

REPORT 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 Ms X and her family who remained in immigration detention for more than 30 months (two and a half years).

The first report 1001896¹ was tabled in Parliament on 18 March 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Ms X (and family)
Citizenship	Country A
Year of birth	1980

Family details

Family members	Ms Y (niece)	Master Z (son)
Citizenship	Country A	Country A
Year of birth	1995	2005

Ombudsman ID	1002353
Date of DIBP's report	25 March 2015
Total days in detention	Not provided

Recent detention history

Since the Ombudsman's previous report 1001896, Ms X and her family remained in community detention.	
11 March 2015	Granted Bridging visas and released from detention.

Recent visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that prior to being released from detention, Ms X and her 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 of the <i>Migration Act 1958</i> .	
11 March 2015	Granted Bridging visas.

Health and welfare

Ms X

27 April 2014 – 5 June 2014	DIBP Incident Reports recorded that Ms X was admitted to hospital on four occasions after experiencing vomiting and abdominal pain related to her pregnancy.
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¹ Ms X and her family were previously reported on in a group report of people who arrived on Suspected Illegal Entry Vessel 445 *Zedoary* and were detained on 10 September 2012.

1 October 2014 – 11 March 2015	International Health and Medical Services (IHMS) advised that prior to her release from detention, Ms X continued to attend specialist counselling for symptoms of depression related to past trauma.
24 October 2014	Admitted to hospital following exhaustion and dehydration related to her pregnancy.
November 2014	A DIBP Incident Report recorded that Ms X gave birth ² to a son.

Ms Y

30 September 2014	Presented to her general practitioner with ongoing abdominal pain and weight loss. She was prescribed with medication and referred for a computed tomography (CT) scan.
3 February 2015	CT scan identified no abnormalities.
6 February 2015	Referred to an infectious disease and gastroenterologist specialist following ongoing abdominal pain. The appointments remained outstanding at the time of IHMS's report.

Master Z

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

Ombudsman assessment/recommendation

Ms X and her family were granted Bridging visas on 11 March 2015 and released from immigration detention.

The Ombudsman notes that Ms X and her family were detained on 10 September 2012 after arriving in Australia and 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.

² Ms X's second son (name not provided) was born in Australia in November 2014. He was in detention for less than two years and is not subject to reporting under s 486N.