

**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 42 months (three and a half years).

The first report 1003127 was tabled in Parliament on 6 May 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
Date of birth	1968
Ombudsman ID	1001896-O
Date of DIBP's reports	3 May 2016 and 1 November 2016
Total days in detention	1276 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1003127), Mr X remained at Wickham Point Alternative Place of Detention (APOD).	
21 June 2016	Transferred to Yongah Hill Immigration Detention Centre (IDC).

Recent visa applications/case progression

10 November 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. He accepted the offer on 16 November 2016 and was assigned a PAIS provider.
21 January 2016	Lodged a Safe Haven Enterprise visa (SHEV) application.
26 April 2016	Attended an interview with The Department of Immigration and Border Protection (the department) in relation to his SHEV application.
3 May 2016	The department advised that Mr X remained a person of interest to it and an external agency.
23 May 2016	The Minister declined to intervene under s 195A of the <i>Migration Act 1958</i> to grant Mr X a Bridging visa.
22 June 2016	The department requested additional information from Mr X in relation to his SHEV application. He provided further information on 8 September 2016.

Health and welfare

International Health and Medical Services advised that Mr X received treatment for insomnia, depression and a history of torture and trauma. Mr X's specialist counsellor reported that he was experiencing overwhelming grief from leaving his wife and children in his home country. He is prescribed with anti-depressant medication and attended regular specialist counselling sessions until he was transferred to Yongah Hill IDC in June 2016.

12 October 2015 and
17 June 2016

Incident Reports recorded that Mr X threatened self-harm on two occasions.

Information provided by Mr X

During an interview with Ombudsman staff at Wickham Point APOD on 20 April 2016 Mr X advised that he was the last person from his boat left in detention, which made it harder to cope. He said that his mental health had suffered greatly from traumatic experiences in his home country and he feels like his life is going from bad to worse. He was concerned that his memory has been affected by his time in detention and said that the longer he is in detention, the less interest he has in participating in activities.

Mr X advised that his family in Country A are struggling in his absence, and his wife is often distressed when he speaks to her. He said that his detention affects his family too but he is concerned that they would be in danger if he was returned to Country A.

Case status

Mr X was detained on 5 May 2013 after arriving in Australia by sea and has been held in restricted detention for more than three and a half years.

On 1 October 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 21 January 2016 Mr X lodged an application for a SHEV.