

**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 has remained in restricted immigration detention for a cumulative period of more than 24 months (two years).

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1993
<b>Ombudsman ID</b>	1002286-O
<b>Date of DIBP's report</b>	12 January 2016
<b>Total days in detention</b>	730 (at date of DIBP's report)

**Detention history**

31 March 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 634 <i>Isuzu</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
7 April 2013	Transferred to Christmas Island Immigration Detention Centre (IDC).
29 April 2013	Transferred to Wickham Point IDC.
13 June 2013	Granted a Bridging visa and released from detention.
27 March 2014	Re-detained under s 189(1) after living unlawfully in the community. He was transferred to Maribyrnong IDC.
20 June 2014	Transferred to Curtin IDC.
26 August 2014	Transferred to Yongah Hill IDC.
4 November 2014	Transferred to Maribyrnong IDC.
23 April 2015	Transferred to Yongah Hill IDC.
10 September 2015	Transferred to Christmas Island IDC.
1 October 2015	Transferred to Yongah Hill IDC.

**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.	
6 June 2013	Mr X's case was referred on a ministerial submission for consideration under s 195A for the grant of a Bridging visa.
10 June 2013	Granted a Bridging visa.
13 December 2013	Bridging visa expired and Mr X remained in the community as an unlawful non-citizen.
27 March 2014	Located by authorities and re-detained under s 189(1).

25 August 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application.
1 September 2015	DIBP invited Mr X to lodge a temporary visa application.
22 October 2015	Lodged a Safe Haven Enterprise visa (SHEV) application which triggered an associated Bridging visa application.
12 November 2015	Associated Bridging visa application was invalid.
16 December 2015	Attended an interview in relation to his SHEV application.

#### Other legal matters

9 April 2014	Mr X was served with an Interim Intervention Order by G Police following an alleged assault. He appeared before the Children's Court of G on 21 April 2014. No further information was provided.
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#### Health and welfare

International Health and Medical Services advised that Mr X was diagnosed with an adjustment disorder and insomnia. He was prescribed with medication and attends group counselling sessions. His condition continues to be monitored by the mental health team. He has not required treatment for any major physical health issues.	
21 April 2015	A DIBP Incident Report recorded that Mr X allegedly threatened self-harm.

#### Case status

<p>Mr X was detained on 31 March 2013 after arriving in Australia aboard SIEV <i>Isuzu</i> and has been held in restricted detention for a cumulative period of more than two years.</p> <p>On 25 August 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 16 December 2015 Mr X lodged a SHEV application.</p>
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