

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

The first report 1001823 was tabled in Parliament on 3 December 2014. This report updates the material in that report and should be read in conjunction with the previous report.

<b>Name</b>	Mr X (and family)
<b>Citizenship</b>	Stateless (claimed)
<b>Year of birth</b>	1974
<b>Ombudsman ID</b>	1003017
<b>Date of DIBP's report</b>	17 February 2015

### Detention history

17 August 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 412 <i>Ropeley</i> .
18 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

Mr X and Ms Y were provided with treatment and counselling for a range of significant physical health issues including the human immunodeficiency virus, hepatitis B and latent tuberculosis. Mr X was also provided with counselling for mental health concerns.

### Ombudsman assessment/recommendation

Mr X and his family were granted Bridging visas on 18 June 2015 and released from immigration detention.

The Ombudsman notes that Mr X and his family 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.