

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 remained in immigration detention for a cumulative period of more than 36 months (three years). The previous assessment 1002469-O was tabled in Parliament on 21 June 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	1971
Ombudsman ID	1002469-O1
Date of DIBP's report	9 August 2017
Total days in detention	1,094 (at date of DIBP's report)

Recent detention history

Mr X remained in an immigration detention facility.	
8 June 2017	Placed in the community. ¹
28 August 2017	Granted a Final Departure Bridging visa and released from immigration detention.

Recent visa applications/case progression

The Department of Immigration and Border Protection (the department) has advised that under current policy settings Mr X is not eligible to have his protection claims assessed in Australia and remains liable for transfer back to a Regional Processing Centre on completion of his treatment.	
1 June 2017	The Minister intervened under s 197AB of the <i>Migration Act 1958</i> to grant Mr X a community placement.
9 August 2017	The department advised that it is supporting the government of Nauru to finalise the Refugee Status Determination of Mr X while he remains temporarily in Australia for medical treatment.

Health and welfare

<p>International Health and Medical Services (IHMS) advised that Mr X continued to engage with specialist counselling and the mental health team for the management of a history of torture and trauma, depression and an adjustment disorder. Following review in June 2017 a psychiatrist noted an improvement in Mr X's mood and he advised that he continued to comply with his prescribed medication regime.</p> <p>IHMS further advised that Mr X continued to receive treatment for kidney stones, back pain and gastritis. He underwent surgery in January 2017 for treatment of a hernia and was reviewed post-surgery with no concerns identified.</p>	
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¹ Mr X was granted a placement in the community under s 197AB and remained in immigration detention.

Case status

Mr X was granted a Final Departure Bridging visa on 28 August 2017 and was released from immigration detention.