

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	1996
Ombudsman ID	1003022
Date of DIBP's report	24 December 2014
Total days in detention	Not provided

Detention history

24 December 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 15 aboard Suspected Illegal Entry Vessel 568 <i>Unipower</i> .
28 January 2015	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa and released from community 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.	
28 January 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

15 July 2013	International Health and Medical Services (IHMS) advised that Mr X requested a referral to a counselling service during a consultation with his general practitioner (GP).
10 August 2013 – 17 September 2013	Attended five counselling sessions.
April 2014	Referred for further counselling after presenting with symptoms related to post-traumatic stress disorder. IHMS could not confirm whether he attended this referral. Prior to his release from detention his mental health continued to be monitored by his GP.

Ombudsman assessment/recommendation

Mr X was granted a Bridging visa with an associated THS visa on 28 January 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 24 December 2012 after arriving in Australia as an unaccompanied minor aged 15, and 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.