

**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 Master X who has remained in immigration detention for more than 42 months (three and a half years).

The first report 1003137 was tabled in Parliament on 25 November 2015. This report updates the material in that report and should be read in conjunction with the previous report.

<b>Name</b>	Master X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1998 <sup>1</sup>
<b>Ombudsman ID</b>	1001906-O
<b>Date of DIBP's reports</b>	4 November 2015, 2 May 2016 and 2 November 2016
<b>Total days in detention</b>	1276 (at date of DIBP's latest report)

**Detention history**

6 May 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 14 aboard Suspected Illegal Entry Vessel (SIEV) 690 <i>Quendale</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
24 June 2013	Transferred to Pontville APOD.
12 September 2015	Transferred to community detention.
16 September 2016	Transferred to an alternative community detention placement to reside with his cousin, Mr Y.

**Visa applications/case progression**

2 September 2013	The former Minister intervened under s 197AB to allow Master X to reside in community detention.
13 March 2014	The Department of Immigration and Border Protection (DIBP) notified Master X of the unintentional release of personal information <sup>2</sup> and advised that the privacy breach would be taken into account when considering his protection claims.
30 June 2015	The Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application.

<sup>1</sup> Master X's year of birth was previously recorded as 1997, until DIBP's 36-month review of 2 May 2016.

<sup>2</sup> In a media release dated 19 February 2014 the former Minister advised that an immigration detention statistics report was released on DIBP's website on 11 February 2014 which inadvertently disclosed detainees' personal information. The documents were removed from the website as soon as DIBP became aware of the breach from the media. The Minister acknowledged this was a serious breach of privacy by DIBP.

29 July 2015	Master X was notified that he is eligible to receive the Primary Application Information Service (PAIS) to assist him with lodging a temporary visa application. He accepted the offer on 20 August 2015 and was assigned a PAIS provider.
13 October 2015	Lodged a Safe Haven Enterprise visa (SHEV) application.
6 November 2015	DIBP requested further information to assist with the assessment of Master X's SHEV application. On 15 April 2016 he provided further documentation.
20 January 2016	An Age Determination Assessment confirmed that Master X was less than 18 years of age.
DIBP advised that Master X will not be considered for the grant of a Bridging visa while he is a minor.	

### Health and welfare

<p>International Health and Medical Services (IHMS) advised that Master X disclosed a history of torture and trauma and received ongoing mental health support for stress, anxiety and depression. Following an incident of self-harm in August 2013 he was placed on Supportive Monitoring and Engagement observations and reviewed by the mental health team. In February 2016 the IHMS psychologist advised that Master X be transferred to a community detention residence with his cousin as familial support would benefit his condition. As of September 2016 he has resided with his cousin and his mental health has improved.</p> <p>IHMS further advised that Master X received treatment for back pain and an abnormal thyroid condition.</p>	
31 July 2013 – 15 August 2013	DIBP Incident Reports recorded that Master X threatened self-harm on three occasions and self-harmed on one occasion.

### Case status

<p>Master X was detained on 6 May 2013 after arriving in Australia aboard SIEV <i>Quendale</i> and has been held in detention for over three and a half years.</p> <p>On 30 June 2015 the Minister lifted the bar under s 46A to allow Master X to apply for a temporary visa and on 13 October 2015 Master X lodged an application for a SHEV.</p>	
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