

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O assessment on Mr X who remained in immigration detention for a cumulative period of more than 42 months (three and a half years). The previous assessment 1002168-O was tabled in Parliament on 24 May 2017. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X
Citizenship	Country A
Year of birth	1985
Ombudsman ID	1002168-O1
Date of department's report	24 March 2017
Total days in detention	1,276 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X remained at Christmas Island Immigration Detention Centre (IDC).	
30 May 2017	Granted a Safe Haven Enterprise visa (SHEV) and released from immigration detention.

Recent visa applications/case progression

9 November 2016	Lodged a SHEV application.
13 March 2017	Mr X's case was identified for an assessment against the guidelines under s 195A of the <i>Migration Act 1958</i> for the grant of a bridging visa.
24 March 2017	The Department of Home Affairs (the department) advised that Mr X's case had been referred to an external agency for a national security assessment and the matter remained ongoing. The department further advised that consideration of Mr X's SHEV application remained ongoing, pending the outcome of the national security assessment.
30 May 2017	Granted a SHEV.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X attended specialist counselling and engaged with the mental health team for the management of anxiety and insomnia. IHMS further advised that Mr X received treatment for shoulder pain.	
--	--

Case status

Mr X was detained on 20 December 2012 after arriving in Australia by sea and remained in an immigration detention facility for a cumulative period of more than three and a half years.

The Ombudsman's previous assessment recommended that consideration be given to transferring Mr X to Villawood IDC in light of his mental health concerns and ongoing separation from his partner.

On 24 May 2017 the Minister advised that the department was unable to transfer Mr X to Villawood IDC due to capacity issues.

Mr X was granted a SHEV on 30 May 2017 and released from immigration detention.