

REPORT FOR TABLING IN PARLIAMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN

Under s 486O of the Migration Act 1958

Personal identifier: 249/07

Case overview

1. Mr X is aged 40 and is a citizen of the People's Republic of China.
2. Mr X arrived in Australia in August 1998 on a Temporary Transit Visa and was granted a Bridging Visa (BV) in August 1998. In January 2005 he was detained under s 189(1) of the *Migration Act 1958* as a BV over-stayer and placed in the Villawood Immigration Detention Centre. In December 2006 he was transferred to Sydney Immigration Residential Housing.
3. The Department's (DIAC) decision to refuse Mr X's initial application for a permanent Protection Visa (PV) in August 1998 was affirmed by Refugee Review Tribunal in June 1999. A request under s 43B resulted in the Minister allowing Mr X to submit a further PV application on 16 March 2007. Mr X was granted a PV on 11 April 2007, and released from detention.

Ombudsman consideration

4. The DIAC report to the Ombudsman under s 486N is dated 17 January 2007.
5. Ombudsman staff interviewed Mr X on 13 February 2007.

Ombudsman assessment/recommendation

6. The Ombudsman notes that Mr X now holds a PV and makes no recommendations in this report.



.....
Prof. John McMillan
Commonwealth and Immigration Ombudsman



.....
Date