

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 Ms X who remained in restricted immigration detention for more than 24 months (two years).

Name	Ms X
Citizenship	Country A
Year of birth	1961
Ombudsman ID	1003163
Date of DIBP's report	27 July 2015

Detention history

24 July 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 804 <i>Emelle</i> .
14 August 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, Ms 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

Ms X was provided with treatment and counselling for a range of physical and mental health issues including a history of torture and trauma, post-traumatic stress disorder, anxiety and depression.

DIBP advised that Ms X disclosed a history of self-harm following the murder of her son in her homeland. While in detention she threatened self-harm on several occasions and was discovered self-harming on 18 April 2014.

Ombudsman assessment/recommendation

Ms X was granted a Bridging visa on 14 August 2015 and released from immigration detention.

The Ombudsman notes that Ms 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 her claims for protection had not commenced.

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