

**REPORT (ABRIDGED) 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 remained in restricted immigration detention for a cumulative period of more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1977
Ombudsman ID	1002319-O
Date of DIBP's report	17 February 2016

Detention history

17 February 2014	Detained under s 189(1) of the <i>Migration Act 1958</i> following his release from criminal custody and transferred to Villawood Immigration Detention Centre (IDC).
July 2016	Mr X was released from Villawood IDC when he was involuntarily removed from Australia and returned to Country A.

Visa applications/case progression

16 May 2004	Mr X arrived in Australia on a three-month Tourist visa.
16 August 2004 — 7 November 2006	He remained in the community unlawfully until he was granted a Bridging visa.
November 2006 — February 2010	He lodged numerous unsuccessful visa applications and remained in the community unlawfully on two separate occasions.
18 February 2010 — 17 February 2014	He was arrested, charged with importing border controlled drugs and served a custodial sentence until his detention under 189(1).
17 February 2016	After exhausting all relevant tribunal appeal and judicial review processes he was found not to be owed protection.

Other matters

23 April 2012	Mr X was convicted of importing drugs and sentenced to six years and nine months' imprisonment with a non-parole period of four years.
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Health and welfare

Mr X was confirmed to be HIV positive and referred to an Immunology Clinic. However, he declined to attend two scheduled appointments, stating that he felt healthy and did not require review.

Case status

Mr X was involuntarily removed from Australia in July 2016 and returned to Country A.