

## 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).

<b>Name</b>	Master X
<b>Citizenship</b>	Country A
<b>Year of birth</b>	1998
<b>Ombudsman ID</b>	1003176
<b>Date of DIBP's report</b>	26 July 2015
<b>Total days in detention</b>	730 (at date of DIBP's report)

### Detention history

26 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) 814 <i>Sipsev</i> . He was transferred to Phosphate Hill Alternative Place of Detention (APOD), Christmas Island.
15 August 2013	Transferred to Aqua Lilac APOD.
29 August 2013	Transferred to Phosphate Hill APOD.
15 December 2014	Transferred to Bladin APOD.
29 December 2014	Transferred to community detention.

### Visa applications/case progression

16 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.
9 July 2015	Master X was notified that he was eligible to receive the Primary Application Information Service to assist in making a temporary visa application.

### Health and welfare

7 August 2013	International Health and Medical Services (IHMS) advised that Master X disclosed a history of torture and trauma but declined specialist counselling.
29 March 2014	An x-ray was conducted after Master X injured his finger while playing sport. Results identified a possible fracture and he was referred to an orthopaedic specialist.
8 August 2014	Attended a review with an orthopaedic specialist who advised Master X to wear strapping during physical activities.

6 January 2015	<p>Attended an appointment with his general practitioner (GP) following ongoing pain related to his previous finger injury and was referred to an orthopaedic specialist for further treatment. IHMS advised that this appointment remained outstanding at the time of its report.</p> <p>He also requested a referral for specialist counselling. No further information was provided.</p>
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### **Other matters**

DIBP advised that a group complaint was lodged with the Australian Human Rights Commission by 27 unaccompanied minors in detention, including Master X. The complaint concerned the ongoing detention of the unaccompanied minors and requested further information regarding their case progression. On 3 September 2014 DIBP responded to the complaint and on 21 January 2015 the complaint was finalised.

### **Case status**

Master X was detained on 26 July 2013 after arriving in Australia as an unaccompanied minor aged 15 aboard SIEV *Sipsey* and has been held in detention for over two years with no processing of his protection claims.

On 16 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.