



**An Oifig um Chosaint
Idirnáisiúnta**
International Protection
Office

**AN OIFIG UM CHOSAINT IDIRNÁISIÚNTA
INTERNATIONAL PROTECTION OFFICE**

**CODE OF CONDUCT TO BE OBSERVED BY A LEGAL REPRESENTATIVE OR CHILD AND FAMILY
AGENCY(TUSLA) OFFICIAL/PARENT OR GUARDIAN ATTENDING AT THE INTERNATIONAL PROTECTION
OFFICE (IPO) FOR A SUBSTANTIVE INTERVIEW UNDER SECTION 35 OF THE INTERNATIONAL
PROTECTION ACT 2015.**

**Policy No.: IPO (PP) 09
Effective date: 06/03/2017
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A. Code of conduct to be observed by a Legal Representative attending at the International Protection Office (IPO) for a substantive interview under Section 35 of the International Protection Act 2015 in the case of an unaccompanied minor.

This Form should be read, signed and dated by the legal representative prior to the commencement of the substantive interview under section 35 of the International Protection Act 2015. The form will be placed on the international protection applicant's file.

1. The IPO has established arrangements for the attendance of a legal representative at the unaccompanied minor's Section 35 interview.
2. The legal representative should note that s/he is acting as an observer in the interview process. The legal representative may take notes at the interview but s/he must **not** interrupt the interview, answer questions for the applicant and/or make any comments during the interview process unless invited to do so by the interviewer or having first obtained authorisation from the interviewer. The use of laptops, mobile phones, or any electronic /recording device by the legal representative is not permitted.
3. The legal representative must provide the Panel member/international protection officer conducting the interview with proof of his/her identity. For identification purposes, the following documentation will be accepted by the IPO:
 - a business card;
 - headed note paper showing that the legal representative is employed by the firm stated to be representing the applicant;
 - in the case of a legal clerk attending on behalf of a law firm, the legal clerk will be required to lodge a letter on the firm's headed note paper. This letter will contain confirmation by one of the qualified solicitors in that firm that the legal clerk is authorised to attend the IPO on behalf of the firm concerned.
4. The IPO will accept and consider any documents or submissions relevant to the applicant's case made before or during the interview process. However, legal representatives should note that to facilitate the speedy processing of international protection applications, all documentation and submissions relevant to the applicant's case should be submitted at the earliest opportunity and no later than the interview date,
5. The applicant will be afforded short breaks during the interview at the discretion of the interviewer, **and/or at the request of the applicant.**
6. At the end of the interview, the legal representative will be afforded an opportunity to make comments relevant to the case. Any comments will be recorded and read back to the legal representative by the interviewer. The legal representative will be asked to sign these comments to confirm they have been accurately recorded.
7. The IPO and the interviewer will also have regard to the IPO's Procedures in relation to applications from Unaccompanied Minors/Separated Children seeking international protection, and the IPO's Children First Guidelines.
8. The IPO and the interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.

Name of Legal Rep (Block Capitals):
Company:
Contact Tel No.:
Signature:
Date:

For IPO
Proof of ID provided (Y/N):
Format:
Signature:
Date:



IPO(PP) 09 (FORM B)

B. Code of conduct to be observed by the Child and Family Agency (TUSLA) official attending at the International Protection Office (IPO) for a substantive interview under Section 35 of the International Protection Act 2015 in the case of an unaccompanied minor.

This Form should be read, signed and dated by the TUSLA representative prior to the commencement of the substantive interview under Section 35 of the International Protection Act 2015. The form will be placed on the international protection applicant's file.

1. The IPO has established a policy of permitting the attendance of a TUSLA representative at the unaccompanied minor's Section 35 interview.
2. If the applicant (through TUSLA) has secured legal assistance, his/her legal representative will also be permitted to attend the interview.
3. The TUSLA representative should note that s/he is not a participant in the interview process. The TUSLA representative may take notes at the interview but s/he must **not** interrupt the interview, answer questions for the applicant and/or make any comments during the interview process unless invited to do so by the interviewer. The use of laptops, mobile phones, or any electronic /recording device by the TUSLA representative is not permitted.
4. The TUSLA representative must provide the Panel member/international protection officer conducting the interview with proof of his/her identity. For identification purposes, the following documentation will be accepted by the IPO:
 - a business card;
 - the representative's ID card;
 - a letter from TUSLA indicating the representative is employed by TUSLA.
5. The IPO will accept and consider any documents or submissions relevant to the applicant's case made before or during the interview process. However, the TUSLA representative should note that to facilitate the speedy processing of international protection applications, all documentation and submissions relevant to the applicant's case should be submitted at the earliest opportunity and no later than the interview date.
6. The TUSLA representative should note that breaks will be allowed during the interview process at the discretion of the interviewer, at the request of the applicant and/or within reason at the request of the TUSLA representative.
7. At the end of the interview, the TUSLA representative will be afforded an opportunity to make comments relevant to the case. Any comments will be recorded and read back to the TUSLA representative by the interviewer. The TUSLA representative will be asked to sign these comments to confirm they have been accurately recorded.
8. The IPO and the interviewer will also have regard to the IPO's Procedures in relation to applications from Unaccompanied Minors/ Separated Children seeking international protection, and the IPO's Children First Guidelines.
9. The IPO and the interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.

Name of TUSLA representative: (Block Capitals) Contact Tel No.: Signature: Date:
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For IPO
Proof of ID provided (Y/N): Format: Signature: Date:



C. Code of conduct to be observed by the Child/minor's guardian or parent attending at the International Protection Office (IPO) for a substantive interview under Section 35 of the International Protection Act 2015 in the case of an accompanied child/minor.

This Form should be read, signed and dated by the Child/minor's guardian or parent prior to the commencement of the substantive interview under Section 35 of the International Protection Act 2015. The form will be placed on the international protection applicant's file.

1. The IPO has established a policy of permitting the attendance of a Child/minor's guardian or parent at the accompanied minor's Section 35 interview. While the interviewer may request the Child to outline during the interview any facts relating to their international protection claim, they may also require the parent or guardian to provide information relating to the Child's international protection claim.
2. If the applicant has secured legal assistance, his/her legal representative will also be permitted to attend the interview.
3. The Child/minor's guardian or parent should note that s/he is not a participant in the interview process. The Child/minor's guardian or parent may take notes at the interview but s/he must **not** interrupt the interview, answer questions for the applicant and/or make any comments during the interview process **unless invited to do so by the interviewer**. The IPO may invite the applicant's accompanying adult to answer further questions or to provide additional information at the end of the Child's interview. The use of laptops, mobile phones, or any electronic /recording device by the Child/minor's guardian or parent is not permitted.
4. The Child/minor's guardian or parent must provide the Panel member/ international protection officer conducting the interview with proof of his/her identity. For identification purposes, the following documentation will be accepted by the IPO:
 - a passport;
 - an official ID card, or
 - other form of identification (e.g. TRC or GNIB Registration card).
5. The IPO will accept and consider any documents or submissions relevant to the applicant's case made before or during the interview process. However, the Child/minor's guardian or parents should note that to facilitate the speedy processing of international protection applications, all documentation and submissions relevant to the applicant's case should be submitted at the earliest opportunity and no later than the interview date.
6. The Child/minor's guardian or parent should note that breaks will be allowed during the interview process at the discretion of the interviewer, at the request of the applicant, **and/or within reason at the request of the Child/minor's guardian or parent**.
7. At the end of the interview, the Child/minor's guardian or parent will be afforded an opportunity to make comments relevant to the case. Any comments will be recorded and read back to the Child/minor's guardian or parent by the interviewer. The Child/minor's guardian or parent will be asked to sign these comments to confirm they have been accurately recorded.
8. The IPO and the interviewer will also have regard to the IPO's guidelines in relation to interviews with accompanied children, and the IPO's Children First Guidelines.
9. The IPO and the interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.

Name of Child/minor's guardian or parent: (Block Capitals) Contact Tel No.: Signature: Date:
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For IPO Proof of ID provided (Y/N): Format: Signature: Date:



D. Code of conduct to be observed by a Legal Representative attending at the International Protection Office (IPO) for a substantive interview under Section 35 of the International Protection Act 2015 in the case of an adult international protection applicant/ accompanied minor.

This Form should be read, signed and dated by the legal representative prior to the commencement of the substantive interview under Section 35 of the International Protection Act 2015. The form will be placed on the international protection applicant's file. A legal representative may accompany their client at the substantive interview subject to the following:

1. Prior to the commencement of the interview, the applicant must have confirmed to the IPO in writing that you are his/her only duly-appointed legal representative.
2. The request for the attendance of the applicant's legal representative at his/her client's substantive interview must be forwarded to the IPO at least 24 hours before the designated starting time of the interview.
3. The legal representative must provide the Panel member/international protection officer conducting the interview with proof of his/her identity. For identification purposes, the following documentation will be accepted by the IPO:
 - a business card,
 - headed note paper showing that the legal representative is employed by the firm stated to be representing the applicant;
 - in the case of a legal clerk attending on behalf of a law firm, the legal clerk will be required to lodge a letter on the firm's headed note paper. This letter will contain confirmation by one of the qualified solicitors in that firm that the legal clerk is authorised to attend the IPO on behalf of the firm concerned.
4. The legal representative should note that s/he is acting as an observer in the interview process. The legal representative may take notes at the interview but s/he must **not** interrupt the interview, answer questions for the applicant and/or make any comments during the interview process unless invited to do so by the interviewer or having first obtained authorisation from the interviewer. The use of laptops, mobile phones, or any electronic /recording device by the legal representative is not permitted.
5. At the end of the interview, the legal representative will be afforded an opportunity to make comments relevant to the case. Any comments will be recorded and will be read back to the legal representative by the interviewer. The legal representative will be asked to sign these comments to confirm they have been accurately recorded.
6. The IPO will accept and consider any documents or submissions relevant to the applicant's case made before or during the interview process. However, legal representatives should note that to facilitate the speedy processing of international protection applications, all documentation and submissions relevant to the applicant's case should be submitted at the earliest opportunity and no later than the interview date.
7. The applicant will be afforded short breaks during the interview at the discretion of the interviewer, **and/or at the request of the applicant.**
8. The IPO and the interviewer will also have regard to the IPO's guidelines in relation to interviews with accompanied children, and the IPO's Children First Guidelines.
9. The IPO and the interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.

Name of Legal Rep: (Block Capitals) Company: Contact Tel No.: Signature: Date:

For IPO

Proof of ID provided (Y/N): Format: Signature: Date:



E. Procedure to be observed by the interviewer in relation to a Legal Representative attending at a substantive interview under Section 35 of the International Protection Act 2015.

In the case of legal representative accompanying either an adult international protection applicant or an unaccompanied minor/accompanied minor to their substantive interview the following procedure must be followed by the interviewer:

1. At the outset of the interview the interviewer will introduce himself/herself.
2. Before the interview commences the interviewer will give the legal representative a copy of the relevant *Code of Conduct* in relation to a legal representative attending at a substantive interview.
3. The interviewer will ask the legal representative to read the *Code of Conduct* and sign it.
4. The interviewer will ask the legal representative for proof of identity. The proof of identity will be noted in the interview notes and a copy placed on file. Accepted identification for a legal representative attending at interview includes the following:
 - a business card;
 - headed note paper showing that the legal representative is employed by the firm stated to be representing the applicant;
 - in the case of a legal clerk attending on behalf of a law firm, the legal clerk will be required to lodge a letter on the firm's headed note paper. This letter will contain confirmation by one of the qualified solicitors in that firm that the legal clerk is authorised to attend the IPO on behalf of the firm concerned.
5. If the interviewer has any doubts about the identity documents produced, please consult with your manager.
6. If the legal representative does not produce evidence of his/her identity or fails to observe the *Code of Conduct*, the interviewer will remind him/her of his/her obligations under the Code. If the non-co-operation continues the interviewer should
 - call a short break and bring the matter to the attention of their HEO/AP;
 - the HEO/AP will attend the interview and seek the co-operation of the legal representative with the *Code of Conduct*;
 - if co-operation is still not forthcoming, the interviewer will inform him/her that s/he is **not** allowed to sit in at the interview and s/he must leave.
7. Under no circumstances should an interview be cancelled/postponed and/or adjourned if the legal representative cannot produce proof of identity and/or if s/he will not observe the protocol outlined above.
8. The interviewer will place the signed *Code of Conduct* document on the international protection applicant's file.
9. The IPO and the interviewer will also have regard to the IPO's Children First Guidelines.
10. The IPO and the interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.



F. Procedure to be observed by the interviewer in relation to a Child and Family Agency (TUSLA) official attending with an unaccompanied minor at substantive interviews under Section 35 of the International Protection Act 2015

In the case of a TUSLA official accompanying an unaccompanied minor to their substantive interview the following procedure must be followed by the interviewer:

1. At the outset of the interview the interviewer will introduce himself/herself.
2. Before the interview commences the interviewer will give the TUSLA official a copy of the relevant *Code of Conduct* in relation to a TUSLA official attending at a substantive interview.
3. The interviewer will ask the TUSLA official to read the *Code of Conduct* and sign it.
4. The interviewer will ask the TUSLA official for proof of identity. The proof of identity will be noted in the interview notes and a copy placed on file. For identification purposes, the following documentation will be accepted by the IPO:
 - a business card;
 - an official ID card;
 - a letter from the Child and Family Agency (TUSLA) indicating the official is employed by the TUSLA.
5. If the Interviewer has any doubts about the identity documents produced, please consult with your manager.
6. If the TUSLA official does not produce evidence of his/her identity or fails to observe the *Code of Conduct*, the interviewer will remind him/her of their obligations under the Code. If non co-operation continues the interviewer should
 - call a short break and bring the matter to the attention of their HEO/AP;
 - the HEO/AP will attend the interview and seek the co-operation of the TUSLA official with the *Code of Conduct*;
 - if co-operation is still not forthcoming, the interviewer will inform him/her that s/he is **not** allowed to sit in at the interview and s/he must leave.

This will mean that the interview will then have to be postponed and rescheduled.
7. The relevant manager in the case will then consult with their AP and a letter will be sent to the TUSLA by the relevant AP reporting the incident and asking the Child and Family Agency for an undertaking that this practice will not be repeated so that an interview can then be rescheduled with a view to bringing the case to finality.
8. The interviewer will place the signed *Code of Conduct* document on the international protection applicant's file.
9. The IPO and the interviewer will also have regard to the IPO's Procedures in relation to applications from Unaccompanied Minors/ Separated Children seeking international protection, and the IPO's Children First Guidelines.
10. The interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.



G. Procedure to be observed by the interviewer in relation to a Child/minor's guardian or parent attending with an accompanied minor at substantive interviews under Section 35 of the International Protection Act 2015

In the case of a Child/minor's guardian or parent accompanying an accompanied minor to their substantive interview the following procedure must be followed by the interviewer:

1. At the outset of the interview the interviewer will introduce himself/herself.
2. Before the interview commences the interviewer will give the Child/minor's guardian or parent a copy of the relevant *Code of Conduct* in relation to a Child/minor's guardian or parent attending at a substantive interview.
3. The interviewer will ask the Child/minor's guardian or parent to read the *Code of Conduct* and sign it.
4. The interviewer will ask the Child/minor's guardian or parent for proof of identity. The proof of identity will be noted in the interview notes and a copy placed on file. For identification purposes, the following documentation will be accepted by the IPO:
 - a passport;
 - an official ID card, or
 - other form of identification (e.g. TRC or GNIB Registration card).
5. If the interviewer has any doubts about the identity documents produced, please consult with your manager.
6. If the Child/minor's guardian or parent does not produce evidence of his/her identity or fails to observe the *Code of Conduct*, the interviewer will remind him/her of their obligations under the Code. If non co-operation continues the interviewer should
 - call a short break and bring the matter to the attention of their HEO/AP;
 - the HEO/AP will attend the interview and seek the co-operation of the Child/minor's guardian or parent with the *Code of Conduct*;
 - if co-operation is still not forthcoming, the HEO/AP will inform the Child/minor's guardian or parent of their duty to cooperate with the process and that non-cooperation may lead to the applicant being deemed to have failed in their duty to co-operate in the examination of their application.
7. The interviewer will place the signed *Code of Conduct* document on the international protection applicant's file.
8. The interviewer will also have regard to the IPO's guidelines in relation to interviews with accompanied children, and the IPO's Children First Guidelines.
9. The interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.

Reference: IPO (PP) 09

Cross Reference:

Prepared by:

Procedures and Training Unit

Approved by: CIPO

Original date issue: 6 March
2017

Revised date:

Last revised:



IPO (PP) 09 (FORM H)

H. Code of conduct to be observed by a Legal Representative attending at the International Protection Office (IPO) for a substantive online interview under Section 35 of the International Protection Act 2015 in the case of an adult international protection applicant.

The legal representative will provide verbal confirmation they have read this Form prior to the commencement of the online substantive interview under Section 35 of the International Protection Act 2015. This verbal confirmation will be documented and time stamped by the interviewer and be placed on the international protection applicant's file.

A legal representative may accompany their client at the substantive interview subject to the following:

1. Prior to the commencement of the interview, the applicant must have confirmed to the IPO in writing that you are his/her only duly-appointed legal representative by emailing info@ipo.gov.ie with your client's name and reference number in the subject line.
2. The request for the attendance of the applicant's legal representative at his/her client's substantive interview must be forwarded to the IPO 24 hours before the designated starting time of the interview.
3. The legal representative must provide the Panel member/international protection officer conducting the online interview with photographic proof of his/her identity (e.g. driver's licence, passport). For identification purposes, the legal representative must also prove they are the authorised legal representative of the applicant. The following documentation will be accepted by the IPO:
 - a business card
 - headed note paper showing that the legal representative is employed by the firm stated to be representing the applicant
 - in the case of a legal clerk attending on behalf of a law firm, the legal clerk will be required to lodge a letter on the firm's headed note paper. This letter will contain confirmation by one of the qualified solicitors in that firm that the legal clerk is authorised to attend the IPO on behalf of the firm concerned.
4. The legal representative should note that s/he is acting as an observer in the interview process. The legal representative may take notes at the interview but s/he must **not** interrupt the interview, answer questions for the applicant and/or make any comments during the interview process unless invited to do so by the interviewer or having first obtained authorisation from the interviewer. The use of laptops, mobile phones, or any electronic /recording device by the legal representative is not permitted.
5. At the end of the interview, the legal representative will be afforded an opportunity to make comments relevant to the case. Any comments will be documented and will be read back to the legal representative by the interviewer. The legal representative will be asked to verbally confirm these comments to confirm they have been accurately documented. Any personal audio or video recordings, or photography during the online interview are strictly prohibited and unlawful.
6. The IPO will accept and consider any documents or submissions relevant to the applicant's case. You are requested to submit any documentary evidence or other information to support your client's claim, at least five days in advance of the interview by emailing info@ipo.gov.ie with your client's name and reference number in the subject line.
7. The applicant will be afforded short breaks during the interview at the discretion of the interviewer, **and/or at the request of the applicant.**
8. Either at the end of the interview or at intervals during the interview, the content of the interview record will be read back in order to provide any clarifications to what has been said and orally confirm the content.
9. The IPO and the interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff/authorised personnel at interview.



Name of Legal Rep:
(Block Capitals)
Company:
Contact Tel No.:
Agree Time:
Agree Date:

For IPO

Proof of ID provided (Y/N):
Format:
Agree Time:
Agree Date:



I. Procedure to be observed by the interviewer in relation to a Legal Representative attending at a substantive online interview under Section 35 of the International Protection Act 2015.

In the case of legal representative accompanying either an adult international protection applicant or an unaccompanied minor/accompanied minor to their substantive interview the following procedure must be followed by the interviewer:

1. At the outset of the interview the interviewer will introduce himself/herself.
2. The interviewer will ask for verbal confirmation that the legal representative has read and agrees to the relevant *Code of Conduct* in relation to a legal representative attending at a substantive interview.
3. The interviewer will confirm the legal representative has read and agrees to abide by the Code of Conduct.
4. The interviewer will ask the legal representative for photographic proof of identification (e.g. passport, driver's licence). The proof of identity will be noted in the interview record and a copy placed on file. Additional identification to prove legal representation is required, this includes:
 - a business card;
 - headed note paper showing that the legal representative is employed by the firm stated to be representing the applicant;
 - in the case of a legal clerk attending on behalf of a law firm, the legal clerk will be required to lodge a letter on the firm's headed note paper. This letter will contain confirmation by one of the qualified solicitors in that firm that the legal clerk is authorised to attend the IPO on behalf of the firm concerned.
5. If the interviewer has any doubts about the identity documents produced, please consult with your manager.
6. If the legal representative does not produce evidence of his/her identity or fails to observe the *Code of Conduct*, the interviewer will remind him/her of his/her obligations under the Code. If the non-co-operation continues the interviewer should:
 - call a short break and bring the matter to the attention of their HEO/AP;
 - the HEO/AP will attend the interview and seek the co-operation of the legal representative with the *Code of Conduct*;
 - if co-operation is still not forthcoming, the interviewer will inform him/her that s/he is **not** allowed to sit in at the interview and s/he must leave.
7. Under no circumstances should an interview be cancelled/postponed and/or adjourned if the legal representative cannot produce proof of identity and/or if s/he will not observe the protocol outlined above.
8. A verbal confirmation that the legal representative agrees to the Code of Conduct will be documented and time stamped by the interviewer and be placed on the international protection applicant's file.
9. The IPO and the interviewer will also have regard to the IPO's Children First Guidelines.
10. The IPO and the interviewer will have regard to the procedures pertaining in the IPO regarding safety of staff and in particular in relation to IPO staff at interview.