

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 36 months (three years).

The first report 1002714 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	Master X
Citizenship	Country A, born in Country B
Year of birth	2000
Ombudsman ID	1001522-O
Date of DIBP's reports	8 December 2015 and 7 June 2016
Total days in detention	1094 (at date of DIBP's latest report)

Detention history

9 June 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 13 aboard Suspected Illegal Entry Vessel (SIEV) 739 <i>Yateley</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
18 June 2013	Transferred to Christmas Island Immigration Detention Centre.
21 June 2013	Transferred to Christmas Island APOD.
19 July 2013	Transferred to Wickham Point APOD.
13 August 2013	Transferred to Brisbane Immigration Transit Accommodation.
24 September 2013	Transferred to community detention.

Recent visa applications/case progression

5 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 ¹ and advised that the privacy breach would be taken into account when considering his protection claims.
16 June 2015	The Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa 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.

10 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 23 July 2015 and was assigned a PAIS provider.
16 October 2015	Lodged a Safe Haven Enterprise visa (SHEV) application.
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 continues to be monitored for symptoms of post-traumatic stress disorder, depression, anxiety and related headaches. Master X was reviewed by the general practitioner (GP) following incidents of self-harm and reported feeling upset and that he missed his parents. The GP reported that Master X continues to engage in consultations with a psychologist.</p> <p>IHMS further advised that Master X was transferred to an emergency department in November 2015 due to liver function abnormalities. Upon further examination, results reported normal functioning. This condition continues to be monitored as required by the GP.</p>	
15 May 2015 – 16 June 2015	DIBP Incident Reports recorded that Master X self-harmed on four occasions.

Other matters

Master X's sister, Ms Y and her husband Mr Z, and two daughters reside in the community on Bridging visas.
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Case status

<p>Master X was detained on 9 June 2013 after arriving in Australia aboard SIEV <i>Yateley</i> and was held in detention for over three years.</p> <p>On 16 June 2015 the Minister lifted the bar under s 46A to allow Master X to apply for a temporary visa and on 16 October 2015 Master X lodged an application for a SHEV.</p>
