

## ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

*Under s 486O of the Migration Act 1958*

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

The first assessment 1002457 was tabled in Parliament on 8 November 2016. This assessment provides an update and should be read in conjunction with the previous assessment.

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| <b>Name</b>                    | Mr X                                    |
| <b>Citizenship</b>             | Country A                               |
| <b>Year of birth</b>           | 1974                                    |
| <b>Ombudsman ID</b>            | 1001339-O                               |
| <b>Date of DIBP's reviews</b>  | 20 October 2016 and 20 April 2017       |
| <b>Total days in detention</b> | 1,458 (at date of DIBP's latest review) |

### Recent detention history

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| Since the Ombudsman's previous assessment (1002457), Mr X remained at Wickham Point Alternative Place of Detention. |   |
| 4 May 2016  | Transferred to Melbourne Immigration Transit Accommodation. |
| 8 March 2017  | Transferred to Facility B                                   |
| 5 April 2017  | Transferred to Facility C.                                  |

### Recent visa applications/case progression

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|-----------------|---|
| 23 January 2017 | Lodged a Bridging visa application.   |
| 25 January 2017 | Bridging visa application refused.  |
| 28 January 2017 | Mr X was referred for involuntary removal. He was scheduled to be removed on 8 March 2017.  |
| 8 March 2017    | The Federal Circuit Court granted Mr X an interim injunction preventing his removal until his application for judicial review, lodged on 26 March 2015, is determined. A hearing was scheduled for 31 May 2017. |

### Health and welfare

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| International Health and Medical Services advised that Mr X received treatment for hepatitis B, gallstones and abdominal discomfort. He attended regular reviews at a hospital liver clinic and was scheduled for a gastroenterology review on 8 June 2017. |
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### Case status

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| 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 judicial review. |
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