

**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.

<b>Name</b>	Mr X (and family)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1980

**Family details**

<b>Family members</b>	Ms Y (wife)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1985

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

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

<b>Ombudsman ID</b>	1001819-O
<b>Date of DIBP's reports</b>	15 January 2016 and 13 July 2016
<b>Total days in detention</b>	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.