

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

Under s 486O of the Migration Act 1958

This is the first s 486O report on Mr X who has remained in restricted immigration detention for a cumulative period of more than 30 months (two and a half years).

Name	Mr X
Citizenship	Country A
Year of birth	1985
Ombudsman ID	1002245-O
Date of DIBP's reports	4 December 2015 and 30 May 2016
Total days in detention	912 (at date of DIBP's latest report)

Detention history

9 August 2007	Detained under s 189(1) of the <i>Migration Act 1958</i> after living unlawfully in the community. He was transferred to Villawood Immigration Detention Centre (IDC).
16 September 2008	Granted a Bridging visa and released from immigration detention.
7 January 2015	Re-detained under s 189(1) after being arrested. He was transferred to Villawood IDC.
20 November 2015	Transferred to Wickham Point Alternative Place of Detention.

Visa applications/case progression

Mr X arrived in Australia on 11 October 2004 on a Vocational Education and Training Sector visa. He was granted a further visa which was cancelled for non-attendance. Mr X appealed the cancellation and was granted a Bridging visa, but the Department of Immigration and Border Protection (DIBP) ultimately refused to revoke the cancellation and Mr X remained unlawfully in the community after the Bridging visa expired on 28 November 2006.	
9 August 2007	Mr X was located by authorities and detained under s 189(1).
31 August 2007	Lodged a Protection visa application.
17 September 2007	Protection visa application refused.
21 September 2007	Appealed to the Refugee Review Tribunal (RRT).
3 January 2008	RRT affirmed original decision.
12 March 2008	Requested judicial review by the Federal Magistrates Court.
1 July 2008	Withdrew application for judicial review.
15 September 2008	Granted a Bridging visa.
15 December 2008	Mr X's Bridging visa ceased and he remained unlawfully in the community.

7 January 2015	Re-detained under s 189(1) following his arrest by the New South Wales Police.
19 January 2015	Mr X requested voluntary removal from Australia.
28 January 2015	DIBP requested a travel document for Mr X from the Country A High Commission.
30 May 2016	DIBP advised that Mr X was still waiting to be issued a travel document by the Country A High Commission.

Criminal history

7 January 2015	Mr X was arrested and charged with possessing stolen goods. On 13 August 2015 he was convicted of the charge without penalty.
----------------	---

Health and welfare

International Health and Medical Services advised that Mr X has not required treatment for any major physical or mental health issues.
--

Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. He has requested voluntary removal from Australia and at the time of DIBP's latest review he was waiting to be issued a travel document by the Country A High Commission.
--