

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

Name	Master X
Citizenship	Country A, (born to mother ¹ in immigration detention)
Year of birth	2013
Ombudsman ID	1003181
Date of DIBP's report	30 July 2015
Total days in detention	731 (at date of DIBP's report)

Detention history

29 July 2013	Detained under s 189(1) of the <i>Migration Act 1958</i> .
30 July 2015	Granted a Bridging visa with an associated Temporary Humanitarian Stay (THS) visa 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, Master 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).	
30 July 2015	Granted a Bridging visa with an associated THS visa.

Health and welfare

17 March 2014	International Health and Medical Services (IHMS) advised that Master X was admitted to hospital following an ongoing fever. He was diagnosed with a viral infection and discharged the same day with advice to attend a follow-up appointment with a paediatrician.
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¹ Master X's mother, Ms Y, and his siblings, are the subjects of Ombudsman report 1002434.

Ombudsman assessment/recommendation

Master X and his family were granted Bridging visas with associated THS visas on 30 July 2015 and released from immigration detention.

The Ombudsman notes that two-year-old Master X, who was detained on 29 July 2013 after his birth in immigration detention, was held in detention for over two years before being granted a Bridging visa. The Ombudsman further notes that, at the time of DIBP's review, processing of Master 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 Master X and his family's protection claims commence as soon as possible.