

## 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 42 months (three and a half years).

The first report 1002645<sup>1</sup> was tabled in Parliament on 14 August 2015. This report updates the material in that report and should be read in conjunction with the previous report.

<b>Name</b>	Mr X
<b>Citizenship</b>	Stateless (claimed), born in Country A
<b>Year of birth</b>	1992
<b>Ombudsman ID</b>	1002364-O
<b>Date of DIBP's report</b>	11 April 2016
<b>Total days in detention</b>	1276 (at date of DIBP's report)

### Recent detention history

Since the Ombudsman's previous report (1002645), Mr X has remained in community detention.

### Recent visa applications/case progression

29 September 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.
21 October 2015	Found not to meet the guidelines for referral to the Minister under s 195A.
11 November 2015	The Department of Immigration and Border Protection (DIBP) invited Mr X to lodge a temporary visa application.
12 January 2016	Lodged a Safe Haven Enterprise visa (SHEV) application with an associated Bridging visa application.
12 February 2016	Associated Bridging visa application deemed invalid.
24 March 2016	Mr X was notified that he is eligible to receive the Primary Application Information Service (PAIS) to assist him with lodging a new temporary visa application or with providing further information in relation to his existing SHEV application.
4 April 2016	Mr X accepted the PAIS offer.
11 April 2016	DIBP advised that Mr X remains a person of interest in relation to alleged people-smuggling activities. This matter remains ongoing.

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<sup>1</sup> Mr X was previously reported on as part of a family group with his brother Mr Y. Mr X has now lodged an individual SHEV application.

**Health and welfare**

International Health and Medical Services advised that Mr X has not required treatment for any major physical or mental health issues since its previous report to the Ombudsman.

**Case status**

Mr X was detained on 13 October 2012 after arriving in Australia aboard Suspected Illegal Entry Vessel *Zeitz* and has been held in detention for over three and a half years.

On 29 September 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa. On 12 January 2016 Mr X lodged a SHEV application and on 4 April 2016 he accepted the offer of PAIS assistance.