

**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 have remained in immigration detention for more than 42 months (three and a half years).

The first report 1002839 was tabled in Parliament on 16 March 2016. 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	1973

Family details

Family members	Ms Y (wife)	Master Z (son)
Citizenship	Country A	Country A
Year of birth	1981	2005

Ombudsman ID	1001628-O
Date of DIBP's reports	15 June 2016 and 14 December 2016
Total days in detention	1276 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002839), Mr X and his family have remained in community detention.
--

Recent visa applications/case progression

11 January 2016	Lodged a Safe Haven Enterprise visa (SHEV) application.
13 October 2016	SHEV application refused.
18 October 2016	The family's case was referred to the Immigration Assessment Authority (IAA) for review.

Health and welfare

Mr X

International Health and Medical Services (IHMS) advised that Mr X continued to await an appointment to see an orthopaedic specialist to review his shoulder following a fracture. He also received treatment for gout, neck and arm pain and vision issues.
--

Ms Y

IHMS advised that Ms Y disclosed gynaecological concerns to a general practitioner and continues to be monitored as required.

Master Z

IHMS advised that Master Z has not required treatment for any major physical or mental health issues.

Detention Incidents

19 February 2015	An Incident Report recorded that Mr X allegedly physically assaulted Ms Y. Following the incident Ms Y and Master Z were placed in emergency accommodation. No further information was provided.
------------------	--

Case status

<p>Mr X and his family were detained on 17 June 2013 after arriving in Australia by sea and have been held in detention for more than three and a half years.</p>

<p>On 29 September 2015 the Minister lifted the bar under s 46A of the <i>Migration Act 1958</i> to allow Mr X and his family to apply for a temporary visa and on 11 January 2016 Mr X and his family lodged an application for a SHEV.</p>
--

<p>Mr X and his family's SHEV application was refused on 13 October 2016 and on 18 October 2016 the family's case was referred to the IAA for review.</p>
