

REPORT 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 1001751 was tabled in Parliament on 29 October 2014. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X (and family)
Citizenship	Country A
Year of birth	1971

Family details

Family members	Ms Y (wife)	Master Z (son)	Miss Q (daughter)
Citizenship	Country A	Country A	Country A
Year of birth	1977	2001	2006

Ombudsman ID	1002270
Date of DIBP's report	4 March 2015
Total days in detention	953 (at date of DIBP's report)

Recent detention history

Since the Ombudsman's previous report (1001751), Mr X and his family remained in community detention.	
4 June 2015	Granted Bridging visas with associated Temporary Humanitarian Stay (THS) visas and released from detention.

Recent visa applications/case progression

17 July 2014	Mr X and his family were issued with a letter inviting them to comment on the unintentional release of personal information through the Department of Immigration and Border Protection's (DIBP) website. ¹ The family had not provided a response to DIBP at the date of its report.
30 January 2015	The Federal Circuit Court dismissed the family's appeal of the Refugee Review Tribunal decision.
4 March 2015	DIBP advised that Mr X and his family had no outstanding matters before DIBP, the courts or tribunals and the family are on a removal pathway.
4 June 2015	Granted Bridging visas with associated THS visas.

¹ 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.

Health and welfare

Mr X, Master Z and Miss Q

International Health and Medical Services (IHMS) advised that Mr X and his children did not require treatment for any major physical or mental health issues.

Ms Y

18 July 2014 – 23 December 2014	IHMS reported that Ms Y had continued to experience recurrent ear infections with deafness and gastric problems. She was waiting to see an ear, nose and throat specialist and gastroenterologist and was monitored by the general practitioner.
10 November 2014	IHMS advised that Ms Y stopped attending psychological services and her previously reported anxiety and depression were considered to be resolved.

Case status

Mr X and his family have been found not to be owed protection under the Refugee Convention and the complementary protection criterion. They have no matters before DIBP, the courts or tribunals and are on a removal pathway.

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