

ASSESSMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O assessment on Mr X who has remained in restricted immigration detention for more than 48 months (four years).

The first assessment 1002409 was tabled in Parliament on 11 November 2015 and the second assessment 1003484 was 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	1954
Ombudsman ID	1001308-O
Date of DIBP's reviews	5 October 2016 and 5 April 2017
Total days in detention	1,458 (at date of DIBP's latest review)

Recent detention history

Since the Ombudsman's previous assessment (1003484), Mr X has remained at Christmas Island Immigration Detention Centre.

Recent visa applications/case progression

15 September 2016	Mr X's migration agent provided a response to the Notice of Intention to Consider Refusal of his Protection visa application under s 501 of the Migration Act 1958.
31 January 2017	Protection visa application refused under s 501.
13 February 2017	Appealed to the Administrative Appeals Tribunal.

Health and welfare

International Health and Medical Services advised that Mr X received treatment for multiple physical health concerns, including heart disease, type 2 diabetes and hepatitis C. His condition continued to be monitored by a general practitioner.

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 more than four years. At the time of the Department of Immigration and Border Protection's latest review Mr X was awaiting the outcome of merits review.