

**REPORT BY THE COMMONWEALTH AND
IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT**

Under s 486O of the Migration Act 1958

This is the second s 486O report on Mr X and his family who have remained in immigration detention for more than 36 months (three years).

The first report 1003050 was tabled in Parliament on 3 February 2016. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X (and family)
Citizenship	Country A
Year of birth	1980

Family details

Family members	Ms Y (wife)
Citizenship	Country A
Year of birth	1985

Family members	Master Z (son)	Miss P (daughter)
Citizenship	Country A	Country A
Year of birth	2003	2005

Family members	Miss Q (daughter)	Master R (son)
Citizenship	Country A	Country A
Year of birth	2006	2011

Ombudsman ID	1001819-O
Date of DIBP's reports	15 January 2016 and 13 July 2016
Total days in detention	1094 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1003050), Mr X and his family have remained in community detention.

Recent visa applications/case progression

29 September 2015	The Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Mr X and his family to lodge a temporary visa application.
10 November 2015	The Department of Immigration and Border Protection (DIBP) invited the family to lodge a temporary visa application.

22 March 2016	DIBP notified Mr X that he and his wife were eligible to receive the Primary Application and Information Service (PAIS) to assist them with lodging a temporary visa application.
8 April 2016	Mr X and his wife accepted the PAIS offer and were assigned a provider.
6 June 2016	Mr X lodged an application for a Safe Haven Enterprise visa (SHEV) which included his family as dependants.
7 June 2016	Mr X was referred on a first stage ministerial submission for consideration under s 195A for the grant of a Bridging visa.
23 June 2016	The Minister agreed to consider Mr X's case. DIBP advised that it is preparing to refer Mr X on a second stage submission to the Minister.

Health and welfare

Mr X

International Health and Medical Services (IHMS) advised that Mr X has presented with sleeping difficulties and anxiety. He attended regular specialist counselling appointments and a general practitioner (GP) continues to monitor and review Mr X's mental health as required.

Ms Y

IHMS advised that Ms Y required treatment and been prescribed medication for a range of allergic reactions and was referred to a specialist. She continues to see her GP to manage her depression and anxiety and is prescribed with antidepressant medication.

Master Z

IHMS advised that Master Z completed his course of treatment for latent tuberculosis. Master Z is also receiving specialist treatment for nocturnal enuresis.

Miss P, Miss Q and Master R

IHMS advised that Miss P, Miss Q and Master R have not required treatment for any major physical or mental health issues since its previous report to the Ombudsman.

Case status

Mr X and his family were detained on 15 July 2013 after arriving in Australia aboard Suspected Illegal Entry Vessel *Gayfers* and were held in detention for over three years.

On 29 September 2015 the Minister lifted the bar under s 46A to allow Mr X and his family to apply for a temporary visa and on 6 June 2016 Mr X lodged a SHEV application on behalf of his family.