

**REPORT (ABRIDGED) 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 restricted immigration detention for a cumulative period of more than 24 months (two years).

Name	Mr X
Citizenship	Country B, born in Country A
Year of birth	1987
Ombudsman ID	1003412
Date of DIBP's report	9 September 2015

Detention history

26 November 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 547 <i>Zagato</i> .
12 January 2013 – 22 October 2013	Transferred to Manus Island Regional Processing Centre (RPC). He was subsequently returned to Australia and re-detained under s 189(1).
15 December 2015	Granted a Bridging visa and released from restricted detention.

Visa applications/case progression

<p>The Department of Immigration and Border Protection (DIBP) advised that prior to being released from detention, 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.</p> <p>DIBP also advised that people transferred to an RPC who were returned to immigration detention in Australia are subject to an additional bar under s 46B.</p>

Health and welfare

<p>Mr X was provided with treatment for a range of physical health issues. He was also provided with treatment and counselling for a range of mental health issues including a history of torture and trauma, depression, anxiety and panic attacks.</p> <p>International Health and Medical Services advised that Mr X had a history of self-harm threats requiring psychological support.</p>

Ombudsman assessment/recommendation

<p>Mr X was granted a Bridging visa on 15 December 2015 and released from immigration detention.</p> <p>The Ombudsman notes that Mr X was held in detention for over two years before being granted a Bridging visa. The Ombudsman further notes that, at the time of DIBP's review, processing of his claims for protection had not commenced.</p> <p>The Ombudsman recommends that the Minister lift the bars under ss 46A and 46B and processing of Mr X's protection claims commence as soon as possible.</p>
