

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

The first report 1001943¹ was tabled in Parliament on 17 June 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X (and family)
Citizenship	Country A
Year of birth	1975

Family details

Family members	Ms Y (wife)	Mr Z (son)
Citizenship	Country A	Country A
Year of birth	1980	1996

Family members	Master P (son)	Master Q (son)
Citizenship	Country A	Country A
Year of birth	2003	2006

Ombudsman ID	1003341
Date of DIBP's report	30 April 2015
Total days in detention	Not provided

Detention history

Since the Ombudsman's previous report (1001943), Mr X and his family remained in community detention.	
6 May 2015	Granted Bridging visas with associated Temporary Humanitarian Stay (THS) visas and released from 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 of the <i>Migration Act 1958</i> .	
6 May 2015	Granted Bridging visas with associated THS visas.

¹ Mr X and his family were previously reported on in a group report of people who arrived on Suspected Illegal Entry Vessel (SIEV) 485 *Opaque* and were detained on 17 October 2012.

Health and welfare

DIBP did not provide an International Health and Medical Services Health Summary Report for Mr X, Ms Y, Mr Z, Master P or Master Q.

Other matters

Mr X and Ms Y's second son, Mr R, also arrived on SIEV *Opaque* with the family. He is the subject of Ombudsman report 1002476.

Ombudsman assessment/recommendation

Mr X and his family were granted Bridging visas with associated THS visas on 6 May 2015 and released from immigration detention.

In the absence of any health and welfare information provided by DIBP the Ombudsman is unable to assess the adequacy of health care provided to Mr X and his family while they were in immigration detention.

The Ombudsman notes that Mr X and his family were detained on 17 October 2012 after arriving in Australia aboard SIEV *Opaque* 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.