine the degree to which the applicants' capacity to participate is compromised.

Case officers *should not* seek to determine whether an applicant is merely distressed or their behaviour is a result of a deeper mental health condition.

## 11.1. Evidence of psychological vulnerability

Evidence of psychological vulnerability in the form of medical reports or case notes may already be held in departmental systems. In some cases, however, an applicant's psychological vulnerability may only become known during the PV interview or other interactions related to the PV assessment process.

Where available psychological and medical evidence can assist the fair and accurate assessment of the claims of the psychologically vulnerable applicant.

Such evidence, whether oral or written, should be expert (i.e. from a mental health professional or medical professional, such as a psychologist or psychiatrist) and impartial (i.e. that is not advocating in nature but providing information on an applicant's condition and its potential impact on the PV application process). The decision-maker should assess the value of the evidence and give appropriate weight to it accordingly.

An independent expert who provides an opinion or a clinician in a treatment relationship with the applicant may produce psychological and medical evidence. The treating clinician's evidence, while ethically and practically influenced by the treatment relationship, may nonetheless provide valuable factual evidence; for example regarding the applicants' mental state, cognitive capacities, the experiences they have reported in their country of origin, and their diagnosis and treatment. Psychological and medical evidence should not infringe upon the function of the decision-maker.

Where there is a possibility on the available evidence that an applicant is psychologically vulnerable, but the evidence is insufficient to properly inform the PV assessment process, decision-makers should obtain information or updated information about the applicant's psychological capacity, where possible, from their treating clinician. This is, if the information required from the applicant is critical to the applicant's

#### 11.1.1. The role of Psychological and Medical evidence

- In deciding whether the applicant is fit to undertake a PV interview (see *UNHCR Table* in TRIM ADD2018/1154128);
- In understanding how the applicant's reduced psychological capacity affects their ability to articulate their protection claims and respond to questions about them (see *UNHCR Table* in TRIM ADD2018/1154128);
- In understanding the applicant's psychological presentation and conduct during the interview;
- In understanding the effect of any medication for mental health issues on the applicant's ability to communicate;
- In deciding what procedural modifications to the PV interview should be made;
- In deciding whether an apparent inconsistency, confusion or inability to remember events in relation to the applicant's evidence is explainable in terms of the applicant's mental state;
- In deciding whether a lack of specificity in recollection of relevant events or a lack of knowledge about relevant matters may be explainable in terms of the applicant's mental state;
- In deciding whether the applicant's late disclosure of a claim is explainable in terms of the applicant's mental state;
- In considering, whether an applicant's psychological presentation is consistent with their claims in relation to experiences of trauma;
- In understanding whether the discrimination the applicant might suffer if repatriated would, owing to the applicant's psychological vulnerability, amount to serious harm and persecution. (i.e. real chance of persecution as consequence of their poor mental state); and
- In considering whether internal relocation is reasonable in the country of origin for the psychologically vulnerable applicant.
- In considering if the applicant's mental health condition or vulnerability itself raises a claim for protection.

Some applicants may not have disclosed psychological vulnerabilities; however, observations of the applicant's behaviour can be a key source of information about their mental well-being. s. 47E(d)

Response	Percentage
U.S. should take action to reduce greenhouse gas emissions	95%
U.S. should not take action to reduce greenhouse gas emissions	5%

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## **11.2. Procedural modifications to the assessment process, including the interview, of psychologically vulnerable applicants**

In preparation for an interview case officers routinely check departmental records for evidence of the applicant threatening self-harm/threats of harm to others, in previous interactions with the department, and make appropriate arrangements. Similarly, if there is evidence or indications that an applicant may be psychologically vulnerable, the following adjustments could be made to the assessment process.

Prior to the interview, if practical and possible, consider:

- Informing applicants in writing prior to the interview about aspects of their claims which the interview will seek clarification and further particulars.
- Encourage the applicant to bring to the interview and make use of any memory triggering materials that might help them provide an account of their personal history, such as statements and timelines represented graphically. Other forms of evidence that can be brought to the interview in assisting to recollect, clarify and establish the applicant's claims at the interview can include photographs and news articles.
- Providing a 'courtesy' phone call to confirm details of the interview. This may assist with establishing rapport, and to put them at ease prior to the interview.
- Providing in writing any adverse relevant information to the applicant and allowing the applicant to provide a written response to aspects of the claims requiring clarification.
- Encouraging the applicant to bring a family member as a support person to the interview.
- Allocating more time for the interview.

During the interview:

Personal history associated with trauma may be relevant to the assessment of claims. However, exploration of these experiences can cause distress, confusion and disorientation and may not result in the outcome that the case officer is seeking. Victims of torture or other forms of ill-treatment or violence may have difficulties in recounting the details. Where an applicant claims to have been tortured or subjected to serious harm the case officer should consider whether the finding of fact for this incident is material to the decision; that is, does it correlate to the assessment of real chance of future harm. If so, the case officer may need further information to establish whether or not it is likely that the event happened. In such circumstances, the use of open questions will allow the applicant to determine the level of detail they are willing to give about an incident. Probing questions can then be used to clarify any inconsistencies or gaps about the surrounding circumstances.

The absence of psychological symptoms should not be taken as evidence that the alleged traumatic experiences have not occurred.

When asking the applicant when, where, how, and by whom the trauma was inflicted, care should be taken not to cause undue distress. For victims of rape or other forms of sexual violence, obtaining details of the act itself is inappropriate, but it may be important to obtain information regarding the events leading up to and after the event, the surrounding circumstances as well as the motivation of the perpetrator, if known. Questions about what happened must always be put with sensitivity, respect, cultural and gender awareness.

The applicant should be oriented to each part of the interview: "I will now ask you about..." ('Signposting'). Actively check whether the applicant wishes to correct or add anything further.

*Suggested approach/es:* Using short simple sentences to ask questions from the applicant. This could assist with the better understanding of what is being asked of them and therefore, the applicant may provide a better response.

*Consider allowing for regular breaks and/or longer breaks for an applicant to be able to gather their thoughts and confer with their legal representative and/or support person.*

*Visual representation of timelines, for example where available, on a white board or A3 paper, may also assist. Populating the timeline with important events to the applicant, for example, significant family occasions, personal milestones, events in the community such as religious celebrations, rather than dates, may assist in constructing the chronology. This could be utilised in an instance where it has been challenging to extract crucial information relevant to the applicant's claims and could aid the finalisation of their application.*

In some instances, questions about what is known may not be the preferable approach to establishing whether the applicant possesses particular knowledge; the applicant may know the information but be unable to retrieve it when questioned.

*Suggested approach:* A test of recognition rather than free recall may be preferable. Consider adjusting your questioning methods such as multiple choice questioning or showing several photographs of a subject (e.g. photos of a location or person the applicant claims knowledge of).

*Where available, allow the testimony of witnesses or other forms of available evidence, when this would reduce the demands on the applicant. The witness testimony can be from other family members who are onshore/on the same application or other applicants such as relatives or neighbours from the same town/village who can attest to all or parts of the applicant's story/claims. This can be done in exceptional circumstances where it has been challenging to extract specific information crucial to decision making and this information can be provided with the consent of the applicant.*

Despite adoption of these procedures, the applicant may still not have had a reasonable opportunity to respond to adverse information during the interview. This may be due to capacity related difficulties experienced by the applicant during the interview or because information provided by the applicant at the interview raised new credibility concerns.

*Suggested Approach:* After the interview, the psychologically vulnerable applicant should be given an opportunity to submit a response in writing, to a written set of considerations that may lead to the application being refused.

**Note:** Case officers can use their discretion not to interview the applicant in severe cases, where an interview will not add value to the assessment of their PV application. For example, in situations where the applicant is unable to engage in the process or participation in an interview may further exacerbate their condition. In these situations, case officers can choose not to request an interview and proceed with the application in writing. For more information, refer to PVP section on Interviews.

### **11.3. Assessing credibility of psychologically vulnerable applicants**

As a general principle, some grounds for making adverse credibility findings are less reliable when considering the claims of the psychologically vulnerable applicant. Demeanour is an uncertain basis for credibility assessment in any context. Many mental illnesses and neuropsychological conditions alter the expression of emotion. The addition of mental disorder to the complexity of the interpretative task renders demeanour an unreliable source of credibility assessment. Consequently, demeanour should not be relied upon in making credibility assessments of psychologically vulnerable applicants.

Credibility assessments based on the specificity and detail of an account of a legally relevant event should be considered in the context of applicant's psychological evidence, where possible. A lack of detail where detailed knowledge would be expected may have a number of psychological explanations (see UNHCR Table in TRIM ADD2018/1154128). For example, severe depression can cause a tendency to recall significant personal events in general terms only with an associated lack of specific contextual information that might otherwise be expected to be present. A post-traumatic condition may cause the applicant to avoid recalling events in detail and to recollect most the threatening components of the memory with limited contextual information.

Some psychologically vulnerable applicants may be less able to provide a persuasive account of their reasons and motivations for particular actions. If the applicants were mentally unwell or traumatised at the time of the actions in question, their conduct may have been influenced by an abnormal mental state. General knowledge is usually relatively well preserved and accessible despite mental disorder and impairment in cognitive functioning. However, some psychologically vulnerable applicants may take longer to recollect personal knowledge and initially provide incomplete statements about what they know. Furthermore, the store of general knowledge possessed by the applicant may have been restricted by limited educational opportunities or developmental disability. When an applicant recounts an event at different times, there will often be some variation of detail.

### 11.3.1. Inconsistencies in an applicant's testimony

Inconsistencies in an applicant's testimony can often form the basis of an adverse credibility assessment. Similarly, evidence that the applicant has, as an apparent consequence of trauma and shame, generally disclosed personal history progressively, may persuasively explain a delay in the disclosure of claim-relevant experiences.

There are different kinds of inconsistency. Some kinds of inconsistency are less reliable as a basis for an adverse credibility finding when assessing a psychologically vulnerable applicant, whilst others remain reliable.

For example, where an applicant's claim is directly inconsistent with reliable country information, the inconsistency will legitimately raise doubts about credibility regardless of the applicant's mental state.

Similarly, where an applicant makes a positive assertion about a significant life event (e.g. undertaking military service) and then later makes a directly contradictory statement (that military service was never undertaken) this inconsistency is unlikely to be explained by the applicant's mental state, unless the applicant suffers from a mental disorder or condition which severely impairs memory recall.

Inconsistencies can be attributed to psychological vulnerability, where:

- an applicant discloses new information that relates to traumatic events, this may be explainable in psychological terms. Particularly among applicants with a post-traumatic condition, disclosure of traumatic events often unfolds over time;
- an applicant recounts an event at different times, there will often be some variation of detail. It is a normal characteristic of human memory that accounts of a personal experience will differ to some extent each time they are retold, while the central elements of the event may be relatively stable. This is because memory is reconstructive. Memories for traumatic events have been shown to be subject to wider variation over time than recollection of significant non-traumatic events. The details that have been found to most commonly vary are of the following kind: precise times and dates, the sequence of events, visual and spatial details, the number of people present, and who did what.

There may be a number of reasons for this, a few are:

- during the traumatic event, it is common that the person only registers some aspects of the event owing to their psychological and neuropsychological state. Subsequently there may be attempts to reconstruct what occurred, sometimes from other sources of information;



- the severity of the person's current post-traumatic condition affects the details recollected and the vividness of those details. The severity of the post-traumatic condition will be subject to fluctuations over time and responses to treatment;
- experiences of fear, shame, guilt and loss associated with the traumatic experience influence when they speak about aspects of the trauma.

**Note:** Whilst every care can be taken to assist and accommodate psychologically vulnerable applicants at the interview to engage meaningfully, it may not always be possible to accurately identify all applicants who are psychologically vulnerable. Therefore, it is important to keep in mind that, if at any stage of the interview process the applicant becomes too distressed or aggressive, case officers should follow safety protocols, escalate the case to a team leader and if necessary, terminate the interview. The case officer can then decide whether to re-schedule the interview or seek information, including if possible, a psychological assessment report, in writing before deciding the application.

## 11.4. Record keeping and support services

It is important to ensure departmental records are current for applicants with psychological vulnerabilities and where practicable, information on support services can be provided to these applicants. Any new information on the applicant should be recorded promptly in either ICSE and or CCMD. Refer to the current version of the SOP on Safety Protocols for managing incidents self-harm, threats and harm directed at others' document for where in the above systems you are able to record such information.

### 11.4.1. Recording relevant information

**Decision records:** It is recommended that the applicant's psychological vulnerability is noted in Departmental decision records, for good record keeping practices and if any of this information is requested by other authorities in relation to the applicant. Where applicable, the case officer can determine the evidence's probity and relevance, weigh it accordingly, and explain how it has been taken into account when reaching conclusions about the applicant's claims. For example, describe the measures used to engage with them, citing the evidence in the decision record.

**Departmental systems:** It is important maintain an up-to-date file of the psychologically vulnerable applicant in Departmental systems, ensuring diligent notes of all interactions with the applicant, agent or support person is recorded. Record any correspondence that has been received or made in relation to their mental health condition with an external stakeholder, such as a medical professional. Ensure all evidence is saved in TRIM and referred to in their departmental record. Update any new information about their vulnerability observed during the interview, such as talks of self-harm, depression.

For more information on self-care, refer to [Chapter 13 Self-evaluation and self-care](#).

### 11.4.2. Providing information on support services and community groups to psychologically vulnerable applicants

Case Officers should not provide counselling support. Case Officers can provide the 'Support Card' to applicants who have displayed behaviours discussed in the above sections and advise that they can contact any of the organisations for support if needed. Alternatively, if no support card is available, case officers should provide the following contact details of these organisations to the applicant. It can also be found on TRIM (ADD2018/249654).

**BEYOND BLUE: 1300 224 636**

**LIFELINE: 131 114**

**FORUM OF AUSTRALIAN SERVICES FOR SURVIVORS OF TRAUMA AND TORTURE (FASSTT)**



**ACT** 02 6251 4550, **NSW** 02 9794 1900, **NT** 08 8985 3311, **QLD** 07 3391 6677, **SA** 08 8206 8900 **TAS** 03 6221 0999, **VIC** 03 9388 0022, **WA** 08 9227 2700

It is at the case officer's discretion to provide the 'Support Card' to applicants who have not displayed any outward signs of distress at interview. Some applicants may become distressed after the interview has concluded or they may benefit from support at a later stage for another reason.

Case Officers may also ask the applicant if they are linked to any support services or their local ethnic community groups and, if needed, provide contact information for support services available in their state. Contact details of key service providers who can offer support, legal advice, referrals to appropriate services and local ethnic communities are on TRIM <sup>s. 22(1)(a)(ii)</sup> .

## 12. Other vulnerabilities and referral to support services

At the interview, an officer may identify a potentially vulnerable applicant who may require referral to support services. Officers should be able to effectively identify risk factors, which may become apparent during the normal course of the interview indicating, for example, that the applicant may have serious physical or mental health issues, be a victim of sexual or domestic violence, or that there may be child protection concerns in the applicant's family. Officers are not expected take on a role of a social worker or a counsellor. The officer's role is to provide initial support and refer applicants to information about appropriate services.

### 12.1. Domestic and family violence

Domestic and Family violence (DFV) involves conduct that is violent, threatening, coercive or controlling, or intended to cause a family or household member to be fearful. It can include:

- physical, verbal, emotional, sexual or psychological abuse
- neglect
- financial abuse
- stalking
- harm to an animal or property
- restricting spiritual or cultural participation
- exposing children to the effect of these behaviours.

For a full definition of what behaviours are considered domestic and family violence, see [Domestic and Family Violence Strategy 2016-20](#).

#### Departmental contacts who can provide support and guidance on dealing with DFV issues

The [Domestic and Family Violence Contact Officer Network](#) has been developed to improve the safety of DIBP clients, staff and the Australian community by:

- providing timely information, advice and guidance to staff to assist them in responding practically and appropriately to DFV issues
- ensuring consistency and quality in our responses to incidents of DFV
- increasing awareness of DFV across the Department.

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DFV contact officers have specialist training in DFV issues and can provide subject matter expertise, guidance and information about appropriate services. The role of the DFV Contact Officer is not one of counsellor or case officer.

A number of other areas in the Department can also provide support and advice in relation to cases involving DFV.

### External support services

For information on external support services, including state and territory support services, refer to 22(1)(a)(ii)

### Family Safety Pack in community languages

Protection visa applicants who may be at risk of DFV can be given a Family Safety Pack in their own language. The Family Safety Pack contains information on DFV, sexual assault, forced and early marriage, and family violence and partner visas and have been translated into 46 languages.

#### 12.1.1. Identify and respond

Officers should be aware and look for clues or warning signs at interview that an applicant is a victim or perpetrator of domestic or family violence. Applicants may have obvious injuries such as bruises, black eyes, broken bones, hearing loss. These are often attributed to 'falls', being 'clumsy', or 'accidents'.

Where an applicant shows sign of an injury or indicates during the interview that they are or have been a victim of the above behaviours from their partner or other family or household members, officers should take the following actions:

- Ask to talk to the applicant who may be a victim of domestic or family violence without other family members being present.
- Advise the applicant that they would like to ask them a question and that their response is voluntary and will be treated as confidential.
- Ask the applicant *'Are you concerned about your or a member of your family's safety at home?'*
- Where an applicant confirms that they are a victim of domestic or family violence, acknowledge that they are in a difficult situation and that they appreciate the applicant telling them about it. Advise the applicant that there are many confidential support services available for them to talk to. Provide them with domestic violence referral card that includes the contact details of the range of support organisations.
- If an applicant is in immediate danger, ask the applicant to contact the police immediately on 000, contact the police on their behalf.
- Encourage the applicant to contact police if they ever feel that their personal safety is at risk.

For more information on responding to DFV situations, refer to the below departmental resources:

- [First response assistance for clients](#)
- [Responding to DFV situations](#) (six scenarios with information on such issues as possible disclosure required and record keeping).

A referral card with contact details of DFV support services should be provided to applicants who claim to be victims or perpetrators of DFV. Where an applicant indicates that they are or have been a victim or a perpetrator of domestic or family violence and a domestic violence referral card is not available, advise them that they can seek support from the below organisations.

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**1800RESPECT: 1800 737 732 or [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au)**

**FAMILY RELATIONSHIPS ADVICE LINE: 1800 050 321 or [www.familyrelationships.gov.au](http://www.familyrelationships.gov.au)**

**MENSLINE AUSTRALIA: 1300 789 978 or [www.mensline.org.au](http://www.mensline.org.au)**

**FINANCIAL COUNSELLING AUSTRALIA: 1800 007 007 or [www.financialcounsellingaustralia.org.au](http://www.financialcounsellingaustralia.org.au)**

The above contact details on support services is also available in Trim ADD2018/481674

### 12.1.2. Record and report

Record a case note in ICSE, detailing the information provided by the applicant and what referral information was provided. The ICSE note should be flagged “Not for disclosure to third party” to reduce the risk of inadvertent disclosure to alleged perpetrator. An incident report may be required for applicants receiving SRSS, refer to your supervisor for advice.

For further information about assisting an applicant who is a victim of domestic or family violence and reporting protocols, see Bordernet: <sup>22(1)(a)(ii)</sup>

## 12.2. Child protection

An applicant may disclose at interview that their child has been abused since arriving in Australia, either by another member of the family or others. An applicant's statements could indicate that their child may be suffering abuse, for example, if they are a witness to family violence or if there is a history of violence. If officers have a suspicion about a child at risk, they do not need to accurately define the form of abuse they suspect. Officers should familiarise themselves with the information contained on the ‘child safeguarding’ page on Bordernet <sup>22(1)(a)(ii)</sup> ) in order to respond to disclosures of child abuse and appropriately record and report any information in accordance with the ‘reporting child-related incidents policy’.

## 13. Self-evaluation and self-care

Self-evaluation and reflection is important for interviewers to practice in order to maintain an open mind and sincerity when communicating with applicants. Also, to protect self against vicarious trauma. If multiple interviews are scheduled one after the other, officers should take a sufficient break to clear their minds of residual impressions from the previous interview.

Interviewers can consider the following after each interview:

- Were the aims and objectives of the interview met?
- Were there any aspects of the interview that could be improved?
- How could this improvement be achieved next time? Officers may wish to discuss different techniques and approaches with their supervisor.

Protection visa interviews can be challenging and emotionally draining on officers. It is important that officers take the time to debrief with a colleague or their supervisor after each interview and seek support from the [Employee Assistance Programme](#) (EAP) when needed.

In conjunction with EAP services, the Department's Fit and Well programme offers *MindWell* services to DIBP staff. *MindWell* offers two avenues of support:

- *Employee MindWell*: is focused on resolving an individual's mental health concerns with help from a qualified *MindWell* Consultant. The Consultant will discuss strategies to help build mental fitness and

decide on a course of action. The programme aims to provide staff with a sense of direction in developing and maintaining their mental fitness.

- *Manager MindWell*: is an advisory service for managers, team leaders and other individuals responsible for managing staff. *Manager MindWell* is designed to assist with situations that involve issues with workplace communication, behaviours or performance.

For further information, please refer to the following [link](#) on Bordernet and [MindWell information sheet](#).

## 14. Further guidance

For further guidance, please refer to:

- Refugee and Humanitarian – Protection Visa Processing Guidelines
- Refugee and Humanitarian – Refugee Law Guidelines

## 15. Sources

The following sources were used in the development of this guidance:

- United Kingdom Home Office, 'Asylum Policy Instruction, Asylum interviews', March 2015.
- European Asylum Support Office, 'EASO Practical Guide: Personal interview', December 2014.
- STARTTS, 'The Effects of Refugee Trauma, Culture and Anxiety on the Interview Process' (Training handout for DIPB decision makers), 2014
- UNHCR, 'Interviewing Applicants for Refugee Status', 1995
- Steel, Zachary, Frommer, Naomi and Silove Derrick, 'The mental health impacts of migration: the law and its effects, Failing to understand: refugee determination and the traumatized applicant', 2004
- Mills Oakley panel firm, recording of a training delivered to PV case officers, 2016
- Child safeguarding, Bordernet 22(1)(a)(ii)
- Domestic and family violence, Bordernet 22(1)(a)(ii)
- Department of Human Services, 'Enough' (Family and Domestic Violence Package), 2016
- Monthly feedback from IAA, 2016, 2017
- New Intelligence, 'Art and Science of Interview, foundations PV decision makers'(Training participant guide), 2005
- 'Guidance Note on the Psychologically Vulnerable Applicant in the Protection Visa Assessment Process', prepared by UNHCR in consultation with a panel of Mental Health Experts, 2017.

The following areas of the Department were consulted:

- Humanitarian Program Operations Branch
- Humanitarian Program Capabilities Branch
- Health Policy Section
- Citizenship Support Section
- Student and Graduate Visas section

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- Family Migration Programme Management Section
- 457 and Bridging Visa ABC Management Section
- Community Programme Delivery Section
- ELO network.

## 16. Version Control

Version number	Date of issue	Author(s)	Brief description of change
1	25 May 2018	22(1)(a)(ii)	new
2	November 2019	22(1)(a)(ii)	Change of Template and minor amendments