

**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 Miss X who has remained in immigration detention for more than 24 months (two years).

<b>Name</b>	Miss X
<b>Citizenship</b>	Country A (born to parents <sup>1</sup> in immigration detention)
<b>Year of birth</b>	2013
<b>Ombudsman ID</b>	1002340-O
<b>Date of DIBP's report</b>	11 March 2016
<b>Total days in detention</b>	730 (at date of DIBP's report)

**Detention history**

12 March 2014	Following her birth to parents in immigration detention, Miss X was detained under s 189(1) of the <i>Migration Act 1958</i> . <sup>2</sup>
The Department of Immigration and Border Protection (DIBP) advised that Miss X currently resides in community detention with Ms Y.  DIBP advised that Mr Z community detention placement was revoked on 29 June 2015 and he is currently located at Wickham Point Alternative Place of Detention.	

**Visa applications/case progression**

27 August 2015	Miss X was included on a combined Temporary Protection visa (TPV) and Bridging visa application with her parents.
26 October 2015	Bridging visa application deemed invalid.

**Health and welfare**

International Health and Medical Services (IHMS) advised that Miss X was reviewed by a psychiatrist and attends psychological counselling for management of behavioural issues and separation anxiety related to the re-detention of her father, her mother's mental health concerns and lack of family support.  IHMS further advised that Miss X was referred to a specialist after being diagnosed with eye abnormalities. She continues to be monitored by a general practitioner.	
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<sup>1</sup> Miss X's parents, Ms Y and Mr Z, arrived in Australia on 9 September 2012 aboard Suspected Illegal Entry Vessel *Nutmeg*. Ms Y is the subject of Ombudsman report 1003422 and Mr Z is the subject of Ombudsman report 1003270.

<sup>2</sup> In December 2015 DIBP advised that the time that elapsed between Miss X's birth and the date on which she was detained was due to a delay in developing and finalising new policy guidelines for the detention of babies born to parents in community detention.

**Case status**

Miss X was detained on 12 March 2014 following her birth to parents in immigration detention and has been held in detention for over two years.

On 30 June 2015 the Minister lifted the bar under s 46A to allow Miss X's mother to apply for a temporary visa. On 27 August 2015 Miss X was included on a combined TPV application with her parents.