

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O report on Mr X and his wife who remained in immigration detention for more than 48 months (four years). This is the second report on their son, Master Z, who remained in immigration detention for more than 36 months (three years).

The first report 1001946 on Mr X and his wife was tabled in Parliament on 27 May 2015 and the second report 1003228 was tabled in Parliament on 31 August 2016. The first report 1003370 on Master Z was tabled in Parliament on 10 February 2016.

This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Mr X (and family)
Citizenship	Stateless (claimed)
Year of birth	1990
Total days in detention	1458 (at date of DIBP's latest report)

Family details

Family members	Ms Y (wife)	Master Z (son)
Citizenship	Stateless (claimed)	Stateless (claimed)
Year of birth	1994	2013 (born in Australia)
Total days in detention	1458 (at date of DIBP's latest report)	1152 (at date of DIBP's latest report)

Ombudsman ID	1001978-O
Date of DIBP's reports	20 April 2016 and 17 October 2016

Recent detention history

Since the Ombudsman's previous report (1003228), Mr X and his family have remained in community detention.	
19 October 2016	Granted Bridging visas and released from detention.

Recent visa applications/case progression

8 March 2016	Mr X and his family were notified that they were eligible to receive the Primary Application Information Service (PAIS) to assist them with lodging a new temporary visa application or providing supporting information for their existing application. They accepted the offer on 24 March 2016 and were assigned a PAIS provider.
16 May 2016	The Department of Immigration and Border Protection (DIBP) advised that Mr X and his family had provided additional information in support of their Safe Haven Enterprise visa application.

19 October 2016	Granted Bridging visas and released from detention.
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Health and welfare

Mr X

International Health and Medical Services (IHMS) advised that Mr X continued to be treated for spinal tuberculosis and back pain as an outpatient at a hospital. In July 2016, on completion of his treatment Mr X was discharged. His condition is monitored by a community general practitioner.

Ms Y

IHMS advised that Ms Y was prescribed with medication and referred for specialist review on presentation with gynaecological issues. As a result of a worsening of her symptoms in January 2016 Ms Y attended a hospital emergency department, which prescribed her with medication and recommended referral to a gynaecological specialist. Ms Y is awaiting notification of an appointment date.

IHMS also advised Ms Y was x-rayed and treated with physiotherapy following presentation with knee pain.

Master Z

IHMS advised that Master Z has not required treatment for any major physical or mental health issues since its previous report to the Ombudsman.

Case status

Mr X and his wife were detained on 20 October 2012 after arriving in Australia by sea and has been held in detention for more than four years. Their son, born in Australia in 2013, has been held in detention for more than three years.

On 26 May 2015 the Minister lifted the bar under s 46A to allow Mr X and his family to apply for a temporary visa and on 15 July 2015 they lodged an application for a SHEV.

Mr X and his family have been granted Bridging visas and released from detention.