

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the first s 486O report on Mr X who remained in immigration detention for more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1959
Ombudsman ID	1002853
Date of DIBP's report	18 November 2014
Total days in detention	Not provided

Detention history

18 November 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 539 <i>Rally</i> . He arrived with his wife, Ms Y, and their children, who are the subject of a separate Ombudsman report.
18 November 2014	The Department of Immigration and Border Protection (DIBP) advised that Mr X and Ms Y separated following alleged domestic violence. Mr X was located at Facility B and Ms Y and their children were located in community detention.
4 February 2015	Mr X was released from immigration detention when he voluntarily departed Australia to return to Country A.

Visa applications/case progression

DIBP advised that Mr X was part of a cohort who had not had their protection claims assessed as they arrived in Australia after 13 August 2012 and the Minister had not lifted the bar under s 46A(2).	
4 February 2015	Mr X voluntarily departed Australia.

Health and welfare

18 November 2012	International Health and Medical Services (IHMS) reported that Mr X disclosed a history of torture and trauma at his induction but he declined specialist counselling.
March 2013 - 9 January 2015	He was diagnosed with a latent tuberculosis (TB) infection and referred to a TB clinic for monitoring as per state policy. IHMS advised that treatment commenced in October 2013 and his chest x-ray in October 2014 did not detect any abnormalities.
2 October 2014	A DIBP Incident Report recorded that he attempted self-harm by hitting his head against a wall. No further information was provided.

21 November 2014	He was reviewed by an IHMS psychologist after being returned to restricted detention following alleged domestic violence issues and for breaching an apprehended violence order. He was reportedly frustrated, anxious and agitated about his situation and the psychologist referred him to a psychiatrist.
27 November 2014	The psychiatrist reported that Mr X showed signs of an adjustment disorder and had decided he wanted to return to Country A.
17 December 2014	He advised the psychiatrist that he was angry about his situation and frustrated with the time it was taking to be returned to Country A.
3 March 2015	IHMS advised that while he was in restricted detention, Mr X engaged in weekly sessions with the mental health team. IHMS advised that his discharge documentation recommended that he follow up TB monitoring with a general practitioner on his return to Country A.

Case status

Mr X voluntarily departed Australia on 4 February 2015 to return to Country A and was released from immigration detention.