

**REPORT (ABRIDGED) BY THE COMMONWEALTH AND
IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT**

Under s 486O of the Migration Act 1958

This is the first s 486O report on Mr X who remained in restricted immigration detention for more than 30 months (two and a half years).

Name	Mr X
Citizenship	Country A
Year of birth	1991
Ombudsman ID	1002823
Date of DIBP's reports	22 June 2015 and 16 December 2015

Detention history

17 June 2013	Detained under s 189(1) of the <i>Migration Act 1958</i> after living unlawfully in the community.
31 May 2016	Granted a Bridging visa and released from restricted detention.

Visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that Mr X's case is affected by the judgment handed down on 2 September 2015 by the Full Federal Court (FFC), which found that the International Treaties Obligations Assessment (ITOA) process undertaken by DIBP was procedurally unfair.

The Minister appealed the FFC decision and on 27 July 2016 the High Court found that the ITOA process was not procedurally unfair.

Health and welfare

Mr X was provided with treatment for minor physical health issues and monitored for chronic hepatitis B.

Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. He is awaiting the outcome of judicial review.

Mr X was granted a Bridging visa on 31 May 2016 and released from immigration detention.