

**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 42 months (three and a half years).

The first report 1002794 was tabled in Parliament on 10 February 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>	1977
<b>Ombudsman ID</b>	1001593-O
<b>Date of DIBP's reports</b>	15 December 2015 and 13 June 2016
<b>Total days in detention</b>	1276 (at date of DIBP's latest report)

**Recent detention history**

Since the Ombudsman's previous report (1002794), Mr X remained at Yongah Hill Immigration Detention Centre (IDC).	
10 September 2015	Transferred to Christmas Island IDC.
1 October 2015	Transferred to Yongah Hill IDC.
17 March 2016	Transferred to Facility B.

**Recent visa applications/case progression**

25 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.
28 August 2015	The Department of Immigration and Border Protection (DIBP) invited Mr X to lodge a temporary visa application.
30 September 2015	Lodged a Safe Haven Enterprise visa (SHEV) application with an associated Bridging visa application.
15 January 2016	Associated Bridging visa application deemed invalid.
15 February 2016	Mr X was notified that he is eligible to receive the Primary Application Information Service (PAIS) to assist him with lodging a temporary visa application and should he accept the offer, he will be invited to lodge a new application or provide further information in relation to his current SHEV application. He accepted the offer on 17 February 2016 and was assigned a PAIS provider.
11 May 2016	Found not to meet the guidelines for referral to the Minister under s 195A for the grant of a Bridging visa.
13 June 2016	DIBP advised that Mr X is considered a person of interest to DIBP.

## Health and welfare

International Health and Medical Services (IHMS) advised that Mr X disclosed a history of torture and trauma but declined a referral for specialist counselling.

IHMS further advised that Mr X receives supportive counselling for anxiety and depression in relation to his prolonged detention and situational stress. On 5 August 2015 he was admitted to hospital following recurring chest pain related to anxiety and was placed on Supportive Monitoring and Engagement observations between 29 February 2016 and 22 March 2016 following threats of self-harm which escalated to threats of suicide. He continues to be monitored by the mental health team.

## Recent detention incidents

24 January 2016 and  
28 February 2016

DIBP Incident Reports recorded that Mr X was referred for a mental health assessment and closely monitored by Serco officers after remaining on a compound rooftop in protest at his prolonged immigration on two occasions.

## Case status

Mr X was detained on 15 December 2012 after arriving in Australia aboard Suspected illegal Entry Vessel *Quest* and has been held in detention for over three and a half years.

On 25 August 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 30 September 2015 he lodged a SHEV application.