

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

Name	Miss X
Citizenship	Country A
Year of birth	1997
Ombudsman ID	1002958
Date of DIBP's report	28 April 2015
Total days in detention	Not provided

Detention history

22 April 2013	Detained under s 189(1) of the <i>Migration Act 1958</i> after arriving on the Australian mainland as an unaccompanied minor aged 15 aboard Suspected Illegal Entry Vessel 657 <i>Fowley</i> .
2 July 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 as Miss X arrived in Australia as a 'direct entry person' ¹ she is not barred under s 46A from lodging a Protection visa application.	
2 July 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

DIBP did not provide an International Health and Medical Services Health Summary Report for Miss X.

Ombudsman assessment/recommendation

<p>The Ombudsman notes that Miss X was detained on 22 April 2013 after arriving on the Australian mainland as an unaccompanied minor aged 15. She was held in detention for over two years before being granted a Bridging visa with an associated THS visa on 2 July 2015, two months prior to her eighteenth birthday.</p> <p>The Ombudsman further notes that, at the time of DIBP's review, processing of Miss X's claims for protection had not commenced.</p> <p>Given that Miss X is not subject to the bar under s 46A, the Ombudsman recommends that the processing of her protection claims commence as soon as possible.</p>

¹ A maritime arrival to Australia's mainland who is seeking protection.