

REPORT BY THE COMMONWEALTH AND IMMIGRATION OMBUDSMAN FOR TABELING 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).

Name	Master X
Citizenship	Country A
Year of birth	1997
Ombudsman ID	1003206
Date of DIBP's report	8 August 2015
Total days in detention	730 (at date of DIBP's report)

Detention history

8 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 824 <i>Hayden</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
15 December 2014	Transferred to Bladin APOD.
29 December 2014	Transferred to community detention.
The Department of Immigration and Border Protection (DIBP) advised that Master X's father, Mr Y and his brother, Mr Z, arrived separately. They were granted Protection visas and currently reside together in the community.	

Visa applications/case progression

23 September 2013	Master X was assessed and considered not to be a ward of the Minister and intended to reside with Mr Z.
10 February 2014	Master X was reassessed and determined to be a ward of the Minister as Mr Z was not aged 21 at the time of Master X's arrival.
30 June 2015	The Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application.
23 July 2015	DIBP notified Master X that he was eligible to receive the Primary Application Information Service to assist in lodging an application.
8 August 2015	DIBP advised that Mr Y's suitability to be Master X's guardian is currently being assessed. DIBP further advised that Master X will not be considered for a Bridging visa while he remains a minor.

Health and welfare

14 August 2013	International Health and Medical Services (IHMS) advised that during his induction mental health assessment Master X disclosed a history of torture and trauma but declined specialist counselling.
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2 January 2014	A DIBP Incident Report recorded that Master X had self-harmed by swallowing tobacco and cutting his chest and head. No further information was provided.
4 January 2014	Reviewed by a psychologist following an incident of self-harm on 2 January 2014. IHMS advised that he was made aware of the self-referral process and attended group therapy counselling.
28 July 2015	IHMS advised that Master X's mental health is monitored by a general practitioner in community detention.

Other matters

2 May 2014	The Australian Human Rights Commission notified DIBP of a complaint from Master X. On 27 August 2014 DIBP provided a response and on 21 January 2015 the complaint was finalised. No further information was provided.
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Ombudsman assessment

The Ombudsman notes that Master X was detained on 8 August 2013 after arriving in Australia as an unaccompanied minor aged 15 and has been held in detention for over two years with no processing of his protection claims.

The Ombudsman further notes that on 30 June 2015 the Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application. The Ombudsman makes no recommendations in this report.