



Australian Government
Department of Immigration and Citizenship

SECRETARY

June 2007

Dr Vivienne Thom
Acting Commonwealth and Immigration Ombudsman
GPO Box 442
Canberra ACT 2601

Dear Dr Thom

Your report highlights the importance of ensuring that clients are correctly notified of decisions impacting on their immigration status and the significant consequences that can ensue when the legislative requirements are not complied with. Similarly, the impacts of court decisions, such as *Srey*, can be far-reaching and have the effect of retrospectively invalidating decision letters sent many years earlier.

It is therefore vital that departmental procedures and systems support staff to comply with the legislative requirements for notifying of decisions and ensuring fair and reasonable dealings with clients. As we have all learnt from the *Srey* decision, the department must be vigilant in assessing and addressing the broader implications of court decisions affecting the department's procedures and processes.

Accordingly, I agree with your recommendations and have provided examples of the steps the department has taken, and is taking, to address the issues you have raised in this report ([Attachment A](#)).

The details of the department's implementation of the recommendations in this report (along with the recommendations made in previous Ombudsman reports) will be monitored by the Departmental Audit and Evaluation Committee (DAEC). This committee, comprised of an independent external chairperson and member along with a number of the department's Senior Executives, is a crucial component of the corporate governance arrangements that I have introduced. One of DAEC's primary roles is to monitor the implementation of recommendations made in Ombudsman and Human Rights and Equal Opportunity Commission Reports to provide me with reassurance that the department is achieving its goals and objectives.

Once again, this report reminds me both of the achievements that my department has made to date, and the improvements that we will continue to make as part of our ongoing business transformation process.

Yours sincerely

(Andrew Metcalfe)

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