

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 two years.

Name	Mr X
Citizenship	Country A
Year of birth	1985
Ombudsman ID	1002830-O
Date of department's report	19 January 2018
Total days in detention	730 (at date of department's report)

Detention history

January 2016	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
December 2017	Transferred to Facility C.
March 2018	Voluntarily departed Australia.

Visa applications/case progression

Mr X first arrived in Australia with his parents in December 1990 as an exempt non-citizen. Since June 1992, he continued to reside in Australia.	
November 2003	Granted a visa.
January 2016	Visa mandatorily cancelled under s 501.
January 2016	Mr X lodged a request for revocation of the cancellation of his visa. In September 2016 a delegate of the Minister decided not to revoke the decision to cancel Mr X's visa under s 501.
September 2017	The Administrative Appeals Tribunal affirmed the delegate's decision.
November 2017	Applied to the Federal Circuit Court for judicial review. The matter was adjourned on multiple occasions and discontinued at Mr X's request in February 2018.

Criminal history

2004 – 2014	Convicted of multiple offences for which he received sentences including fines and placement on a good behaviour bond.
August 2015	Convicted of an offence and sentenced to three years and nine months imprisonment with a non-parole period of two years.

Health and welfare

International Health and Medical Services advised that Mr X was prescribed with medication and attended specialist review for the treatment of a medical condition.	
---	--

Other matters

Mr X has three children from a previous relationship and his parents reside in Australia.

Case status

Mr X was detained in January 2016 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 March 2018.