

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O assessment on Mr X who remained in immigration detention for a cumulative period of more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1989
Ombudsman ID	1002621-O
Date of department's report	14 March 2017
Total days in detention	732 (at date of department's report)

Detention history

20 December 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia by sea. He was transferred to an Alternative Place of Detention, Christmas Island.
22 December 2012 – 16 January 2013	Transferred twice between various immigration detention facilities.
26 February 2013	Granted a bridging visa and released from immigration detention.
20 May 2015	Re-detained under s 189(1) following the cancellation of his bridging visa. He was transferred to Maribyrnong immigration Detention Centre.
28 August 2015 – 31 January 2017	Transferred three times between various immigration detention facilities.
30 May 2017	Granted a bridging visa and released from immigration detention.

Visa applications/case progression

26 February 2013	Granted a bridging visa.
20 May 2015	Bridging visa cancelled under s 116 following criminal charges.
29 September 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application.
8 August 2016	Temporary Protection visa (TPV) application refused.
18 November 2016	The Immigration Assessment Authority (IAA) affirmed the decision to refuse Mr X's TPV application.
20 February 2017	Applied to the Federal Circuit Court (FCC) for judicial review.
30 May 2017	Granted a bridging visa.

Other legal matters

21 February 2015	Charged with offences related to resisting arrest and assaulting a police officer.
August 2015	Appeared before a court and found guilty of the offences. He was placed on a diversion plan and no conviction was recorded.

Health and welfare

International Health and Medical Services advised that Mr X received treatment for a seizure and foot fracture.

Case status

Mr X was detained on 20 December 2012 after arriving in Australia by sea and remained in an immigration detention for a cumulative period of more than two years.

Mr X was granted a bridging visa on 30 May 2017 and released from immigration detention.