

## REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

*Under s 486O of the Migration Act 1958*

This is the fourth s 486O report on Mr X who remained in immigration detention for more than 60 months (five years).

The first report 1385/13 was tabled in Parliament on 26 June 2013, the second report 1001216 was tabled in Parliament on 25 June 2014 and the third report 1001877 was tabled in Parliament on 13 May 2015. This report updates the material in those reports and should be read in conjunction with the previous reports.

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1977
<b>Ombudsman ID</b>	1002330
<b>Date of DIBP's report</b>	20 March 2015
<b>Total days in detention</b>	1,826 (at date of DIBP's report)

### Recent detention history

Since the Ombudsman's previous report (1001877), Mr X remained in community detention.	
5 May 2015	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa and released from detention.

### Recent visa applications/case progression

24 September 2014 and 21 October 2014	Mr X provided his response to the Department of Immigration and Border Protection's (DIBP) invitation to comment on the unintentional release of personal information. <sup>1</sup> At the time of its latest review DIBP advised it was assessing whether he had raised further protection claims.
27 October 2014	Attended an interview with DIBP relating to an International Treaties Obligations Assessment (ITOA).
28 January 2015	Signed a Code of Behaviour <sup>2</sup> as a requirement for the Minister's consideration of the grant of a Bridging visa under s 195A of the <i>Migration Act 1958</i> .
5 May 2015	Granted a Bridging visa with an associated THS visa.

<sup>1</sup> 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.

<sup>2</sup> Since 14 December 2013 all adult maritime arrivals must sign a Code of Behaviour before they can be considered for the grant of a Bridging visa. The Code of Behaviour was introduced to help ensure that maritime arrivals living in the community on Bridging visas are aware of community behavioural expectations and behave appropriately while in the Australian community.

### Health and welfare

December 2014	International Health and Medical Services (IHMS) advised that Mr X's diabetes had resolved due to diet modification and his medication was ceased.
20 April 2015	IHMS advised that Mr X continued to be prescribed with antidepressant medication but no further mental health issues had been reported.

### Case status

Mr X has been found not to be owed protection under the Refugee Convention and the complementary protection criterion. Mr X's protection claims are being reassessed under an ITOA.

Mr X was granted a Bridging visa with an associated THS visa on 5 May 2015 and released from immigration detention.