

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 has remained in restricted immigration detention for more than 36 months (three years).

The first report 1003051 was tabled in Parliament on 24 February 2016. 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	1983
Ombudsman ID	1001820-O
Date of DIBP's reports	19 January 2016 and 14 July 2016
Total days in detention	1094 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1003051), Mr X remained at Yongah Hill Immigration Detention Centre (IDC).	
31 July 2015	Transferred to Wickham point Alternative Place of Detention.
16 June 2016	Transferred to Yongah Hill IDC.

Recent visa applications/case progression

29 September 2015	The Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Mr X to lodge a temporary visa application.
21 October 2015	Mr X was notified that he is eligible to receive the Primary Application Information Service (PAIS) to assist him with lodging a temporary visa application. He accepted the offer on 30 October 2015 and was assigned a PAIS provider.
10 December 2015	Found not to meet the guidelines for referral to the Minister under s 197AB for a community detention placement.
19 January 2016	The Department of Immigration and Border Protection (DIBP) advised that Mr X remained a person of interest to an external agency.
17 February 2016	Lodged a Safe Haven Enterprise visa (SHEV) application.
26 April 2016	Attended an interview in relation to his SHEV application.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X was reviewed by a psychiatrist after presenting with frustration related to his immigration status. He declined a prescription for psychiatric medication and continues to be monitored by the mental health team. IHMS further advised that Mr X received treatment for hearing loss and musculoskeletal pain and continues to attend routine audiologist reviews.

Information provided by Mr X

Mr X was offered the opportunity to discuss his detention circumstances with Ombudsman staff but declined to do so.

Case status

Mr X was detained on 16 July 2013 after arriving in Australia aboard Suspected Illegal Entry Vessel *Lavaca* and has been held in restricted detention for over three years.

On 29 September 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 17 February 2016 Mr X lodged a SHEV application.