

**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 immigration detention for a cumulative period of more than 36 months (three years).

The first report 1002923 was tabled in Parliament on 16 March 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, born in Country B
Year of birth	1996
Ombudsman ID	1001697-O
Date of DIBP's reports	3 May 2016 and 1 November 2016
Total days in detention	1094 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002923), Mr X remained in the community on a Bridging visa.	
27 January 2016	Bridging visa expired.
25 February 2016	Re-detained under s 189(1) of the <i>Migration Act 1958</i> after living unlawfully in the community. He was transferred to Brisbane Immigration Transit Accommodation.

Recent visa applications/case progression

29 September 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application.
26 February 2016	Mr X was notified that he is eligible to receive the Primary Application Information Service (PAIS) to assist him with lodging a temporary visa application. He accepted the offer on 5 May 2016 and was assigned a PAIS provider.
11 October 2016	Lodged a Safe Haven Enterprise visa (SHEV) application.

Other legal matters

25 February 2016	Mr X was charged with burglary, fraud and property offences. He appeared in court on 6 May 2016 and 27 September 2016. This matter has been scheduled for further hearing on 14 November 2016 and 5 December 2016.
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Health and welfare

International Health and Medical Services (IHMS) advised that Mr X was previously treated for tuberculosis, although he was mostly non-compliant with the medication. IHMS stated that Mr X refused to undergo induction pathology and radiology on his return to detention. An IHMS general practitioner noted he did not display any signs or symptoms of tuberculosis.

IHMS also advised that in May 2016 Mr X presented with mild anxiety, with no concerns for self-harm or harm to others. He has been regularly reviewed and a follow-up mental health screening was scheduled for November 2016.

Case status

Mr X was detained on 5 July 2013 after arriving in Australia by sea and has been held in detention for more than three years.

On 25 September 2016 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 11 October 2016 Mr X lodged an application for a SHEV.