

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	1997
Ombudsman ID	1002346
Date of DIBP's report	24 March 2015
Total days in detention	Not provided

Detention history

15 March 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 608 <i>Irmscher</i> .
22 April 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.	
22 April 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

27 March 2013 – ongoing	International Health and Medical Services advised that Mr X was identified as a tuberculosis contact. A chest x-ray identified no abnormalities. Prior to his release from detention, Mr X was monitored as per state policy.
6 April 2013	Mr X was monitored by the mental health team (MHT) and received supportive counselling for treatment of anxiety following mental health concerns, including threats of self-harm. During a review with a mental health nurse, Mr X reported that he did not intend to self-harm.
23 May 2013 and 22 July 2013	DIBP Incident Reports recorded that Mr X threatened self-harm. No further information was provided.
2 August 2014	Mr X was reviewed by the MHT following ongoing sleep issues and nightmares. Prior to his release from detention, his mental health was monitored by his general practitioner.

Other matters

30 November 2013	A DIBP Incident Report recorded that while in community detention Mr X was taken to a police station after he was found in the possession of cannabis. DIBP advised that he was not arrested or charged, but was referred for counselling.
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Ombudsman assessment/recommendation

Mr X was granted a Bridging visa with an associated THS visa on 22 April 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 22 April 2015 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 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.