

**REPORT BY THE COMMONWEALTH AND
IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT**

Under s 486O of the Migration Act 1958

This is the second s 486O report on Mr X who has remained in restricted immigration detention for a cumulative period of more than 36 months (three years).

The first report 1002286-O was tabled in Parliament on 14 September 2016. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A ¹
Year of birth	1993
Ombudsman ID	1002286-O1
Date of DIBP's reports	13 July 2016 and 10 January 2017
Total days in detention	1094 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002286-O), Mr X has remained at Yongah Hill Immigration Detention Centre.

Recent visa applications/case progression

12 May 2016	Mr X's case was referred on a ministerial submission for consideration under s 195A of the <i>Migration Act 1958</i> for the grant of a Bridging visa. On 25 May 2016 the Minister declined to intervene.
26 May 2016	Mr X provided the Department of Immigration and Border Protection (the department) an identity document and additional information by way of sworn affidavit to support his protection claims.
9 September 2016	Mr X was issued a notice under s 487ZJ for providing a bogus identity document. The department advised that this identity document has been forfeited to the Commonwealth.
27 September 2016	Mr X's case was referred on a ministerial submission for consideration under s 195A for the grant of a Bridging visa. The Minister declined to consider his case on 12 December 2016.
19 October 2016	Safe Haven Enterprise visa (SHEV) application refused. The department advised that Mr X is excluded from the 'fast track' review process due to providing a bogus document as defined under s 5(1)(a).
20 December 2016	Requested judicial review by the Federal Circuit Court (FCC).

¹ Mr X's country of citizenship was previously recorded as Country B, until the department's review of 10 January 2017, which recorded it as Country A.

Health and welfare

International Health and Medical Services advised that Mr X has not required treatment for any major physical or mental health issues.

Other matters

16 February 2016

The police informed the department that there would be no further investigation into the incident of April 2014 and the matter was closed.

Case status

Mr X was detained on 31 March 2013 after arriving in Australia by sea and has been held in detention for a cumulative period of more than three years.

Mr X's SHEV application was refused on 19 October 2016 and on 20 December 2016 Mr X requested judicial review by the FCC following his exclusion from the fast track process.