

## Success in Administrative Appeal Tribunal – Refugee Matter



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We are very happy to share a remittal from the Administrative Appeals Tribunal in relation to a protection visa matter. The case is very complex and has a long immigration history. In nutshell, the applicant came to Australia in 2010 from Sri Lanka and applied for a protection visa. DIBP refused the application and the applicant applied to the Administrative Appeal Tribunal (AAT). AAT affirmed the decision and the applicant then applied to the Federal Circuit Court, Federal Court without success. He then applied to the High Court seeking special leave.

While his High Court application was pending, the applicant came to Parish Patience Immigration Lawyers in 2014 and had a consultation with Mahalingam Sutharshan [Shan] (MARN:0961664). After looking at the case closely, Shan advised the applicant that he could lodge a further protection visa. The applicant then instructed Shan to lodge a protection visa.

Shan provided very detailed country and legal submission to the DIBP. The DIBP refused the application and Shan assisted him to lodge the AAT review application. AAT called for a hearing in March 2017 and Shan provided further country information directly relevant to the applicant's case and argued why internal relocation is not a reasonable option in the applicant's case and why the applicant would not be able to get effective protection from the Sri Lankan authorities.

Based on Shan's written and oral submission, the Tribunal accepted that the applicant satisfied the criteria for a Complementary Protection ground and remitted the case back to the Tribunal. The applicant was very happy to receive the good news after his long struggle for nearly 7 years.

It should be noted that protection visa matters are very complex and establishing that a person is a refugee is often very difficult. It is critical to have very good immigration representation to have the best chance of success in refugee applications.

Parish Patience Immigration Lawyers have extensive experience and in-depth knowledge in this complex field. Late Mr. David Bitel a well-known refugee advocate who had assisted a large number of refugee applicants in Australia had in fact trained Shan in refugee related matters and encouraged Shan to take a lead role in protection visa matters within our firm.

Please contact Shan to seek immigration advice in protection visa matters.