

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	1989
Ombudsman ID	1003030
Date of DIBP's report	31 March 2015
Total days in detention	Not provided

Detention history

23 March 2013	Detained under s 189(1) of the <i>Migration Act 1958</i> after arriving on the Australian mainland aboard Suspected Illegal Entry Vessel (SIEV) 618 <i>Studebaker</i> .
18 June 2015	Granted a Bridging visa and released from community detention.

Visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that as Mr X arrived in Australia as a 'direct entry person' ¹ he is not barred under s 46A from lodging a protection visa application.	
18 June 2015	Granted a Bridging visa.

Health and welfare

26 March 2013	International Health and Medical Services (IHMS) advised that a previous syphilis infection was identified during routine serology testing. On 6 May 2013 it was confirmed that Mr X had previously received treatment for syphilis and no further treatment was required. IHMS further advised that a previous hepatitis B infection was identified during routine pathology testing. Mr X was provided with education and no treatment was required.
25 August 2013	A DIBP Incident Report recorded that Mr X commenced voluntary starvation as a form of protest. No further information was provided.
29 January 2015	Presented to his general practitioner with ongoing symptoms related to hyperhidrosis, including excessive perspiration. He was referred to a specialist endocrine clinic for further investigation. IHMS advised that it was awaiting confirmation of this appointment at the time of its report.

¹ A maritime arrival to Australia's mainland who is seeking protection.

Ombudsman assessment/recommendation

Mr X was granted a Bridging visa on 18 June 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 23 March 2013 after arriving on the Australian mainland aboard SIEV *Studebaker* 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.

Given that Mr X is not subject to the bar under s 46A, the Ombudsman recommends that the processing of his protection claims commence as soon as possible.