

## REPORT (ABRIDGED) 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 son who remained in immigration detention for more than 30 months (two and a half years).

The first report 1001839 was tabled in Parliament on 11 February 2015. This report updates the material in that report and should be read in conjunction with the previous report.

<b>Name</b>	Mr X (and son)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1980
<b>Ombudsman ID</b>	1002290
<b>Date of DIBP's report</b>	16 January 2015

### Detention history

27 August 2012	Mr X and his son were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 426 <i>Ginger</i> .
20 May 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 his son 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

The family was provided with treatment and counselling for a range of physical and mental health issues.

### Ombudsman assessment/recommendation

Mr X and his son were granted Bridging visas on 20 May 2015 and released from immigration detention.

The Ombudsman notes that Mr X and his son 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 their 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.