

## 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).

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1966
<b>Ombudsman ID</b>	1002617-O
<b>Date of department's report</b>	8 March 2017
<b>Total days in detention</b>	730 (at date of department's report)

### Detention history

9 March 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following his release from a correctional facility. He was transferred to Villawood Immigration Detention Centre.
21 May 2015 – 3 November 2015	Transferred three times between various immigration detention facilities.
March 2017	Voluntarily departed Australia.

### Visa applications/case progression

Mr X first arrived in Australia on a business short stay visa on 21 January 1997 and was subsequently granted multiple further visas, including a permanent partner visa. He departed Australia on multiple occasions and last arrived in Australia on 25 April 2013 on a resident return visa.	
6 February 2015	Resident return visa cancelled under s 501 following criminal convictions.
29 February 2016	A delegate of the Minister decided not to revoke the decision to cancel Mr X's visa under s 501.
19 August 2016	The Administrative Appeals Tribunal affirmed the delegate's decision not to revoke the cancellation of Mr X's visa.
3 February 2017	The Federal Court dismissed Mr X's application for judicial review.
21 February 2017	Requested removal from Australia.

### Criminal history

December 2014	Convicted of fraud offences and sentenced to three years imprisonment with a non-parole period of one year and six months.
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### Health and welfare

International Health and Medical Services advised that Mr X received treatment for physical health concerns, including type 2 diabetes and associated kidney damage.

**Other matters**

Mr X's brother, sister-in-law and niece are Australian citizens.

**Case status**

Mr X was detained on 9 March 2015 following his release from a correctional facility and remained in an immigration detention facility for more than two years.

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