

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O assessment on Mr X who remained in immigration detention for more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1966
Ombudsman ID	1002624-O
Date of department's report	15 March 2017
Total days in detention	730 (at date of department's report)

Detention history

16 March 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following his release from a correctional facility. He was transferred to Villawood Immigration Detention Centre.
11 June 2015 – 10 March 2017	Transferred three times between various immigration detention facilities.
July 2017	Voluntarily departed Australia.

Visa applications/case progression

Mr X arrived in Australia on 8 January 1990 on a permanent visa.	
25 February 2015	Permanent visa cancelled under s 501 on character grounds.
16 February 2016	A delegate of the Minister decided not to revoke the decision to cancel Mr X's visa under s 501.
31 January 2017	The Administrative Appeals Tribunal affirmed the delegate's decision.
3 February 2017	Requested removal from Australia.

Criminal history

The Department of Home Affairs (the department) advised that Mr X was convicted of numerous offences since he arrived in Australia, including assault and driving offences.	
September 2004	Convicted of multiple offences, including driving offences and property damage, and sentenced to two years and 11 months imprisonment.
September 2014	Convicted of multiple offences, including assaulting an officer and breaching bond, and sentenced to eight months imprisonment.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X has a history of substance abuse and received treatment for anxiety and sleep concerns. IHMS further advised that Mr X received treatment for multiple physical health concerns, including asthma, hepatitis C and lower back pain.	
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10 June 2015	An Incident Report recorded that Mr X threatened self-harm.
16 February 2017	An Incident Report recorded that Mr X self-harmed.
9 March 2017	The department advised that Mr X was involuntarily admitted to hospital under mental health legislation for psychiatric treatment.

Detention incidents

February 2017	An Incident Report recorded that Mr X allegedly assaulted a Serco officer and the incident was referred to the police for investigation.
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Other matters

Mr X's siblings, nieces and nephews reside in Australia.
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Case status

Mr X was detained on 16 March 2015 following his release from a correctional facility and remained in an immigration detention for more than two years.
Mr X was released from immigration detention when he voluntarily departed Australia in July 2017.