

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fourth s 486O assessment on Mr X who remained in immigration detention for more than 54 months (four and a half years). The previous assessment 1001306-O was tabled in Parliament on 13 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	1981
Ombudsman ID	1001306-O1
Date of department's report	5 October 2017
Total days in detention	1,640 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X remained at Facility B.	
19 October 2017	Granted a bridging visa and released from immigration detention.

Recent visa applications/case progression

17 August 2017	The Federal Circuit Court ordered that the Administrative Appeal Tribunal's (AAT) decision to affirm the refusal of Mr X's Temporary Protection visa application be set aside and remitted the matter to the AAT for reconsideration.
21 August 2017	The AAT commenced reconsideration.
21 September 2017	Mr X's case was referred on a ministerial submission for consideration under s 195A of the <i>Migration Act 1958</i> for the grant of a bridging visa.
5 October 2017	The Department of Home Affairs (the department) advised that Mr X remained a person of interest to an external agency, however the external agency did not object to him being granted a bridging visa.
19 October 2017	Granted a bridging visa.

Health and welfare

International Health and Medical Services advised that Mr X engaged with the mental health team and regularly attended specialist counselling for the management of a history of torture and trauma. A treating counsellor advised that it was unlikely that counselling would have a significant impact on Mr X's mental state until his chronic situational stressors were resolved. In May 2017 a psychiatrist noted that he displayed some symptoms of detention fatigue.

Case status

Mr X was detained on 9 April 2013 after arriving in Australia by sea and remained in an immigration detention facility for more than four and a half years.

The Ombudsman's previous assessment recommended that Mr X's case be referred to the Minister for consideration under s 195A for the grant of a bridging visa.

On 13 September 2017 the Minister advised that the department was preparing a submission to refer Mr X's case to him for consideration under s 195A.

Mr X was granted a bridging visa on 19 October 2017 and released from immigration detention.