

**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 42 months (three and a half years).

The first report 1003112 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	1001881-O
Date of DIBP's reports	28 October 2015, 27 April 2016 and 26 October 2016
Total days in detention	1276 (at date of DIBP's latest report)

Detention history

29 April 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 679 <i>Fulham</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
13 July 2013	Transferred to Pontville APOD.
5 September 2013	Transferred to community detention.

Visa applications/case progression

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.
16 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 was eligible to receive the Primary Application Information Service to assist him with lodging a temporary visa application. He accepted the offer on 20 August 2015 and was assigned a provider.
16 October 2015	Mr X lodged a Safe Haven Enterprise visa (SHEV) application.
18 July 2016	SHEV application refused.
20 July 2016	Mr X's case was referred to the Immigration Assessment Authority (IAA) for review.

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.

29 August 2016	The IAA affirmed the decision to refuse Mr X's SHEV application.
----------------	--

Health and welfare

International Health and Medical Services advised that in July 2016 Mr X presented with heart palpitations. An electrocardiogram and pathology were conducted with no abnormalities identified and Mr X did not report any further concerns.

Case status

Mr X was detained on 29 April 2013 after arriving in Australia by sea as an unaccompanied minor aged 14. He has been held in detention for over three and a half years.

On 16 June 2015 the Minister lifted the bar under s 46A to allow Mr X to apply for a temporary visa and on 16 October 2015 Mr X lodged an application for a SHEV.

Mr X's SHEV application was refused on 18 July 2016 and on 29 August 2016 the IAA affirmed the refusal.