

## REPORT (ABRIDGED) 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 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>	1986
<b>Ombudsman ID</b>	1003217
<b>Date of DIBP's report</b>	17 August 2015

### Detention history

11 August 2013	Mr X was 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> .
13 November 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

DIBP advised that Mr X had a significant history of suicide attempts and self-harm. He was provided with treatment and counselling for a range of physical and mental health issues including severe arthritis, depression and an adjustment disorder.

24 July 2014	Mr X tried to hang himself and was admitted to hospital.
27 July 2014	While he was in hospital he tried to strangle himself with a bedsheet.
1 August 2014	He was admitted to a psychiatric hospital under mental health legislation after suicide attempts involving hanging.
5 September 2014	He was admitted to hospital under mental health legislation after a suicide attempt involving an overdose of tablets.

### Ombudsman assessment/recommendation

Mr X was granted a Bridging visa on 13 November 2015 and released from immigration detention.

The Ombudsman notes that Mr X was held in restricted 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.