

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 Mr X who has remained in restricted immigration detention for more than 48 months (four years).

The first report 1001738 was tabled in Parliament on 3 December 2014 and the second report 1002253 was tabled in Parliament on 15 April 2016. 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	1993
Ombudsman ID	1001051-O
Date of DIBP's reports	21 January 2016 and 20 July 2016
Total days in detention	1458 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002253), Mr X remained at Yongah Hill Immigration Detention Centre.	
31 July 2015	Transferred to Wickham Point Alternative Place of Detention.
16 June 2016	Transferred to Melbourne Immigration Transit Accommodation.

Recent visa applications/case progression

13 March 2014	The Department of Immigration and Border Protection (DIBP) notified Mr X of the unintentional release of personal information ¹ and advised that the privacy breach would be taken into account when considering his protection claims.
22 September 2015	The Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Mr X to lodge Safe Haven Enterprise visa (SHEV) application. Mr X lodged a SHEV application on the same day.
1 February 2016 – 18 February 2016	Mr X provided DIBP with further information in relation to his SHEV application on three occasions.
6 May 2016	Mr X's case was referred on a first stage ministerial submission for consideration under s 195A for the grant of a Bridging visa.
18 May 2016	Mr X was notified that he is eligible to receive the Primary Application Information Service (PAIS) to assist him with his existing SHEV application. He accepted the offer on 26 May 2016.

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.

30 June 2016	The Minister declined to intervene under s 195A.
--------------	--

Health and welfare

International Health and Medical Services advised that Mr X was monitored by the mental health team (MHT) for low mood and attended group therapy. He was advised to self-refer to the MHT as required.

Case status

Mr X was detained on 23 July 2012 after arriving in Australia aboard Suspected Illegal Entry Vessel *Orelia* and has been held in detention for over four years.

On 22 September 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a SHEV. On the same day Mr X lodged an application for a SHEV and on 18 May 2016 he accepted the offer of PAIS to assist him with his existing application.