

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

Under s 486O of the Migration Act 1958

Personal identifier: 170/07

Personal details

1. Mr X is aged 46 and is a citizen of Italy.

Detention history

2. Mr X was detained from March 2001 until November 2005 when he was granted a Permanent Spouse Visa.

Visa applications

3. Mr X entered Australia on three occasions: November 1977 to November 1978; October 1989 to 7 July 1990; 18 July 1990 to present. The Department's (DIAC) initial decision to refuse his Spouse Visa was affirmed by the Administrative Appeals Tribunal in June 1997. Mr X unsuccessfully appealed for judicial review to the Federal Court, Full Federal Court and High Court.

Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N of the *Migration Act 1958* is dated 7 September 2005.
5. Mr X declined to be interviewed by Ombudsman staff.

Ombudsman assessment/recommendation

6. The Ombudsman notes that Mr X is now the holder of a Permanent Spouse Visa and makes no recommendations.



.....
Dr Vivienne Thom
Acting Commonwealth and Immigration Ombudsman

23 May 2007

.....
Date