

**REPORT (ABRIDGED) 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 a cumulative period of more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1985
Ombudsman ID	1002422-O
Date of DIBP's report	2 June 2016

Detention history

8 November 2011	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 276 <i>Tobin</i> .
26 April 2012	Granted a Bridging visa and released from Wickham Point Alternative Place of Detention.
20 November 2014	Re-detained under s 189(1) following expiry of his Bridging visa and transferred to Brisbane Immigration Transit Accommodation.
23 June 2016	Granted a Bridging visa and released from restricted detention.

Visa applications/case progression

<p>The Department of Immigration and Border Protection (DIBP) advised that Mr X's case is affected by the judgment handed down on 2 September 2015 by the Full Federal Court (FFC), which found that the International Treaties Obligations Assessment (ITOA) process undertaken by DIBP was procedurally unfair.</p> <p>The Minister appealed the FFC decision and on 27 July 2016 the High Court found that the ITOA process was not procedurally unfair.</p>	
22 April 2016	DIBP invited Mr X to lodge an application for a temporary visa.
19 May 2016	Accepted DIBP's offer of the Primary Application Information Service.

Health and welfare

<p>Mr X was provided with treatment for reflux. He was also provided with treatment and counselling for a range of mental health issues including a schizophrenic type psychotic disorder.</p> <p>International Health and Medical Services advised that Mr X had a significant history of self-harm and suicide attempts including an attempted suicide while in the community on a Bridging visa.</p>	
4 January 2015 – 25 January 2016	Mr X was admitted to a psychiatric hospital on six occasions.

Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. At the time of DIBP's review he was yet to lodge a temporary visa application.

Mr X was granted a Bridging visa on 23 June 2016 and released from immigration detention.