

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fifth s 486O report on Mr X who remained in restricted immigration detention for more than 72 months (six years).

The previous reports are:

Report 646/11 tabled in Parliament on 23 November 2011

Report 988/12 tabled in Parliament on 26 June 2013

Report 1001092 tabled in Parliament on 19 March 2014

Report 1001662 tabled in Parliament on 25 February 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	1979
Ombudsman ID	1002148
Date of DIBP's reports	23 December 2014 and 2 July 2015
Total days in detention	2,196 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1001662), Mr X remained at Villawood Immigration Detention Centre.	
30 April 2015	Transferred to Sydney Immigration Residential Housing.
25 August 2015	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa and released from detention.

Recent visa applications/case progression

28 August 2014	An annual review of Mr X's adverse security assessment (ASA) was commenced.
14 November 2014	He provided further information in support of the ASA review.
January 2015	The Independent Reviewer requested further information from Mr X's legal representatives.
10 March 2015	Mr X attended an interview with the Australian Security Intelligence Organisation (ASIO).
24 June 2015	ASIO issued Mr X with a non-prejudicial security assessment which superseded his previously issued adverse security assessment.

30 June 2015	The Department of Immigration and Border Protection (DIBP) advised that it was preparing ministerial intervention submissions under s 46A of the <i>Migration Act 1958</i> for the Minister to consider lifting the bar to enable Mr X to lodge a Temporary Protection visa application and to consider intervening under s 195A to grant Mr X a Bridging visa.
25 August 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

May 2014 - July 2014	International Health and Medical Services (IHMS) reported that Mr X commenced physiotherapy for treatment of shoulder bursitis. This was completed in July 2014 but he was referred for another ultrasound as he was still experiencing pain.
29 July 2014	An ultrasound confirmed two inflammation conditions were the cause of his shoulder pain.
26 August 2014	The IHMS general practitioner (GP) noted that Mr X had reasonable shoulder movements and he was prescribed with medication.
8 September 2014	The psychiatrist who had reviewed Mr X's mental health in April 2014 attempted to conduct a further review which Mr X declined.
17 September 2014	As a result of ongoing pain and mild tenderness along the shoulder joint the GP referred Mr X for an x-ray. The x-ray did not show any abnormality.
11 November 2014	The GP noted that Mr X's shoulder pain had improved with physiotherapy and pain relief medication.
4 December 2014	During Mr X's mental health review the mental health team commented that he was functioning well and that he had declined an offer of assistance from the team.
9 December 2014	The GP noted that Mr X was having frequent migraines that were triggered by poor sleep and stress. IHMS provided medication and stated that he was aware of the self-referral process.
25 March 2015 - 23 June 2015	Following ongoing knee pain, x-ray results were reviewed with no abnormalities detected. He was provided with education on strengthening exercises and he attended two physiotherapy appointments.
30 June 2015	IHMS reported that due to ongoing anxiety, depression and a history of torture and trauma Mr X was referred to a specialist counselling service. An appointment was scheduled for 1 July 2015.

Case status

Mr X was granted a Bridging visa with an associated THS visa on 25 August 2015 and released from immigration detention.