

**ASSESSMENT (ABRIDGED) BY THE COMMONWEALTH OMBUDSMAN
FOR TABLING IN PARLIAMENT**

Under s 486O of the Migration Act 1958

This is the third s 486O assessment on Mr X who remained in immigration detention for a cumulative period of more than 48 months (four years). The previous assessment 1001264-O was tabled in Parliament on 1 March 2017. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X
Citizenship	Country A, born in Country B
Year of birth	1990
Ombudsman ID	1001264-O1
Date of DIBP's report	8 March 2017

Recent detention history

17 August 2017	Granted a permanent visa and released from an immigration detention facility.
----------------	---

Recent visa applications/case progression

7 December 2016	Mr X's representative requested ministerial intervention under s 195A of the <i>Migration Act 1958</i> for the grant of a bridging visa in association with Mr X's permanent visa application.
1 March 2017	Mr X provided further information in relation to his permanent visa application.

Other legal matters

On 2 December 2016 a court found that Mr X was suffering from a mental illness when he escaped from immigration detention and the related charges were dismissed. The Commonwealth Director of Public Prosecutions appealed the dismissal on 22 December 2016 and a hearing was scheduled for 4 May 2017.

Health and welfare

Mr X was provided with treatment for insomnia and low mood. He also presented with concerns relating to his prolonged separation from his partner, who resides in the community, and subsequently attended counselling.

Other matters

17 October 2016	The Department of Immigration and Border Protection provided a response to the Australian Human Rights Commission in relation to Mr X's complaint.
27 February 2017	The Office of the Commonwealth Ombudsman finalised Mr X's complaint in relation to his detention conditions.

Case status

The Ombudsman's previous assessment (1001264-O) recommended that Mr X's wife and child be allowed to visit him at Facility C or that escorted home visits take place, unless cogent and compelling reasons preclude either of these arrangements.

On 1 March 2017 the Minister advised that progress was occurring in regard to Mr X's permanent visa application and arrangements are in place to allow his child to have regular visitation access. The Minister further advised that other visitation arrangements were not considered appropriate at that time due to security concerns.

Mr X was granted a permanent visa on 17 August 2017 and released from immigration detention.