

ASSESSMENT 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 more than two years.

Name	Mr X
Citizenship	Country A
Year of birth	1990
Ombudsman ID	1002823-O
Date of department's report	27 December 2017
Total days in detention	730 (at date of department's report)

Detention history

December 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> following his release from a correctional facility. He was transferred to Facility B.
January 2016	Transferred to Facility C.
February 2018	Removed from Australia.

Visa applications/case progression

Mr X arrived in Australia in March 2009 on a Vocational Education and Training Sector (Student) visa that was valid until March 2010.	
March 2010	Lodged a Student visa application and granted an associated bridging visa that ceased in October 2010.
May 2010	Student visa application refused.
September 2010	The Migration Review Tribunal was found not to have jurisdiction to consider Mr X's application for merits review.
October 2010	Lodged a Protection visa application and granted an associated bridging visa that ceased in May 2012, after which Mr X resided unlawfully in the community.
October 2011	Protection visa application refused.
March 2012	The Refugee Review Tribunal affirmed the refusal decision.
October 2017	The Department of Home Affairs lodged an application for a travel document with the authorities of Country A on behalf of Mr X.
November 2017	Found not to meet the guidelines for referral to the Minister under s 195A for the grant of a bridging visa.

Criminal history

September 2015	Convicted of three offences and sentenced to three months imprisonment.
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Health and welfare

International Health and Medical Services (IHMS) advised that Mr X underwent routine psychiatric review where it was noted that he displayed symptoms of mental health concerns related to his situational circumstances.

IHMS further advised that Mr X experienced intermittent medical concerns and was provided with treatment as required.

Case status

Mr X was detained in December 2015 following his release from a correctional facility and remained in an immigration detention facility for more than two years.

Mr X was released from immigration detention when he was involuntarily removed from Australia in February 2018.