

**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 a cumulative period of more than 24 months (two years).

Name	Ms X (and son)
Citizenship	Country A
Year of birth	1979
Ombudsman ID	1003076
Date of DIBP's report	7 April 2015

Detention history

22 September 2012	Ms X and her son were detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel 455 <i>Jagara</i> .
14 December 2012 – 22 June 2013	Transferred to a Regional Processing Centre and subsequently returned to Australia and re-detained under s 189(1).
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

Ms X was provided with treatment and counselling for a range of physical and mental health issues including anxiety.

Her son did not require treatment for any significant physical or mental health concerns.

Ombudsman assessment/recommendation

Ms X and her son were granted Bridging visas on 2 July 2015 and released from immigration detention.

The Ombudsman notes that Ms X and her son 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 their claims for protection had not commenced.

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.