

## ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

*Under s 486O of the Migration Act 1958*

This is the seventh s 486O assessment on Mr X who has remained in immigration detention for more than six and a half years. The previous assessment 1000857-O1 was tabled in Parliament on 29 November 2017. 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>	1971
<b>Ombudsman ID</b>	1000857-O2
<b>Date of department's report</b>	2 January 2018
<b>Total days in detention</b>	2,370 (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

August 2017	Withdrew his application for voluntary removal.
January 2018	<p>The Department of Home Affairs (the department) advised that as Mr X has no matters before the department, the courts or tribunals, he has been referred for removal action.</p> <p>The department further advised that it continued to investigate Mr X's identity for the purpose of progressing his removal.</p> <p>The department advised that Mr X is not being considered for referral to the Minister under s 195A of the <i>Migration Act 1958</i> for the grant of a bridging visa while his removal is ongoing.</p>

### Health and welfare

International Health and Medical Services (IHMS) advised that Mr X attended a mental health screening to monitor a cognitive concern in September 2017 and it was reported that Mr X had adapted to his limiting circumstances and unpredictable future and that there was no evidence of mental illness. He continued to be routinely monitored.

IHMS further advised that Mr X attended a care planning session relating to a physical health concern which did not identify any ongoing issues. Mr X continued to decline further testing and did not attend an appointment in October 2017.

November 2017	An Incident Report recorded that Mr X refused food and fluid.
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**Case status**

Mr X has been found not to be owed protection under the *Migration Act 1958* and has remained in an immigration detention facility for more than six and a half years.

In August 2017 Mr X withdrew his application for voluntary removal. He has no matters before the department, the courts or tribunals and has been referred for removal action.

In January 2018 the department advised that it continued to investigate Mr X's identity for the purpose of progressing his removal.