

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 152/07

Personal details

1. Mr X is aged 47 years and is a citizen of the People's Republic of China.

Detention history

2. Mr X was detained from July 2004 until his release from immigration detention in July 2006 on a Bridging Visa.

Visa applications

3. Mr X entered Australia on a Short Stay Business Visa in July 1996. The Department's (DIAC) decision to refuse his initial application for a Protection Visa (PV) in August 1997 was affirmed by the Refugee Review Tribunal (RRT) in January 1999. Judicial review of that decision in the Federal Magistrate's Court (FMC) saw the matter remitted to the RRT in June 2005, the RRT again affirming the PV refusal in September 2005. Judicial review in the FMC of the second RRT decision in April 2006 saw the matter again remitted to the RRT. Mr X was granted a permanent PV on 22 November 2006.

Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N of the *Migration Act 1958* is dated 17 July 2006.
5. Ombudsman staff sighted a number of documents relating to Mr X but were unable to interview him.

Key issues

Health and welfare

6. DIAC advised that Mr X was moved to Westmead Hospital for emergency medical attention as a result of his ingestion of bleach and razor blades and he underwent a successful endoscopic procedure (April 2006). Mr X again ingested bleach and razor blades and was moved to Bankstown Hospital for ten days and then Banks House (Acute Inpatient Mental Health Unit) for psychiatric assessment and treatment for 24 days.

Ombudsman assessment/recommendation

7. The Ombudsman notes that Mr X is now the holder of a permanent PV and makes no recommendations.



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Dr Vivienne Thom
Acting Commonwealth and Immigration Ombudsman

23 May 2007

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Date