

**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 Ms X and her son who remained in immigration detention for more than 24 months (two years).

<b>Name</b>	Ms X (and son)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1955

**Family details**

<b>Family members</b>	Mr Y (son)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1989

<b>Ombudsman ID</b>	1003096
<b>Date of DIBP's report</b>	24 April 2015
<b>Total days in detention</b>	Not provided

**Detention history**

18 April 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 664 <i>Newark</i> .
22 April 2015	Granted Bridging visas with associated Temporary Humanitarian Stay (THS) visas 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, Ms X and her son were 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.	
22 April 2015	Granted Bridging visas with associated THS visas.

**Health and welfare**

*Ms X and Mr Y*

DIBP did not provide an International Health and Medical Services Health Summary Report for Ms X and Mr Y.
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### **Ombudsman assessment/recommendation**

Ms X and her son were granted a Bridging visas with associated THS visas on 22 April 2015 and released from immigration detention.

In the absence of any health and welfare information provided by DIBP the Ombudsman is unable to assess the adequacy of health care provided to Ms X and her son while they were in immigration detention.

The Ombudsman notes that Ms X and her son were detained on 18 April 2013 after arriving in Australia, and were held in detention for over two years before being granted Bridging visas. The Ombudsman further notes that, at the time of DIBP's review, processing of Ms X and her son's claims for protection had not commenced.

The Ombudsman recommends that the Minister lift the bar under s 46A and processing of Ms X and her son's protection claims commence as soon as possible.