

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 has remained in immigration detention for more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1978
Ombudsman ID	1002769-O
Date of department's report	25 September 2017
Total days in detention	730 (at date of department's report)

Detention history

26 September 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following his release from a correctional facility. He was transferred to Villawood Immigration Detention Centre (IDC).
16 November 2016	Transferred to Christmas Island IDC.
27 July 2017	Transferred to Villawood IDC.

Visa applications/case progression

Mr X arrived in Australia on 1 July 2010 on a Global Special Humanitarian visa.	
3 August 2015	Global Special Humanitarian visa mandatorily cancelled under s 501.
24 August 2015	Mr X lodged a Request for Revocation of Cancellation. On 3 May 2017 the Assistant Minister decided not to revoke the decision to cancel Mr X's visa under s 501.
16 May 2017	Requested removal from Australia.
25 September 2017	The Department of Home Affairs (the department) advised that it was progressing Mr X's removal from Australia.

Criminal history

February 2015	Convicted of two assault related offences and sentenced to one year and three months imprisonment with a non-parole period of seven months.
25 September 2017	The department advised that Mr X has been the subject of a two-year Apprehended Violence Order.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X was prescribed with medication for gastrological issues and provided with orthotics for foot concerns.

IHMS further advised that Mr X disclosed a history of torture and trauma and engaged with a psychologist to discuss the complex social issues which led to his incarceration in a correctional facility.

Other matters

The department advised that Mr X's estranged wife and two children reside in Australia and their application for conferral of citizenship had been approved.

Case status

Mr X was detained on 26 September 2015 following his release from a correctional facility and has remained in an immigration detention facility for more than two years.

Mr X's Global Special Humanitarian visa was mandatorily cancelled under s 501 on 3 August 2015 and on 3 May 2017 the Assistant Minister decided not to revoke the decision to cancel his visa.

On 16 May 2017 Mr X requested removal from Australia.