

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 351/08

This is the fourth s 486O report by the Ombudsman on Mr X as he had remained in immigration detention following the Ombudsman's combined first, second and third reports (211/07). The Ombudsman's report was sent to the Minister on 28 June 2007 and tabled in Parliament on 15 August 2007. This report updates the material in that report and should be read in conjunction with it.

Case overview

1. On 1 November 2007 Mr X was granted a five year Resident Return Visa (RRV) and released from detention.

Ombudsman consideration

2. The Department's (DIAC) further report to the Ombudsman under s 486N of the *Migration Act 1958* is dated 24 September 2007.
3. Ombudsman staff interviewed Mr X on 24 September 2007.
4. Ombudsman staff sighted a letter from DIAC to the Ombudsman's office, dated 6 June 2007, on the outcome of a review of Mr X's case in response to the Ombudsman's report on long-term residents whose visas had been cancelled under s 501¹.

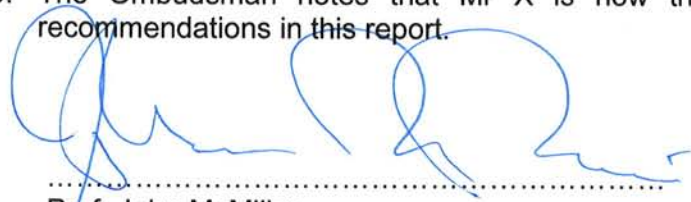
Key issues

s 501 Case Review

5. Mr X was identified by DIAC as a client who met the criteria for inclusion in the s 501 Case Review following its agreement to the Ombudsman's proposal at Recommendation 8 of the above mentioned report. The Minister decided not to intervene in Mr X's case.

Ombudsman assessment/recommendation

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



Prof. John McMillan
Commonwealth and Immigration Ombudsman



Date

¹ 'Administration of s 501 of the Migration Act 1958 as it applies to long-term residents', February 2006, Report by the Commonwealth and Immigration Ombudsman, Prof. John McMillan, Report No. 01/2006, Commonwealth Ombudsman, Canberra, Australia.