

## 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>	1003140
<b>Date of DIBP's report</b>	5 May 2015
<b>Total days in detention</b>	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

1 August 2013	International Health and Medical Services (IHMS) advised that Mr X was diagnosed with a genetic blood disorder following routine pathology testing. He was found to be asymptomatic with no treatment required.
1 November 2013	Mr X was diagnosed with high blood pressure. He was prescribed with medication and referred to a hypertension clinic for further treatment. This appointment remained outstanding.
4 November 2013 - 3 January 2013	Attended four physiotherapy sessions.
16 December 2013	Mr X was admitted to a hospital emergency department after fracturing his right ankle. He was provided with crutches and referred to physiotherapy for treatment. IHMS advised that his condition was monitored by his general practitioner.

10 January 2015	IHMS advised that Mr X fractured his toe and was fitted with a cast. No further information was provided.
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**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.