

**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 a cumulative period of more than 42 months (three and a half years).

The first report 1003064 was tabled in Parliament on 31 August 2016. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Master X
Citizenship	Country A
Year of birth	2001
Ombudsman ID	1001833-O
Date of DIBP's reports	14 July 2016 ¹ and 11 January 2017
Total days in detention	1295 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1003064), Master X has remained in community detention.

Recent visa applications/case progression

5 May 2016	Safe Haven Enterprise visa (SHEV) application refused. Master X's case was referred to the Immigration Assessment Authority (IAA) for review.
17 June 2016	The IAA affirmed the decision to refuse Master X's SHEV application.
22 July 2016	Requested judicial review by the Federal Circuit Court (FCC).
28 September 2016	FCC scheduled Master X's case for final hearing on 28 September 2017.

Health and welfare

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

Case status

Master X was detained on 29 April 2013 after arriving in Australia by sea as an unaccompanied minor aged 12 and has been held in detention for a cumulative period of more than three and a half years.

Master X's SHEV application was refused on 5 May 2016 and on 17 June 2016 the IAA affirmed the refusal. At the time of the Department of Immigration and Border Protection's (the department) latest review Master X was awaiting the outcome of judicial review.

¹ The department advised that it did not meet its statutory obligations in relation to Master X's 24, 30 and 36-month reviews due to an unforeseen system related error which precluded normal reporting procedures from being followed and that these reviews had been provided to the Ombudsman 23 days late. The department further advised that steps have been undertaken to prevent a recurrence of the issue as at the date of Master X's 42-month review.