

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 261/07

Case overview

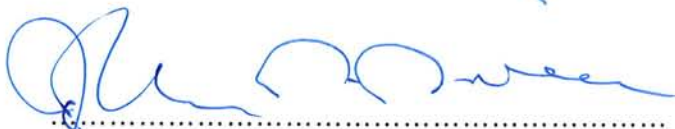
1. Mr X is aged 41 and is a citizen of Iran.
2. Mr X arrived in Australia in November 2000 by boat. He was detained under s 189(2) of the *Migration Act 1958* and placed at the Curtin Immigration Reception and Processing Centre (IRPC). At a later date he was transferred to Woomera IRPC and Baxter Immigration Detention Centre.
3. The Department's (DIAC) decision to refuse Mr X's application for Protection Visa (PV) in February 2001 was affirmed by the Refugee Review Tribunal in May 2001. He unsuccessfully sought judicial review at the Federal Court and the Full Federal Court. A s 48B submission resulted in the former Minister allowing Mr X to lodge a further PV application. In July 2005 he was granted a Temporary Protection Visa (TPV) and released from detention. On 20 June 2007 Mr X was granted a permanent PV.

Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N is dated 29 November 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 PV and makes no recommendations in this report.



Prof. John McMillan
Commonwealth and Immigration Ombudsman



Date