

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

*Under s 486O of the Migration Act 1958*

*Personal identifier: 318/07*

## Case overview


1. Mr X is aged 28 and is a citizen of Iran.
2. Mr X arrived in Australia in September 2000 by boat. He was detained under s 189(2) of the *Migration Act 1958* and placed at 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 a Protection Visa (PV) in March 2001 was affirmed by the Refugee Review Tribunal (RRT) in July 2001. He unsuccessfully sought judicial review at the Federal Court and Full Federal Court. A s 48B request resulted in the Minister allowing Mr X to lodge another PV application. The application was refused and Mr X sought review at the RRT, which remitted the matter back to DIAC. On 9 August 2005 Mr X was granted a Temporary Protection Visa (TPV) and released from detention.


## Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N is dated 8 December 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 TPV and makes no recommendations in this report.

  
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Prof. John McMillan  
Commonwealth and Immigration Ombudsman

  
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Date