

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 24 months (two years).

Name	Master X
Citizenship	Country A
Year of birth	1999
Ombudsman ID	1003066
Date of DIBP's report	23 July 2015
Total days in detention	733 (at date of DIBP's report)

Detention history

20 July 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 13 aboard Suspected Illegal Entry Vessel (SIEV) 798 <i>Tibbie</i> . He was transferred to North West Point Immigration Detention Centre, Christmas Island.
29 August 2013	Transferred to Construction Camp Alternative Place of Detention (APOD).
10 September 2013	Transferred to Phosphate Hill APOD.
21 February 2014	Transferred to Bladin APOD.
20 May 2014	Transferred to Wickham Point APOD.
21 May 2014	Transferred to Phosphate Hill APOD.
15 December 2014	Transferred to Bladin APOD.
22 December 2014	Transferred to community detention.

Visa applications/case progression

12 May 2014	An age determination assessment was conducted and confirmed that Master X was under 18 years of age.
30 June 2015	The Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application. The Department of Immigration and Border Protection (DIBP) advised that Master X has not yet been invited to make an application and is not being considered for the grant of a Bridging visa while he remains a minor.
15 July 2015	Master X was notified that he was eligible to receive the Primary Application Information Service to assist in making an application for protection.

Health and welfare

5 February 2014 and 6 August 2014	International Health and Medical Services (IHMS) advised that during his induction health assessment Master X reported a history of back pain. He attended two consultations with an orthopaedic specialist and was diagnosed with a spinal deformity. He was referred for physiotherapy and advised to wear a supportive back brace. The specialist advised him to take pain relief medication as required. His condition continues to be monitored by his general practitioner (GP) and orthopaedic specialist.
8 April 2014	Admitted to hospital following a suspected seizure. He was reviewed and medical staff suspected that the seizure was related to extreme anxiety. During this hospitalisation, it was noted that Master X had a history of mental health concerns and self-harm which had not been previously reported. No further mental health concerns have been raised since this incident.
13 April 2014	A DIBP Incident Report recorded that Master X was admitted to a hospital emergency department after presenting with abdominal pain, shallow breathing, dehydration and difficulty swallowing. IHMS advised that no medical issues were identified and he was discharged the same day.
1 July 2014 – 10 December 2014	Attended four physiotherapy sessions.
24 October 2014 and 24 November 2014	IHMS advised that Master X was admitted to hospital on two occasions after dislocating his shoulder while exercising. During his induction health assessment he reported that he had previously dislocated his shoulder in a motor vehicle accident. Master X expressed concern to his GP regarding the recurring dislocations and was referred to an orthopaedic specialist for a surgical assessment. IHMS advised that this appointment remained outstanding at the time of its report.

Detention incidents

10 March 2014	A DIBP Incident Report recorded that Master X was allegedly punched by another unaccompanied minor. No further information was provided.
28 October 2014	A DIBP Incident Report recorded that Master X was allegedly involved in an incident of inappropriate behaviour with an adult female detainee. DIBP advised that the incident was reported to the Australian Federal Police (AFP) and an investigation was conducted. On 11 November 2014 the AFP concluded its investigation with no further action required.

Case status

Master X was detained on 20 July 2013 after arriving in Australia as an unaccompanied minor aged 13 aboard SIEV *Tibbie* and has been held in detention for over two years with no processing of his protection claims.

On 30 June 2015 the Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application. Master X is awaiting an invitation to apply for a temporary visa.