

**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>	1982

**Family details**

<b>Family members</b>	Ms Y (wife)	Miss Z (daughter)
<b>Citizenship</b>	Country A	Country A
<b>Year of birth</b>	1984	2004

<b>Family members</b>	Master P (son)	Master Q (son)
<b>Citizenship</b>	Country A	Country A
<b>Year of birth</b>	2006	2012

<b>Ombudsman ID</b>	1002971
<b>Date of DIBP's report</b>	21 November 2014
<b>Total days in detention</b>	Not provided

**Detention history**

21 November 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 543 <i>Valiant</i> .
6 May 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.	
6 May 2015	Granted Bridging visas.

**Health and welfare**

*Mr X, Ms Y and Master P*

International Health and Medical Services (IHMS) provided details of Mr X, Ms Y and Master P's health and welfare. No significant ongoing physical or mental health concerns were noted.
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*Miss Z*

IHMS provided details of Miss Z's health and welfare. No significant ongoing physical health concerns were noted.	
18 – 26 February 2015	The family's case coordinator notified IHMS that Miss Z had reported to her teacher that she was being physically threatened and abused by her mother and had disclosed to the school psychologist thoughts of self-harm. A safety plan was implemented and the school principal, the case coordinator and the family's general practitioner (GP) were involved. The GP referred Miss Z and Ms Y to a psychologist for further support. IHMS advised that no further incidents had been reported.

*Master Q*

IHMS provided details of Master Q's health and welfare. No significant ongoing mental health concerns were noted.	
February 2013 and March 2013	IHMS advised that Master Q required recurrent hospital admissions following respiratory problems and was diagnosed with asthma. He was prescribed with an inhaler and his mother was educated on asthma management. His condition was managed and treated by the GP.

**Ombudsman assessment/recommendation**

<p>Mr X and his family were granted Bridging visas on 6 May 2015 and released from immigration detention.</p> <p>The Ombudsman notes that Mr X and his family were detained on 21 November 2012 after arriving in Australia aboard SIEV <i>Valiant</i> 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.</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>
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