

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O report on Mr X who remained in restricted immigration detention for more than 42 months (three and a half years).

The first report 1001526 was tabled in Parliament on 24 September 2014 and the second report 1001990 was tabled in Parliament on 27 May 2015. This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Mr X
Citizenship	Country A, born in Country B
Year of birth	1962
Ombudsman ID	1002492
Date of DIBP's reports	18 May 2015 and 5 November 2015
Total days in detention	1276 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1001990) Mr X remained at Yongah Hill Immigration Detention Centre.	
31 July 2015	Transferred to Wickham Point Alternative Place of Detention.
24 March 2016	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa and released from detention.

Recent visa applications/case progression

6 March 2015	Mr X's case was referred for consideration against the guidelines under s 195A of the <i>Migration Act 1958</i> for the grant of a Bridging visa.
7 April 2015	Found to meet the guidelines for a referral to the Minister under s 195A.
20 August 2015	Mr X's case was referred on a first stage ministerial submission for consideration under s 195A.
5 November 2015	The Department of Immigration and Border Protection (DIBP) advised that Mr X is a person of interest and his security assessment with an external agency remained outstanding.
24 March 2016	Granted a Bridging visa with an associated THS visa.

Health and welfare

20 December 2014	International Health and Medical Services (IHMS) advised that Mr X presented with chest pain and an electrocardiogram identified no abnormalities. He was prescribed with medication and provided with education to cease smoking.
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February 2015	A psychologist reported that Mr X was suffering from depression as a result of his prolonged detention and stressors concerning his family who remained in Country A. He was referred for counselling.
20 May 2015	At a mental health review Mr X presented with low mood, hopelessness and associated feelings of disempowerment. He attributed his mental state to his prolonged detention and lack of reasons for his ongoing detention. He also stated that these perpetuating factors were continually exacerbated by concerns for his family. Mr X also disclosed a history of torture and trauma but declined specialist counselling. The psychologist noted that ongoing detention may further impact and aggravate Mr X's mental state.
12 October 2015	IHMS advised that Mr X declined further mental health support but was monitored and reviewed by the mental health team.

Other matters

23 September 2014	The Australian Human Rights Commission notified DIBP of a complaint from Mr X concerning his outstanding security assessment. DIBP provided several responses and the complaint was finalised on 5 June 2015.
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Case status

<p>Mr X was granted a Bridging visa with an associated THS visa on 24 March 2016 and released from immigration detention.</p> <p>The Ombudsman notes that Mr X was detained on 7 May 2012 after arriving in Australia aboard Suspected Illegal Entry Vessel 326 <i>Ebor</i> and was held in detention for over three and a half years before being granted a Bridging visa.</p> <p>Mr X has been found to be owed protection under the Refugee Convention in July 2014. He is awaiting the outcome of his security assessment which was initiated on 17 April 2015.</p>
