

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 immigration detention for a cumulative period of more than 42 months (three and a half years).

The first report 1002265 was tabled in Parliament on 9 September 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1985
Ombudsman ID	1003043
Date of DIBP's reports	27 July 2015, 18 January 2016 and 15 July 2016
Total days in detention	1276 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002265), Mr X remained at Maribyrnong Immigration Detention Centre (IDC).	
28 May 2015	Transferred to Christmas Island IDC.
5 November 2015	Transferred to Yongah Hill IDC.

Recent visa applications/case progression

10 July 2015	Mr X was notified that the Minister had lifted the bar under s 46A of the <i>Migration Act 1958</i> and he was invited to lodge a temporary visa application.
9 September 2015	Lodged a Safe Haven Enterprise visa (SHEV) application with an associated Bridging visa application.
8 February 2016	Mr X's case was referred on a first stage ministerial submission for consideration under s 195A for the grant of a Bridging visa.
17 February 2016	Associated Bridging visa application deemed invalid.
2 March 2016	The Minister declined to intervene under s 195A.
15 July 2016	The Department of Immigration and Border Protection (DIBP) advised that Mr X's case has been identified for assessment against the guidelines under s 195A.

Criminal history

14 August 2015	Mr X appeared before the Magistrates Court of State B after failing to meet his obligations under a Diversion Plan. He was convicted of arson and ordered to pay costs. DIBP advised that the matter is considered finalised.
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Health and welfare

International Health and Medical Services (IHMS) advised that Mr X continued to be monitored by the mental health team (MHT) for management of an adjustment disorder with associated anxiety. IHMS advised that no further mental health concerns were reported since the previous Ombudsman report and Mr X self-referred to the MHT as required.

IHMS further advised that Mr X received ongoing treatment for a skin condition.

Case status

Mr X was detained on 14 September 2010 after arriving in Australia aboard Suspected Illegal Entry Vessel *Jetsonville* and has been held in detention for a cumulative period of more than three and a half years.

On 10 July 2015 DIBP notified Mr X that the Minister had lifted the bar under s 46A to allow him to apply for a temporary visa and on 9 September 2015 he lodged a SHEV application.