

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).

Name	Mr X (and family)
Citizenship	Country A
Year of birth	1980

Family details

Family members	Ms Y (wife)	Miss Z (daughter)
Citizenship	Country A	Country A
Year of birth	1976	1999

Family members	Master Q (son)	Miss R (daughter)	Miss S (daughter)
Citizenship	Country A	Country A	Country A
Year of birth	2001	2007	2009

Ombudsman ID	1002483
Date of DIBP's report	21 April 2015
Total days in detention	Not provided

Detention history

17 April 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 661 <i>Kendal</i> .
27 August 2015	Granted Bridging visas with associated Temporary Humanitarian (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).	
27 August 2015	Granted Bridging visas with associated THS visas.

Health and welfare

Mr X and family

DIBP did not provide International Health and Medical Services Health Summary Reports for Mr X and his family.
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Ombudsman assessment/recommendation

Mr X and his family were granted Bridging visas with associated THS visas on 27 August 2015 and released from immigration detention.

The Ombudsman notes that Mr X and his family were detained on 17 April 2013 after arriving in Australia and 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 Mr X and his 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.