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# Protection visa

Briefing deck

Change the conversation on **Protection visas**



Australian Government

# Introduction

**A Protection visa (subclass 866) is for asylum seekers facing a real risk of significant harm or persecution at home.**

The Australian Government has launched a campaign to educate people about Protection visas and the consequences of trying to exploit the program.

There is growing misinformation about Protection visas spreading throughout communities in Australia and overseas.

This misinformation could have serious consequences for Protection visa applicants and their families.

The campaign aims to provide the information and tools needed to stop misinformation spreading and to make sure communities get the advice they need.

To counter the misinformation, the Department of Home Affairs is providing access to [free legal advice](#) from specialist refugee and immigration legal providers to anyone thinking about applying for a Protection visa.

This advice will help people to find out if they may be eligible for a Protection visa, and reduce the risks of using an unregistered migration agent who may be providing incorrect advice.



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# Misinformation about Protection visas

**Protection visas are for asylum seekers (or their family members) who face a real risk of significant harm if they return home or who have a well-founded fear of persecution on the grounds of race, religion, nationality, membership of a particular social group or political opinion.**

A Protection visa is not for people who just want to stay longer in Australia to work.

Unregistered migration advisers who promote their services on social media and in online chat groups are telling people to use a Protection visa as a way to simply work or extend their stay in Australia.

These advisers may tell applicants to give false or misleading information and false documents when applying for a Protection visa. Some charge thousands of dollars for this incorrect advice.

In Australia, it is against the law for a person to charge for migration advice unless they are a registered migration agent or Australian legal practitioner.

Some employers may offer job opportunities in Australia by telling temporary visa holders to apply for a Protection visa using false or misleading information.

Students are also being told they can stay in Australia longer and work by applying for a Protection visa with false or misleading information.

# The risks of misinformation



**Big changes have been made to the Protection visa system to speed up processing times. This means people who apply for a Protection visa simply to work or extend their stay in Australia will be quickly refused.**

Most new Protection visa applications are now being decided almost **8 times faster** compared to recent years. People who submit a Protection visa application with false or misleading information face serious consequences, including big fines and possible jail time.

A refused Protection visa application stays on a person's immigration record. This means it may be hard for the applicant and their family to ever return to Australia, even on a visitor, student or temporary work visa.

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It may also impact future visa applications to other countries outside of Australia, depending on the type of visa the applicant is applying for.

Refused Protection visa applicants cannot apply for most other visas and will need to leave Australia. If they do not have a valid visa they may be detained and removed by the Australian Border Force. The applicant may also have to pay back the cost of their removal, which could be thousands of dollars.

This year, the Australian Border Force began a new operation to focus on the detention of refused Protection visa applicants whose temporary visas have expired and remove them from Australia. This operation is ongoing.



# How you can help

## **Significantly more Protection visa applications are refused than the number granted.**

More than 85% of applications are refused, as they do not meet the requirements for the visa. Applications from some nationalities have refusal rates close to 100%.

Communities and organisations in Australia have an important role to play in preventing the spread of misinformation to those thinking about applying for a Protection visa.

This includes spreading awareness of the risks of submitting false or misleading information in a visa application and using an unregistered migration adviser.

Tell possible applicants that Protection visas are for asylum seekers – they are not for people who just want to stay longer in Australia to work.

If someone applying for a Protection visa asks you to write a support letter for them, you should only do this if you believe they face the risk of significant harm or persecution if they return home.

Encourage them to access the [free legal advice](#) from a specialist refugee and immigration legal provider in their state or territory.

# How you can help

**Many people thinking about applying for a Protection visa are not aware or don't understand that there may be consequences if they travel to the country they are seeking Australia's protection from.**

Check that possible Protection visa applicants understand that:

- If they lodge a Protection visa application, they may not be able to travel to the country that they are seeking Australia's protection from, even if their family is located there.
- If they are granted a Protection visa, they cannot travel to the country they have sought asylum from without permission from the Australian Government, even if their family lives there.

Encourage anyone considering applying for a Protection visa to access the free legal advice from specialist refugee and immigration legal providers in their state or territory.

This advice can help possible applicants find out if they may be eligible for a Protection visa, explain the application process and help them understand the negative consequences if their Protection visa application is refused.

# How the Australian Government can help your community

**We encourage you to share the following messages with anyone considering applying for a Protection visa:**

1. Visit the official [Australian Government website](#) to find out more information.
2. Access [free legal advice](#) from specialist refugee and immigration legal providers in your state or territory.
3. Search for a registered migration agent by checking the [Office of Migration Agents Registration Authority](#).
4. Protect yourself and your community. Anonymously report unlawful migration advisers to [Australia's Border Watch](#).
5. Find out whether [alternative visa options](#) might be appropriate for you.

The Department of Home Affairs has produced posters, fact sheets, social media tiles and other materials that you can use to help inform your communities about Protection visas.

You can access these [here](#).

# Advice on how to respond to negative social media comments



**There is a lot of misinformation about Protection visas being provided to people living in Australia and overseas on social media platforms and groups.**

If you see misinformation about Protection visas being shared in online forums or groups, you have an important opportunity to identify it as misinformation and promote the right information shared within this document, including the official link – [homeaffairs.gov.au/protection](http://homeaffairs.gov.au/protection)

Protect yourself and your community by spreading awareness of the risks posed if someone submits false or misleading information in a Protection visa application or uses an unregistered migration adviser.

Most importantly, encourage possible applicants to access the [free legal advice](#) as a first step.

**Thank you**  
for participating



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