

# Refugee and Immigration Legal Service

## Client Service Charter

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This Client Service Charter talks about your rights, how you will be treated by us, and what you can expect from us. It also talks about your responsibilities and how you can give us feedback on any part of our service.

### About us

The Refugee and Immigration Legal Service (**RAILS**) is a not-for-profit organisation. RAILS offers free legal assistance to people in need about immigration and asylum seeker and refugee matters. We assist people currently living in Queensland.

Our **vision** is to make justice accessible to a diverse community. Our **mission** is to provide a holistic and sustainable legal service in Queensland for vulnerable asylum seekers, refugees and migrants through legal assistance, education and advocacy.

### Our role

We provide free legal advice to people about a range of issues including:

- how people might bring their family to Australia from overseas
- how people who came to Australia on a partner visa and who have experienced domestic violence within their relationship may be able to separate from their partner and stay in Australia, and
- how people who fear they would be harmed if they return to their home country might be able to seek protection and stay in Australia.

Following an initial advice, RAILS will decide whether we are able to offer you legal assistance for any of the stages of your visa application process.

We represent clients at the Department of Home Affairs and the Administrative Appeals Tribunal. Occasionally, we also assist clients with appeals at the Federal Circuit Court and the Federal Court.

### How we will try and assist you

When you contact us, we will make an initial assessment of the services we can provide to you. We will:

- provide you with the next available telephone advice appointment or
- discuss organising an appointment at one of our evening advice sessions or
- if your matter requires the assistance of another specialist, we will refer you to an alternative source of assistance.

Before we can help you, we also have to check that we haven't already helped someone who is related to, or involved with, your issue. We can only help one side of a legal issue. This is because we would be unable to act in your best interests if we were also advising the other side.

### **When we may not be able to help you**

We might not be able to help you, or we may have to stop helping you, if:

- you refuse to accept or follow our advice
- you indicate to us or we believe that you have lost confidence in us
- your matter is outside our areas of expertise or we do not have the resources to continue to assist you, and/or
- at our discretion, we consider it is no longer appropriate to act for you.

The Migration Agents at RAILS are often assisted by legal volunteers, including law students. Their work will be supervised by a RAILS employee. If you do not want volunteers to be involved with your matter, then you must tell RAILS and we will consider whether we can continue to assist you.

### **Our commitment to you**

RAILS is committed to providing the highest quality services that we can. RAILS endeavours to promote access to justice, be client centred, maintain an ethical practice, promote diversity and ensure that you receive independent advice and assistance. We will work with you to make sure that you get the support that is available and right for you.

### **Integrity, honesty and professionalism**

Our staff and volunteers will act with integrity and honesty at all times. They will be transparent when making decisions or giving advice. You will receive a highly professional service from experienced legal practitioners.

### **Respect and courtesy**

We will treat you with courtesy, understanding and respect. We will communicate with you in a friendly and clear manner. We will involve you in decisions about the services you access and support you to have a say.

### **Fair and equal services**

Our staff are aware of the cultural diversity of our communities. We will provide services in a fair and equitable way. We will create an environment that is free of discrimination, harassment and victimisation. If English is not your first language, we will provide an interpreter for you.

### **Accountability**

You will receive up-to-date and accurate information and legal advice. RAILS' Migration Agents are bound by the Migration Agents Code of Conduct, and all solicitors will perform their duties as best they can and at the highest level of professional conduct, in accordance with the Australian Solicitors Conduct Rules. Please ask our staff if you would like to read or receive a copy of the Code of Conduct, and/or of the Australian Solicitors Conduct Rules.

Whenever possible, our staff will explain the decision-making processes as they impact on you. If we cannot assist you, we will do our best to refer you to someone who can.

### **Confidentiality**

Any information you provide to RAILS is confidential. We will not give your information – including details of your identity or your legal problem – to anyone outside RAILS without your permission, except as permitted by the Australian Solicitors Conduct Rules.

We will treat your information with sensitivity. We will protect your information and only use it for the right reasons. We use a database, protected by a password, to store your information. All RAILS' staff and volunteers have signed agreements stating that they will keep your information private and confidential.

## **Your rights**

### **Sound legal advice**

You have the right to receive advice from a Migration Agent who has a sound working knowledge of the Migration Act, regulations, immigration policy and case law. You have the right to receive accurate advice.

Your Migration Agent must provide you with frank and candid advice about the prospects of success of any case or application you want to make under the Migration Act, Migration regulations or other relevant legislation.

### **Access to your documents and information**

RAILS keeps your documents for a minimum period of 7 years after we close your file. Any time before this, you have the right to request access to your documents. If you make this request, we will give you a copy of all documents that you have provided us in support of your case and other correspondence addressed to you. This may include documents received from the Department of Home Affairs, your identity documents, and/or letters of support that you have provided to RAILS in support of your case. However, we cannot provide you with copies of our internal legal documents (like our file notes), and we need to check with third parties before providing you with copies of document provided by them unless you provided them to us.

### **Access to our policies and procedures**

At RAILS we aim to be transparent and accountable. We have many policies and procedures that provide guidance about how RAILS is run. If you would like more information about anything in this Charter, please speak to our staff and ask to see the policy and procedure relevant to your issue or concern.

## **Your role**

You can help us provide a quality service if you or your support person:

- provide us with complete, accurate and up-to-date information about yourself and your situation
- provide us with all documents and records relevant to your matter
- keep us updated if things change or if you cannot keep an appointment or commitment. It is important that you are on time for your appointments

- act respectfully and safely towards other people using the service, and towards staff and volunteers
- provide us with feedback about our service and how we can work better.

### **Tell us your needs**

Help us to understand your needs so that we can give you the best possible service. You can do this by talking with our staff and participating in the consultation activities we conduct. We will listen to you.

### **Tell us if things change for you**

Please tell us if there are changes we should know about, for example, changes to your contact details.

### **Tell us how we are doing**

We value your feedback on the experiences you have had with us or your suggestions as to how we can improve RAILS' services.

If something happens that you like or do not like about our service, please let us know. We want to ensure your issues are heard. You can tell us in a way that suits you:

- talk directly to a staff member
- ask to speak to a more senior staff member
- email us at: **admin@rails.org.au**
- call us on **(07) 3846 9300** (10am – 4pm, Monday to Friday)
- write to us at:

**Refugee and Immigration Legal Service**  
**PO Box 5143, West End, QLD 4101**

### **How we manage complaints**

We want to resolve complaints openly, honestly and quickly. We will acknowledge your complaint and respond within 14 working days. If you are not satisfied with our resolution of your complaint, you may contact an independent body such as the Migration Agents Registration Authority. You can lodge your complaint by visiting their website at:

<https://www.mara.gov.au/using-an-agent/resolving-disputes-with-your-agent/make-a-complaint-about-an-agent/>.