

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 remained in restricted immigration detention for more than 42 months (three and a half years).

The first report 1003136¹ was tabled in Parliament on 15 April 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	1965
Ombudsman ID	1001905-O
Date of DIBP's reports	6 May 2016 and 4 November 2016
Total days in detention	1276 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1003136), Mr X remained at Melbourne Immigration Transit Accommodation.	
February 2017	Mr X was released from restricted detention when he voluntarily departed Australia and returned to Country A.

Recent visa applications/case progression

7 December 2015	Found not to meet the guidelines for referral to the Minister under s 195A.
21 December 2015	Lodged a Temporary Protection visa (TPV) application which listed Ms Y as a family member.
6 May 2016	The Department of Immigration and Border Protection (the department) advised Mr X was subject to an ongoing security assessment by an external agency.
29 June 2016	Requested voluntary removal from Australia. This request was withdrawn on 19 July 2016.
4 July 2016	Requested judicial review by the Federal Circuit Court. This request was withdrawn on 20 July 2016.
19 July 2016	TPV application withdrawn.
February 2017	Mr X voluntarily departed Australia.

¹ Mr X was previously reported on with his wife, Ms Y, who was granted a Bridging visa and released from detention on 19 April 2016.

Health and welfare

International Health and Medical Services (IHMS) advised that Mr X received treatment and was reviewed by specialists for headaches, cysts, and ongoing shoulder and chest pain.

IHMS further advised that Mr X disclosed a history of torture and trauma and received treatment for anxiety and an adjustment disorder. He was provided with specialist counselling and was prescribed with medication.

7 December 2015

An Incident Report recorded Mr X refused food and fluid.

1 February 2016

An Incident Report recorded Mr X self-harmed.

Other matters

24 June 2016

Mr X lodged a complaint with the Ombudsman's office. Following notification of an investigation on 7 July 2016 the department provided a response to the complaint on 24 October 2016.

Case status

Mr X was released from restricted detention when he voluntarily departed Australia and returned to Country A.