

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	1002809
Date of DIBP's report	19 December 2014
Total days in detention	Not provided

Detention history

19 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 567 <i>Tornax</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

8 February 2013	International Health and Medical Services (IHMS) advised that Mr X disclosed a history of torture and trauma and attended specialised counselling.
28 May 2013	Mr X was identified as a tuberculosis contact but a physical examination and chest x-rays revealed no abnormalities. Prior to his release from detention, he was monitored as per state policy.

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 19 December 2015 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.