

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the sixth s 486O assessment on Mr X who has remained in immigration detention for more than 90 months (seven and a half years). The previous assessment 1000507-O was tabled in Parliament on 29 November 2017. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X
Citizenship	Country A
Year of birth	1986
Ombudsman ID	1000507-01
Date of department's report	11 December 2017
Total days in detention	2,733 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X has continued to be placed in the community.¹

Recent visa applications/case progression

26 July 2017	The Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Mr X to lodge a temporary visa application as a result of the Department of Home Affairs' unintentional release of personal information. ² On 23 August 2017 he was invited to apply for a temporary visa.
25 September 2017	Lodged a Safe Haven Enterprise visa (SHEV) application.

Health and welfare

International Health and Medical Services advised that Mr X did not receive treatment for any major physical or mental health issues during this assessment period.

Other matters

Mr X is placed in the community with his brother, Mr Y, and his family who are the subjects of Ombudsman assessment 1000279-O1.

¹ Mr X was granted a placement in the community under s 197AB of the *Migration Act 1958* and remains in immigration detention.

² In a media release dated 19 February 2014 the Minister advised that an immigration detention statistics report was released on the department's website on 11 February 2014 which inadvertently disclosed detainees' personal information. The documents were removed from the website as soon as the department became aware of the breach from the media. The Minister acknowledged this was a serious breach of privacy by the department.

Case status

Mr X was detained on 18 June 2010 after arriving in Australia by sea and has remained in immigration detention, both in a detention facility and the community, for more than seven and a half years.

On 26 July 2017 the Minister lifted the bar under s 46A to allow Mr X apply for a temporary visa and on 25 September 2017 Mr X lodged a SHEV application.