

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O assessment on Mr X who remained in immigration detention for more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	25 September 1979
Ombudsman ID	1002616-O
Date of department's report	6 March 2017
Total days in detention	730 (at date of department's report)

Detention history

7 March 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following the cancellation of his visa under s 501. He was transferred to Facility C.
April 2017	Mr X was released from immigration detention when he voluntarily departed Australia.

Visa applications/case progression

23 August 2003	Arrived in Australia on a provisional partner visa.
16 February 2005	Granted a permanent partner visa.
21 February 2007	Departed Australia for Country B.
5 April 2007	Arrived in Australia on a permanent partner visa after being extradited from Country B to face criminal charges in Australia.
17 December 2014	Permanent partner visa cancelled under s 501.
13 March 2015	Requested revocation of the cancellation of his visa.
11 May 2016	The Minister decided not to revoke the cancellation of his visa.
16 May 2016	Requested removal from Australia.
1 June 2016	Withdrew his request for removal.
3 June 2016	Applied to the Federal Circuit Court (FCC) for judicial review of the Minister's decision not to revoke the cancellation of his visa.
23 June 2016	FCC transferred Mr X's matter to the Federal Court (FC).
12 October 2016	FC set aside the Minister's decision and remitted the matter to the Minister for redetermination in accordance with law.
30 November 2016	The Minister again decided not to revoke the cancellation of his visa.
20 January 2017	Lodged a Protection visa application.
6 March 2017	The Department of Immigration and Border Protection advised that the processing of Mr X's Protection visa application was ongoing.
April 2017	Voluntarily departed Australia.

Criminal history

November 2010	Convicted of manslaughter and sentenced to ten years and eight months imprisonment with a non-parole period of eight years, commencing in March 2007.
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Health and welfare

International Health and Medical Services advised that Mr X received treatment for a ligament tear in his knee and underwent surgery on 23 August 2016.

Case status

Mr X was released from immigration detention when he voluntarily departed Australia in April 2017.
