

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 who remained in immigration detention for more than 36 months (three years).

The first report 1002709 was tabled in Parliament on 21 October 2015. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1998
Ombudsman ID	1001517-O
Date of DIBP's reports	7 December 2015 and 6 June 2016
Total days in detention	1094 (at date of DIBP's latest report)

Detention history

8 June 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia aboard Suspected Illegal Entry Vessel (SIEV) 738 <i>Weobley</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
19 July 2013	Transferred to Wickham Point APOD.
16 October 2013	Transferred to Darwin Airport Lodge APOD.
16 November 2013	Transferred to Bladin APOD.
1 May 2014	Transferred to community detention.
19 October 2016	Granted a Bridging visa and released from detention.
The Department of Immigration and Border Protection (DIBP) advised that Mr X arrived in Australia with his aunt, Ms Y and her two daughters. He was transferred into community detention as an unaccompanied minor after a breakdown in their relationship.	

Recent visa applications/case progression

13 March 2014	DIBP notified Mr X of the unintentional release of personal information ¹ and advised that the privacy breach would be taken into account when considering his protection claims.
8 April 2014	The former Minister intervened under s 197AB to allow Mr X to reside in community detention.
25 May 2015	Mr X's case was referred on a ministerial submission under s 46A to lift the bar.

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.

29 September 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application.
19 November 2015	Mr X was notified he was eligible to receive the Primary Application Information Service to assist him with lodging a temporary visa application. He accepted the offer on 24 November 2015 and was assigned a provider.
7 December 2015	DIBP advised that Mr X would not be considered for a Bridging visa while he was a minor.
18 January 2016	Lodged a Safe Haven Enterprise visa (SHEV) application.
19 October 2016	Granted a Bridging visa.

Health and welfare

International Health and Medical Services advised that Mr X did not require treatment for any major physical or mental health issues since the Ombudsman's previous report.

Case status

Mr X was granted a Bridging visa on 19 October 2016 and released from detention.

Mr X was detained on 8 June 2013 after arriving in Australia aboard SIEV *Weobley* and was held in detention for over three years before being granted a Bridging visa.

On 29 September 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 18 January 2016 Mr X lodged a SHEV application.