

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fourth s 486O assessment on Mr X who remained in immigration detention for more than 60 months (five years). The previous assessment 1001489-O was tabled in Parliament on 13 September 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	1981
Ombudsman ID	1001489-O1
Date of department's reports	3 August 2017 and 1 February 2018
Total days in detention	1,822 (at date of department's latest report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X remained at Yongah Hill Immigration Detention Centre.	
February 2018	Voluntarily departed Australia.

Recent visa applications/case progression

3 February 2017	The Immigration Assessment Authority affirmed the decision to refuse Mr X's Safe Haven Enterprise visa application.
8 March 2017	Applied to the Federal Circuit Court (FCC) for judicial review.
22 May 2017	Withdrew his application for judicial review with the FCC.
23 May 2017	Requested removal from Australia.
26 May 2017	The Department of Home Affairs (the department) lodged an application for a travel document with the authorities of Country A.

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.

Case status

Mr X was detained on 5 February 2013 after arriving in Australia by sea and remained in an immigration detention facility for more than five years.

The Ombudsman's previous assessment recommended that in light of the significant length of time Mr X had remained in detention and the absence of any recent behavioural or security concerns, that he be referred to the minister for consideration under s 195A of the *Migration Act 1958* for the grant of a bridging visa while his immigration status was finalised.

On 13 September 2017 the Minister advised that Mr X had requested to be removed from Australia and consideration of the grant of a bridging visa under s 195A was not appropriate while his removal process was being progressed.

Mr X was released from immigration detention when he voluntarily departed Australia in February 2018.