

**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 Ms X and her daughter who remained in immigration detention for more than 30 months (two and a half years).

The first report 1001914¹ was tabled in Parliament on 13 May 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Ms Z (and daughter)
Citizenship	Country A
Year of birth	1961

Family details

Family members	Miss Y (daughter)
Citizenship	Country A
Year of birth	1999

Ombudsman ID	1003322
Date of DIBP's report	8 April 2015
Total days in detention	Not provided

Detention history

Since the Ombudsman's previous report (1001914), Ms X and her daughter remained in community detention.	
6 May 2015	Granted Bridging visas with associated Temporary Humanitarian Stay (THS) visas and released from detention.

Visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that prior to being released from detention, Ms X and her daughter 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 <i>Migration Act 1958</i> .	
6 May 2015	Granted Bridging visas with associated THS visas.

¹ Ms X and her daughter were previously reported on in a group report of people who arrived on Suspected Illegal Entry Vessel (SIEV) 461 *Painter* and were detained on 28 September 2012.

Health and welfare

Ms X

Health and Medical Services (IHMS) provided details of Ms X's health and welfare. No significant ongoing mental health concerns were noted.	
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24 April 2015	IHMS reported that Ms X was awaiting specialist appointments for review following cancer treatment and gynaecological concerns. She was monitored by a general practitioner and provided with treatment as required.
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Miss Y

IHMS advised that Miss Y did not require treatment for any major physical or mental health issues.
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Ombudsman assessment/recommendation

<p>Ms X and her daughter were granted Bridging visas with associated THS visas on 6 May 2015 and released from immigration detention.</p>

<p>The Ombudsman notes that Ms X and her daughter were detained on 28 September 2012 after arriving in Australia aboard <i>SIEV Painter</i> and 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 the family's claims for protection had not commenced.</p>

<p>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.</p>
