

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O report on Mr X who remained in restricted immigration detention for more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1971
Ombudsman ID	1002064
Date of DIBP's report	25 November 2014
Total days in detention	Not provided

Detention history

25 November 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 541 <i>Turnpike</i> .
25 November 2014	The Department of Immigration and Border Protection (DIBP) advised that Mr X was located at Yongah Hill Immigration Detention Centre.
March 2015	Mr X was released from detention when he voluntarily departed Australia to return to Country A.

Visa applications/case progression

DIBP advised that prior to his departure from Australia, 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 the Minister had not lifted the bar under s 46A.	
March 2015	Mr X voluntarily departed Australia.

Health and welfare

2 December 2012 – 11 March 2015	International Health and Medical Services (IHMS) reported that Mr X's induction blood tests identified he was human immunodeficiency virus (HIV) positive and hepatitis C positive. He attended specialist clinics for ongoing treatment.
10 January 2013 – 11 March 2015	He reported a history of torture and trauma along with alcohol and substance abuse. He declined specialist counselling but attended group sessions with the mental health team and self-referred as required.
20 February 2013	A routine ultrasound identified liver and kidney cysts. He was referred for a computed tomography scan which confirmed a kidney stone and vascular birthmarks on his liver. Six-monthly ultrasounds were conducted to monitor his condition.

December 2013	He advised the psychologist that nightmares were affecting his sleep and appetite and he was overwhelmed with hopelessness. He stated that receiving negative news about his immigration pathway made him refuse food and fluid in protest. IHMS advised that he was closely monitored.
24 March 2014	He threatened self-harm to a psychologist during a counselling session.
4 May 2014	A DIBP Incident Report recorded that Mr X allegedly threatened self-harm.
August 2014	He presented with low mood at his mental health assessment and was identified to have symptoms of post-traumatic stress disorder, severe depression and anxiety.
11 October 2014	He presented to IHMS with chest pains and was taken to hospital. His pain was assessed to be muscular and he was discharged with a referral for a cardiac stress test.
17 October 2014	The psychiatrist reported that Mr X had a vulnerable personality, he was oppositional to treatment and depressed. He was prescribed with antidepressant medication.
31 October 2014	The cardiac stress test returned normal results.
18 February 2015	His mental health assessment noted that he was depressed and felt helpless.
17 March 2015	IHMS advised that prior to his departure from Australia, Mr X remained on antidepressant medication but had been noted to be 'drug seeking' in consultations. He had suffered side effects from his HIV and hepatitis C treatment but his response to the treatments had been successful.

Case status

Mr X voluntarily departed Australia in March 2015 and returned to Country A.
--