

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the second s 486O assessment on Mr X who has remained in immigration detention for a cumulative period of more than three years. The previous assessment 1002548-O was tabled in Parliament on 18 October 2017. This assessment provides an update and should be read in conjunction with the previous assessment.

Name	Mr X
Citizenship	Country A
Year of birth	1981
Ombudsman ID	1002548-O1
Date of department's report	1 December 2017
Total days in detention	1,094 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X remained at Facility B.	
August 2017	Transferred to Facility C.

Recent visa applications/case progression

September 2017	The Federal Circuit Court (FCC) dismissed Mr X's application for judicial review of the Immigration Assessment Authority's (IAA) decision to affirm the refusal of his Temporary Protection visa (TPV) application.
September 2017	Referred for involuntary removal.
December 2017	The Department of Home Affairs (the department) advised that it was awaiting confirmation of Mr X's identity in order to apply for a travel document and progress his removal.

Other legal matters

August 2017	Mr X was charged with criminal offences. He was scheduled to attend a hearing in November 2017 but refused to attend. A further hearing was scheduled for March 2018.
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Health and welfare

International Health and Medical Services (IHMS) advised that Mr X previously received treatment for the management of symptoms of mental health conditions. During this assessment period Mr X declined to engage with mental health support and a routine psychiatric review found no symptoms of mental illness. IHMS further advised that Mr X was previously diagnosed with a number of physical health issues. During this assessment period Mr X declined to undergo reviews by a general practitioner.	
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Case status

Mr X has been found not to be owed protection under the *Migration Act 1958* and has remained in an immigration detention facility for a cumulative period of more than three years.

In September 2017 the FCC dismissed Mr X's application for judicial review of the IAA's decision to affirm the refusal of his TPV application. He was subsequently referred for involuntary removal.

At the time of the department's latest report it was awaiting confirmation of Mr X's identity in order to progress his removal.