

# REPORT 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 Mr X and his son who remained in immigration detention for more than 24 months (two years).

<b>Name</b>	Mr X (and son)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1974

## Family details

<b>Family members</b>	Mr Y (son)
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1997

<b>Ombudsman ID</b>	1002509
<b>Date of DIBP's report</b>	30 April 2015
<b>Total days in detention</b>	Not provided

## Detention history

25 April 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 674 <i>Arundel</i> .
30 April 2015	The Department of Immigration and Border Protection (DIBP) advised that Mr X and his son were located at Melbourne Immigration Transit Accommodation.
6 May 2015	Granted Bridging visas and released from detention.

## Visa applications/case progression

DIBP advised that prior to being released from detention, Mr X and his 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.	
6 May 2015	Granted Bridging visas.

## Health and welfare

DIBP did not provide International Health and Medical Services Health Summary Reports for Mr X or Mr Y.	
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### **Ombudsman assessment/recommendation**

Mr X and his son were granted Bridging visas on 6 May 2015 and released from immigration detention.

The Ombudsman notes that Mr X and his son were detained on 25 April 2013 after arriving in Australia and 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 Mr X and his son's claims for protection had not commenced.

The Ombudsman recommends that the Minister lift the bar under s 46A and processing of Mr X and his son's protection claims commence as soon as possible.