

ASSESSMENT BY THE COMMONWEALTH OMBUDSMAN FOR TABLING IN PARLIAMENT

Under s 486O of the Migration Act 1958

This is the third s 486O assessment on Master X who has remained in immigration detention for more than 48 months (four years). The previous assessment 1001519-O was tabled in Parliament on 23 November 2016. This assessment provides an update and should be read in conjunction with the previous assessments.

Name	Master X
Citizenship	Country A
Year of birth	2002
Ombudsman ID	1001519-O1
Date of DIBP's reports	6 December 2016 and 6 June 2017
Total days in detention	1,458 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous assessment (1001519-O), Master X has continued to be placed in the community.¹

Recent visa applications/case progression

18 October 2016	Safe Haven Enterprise visa (SHEV) application refused.
10 November 2016	Master X's case was referred to the Immigration Assessment Authority (IAA) for review.
2 February 2017	The IAA affirmed the decision to refuse Master X's SHEV application.
9 March 2017	Applied to the Federal Circuit Court for judicial review.
The Department of Immigration and Border Protection (the department) advised that Master X will not be considered for the grant of a bridging visa while he is a minor.	

Health and welfare

International Health and Medical Services advised that Master X received treatment for a knee condition and associated pain. He attended physiotherapy and was referred to an orthopaedic surgeon for review.

Other matters

The department advised that on 26 December 2016 Master X's brother, Mr Y, was involved in a car accident that left him a quadriplegic and Master X regularly visits him at a rehabilitation hospital. The department further advised that Mr Y's case is being managed with consideration of his complex case and medical needs and he has been referred to the Minister under s 195A of the *Migration Act 1958* for the grant of a further bridging visa.

¹ Master X was granted a placement in the community under s 197AB and remains in immigration detention under the care of a service provider and delegated guardian.

Case status

Master X was detained on 9 June 2013 after arriving in Australia as an unaccompanied minor by sea and has remained in immigration detention, both in a detention facility and the community, for more than four years.

Master X's SHEV application was refused on 18 October 2016 and on 2 February 2017 the IAA affirmed the refusal.

At the time of the department's latest report Master X was awaiting the outcome of judicial review.