

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the second s 486O assessment on Mr X who remained in immigration detention for a cumulative period of more than 36 months (three years). The previous assessment 1002317-O was tabled in Parliament on 15 February 2017. This assessment provides an update and should be read in conjunction with the previous assessment.

Name	Mr X
Citizenship	Country A
Year of birth	1996
Ombudsman ID	1002317-O1
Date of department's report	5 June 2017
Total days in detention	1,094 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X remained at Yongah Hill Immigration Detention Centre.	
2 February 2017	Transferred to a correctional facility following a criminal charge and released from immigration detention.
23 May 2017	Re-detained under s 189(1) of the <i>Migration Act 1958</i> following his release from a correctional facility. He was transferred to Adelaide Immigration Transit Accommodation.
7 July 2017	Granted a Safe Haven Enterprise visa (SHEV) and released from immigration detention.

Recent visa applications/case progression

19 January 2017	The Department of Home Affairs (the department) was advised by an external agency that Mr X's security assessment had been finalised as clear.
7 July 2017	Granted a SHEV.

Criminal history

May 2017	Convicted of a fraud offence and sentenced to 10 months and 18 days imprisonment. Mr X was deemed to have already served his sentence in either a correctional facility or an immigration detention facility and was ordered to be released on the same day.
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Health and welfare

International Health and Medical Services advised that Mr X did not receive treatment for any major physical or mental health issues during this assessment period.

Case status

Mr X was detained on 24 June 2013 after arriving in Australia by sea as an unaccompanied minor and remained in an immigration detention facility for a cumulative period of more than three years, both in a detention facility and the community.

The Ombudsman's previous assessment recommended that Mr X be considered for a bridging visa or community placement as a matter of priority while he awaited the outcome of his SHEV application.

On 15 February 2017 the Minister noted the recommendation and stated that Mr X had been identified for an assessment against the guidelines under s 195A for a possible referral to him for the grant of a bridging visa.

On 5 June 2017 the department advised that Mr X was charged with further offences after the Minister's Statement to Parliament was finalised.

Mr X was granted a SHEV on 7 July 2017 and released from immigration detention.