

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	1003023
Date of DIBP's report	21 February 2015
Total days in detention	Not provided

Detention history

21 February 2013	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 595 <i>Vauxhall</i> .
11 March 2015	Granted a Bridging 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.	
11 March 2015	Granted a Bridging visa.

Health and welfare

12 April 2013 – 17 April 2013	International Health and Medical Services (IHMS) advised that Mr X was reviewed by a psychologist following an incident of self-harm on 11 April 2013. He disclosed a history of torture and trauma and was referred for specialist counselling. He was also placed on Psychological Support Program observations.
29 April 2013	Admitted to a hospital emergency department after experiencing chest pain. He was reviewed by a cardiac specialist who noted no abnormalities and advised that Mr X's chest pain may have been related to anxiety.
25 May 2013	A DIBP Incident Report recorded that Mr X had self-harmed after threatening self-harm one week prior. No further information was provided.

24 October 2013	A DIBP Incident Report recorded that Mr X allegedly self-harmed following an argument with his girlfriend. He was transferred to hospital for treatment of a cut on his arm and discharged the following day. He attended a follow-up appointment with a counsellor on 1 November 2013.
14 January 2014	A DIBP Incident Report recorded that Mr X was transferred to hospital by ambulance. No further information was provided.
26 March 2014	Attended a review with a psychiatrist who noted that Mr X was experiencing symptoms relating to depression. He was advised to continue specialist counselling and commence antidepressant medication.

Detention incidents

11 April 2013 – 26 June 2013	DIBP Incident Reports recorded that Mr X was allegedly involved in multiple behavioural incidents during this period, including being verbally abusive towards detention staff and involvement in both verbal and physical altercations with other detainees.
6 September 2013	A DIBP Incident Report recorded that Mr X allegedly used another person's identification card while socialising with friends and the police were notified. No further information was provided.
24 December 2013 – 7 January 2014	DIBP Incident Reports recorded that Mr X absconded from his community detention residence on three occasions.

Ombudsman assessment/recommendation

Mr X was granted Bridging visa on 11 March 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 21 February 2013 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 Mr X's 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.