

**REPORT (ABRIDGED) 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 restricted immigration detention for more than 36 months (three years).

The first report 1001896 was tabled in Parliament on 18 March 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>	Country A
<b>Year of birth</b>	1981
<b>Ombudsman ID</b>	1002365
<b>Date of DIBP's reports</b>	27 March 2015 and 10 September 2015

**Detention history**

10 September 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 443 <i>Xylophia</i> .
January 2016	Mr X was released from restricted detention when he voluntarily departed Australia and returned to Country A.

**Visa applications/case progression**

15 June 2015	Lodged a Temporary Protection visa application.
20 August 2015	Requested voluntary removal from Australia but withdrew this request on 26 August 2015.

**Other matters**

13 March 2013	The Department of Immigration and Border Protection (DIBP) advised that Mr X appeared before the D Magistrates Court on charges relating to being armed while in an immigration detention centre. He was placed on a six-month conditional release order and fined.
27 October 2014	DIBP advised that Mr X was involved in an altercation and alleged that he was assaulted by a Serco officer at Villawood Immigration Detention Centre. He was treated at a hospital emergency department and discharged the same day.
DIBP Incident Reports recorded that Mr X was allegedly involved in numerous incidents including assault and abusive and aggressive behaviour towards detainees and detention centre staff.	

**Health and welfare**

Mr X was provided with treatment for a range of physical health issues.

He was also provided with treatment and counselling for depression, an adjustment disorder, disturbed behaviour, a personality disorder manifesting in high-risk and impulsive behaviour and associated mental health issues including self-harm attempts.

On 23 January 2015 a psychiatrist noted Mr X's non-compliance with medication but did not recommend admission to hospital.

**Case status**

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