

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 281/07

Case overview

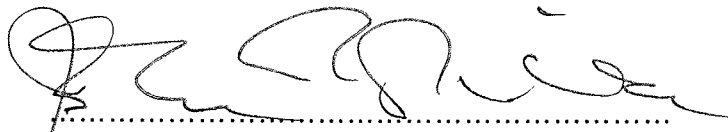
1. Mr X is aged 32 and is a citizen of Albania. His wife and two children aged six and one reside in Australia.
2. Mr X and his wife entered Australia on Entertainment Visas in December 1999. Mr X was detained under s 189(1) of the *Migration Act 1958* as his Bridging Visa (BV) had ceased and he did not meet the criteria for a further BV. He was placed at Baxter Immigration Detention Centre. In August 2005 Mr X was transferred into Community Detention with his family.
3. The Department's (DIAC) decision to refuse the X family's application for Protection Visas in February 2000 was affirmed by the Refugee Review Tribunal in August 2000. Judicial review was sought at the Federal Court and the Full Federal Court. A s 417 request resulted in the Minister granting Mr X and his family Global Special Humanitarian Visas (GSHV) on 30 May 2007.

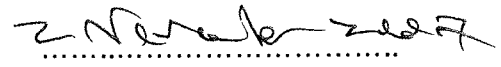
Ombudsman consideration

4. DIAC's report to the Ombudsman under s 486N is dated 19 April 2007.
5. Ombudsman staff spoke with Mr X by telephone on 18 September 2007.

Ombudsman assessment/recommendation

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


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Prof. John McMillan
Commonwealth and Immigration Ombudsman


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Date