

# 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 and his family who remained in immigration detention for more than 24 months (two years).

<b>Name</b>	Mr X (and family)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1984

## Family details

<b>Family members</b>	Ms Y (wife)	Master Z (son)	Master Q (son)
<b>Citizenship</b>	Country A	Stateless (claimed)	Stateless (claimed)
<b>Year of birth</b>	1989	2008	2011

<b>Ombudsman ID</b>	1003108
<b>Date of DIBP's report</b>	30 April 2015
<b>Total days in detention</b>	Not provided

## Detention history

25 April 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 674 <i>Arundel</i> .
6 May 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, Mr X and his family 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.	
6 May 2015	Granted Bridging visas with associated THS visas.

## Health and welfare

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

Mr X and his family were granted Bridging visas with associated THS visas on 6 May 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 Mr X and his family while they were in immigration detention.

The Ombudsman notes that Mr X and his family were detained on 25 April 2013 after arriving in Australia aboard *SIEV Arundel* 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 the family's claims for protection had not commenced.

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