

**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 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	1963
Ombudsman ID	1002773
Date of DIBP's report	4 June 2015

Detention history

31 October 2012	Mr X, Ms Y and their son were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 510 <i>Oldsmobile</i> .
29 November 2012 – 20 June 2013	Transferred to a Regional Processing Centre and subsequently returned to Australia and re-detained under s 189(1).
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, 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.

Health and welfare

The family was provided with treatment and counselling for a range of physical and mental health issues including depression, anxiety, post-traumatic stress disorder and an adjustment disorder.

Ombudsman assessment/recommendation

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

The Ombudsman notes that Mr X and his 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 the family's protection claims commence as soon as possible.