

**ASSESSMENT (ABRIDGED) BY THE COMMONWEALTH OMBUDSMAN
FOR TABLING IN PARLIAMENT**

Under s 486O of the Migration Act 1958

This is the third s 486O assessment on Mr X who remained in immigration detention for more than 48 months (four years).

The first assessment 1001868 was tabled in Parliament on 4 March 2015 and the second assessment 1002532 was tabled in Parliament on 15 February 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	1994
Ombudsman ID	1001132-O
Date of DIBP's review	8 November 2016
Total days in detention	1,458 (at date of DIBP's review)

Recent detention history

December 2016	Mr X was released from an immigration detention facility when he voluntarily departed Australia.
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Recent visa applications/case progression

23 May 2016	The Department of Immigration and Border Protection (the department) referred Mr X's case to an external agency for an assessment against Public Interest Criterion 4002.
20 July 2016	Found not to meet the guidelines for referral to the Minister under s 195A of the <i>Migration Act 1958</i> .

Other legal matters

On 15 April 2016 Mr X was found guilty of unlawful assault and property damage offences and placed on a 12-month good behaviour bond with no conviction recorded.	
On 8 July 2016 Mr X was found guilty of property damage and disorderly behaviour offences and placed on an 18-month good behaviour bond with no conviction recorded.	

Health and welfare

Mr X has a significant history of complex mental health concerns and continued to be monitored by International Health and Medical Services. He was also provided with treatment for physical health concerns, including hepatitis C.	
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Other matters

6 January 2016	Mr X lodged a complaint with the Office of the Commonwealth Ombudsman in relation to his treatment in detention by Serco officers. The department provided a response and on 25 August 2016 the complaint was finalised.
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11 March 2016	The department was notified that Mr X had lodged a complaint with the Australian Human Rights Commission. On 27 April 2016 the department was advised that Mr X had withdrawn his complaint.
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Case status

Mr X was released from an immigration detention facility when he voluntarily departed Australia in December 2016.

The Ombudsman's previous assessment (1002532) noted Mr X's complex mental health concerns and recommended that consideration be given to placing him in community detention or a less restrictive Alternative Place of Detention while he awaits reconsideration of his Safe Haven Enterprise visa application.

On 15 February 2017 the Minister noted the recommendation and advised Mr X had voluntarily departed Australia.