

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 280/07

Case overview

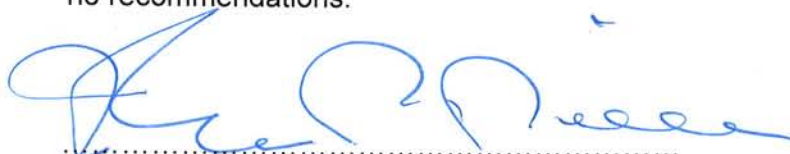
1. Ms X is aged 43 and her daughter, Miss Y, is aged 15. They are citizens of Vietnam.
2. Ms X and Miss Y entered Australia on a Tourist Visa in July 2000. In March 2001 they were granted Bridging Visas that expired in April 2002. They were detained under s 189(1) of the *Migration Act 1958* in November 2004 and were placed at Maribyrnong Immigration Detention Centre. In July 2005 they were transferred into a Community Detention arrangement.
3. The Department's (DIAC) decision to refuse Ms X's application for a permanent Spouse Visa in June 2001 was affirmed by the Migration Review Tribunal in February 2002. A request under s 417 resulted in the Minister granting Ms X and Miss Y Global Special Humanitarian Visas (GSHV) on 24 May 2007 and releasing them from detention.

Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N is dated 11 December 2006.
5. Ombudsman staff were unable to contact Ms X and Miss Y to interview them.
6. Ombudsman staff sighted a psychological summary report by Professional Support Services dated 31 October 2006.

Ombudsman assessment/recommendation

7. The Ombudsman notes that Ms X and Miss Y are now the holders of GSHVs and makes no recommendations.



Prof. John McMillan
Commonwealth and Immigration Ombudsman



Date