

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 265/07

Case overview

1. Mr X is aged approximately 35 and is a citizen of Iran. He claims that his parents and siblings live in Iran.
2. Mr X arrived in Australia by boat in November 1999. He was detained under s 189(2) of the *Migration Act 1958* and placed at the Curtin Immigration Reception and Processing Centre. At a later date he was transferred to Baxter Immigration Detention Centre.
3. The Department's (DIAC) decision to refuse Mr X's application for a permanent Protection Visa (PV) in March 2000 was affirmed by the Refugee Review Tribunal in June 2000. 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 August 2005 he was granted a Temporary Protection Visa (TPV) and released from detention. Mr X was granted a PV on 3 July 2007.

Ombudsman consideration

4. The DIAC report to the Ombudsman under s 486N is dated 25 November 2005.
5. Ombudsman staff interviewed Mr X on 15 June 2006.
6. Ombudsman staff sighted a Professional Support Services (PSS) psychological summary report dated 27 June 2006.

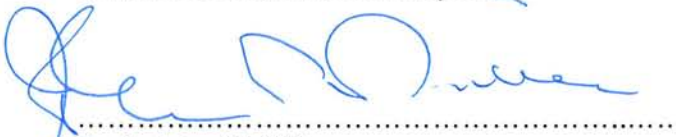
Key issues

Health and welfare

7. The PSS report noted that although Mr X received antidepressant medication during his time in detention for low mood and anxiety, he was not assessed as having an ongoing mental illness at the time of his release. At interview, Mr X stated that his period in detention has had a long-term impact upon his mental health, saying *'I'm still dizzy, I still feel that I'm not well, mentally, I mean. That's why I'm depressed and I don't know what to do in the future'*.

Ombudsman assessment/recommendation

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


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Prof. John McMillan
Commonwealth and Immigration Ombudsman


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Date