

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	1981
Ombudsman ID	1002717-O
Date of department's report	18 July 2017
Total days in detention	730 (at date of department's report)

Detention history

19 July 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following his release from a correctional facility. He was transferred to Facility B.
November 2017	Voluntarily departed Australia.

Visa applications/case progression

Mr X arrived in Australia on 20 February 2013 on a permanent visa.	
2 July 2015	Permanent visa cancelled under s 501 following criminal convictions.
9 August 2016	The Department of Home Affairs (the department) refused to revoke the decision to cancel his visa under s 501.
12 July 2017	The Administrative Appeals Tribunal affirmed the department's decision.

Criminal history

December 2014 – April 2015	Convicted of contravening an Apprehended Violence Order on 40 occasions and multiple additional offences, including possessing a prohibited weapon and using a carriage service to harass and offend. He was issued with fines and was sentenced to multiple terms of imprisonment.
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Health and welfare

International Health and Medical Services (IHMS) advised that Mr X has a history of substance abuse and was commenced on opiate replacement therapy in August 2015. He also received treatment for insomnia and anxiety but declined a referral for counselling.

IHMS further advised that Mr X was diagnosed with hepatitis C and prescribed with treatment, however the provision of the treatment was on hold pending the department's approval.

Other matters

Mr X's estranged wife and son reside in the Australian community.

Case status

Mr X was detained on 19 July 2015 following his release from a correctional facility 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 November 2017.