

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 restricted immigration detention for a cumulative period of more than 36 months (three years).

The first report 1002267 was tabled in Parliament on 12 August 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	1968
Ombudsman ID	1002811
Date of DIBP's reports	18 June 2015 and 16 December 2015
Total days in detention	1092 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002267), Mr X has remained at Yongah Hill Immigration Detention Centre.

Recent visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that prior to ministerial intervention, Mr X was part of a cohort who had not had their protection claims assessed as they arrived in Australia after 13 August 2012 and were subject to the bar under s 46A of the <i>Migration Act 1958</i> .	
27 March 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a Temporary Protection visa (TPV) application.
14 April 2015	Lodged a TPV application with an associated Bridging visa application.
6 May 2015	Mr X attended an interview in relation to his TPV application.
18 June 2015	DIBP advised that it received allegations against Mr X which may be relevant to his security and character assessments and this information may be considered further during the processing of his TPV application.
31 August 2015	Mr X's case was referred on a ministerial submission for consideration to lift the bar under s 46A to allow him to lodge a Safe Haven Enterprise visa (SHEV) application.
22 September 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a SHEV application.
25 September 2015	DIBP invited Mr X to lodge a SHEV application.
14 October 2015	Mr X withdrew his TPV application and his associated Bridging visa application was considered invalid.
27 October 2015	Lodged a SHEV application with an associated Bridging visa application.

16 December 2015	DIBP advised that Mr X has been identified as a person of interest in relation to alleged criminal matters offshore.
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Health and welfare

International Health and Medical Services (IHMS) advised that Mr X has not required treatment for any major physical health issues since its previous report to the Ombudsman.	
9 May 2015	Mr X ceased taking prescribed antidepressant medication.
16 June 2015	Reviewed by the mental health team with no concerns reported.
26 August 2015	During a mental health assessment it was reported that Mr X's mental health had deteriorated as he was unaware as to why he had been re-detained. IHMS notified DIBP and assisted Mr X in making contact with his DIBP case manager.
6 November 2015	During a review by a psychologist Mr X was noted to be suffering from anxiety as a result of his prolonged detention.

Case status

<p>Mr X was detained on 12 December 2011 after arriving in Australia aboard Suspected Illegal Entry Vessel <i>Fawkner</i> and has been held in restricted detention for a cumulative period of over three years. He has been identified as a person of interest in relation to alleged criminal matters offshore.</p> <p>On 22 September 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 27 October 2015 Mr X lodged a SHEV application.</p>
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