

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 more than 42 months (three and a half years).

The first report 1002884 was tabled in Parliament on 11 November 2015. 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	1998
Ombudsman ID	1001667-O
Date of DIBP's reports	4 January 2016 and 1 July 2016
Total days in detention	1276 (at date of DIBP's latest report)

Detention history

2 January 2013	Detained under s 189(3) of the <i>Migration Act 1958</i> after arriving in Australia as an unaccompanied minor aged 14 aboard Suspected Illegal Entry Vessel (SIEV) 570 <i>Wyvern</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
2 April 2013	Transferred to Darwin Airport Lodge APOD.
27 April 2013	Transferred to Northern Immigration Detention Centre.
20 June 2013	Transferred to community detention.

Recent visa applications/case progression

6 June 2013	The former Minister intervened under s 197AB to allow Master X to reside in community detention.
13 March 2014	The Department of Immigration and Border Protection (DIBP) notified Master X of the unintentional release of personal information ¹ and advised that the privacy breach would be taken into account when considering his protection claims.
16 June 2015 and 30 June 2015	The Minister lifted the bar under s 46A to allow Master X to lodge a temporary visa application.
8 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. He accepted the offer on 5 August 2015 and was assigned a PAIS provider.
23 September 2015	Lodged a Safe Haven Enterprise visa (SHEV).

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

International Health and Medical Services (IHMS) advised that Master X received psychological counselling after presenting with symptoms of anxiety.

IHMS further advised that Master X continued to be monitored by the general practitioner and audiologist and was referred to a gastroenterologist following gastric concerns.

Case status

Master X was detained on 2 January 2013 after arriving in Australia aboard SIEV *Wyvern* and has been held in detention for over three and a half years.

On 30 June 2015 the Minister lifted the bar under s 46A to allow Master X to apply for a temporary visa and on 23 September 2015 Master X lodged a SHEV application.