

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 Master X who has remained in immigration detention for more than 48 months (four years). The previous assessment 1001763-O¹ was tabled in Parliament on 8 November 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	2003
Ombudsman ID	1002570-O
Date of DIBP's reports	9 January 2017 and 10 July 2017
Total days in detention	1,458 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous assessment (1001763-O), Master X has remained in community detention.

Recent visa applications/case progression

15 November 2016	Safe Haven Enterprise visa (SHEV) application refused.
18 November 2016	Master X's case was referred to the Immigration Assessment Authority (IAA) for review.
6 February 2017	The IAA affirmed the decision to refuse Master X's SHEV application. The Department of Immigration and Border Protection (the department) advised that Master X has not applied for judicial review of the IAA's decision.
10 July 2017	The department advised that as Master X and his brother have no matters before the department, the courts or tribunals, they are on a removal pathway. Master X and his brother were issued with travel documents by the authorities of Country A.

Health and welfare

International Health and Medical Services advised that Master X was placed on a mental health care plan following anger and aggression concerns. He was reviewed by a psychologist and continued to be monitored by a general practitioner.

¹ Master X was previously reported on with his brother, Mr Y. Mr Y was granted a bridging visa on 19 April 2016 and released from detention.

Case status

Master X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion and has remained in detention for more than four years.

Master X's SHEV application was refused on 15 November 2016 and on 6 February 2017 the IAA affirmed the refusal.

Master X has no matters before the department, the courts or tribunals and is on a removal pathway.