

**REPORT BY THE COMMONWEALTH AND  
IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT**

*Under s 486O of the Migration Act 1958*

This is the fourth s 486O report on Mr X who has remained in immigration detention for more than 72 months (six years).

The first report 981/12 was tabled in Parliament on 26 June 2013, the second report 1001085 was tabled in Parliament on 18 June 2014 and the third report 1001644 was tabled in Parliament on 18 March 2015. This report updates the material in those reports and should be read in conjunction with the previous reports.

<b>Name</b>	Mr X
<b>Citizenship</b>	Stateless (claimed), born in Country A
<b>Year of birth</b>	1980
<b>Ombudsman ID</b>	1002816
<b>Date of DIBP's reports</b>	24 June 2015, 18 December 2015 and 17 June 2016
<b>Total days in detention</b>	2186 (at date of DIBP's latest report)

**Recent detention history**

Since the Ombudsman's previous report (1001644), Mr X has remained in community detention.

**Recent visa applications/case progression**

13 March 2014	The Department of Immigration and Border Protection (DIBP) notified Mr X of the unintentional release of personal information <sup>1</sup> and advised that the privacy breach would be taken into account when considering his protection claims.
24 June 2015	DIBP advised that Mr X's case was referred to its identity team for assessment as there were concerns about Mr X's claimed identity. DIBP further advised that the Australian Federal Police (AFP) provided information about alleged criminal activity by Mr X and this was being assessed.
18 December 2015	DIBP advised that Mr X continued to await the reassessment of his protection claims under the Protection Obligations Evaluation (POE) process after remittal from the Federal Circuit Court on 17 May 2013.
23 March 2016	Found to be owed protection under the POE process.
27 May 2016	The Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application.

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<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.

**Health and welfare**

International Health and Medical Services (IHMS) reported that Mr X has been monitored and treated for acute chronic lower back pain and renal colic and he also received dental treatment.

IHMS advised that Mr X is also under the care of a psychologist for the management of anxiety, depression, insomnia and stress.

**Case status**

Mr X was detained on 23 June 2010 after arriving in Australia aboard Suspected Illegal Entry Vessel 163 *Gerroa* and has been held in detention for over six years.

Mr X was found to be owed protection on 23 March 2016 after a reassessment of his protection claims.

On 27 May 2016 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa.

Mr X is awaiting an invitation to apply.