

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

*Under s 486O of the Migration Act 1958*

*Personal identifier: 327/07*

This is the third s 486O report by the Ombudsman on Mr X as he had remained in immigration detention since the Ombudsman's combined first and second report (52/06). The Ombudsman's report was sent to the Minister on 6 March 2006 and tabled in Parliament on 10 May 2006. This report updates the material in that report and should be read in conjunction with it.

## Case overview

1. A request under s 48B of the *Migration Act 1958* resulted in the Minister allowing Mr X to lodge another Protection Visa (PV) application. On 4 October 2006 Mr X was granted a Temporary Protection Visa (TPV) and released from detention.

## Ombudsman consideration

2. The Department's (DIAC) further report to the Ombudsman under s 486N is dated 10 July 2006.
3. Ombudsman staff interviewed Mr X by telephone on 27 April 2007.
4. Ombudsman staff sighted a DIAC Ministerial submission relating to the People's Republic of China (PRC) delegation cases, dated 7 July 2006.

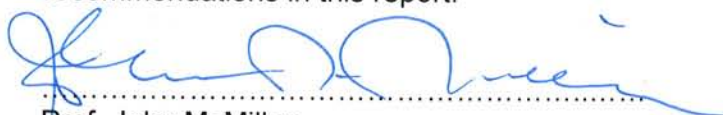
## Key issues

*People's Republic of China (PRC) delegation visit*

5. DIAC advises that Mr X was part of a group who were interviewed by PRC officials in May 2005. The circumstances of this interview were examined following several complaints to the Ombudsman's Office and to the Human Rights and Equal Opportunity Commission. The Minister later decided to permit Mr X to submit another PV application.
6. At interview, Mr X said as a result of being interviewed by the PRC delegation, his family in the PRC was contacted by PRC police, who requested that Mr X report to them upon his return.

## Ombudsman assessment/recommendation

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



Prof. John McMillan  
Commonwealth and Immigration Ombudsman

*19 November 2007*  
Date