

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABELING 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 detention¹ for more than 48 months (four years).

The first assessment 1002369 was tabled in Parliament on 9 September 2015 and the second assessment 1003426 was tabled in Parliament on 20 October 2016. This assessment provides an update and should be read in conjunction with the previous assessments.

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| Name | Mr X |
| Citizenship | Country A |
| Year of birth | 1992 |
| Ombudsman ID | 1001286-O |
| Date of DIBP's reviews | 11 September 2016 and 22 March 2017 |
| Total days in detention | 1,458 (at date of DIBP's latest review) |

Recent detention history

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| Since the Ombudsman's previous assessment (1003426), Mr X remained at Correctional Facility B. | |
| 13 April 2017 | The Department of Immigration and Border Protection (the department) advised that Mr X had been transferred to Correctional Facility C. |

Recent visa applications/case progression

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| Mr X continues to serve an eight year sentence of imprisonment with a non-parole period of five years for his involvement in people-smuggling offences. |
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Health and welfare

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| The department advised that Mr X's health and welfare is managed by the Department of Corrective Services in State D. |
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Case status

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| Mr X was detained on 25 March 2013 after arriving in Australia by sea as a member of the crew of a suspected illegal entry vessel and has been held in immigration detention for more than four years. He will be removed at the conclusion of his custodial sentence. His earliest release date is 24 March 2018. |
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¹ Section 250 of the *Migration Act 1958* provides that a person serving a sentence for an offence related to being on board a vessel involved in the commission of an offence may be kept in immigration detention while serving a sentence. Mr X is therefore deemed to be in concurrent detention and will continue to be subject to assessment under s 486O even though he is not actively case-managed by the department.