

**REPORT (ABRIDGED) 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 Ms X and her son who remained in immigration detention for more than 24 months (two years).

Name	Ms X (and son)
Citizenship	Country A
Year of birth	1973
Ombudsman ID	1002835
Date of DIBP's report	18 June 2015

Detention history

8 June 2013	Ms X and her son Master Y were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 738 <i>Weobley</i> .
2 July 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, Ms X and her son 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

International Health and Medical Services advised that Ms X has been a paraplegic since 2009 following a bomb blast in Country A. She mobilises in a wheelchair and reportedly has good upper body strength. Ms X was provided with treatment and counselling for a range of mental health issues including depression, anxiety and post-traumatic stress disorder.	
15 December 2014	Ms X gave birth to her second son. DIBP advised that the father of the baby is the holder of a Bridging visa and the baby was granted a Bridging visa.

Ombudsman assessment/recommendation

<p>Ms X and Master Y were granted Bridging visas on 2 July 2015 and released from immigration detention.</p> <p>The Ombudsman notes that Ms X and Master Y were held in detention for over two 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.</p> <p>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.</p>	
---	--