

## **ASSESSMENT BY THE COMMONWEALTH AND IMMIGRATION 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 immigration detention for more than 42 months (three and a half years).

The first assessment 1003174 was tabled in Parliament on 31 August 2016. This assessment provides an update and should be read in conjunction with the previous assessment.

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1974
<b>Ombudsman ID</b>	1001930-O
<b>Date of DIBP's reviews</b>	29 July 2016 and 24 January 2017
<b>Total days in detention</b>	1,278 (at date of DIBP's latest review)

### **Recent detention history**

Since the Ombudsman's previous assessment (1003174), Mr X has remained in community detention. Mr X resides with his wife, Ms Y, and their daughters, Ms Z and Ms P, who were granted Bridging visas in association with their Safe Haven Enterprise visa (SHEV) applications.

### **Recent visa applications/case progression**

1 July 2016	Lodged a SHEV application.
5 January 2017	Mr X provided further information in relation to his SHEV application.
24 January 2017	The Department of Immigration and Border Protection (the department) advised that Mr X had been identified for an assessment against the guidelines for a referral to the Minister under s 195A of the <i>Migration Act 1958</i> for the grant of a Bridging visa.

### **Health and welfare**

International Health and Medical Services (IHMS) advised that Mr X continued to await an appointment with an ophthalmologist for management of an eye condition. On 27 January 2017 the department requested that IHMS expedite this appointment.

IHMS further advised that Mr X was referred to a psychiatrist for ongoing mental health treatment.

### **Case Status**

Mr X was detained on 26 July 2013 after arriving in Australia by sea and has been held in detention for more than three and a half years.

On 29 September 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 1 July 2016 Mr X lodged a SHEV application.