

ASSESSMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fifth s 486O assessment on Mr X who has remained in restricted immigration detention for a cumulative period of more than 72 months (six years). The previous assessments are:

1249/13 tabled in Parliament on 26 June 2013
1001281 tabled in Parliament on 24 September 2014
1001972 tabled in Parliament on 3 June 2015
1002472 tabled in Parliament on 14 September 2016

This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X
Citizenship	Country A
Year of birth	1985
Ombudsman ID	1000283-O
Date of DIBP's reviews	31 October 2016 and 30 April 2017
Total days in detention	2,186 (at date of DIBP's latest review)

Recent detention history

Since the Ombudsman's previous assessment (1002472), Mr X has remained at Villawood Immigration Detention Centre.

Recent visa applications/case progression

15 November 2016	Temporary Protection visa application refused.
24 March 2017	The Department of Immigration and Border Protection (the department) advised that as Mr X has no matters before the department, the courts or tribunals, he has been referred for removal action.

Criminal history

24 February 2017	Mr X was sentenced to three years imprisonment following charges of intent to cause grievous bodily harm and affray. His sentence commenced on 5 September 2013 and expired on 4 September 2016. The department advised that Mr X did not serve his sentence in a correctional facility as he was held in restricted immigration detention.
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Health and welfare

International Health and Medical Services advised that Mr X received treatment for symptoms of schizophrenia but ceased his medication after experiencing side effects. His condition was monitored by the mental health team and he continued to attend counselling.

Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion and has been held in restricted detention for a cumulative period of more than six years. He has no matters before the department, the courts or tribunals and has been referred for removal action.