



THE HON ANDREW GILES MP
MINISTER FOR IMMIGRATION, CITIZENSHIP AND MULTICULTURAL AFFAIRS

Ref No: MC23-026825

Ms Susan Templeman MP
Chair
Standing Committee on Petitions
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Dear Ms Templeman

Susan

Thank you for your correspondence to the Minister for Home Affairs and Minister for Cyber Security, the Hon Clare O'Neil MP, concerning the petition 'Reducing unreasonably long processing time for offshore partner visa SC309 (EN5288)' which was presented to the Standing Committee on Petitions on 11 September 2023. Your correspondence has been referred to me as the matter falls within my portfolio responsibilities. I apologise for the delay in responding.

Firstly, I acknowledge the mental and financial impacts which may be experienced by Partner (subclass 309) visa applicants who are separated from their partners and other family members in Australia for extended periods while awaiting a decision on their visa application. The Australian Government remains committed to ensuring Partner visas processing backlogs are cleared as quickly as possible.

Concerning published processing times for the Partner (subclass 309) visa, these are available on the Department of Home Affairs website at: <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/global-visa-processing-times>. Published processing times are periodically updated, usually on a monthly basis, and reflect the processing time for applications decided within the last completed month for each visa subclass. These processing times provide applicants and prospective applicants an indication on timeframe that they might expect for a visa to be processed. However, as stated on the Department's website they are not a guarantee that an application will be finalised within the published timeframe.

Visa processing times vary depending on a number of factors that may include the quality and completeness of applications, the applicants' responsiveness to requests for information, and the complexity involved in assessing relationship, character, health and security requirements. In addition, checks may be carried out with other Government agencies or overseas entities to verify certain information or claims.

For the Partner (subclass 309) visa, 90 percent of visas finalised in July 2023 were processed in 32 Months, with the median processing time being 10 months. The Department is focused on reducing processing times for all Partner visas. However, as both new and older existing applications are being finalised, processing times may change each month.

Partner (subclass 309) visa applicants may request priority processing of their application where 'compassionate' and 'compelling' circumstances can be demonstrated. To request priority processing, applicants should utilise the Partner Visa Enquiry Form, available on the Department's website at <https://immi.homeaffairs.gov.au/help-support/departamental-forms/online-forms/partner-processing-enquiry-form>. Requests for priority processing for the Partner (subclass 309) visa on compassionate and compelling grounds are extremely common, particularly from applicants in regions of the world experiencing security and political unrest. Consequently, in order to receive priority processing, the threshold for circumstances presented as compassionate and compelling must be an exception to the daily circumstances faced by the majority of the caseload.

Concerning information available to applicants on the status of their Partner (subclass 309) visa, the Department does not provide status updates upon request, and will only contact visa applicants if and where additional information is required to assess the requirements of the visa, or when the visa application has been finalised. However, visa applicants may access information about the status of their application via IMMI Account, and provide additional information and documentation in support of their application before a decision is reached.

Thank you for bringing Petition EN5288 to my attention.

Yours sincerely

ANDREW GILES

11 / 12 / 2023