



OBSERVATION GUIDE

Remember:

- Note down all questions, summarise key things and reflect on hearing immediately after the observation
- Note down body language and demeanour
- Should you need more space, use Letter and No. (e.g. A1) for reference and take notes in the final blank pages

A. PREPARATION OF THE OBSERVATION

1. How did you find out about the hearing?	
2. What papers were available to you beforehand?	
3. Throughout the process, did you experience any difficulties with the relevant authorities?	NO YES (explain)
4. Did you ask for permission/formal authorisation to attend?	NO YES (explain)

B. THE HEARING

5. Did the hearing take place?	YES NO (explain: e.g., lack of interpreter, the applicant did not appear, etc...) <i>Was it postponed to a future date?</i>
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6. The space (make sketch on the spatial position of main actors)

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7. Approximately how many people and who were present?	
8. Was the hearing open or closed to the public?	NO YES (explain: was an audience present? do you know who they were and how did they behave?)
9. Did the environment seem friendly or unfriendly for the applicant? Explain	
10. Were members of the police or other officials in uniform present? How did they conduct themselves? (spatial confrontation, etc...)	



C. MAIN ACTORS

- The Judge

11. Main characteristics [info gathered from various sources publicly available]	Gender: Ethnicity: Age: Religion: SOGI: Other relevant elements:
12. Has the judge previous experience of immigration cases? <i>Asylum cases? SOGI asylum cases?</i>	
13. Did he/she afford appropriate time for Q&A by all hearing participants?	
14. What impression do you have of the judge's manner?	
15. Did he/she take time to explain the process to the claimant?	



- **The Applicant**

<p>16. <i>Main characteristics</i></p>	<p>Gender: Ethnicity: Age: Any indication of social class: Religion: SOGI: Other relevant elements:</p>
<p>17. <i>Did he/she seem composed/ distressed/ confident/ scared? (describe his/her emotional state throughout hearing)</i></p>	
<p>18. <i>Was he/she able to speak about his/her experiences fully and freely?</i></p>	
<p>19. <i>Was he/she accompanied?</i></p>	<p>NO YES (explain: by NGOs, family members, legal representative, etc...)</p>
<p>20. <i>Any significant perceptions on the relationship between the applicant and his/her lawyer, the applicant and the judge, the applicant and the immigration authorities?</i></p>	



D. THE CLAIM

<p>21. <i>Report briefly on the facts of the case</i></p>	
<p>22. <i>Explain the reasons for the denial of international protection by the HO – Territorial Commission – administrative authorities</i></p>	
<p>23. <i>Is it the first hearing?</i></p>	<p>YES NO (<i>Provide background information</i>)</p>
<p>24. <i>What is the applicant requesting and what is the basis of his/her case?</i></p>	

E. THE PROCEDURE

<p>25. <i>Did the applicant have any access needs or appear vulnerable for any particular reasons?</i></p>	<p>NO YES (<i>explain if any special arrangements were made</i>)</p>
<p>26. <i>Did you notice any linguistic barriers?</i></p>	



27. Was an interpreter needed/present?	NO YES (explain if the ethnic origin or gender of interpreter was considered)
28. Report on questions asked by the judge and other relevant actors – were any intimate questions asked? Questions about visit to gay bars, etc..?	
29. Were any parts of the claimant's narrative a particular focus for questioning?	
30. Report on answers provided by the applicant	
31. Report on the conduct of the lawyer (include what you know and observed about his/her experience in SOGI asylum/immigration issues)	
32. Any witnesses?	NO YES (explain: conduct and relevance? Perception and treatment?)
33. Report on apparent attitude of judge towards applicant	



<i>(any signs of empathy, antipathy, prejudice, support?)</i>	
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F. SUPPORTING EVIDENCE

34. <i>Which grounds did the applicant and his/her lawyer use to support the claim?</i>	
35. <i>Did the applicant/lawyer provide any specific supporting evidence? (e.g. membership of an LGBTI NGO, medical documentation, country of origin information, etc...)</i>	
36. <i>Did the judge ask the applicant or his/her lawyer for specific evidence?</i>	
37. <i>Did any of the parties refer to any national, EU or international guidance, case law or commitments?</i>	



G. CONCLUSION

<p>38. <i>What was the outcome of the hearing?</i></p>	
<p>39. <i>Was a conclusion reached on the same day?</i></p>	<p>YES NO</p>
<p>40. <i>Key arguments of the final decision</i></p>	
<p>41. <i>Did you discern any signs of prejudice or inappropriate language or behaviour by any of the parties present?</i></p>	
<p>42. <i>Copy of the decision publicly available? Or made available by legal representative/applicant?</i></p>	



H. ADDITIONAL INFO

43. <i>Total duration of the hearing</i>	
44. <i>Describe your position/Report any contact with the applicant, his/her lawyer/the judge</i>	





