

## 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 1001977 was tabled in Parliament on 12 August 2015. 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>	Country A
<b>Year of birth</b>	1975
<b>Ombudsman ID</b>	1003233
<b>Date of DIBP's report</b>	30 April 2015

### Detention history

30 October 2012	Mr X and his extended family (four people in total) were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 509 <i>Nissan</i> .
4 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

DIBP did not provide an International Health and Medical Services Health Summary Report for Mr X or any members of his family.

### Ombudsman assessment/recommendation

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

In the absence of any health and welfare information provided by DIBP the Ombudsman is unable to assess the adequacy of health care provided to Mr X and his family while they were in 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 the family's 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.