

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	Stateless (claimed), (born to parents ¹ in immigration detention)
Year of birth	2013
Ombudsman ID	1003370
Date of DIBP's report	28 August 2015
Total days in detention	736 (at date of DIBP's report)

Detention history

8 August 2013	Detained under s 189(1) of the <i>Migration Act 1958</i> .
The Department of Immigration and Border Protection (DIBP) advised that Master X is currently residing in community detention with his parents.	

Visa applications/case progression

DIBP advised that since Master X was born after 13 August 2012, he is subject to the bar under s 46A(2).	
20 November 2013	DIBP advised that an application for a Permanent Protection visa was lodged on Master X's behalf. His parents were notified on the same day that this application was invalid.
13 March 2014	Master X's parents were issued with a letter inviting them to comment on the unintentional release of personal information through DIBP's website. ²
26 May 2015	The Minister lifted the bar under s 46A to allow Master X and his parents to lodge a temporary visa application.
15 July 2015	DIBP invited Master X and his parents to lodge a temporary visa application.

Health and welfare

International Health and Medication Services advised that Master X has not required treatment for any major physical or mental health issues.

¹ Master X's parents, Mr Y and Ms Z are the subject of Ombudsman report 1003228

² 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.

Case status

Two-year old Master X was detained on 8 August 2013 after his birth to parents in immigration detention and has been held in detention for over two years with no processing of his protection claims.

On 26 May 2015 the Minister lifted the bar under s 46A to allow Master X and his parents to lodge a temporary visa application. On 15 July 2015 Master X and his parents were invited to apply for a temporary visa.