

INFORMATION FOR PEOPLE SEEKING ASYLUM ONSHORE IN AUSTRALIA



Australia has visas available to offer protection for refugees and people seeking asylum. The Department of Home Affairs publishes important information about seeking protection in Australia [here](#), including translations.

We strongly recommend that you obtain legal advice about your individual circumstances as soon as possible if you are considering applying, or have applied, for a protection visa in Australia. You can find information about obtaining legal assistance from ASRC [here](#), and from other services [here](#).

In Australia, you can be considered a 'refugee' if you are unable to return to your home country because there is a real chance you will face serious harm as a result of your ethnicity, nationality, religion, political opinion, or particular social group (for example, victim-survivors of gender-based violence).

Serious harm is conduct that is systematic and discriminatory, and includes physical harm and harassment, threats to your life or liberty, serious psychological harm, or threats to your capacity to subsist.

Also, there must be nowhere in your home country, nor any other third country, where you can reside safely. The authorities in your country of origin must also be unable or unwilling to protect you against the feared harm.

If there are reasonable steps you could take to avoid the harm (other than changing things that are fundamental to your identity or conscience), you may not be eligible for your protection.

If you do not fit this definition, you may still be owed protection by the Australian government under the principle of 'complementary protection'. This means you cannot return to your home country because there is a real risk that you will face significant harm. You can read more about 'complementary protection' [here](#).

If you are a refugee, or are owed complementary protection, the Australian government will grant you a protection visa provided you pass certain checks, including character.

How long will my protection visa application take?

Processing times vary. It could take a few weeks or many years to finalise the application. The Department of Home Affairs is currently seeking to reduce delays.

If there is a reason you need an urgent decision, you can ask the Department to consider progressing your application on the basis of compelling evidence, such as medical reports.

What happens if my protection visa application is refused?

If your application for a protection visa is refused, you may be unable to apply for certain other kinds of visas while remaining in Australia. Even if your protection visa application has not been decided, the fact you applied for protection in Australia can make it more difficult for you to be granted another type of visa in the future.

You should ensure you [seek review](#) of a refusal decision within the relevant timeframes, or you may lose your right to any merits review.

When should I apply for a protection visa?

You should apply for a protection visa as soon as possible. Any delays in lodgement may undermine the credibility of your application and/or be questioned by the Department.

What will my visa status be while I wait for a decision?

People who have applied for a protection visa and are waiting for an outcome may be eligible for a bridging visa.

Depending on your circumstances when you applied for a protection visa, the bridging visa you are granted may have certain conditions attached which affect your right to work and study while you are in Australia.

If you currently hold a substantive visa and you apply for a protection visa before it ceases, you will likely be granted a bridging visa with work and study rights. If you fail to apply before your current visa ends, the bridging visa you are granted may not give you these rights.

In some cases, you can apply for permission to work based on your personal circumstances, including financial hardship.

How do I complete an application for a protection visa?

To apply for a protection visa, you will need to lodge an application online using the Departments' [ImmiAccount](#) system. You can read more about the ImmiAccount system [here](#). The Department publishes information about how to apply [here](#).

You may be permitted to submit a paper application if you are unable to complete an online version. Do not submit a paper application unless the Department has given you permission to do so.

You will be required to pay a small fee to submit your protection visa application. If you are in detention, there is no fee.

It is very important to make sure the information in your application is accurate, complete, and consistent with information you have previously provided.

You should have a chance to provide further information later in the process. However, in some cases, the Department may finalise your application without interviewing you, so you should ensure you put in a sufficient level of detail and flag very clearly that you intend to provide further information as part of the process, including at interview.

You should also think about what evidence you can provide to support your claims, including police, medical or news reports, support statements, and country information.

You should not provide documents, particularly relating to your identity, if you are unsure whether they are genuine, obtained legally, or if they may have been altered, as there can be serious consequences including visa refusal and visa cancellation.

What happens after I submit my application?

Once you have submitted your application for a protection visa, the Department will contact you to complete biometric and other checks, attend interviews, or provide more information on your claims for protection.

If you do not complete examinations, attend interviews or provide information within the set timeframes, there can be serious consequences, including refusal.

Please ensure you let the Department know if you change your contact details as soon as possible so you don't miss any important messages from them. The easiest way to do this is through [ImmiAccount](#) on the 'Update us' tab.

You can read more about the post-lodgement stage of your protection visa application [here](#).

Disclaimer: This fact sheet provides general information to people seeking asylum in Australia through the onshore protection visa application process according to the law in October 2024. It does not constitute legal or migration advice. You should not rely on this fact sheet to make decisions about your immigration matter. We strongly recommend that you get independent advice from a legal practitioner.