

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 Mr X who has remained in immigration detention for more than 36 months (three years).

The first report 1003176 was tabled in Parliament on 10 February 2016. This report updates the material in that report and should be read in conjunction with the previous report.

Name	Mr X
Citizenship	Country A
Year of birth	1998
Ombudsman ID	1001932-O
Date of DIBP's reports	24 January 2016 and 20 July 2016
Total days in detention	1090 (at date of DIBP's latest report)

Recent detention history

Since the Ombudsman's previous report (1003176), Mr X has remained in community detention.

Recent visa applications/case progression

12 March 2014	The Department of Immigration and Border Protection (DIBP) notified Mr 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.
3 August 2015	Mr X accepted the Primary Application Information Service (PAIS) offer to assist him with lodging a temporary visa application and was assigned a PAIS provider.
12 November 2015	Lodged a Safe Haven Enterprise visa (SHEV) application.

Health and welfare

International Health and Medical Services advised that Mr X has not required treatment for any major physical or mental health issues since its previous report to the Ombudsman.

Case status

Mr X was detained on 26 July 2013 after arriving in Australia as an unaccompanied minor aged 15 aboard Suspected Illegal Entry Vessel *Sipsev* and has been held in detention for over three years.

On 16 June 2015 the Minister lifted the bar under s 46A of the *Migration Act 1958* to allow Mr X to apply for a temporary visa and on 12 November 2015 Mr X lodged an application for a 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.