

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	1997
Ombudsman ID	1003169
Date of DIBP's report	27 July 2015
Total days in detention	733 (at date of DIBP's report)

Detention history

25 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) 808 <i>Kinston</i> . He was transferred to North West Point Immigration Detention Centre (IDC), Christmas Island.
26 July 2013	Transferred to Phosphate Hill Alternative Place of Detention (APOD).
29 July 2013	Transferred to an APOD, Christmas Island.
29 August 2013 – 13 December 2014	Transferred between Phosphate Hill APOD and North West Point IDC.
21 December 2014	Transferred to Bladin APOD.
22 December 2014	Transferred to community detention.

Visa applications/case progression

12 March 2014	Master X was issued with a letter inviting him to comment on the unintentional release of personal information through the Department of Immigration and Border Protection's (DIBP) website. ¹
22 May 2015	Master X lodged a request to vary his community detention placement to allow him to reside with his uncle, Mr Y. DIBP advised that this matter remains ongoing.
30 June 2015	The Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application. DIBP advised that Master X has not yet been invited to lodge an 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.

Health and welfare

11 September 2013 – 10 October 2013	International Health and Medical Services (IHMS) advised that Master X was diagnosed with depression and anxiety after experiencing panic attacks and episodes of fainting. He attended five specialist counselling sessions during this period and was prescribed with antidepressant medication. His general practitioner continues to monitor his mental health.
18 September 2013	A DIBP Incident Report recorded that he threatened to self-harm should he be transferred to Country B. No further information was provided.
4 May 2014	A DIBP Incident Report recorded that he had self-harmed by cutting his left wrist.
1 August 2014	Referred to a dermatologist for treatment of an ongoing skin condition. IHMS advised that this appointment remained outstanding.
8 August 2014	A DIBP Incident Report recorded that Master X had self-harmed by hitting his head. No further information was provided.
20 August 2014	A DIBP Incident Report recorded that he had self-harmed. No further information was provided.
21 August 2014	DIBP Incident Reports recorded that Master X became aggressive and abusive and threatened self-harm if his Serco officer was not changed. DIBP advised that he self-harmed by banging his head against a window and unplanned use of force was required. No further information was provided.

Detention incidents

Master X has allegedly been involved in numerous incidents in immigration detention including physical altercations with other detainees, threatening to assault detainees and detention staff, aggressive and abusive behaviour towards detainees and detention staff and multiple escape attempts.	
27 July 2014 and 6 August 2014	DIBP Incident Reports recorded that Master X assaulted another unaccompanied minor on two occasions. No further information was provided.
22 August 2014	DIBP Incident Reports recorded that Master X became aggressive and assaulted a Serco officer. He then attempted to assault a Serco officer with a pair of scissors and unplanned use of force was required. DIBP further advised that Master X had self-harmed by banging his head against a wall and presented with superficial cuts to his wrist and neck. No further information was provided.
2 October 2014	DIBP Incident Reports recorded that Master X became aggressive towards Serco officer following a disagreement. DIBP reported that he punched an officer in the shoulder and unplanned use of force was required to prevent a further assault.

11 May 2015	A DIBP Incident Report recorded that Master X was suspended from school following behavioural issues. No further information was provided.
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Case status

Master X was detained on 25 July 2013 after arriving in Australia as an unaccompanied minor aged 15 aboard SIEV *Kinston* 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.