

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O assessment on Mr X who remained in immigration detention for more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1984
Ombudsman ID	1002601-O
Date of DIBP's report	10 February 2017
Total days in detention	730 (at date of DIBP's report)

Detention history

11 February 2015	Detained under s 189(1) of the <i>Migration Act 1958</i> after living unlawfully in the community.
July 2017	Mr X was released from immigration detention when he was involuntarily removed from Australia.

Visa applications/case progression

24 March 2015	Lodged a Protection visa application.
15 July 2015	Protection visa application refused.
10 February 2017	The Department of Immigration and Border Protection (the department) advised that as Mr X had no matters before the department, the courts or tribunals, he was on a removal pathway.

Health and welfare

Mr X received treatment and attended counselling for complex mental health concerns including a history of torture and trauma, major depression, post-traumatic stress disorder and an adjustment disorder with anxious mood. In November 2016 a psychiatrist recommended that Mr X be placed in the community.	
27 June 2015 and 14 August 2015	Incident Reports recorded that Mr X self-harmed and threatened self-harm.

Information provided by Mr X

<p>During an interview with Ombudsman staff on 23 May 2017 Mr X advised that he was very concerned about being returned to Country A because of his sexuality. He was also afraid of the possibility of being transferred to Christmas Island Immigration Detention Centre, and he explained that he kept all his belongings packed just in case, as he knew he would not be given much warning. He explained that his mental health had deteriorated, he felt hopeless and could not sleep.</p> <p>He stated that he had spent nearly eight years in the community before he was detained, and had worked in cleaning and construction. He stated that he had many friends in the community that would have been happy to sponsor him.</p>

Case status

Mr X was involuntarily removed from Australia in July 2017.