

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 326/07

This is the combined second and third s 486O report by the Ombudsman on Mr X as he had remained in immigration detention after the Ombudsman's first report (35/06). The Ombudsman's first report was sent to the Minister on 16 January 2006 and tabled in Parliament on 29 March 2006. This report updates the material in that report and should be read in conjunction with it.

Case overview

1. A request under s 48B of the *Migration Act 1958* resulted in the Minister allowing Mr X to lodge another Protection Visa application. On 29 September 2006 Mr X was granted a Temporary Protection Visa (TPV) and released from detention.

Ombudsman consideration

2. The Department's (DIAC) further reports to the Ombudsman under s 486N are dated 9 January 2006 and 7 July 2006.
3. Ombudsman staff interviewed Mr X by telephone on 12 January 2007.
4. Ombudsman staff sighted a DIAC Ministerial submission relating to the People's Republic of China (PRC) delegation cases, dated 7 July 2006.

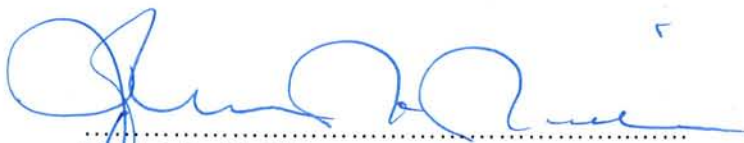
Key issues

PRC delegation visit

5. DIAC advises that Mr X was part of a group who were interviewed by PRC officials in May 2005. The circumstances of this interview were examined following several complaints to the Ombudsman's Office and to the Human Rights and Equal Opportunity Commission. The Minister later decided to permit Mr X to submit another PV application.

Ombudsman assessment/recommendation

6. The Ombudsman notes that Mr X is now the holder of a TPV and makes no recommendations in this report.



Prof. John McMillan
Commonwealth and Immigration Ombudsman

19 November 2007
Date