

## 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 24 months (two years).

<b>Name</b>	Master X
<b>Citizenship</b>	Country A, born in Country B
<b>Year of birth</b>	1998
<b>Ombudsman ID</b>	1003377
<b>Date of DIBP's report</b>	25 August 2015
<b>Total days in detention</b>	730 (at date of DIBP's report)

### Detention history

25 August 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) 839 <i>Wattsville</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
15 December 2014	Transferred to Bladin APOD.
21 December 2014	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.	
12 December 2014	The former Minister intervened under s 197AB to allow Master X to reside in community detention.
30 June 2015	The Minister intervened under s 46A to lift the bar.
29 July 2015	Master X was notified that he is eligible to receive the Primary Application Information Services (PAIS) to assist him with lodging a temporary visa application.

### Health and welfare

30 September 2013 – ongoing	International Health and Medical Services (IHMS) reported that Master X presented to the general practitioner with a history of acne. He was prescribed with medication on a number of occasions with no effect. In March 2015 he was referred to a dermatologist for further assessment.
12 November 2013	He complained of ongoing right foot pain to the GP. An x-ray identified no abnormalities and no further concerns were raised.
7 August 2015	IHMS advised that Master X did not require treatment for any major mental health concerns during this reporting period.

**Other matters**

23 March 2014	DIBP received a group complaint from the Australian Human Rights Commission (AHRC) which included Master X. On 23 January 2015 the AHRC finalised the complaint without further action.
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**Case status**

Master X was detained on 25 August 2013 after arriving in Australia as an unaccompanied minor aged 15 aboard SIEV *Wattsville* and has been held in detention for over two years with no processing of his protection claims.

On 30 June 2015 the Minister lifted the bar under s 46A to allow Master X to apply for a temporary visa and on 29 July 2015 DIBP invited him to apply.