

# 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).

<b>Name</b>	Mr X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1997
<b>Ombudsman ID</b>	1003067
<b>Date of DIBP's report</b>	10 April 2015
<b>Total days in detention</b>	Not provided

## Detention history

4 April 2013	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 642 <i>Quattro</i> .
20 May 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(2).	
20 May 2015	Granted a Bridging visa with an associated THS visa.

## Health and welfare

18 August 2013	International Health and Medical Services (IHMS) advised that Mr X was closely monitored by Serco staff following an incident of self-harm. It was noted that he was experiencing situational stress and expressed concern about being transferred into community detention. IHMS advised that he responded positively to counselling and was provided with strategies to manage his symptoms. He continued to follow up with the mental health team and no further mental health issues were raised.
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### **Ombudsman assessment/recommendation**

Mr X was granted a Bridging visa with an associated THS visa on 20 May 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 4 April 2013 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.