

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the fifth s 486O report on Ms X who remained in restricted immigration detention for more than 66 months (five and a half years) due to an adverse security assessment. The previous reports are:

Report 1149/13 was tabled in Parliament on 20 March 2013

Report 1001017 was tabled in Parliament on 19 March 2014

Report 1001524 was tabled in Parliament on 11 February 2015

Report 1001973 was tabled in Parliament on 9 September 2015.

This report updates the material in those reports and should be read in conjunction with the previous reports.

Name	Ms X
Citizenship	Country A
Year of birth	1979
Ombudsman ID	1000413-O
Date of DIBP's report	2 November 2015
Total days in detention	2,004 (at date of DIBP's report)

Recent detention history

Since the Ombudsman's previous report (1001973) Ms X remained at Sydney Immigration Residential Housing with her youngest son. ¹	
12 November 2015	Granted a Bridging visa and released from detention.

Recent visa applications/case progression

4 August 2015	The Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Ms X to lodge a temporary visa application.
25 September 2015	Lodged a Temporary Protection visa (TPV) application. The same day the Department of Immigration and Border Protection (DIBP) was notified that the Australian Security Intelligence Organisation (ASIO) had issued Ms X with a qualified security assessment, superseding her adverse security assessment.
26 October 2015	Ms X's case was referred on a ministerial submission for consideration under s 195A for the grant of a Bridging visa.
12 November 2015	Granted a Bridging visa.

¹ Master Q is an Australian Citizen and resided with Ms X as an onsite visitor. Ms X's two older sons resided with their step-father in the community.

Health and welfare

International Health and Medical Services (IHMS) provided details of Ms X's health and welfare. No significant ongoing physical health concerns were noted.

14 October 2015

IHMS advised that Ms X saw the mental health team during outreach sessions and no major mental health concerns were noted.

Case Status

Ms X was granted a Bridging visa on 12 November 2015 and released from immigration detention.

Ms X was found to be owed protection under the Refugee Convention in September 2011 and was detained for more than five and a half years while she was the subject of an adverse security assessment. At the time of DIBP's review Ms X was awaiting the outcome of her TPV application.