

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABELING 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 a cumulative period of more than three years. The previous assessment 1002561-O was tabled in Parliament on 29 November 2017. This assessment provides an update and should be read in conjunction with the previous assessment.

Name	Mr X
Citizenship	Country A
Year of birth	1984
Ombudsman ID	1002561-O1
Date of department's report	2 January 2018
Total days in detention	1,097 (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

July 2017	Applied to the Federal Circuit Court for judicial review of the Immigration Assessment Authority's decision to affirm the refusal of his Safe Haven Enterprise visa application. The matter was adjourned on multiple occasions and was scheduled for hearing in May 2018 and May 2019.
January 2018	The Department of Home Affairs (the department) advised that Mr X was not being considered under s 195A of the <i>Migration Act 1958</i> for the grant of a bridging visa as he was considered to be a risk to the community.

Health and welfare

International Health and Medical Services advised that Mr X continued to be monitored for a chronic medical condition and was referred for review with a specialist.

Other matters

May 2017	Mr X lodged a complaint with the Office of the Commonwealth Ombudsman in relation to his continued detention after the charges against him were withdrawn. His concerns were raised with status resolution officers and on the same day the complaint was finalised.
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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 detention, both in a detention facility and the community, for a cumulative period of more than three years.

At the date of the department's report Mr X was awaiting the outcome of judicial review.