

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 287/07

Case overview

1. Mr X is aged 40 and is a citizen of Indonesia.
2. In June 1997 Mr X arrived in Australia on a Tourist Visa. In March 2005 he was detained under s 189(1) of the *Migration Act 1958* and was placed at Villawood Immigration Detention Centre.
3. The Department's (DIAC) decision to refuse Mr X's application for a Protection Visa (PV) in November 1997 was affirmed by the Refugee Review Tribunal (RRT) in July 2000. He unsuccessfully sought judicial review at the Federal Magistrates Court and the Full Federal Court. A request under s 48B resulted in the Minister allowing Mr X to lodge another PV application. The application was refused and he sought merits review at the RRT, who remitted his case to DIAC. On 24 May 2007 Mr X was granted a permanent PV and released from detention.

Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N is dated 6 April 2007.
5. Ombudsman staff were unable to contact Mr X to interview him.
6. Ombudsman staff sighted a report by International Health and Medical Services (IHMS) dated 15 February 2007.

Key issues

Health and welfare

7. IHMS advises that in December 2006 Mr X was noted to have Post-traumatic Stress Disorder symptoms. He was referred to the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors but he refused to attend.

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