

**ASSESSMENT (ABRIDGED) 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 a cumulative period of more than 30 months (two and a half years).

Name	Mr X
Citizenship	Country A
Year of birth	1968
Ombudsman ID	1002556-O
Date of DIBP's reports	18 December 2016 and 18 June 2017
Total days in detention	912 (at date of DIBP's latest report)

Detention history

10 March 2013	Detained under s 189(1) of the <i>Migration Act 1958</i> following the expiry of his bridging visa.
12 June 2013	Granted a bridging visa and released from an immigration detention facility.
23 March 2015	Re-detained under s 189(1) following the cancellation of his bridging visa.
27 July 2017	Granted a bridging visa and released from an immigration detention facility.

Visa applications/case progression

14 December 2007	Arrived in Australia on a working visa.
13 September 2011	Working visa cancelled under s 116 after Mr X's employer withdrew sponsorship.
6 November 2013	Partner visa application refused.
17 April 2014	Migration Review Tribunal (MRT) affirmed the Department of Immigration and Border Protection's (the department) decision to refuse Mr X's Partner visa application.
22 October 2015	Protection visa application refused.
21 June 2016	The Federal Circuit Court remitted the refusal of Mr X's Partner visa application to the Administrative Appeals Tribunal (AAT) ¹ for reconsideration.
8 December 2016	AAT remitted the matter to the department for reconsideration.

¹ On 1 July 2015 the MRT and Refugee Review Tribunal were merged into the AAT.

Criminal history

February 2012	Sentenced to 18 months imprisonment for assault. Mr X was released from a correctional facility on 10 March 2013.
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Health and welfare

Mr X was provided with treatment for a colorectal abnormality.
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Other matters

5 May 2014	Mr X married Ms Y, who is an Australian citizen and his Partner visa sponsor.
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Information provided by Mr X

<p>During an interview with Ombudsman staff at Facility B in May 2017 Mr X advised that his case had been successful at the AAT and he was waiting to receive a Partner visa. He said the department was conducting character and police checks.</p> <p>Mr X advised that his detention has caused his wife a lot of stress. He said he felt worried and guilty because she was managing two businesses to pay for his lawyer and he was unable to help her.</p>
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Case status

Mr X was granted a bridging visa on 27 July 2017 and released from immigration detention.
