



9. At interview Mr X said that his length in detention is *'greatly affecting my mental health'*. He said he has seen a psychologist but this has not helped. He said he believes the only way his mental health might improve is if he were released from detention.

*Attitude to removal*

10. At interview Mr X said that he had contact with his wife and children recently and that he cannot go back to the PRC because *'he owes a big fine to the Government because of the one child policy'* and that the police *'came to the house to try and take valuable things'*.

*Other detention issues*

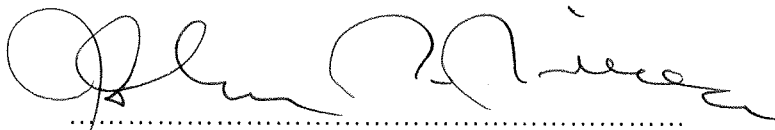
11. DIAC advises that it has finalised Mr X's complaint to the Human Rights and Equal Opportunity Commission (HREOC) in regard to the PRC Delegation interviews of 2005. DIAC also advises that HREOC is yet to finalise its response to Mr X's complaint.

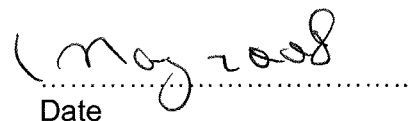
*Community Links*

12. At interview with Ombudsman staff, Mr X said he has family in Australia who can provide him with employment if he were to be released from detention.

**Ombudsman assessment/recommendation**

13. In Report 147/07 the Ombudsman recommended that if there *'are further delays in resolving Mr X's immigration status, the Minister consider granting Mr X a Removal Pending Bridging Visa or another visa with work rights (subject to conditions that DIAC deems necessary to reduce the risk of absconding), or Community Detention to enable his release from a detention centre'*. The Minister, in his June 2007 Statement to Parliament, advised that *'travel document processing has commenced for this client'*.
14. The Ombudsman notes Mr X's case is one of those about which the Minister announced he would consult the Ombudsman prior to making a decision. The Ombudsman notes that if Mr X remains in detention, a further report under s 486N will fall due in July 2008. The Ombudsman makes no recommendation in this report.

  
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Prof. John McMillan  
Commonwealth and Immigration Ombudsman

  
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Date