

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 more than 54 months (four and a half years). The previous assessment 1001784-O1 was tabled in Parliament on 18 October 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	1001784-O2
Date of department's report	12 September 2017
Total days in detention	1,640 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X has remained at Yongah Hill Immigration Detention Centre.

Recent visa applications/case progression

24 July 2017	The Federal Circuit Court (FCC) dismissed Mr X's application for judicial review of the Immigration Assessment Authority's (IAA) decision.
31 July 2017	Refused to depart Australia voluntarily and was referred for removal action.
17 August 2017	Applied to the Full Federal Court (FFC) for judicial review of the FCC's decision.

Health and welfare

International Health and Medical Services advised that Mr X did not receive treatment for any major physical or mental health issues during this assessment period.

Other matters

Mr X's brother resides in the community in Western Australia.

Case status

Mr X was detained on 17 March 2013 after arriving in Australia by sea and has remained in an immigration detention facility for more than four and a half years.

Mr X's Safe Haven Enterprise visa application was refused on 30 December 2016. The IAA affirmed the refusal on 10 March 2017 and the FCC dismissed his application for judicial review on 24 July 2017.

At the date of the Department of Home Affairs' report, Mr X was awaiting the outcome of judicial review at the FFC.