

Immigration Ombudsman

OCTOBER 2006

The Commonwealth Ombudsman is also the Immigration Ombudsman and can investigate complaints about the administrative decisions and actions of the Department of Immigration and Multicultural Affairs (DIMA), Migration Agents Registration Authority (MARA), Migration Review Tribunal (MRT), and the Refugee Review Tribunal (RRT).

The Ombudsman is also responsible for:

- reviewing the cases of people who have been in immigration detention for two years or more
- monitoring and inspecting immigration compliance, removal and detention activities
- investigating complaints about services delivered by contractors for or on behalf of the Australian Government, such as detention centre operators.

Who can make a complaint?

Anyone can make a complaint. The Ombudsman can investigate complaints made by a person, group, company, organisation or government contractor. You can make a complaint on behalf of someone else, but we may still need to contact them to get their approval to proceed.

What can we investigate?

The Ombudsman can investigate decisions or actions relating to visa applications, citizenship processing or immigration detention which you cannot resolve with the agency itself.

What can a complaint achieve?

If the Ombudsman considers there has been a deficiency in the administrative actions of DIMA, MARA, the MRT or RRT, he can recommend that the agency provide a solution or remedy. These recommendations might include asking them to:

- reconsider the original decision
- give further reasons for a decision
- offer an apology
- change a policy or procedure
- in the case of a debt, consider a waiver or write off
- consider compensation
- review legislation or policy.

The Immigration Ombudsman cannot force the agency to accept a recommendation. However, the Ombudsman can publicise conclusions and draw public attention to unfair treatment or deficiencies in migration administration.

If you are a non-English speaking person, we can help through the **Translating and Interpreter Service (TIS) on 131 450**.

We have information about the Ombudsman's role in many community languages available on our website.

The Ombudsman has taken reasonable action to ensure that the information contained in this publication is accurate and adequately comprehensive for the purpose for which it was created. The Ombudsman is not responsible for any damage or loss claimed to arise from any error or omission in this information.

Contact details

COMPLAINTS 1300 362 072 (local call charge)

Enquiries 9 am–5 pm Monday to Friday

Postal GPO Box 442, Canberra ACT 2601

Email ombudsman@ombudsman.gov.au

Web www.ombudsman.gov.au