



Australian Government

Migration Review Tribunal • Refugee Review Tribunal

Migration Review Tribunal – Refugee Review Tribunal

The Migration Review Tribunal (MRT) and the Refugee Review Tribunal (RRT) are located at:

Sydney: Level 11, 83 Clarence St
Phone: (02) 9276 5000

Melbourne: Level 12, 460 Lonsdale St
Phone: (03) 8600 5900

Website: www.mrt-rrt.gov.au

The MRT and RRT are independent bodies reviewing appeals against denial of visas by the Department of Immigration and Citizenship [DIAC].

The **RRT** deals with Protection visas (ie refugee visas) and is concerned to see if the applicant who has been denied a visa nevertheless can show they meet the definition of a refugee and thus can remain in Australia. Hearings are held in private.

The **MRT** deals with all other visas in hearings open to the public:

- Business visas
- Student visas
- Family visas
- Partner visas
- Bridging visas
- Visitor visas
- Skilled visas

The work of the Tribunals is in some ways similar and in some ways different to that of courts.

Similarities between Tribunals and Courts

- Tribunals are legal bodies, and work according to strict legal requirements and legal precedents. Reference may be made during hearings to decisions handed down previously but the Tribunal or by other courts
- Matters from Tribunals can be appealed to the Federal Court
- Witnesses may appear
- Formal oaths or affirmations are taken by applicants, witnesses and interpreters.

Differences between Tribunals and Courts

- Tribunal hearings are Inquisitorial in nature – there are no lawyers who argue their cases. Each hearing is conducted by a single Member who wants to find out the grounds on which the applicant is appealing, and ask questions directly of the applicant. Applicants may have a person with them (sometimes it is a Migration Agent) but these persons have a very limited role at the discretion of the Member.
- The atmosphere is more informal than in a court: all participants sit around a single table, the Member wears civilian clothing, and is interested in getting the full story from the applicant.
- Unlike in a Court, NO decision is announced at the end of a hearing – applicants are notified of the decision by mail.

Interpreters at the Tribunals

The Tribunals are among the institutions in Australia MOST dependent upon effective interpreting services – the vast majority of their cases require interpreters. The Tribunals and their Members are thus also very clear on the role of the interpreter, very supportive of interpreters' work, but also very demanding in their expectation of interpreters.

The nature of the Tribunal work means that interpreters are needed in a very wide range of languages, and in some cases interpreters may be unaccredited. Equally, there is heavy demand in the larger accredited languages (Mandarin and Cantonese, Vietnamese Arabic etc)

All Graduates also works to ensure all interpreters who go to the Tribunals - especially those interpreters who are unaccredited, or going to the Tribunals for the first time - are adequately briefed on what to expect. This briefing will be through organised Induction sessions, or in urgent cases by telephone.

The Tribunals demand, and All Graduates expects:

- That you arrive 15 minutes before the time of the hearing (you are paid for this extra time)
- You have familiarised yourself with the issues the Tribunals deal with and their formalities, as detailed in the Tribunals' *Interpreters' Handbook*
- That you interpret *everything* that is said by all parties, accurately and completely
- Use of the first person in all interpreting
- If asking for repetition or clarification, that you let the other party know what you are doing (eg if you are clarifying something the applicant has said, you let the Member know you are doing it) – this prevents 'side-conversations' where one party may be left out.
- That you take notes of difficult to remember items eg dates, names, money etc
- Abide by the AUSIT Code of Ethics

Facilities provided by the Tribunal that will help interpreters include

- Having a separate Interpreters' Room at both Sydney and Melbourne offices to wait before hearings, so interpreters do not need to mix with applicants and their entourage in the foyer
- Having an excellent, detailed *Interpreters' Handbook*, available on the Tribunals' website, and given to all interpreters by All Graduates.

- Detailed information on Tribunal procedures, decisions, and other relevant court decisions on the Tribunal website.

Matters dealt with by the tribunals are often complex and challenging for interpreters, but many interpreters find working at the Tribunals extremely stimulating and rewarding. Please read the *Interpreters' Handbook*, and good luck with your interpreting!

This information is provided by:
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In conjunction with
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