

**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 Miss X who remained in immigration detention for more than 24 months (two years).

Name	Miss X
Citizenship	Stateless (claimed, born to parents ¹ in immigration detention)
Year of birth	2013
Ombudsman ID	1002388-O
Date of DIBP's report	2 May 2016

Detention history

2 May 2014	Following her birth to parents in immigration detention, Miss X was detained under s 189(1) of the <i>Migration Act 1958</i> .
19 October 2016	Miss X was granted a Bridging visa with her family and was released from community detention.

Visa applications/case progression

The Department of Immigration and Border Protection (the department) advised that Miss X's case was affected by the judgment handed down on 2 September 2015 by the Full Federal Court (FFC), which found that the International Treaties Obligations Assessment (ITOA) process undertaken by the department was procedurally unfair. The Minister appealed the FFC decision and on 27 July 2016 the High Court found that the ITOA process was not procedurally unfair.	
24 December 2013	Lodged a Protection visa application.
16 December 2014	The department advised that following legislative amendment, Miss X's original Protection visa application was taken to be a valid application for a Temporary Protection visa.

Health and welfare

Miss X did not require treatment for any major physical or mental health issues.
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Case status

Miss X was granted a Bridging visa with her family on 19 October 2016 and was released from immigration detention.
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¹ Miss X's parents, Mr Y and Ms Z, and her brother are the subjects of Ombudsman report 1001044-O.