

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

*Under s 486O of the Migration Act 1958*

*Personal identifier: 266/07*

## Case overview


1. Mr X is aged 38 and is citizen of Iran. He said his parents and siblings live in Iran.
2. Mr X arrived in Australia boat in October 2000. He was detained under s 189(2) of the *Migration Act 1958* and was placed at Port Hedland Immigration Reception and Processing Centre. At a later date he was transferred to Baxter Immigration Detention Centre (IDC).
3. The Department's (DIAC) decision to refuse Mr X's application for a permanent Protection Visa (PV) in May 2001 was affirmed by the Refugee Review Tribunal in July 2001. He unsuccessfully sought judicial review at the Federal Court and Full Federal Court. A s 48B submission resulted in the former Minister allowing Mr X to lodge a further PV application. In July 2005 he was granted a Temporary Protection Visa (TPV) and released from detention. On 22 May 2007 Mr X was granted a PV.


## Ombudsman consideration

4. The DIAC report to the Ombudsman under s 486N is dated 2 December 2005.
5. Ombudsman staff interviewed Mr X on 25 August 2006.

## Ombudsman assessment/recommendation

6. 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