

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 remained in immigration detention for a cumulative period of more than 72 months (six years). The previous assessment 1000853-O1 was tabled in Parliament on 6 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	1980
Ombudsman ID	1000853-O2
Date of department's report	19 June 2017
Total days in detention	2,186 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X continued to be placed in the community. ¹	
11 December 2017	Granted a Final Departure Bridging visa and released from immigration detention.

Recent visa applications/case progression

22 February 2016	The High Court (HC) dismissed Mr X's application for judicial review of the Federal Circuit Court's decision to affirm the refusal of his Temporary Protection visa application.
22 March 2017	Applied to the HC for leave to apply for judicial review of the HC's decision of 22 February 2016.
11 December 2017	Granted a Final Departure Bridging visa.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X continued to receive treatment for depression and regularly attended psychiatric reviews and psychological counselling. The psychologist noted that Mr X presented with symptoms of post-traumatic stress disorder related to his ongoing detention and recommended that his caseworker regularly conduct welfare checks. In February 2017 Mr X was prescribed with medication for sleep concerns and in May 2017 he presented with increased anxiety and fear related to his immigration pathway. Mr X continued to await an appointment to undergo neurocognitive testing at a hospital memory clinic at the time of IHMS's report.

IHMs further advised that Mr X continued to receive treatment for multiple physical health conditions, including chronic neck pain and asthma. He was awaiting an appointment with a pneumonology clinic and ear nose and throat specialist at the time of IHMS's report.

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

Other matters

9 November 2017	Mr X lodged a complaint with the Office of the Commonwealth Ombudsman (the Office) in relation to damage to his personal property at Christmas Island Immigration Detention Centre. The Office investigated the complaint and the department advised that there had been an oversight in the processing of Mr X's compensation claim. Serco subsequently contacted Mr X to finalise his compensation claim and on 21 December 2017 the complaint was finalised.
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Case status

Mr X was detained on 24 June 2011 after arriving in Australia by sea and remained in immigration detention, both in a detention facility and the community, for more than six years.

Mr X was granted a Final Departure Bridging visa on 11 December 2017 and released from immigration detention.