

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 Miss X who has remained in immigration detention for more than 24 months (two years).

Name	Miss X
Citizenship	Stateless (claimed), (born to parents ¹ in immigration detention)
Year of birth	2013
Ombudsman ID	1003490
Date of DIBP's report	7 October 2015
Total days in detention	734 (at date of DIBP's report)

Detention history

3 October 2013	Following her birth to parents in immigration detention, Miss X was detained under s 189(1) of the <i>Migration Act 1958</i> .
The Department of Immigration and Border Protection (DIBP) advised that Miss X currently resides in community detention with her parents and siblings.	

Visa applications/case progression

13 March 2014	DIBP notified Miss X of the unintentional release of personal information ² and advised that the privacy breach would be taken into account when considering her family's protection claims.
22 April 2015	Miss X's family's case was referred on a ministerial submission for consideration under s 195A for the grant of a Bridging visa.
26 May 2015	The Minister lifted the bar under s 46A to allow Miss X and her family to lodge a temporary visa application.
15 July 2015	DIBP invited the family to lodge a temporary visa application.
21 August 2015	Miss X and her family lodged a Safe Haven Enterprise visa (SHEV) application.

Health and welfare

International Health and Medical Services advised that Miss X has not required treatment for any major physical or mental health issues.
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¹ Miss X's parents, Mr Y and Ms Z, and her siblings arrived in Australia on 13 October 2012 aboard Suspected Illegal Entry Vessel *Zeit*. They are the subject of Ombudsman report 1002645.

² In a media release dated 19 February 2014 the former Minister advised that an immigration detention statistics report was released on DIBP's website on 11 February 2014 which inadvertently disclosed detainees' personal information. The documents were removed from the website as soon as DIBP became aware of the breach from the media. The Minister acknowledged this was a serious breach of privacy by DIBP.

Case status

Miss X was detained on 3 October 2013 following her birth to parents in immigration detention and has been held in detention for over two years.

On 26 May 2015 the Minister lifted the bar under s 46A to allow Miss X to apply for a temporary visa and on 21 August 2015 Miss X was included on a SHEV application with her family.