

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

Under s 486O of the Migration Act 1958

This is the fourth s 486O report on Mr X who remained in immigration detention for more than 60 months (five years).

The first report 1617/13 was tabled in Parliament on 4 December 2013, the second report 1001310 was tabled in Parliament on 18 June 2014 and the third report was tabled in Parliament on 18 March 2015. This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Mr X
Citizenship	Country A
Year of birth	1994
Ombudsman ID	1002497
Date of DIBP's reports	13 May 2015, 4 November 2015 and 5 May 2016

Recent detention history

23 June 2016	Granted a Bridging visa and released from restricted detention.
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Recent visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that Mr X's case is affected by the judgment handed down on 2 September 2015 by the Full Federal Court (FFC), which found that the International Treaties Obligations Assessment (ITOA) was procedurally unfair. The Minister appealed the FFC decision and on 27 July 2016 the High Court found that the ITOA process was not procedurally unfair.	
4 November 2015	The Federal Circuit Court adjourned judicial review of an ITOA finding that Mr X's case did not engage Australia's <i>non-refoulement</i> obligations. A final hearing date was yet to be scheduled.
13 April 2016	The Minister lifted the bars under ss 46A and 48B to allow Mr X to lodge a temporary visa application. He is awaiting an invitation to apply.

Health and welfare

Mr X did not require treatment for any major physical or mental health issues.
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Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. He is awaiting the outcome of judicial review. Mr X was granted a Bridging visa on 23 June 2016 and released from immigration detention.
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