

**REPORT (ABRIDGED) BY THE COMMONWEALTH AND
IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT**

Under s 486O of the Migration Act 1958

This is the third s 486O report on Ms X and her daughters who remained in immigration detention for more than 48 months (four years).

The first report 1001597 was tabled in Parliament on 24 September 2014 and the second report 1002105 was tabled in Parliament on 25 November 2015. This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Ms X (and daughters)
Citizenship	Country A
Year of birth	1965
Ombudsman ID	1001002-O
Date of DIBP's reports	8 December 2015 and 6 June 2016

Recent detention history

23 June 2016	Ms X and her two daughters 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 advised that the family's case is 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 DIBP was procedurally unfair.	
The Minister appealed the FFC decision and on 27 July 2016 the High Court found the ITOA process was not procedurally unfair.	
13 April 2016	The Minister lifted the bars under ss 46A and 48B of the <i>Migration Act 1958</i> to allow the family to lodge a temporary visa application.

Health and welfare

The family was provided with treatment for type 1 diabetes and rheumatoid arthritis. They were also provided with treatment and counselling for a range of mental health issues including major depression and anxiety.

Case status

Ms X and her daughters have been found not to be owed protection under the Refugee Convention and the complementary protection criterion. They are awaiting the outcome of judicial review.
Ms X and her daughters were granted Bridging visas on 23 June 2016 and released from immigration detention.