

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the second s 486O assessment on Mr X who remained in immigration detention for a cumulative period of more than 36 months (three years). The previous assessment 1002447-O was tabled in Parliament on 6 September 2017. This assessment provides an update and should be read in conjunction with the previous assessment.

Name	Mr X
Citizenship	Country A
Year of birth	1989
Ombudsman ID	1002447-O1
Date of DIBP's report	11 July 2017
Total days in detention	1,094 (at date of DIBP's report)

Recent detention history

Mr X continued to be placed in the community. ¹	
28 August 2017	Granted a Final Departure Bridging visa and released from immigration detention.

Recent visa applications/case progression

The Department of Immigration and Border Protection (the department) has advised that under current policy settings Mr X is not eligible to have his protection claims assessed in Australia and remains liable for transfer back to a Regional Processing Centre on completion of his treatment.	
10 April 2017	The Minister intervened under s 197AB of the <i>Migration Act 1958</i> to grant Mr X a community placement.
11 July 2017	The department advised that it is supporting the government of Nauru to finalise the Refugee Status Determination of Mr X while he remains temporarily in Australia for medical treatment.

Health and welfare

<p>International Health and Medical Services (IHMS) advised that Mr X's urological concerns continued to be investigated. Following specialist review in March 2017 Mr X was diagnosed with chronic nerve pain and was informed that surgical intervention was not required. He was referred to a pain management clinic for consideration of a nerve block however the appointment was cancelled due to Mr X's subsequent placement in the community.</p> <p>IHMS further advised that Mr X continued to engage with specialist counselling for the management of a history of torture and trauma.</p>	
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Case status

Mr X was granted a Final Departure Bridging visa on 28 August 2017 and was released from immigration detention.

¹ Mr X was granted a placement in the community under s 197AB and remained in immigration detention.