

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

*Under s 486O of the Migration Act 1958*

This is the second s 486O report on Mr X. The first report 1377/13 was tabled in Parliament on 26 June 2013. This report updates the material in that report and should be read in conjunction with the previous report.

<b>Name</b>	Mr X
<b>Citizenship</b>	Stateless (claimed), born in Country A
<b>Year of birth</b>	1964
<b>Ombudsman ID</b>	1001208
<b>Date of DIAC's and DIBP's reports</b>	16 September 2013 and 12 March 2014
<b>Total days in detention</b>	1,460 (at date of DIBP's latest report)

### Recent detention history

Since the Ombudsman's previous report (1377/13), Mr X has remained in community detention.

### Recent visa applications/case progression

15 March 2013	Mr X was advised that following the outcome of judicial review, his protection claims would be reassessed under the Protection Obligations Evaluation (POE) process.
8 May 2013	The former Minister agreed to intervene under s 195A of the <i>Migration Act 1958</i> to consider Mr X for the grant of a Bridging visa. In its latest report of 12 March 2014, the Department of Immigration and Border Protection (DIBP) advised that this matter was not referred to the Minister due to concerns in relation to Mr X's ongoing mental and physical health issues.
12 September 2013	Attended POE interview.
1 November 2013	Mr X provided DIBP with additional information in support of his protection claims. The outcome of this matter was outstanding at the time of the latest report from DIBP.

### Health and welfare

24 June 2013	Attended appointment with general practitioner (GP) due to recurring thoughts of torture and trauma.
10 September 2013	International Health and Medical Services (IHMS) advised that Mr X continues to see a GP and is prescribed medication for his depression. He is also prescribed with medication for a chronic gastrointestinal issue, which is managed by his GP.

14 October 2013	GP referred him to an audiologist due to hearing difficulties. There was no evidence of an appointment being attended in the report from IHMS. On the same day, his GP also re-referred him for specialist torture and trauma counselling and wrote a support letter recommending that Mr X be granted a visa.
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### **Information provided by Mr X**

During a telephone conversation with Ombudsman staff on 26 March 2014, Mr X stated that he suffers from severe mental and physical health issues requiring him to take more than 10 tablets each day. He has an intestinal issue which involves him being on a special diet that only includes fruit and vegetables and he struggles to comply with the diet recommended by his GP as it is expensive.

Mr X further advised that he has problems with memory loss and is suffering because his life is in limbo and life and death are equal for him.

### **Case status**

Mr X is awaiting the reassessment of his protection claims following the outcome of the judicial review of his Independent Merits Review Decision.