

# REPORT 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 family who remained in immigration detention for more than 24 months (two years).

<b>Name</b>	Mr X (and family)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1978

## Family details

<b>Family members</b>	Ms Y (wife)	Miss Z (daughter)
<b>Citizenship</b>	Country A	Country A
<b>Year of birth</b>	1985	2005

<b>Ombudsman ID</b>	1002635
<b>Date of DIBP's report</b>	13 October 2014
<b>Total days in detention</b>	Not provided

## Detention history

13 October 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 480 <i>Jauncey</i> .
25 February 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 family 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.	
25 February 2015	Granted Bridging visas.

## Health and welfare

*Mr X and Ms Y*

International Health and Medical Services (IHMS) advised that Mr X and Ms Y did not require treatment for any major physical or mental health issues.
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*Miss Z*

IHMS provided details of Miss Z's health and welfare while in detention. No significant ongoing physical health concerns were noted.

22 May 2014

Miss Z was reviewed by a psychologist after her mother raised concerns about her low mood. The psychologist noted no mental health issues and reported that Miss Z appeared to be adjusting well in community detention.

**Ombudsman assessment/recommendation**

Mr X and his family were granted Bridging visas on 25 February 2015 and released from immigration detention.

The Ombudsman notes that Mr X and his family were detained on 13 October 2012 after arriving in Australia and were held in detention for over two 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.

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.