

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

*Under s 486O of the Migration Act 1958*

*Personal identifier: 275/07*

## Case overview

1. Mr X is aged 37 and is a citizen of Jordan. He claims that his parents and seven siblings live in Jordan.
2. Mr X entered Australia in February 1999 on a Tourist Visa. In December 2004 he was located working contrary to his Bridging Visa conditions and was detained under s 189(1) of the *Migration Act 1958* and placed at Villawood Immigration Detention Centre. In June 2007 he was transferred to Sydney Immigration Residential Housing.
3. The Department's (DIAC) decision to refuse Mr X's application for a Protection Visa (PV) in June 2003 was affirmed by the Refugee Review Tribunal (RRT) in March 2004. He unsuccessfully sought judicial review by the Federal Magistrates Court and the Full Federal Court. A s 48B request was sent to the Minister in April 2007 and the Minister allowed Mr X to lodge another PV application. On 29 June 2007 Mr X was granted a permanent PV and released from detention.

## Ombudsman consideration

4. DIAC's reports to the Ombudsman under s 486N of the *Migration Act 1958* are dated 5 December 2006 and 30 May 2007.
5. Ombudsman staff interviewed Mr X on 12 February 2007.
6. Ombudsman staff sighted two International Health and Medical Service (IHMS) reports dated 10 October 2006 and 26 April 2007, and two Professional Support Services (PSS) reports dated 4 November 2006 and 16 May 2007.

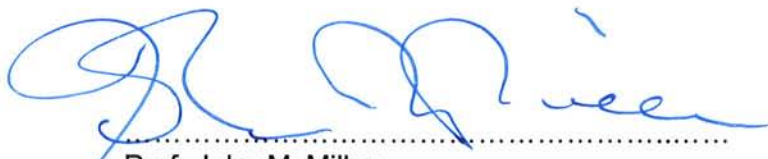
## Key Issues

### *Health and welfare*

7. IHMS noted that Mr X was '*noted to have depressive and anxiety symptoms related to his detention and visa issues*'. PSS noted that Mr X presented with depressed mood and thoughts of self-harm and that '*many aspects of Mr X's presentation are consistent with the diagnosis of both Major Depressive Disorder and an anxiety disorder*'.

## Ombudsman assessment/recommendation

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



Prof. John McMillan  
Commonwealth and Immigration Ombudsman



Date