

REFUGEE COUNCIL OF AUSTRALIA

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Minister Should Accept Ombudsman's Recommendations

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The Refugee Council of Australia welcomes the recommendations by the Commonwealth Ombudsman that 'Mr X', the longest serving detainee, be released. It also supports the Ombudsman's preference that 'Mr X' be given a Global Humanitarian Visa.

"One of the biggest concerns when the Ombudsman's new powers were announced last year was that any recommendations would not be binding on the Minister. It is left to the Ministers discretion to accept or reject the recommendations" said Mr John Gibson, President of the Refugee Council of Australia. "The value of the 2005 changes to immigration policy is reliant on them being implemented in good faith by the Government and we hope that in this case the Minister will do the right thing, accept the Ombudsman's recommendations and not return this man to detention" he said

A system that allows someone who has committed no crime to be locked up in detention for six and a half years with no hope of release is deeply concerning. The damage caused by long term detention is widely recognised and it is no surprise that this man's mental health has deteriorated as a result. The Refugee Council would be deeply concerned if attempts were made to return this man to Bangladesh, considering his current physical and mental health situation. The Glenside Hospital psychiatrist has stated that a return to Bangladesh would result in certain death within 2-3 weeks.

"A system of complementary protection needs to be put in place to ensure that people like 'Mr X' receive protection and to prevent cases like this from occurring in the future" Mr Gibson said.

The Refugee Council of Australia implores the Minister for Immigration to accept the ombudsman's recommendations and grant Mr X a permanent visa.

The Council also advocates the introduction of complementary protection which would provide an administrative process to deal with cases that do not fit the Refugee Convention definition of a refugee but still had protection needs.

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