

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 1002569 was tabled in Parliament on 29 April 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	1991

Family details

Family members	Ms Y (wife)	Miss Z (daughter)
Citizenship	Country A	Country A
Year of birth	1992	2012

Ombudsman ID	1001398-O
Date of DIBP's reports	24 May 2016 and 22 November 2016
Total days in detention	1276 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1002569), Mr X and his family¹ have remained in community detention.

Recent visa applications/case progression

24 March 2016	Mr X and his family were notified that they were eligible to receive the Primary Application Information Service to assist them with lodging a temporary visa application. The family accepted the offer on 1 April 2016 and was assigned a provider.
4 July 2016	Lodged a Safe Haven Enterprise visa (SHEV) application.

Health and welfare

Mr X

International Health and Medical Services (IHMS) advised that Mr X was prescribed with anti-inflammatory medication to manage his ongoing shoulder pain and he remains on a public waiting list for review by an orthopaedic surgeon.

¹ Mr X and Ms Y's son, Master P was born in Australia in May 2016 and detained on 23 August 2016. He has been in detention for less than two years and is not subject to reporting under s 486N.

Ms Y

IHMS advised that Ms Y remains on a waiting list for review of her gynaecological concerns and continues to manage her symptoms with prescribed medication. In September 2015 Ms Y was confirmed to be pregnant. She developed gestational diabetes and was closely monitored during her pregnancy.	
May 2016	Ms Y gave birth to her son without complication.

Miss Z

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

Case status

<p>Mr X and his family were detained on 26 May 2013 after arriving in Australia by sea and have been held in detention for over three and a half years.</p> <p>On 29 September 2015 the Minister lifted the bar under s 46A to allow Mr X and his family to apply for a temporary visa and on 4 July 2016 the family lodged a SHEV application.</p>
