

## 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).

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1991
<b>Ombudsman ID</b>	2000004-O
<b>Date of department's report</b>	12 June 2017
<b>Total days in detention</b>	730 (at date of department's report)

### Detention history

8 April 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia by sea. He was transferred to Northern Immigration Detention Centre (IDC).
1 May 2013 – 2 July 2013	Transferred twice between various immigration detention facilities.
10 December 2014	Granted a bridging visa and released from immigration detention.
13 February 2017	Re-detained under s 189(1) following his release from a correctional facility. He was transferred to Brisbane Immigration Transit Accommodation.
4 April 2017	Transferred to Christmas Island IDC.
July 2017	Voluntarily departed Australia.

### Visa applications/case progression

30 April 2015	Temporary Protection visa (TPV) application refused.
10 December 2014	Granted a bridging visa.
13 February 2017	Bridging visa cancelled under s 116.
13 April 2017	The Administrative Appeals Tribunal (AAT) affirmed the refusal of his TPV application.
19 April 2017	Requested removal from Australia.
12 June 2017	The Department of Home Affairs (the department) advised that as Mr X was in immigration detention on 31 January 2014 he may have been affected by the privacy breach. <sup>1</sup> The department advised that it considered this matter when it assessed Mr X's TPV application and it was also considered by the AAT during the merits review process.

<sup>1</sup> In a media release dated 19 February 2014 the Minister advised that an immigration detention statistics report was released on the department's website on 11 February 2014 which inadvertently disclosed detainees' personal information. The documents were removed from the website as soon as the department became aware of the breach from the media. The Minister acknowledged this was a serious breach of privacy by the department.

**Criminal history**

November 2015	Convicted of drug offences and sentenced to one year and six months imprisonment.
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**Health and welfare**

International Health and Medical Services advised that Mr X received treatment for symptoms of depression and insomnia related to his immigration pathway.

**Case status**

Mr X was detained on 8 April 2013 after arriving in Australia by sea and remained in an immigration detention facility for a cumulative period of more than two years.

Mr X was released from immigration detention when he voluntarily departed Australia in July 2017.