

**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 Ms X and her daughter who have remained in immigration detention for more than 36 months (three years).

The first report 1003216 was tabled in Parliament on 10 February 2016. This report updates the material in that report and should be read in conjunction with the previous report.

|                      |                     |
|----------------------|---------------------|
| <b>Name</b>          | Ms X (and daughter) |
| <b>Citizenship</b>   | Country A           |
| <b>Year of birth</b> | 1986                |

**Family details**

|                       |                   |
|-----------------------|-------------------|
| <b>Family members</b> | Miss Y (daughter) |
| <b>Citizenship</b>    | Country A         |
| <b>Year of birth</b>  | 2011              |

|                                |  |
|--------------------------------|--|
| <b>Ombudsman ID</b>            | 1001966-O                              |
| <b>Date of DIBP's reports</b>  | 9 February 2016 and 9 August 2016      |
| <b>Total days in detention</b> | 1094 (at date of DIBP's latest report) |

**Recent detention history**

Since the Ombudsman's previous report (1003216), Ms X and her daughter have remained in community detention.

**Recent visa applications/case progression**

|                   |   |
|-------------------|---|
| 11 September 2015 | Ms X was notified that she and her daughter were eligible to receive the Primary Application Information Service (PAIS) to assist them with lodging a temporary visa application. She accepted the offer on 15 September 2015 and was assigned a PAIS provider. |
| 1 April 2016      | Lodged a Temporary Protection visa (TPV) application with her daughter listed as a dependent.   |

**Criminal history / Other Matters**

Ms X and her daughter remain under the jurisdiction of Child Protection services and are awaiting judgment by the Supreme Court on the future involvement of Child Protection services.

## Health and welfare

*Ms X*

International Health and Medical Services (IHMS) advised that Ms X has a significant history of mental health issues, however, she has not presented with any mental health concerns since being transferred to community detention.

*Miss Y*

IHMS advised that Miss Y has not required treatment for any major physical or mental health issues since its previous report to the Ombudsman.

## Case status

Ms X and her daughter were detained on 11 August 2013 after arriving in Australia aboard Suspected Illegal Entry Vessel *Marbury* and have been held in detention for over three years.

On 13 August 2015 the Minister lifted the bar under s 46A of the *Migration Act 1958* to allow Ms X and her daughter to apply for a temporary visa and on 1 April 2016 Ms X lodged an application for a TPV with her daughter listed as a dependent.