

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O assessment on Mr X and Ms Y who have remained in immigration detention for more than 48 months (four years). The previous assessment 1001513-O was tabled in Parliament on 1 March 2017. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Mr X (and wife)	Ms Y (wife)
Citizenship	Country A	Country A
Year of birth	1969	1963

Ombudsman ID	1001513-O1
Date of DIBP's reports	5 December 2016 and 5 June 2017
Total days in detention	1,458 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous assessment (1001513-O), Mr X and Ms Y remained in community detention.

Recent visa applications/case progression

28 October 2016	Lodged a Safe Haven Enterprise visa (SHEV) application which included their son, Mr Z, as a dependant, along with a request to include their daughter, Ms P.
15 December 2016	Found not to meet the guidelines for referral to the Minister under s 195A of the <i>Migration Act 1958</i> .

Health and welfare

Mr X

International Health and Medical Services (IHMS) advised that Mr X continued to be monitored by a general practitioner (GP) for type 2 diabetes and high cholesterol.

Ms Y

IHMS advised that Ms Y continued to be monitored by a GP for high cholesterol and impaired glucose tolerance.

Recent detention incidents

6 and 14 February 2017	Incident Reports recorded that Mr X and Ms Y's community detention property was vandalised by a group of unidentified boys.
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Other matters

Mr X and Ms Y reside in community detention with their son, Mr Z, who is the subject of Ombudsman assessment 1001332-O1. Mr Z was charged with two counts of arson on 11 November 2016 and scheduled to attend a court hearing on 6 October 2017.

Case status

Mr X and Ms Y were detained on 8 June 2013 after arriving in Australia by sea and have been held in detention for more than four years.

On 29 September 2015 the Minister lifted the bar under s 46A to allow Mr X and Ms Y to apply for a temporary visa and on 28 October 2016 Mr X and Ms Y lodged a SHEV application.