

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 1001676 was tabled in Parliament on 29 October 2014. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1995
Ombudsman ID	1002164
Date of DIBP's report	2 January 2015
Total days in detention	917 (at date of DIBP's report)

Recent detention history

Since the Ombudsman's previous report (1001676), 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. ¹
20 August 2014	Requested ministerial intervention under s 48B of the <i>Migration Act 1958</i> .
21 August 2014	Requested ministerial intervention under s 417.
2 January 2015	DIBP advised that Mr X's protection claims will be reassessed as part of a new International Treaties Obligations Assessment (ITOA) to assess whether the circumstances of his case engage Australia's <i>non-refoulement</i> obligations.
9 April 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

International Health and Medical Services advised that Mr X did not require treatment for any major physical or mental health issues since its previous report to the Ombudsman.
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¹ 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.

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 reassessment of his protection claims as part of a new ITOA.

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