

**REPORT (ABRIDGED) 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 Ms Y who remained in immigration detention for more than 36 months (three years).

The first report 1002422 was tabled in Parliament on 9 September 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X (and wife)
Citizenship	Country A
Year of birth	1980
Ombudsman ID	1003504
Date of DIBP's reports	11 April 2016 and 12 October 2015

Recent detention history

18 April 2016	Mr X and Ms Y were granted Bridging visas and released from community detention.
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Recent visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that prior to being released from detention, Mr X and his wife 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 of the *Migration Act 1958*.

Health and welfare

Ms Y was provided with treatment for a range of physical issues.

23 December 2014	Ms Y gave birth to her daughter.
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Ombudsman assessment/recommendation

Mr X and his wife were granted Bridging visas on 18 April 2016 and released from immigration detention.

The Ombudsman notes that Mr X and his wife 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 their 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.