

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

Under s 486O of the Migration Act 1958

This is the second s 486O report on Mr X who remained in restricted immigration detention for more than 36 months (three years).

The first report 1003383 was tabled in Parliament on 31 August 2016. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1960
Ombudsman ID	1002123-O
Date of DIBP's report	26 August 2016
Total days in detention	1094 (at date of DIBP's report)

Recent detention history

Since the Ombudsman's previous report (1003383), Mr X remained at Yongah Hill Immigration Detention Centre.	
November 2016	Mr X was released from immigration detention when he voluntarily departed Australia and returned to Country A.

Recent visa applications/case progression

27 May 2016	Mr X's application for a Bridging Visa was refused.
27 July 2016	The Minister appealed the Full Federal Court decision ¹ and the High Court found that the International Treaties Obligations Assessment (ITOA) process was not procedurally unfair. ² The Department of Immigration and Border Protection (DIBP) advised that it was considering the implications of this judgment.
9 August 2016	Lodged a Bridging visa application which was refused on 10 August 2016.
10 August 2016	The Federal Circuit Court listed the final hearing in Mr X's application for judicial review of the ITOA for 15 November 2016.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X received treatment for ongoing shoulder, back and abdominal pain. IHMS further advised that he was monitored for elevated cholesterol and ischaemic heart disease and his conditions were managed with prescribed medication.
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¹ *SZSSJ v Minister for Immigration and Border Protection* [2015] FCAFC 125.

² *Minister for Immigration and Border Protection & Anor v SZSSJ & Anor* [2016] HCA 29.

Case status

Mr X voluntarily departed Australia and returned to Country A.