

**REPORT FOR TABLING IN PARLIAMENT BY
THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN**

Under s 486O of the Migration Act 1958

Personal identifier: 155/07

Personal details

1. Mr X is aged 39 and is a citizen of Taiwan. His mother, an uncle and siblings reside in Taiwan. Mr X said that he planned to live with his elder sister upon his return to Taiwan.

Detention history

2. Mr X was detained in August 1999 and, following a serious assault upon another detainee at Baxter Immigration Detention Centre, he was transferred to Port Augusta Prison then Yatala Labour Prison in January 2005. Mr X was voluntarily removed from Australia in January 2006.

Visa applications

3. Mr X entered Australia on a Tourist Visitor Visa in February 1998. He lodged a Protection Visa application in October 2000 under a false name, which was refused.

Ombudsman consideration

4. The DIAC reports to the Ombudsman under s 486N of the *Migration Act 1958* were dated 26 October 2005 and 14 January 2006.
5. Ombudsman staff considered a range of documents related to Mr X and interviewed him by telephone on 12 January 2006.

Key issues

Identity

7. In December 2005, Mr X revealed during an interview with DIAC staff that his real name was Mr Y from Taiwan. Taiwanese authorities confirmed these details.

Ombudsman assessment/recommendation

6. The Ombudsman notes that Mr X was voluntarily removed from Australia and makes no recommendations.

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Dr Vivienne Thom
Acting Commonwealth and Immigration Ombudsman

23 May 2007

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Date