

**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 more than 36 months (three years).

The first report 1003049 was tabled in Parliament on 31 August 2016. 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>	1985
<b>Ombudsman ID</b>	1001818-O
<b>Date of DIBP's report</b>	13 July 2016
<b>Total days in detention</b>	1094 (at date of DIBP's latest report)

**Recent detention history**

Since the Ombudsman's previous report (1003049), Mr X remained at Facility A.	
22 April 2016	Transferred to Facility B.

**Recent visa applications/case progression**

15 March 2016	Mr X attended an interview in relation to his Temporary Protection visa (TPV) application. DIBP advised that during the interview he sought to terminate the services of his Primary Application Information Service Provider.
13 July 2016	The Department of Immigration and Border Protection (DIBP) advised that processing of Mr X's TPV application remains ongoing.

**Health and welfare**

<p>International Health and Medical Services (IHMS) advised that Mr X continued to be impacted by a previously diagnosed borderline personality disorder and he regularly made threats of suicide. He also continued to display probable elective mutism. Additionally he reported ongoing insomnia.</p> <p>In December 2015 a speech pathologist reviewed Mr X and recommended further investigation of his mutism to rule out any neurological causes. His mutism was reviewed in a voice disorders clinic on 23 March 2016 and no physical reason for the mutism was identified. A referral for psychological therapy was advised. Mr X also underwent a magnetic resonance imaging scan on 15 April 2016 with normal results.</p> <p>During the reporting period Mr X was said to have declined regular contact with the IHMS psychologist. He was encouraged to attend specialist counselling offsite for torture and trauma which he agreed to trial with an appointment pending.</p> <p>IHMS further advised that Mr X's chronic headaches continued to be managed with prophylactic medication and ongoing monitoring by a general practitioner as required.</p>	
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**Recent detention incidents**

16 March 2016	A DIBP Incident Report recorded that Mr X was allegedly involved in what was classified as a minor incident in which he assaulted two staff members.
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**Case status**

Mr X was detained on 15 July 2013 after arriving in Australia aboard SIEV *Keyton* and has been held in restricted detention for over three years.

On 13 August 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 TPV application.