

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the second s 486O report on Mr X¹ who remained in immigration detention for more than 30 months (two and a half years).

The first report 1001916 was tabled in Parliament on 18 March 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1986
Ombudsman ID	1002397
Date of DIBP's report	10 April 2015
Total days in detention	Not provided

Recent detention history

Since the Ombudsman's previous report (1001916), Mr X remained in community detention.	
9 April 2015	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa and released from detention.

Recent 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.	
9 April 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

The Ombudsman's previous report noted that in October 2012 Mr X had been referred for an orthopaedic review of a previous leg shrapnel injury. No update on this matter was provided by International Health and Medical Services (IHMS) in its report dated 5 May 2015.	
2 February 2015	Reviewed by a psychiatrist. It was reported that Mr X required ongoing support and management for post-traumatic stress disorder and depression. No further information was provided.
17 March 2015	Assessed by an audiologist after reporting hearing loss in his left ear. It was recommended that he be fitted with hearing aids. IHMS advised that it was considering the request at the time of its report.
3 April 2015	A DIBP Incident Report recorded that Mr X was transferred to hospital by ambulance after experiencing anxiety. No further information was provided.

¹ Mr X was previously included in a report with Master Y, who was granted a Bridging visa on 2 July 2015 and is the subject of Ombudsman report 1002398. Mr X and Master Y arrived in Australia aboard Suspected Illegal Entry Vessel 468 *Waghorn* and were detained on 3 October 2012.

Ombudsman assessment/recommendation

Mr X was granted a Bridging visa with an associated THS visa on 9 April 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 3 October 2012 after arriving in Australia, and was held in detention for over two and a half 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.