

REPORT 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 who remained in immigration detention for more than 30 months (two and a half years).

The first report 1002145 was tabled in Parliament on 3 June 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1982
Ombudsman ID	1002792
Date of DIBP's report	30 June 2015
Total days in detention	926 (at date of DIBP's report)

Recent detention history

Since the Ombudsman's previous report (1002145), Mr X remained in community detention with his wife, Ms Y, and their daughter, Miss Z.	
20 May 2015	Mr X separated from his wife, who is now the subject of a separate Ombudsman report. Miss Z remained with her mother.
27 August 2015	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa and released from detention.

Recent visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that prior to being released from detention, Mr X was 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.	
27 August 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

International Health and Medical Services (IHMS) provided details of Mr X's health and welfare while in detention. No significant ongoing physical health concerns were noted.	
May 2015	He was referred for a psychiatric assessment and further psychological counselling for ongoing depression and anxiety related to relationship conflict with his estranged wife. IHMS advised Mr X was awaiting appointment confirmation.

Ombudsman assessment/recommendation

Mr X was granted a Bridging visa with an associated THS visa on 27 August 2015 and released from immigration detention.

The Ombudsman notes that Mr X was detained on 16 December 2012 after arriving in Australia and was held in detention for over two and a half years before being granted a Bridging visa. The Ombudsman further notes that, at the time of DIBP's review, processing of Mr X's claims for protection had not commenced.

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