

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fourth s 486O assessment on Mr X who has remained in immigration detention for a cumulative period of more than 72 months (six years). The previous assessment 1001647 was tabled in Parliament on 31 August 2016. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X
Citizenship	Country A
Year of birth	1977
Ombudsman ID	1000854-O
Date of DIBP's reports	11 May 2017 and 18 June 2017
Total days in detention	2,186 ¹ (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X has remained at a correctional facility.

Recent visa applications/case progression

22 April 2016	The Department of Immigration and Border Protection (the department) invited Mr X to lodge a temporary visa application.
23 December 2016	Mr X accepted the offer to receive the Primary Application Information Service (PAIS) to assist him with lodging a temporary visa application.

Health and welfare

The department advised that Mr X's health and welfare was being managed by Corrective Services, Western Australia.

Case status

Mr X was detained on 24 June 2011 after arriving in Australia by sea and has remained in immigration detention, both in a detention facility and a correctional facility, for more than six years.

On 23 December 2016 Mr X accepted the PAIS to assist with lodging a temporary visa application.

The department advised that Mr X is currently serving a custodial sentence and remains in immigration detention. His earliest date of release is 13 April 2021.

The Ombudsman notes with concern that in the absence of any health and welfare information provided by the department, the Ombudsman is unable to assess the adequacy of health care provided to Mr X during this assessment period.

¹ The department previously advised on 15 April 2016 that as a result of his transfer to a correctional facility, Mr X would no longer be subject to reporting under s 486N of the *Migration Act 1958*. In the department's 48 - 66 month review dated 11 May 2017, the department advised that Mr X continues to be recorded as detained under s 189(1) and as a result remains subject to reporting under s 486N.