

## 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 1001658 was tabled in Parliament on 22 October 2014. 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>	1983
<b>Ombudsman ID</b>	1002130
<b>Date of DIBP's report</b>	22 December 2014
<b>Total days in detention</b>	912 (at date of DIBP's report)

### Recent detention history

Since the Ombudsman's previous report (1001658), Mr X remained in community detention.	
9 April 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. <sup>1</sup>
30 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.
9 April 2015	Granted a Bridging visa with an associated THS visa.

### Health and welfare

International Health and Medical Services (IHMS) advised that Mr X did not require treatment for any major physical health issues since its previous report to the Ombudsman.	
30 August 2014	Mr X advised his case worker that his home had been burgled and an amount of \$1,000 of borrowed money and other items had been stolen, allegedly by a neighbour.  In early September Mr X advised his psychologist that he felt unsafe as his neighbour had threatened him and he could not report the matter to the police.

<sup>1</sup> 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.

9 September 2014 – ongoing	<p>IHMS advised that during a counselling session Mr X suffered chest pains after being informed by his psychologist that his request for alternative accommodation arrangements (due to the burglary at his home) had been declined. Mr X was taken to the emergency department and advised that the chest pain was due to anxiety.</p> <p>An Incident Report completed by the psychologist and case worker recorded that Mr X felt suicidal and was fearful that an intruder would harm him if he remained at his home. A friend agreed to stay with Mr X in the short term and Mr X continued to be managed by his general practitioner for anxiety and depression.</p>
14 November 2014	Mr X was transferred to an alternative community detention property.
22 December 2014	IHMS advised that Mr X commenced new antidepressant and anxiety medication.

**Case status**

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. At the time of DIBP’s report he was awaiting the assessment of his response to DIBP’s unintentional release of personal information.

Mr X was granted a Bridging visa with an associated THS visa on 9 April 2015 and released from immigration detention.