

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	1984
Ombudsman ID	1002659-O
Date of department's report	4 May 2017
Total days in detention	730 (at date of department's report)

Detention history

5 May 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following the cancellation of his visa. He was transferred to Yongah Hill Immigration Detention Centre.
October 2017	Voluntarily departed Australia.

Visa applications/case progression

Mr X arrived in Australia on 1 November 2009 on a student visa which was cancelled under s 137J on 10 May 2011.	
18 May 2011 – 29 August 2014	Granted 10 bridging visas.
31 July 2012	Temporary Partner visa application refused.
15 January 2014	The Migration Review Tribunal (MRT) affirmed the Department of Home Affairs' (the department) decision to refuse Mr X's Temporary Partner visa application.
8 April 2014	Found not to meet the guidelines for referral to the Minister under s 351 for the Minister to substitute a more favourable decision.
5 May 2015	Bridging visa cancelled under s 116.
20 May 2015	The MRT affirmed the department's decision to cancel Mr X's bridging visa.
24 June 2015	The Administrative Appeals Tribunal affirmed the department's decision to refuse Mr X's Temporary Partner visa application.
18 July 2017	The Federal Circuit Court dismissed Mr X's application for judicial review of the MRT's decision to affirm the department's decision to refuse his Temporary Partner visa application.

Criminal history

2011 – 2015	Mr X was convicted of numerous offences, including assault, possessing stolen property, trespass, disorderly behaviour and gaining benefit by fraud.
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Health and welfare

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

Other matters

Mr X's partner is an Australian citizen.

Case status

Mr X was detained on 5 May 2015 following the cancellation of his visa 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 October 2017.