

# 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>	Stateless (claimed)
<b>Year of birth</b>	1996
<b>Ombudsman ID</b>	1001934
<b>Date of DIBP's report</b>	13 October 2014
<b>Total days in detention</b>	Not provided

## Detention history

13 October 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 16 aboard Suspected Illegal Entry Vessel (SIEV) 470 <i>Zeitz</i> .
28 January 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).	
28 January 2015	Granted a Bridging visa with an associated THS visa.

## Health and welfare

International Health and Medical Services (IHMS) advised that Mr X has not required treatment for any major physical health issues.	
27 March 2014	Attended an appointment with his general practitioner (GP) and reported that he was experiencing low mood and reduced interest in activities. He was prescribed with antidepressant medication and referred to a psychologist.
May 2014	Attended a follow-up appointment with his GP and reported an improvement in his mood. He was provided with supportive counselling and relaxation techniques.

### **Ombudsman assessment/recommendation**

Mr X was granted a Bridging visa with an associated THS visa on 28 January 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 13 October 2012 after arriving in Australia as an unaccompanied minor aged 16, 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.