

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O report on Mr X who has remained in immigration detention for more than 30 months (two and a half years).

Name	Mr X
Citizenship	Country A
Year of birth	1984
Ombudsman ID	1002206-O
Date of DIBP's reports	30 October 2015 and 27 April 2016
Total days in detention	910 (at date of DIBP's latest report)

Detention history

7 August 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 823 <i>Gadsden</i> .
26 September 2013	Mr X was released from detention when he voluntarily departed from Australia and returned to Indonesia.
19 December 2013	Detained under ss 189(3) and 250 after arriving in Australia aboard SIEV 871 <i>Catherine</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
23 December 2013	Transferred to Christmas Island Immigration Detention Centre (IDC).
16 April 2014	Transferred to Wooroloo Prison Farm APOD.

Visa applications/case progression

17 January 2014	Mr X was issued with a Criminal Justice Stay Certificate.
12 March 2014	The Department of Immigration and Border Protection (DIBP) notified Mr X of the unintentional release of personal information. ¹

Criminal history

7 August 2013	Mr X was issued with a warning from the Australian Federal Police for his suspected involvement in people smuggling activities.
16 April 2014	Mr X was charged with people smuggling offences and transferred to Wooroloo Prison Farm APOD.
11 December 2014	Mr X was sentenced to five years imprisonment with a non-parole period of three years. His estimated earliest date of release is 10 December 2016.

¹ In a media release dated 19 February 2014 the former Minister advised that an immigration detention statistics report was released on DIBP's website on 11 February 2014 which inadvertently disclosed detainees' personal information. The documents were removed from the website as soon as DIBP became aware of the breach from the media. The Minister acknowledged this was a serious breach of privacy by DIBP.

Health and welfare

International Health and Medical Services advised that Mr X did not require treatment for any major physical or mental health issues while it provided his healthcare.

Following his transfer to Wooroloo Prison Farm, Mr X's health and welfare is managed by the Western Australia Department of Corrective Services.

Case status

Mr X is currently serving a custodial sentence. His estimated earliest release date is 10 December 2016.