

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 Master X who has remained in immigration detention for more than 30 months (two and a half years).

Name	Master X
Citizenship	Country A
Year of birth	1997
Ombudsman ID	1002516
Date of DIBP's reports	29 April 2015 and 20 October 2015
Total days in detention	912 (at date of DIBP's latest report)

Detention history

21 April 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 15 aboard Suspected Illegal Entry Vessel (SIEV) 667 <i>Quainton</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
20 May 2013	Transferred to Pontville APOD.
12 September 2013	Transferred to community detention.

Visa applications/case progression

The Department of Immigration and Border Protection (DIBP) advised that, prior to ministerial intervention, Master X was part of a cohort who had not had their protection claims assessed as they arrived in Australia after 13 August 2012 and were subject to the bar under s 46A.	
18 July 2013	An age determination assessment found that Master X was under the age of 18.
13 March 2014	Master X was issued with a letter inviting him to comment on the unintentional release of personal information through DIBP's website. ¹
30 June 2015	The Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application.
23 July 2015	DIBP notified Master X that he was eligible to receive the Primary Application Information Service (PAIS) to assist him with lodging a temporary visa application.
28 July 2015	Master X accepted the PAIS offer and DIBP assigned him with a provider to assist him with lodging his application.
22 September 2015	Lodged a Safe Haven Enterprise visa (SHEV) application.

¹ 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.

8 October 2015	DIBP requested information from Master X in order to establish his identity. He provided a response the same day.
----------------	---

Health and welfare

20 July 2013	International Health and Medical Services (IHMS) advised that Master X presented to IHMS with insomnia and he was provided with treatment and supportive counselling. IHMS advised that no further sleeping concerns had been raised since his transfer to community detention.
24 July 2013	Referred for an x-ray following a chest injury and painful breathing. No abnormalities were identified and he was prescribed with pain relief medication.
30 September 2015	A DIBP Incident Report recorded that police were called to Master X's community detention residence following noise complaints. He was found almost unconscious by the police and was taken to hospital by ambulance. No further information was provided.

Case status

Master X was detained on 21 April 2013 after arriving in Australia aboard SIEV *Quainton* and has been held in detention for over two and a half years.

On 30 June 2015 the Minister lifted the bar under s 46A to allow Master X to apply for a temporary visa and on 22 September 2015 Master X lodged a SHEV application.