

## 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 Mr X and his family who remained in immigration detention for more than 24 months (two years).

<b>Name</b>	Mr X (and family)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1978

### Family details

<b>Family members</b>	Ms Y (wife)	Master Z (son)
<b>Citizenship</b>	Country A	Country A
<b>Year of birth</b>	1985	2004

<b>Family members</b>	Miss P (daughter)	Miss Q (daughter)
<b>Citizenship</b>	Country A	Country A
<b>Year of birth</b>	2008	2010

<b>Ombudsman ID</b>	1002000
<b>Date of DIBP's report</b>	11 November 2014
<b>Total days in detention</b>	Not provided

### Detention history

11 November 2012	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 531 <i>Jaguar</i> .
25 March 2015	Granted Bridging visas with associated Temporary Humanitarian Stay (THS) 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 his 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(2).	
25 March 2015	Granted Bridging visas with associated THS visas.

## Health and welfare

*Mr X*

1 January 2013	Mr X disclosed a history of torture and trauma but declined specialist counselling.
International Health and Medical Services (IHMS) advised that he did not require treatment for any major physical health issues.	

*Ms Y, Master Z, Miss P and Miss Q*

IHMS advised that Ms Y, Master Z, Miss P and Miss Q did not require treatment for any major physical or mental health issues.
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## Ombudsman assessment/recommendation

<p>Mr X and his family were granted a Bridging visas with associated THS visas on 25 March 2015 and released from immigration detention.</p> <p>The Ombudsman notes that Mr X and his family were detained on 11 November 2012 after arriving in Australia and were held in detention for over two years before being granted a Bridging visas. The Ombudsman further notes that, at the time of DIBP's review of the family's case, processing of the family's claims for protection had not commenced.</p> <p>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.</p>
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