

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 1002462 was tabled in Parliament on 14 October 2015. This report updates the material in that report and should be read in conjunction with the previous report.

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| Name | Master X |
| Citizenship | Country A, born in Country B |
| Year of birth | 2000 |
| Ombudsman ID | 1001344-O |
| Date of DIBP's reports | 8 December 2015 and 4 June 2016 |
| Total days in detention | 1276 (at date of DIBP's latest report) |

Detention history

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| 6 December 2012 | Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 11 aboard Suspected Illegal Entry Vessel (SIEV) 557 <i>Jensen</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island. |
| 26 December 2012 | Transferred to Christmas Island Immigration Detention Centre (IDC). |
| 4 January 2013 | Transferred to Christmas Island APOD. |
| 6 January 2013 | Transferred to Darwin Airport Lodge APOD. |
| 22 April 2013 | Transferred to Northern IDC. |
| 25 June 2013 | Transferred to community detention. |

Recent visa applications/case progression

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| 6 June 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 and 30 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.

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| 8 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 and on 21 July 2015 he was assigned a PAIS provider. |
| 4 September 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

International Health and Medical Services advised that Master X has not required treatment for any major physical or mental health issues since its previous report to the Ombudsman.

Case status

Master X was detained on 6 December 2012 after arriving in Australia as an unaccompanied minor aged 11 aboard SIEV *Jensen* and has been held in detention for over three 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 4 September 2015 Master X lodged a SHEV application.