

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	1002810
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> .
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

24 January 2013	International Health and Medical Services (IHMS) advised that Mr X was assessed by the mental health team (MHT) after he allegedly assaulted a staff member on 23 January 2013. He was placed on Psychological Support Program observations and a behavioural management plan was implemented. Mr X denied any intention of self-harming but expressed his frustration about his immigration pathway. IHMS advised that he attended psychological counselling and continued to see the MHT prior to his transfer to community detention.
1 February 2013	Identified as a tuberculosis contact. He was monitored as per state policy.
26 April 2013	Mr X requested psychological support following ongoing negative feelings related to his past torture and trauma.
8 May 2013	A DIBP Incident Report recorded that Mr X allegedly self-harmed by scratching his arms. IHMS advised that he was assessed and reported that his injuries were not intentional. He continued to attend psychological counselling and improvements in his mood were noted.

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 19 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 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.