

**REPORT (ABRIDGED) BY THE COMMONWEALTH AND  
IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT**

*Under s 486O of the Migration Act 1958*

This is the second s 486O report on Mr X who remained in restricted immigration detention for more than 36 months (three years).

The first report 1002458 was tabled in Parliament on 10 February 2016. This report updates the material in that report and should be read in conjunction with the previous report.

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1968
<b>Ombudsman ID</b>	1001340-O
<b>Date of DIBP's report</b>	15 April 2016

**Recent detention history**

24 June 2016	Granted a Bridging visa and released from restricted detention.
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**Recent visa applications/case progression**

The Department of Immigration and Border Protection (DIBP) advised that Mr X's case is affected by the judgment handed down on 2 September 2015 by the Full Federal Court (FFC), which found that the International Treaties Obligations Assessment (ITOA) process undertaken by DIBP was procedurally unfair.	
The Minister appealed the FFC decision and on 27 July 2016 the High Court found that the ITOA process was not procedurally unfair.	
22 January 2016	The Federal Circuit Court again adjourned Mr X's judicial review of the International Treaties Obligations Assessment finding that his case did not engage Australia's <i>non-refoulement</i> obligations. No fixed date was provided by DIBP.

**Health and welfare**

Mr X was provided with treatment for physical health issues including back and hip pain. He was also offered treatment and counselling for ongoing mental health issues but declined to attend counselling at the time.
DIBP advised that Mr X had a significant history of suicide attempts and self-harm.

**Case status**

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. He is awaiting the outcome of judicial review.
Mr X was granted a Bridging visa on 24 June 2016 and released from immigration detention.