**Humanitarian and Refugee**

**Community Support Program**

The Community Support Program (CSP) is a program that ‘supports’ a humanitarian applicant to come to Australia. This visa program requires the support of an Approved Proposing Organisation (APO)

We can work with you to advise you about the requirements of CSP, assist you to apply to APOs, prepare a high-quality application and follow you through the whole process until visa grant.

**Offshore Humanitarian Visas**

If you are outside of Australia and have experienced persecution or substantial discrimination in your home country, or are an Australian citizen or permanent resident who knows someone who is experiencing persecution, contact us and we can advise you about humanitarian visa options. The application process for humanitarian visas involves submitting detailed information about personal circumstances, reasons for seeking protection, and any supporting evidence.

We can help you provide evidence of the persecution or discrimination you have faced or fear facing, such as documentation or witness statements. We can assist your sponsor to provide details of how they can help resettle you in Australia to strengthen your application.

The Department of Home Affairs will assess the application and may conduct interviews to determine the validity of the claims made.

**Protection Visas**

If you are in Australia because you fear returning home, contact us for advice about whether you are eligible to apply for a protection visa.

To apply for a protection visa in Australia, an individual must prove that they are a refugee or at risk of significant harm in their home country. The application process involves submitting detailed information about their personal circumstances, including reasons for seeking protection and any supporting evidence. The Department of Home Affairs will assess the application and may conduct interviews to determine the validity of the claims made.

Contact us for advice and high-quality representation with your application, any request for further information, advocacy at your interview and submissions to the Department of Home Affairs.

**Personal and Family Migration**

**Student visas**

We can provide you advice and options for commencing or continuing your study in Australia. We can advise you on visa requirements including genuine temporary entrant requirement, financial capacity and health and character requirements.

We can assist to prepare your supporting documents and advise you on the requirements you need to meet as well as completing, submitting and monitoring your application

We can explain the conditions of the student visa, including work rights, study requirements, and visa expiry dates as well as also advising on the consequences of breaching any visa conditions.

**Citizenship applications**

We assist with all citizenship applications including citizenship by descent, citizenship by conferral and evidence of Australian citizenship

If you were born to an Australian citizen parent, were born in Australia and ordinarily resident until you were 10 years old or are a permanent resident who meets the requirements for citizenship contact us to apply for citizenship now.

**Partner visas**

We can assist you with prospective marriage visas, onshore partner visas and offshore partner visas.

You may be eligible for these visas if you are engaged, married or in a de-facto relationship with an Australian citizen or permanent resident. Contact us and we can advise you what evidence is required to apply and assist with your application.

**Other family visas**

There are a range of other family visas including Carer visas, Parent visas, child visas and Remaining Relative visas. Contact us for advice about whether you meet the requirements for these visas.

**Visitor Visas**

To apply for a visitor visa in Australia, you must meet the following requirements:

* You intend to enter Australia for a temporary period and have no intention of staying in Australia permanently.
* You have sufficient funds to support yourself during your stay in Australia, including for accommodation, food, and travel expenses.
* You meet the health and character requirements set by the Department of Home Affairs.
* You have a genuine purpose of visit, such as tourism, visiting family or friends, or attending business meetings.
* You have no intention of working in Australia, except for limited volunteer work

A lawyer can assist with the preparation and submission of the visa application, including gathering evidence and presenting it in a way that meets the Department of Home Affairs' requirements including complex applications

**Business and skilled Migration**

**Business and Innovation visas**

Business visas in Australia are designed to attract and support businesspeople who wish to establish or manage a business in Australia. There are several types of business visas available, each with their own requirements and conditions.

We can assist you with several visas including business Innovation and Investment) visa for business people who are willing to invest in or start a business in Australia and Business Talent visa for high-calibre business people who are willing to invest in or start a business in Australia.

**Skilled visas**

We assist with skilled visas including:

1. Skilled Independent visa (subclass 189)

2. Skilled Nominated visa (subclass 190)

3. Skilled Work Regional (Provisional) visa (subclass 491)

4. Employer Nomination Scheme (subclass 186)

5. Regional Sponsored Migration Scheme (subclass 187)

We can guide you and represent you through the following steps generally involved in applying for a skilled visa including:

Check if your occupation is on the relevant skilled occupation list and if you meet the other eligibility criteria, such as age, English language proficiency, and skills assessment. Submit an Expression of Interest in SkillSelect and provide information about your skills, qualifications, and work experience.

If you meet the eligibility criteria and have a competitive score, you may receive an invitation to apply for a skilled visa. We will then help you to prepare and submit your visa application, including supporting documents such as evidence of work experience, qualifications, and English language proficiency.

We can also assist you plan a path to permanent residency in Australia.

**Appeals and Cancellations**

**AAT**

If your visa is refused in Australia and you wish to appeal to the Administrative Appeals Tribunal (AAT), we can help you understand your legal rights and prepare a strong case for appeal. We can assist you to apply to the AAT and with gathering and presenting evidence, drafting legal submissions, and representing you at the hearing. We will help you achieve the best possible outcome.

**Federal Court**

Appealing to court is a stressful and overwhelming experience. We can represent and guide you throughout the process at the Federal Circuit and Family Court of Australia and the Federal Court of Australia.

We can review the decision that led to the visa refusal and identify any legal errors or procedural irregularities that may have occurred. We have expert skills in judicial review and can assist with the preparation of the appeal and developing legal arguments in your case.

**Cancellation**

Under the Migration Act 1958 (Cth), the Department of Home Affairs has the power to cancel a visa if the visa holder does not meet the conditions of their visa, if they provide false information, or if they are found to be of bad character.

Some common reasons for cancellation include:

* Section 116: This section allows the Minister to cancel a visa if the visa holder does not meet the character requirements, including if they have a criminal record or pose a threat to national security.
* .Section 501: This section allows the Minister to cancel a visa if the visa holder fails the character test, including if they have been sentenced to imprisonment for 12 months or more.
* Section 116(1)(e): This section allows the Minister to cancel a visa if the visa holder provided false or misleading information in their visa application or during their stay in Australia.

If your visa is cancelled in Australia, a lawyer can help you understand your legal rights and options for appeal. They can assist with preparing and submitting your appeal application, evidence and submissions.

Cancellations are complex issues which require specific and considered legal advice.

**Ministerial Intervention**

A ministerial intervention under the Migration Act 1958 (Cth) is a discretionary power that allows the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs to intervene in a case where a person has been refused a visa or had their visa cancelled, and grant them a visa on compassionate or humanitarian grounds. To request ministerial intervention, the applicant must meet certain criteria and provide evidence to support their case.

A lawyer can provide legal expertise and guidance on the ministerial intervention process, which is one of the most difficult processes for a visa applicant. We can help the applicant to present their case in the strongest possible way, highlighting the compelling and compassionate circumstances that support the request for intervention. We can also assist with drafting a detailed submission that addresses all the relevant issues and evidence.

**Other complex issues**

In complex visitor visa applications, it is recommended to seek the assistance of an experienced immigration lawyer who can provide guidance and support throughout the visa application process. The lawyer can help gather the necessary evidence, address any concerns or issues raised by the Department of Home Affairs, and advocate for the applicant's interests.

This includes:

Family or relationship issues: If the applicant has family or relationship issues, such as custody disputes or domestic violence issues, their application may be considered complex and require additional evidence and assessments.

Criminal history: If the applicant has a criminal history, they may need to provide additional character documents, such as a police clearance certificate, and undergo a character assessment before being granted a visa. Character requirements for visas to Australia are set by the Department of Home Affairs and are designed to protect the Australian community from individuals who may pose a risk to national security or public order.

Previous visa refusals: If the applicant has previously been refused a visa to Australia or has a history of immigration issues, their application may be considered complex and require additional evidence and explanations.

Medical reasons: If the applicant has a medical condition that requires treatment in Australia, they may need to provide additional medical evidence and undergo a medical assessment before being granted a visa. A lawyer can provide guidance on the health waiver process, including what information and evidence you need to provide to support your application as well as help you to present your case in the strongest possible way, highlighting your positive attributes and demonstrating why you should be granted a health waiver.