

**REPORT (ABRIDGED) BY THE COMMONWEALTH AND  
IMMIGRATION OMBUDSMAN FOR TBALING 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).

|                              |                |
|------------------------------|----------------|
| <b>Name</b>                  | Mr X           |
| <b>Citizenship</b>           | Country A      |
| <b>Year of birth</b>         | 1989           |
| <b>Ombudsman ID</b>          | 1003218        |
| <b>Date of DIBP's report</b> | 18 August 2015 |

**Detention history**

|                |   |
|----------------|---|
| 11 August 2013 | Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 829 <i>Marbury</i> . |
| 9 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 counselling and support for mental health issues including self-harm and impulsive behaviour.

A DIBP Incident Report recorded that Mr X had a significant history of self-harm.

**Case status**

Mr X was granted a Bridging visa on 9 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.