

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 1002247-O1 was tabled in Parliament on 18 October 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	1987
Ombudsman ID	1002247-O2
Date of department's report	30 November 2017
Total days in detention	1,458 (at date of department's report)

Recent detention history

Since the Ombudsman's previous assessment, Mr X has remained at Facility B.

Recent visa applications/case progression

November 2017	<p>The Department of Home Affairs (the department) advised that its reconsideration of Mr X's Temporary Protection visa (TPV) application remained ongoing.</p> <p>The department further advised that it is considering refusal of Mr X's TPV under s 501 of the <i>Migration Act 1958</i> due to his criminal conviction.</p>
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Health and welfare

International Health and Medical Services advised that Mr X received treatment for a medical condition.

Recent detention incidents

June 2017 – November 2017	Incident Reports recorded that Mr X allegedly displayed abusive and aggressive behaviour toward detention centre staff.
November 2017	An Incident Report recorded that Mr X was allegedly the victim of threatened harm by other detainees. Mr X was placed in a separate compound for his safety.

Case status

Mr X was detained in June 2012 after arriving in Australia by sea and has remained in an immigration detention facility for a cumulative period of more than four years.

The department has advised that it is considering refusal of Mr X's TPV under s 501 due to his criminal conviction.

At the time of its latest report, the department's reconsideration of Mr X's TPV application remained ongoing.