

## ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

*Under s 486O of the Migration Act 1958*

This is the second s 486O assessment on Mr X who has remained in immigration detention for more than three and a half years. The previous assessment 1002504-O was tabled in Parliament on 18 October 2017. This assessment provides an update and should be read in conjunction with the previous assessment.

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1975
<b>Ombudsman ID</b>	1002504-O1
<b>Date of department's reports</b>	15 September 2017 and 16 March 2018
<b>Total days in detention</b>	1,276 (at date of department's latest report)

### Recent detention history

Since the Ombudsman's previous assessment, Mr X remained at Facility C.	
August 2017	Transferred to Facility D.

### Recent visa applications/case progression

September 2017	The Federal Circuit Court (FCC) dismissed Mr X's application for judicial review of the Administrative Appeals Tribunal's decision to affirm the refusal of his Protection visa application.
October 2017	Mr X appealed the decision of the FCC to the Federal Court. He withdrew his appeal in March 2018.

### Health and welfare

International Health and Medical Services advised that Mr X had reported low mood, detention fatigue and frustration related to his immigration pathway and his transfer to Facility D. He expressed concern that following his transfer, his family could not visit him and the facilities available at Facility D were different to those at Facility C.	
November 2017	An Incident Report recorded that Mr X refused food and fluid.

### Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion and has remained in an immigration detention facility for more than three and a half years. At the time of the Department of Home Affairs' latest report Mr X was awaiting the outcome of judicial review.  In March 2018 Mr X withdrew his application for judicial review.	
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