

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 30 months (two and a half years).

Name	Master X
Citizenship	Country A
Year of birth	1998
Ombudsman ID	1002981
Date of DIBP's reports	17 July 2015 and 11 January 2016
Total days in detention	914 (at date of DIBP's latest report)

Detention history

11 July 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) 736 <i>Wenonah</i> . He was transferred to Phosphate Hill Alternative Place of Detention (APOD), Christmas Island.
25 July 2013	Transferred to Christmas Island Immigration Detention Centre.
3 August 2013	Transferred to Pontville APOD.
12 September 2013	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.	
13 March 2014	Master X was notified of the unintentional release of personal information through DIBP's website. ¹
25 March 2014	DIBP issued a warning to Master X for a breach of his community detention conditions in relation to employment and study.
16 April 2015	DIBP issued a further warning to Master X for a breach of his community detention conditions in relation to employment and study.
30 June 2015	The Minister lifted the bar under s 46A to allow him to lodge a temporary visa application.
23 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.

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.

5 August 2015	Master X accepted the PAIS offer and DIBP has assigned him with a PAIS provider to assist him in lodging a temporary visa application.
27 November 2015	Lodged a Temporary Protection visa (TPV) application.

Health and welfare

19 August 2013 – ongoing	International Health and Medical Services (IHMS) advised that Master X has a history of anxiety and depression. His condition was monitored and he received support from his general practitioner (GP).
19 October 2013	A DIBP Incident Report recorded that Master X was taken to hospital following an incident of self-harm and aggressive behaviour.
3 December 2013 – ongoing	IHMS advised Master X has a history of oesophageal reflux causing pain and burning sensations in his stomach. He was prescribed with medication and monitored by his GP.
1 October 2014	A DIBP Incident Report recorded that Master X was admitted to hospital following a severe headache and dizziness. He remained in hospital overnight for observations and was discharged the following day.
25 March 2015	A DIBP Incident Report recorded that Master X complained of lower back and stomach pain and was taken to hospital. No further information was provided.
17 August 2015	A DIBP Incident Report recorded that Master X was involved in an altercation with another student at school. He was taken to hospital by ambulance and was required to stay in hospital. No further information was provided.

Detention incidents

17 August 2015	A DIBP Incident Report recorded that police were called to investigate an altercation between Master X and another student. Master X was suspended from school for four days.
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Case status

<p>Master X was detained on 11 July 2013 after arriving in Australia as an unaccompanied minor aged 15 aboard SIEV <i>Wenonah</i> and has been held in detention for over two and a half years.</p> <p>On 30 June 2015 the Minister lifted the bar under s 46A to allow Master X to apply for a temporary visa and on 27 November 2015 Master X lodged a TPV application.</p>
