

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

*Under s 486O of the Migration Act 1958*

*Personal identifier: 180/07*

## **Personal details**

1. Mr X is aged 29 and is a citizen of Iran. His parents and four siblings reside in Iran.

## **Detention history**

2. Mr X was detained from April 2001 until September 2005 when he was granted a Global Special Humanitarian Visa (GSHV).

## **Visa applications**

3. Mr X entered Australia by boat in April 2001. The Department's (DIAC) decision to refuse his Protection Visa application in September 2001 was affirmed by the Refugee Review Tribunal in December 2001. Mr X unsuccessfully applied for judicial review at the Federal Court of Australia in June 2002 and the Full Federal Court in November 2002.

## **Ombudsman consideration**

4. DIAC's report to the Ombudsman under s 486N of the *Migration Act 1958* is dated 30 August 2005.
5. Ombudsman staff considered a range of documents and interviewed Mr X in September 2005.

## **Key issues**

### *Health and welfare*

6. An independent psychiatrist diagnosed Mr X with a Major Depressive Disorder and Posttraumatic Stress Disorder, and was of the opinion that these conditions were *'related to his detention, rather than specific instances in Iran'*. An International Health and Medical Services report noted that Mr X declined further psychological assistance. Mr X said that since his release he has ongoing physical and psychological health issues, however he has chosen not to see a doctor.

## **Ombudsman assessment/recommendation**

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



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

*23 May 2007*

.....  
Date