

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 has remained in immigration detention for a cumulative period of more than 60 months (five years).

The first report 1249/13 was tabled in Parliament on 26 June 2013, the second report 1001281 was tabled in Parliament on 24 September 2014 and the third report 1001972 was tabled in Parliament on 3 June 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	1985
Ombudsman ID	1002472
Date of DIBP's reports	11 May 2015, 2 November 2015 and 5 May 2016
Total days in detention	1827 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1001972), Mr X has remained at Villawood Immigration Detention Centre.

Recent visa applications/case progression

30 June 2015	The Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Mr X to lodge a temporary visa application.
2 July 2015	DIBP invited Mr X to apply for a temporary visa.
11 September 2015	Lodged a Temporary Protection visa (TPV) application with an associated Bridging visa application.
2 November 2015	DIBP advised that Mr X's security assessment was on hold awaiting the outcome of his criminal proceedings.
14 December 2015	The New South Wales Office of the Director of Public Prosecutions (ODPP) issued Mr X a Criminal Justice Stay Certificate (CJSC) to prevent his removal from Australia.
11 January 2016	DIBP refused to grant Mr X a Criminal Justice Stay visa and advised that the CJSC will remain in force until it is cancelled by the ODPP.
12 January 2016	DIBP requested additional information from Mr X in relation to his TPV application.
18 February 2016	DIBP notified Mr X that the associated Bridging visa application was invalid.

Criminal matters

4 April 2016	Mr X appeared before the K District Court in relation to criminal charges laid against him on 22 May 2013.
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Health and welfare

International Health and Medical Services (IHMS) reported that Mr X has not required treatment for any significant physical health issues.	
December 2014	He declined to participate in assessments with the mental health team (MHT) and advised that he preferred to attend specialist counselling sessions.
23 and 30 April 2015	He attended additional specialist counselling sessions to better manage his anxiety and depression.
5 June 2015	Attended a specialist counselling session.
29 July 2015 – 14 August 2015	He was admitted to a psychiatric hospital following symptoms of auditory hallucinations and persecutory delusions. A psychiatrist diagnosed Mr X with schizophrenia and prescribed antipsychotic medication.
14 October 2015	IHMS advised that the MHT continued to monitor and review Mr X and he is aware of the self-referral process.
16 November 2015 and 22 January 2016	Attended psychiatrist appointments. The psychiatrist reported that Mr X's schizophrenia was in remission. His medication was reviewed and the dosage was reduced. IHMS advised that the MHT will continue monitoring for any relapse signals.
16 February 2016	He attended a specialist counselling session. No further sessions have been scheduled.

Case status

<p>Mr X has been found to be owed protection under the Refugee Convention. He is awaiting the outcome of criminal proceedings and his security assessment.</p> <p>On 30 June 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 11 September 2015 Mr X lodged a TPV application.</p>
