

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 Ms X and her children who remained in immigration detention for more than 24 months (two years).

Name	Ms X (and children)
Citizenship	Stateless
Year of birth	1971
Ombudsman ID	1002770
Date of DIBP's report	10 June 2015

Detention history

1 June 2013	Ms X and her four children were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 729 <i>Mayfair</i> . Ms X arrived with her husband, who died the same day.
4 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, Ms X and her children 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

International Health and Medical Services advised that Ms X and her children were provided with loss and grief counselling following the sudden death of Ms X's husband on the day of their arrival on Christmas Island.

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

Ombudsman assessment/recommendation

Ms X and her family were granted Bridging visas on 4 June 2015 and released from immigration detention.

The Ombudsman notes that Ms X and her family 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 their claims for protection had not commenced.

The Ombudsman recommends that the Minister lift the bar under s 46A and processing of Ms X and her family's protection claims commence as soon as possible.