

ASSESSMENT (ABRIDGED) BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the sixth s 486O assessment on Mr X, Ms Y and their son who remained in immigration detention for more than 78 months (six and a half years). The previous assessments are:

1221/13 tabled in Parliament on 4 December 2013
1001286 tabled in Parliament on 25 June 2014
1001519 tabled in Parliament on 3 December 2014
1001970 tabled in Parliament on 17 June 2015
1002471 tabled in Parliament on 14 September 2016

This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X (and family)
Citizenship	Country A
Year of birth	1983
Ombudsman ID	1000688-O
Date of DIBP's reviews	29 October 2016 and 30 April 2017
Total days in detention	2,368 (at date of DIBP's latest review)

Recent detention history

20 June 2017	Granted bridging visas and released from community detention.
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Recent visa applications/case progression

The Department of Immigration and Border Protection (the department) advised that the family's case was affected by the judgment handed down on 2 September 2015 by the Full Federal Court (FFC), which found that the International Treaties Obligations Assessment (ITOA) process undertaken by the department was procedurally unfair.

The Minister appealed the FFC decision and on 27 July 2016 the High Court found that the ITOA process was not procedurally unfair.

17 January 2017	Lodged a Safe Haven Enterprise visa application.
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Health and welfare

The family was provided with treatment for physical health concerns.

Case status

Mr X, Ms Y and their son were granted bridging visas on 20 June 2017 and released from immigration detention.