

## 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>	1003301
<b>Date of DIBP's report</b>	20 August 2015
<b>Total days in detention</b>	732 (at date of DIBP's report)

### Detention history

19 August 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) 836 <i>Trinity</i> . He was transferred to an Alternative Place of Detention (APOD), Christmas Island.
29 August 2013	Transferred to North West Point Immigration Detention Centre, Christmas Island.
30 August 2013	Transferred to an APOD, Christmas Island.
15 December 2014	Transferred to Bladin APOD.
22 December 2013	Transferred to community detention.
The Department of Immigration and Border Protection (DIBP) advised that Master X arrived in Australia with his cousin, Master Y, who is also an unaccompanied minor.	

### 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 DIBP's website. <sup>1</sup>
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 make an application.
29 July 2015	Master X was notified that he was eligible to receive the Primary Application and Information Service to assist him in lodging a temporary visa application.

<sup>1</sup> 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

6 November 2013	International Health and Medical Services (IHMS) advised that Master X was identified as a tuberculosis contact. A physical examination and chest x-rays identified no abnormalities and his condition is monitored as per state policy.
5 December 2013	Master X presented to his general practitioner (GP) with symptoms related to a skin condition and was prescribed with medication.
January 2014 – January 2015	IHMS did not record any health summary information during this 12-month period.
February 2015	Attended a follow-up appointment with his GP who noted improvements in his skin condition.

### Detention Incidents

15 July 2014	A DIBP Incident Report recorded that Master X alleged that he had been assaulted by another unaccompanied minor. No further information was provided.
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### Other matters

28 March 2014	DIBP advised that Master X, together with other detainees, lodged a group complaint with the Australian Human Rights Commission. The complaint was finalised on 21 January 2015.
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### Case status

Master X was detained on 19 August 2013 after arriving in Australia as an unaccompanied minor aged 14 aboard SIEV *Trinity* 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.