

ASSESSMENT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O assessment on Ms X who remained in immigration detention for more than 42 months (three and a half years).

The first assessment 1003180 was tabled in Parliament on 3 February 2016 and the second assessment 1001936-O was tabled in Parliament on 1 March 2017. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Ms X
Citizenship	Country A
Year of birth	1998
Ombudsman ID	1001936-O1
Date of DIBP's review	23 January 2017
Total days in detention	1,278 (at date of DIBP's review)

Recent detention history

Since the Ombudsman's previous assessment (1001936-O), Ms X remained in community detention.	
20 February 2017	Granted a Safe Haven Enterprise visa (SHEV) and released from detention.

Recent visa applications/case progression

25 August 2016	SHEV application refused.
6 September 2016	Ms X's case was referred to the Immigration Assessment Authority (IAA) for review.
12 January 2017	The IAA remitted Ms X's case to the Department of Immigration and Border Protection (the department) for reconsideration with the direction that she was a refugee within the meaning of s 5H(1).
20 February 2017	Granted a SHEV.

Health and welfare

International Health and Medical Services (IHMS) advised that Ms X previously received psychological counselling for issues relating to poor sleep, low mood and anxiety. However, since its previous report to the Ombudsman there had been no documentation to suggest she had required further counselling and she was not taking any mental health medications.	
IHMS further advised that Ms X received treatment for physical health concerns including asthma and a fainting episode for which she was admitted to hospital and discharged on the same day.	
7 October 2016	An Incident Report recorded that Ms X reported online harassment from her former sister-in-law.
12 November 2016	An Incident Report recorded that Ms X reported that her sister had been verbally abusive to her and as a result she was fearful of her safety in her residence.

29 November 2016	An Incident Report recorded that Ms X advised a case manager that she was having thoughts of self-harm.
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Other matters

23 November 2016	Ms X and her estranged former husband Mr Y appeared in court in relation to sexual assault charges against Mr Y. The court granted Ms X a final family intervention order against Mr Y.
The department advised Ms X has four brothers, and a married sister with family, living lawfully in the Australian community.	

Case status

<p>Ms X was detained on 25 July 2013 after arriving in Australia by sea and was held in detention for over three and a half years.</p> <p>Ms X was granted a SHEV on 20 February 2017 and released from immigration detention.</p>
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