

This publication is intended as a general guide to the law in NSW. It should not be relied on as legal advice and it is recommended that you talk to a lawyer about your particular situation.

At the time of printing, the information shown is correct but may be subject to change.

In prison and had your visa cancelled?



If you are hearing/speech impaired, you can communicate with us by calling the National Relay Service (NRS) on 133 677.



If you need an interpreter, call TIS and ask to be put through to LawAccess NSW on 1300 888 529.

ACT NOW!



Attention all prisoners. If you are not an Australian Citizen then this is for you.

If you get a letter from the Department of Home Affairs (Immigration) telling you that your visa has been mandatorily cancelled under section 501, you must do something straight away.

What do you need to do?

If you want your visa back, Immigration must receive your written request to change the decision within 28 days. Their fax number is on the letter to you.

This is called a Request for a Revocation.



You will have received a form called a Request for Revocation of a Mandatory Visa Cancellation.

You must fill this form out and return it to Immigration.

Do this right now

The 28 day time limit is very strict and you cannot get more time if you miss this. If you don't do it right now you will lose your right to say that you should get your visa back.

What to include on the revocation request form

The revocation form asks why your visa should be given back to you. You can include:

- Why you think you are not a risk to the Australian community and why you say that you will not re-offend.
- If you have children in Australia, especially if they are under 18, how they will be affected if your visa is cancelled and you have to leave Australia.
- Any problems you will face if you are sent back to your home country.
- The strength of your other ties to the Australian community, such as parents, brothers and sisters, community groups, employment etc.
- Any refugee claims you have.

After you have sent the revocation request form back to Immigration you can then complete and return the Personal Details Form. You can keep sending information that might help you (like letters of support) any time up until Immigration decides your case.

You should try to get as much information as you can to Immigration as soon as possible.



Contact us

Prisoners can contact Legal Aid NSW on the common auto dial list (CADL) as a free call.

Press 11# for Legal Aid NSW and say that you want legal advice about visa cancellation.

Friends and family of prisoners can contact Legal Aid NSW Prisoners Legal Service on:

(02) 8688 3888.