

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fifth s 486O assessment on Mr X who has remained in immigration detention more than 78 months (six and a half years). The previous assessments are:

1561/13 tabled in Parliament on 4 December 2013

1001392 tabled in Parliament on 24 September 2014

1002115 tabled in Parliament on 14 October 2015

1000758-O tabled in Parliament on 1 March 2017.

This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X
Citizenship	Country A
Year of birth	1983
Ombudsman ID	1000758-O1
Date of DIBP's reports	14 December 2016 and 14 June 2017
Total days in detention	2,368 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous assessment (1000758-O), Mr X has remained in community detention.
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Recent visa applications/case progression

17 June 2016	Mr X accepted the offer to receive the Primary Application Information Service (PAIS) to assist him with lodging a temporary visa application and was assigned a provider.
20 October 2016	The Department of Immigration and Border Protection advised that as Mr X refused to sign the Code of Behaviour, ¹ he is unable to be progressed for an assessment against the guidelines under s 195A of the <i>Migration Act 1958</i> for the possible grant of a bridging visa.
7 June 2017	Lodged a Safe Haven Enterprise visa (SHEV) application.

¹ 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

International Health and Medical Services (IHMS) advised that Mr X was admitted to hospital on 31 May 2016 after experiencing ongoing headaches and a computed tomography scan identified abnormalities. At the time of IHMS's latest report, Mr X was awaiting an appointment with a neurological specialist.

IHMS further advised that Mr X continued to receive treatment for symptoms of post-traumatic stress disorder, anxiety, insomnia and a major depressive disorder with psychotic features, including paranoia and agitated behaviour. He attended regular psychiatric counselling after presenting with low mood, suicidal ideation, distress and frustration related to his prolonged detention. IHMS reported that Mr X's condition improved during a visit from his wife, who resides overseas, however his mood declined following her departure.

Case status

Mr X was detained on 20 December 2010 after arriving in Australia by sea and has been held in detention for more than six and a half years.

On 17 June 2016 Mr X accepted the offer of PAIS assistance and on 7 June 2017 he lodged an application for a SHEV.