

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 Ms X and her son who remained in immigration detention for more than 30 months (two and a half years).

The first report 1001895 was tabled in Parliament on 18 March 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Ms X (and son)
Citizenship	Country A
Year of birth	1980
Ombudsman ID	1003239
Date of DIBP's report	30 March 2015

Detention history

22 September 2012	Ms X and her son were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 455 <i>Jagara</i> .
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 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

Ms X and her son were provided with treatment and counselling for a range of physical and mental health issues including depression and anxiety.

Ombudsman assessment/recommendation

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

The Ombudsman notes that Ms X and her 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 Ms X and her son's protection claims commence as soon as possible.