

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

The first report 1002550 was tabled in Parliament on 6 May 2016. 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	1984
Ombudsman ID	1001379-O
Date of DIBP's reports	3 May 2016 and 1 November 2016
Total days in detention	1276 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002550), Mr X has remained at Villawood Immigration Detention Centre.

Recent visa applications/case progression

18 June 2015	Mr X's case was referred on a ministerial submission for consideration under s 197AB of the <i>Migration Act 1958</i> for a community detention placement. The Minister declined to intervene on 26 June 2015.
4 January 2016	Mr X's case was referred on a ministerial submission for consideration under s 195A of the <i>Migration Act 1958</i> for the grant of a Bridging visa. The Minister declined to intervene on 19 January 2016.
12 February 2016	Lodged a Safe Haven Enterprise visa (SHEV) application.
29 April 2016	Mr X withdrew his Temporary Protection visa (TPV) application lodged on 14 September 2015.
9 September 2016	SHEV application refused.
14 September 2016	Mr X's case was referred to the Immigration Assessment Authority (IAA) for review.

Health and welfare

International Health and Medical Services (IHMS) referred to Mr X's disclosure of a history of torture and trauma in 2012, and advised that he was diagnosed with complex post-traumatic stress disorder in March 2016. He was prescribed with medication and attended specialist counselling. IHMS advised that Mr X has since ceased taking his medication and stopped attending counselling.

IHMS further advised Mr X received treatment for a fractured nose and a minor injury to his left ankle following exercise.

Recent detention incidents

A DIBP Incident Report recorded that Mr X had allegedly been involved in several minor behavioural incidents in detention.

Case status

Mr X was detained on 13 October 2012 after arriving in Australia by sea and has been held in restricted immigration detention for a cumulative period of more than three and a half years.

On 12 February 2016 Mr X lodged a SHEV application and then withdrew his previously submitted TPV application.

Mr X's SHEV application was refused on 9 September 2016 and his case was referred to the IAA for review.