

**REPORT BY THE COMMONWEALTH AND
IMMIGRATION OMBUDSMAN FOR TABELING IN PARLIAMENT**
Under s 486O of the Migration Act 1958

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

Name	Mr X
Citizenship	Country A
Year of birth	1984
Ombudsman ID	1002348
Date of DIBP's reports	20 April 2015 and 13 October 2015
Total days in detention	915 (at date of DIBP's latest report)

Detention history

17 March 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 601 <i>Biscayne</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
23 March 2013	Transferred to Christmas Island Immigration Detention Centre (IDC).
24 July 2013	Transferred to Yongah Hill IDC.
16 December 2013	Absconded from Yongah Hill IDC.
10 February 2014	Mr X was re-detained under s 189(1) and transferred to Maribyrnong IDC.
21 June 2014	Transferred to Wickham Point APOD. ¹

Visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that, prior to ministerial intervention, Mr X was part of a cohort who had not had their protection claims assessed as they arrived in Australia after 13 August 2012 and were subject to the bar under s 46A.	
9 April 2013	Mr X was referred on a submission to the former Minister under s 195A for consideration of a Bridging visa.
11 April 2013	The former Minister agreed to consider ministerial intervention under s 195A. However, DIBP advised that Mr X was not referred on a second stage submission on 16 April 2013.

¹ DIBP's Australian Immigration Detention Network and Infrastructure report (September 2015) states that Wickham Point is a designated APOD comprising three compounds. One of these compounds is used to house single adult males and is considered a higher security compound than the compounds used to house families and children. Mr X is accommodated in the single adult male compound at Wickham Point APOD.

25 September 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application. DIBP advised that Mr X has not yet been invited to lodge an application.
13 October 2015	Mr X's case was referred for consideration for a Bridging visa under s 195A.

Health and welfare

2 July 2014	International Health and Medical Services (IHMS) advised that Mr X presented to his general practitioner (GP) with a history of ankle pain and associated back pain. An x-ray identified a past fracture and tendon injury. He was referred for physiotherapy.
2 September 2014 – 2 October 2014	Attended six physiotherapy sessions. No further concerns have been raised.
24 July 2015	Mr X was diagnosed with a skin condition following a biopsy test. He was provided with education by his GP.
19 August 2015	Admitted to hospital following a head injury. He was provided with treatment and discharged the same day.
7 September 2015	Mr X was referred for a mental health assessment after concerns were raised by Serco staff. IHMS noted that he was experiencing symptoms related to his long-term detention, however he appeared to be coping effectively.

Detention incidents

16 December 2013	Mr X absconded from immigration detention while being escorted from Yongah Hill IDC to hospital for medical treatment. He was re-detained on 10 February 2014 following a random traffic stop in Victoria. The incident was referred to the Australian Federal Police. DIBP advised that the matter was investigated and is now closed.
------------------	---

Case status

Mr X was detained on 17 March 2013 after arriving in Australia aboard SIEV *Biscayne* and has been held in restricted detention for over two and a half years with no processing of his protection claims.

On 25 September 2015 the Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application. Mr X is awaiting an invitation to apply for a temporary visa.