

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

*Under s 486O of the Migration Act 1958*

*Personal identifier: 171/07*

## **Personal details**

1. Mr X is aged 35 and is a Shi'ite Muslim of Arab ethnicity from Iran.

## **Detention history**

2. Mr X was detained from June 2000 until July 2005 when he was granted a Global Special Humanitarian Visa.

## **Visa applications**

3. Mr X arrived by boat in June 2000. The Department's (DIAC) decision to refuse his Protection Visa (PV) application in December 2000 was affirmed by the Refugee Review Tribunal (RRT) in April 2001. Mr X sought judicial review by the Federal Court and succeeded in the matter being remitted to the RRT in December 2001. The RRT again affirmed refusal in August 2002. Mr X unsuccessfully sought judicial review.

## **Ombudsman consideration**

4. DIAC's report to the Ombudsman under s 486N of the *Migration Act 1958* is dated 11 August 2005.
5. Ombudsman staff considered a range of documents related to Mr X and interviewed him in September 2005.


## **Key issues**

### *Health and welfare*

6. A psychological summary report, dated 5 May 2005, noted that Mr X had developed Posttraumatic Stress Disorder, panic anxiety and depression. Mr X was detained under the Mental Health Act and admitted to Glenside Hospital.
7. At interview with Ombudsman staff, Mr X raised concerns about the quality of medical care he received while in detention.

## **Ombudsman assessment and recommendations**

8. The Ombudsman notes that Mr X is now the holder of a Global Special Humanitarian Visa and makes no recommendations.

  
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Dr Vivienne Thom  
Acting Commonwealth and Immigration Ombudsman

*23 May 2007*  
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Date