

## 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>	1973
<b>Ombudsman ID</b>	1002573-O
<b>Date of DIBP's report</b>	16 January 2017
<b>Total days in detention</b>	732 (at date of DIBP's report)

### Detention history

27 January 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following his release from a correctional facility.
April 2017	Mr X was released from immigration detention when he was removed from Australia.

### Visa applications/case progression

18 September 2015	Lodged a Protection visa application.
29 July 2016	Protection visa application refused.
5 October 2016	Requested removal from Australia. Mr X withdrew this request on 1 November 2016.
8 December 2016	Mr X's legal representative requested the Department of Immigration and Border Protection (the department) investigate and remedy the exclusion of Mr X and his siblings from his mother's citizenship application made in 1980. The matter remained ongoing at the time of the department's report.

### Health and welfare

Mr X was provided with treatment for physical health concerns including hepatitis C, chronic back pain, and injuries sustained following incidents of assault. He also received treatment and attended counselling for mental health concerns including an adjustment disorder and a history of attempted suicide.
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### Other matters

The department advised that Mr X had multiple immediate family members residing in Australia, including three children, four siblings and his parents.	
The department further advised that Mr X had an extensive criminal history including three sexual offences, and was respectively sentenced to nine years, five years and three years of imprisonment.	
9 June 2015 and 3 December 2015	Incident Reports recorded that Mr X was allegedly assaulted by other detainees on two occasions.

**Case status**

Mr X was released from immigration detention when he was removed from Australia in April 2017.