

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fourth s 486O report on Mr X who remained in restricted immigration detention for more than 54 months (four and a half years).

The first report 1001135 was tabled in Parliament on 12 February 2014, the second report 1001423 was tabled in Parliament on 18 June 2014 and the third report 1001727 was tabled in Parliament on 18 March 2015. This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Mr X
Citizenship	Country A
Year of birth	1986
Ombudsman ID	1002210
Date of DIBP's reports	27 January 2015, 22 July 2015 and 16 January 2016
Total days in detention	1640 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1001727), Mr X remained at Yongah Hill Immigration Detention Centre (IDC).	
8 April 2014	Transferred to Melbourne Immigration Transit Accommodation (ITA).
22 November 2014	Transferred to Maribyrnong IDC.
24 November 2015	Transferred to Melbourne ITA.
2 March 2016	Granted a Bridging visa and released from immigration detention.

Recent visa applications/case progression

2 September 2014	The Department of Immigration and Border Protection (DIBP) advised that Mr X was assessed as not being affected by the Full Federal Court's decision of 20 March 2013. ¹
5 September 2014	Mr X was issued with a letter inviting him to comment on the unintentional release of personal information through DIBP's website. ²
26 September 2014	He provided a response to the privacy breach.
16 October 2014	Found not to meet the guidelines for referral to the former Minister under s 195A of the <i>Migration Act 1958</i> .

¹ *Minister for Immigration and Citizenship v SZQRB* [2013] FCAFC 33.

² 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.

14 January 2015	Mr X was issued with a letter notifying him of the commencement of an International Treaties Obligations Assessment (ITOA) to assess whether his circumstances engage Australia's <i>non-refoulement</i> obligations.
14 November 2015	Mr X's case was referred on a first stage ministerial submission for consideration under s 195A for the grant of a Bridging visa.
20 November 2015	DIBP finalised the ITOA, determining Mr X's case engaged Australia's <i>non-refoulement</i> obligations.
2 March 2016	Granted a Bridging visa.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X suffered from anxiety, depression, an adjustment disorder and post-traumatic stress disorder. He was prescribed with medication to manage his conditions and received intermittent support from the mental health team and the IHMS psychiatrist.

Mr X was given intensive mental health support and closely monitored after he self-harmed in September 2014. In November 2014 he sustained significant injuries after putting his fist through a window. IHMS advised that it was not established whether the injury was the result of a self-harm attempt or an accident. Mr X was transferred to hospital and underwent emergency plastic surgery as he had sustained nerve damage. After being discharged he experienced ongoing nerve pain which was managed with pain relief medication.

IHMS further advised that Mr X received treatment for chronic leg pain and an elbow injury.

Case Status

Mr X was granted a Bridging visa on 2 March 2016 and released from immigration detention.