

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

<b>Name</b>	Mr X (and family)
<b>Citizenship</b>	Stateless (claimed)
<b>Year of birth</b>	1982
<b>Ombudsman ID</b>	1002650
<b>Date of DIBP's reports</b>	13 October 2014 and 29 April 2015

**Detention history**

13 October 2012	Mr X, Ms Y and their daughter were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 470 Zeitz.
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 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.

**Health and welfare**

The family was provided with treatment and counselling for a range of physical and mental health issues.

**Other matters**

25 December 2012	A DIBP Incident Report recorded that Mr X was transferred to separate accommodation following an alleged domestic violence incident involving his wife. He was reunited following counselling a few months later with no further concerns raised.
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**Ombudsman assessment/recommendation**

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

The Ombudsman notes that Mr X and his family 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.

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.