

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O report on Ms X who remained in restricted immigration detention for more than 42 months (three and a half years).

The first report 1001924 was tabled in Parliament on 4 March 2015 and the second report 1002393 was tabled in Parliament on 25 November 2015. This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Ms X
Citizenship	Country A
Year of birth	1971
Ombudsman ID	1003476
Date of DIBP's reports	8 October 2015 and 4 April 2016
Total days in detention	1278 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002393), Ms X remained at Wickham Point Alternative Place of Detention (APOD).	
8 June 2016	Granted a Bridging visa and released from detention.

Recent visa applications/case progression

7 December 2015	Protection visa application refused.
26 December 2015	Appealed to the Administrative Appeals Tribunal (AAT).
21 March 2016	AAT affirmed original decision.
4 April 2016	The Department of Immigration and Border Protection (DIBP) advised that Ms X had no outstanding matters before DIBP, the courts or tribunals and is on a removal pathway.

Health and welfare

International Health and Medical Services (IHMS) advised that Ms X did not require treatment for any major mental health issues since its previous report to the Ombudsman.	
28 April 2015	Ms X attended a viral hepatitis clinic to discuss test results indicating that she had severe fibrosis and early cirrhosis which require lifelong treatment.
16 June 2015	Ms X attended an appointment at a liver clinic. Her hepatitis B treatment was reported to be progressing well.
11 September 2015	IHMS advised that Ms X continued to be monitored for gastric issues and prescribed with medication. She was referred for a gastroscopy and placed on a waiting list.

December 2015	Reviewed by a gastroenterologist who reported that Ms X had mild anaemia and remained on a waiting list for a gastroscopy.
24 February 2016	Blood test results confirmed that Ms X has chronic hepatitis B. IHMS advised that she was prescribed with antiviral medication and is monitored with blood tests and abdominal ultrasounds.

Information provided by Ms X

During an interview with Ombudsman staff at Wickham Point APOD on 21 April 2016 Ms X advised that she suffered from a number of health problems including hepatitis, a thrombosis and a spur on her back. She felt like her memory and reflexes were deteriorating due to her prolonged detention and her mental health was deteriorating because she was stressed about her uncertain future.

Ms X did not appear to have a clear understanding of the current status of her immigration case. She claimed she was affected by two court proceedings: judicial review of her protection visa refusal and a group case concerning DIBP's privacy breach.

She advised she had been scheduled to be involuntarily removed from Australia on 24 February 2015 and was served with a removal letter advising she would be required to pay a removal debt of \$7346 unless she agreed to go voluntarily. However, she refused to sign the letter because she was concerned about returning to Country A following DIBP's privacy breach in 2014.

Case status

Ms X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. She has no matters before DIBP, the courts or tribunals and is on a removal pathway.

Ms X was granted a Bridging visa on 8 June 2016 and released from immigration detention.