

Temporary Visa Holders Experiencing Family Violence

My partner is being abusive – what should I do?

If you are on a temporary visa and are affected by family violence, we can provide you with information about your options.

You can read more information about what the law considers to be family violence in Tasmania on our [Family Violence and Family Violence Orders](#) information sheet.

We can assist you with information and advice about your family law matters, migration law, and help with accessing other support services.

We also work closely with Australian Red Cross, and can help you speak with them to see if you are able to get a [one-off financial payment](#) to help out with basic needs.

Your visa will not be cancelled if you tell someone about problems in your relationship, or if you contact a lawyer for confidential advice.

If there are problems in your relationship, it is best to get advice early on so that you can understand your rights.

Your partner cannot have your visa cancelled.

If your partner is saying that they can have your visa cancelled, they are wrong. If they tell the Australian Government that your relationship has ended, someone who works for the government will contact you to find out what has happened before any decisions are made that may affect your visa.

It is only the Minister for Immigration or their delegate from the Department of Home Affairs that has any power to cancel visas. Even then, they always consider the situation of the visa holder before making any decisions.

If you have a temporary partner visa.

If your relationship has ended or broken down because of family violence, it is important to contact someone for help as soon as possible.

Our lawyers can tell you about your options based on your individual circumstances – this might be applying for another temporary visa, applying for a permanent visa, or leaving Australia.

Each person's situation is different, so what may have happened to another visa holder might not apply in your situation. It's important to get specific advice for what is happening for you.

If you already have a temporary partner visa, or if you have applied for a partner visa, you may be able to move to the permanent partner visa if you can show:

- That you were in a genuine relationship with your partner (the visa sponsor), or
- That you experienced family violence during your relationship, or
- That you have Australian children with your visa sponsor partner, or
- If your visa sponsor partner has died.

Changes in your circumstances.

Any change in your circumstances (like the end of a relationship) should be updated with the Department of Home Affairs. There are certain timeframes for reporting these changes to the Department.

Our lawyers can help you to understand these timelines and will talk with you about what your options for reporting are.

Don't know what type of visa you have?

If you don't know what type of visa you have, the Australian Government has a website called [Visa Entitlement Verification Online \("VEVO"\)](#) which can tell you what type of visa you have, and what your entitlements are.

To use the [VEVO](#) website, it will ask you to enter details from your passport or your visa documents so that they can tell you more information. Any documents you have about your travel to Australia will be important.

The Department of Home Affairs has an [Immigration and Citizenship webpage](#) which tells you more information about using VEVO.

How we can help.

You can contact Women's Legal Service Tasmania for help. We give free and confidential advice.

We can provide you with information and advice about family violence and family law, and information and help about how your relationship affects your visa. We can help you plan to address the situation, including your options when reporting changes to the Department of Home Affairs, and options about applying for a different type of visa.

We can also advocate on your behalf and may be able to represent you in certain circumstances.

- [Women's Legal Service Tasmania](#) can be contacted on **1800 682 468**.

Contacts

Additional help is available by contacting the following organisations:

- [Family Violence Counselling and Support Service](#) ("FVCSS") can be contacted on **1800 608 122**. FVCSS can give practical advice, support, counselling and refer you to other services who could help.
- [1800 RESPECT](#) can be contacted on **1800 737 732**, and provides free 24 hours a day, 7 days a week support for people impacted by family and sexual violence.

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