

## ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

*Under s 486O of the Migration Act 1958*

This is the third s 486O assessment on Mr X, Ms Y and their family who have remained in immigration detention for more than 54 months (four and a half years).

The first assessment 1002645 was tabled in Parliament on 14 October 2015 and the second assessment 1003503 was tabled in Parliament on 8 November 2016. This assessment provides an update and should be read in conjunction with the previous assessments.

<b>Name</b>	Mr X (and family)
<b>Citizenship</b>	Stateless, born in Country A
<b>Year of birth</b>	1982
<b>Total days in detention</b>	1,640 (at date of DIBP's latest review)

### Family details

<b>Family members</b>	Ms Y (wife)	Miss Z (daughter)
<b>Citizenship</b>	Stateless, born in Country B of Ethnicity C	Stateless, born in Country B of Ethnicity C
<b>Year of birth</b>	1988	2004
<b>Total days in detention</b>	1,640 (at date of DIBP's latest review)	1,640 (at date of DIBP's latest review)

<b>Family members</b>	Master P (son)	Miss Q (daughter)
<b>Citizenship</b>	Stateless, born in Country B of Ethnicity C	Stateless, born in Country D of Ethnicity C
<b>Year of birth</b>	2009	2013
<b>Total days in detention</b>	1,640 (at date of DIBP's latest review)	1,285 (at date of DIBP's latest review)

<b>Ombudsman ID</b>	1001472-O
<b>Date of DIBP's reviews</b>	10 October 2016 and 10 April 2017

### Recent detention history

Since the Ombudsman's previous assessment (1003503), the family has remained in community detention.
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### Recent visa applications/case progression

10 October 2016	The Department of Immigration and Border Protection (the department) advised that Mr X is no longer considered to be a person of interest to the department in relation to people smuggling activities.
10 April 2017	The department advised that the family's Safe Haven Enterprise visa (SHEV) application lodged on 21 August 2015 continues to be processed.

## Health and welfare

### *Mr X*

International Health and Medical Services (IHMS) advised that Mr X continued to be monitored for hepatitis C.

### *Ms Y and Miss Q*

IHMS advised that Ms Y and Miss Q did not require treatment for any major physical or mental health concerns during this assessment period.

### *Miss Z*

IHMS advised that Miss Z was referred to a speech pathologist in February 2017 for the management of significant speech delay. At the time of the department's latest review, an appointment was pending.

### *Master P*

IHMS advised that Master P was reviewed by a paediatrician and audiologist for management of attention deficient hyperactivity disorder and dyslexia. He was reviewed by a speech pathologist in September 2016 and following the pathologist's recommendation, Master P attended weekly speech therapy sessions.

## Other matters

Mr X's brother, Mr R, resides in community detention and is the subject of Ombudsman assessment 1002364-O1.

## Ombudsman assessment/recommendation

Mr X, Ms Y and their family were detained on 13 October 2012 after arriving in Australia by sea and have been held in detention for more than four and a half years. The family lodged a SHEV application on 21 August 2015.

The Ombudsman notes that at the time of the department's latest review the family continued to await the outcome of their SHEV application. The Ombudsman recommends that the department expedite the resolution of the family's SHEV application.