

# Ombudsman finds Department of Home Affairs needs to improve refunds process for parent visas

After receiving complaints about the Department of Home Affairs' (Home Affairs) application of refund provisions relating to Visa Application Charges (VACs), the Commonwealth Ombudsman, Iain Anderson, has today published his investigation report on the matter, 'Righting Refunds'.

Mr Anderson said, "Parent visa applications involve significant charges which can total over \$40,000 and very lengthy processing wait times of up to almost 30 years. It is not surprising that as time passes and circumstances change, applicants may no longer want to proceed with their application and request a refund of the VAC they have paid."

"My investigation found that Home Affairs needs to improve on its policies and procedures to allow for a consistent and fair decision-making process when assessing VAC refund requests for parent visas."

The report outlines that Home Affairs' existing policies and procedures on VAC refunds put fair outcomes at risk by:

- guiding decision-makers to exercise their discretion narrowly, without considering the specific circumstances of each case including whether a refund would be a fair outcome in the circumstances
- adopting a strict application of key terms
- having insufficient quality assurance processes to mitigate risk of inconsistent decision-making

The Ombudsman also said, "Home Affairs could do more to improve its communication with refund applicants and offers no effective avenue for internal review if their application is denied."

"People are at the heart of the parent visa application process and deserve a refund system that is fair and responsive to their situation."

"While Home Affairs and other agencies must follow the law, any policy they develop around the law should not be unduly limited or overly technical, especially where people are impacted."

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The report made 6 recommendations and 1 suggestion to Home Affairs for improvement. Home Affairs provided a response in the report.

The Ombudsman will monitor Home Affairs' actions on these recommendations and suggestion.

The full report is available at: <https://bit.ly/4dmMOyA>

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