

## 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 remained in immigration detention for more than 36 months (three years).

The first report 1003419 was tabled in Parliament on 31 August 2016. 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>	Country A
<b>Year of birth</b>	1997
<b>Ombudsman ID</b>	1002149-O
<b>Date of DIBP's report</b>	7 September 2016
<b>Total days in detention</b>	1094 (at date of DIBP's report)

### Recent detention history

Since the Ombudsman's previous report (1003419), Mr X remained at Maribyrnong Immigration Detention Centre (IDC).	
23 July 2016	Transferred to Villawood IDC.
September 2016	Mr X was released from detention when he voluntarily departed Australia and returned to Country A.

### Recent visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that its 30-month review, dated 10 March 2016, incorrectly advised that Mr X lodged a Temporary Protection visa application on 4 December 2015. DIBP confirmed that Mr X instead lodged a Safe Haven Enterprise visa (SHEV) application.	
23 March 2016	Mr X withdrew his SHEV application and requested removal from Australia. He withdrew his request on 14 April 2016.
2 May 2016	Lodged a second SHEV application.
12 July 2016	Mr X withdrew his second SHEV application and requested removal from Australia.
August 2016	The Country A Embassy issued Mr X with a travel document.
September 2016	Mr X voluntarily departed Australia.

### Criminal history

8 June 2016	Mr X breached his three-month good behaviour bond after being charged with damaging property, animal cruelty and two counts of behaving in an abusive manner.
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11 August 2016	Mr X was found guilty of two charges of threatening to kill and one charge of animal cruelty with no conviction recorded. He was issued with a four-month good behaviour bond.
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**Health and welfare**

International Health and Medical Services advised that Mr X was monitored by the mental health team following behavioural issues and incidents of self-harm. He attended a psychiatric review on 13 June 2016 and no evidence of significant mental illness was identified.	
5 May 2016 and 10 August 2016	DIBP Incident Reports recorded that Mr X self-harmed.
7 August 2016 – 27 August 2016	DIBP Incident Reports recorded that Mr X threatened self-harm on five occasions.

**Recent detention incidents**

DIBP Incident Reports recorded that Mr X was involved in multiple behavioural incidents and displayed abusive and aggressive behaviour towards detention centre staff.
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**Case status**

Mr X voluntarily departed Australia in September 2016 and returned to Country A.
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