

**REPORT (ABRIDGED) 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 Mr X who remained in immigration detention for a cumulative period of more than 36 months (three and a half years).

The first report 1002743 was tabled in Parliament on 14 September 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1986
Ombudsman ID	1003152
Date of DIBP's report	10 August 2015

Detention history

9 October 2010	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 194 <i>Runnymede</i> .
1 March 2011	Mr X was released from detention when voluntarily returned to Country A.
31 October 2012	Mr X was re-detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia with his wife, Ms Y, and two daughters aboard SIEV 510 <i>Oldsmobile</i> . Mr X's wife, Ms Y and their daughters are the subjects of Ombudsman report 1002209-O.
12 November 2015	Granted a Bridging visa and released from community detention with his family.

Visa applications/case progression

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

Mr X was provided with treatment and counselling for a range of mental health issues including a history of torture and trauma.

Ombudsman assessment/recommendation

Mr X was granted a Bridging visa on 12 November 2015 and released from immigration detention. The Ombudsman notes that Mr X was held in detention for over two years before being granted a Bridging visa. The Ombudsman further notes that, at the time of DIBP's review, processing of his claims for protection had not commenced.

The Ombudsman recommends that the Minister lift the bar under s 46A and processing of Mr X's protection claims commence as soon as possible.

