

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 Miss X who has remained in immigration detention for more than 30 months (two and a half years).

Name	Miss X
Citizenship	Country A
Year of birth	1998
Ombudsman ID	1002987
Date of DIBP's reports	17 July 2015 and 11 January 2016
Total days in detention	912 (at date of DIBP's latest report)

Detention history

14 July 2013	Detained under s 189(1) of the <i>Migration Act 1958</i> after arriving on the Australian mainland ¹ as an unaccompanied minor aged 14 aboard Suspected Illegal Entry Vessel (SIEV) 788 <i>Fadettes</i> . She was transferred to Curtin Immigration Detention Centre.
17 July 2013	Transferred to Wickham Point Alternative Place of Detention.
19 September 2013	Transferred to community detention.

Visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that prior to ministerial intervention, Miss X was part of a cohort who had not had their protection claims assessed as they arrived in Australia after 13 August 2012 and were subject to the bar under s 46A.	
30 June 2015	The Minister lifted the bar under s 46A to allow her to lodge a temporary visa application.
8 July 2015	Miss X was notified that she is eligible to receive the Primary Application Information Service (PAIS) to assist her with lodging a temporary visa application.
18 August 2015	Miss X accepted the PAIS offer and DIBP has assigned her with a PAIS provider to assist her with lodging a temporary visa application.
31 October 2015	Lodged a Safe Haven Enterprise visa (SHEV) application which triggered an associated Bridging visa application.
17 December 2015	Attended an interview in relation to her SHEV application.
6 January 2016	Associated Bridging visa was deemed invalid.

¹ Following legislative amendment on 20 May 2013, all unauthorised maritime arrivals, including those who arrived on the Australian mainland or an 'excised offshore location' were barred from lodging a Protection visa application under s 46A.

Health and welfare

International Health and Medical Services advised that Miss X has not required treatment for any major physical or mental health issues.

Case status

Miss X was detained on 14 July 2013 after arriving in Australia as an unaccompanied minor aged 14 aboard SIEV *Fadettes* and has been held in detention for over two and a half years. On 30 June 2015 the Minister lifted the bar under s 46A to allow Miss X to lodge a temporary visa application and on 31 October 2015 Miss X lodged a SHEV application.