

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

Under s 486O of the Migration Act 1958

This is the first s 486O report on Mr X who has remained in restricted immigration detention for a cumulative period of more than 30 months (two and a half years).

Name	Mr X
Citizenship	Country A
Year of Birth	1989
Ombudsman ID	1002296-O
Date of DIBP's reports	17 January 2016 and 18 July 2016
Total days in detention	913 (at date of DIBP's latest report)

Detention history

2 December 2010	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 217 <i>Farnell</i> . He was transferred to Christmas Island Immigration Detention Centre (IDC).
19 August 2011	Transferred to Northern IDC.
12 April 2012	Granted a Bridging visa and released from detention.
29 May 2015	Re-detained under s 189(1) after living unlawfully in the community. He was transferred to Yongah Hill IDC.
9 October 2015	Transferred to Christmas Island IDC.
23 October 2015	Transferred to Yongah Hill IDC.

Visa applications/case progression

4 April 2011	Refugee Status Assessment found he was not owed protection.
23 January 2012	Independent Merits Review (IMR) found he was not owed protection.
15 February 2012	Requested judicial review by the Federal Circuit Court. On 2 August 2012 the former Minister withdrew and Mr X's case was remitted for a new IMR.
12 April 2012 – 28 May 2015	Mr X was granted eight consecutive Bridging visas.
6 December 2012	IMR found he was not owed protection.
23 October 2014	Found not to meet the guidelines for referral to the former Minister for consideration to lift the bar under s 46A.
29 May 2015	Mr X was located by authorities and re-detained under s 189(1) the day after his final Bridging visa ceased.
17 January 2016 and 18 July 2016	The Department of Immigration and Border Protection (DIBP) advised that Mr X has no outstanding matters before it, the courts or tribunals and is on a removal pathway.

Health and welfare

International Health and Medical Services advised that Mr X presented with low mood and depression related to detention fatigue and stress. He was prescribed with antidepressant medication and attends regular counselling sessions.

Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. He has no matters before DIBP, the courts or tribunals and is on a removal pathway.