

**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 more than 24 months (two years).

Name	Mr X
Citizenship	Country A
Year of birth	1983
Ombudsman ID	1003379
Date of DIBP's report	25 August 2015

Detention history

25 August 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 839 <i>Wattsville</i> .
23 October 2015	Granted a Bridging visa and released from restricted detention.

Visa applications/case progression

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.

Health and welfare

Mr X was provided with treatment for dental pain.

Other matters

24 April 2014	Mr X lodged a complaint with the Ombudsman's office concerning the level of health care at Christmas Island Immigration Detention Centre (IDC). The complaint was investigated and finalised on 9 December 2014.
30 December 2014	A DIBP Incident Report recorded that Mr X was the victim of an alleged assault by three detainees at Christmas Island IDC. The matter was referred to the Australian Federal Police (AFP). On 18 February 2015 the AFP advised the matter would not be investigated.

Ombudsman assessment/recommendation

Mr X was granted a Bridging visa on 23 October 2015 and released from immigration detention.

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.

The Ombudsman recommends that the Minister lift the bar under s 46A and processing of Mr X's protection claims commence as soon as possible.