

# Visa and citizenship application complaints

This factsheet explains what to do if you have a complaint about your visa or citizenship application with the Department of Home Affairs (Home Affairs). It includes information about your right to complain to the Office of the Commonwealth Ombudsman.

#### How can I check the status of my visa or citizenship application?

You can check the progress of your visa or citizenship application online using your <a href="ImmiAccount">ImmiAccount</a>.

#### My application is taking too long, what can I do?

Our Office is aware that there can be delays in the processing of visa and citizenship applications and that published processing timeframes cannot always be met. Individual circumstances affect the processing times.

Home Affairs publishes its current processing timeframes on its website. You can check the current processing timeframes for visas <a href="here">here</a> and for citizenship <a href="here">here</a>.

As extended processing times are affecting many applicants, our Office will not generally investigate complaints about processing times.

#### Can I ask to have my application prioritised?

You may be able to request priority processing for some types of visas if you can demonstrate compelling and compassionate circumstances. Priority processing can be requested by:

- Calling the Home Affairs' Service Centre on 131 881, or
- Contacting the relevant processing offices.

#### What if I disagree with a decision Home Affairs has made?

If your visa or citizenship application is refused, you might be able to have the decision reviewed by the Administrative Appeals Tribunal (AAT). Home Affairs will tell you in its decision letter if you are eligible for a merits review by the AAT.

Details of the time limit for lodging your application for review and where you must lodge your application for review will be provided in the decision letter.

You can apply for an AAT review online here.

Where someone has the option to have a decision reviewed by the AAT, our Office will not investigate complaints about the decision.

#### Contact us

ombudsman.gov.au 1300 362 072

GPO Box 442 Canberra ACT 2601

## The Ombudsman has offices in:

- » Adelaide
- » Brisbane
- » Canberra
- » Melbourne
- » Perth
- » Sydney

To complain to Home Affairs call 133 177 or lodge online here.

### What if I disagree with the Minister's decision?

Details about how to request a Ministerial Intervention and the Minister's guidelines for the types of cases that might be referred for the Minister's consideration are available here.

The Ombudsman is not able to investigate any action or decision taken by a Minister, which means that we cannot investigate complaints about the Minister declining to intervene on your behalf.

### I want to complain about Home Affairs, what can I do?

You need to make a complaint to Home Affairs through its internal complaints channels before you can make a complaint to our Office. You can make a complaint to Home Affairs using the <u>online complaint form</u>, <u>in writing</u> or by calling the Home Affairs' Global Feedback Unit on 133 177.

Ensure that you ask for your complaint reference number and record the date that you lodged your complaint as we may ask for this information.

For complaints about visa or citizenship processing delays you first need to check:

- the progress of your application by logging into your ImmiAccount
- Home Affairs' <u>published processing timeframes</u>.

We do not consider complaints if the application is within the published timeframe.

If your application is taking longer than the published timeframe, and you consider that you have special circumstances, you can ask Home Affairs to consider prioritising your application.

If you are still dissatisfied, you can <u>make a complaint to our Office</u>. Examples of complaints the Ombudsman can investigate in relation to visa and citizenship are:

- delays longer than the current processing timeframes
- issues with communication from Home Affairs, such as inadequate or unhelpful responses to enquiries
- no reasons for decisions
- decisions made using the incorrect law or rule
- general service complaints.

For more information about making a complaint to our Office, visit our website.

More information is available at ombudsman.gov.au.

Please note: This document is intended as a guide only. For this reason, the information should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, the Commonwealth Ombudsman is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of cited Acts, please refer to the Federal Register of Legislation.