

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

The first report 1002523 was tabled in Parliament on 11 November 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	1001370-O
Date of DIBP's reports	4 November 2015 and 4 May 2016
Total days in detention	1094 (at date of DIBP's latest report)

Detention history

6 May 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 14 aboard Suspected Illegal Entry Vessel (SIEV) 690 <i>Quendale</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
24 June 2013	Transferred to Pontville APOD.
12 September 2013	Transferred to community detention.

Recent visa applications/case progression

2 September 2013	The former Minister intervened under s 197AB to allow Mr X to reside in community detention.
13 March 2014	The Department of Immigration and Border Protection (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.
30 June 2015	The Minister lifted the bar under s 46A to allow Mr X to lodge a temporary visa application.
9 July 2015	Mr 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 15 July 2015 and was assigned a PAIS provider.
22 September 2015	Lodged a Safe Haven Enterprise visa (SHEV) 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.

Health and welfare

International Health and Medical Services advised that Mr X has not required treatment for any major physical or mental health issues.

Case status

Mr X was detained on 6 May 2013 after arriving in Australia as an unaccompanied minor aged 14 aboard SIEV *Quendale* and has been held in detention for over three years.

On 30 June 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 22 September 2015 Mr X lodged a SHEV application.