

REPORT (ABRIDGED) 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 Ms Y who remained in immigration detention for more than 24 months (two years).

Name	Mr X (and wife)
Citizenship	Country A
Year of birth	1995
Ombudsman ID	1003070
Date of DIBP's report	1 April 2015

Detention history

25 March 2013	Mr X and Ms Y were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 624 <i>Yuan</i> .
18 June 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 Ms Y 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.

Health and welfare

Mr X and Ms Y were provided with treatment and counselling for a range of physical and mental health issues including depression, anxiety and post-traumatic stress disorder.

They were also referred for genetic counselling following confirmation of Ms Y's unplanned pregnancy as they are first cousins.

Ombudsman assessment/recommendation

Mr X and Ms Y were granted Bridging visas on 18 June 2015 and released from immigration detention.

The Ombudsman notes that Mr X and Ms Y 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.

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.