

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 286/07

Case overview

1. Mr X is aged 45 and is a citizen of Cote D'Ivoire. He claims that his wife and five children live in Cote D'Ivoire.
2. Mr X arrived in Australia in May 2005 on a fraudulent passport. He was detained under s 189(1) of the *Migration Act 1958* and was placed at Perth Immigration Detention Centre. At a later date he was transferred into an Alternative Detention arrangement.
3. The Department's (DIAC) decision to refuse Mr X's application for a Protection Visa in June 2006 was affirmed by the Refugee Review Tribunal in August 2005. A request under s 417 resulted in the Minister granting a Global Special Humanitarian Visa (GSHV) on 26 June 2007 and releasing him from detention.

Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N is dated 9 May 2005.
5. Ombudsman staff were unable to contact Mr X to interview him.
6. Ombudsman staff sighted a Professional Support Services (PSS) psychology summary report dated 29 September 2006 and a submission from Mr X's lawyer, SCALES Community Legal Centre, dated 8 June 2007.

Key issues

Health and welfare

7. PSS noted that Mr X has been diagnosed with Post-traumatic Stress Disorder and Major Depression.

Ombudsman assessment/recommendation

8. The Ombudsman notes that Mr X is now the holder of GSHV and makes no recommendations.



Prof. John McMillan
Commonwealth and Immigration Ombudsman



Date