

## ASSESSMENT 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 has remained in immigration detention for a cumulative period of more than four years. The previous assessment 1003367 was tabled in Parliament on 8 November 2016. This assessment provides an update and should be read in conjunction with the previous assessments.

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1995
<b>Ombudsman ID</b>	1001123-O
<b>Date of department's reports</b>	1 September 2017 and 2 March 2018
<b>Total days in detention</b>	1,458 (at date of department's latest report)

### Recent detention history

August 2017	Re-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.
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### Recent visa applications/case progression

October 2015	Lodged a Temporary Protection visa (TPV) application.
February 2016	Granted a bridging visa and released from immigration detention.
September 2016	Withdrew his TPV application. Mr X's family lodged a Safe Haven Enterprise visa (SHEV) application that included Mr X as a dependant.
March 2017	Bridging visa cancelled under s 116.
March 2018	The Department of Home Affairs (the department) advised that it continued to assess Mr X's SHEV application.

### Criminal history

September 2016 – March 2017	Convicted of multiple offences and sentenced to terms of imprisonment of up to one year, suspended upon entering a good behaviour bond.
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### Health and welfare

International Health and Medical Services (IHMS) advised that Mr X was previously diagnosed a number of mental health conditions. During this assessment period Mr X was referred for specialist counselling for the management of a history of torture and trauma.

IHMS further advised that Mr X was unintentionally provided with an incorrect amount of a prescribed medication and was monitored by the IHMS medical team.

### Other matters

Mr X's mother and brothers reside in the community on bridging visas.

**Information provided by Mr X**

During an interview with Ombudsman staff in September 2017 Mr X advised that he had arrived in Australia with his family when he was seventeen years old. He explained that when he was placed in the community he was not allowed to work or study.

Mr X advised that he had lodged a SHEV application and had a lawyer to assist with his family's immigration case.

Mr X advised that he had put in a request to attend specialist counselling and had been waiting several weeks to see a psychologist.

Mr X advised that he participated in activities at the centre including English classes and soccer and that his family visited him regularly.

**Case status**

Mr X was detained in August 2012 after arriving in Australia by sea and has remained in immigration detention, both in a detention facility and the community, for a cumulative period of more than four years.

In March 2017 Mr X's bridging visa was cancelled under s 116 and in September 2016 Mr X's family lodged a SHEV application that included Mr X as a dependant.

At the time of the department's latest report Mr X was awaiting the outcome of his SHEV application.