

ASSESSMENT BY THE COMMONWEALTH 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 immigration detention for more than 54 months (four and a half years). The previous assessment 1001842-O was tabled in Parliament on 1 March 2017. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X
Citizenship	Country A
Year of birth	1983
Ombudsman ID	1001842-O1
Date of DIBP's reports	22 March 2017 and 21 September 2017
Total days in detention	1,641 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X has remained at Melbourne Immigration Transit Accommodation.

Recent visa applications/case progression

23 September 2016	Applied to the Federal Circuit Court (FCC) for judicial review.
13 September 2017	FCC dismissed the matter.
21 September 2017	Applied to the Full Federal Court for judicial review. The Department of Immigration and Border Protection (the department) advised that Mr X remains a person of interest to an external agency and was last interviewed in relation to his security assessment on 1 February 2017.

Health and welfare

International Health and Medical Services advised that Mr X attended multiple appointments with an ear, nose and throat specialist in February 2017 for the management of his deviated nasal septum condition. He was also provided with pain relief medication for episodic migraines.

Information provided by Mr X

Mr X was offered the opportunity to discuss his detention circumstances with Ombudsman staff but declined to do so.

Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion and has remained in an immigration detention facility for more than four and a half years. At the time of the department's latest report Mr X was awaiting the outcome of judicial review.