

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 30 months (two and a half years).

The first report 1001774 was tabled in Parliament on 11 February 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1996
Ombudsman ID	1002227
Date of DIBP's report	17 February 2015
Total days in detention	926 (at date of DIBP's report)

Recent detention history

Since the Ombudsman's previous report (1001774), Mr X remained in community detention.	
30 July 2015	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa and released from detention.

Recent visa applications/case progression

16 July 2014	Mr X was issued with a letter inviting him to comment on the unintentional release of personal information through the Department of Immigration and Border Protection's (DIBP) website. ¹
31 July 2014	Mr X provided his response and DIBP advised that it was assessing whether he had raised further protection related claims as a result of the privacy breach.
21 August 2014	Found not to meet the guidelines for referral to the former Minister under s 417.
16 January 2015	Mr X was issued with a letter notifying him of the commencement of an International Treaties Obligations Assessment (ITOA) to assess whether the circumstances of his case engage Australia's <i>non-refoulement</i> obligations.
2 February 2015	Provided further information for consideration in relation to the ITOA.
30 July 2015	Granted a Bridging visa with an associated THS visa.

¹ In a media release dated 19 February 2014 the former Minister advised that an immigration detention statistics report was released on DIBP's website on 11 February 2014 which inadvertently disclosed detainees' personal information. The documents were removed from the website as soon as DIBP became aware of the breach from the media. The Minister acknowledged this was a serious breach of privacy by DIBP.

Health and welfare

International Health and Medical Services (IHMS) provided details of Mr X's health and welfare while in detention. No significant ongoing physical health concerns were noted.	
14 January 2015	Mr X attended an appointment with a psychologist who recommended follow-up sessions to manage his depression and anxiety.
16 March 2015	IHMS advised that an updated mental health treatment plan was received by a community psychological counselling service and further counselling sessions were approved.

Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. His protection claims are being reassessed under an ITOA.

Mr X was granted a Bridging visa with an associated THS visa on 30 July 2015 and released from immigration detention.