

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	1003139
Date of DIBP's report	5 May 2015
Total days in detention	Not provided

Detention history

6 May 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 690 <i>Quendale</i> .
14 August 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).	
14 August 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 Mr X.	
29 July 2013	A DIBP Incident Report recorded that Mr X had self-harmed by scratching his forearm. No further information was provided.

Detention incidents

6 February 2015	A DIBP Incident Report recorded that Mr X was involved in a physical altercation with three students at school and reported that he was being bullied. DIBP advised that the three students were suspended from school following the incident.
27 February 2015	A DIBP Incident Report recorded that Mr X allegedly struck another detainee across the head during an altercation. No further information was provided.

Ombudsman assessment/recommendation

Mr X was granted a Bridging visa with an associated THS visa on 14 August 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 6 May 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 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.