

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABELING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the sixth s 486O report on Mr X who remained in restricted immigration detention for more than 66 months (five and a half years) due to an adverse security assessment. The previous reports are:

Report 768/12 tabled in Parliament on 20 June 2012

Report 1148/13 tabled in Parliament on 26 June 2013

Report 1001094 tabled in Parliament on 19 March 2014

Report 1001664 tabled in Parliament on 3 December 2014

Report 1002150 tabled in Parliament on 14 October 2015.

This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Mr X
Citizenship	Country A
Year of birth	1988
Ombudsman ID	1000159-O
Date of DIBP's report	22 December 2015
Total days in detention	2,004 (at date of DIBP's report)

Recent detention history

Since the Ombudsman's previous report (1002150), Mr X remained at Melbourne Immigration Transit Accommodation.	
24 February 2016	Granted a Bridging visa and released from detention.

Recent visa applications/case progression

4 August 2015	The Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Mr X to lodge a temporary visa application.
25 August 2015	The Department of Immigration and Border Protection (DIBP) invited Mr X to apply for a temporary visa.
12 October 2015	Lodged a Safe Haven Enterprise visa (SHEV) application.
23 November 2015	The Australian Security Intelligence Organisation issued Mr X with a qualified security assessment, superseding his adverse security assessment.
7 December 2015	Mr X's case was referred on a ministerial submission for consideration under s 195A for the grant of a Bridging visa with an associated Temporary Humanitarian Stay visa.
24 February 2016	Granted a Bridging visa.

Health and welfare

International Health and Medical Services (IHMS) provided details of Mr X's health and welfare. No significant ongoing physical health concerns were noted.	
3 August 2015 – 23 November 2015	Attended 10 specialist counselling sessions.
18 August 2015	A DIBP Incident Report recorded that Mr X was suspected of being intoxicated and self-harmed by banging his head on a door.
19 August 2015	Mr X was seen by a mental health nurse following thoughts of self-harm and sleep disturbance after the recent death of his brother. He was placed on Psychological Support Program observations until 9 September 2015.
24 November 2015	Mr X was reviewed by a psychologist who recommended that he attend supportive counselling and prescribed him with antidepressant medication. IHMS advised that Mr X declined to take the medication, but received regular supportive counselling from the mental health team. IHMS further noted that Mr X was experiencing increased stress because of his prolonged detention.

Case status

Mr X was granted a Bridging visa on 24 February 2016 and released from immigration detention.

Mr X was found to be owed protection under the Refugee Convention in December 2010 and was detained for more than five and a half years while he was the subject of an adverse security assessment. At the time of DIBP's review Mr X was awaiting the outcome of his SHEV application.