

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

*Under s 486O of the Migration Act 1958*

This is the first s 486O report on Mr X and his son who remained in immigration detention for more than 30 months (two and a half years).

<b>Name</b>	Mr X (and son)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1970
<b>Ombudsman ID</b>	1002628
<b>Date of DIBP's reports</b>	13 October 2014 and 29 April 2015

**Detention history**

13 October 2012	Mr X and his four-year-old son Master Y were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 469 <i>Yalga</i> .
2 July 2015	Granted Bridging visas and released from community detention.

**Visa applications/case progression**

The Department of Immigration and Border Protection (DIBP) advised that prior to being released from detention, Mr X and his son 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.

**Health and welfare**

International Health and Medical Services recorded that Master Y was diagnosed with panic disorder in July 2013 and attempted self-harm on a number of occasions. A specialist advised that his behaviour was occurring in the context of his father's difficulty in containing his own distress at being separated from his wife and other children.

Master Y and his father received regular home visits to ensure their safety and were provided with treatment and counselling for post-traumatic stress disorder, depression and anxiety.

**Ombudsman assessment/recommendation**

Mr X and his son were granted Bridging visas on 2 July 2015 and released from immigration detention.

The Ombudsman notes that Mr X and his son were held in detention for over two and a half 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 Mr X and his son's protection claims commence as soon as possible.