

Our ref: 486N-1000881-02

13 May 2019

The Hon David Coleman MP  
Minister for Immigration, Citizenship and Multicultural Affairs  
Parliament House  
CANBERRA ACT 2600

Dear Minister

**Assessments under s 486O of the *Migration Act 1958***

In accordance with s 486O of the *Migration Act 1958* (the Act) I am forwarding my assessment concerning 20 cases on the schedule ([Attachment A](#)) regarding 36 individuals who fall within the reporting and assessment obligation imposed by Part 8C of the Act.

My Office has assessed the appropriateness of the immigration detention arrangements of the 20 cases on the schedule and has made a total of 12 recommendations in relation to 11 cases ([Attachment B](#)).

While it is not appropriate to make recommendations at this time, I wish to bring to your attention one case for which I have identified concerns relating to the appropriateness of their immigration detention arrangements ([Attachment C](#)).

The Act also requires that I prepare this de-identified statement for tabling in Parliament.

As part of this assessment my Office reviewed information relating to each individual's case progression, detention placement, legal matters and health and welfare. When required, further information was requested under s 486Q of the Act or s 8 of the *Ombudsman Act 1976*. For the purposes of further assessment, my office conducted interviews with one individual on the schedule, Mr X (1002470-02).

Yours sincerely



Michael Manthorpe PSM  
Commonwealth Ombudsman

*Influencing systemic improvement in public administration*

**SCHEDULE**  
**Assessments of people placed in immigration detention for more than two years**

When coming to this assessment, the Office reviewed information relating to each individual's case progression, detention placement, legal matters and health and welfare. Additionally, when required, further information was requested under s 486Q of the Act or s 8 of the *Ombudsman Act 1976*.

No	Ombudsman ID	Recommendations	Name	No. of People	Year of birth	Days in detention <sup>1</sup>	Detention status <sup>2</sup>	Date of 486N report	Date last assessment tabled
1	1000881-O2	1	Mr X	1	1980	2,745	IDF	26 February 2019	18 June 2018
2	1001592-O2	2	Mr X	1	1958	2,378	IDF	9 May 2018 and 13 November 2018	9 May 2018
3	1002128-O2	0	Mr X	1	1974	2,011	SHEV	3 September 2018 and 12 March 2019	18 June 2018
4	1002353-O3	1	Mr X Ms X (wife) Miss X (daughter)	3	1982 1986 2015	1,643 1,643 1,279	CD CD CD	26 September 2018	25 June 2018
5	1002356-O3	0	Mr X	1	1985	1,463	IDF	26 October 2018	13 February 2019
6	1002453-O2	1	Mr X Ms X (wife) Master X (son) Master X (son)	4	1982 1990 2015 2016	1,646 1,646 1,445 967	CD CD CD CD	29 May 2018, 17 July 2018 and 18 January 2019	9 May 2018
7	1002457-O2	1	Mr X Ms X (wife) Master X (son) Miss X (daughter) Master X (son)	5	1980 1978 2000 2003 2007	1,646 1,646 1,646 1,646 1,646	CD CD CD CD CD	24 July 2018 and 26 January 2019	18 June 2018
8	1002470-O2	1	Mr X	1	1993	1,644	IDF	13 August 2018 and 11 February 2019	18 June 2018
9	1002496-O2	1	Mr X Ms X (wife) Miss X (daughter) Master X (son)	4	1983 1985 2009 2016	1,651 1,651 1,651 982	CD CD CD CD	5 July 2018, 4 September 2018 and 14 March 2019	25 June 2018
10	1002596-O2	1	Mr X Ms X (wife) Master X (son)	3	1983 1989 2015	1,466 1,466 1,338	CD CD CD	9 August 2018 and 14 February 2019	15 October 2018
11	1002667-O1	1	Mr X	1	1991	1,284	IDF	9 May 2018 and 15 November 2018	9 May 2018
12	1002670-O1	1	Mr X	1	1982	1,278	IDF	10 May 2018 and 5 November 2018	9 May 2018

<sup>1</sup> At date of the Department's latest report.

<sup>2</sup> Immigration Detention Facility (IDF), Community Placement (CD), Bridging visa (BV) and Safe Haven Enterprise visa (SHEV).

Attachment A

No	Ombudsman ID	Recommendations	Name	No. of People	Year of birth	Days in detention <sup>1</sup>	Detention status <sup>2</sup>	Date of 486N report	Date last assessment tabled
13	1002758-O1	0	Mr X	1	1978	1,286	IDF	8 June 2018 and 17 December 2018	9 May 2018
14	1002841-O	1	Mr X Ms X (wife) Master X (son)	3	1977 1977 2011	1,096 1,096 1,096	CD CD CD	19 February 2018, 18 August 2018 and 18 February 2019	First Assessment
15	1002858-O1	0	Mr X	1	1978	1,097	IDF	11 September 2018 and 15 March 2019	26 November 2018
16	1002965-O1	0	Mr X	1	1985	914	BV	1 March 2019	Awaiting Tabling
17	1002970-O	0	Mr X	1	1963	915	IDF	4 September 2018 and 8 March 2019	First Assessment
18	1003038-O	0	Mr X	1	1967	742	IDF	31 January 2019	First Assessment
19	1003056-O	0	Mr X	1	1999	736	BV	22 February 2019	First Assessment
20	1003057-O	0	Mr X	1	1993	738	BV	19 February 2019	First Assessment



**RECOMMENDATIONS BY THE COMMONWEALTH OMBUDSMAN TO  
THE MINISTER FOR IMMIGRATION, CITIZENSHIP AND MULTICULTURAL AFFAIRS**

*Under s 486O of the Migration Act 1958*

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1000881-O2
<p>Mr X was detained in April 2009 after arriving in Australia by sea. He was released from immigration detention in September 2009 when he was taken into criminal custody following criminal charges. He was re-detained in January 2012 following his release from a correctional facility after his charges were discontinued. Mr X has remained in an immigration detention facility for a cumulative period of more than seven and a half years.</p> <p>In July 2017 the Minister lifted the bars under ss 46A and 48B of the <i>Migration Act 1958</i> to allow Mr X to lodge a temporary visa application and in September 2017 Mr X lodged an application for a Safe Haven Enterprise visa (SHEV).</p> <p>Mr X's SHEV application was refused in October 2017. In December 2017 the Immigration Assessment Authority (IAA) remitted the decision with the direction that Mr X is owed complementary protection.</p> <p>In June 2018 Mr X was issued a Notice of Intention to Consider Refusal of his SHEV under s 501. The Department of Home Affairs (the Department) advised a submission was being prepared for the Minister's consideration under s 501.</p> <p>At the time of the Department's latest report, dated 26 February 2019, consideration of Mr X's SHEV application under s 501 remained ongoing.</p> <p>The Department advised that Mr X remains a person of interest to an external agency. In February 2019 the Assistant Minister indicated that Mr X's case should not be referred to the Minister for consideration under s 195A for the grant of a bridging visa.</p> <p>International Health and Medical Services advised that Mr X required treatment for the management of mental health concerns related to his immigration circumstances.</p> <p>The Ombudsman notes that if Mr X's SHEV application is refused under s 501 he is likely to remain in immigration detention for a prolonged period as the IAA has determined he is owed complementary protection.</p> <p>The Ombudsman notes with concern the government's duty of care to detainees and the serious risk to physical and mental health prolonged immigration detention may pose.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that:</p> <ol style="list-style-type: none"> <li>1. The Department expedite the consideration of Mr X's SHEV application under s 501, given the significant length of time he has remained in detention and the IAA's determination that he is owed complementary protection.</li> </ol>	

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1001592-O2
<p>Mr X was initially detained in October 1999 after arriving in Australia by sea. He was granted a Temporary Protection visa in May 2000. In 2004 Mr X departed Australia and he was re-detained after arriving in Australia by sea with his two sons in December 2012. Mr X has remained in an immigration detention facility for a cumulative period of more than six and a half years.</p> <p>Mr X lodged an application for a Temporary Protection visa (TPV) in October 2016, with his sons, Master X and Master X, listed as dependants. The family's TPV application was refused in March 2017 and the Immigration Assessment Authority remitted the matter to the Department of Home Affairs (the Department) with the direction that the family is owed protection.</p> <p>In December 2017 Master X and Master X were granted TPVs and released from immigration detention.</p> <p>In August 2018 Mr X's TPV application was refused under s 501 of the <i>Migration Act 1958</i>. In November 2018 the Administrative Appeals Tribunal (AAT) set aside the refusal decision and remitted the matter for reconsideration with the direction that the discretion under s 501 should be exercised in Mr X's favour.</p> <p>The AAT reasoned that although Mr X's criminal offences were serious in nature, these offences occurred more than 15 years ago and his risk of reoffending is remote. The AAT noted other considerations that weighed in favour of setting aside the decision, including the best interests of the children and Australia's <i>non-refoulement</i> obligations under international law.</p> <p>International Health and Medical Services (IHMS) advised that Mr X received treatment for complex mental health concerns related to his prolonged detention and separation from his children. IHMS reiterated advice from a psychiatrist that the family's reunification would benefit Mr X's mental health.</p> <p>The Ombudsman notes with concern the government's duty of care to detainees and the serious risk to physical and mental health prolonged immigration detention may pose.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that:</p> <ol style="list-style-type: none"><li>1. Mr X's case be referred to the Minister for consideration under s 195A for the grant of a bridging visa, given the absence of any recent behavioural or security concerns.</li><li>2. The Department expedite the consideration of Mr X's TPV application in light of the AAT's decision, given the impact of his ongoing detention and family separation.</li></ol>	

Attachment B

<b>Name</b>	Mr X Ms X (wife) Miss X (daughter)
<b>Ombudsman ID</b>	1002353-O3
<p>Mr X and Ms X were detained in July 2013 after arriving in Australia by sea. They have remained in immigration detention, in a detention facility and the community, for a cumulative period of more than four and a half years.</p> <p>Mr X and Ms X were transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. Their daughter was born in Australia following their temporary transfer.</p> <p>The Department of Home Affairs (the Department) advised that because the family arrived after 19 July 2013 they remain liable for transfer back to an RPC on completion of their treatment.</p> <p>The Department advised that the family has undergone a Refugee Status Determination by the Government of an RPC and they have been found to be refugees.</p> <p>The Department further advised that the family will not be considered for the grant of Final Departure Bridging visas under s 195A of the <i>Migration Act 1958</i> while they have children under the age of five who are not yet attending school.</p> <p>International Health and Medical Services advised that Mr X and his family require ongoing treatment for mental health concerns.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of the family poses a significant risk to their health and welfare.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that the Department:</p> <ol style="list-style-type: none"><li>1. Explore all available options to address the prolonged detention of Mr X, Ms X and their daughter.</li></ol>	



<b>Name</b>	Mr X Ms X (wife) Master X (son) Master X (son)
<b>Ombudsman ID</b>	1002453-O2
<p>Mr X and Ms X were detained in November 2013 after arriving in Australia by sea. They have remained in immigration detention, in a detention facility and the community for a cumulative period of more than four and a half years.</p> <p>The family was transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. Their sons were born in Australia following their temporary transfer.</p> <p>The Department of Home Affairs (the Department) advised that because the family arrived after 19 July 2013 they remain liable for transfer back to an RPC on completion of their treatment.</p> <p>The Department advised that the family has undergone a Refugee Status Determination by the Government of an RPC and they have been found to be refugees.</p> <p>The Department further advised that the family will not be considered for the grant of Final Departure Bridging visas under s 195A of the <i>Migration Act 1958</i> while they have children under the age of five who are not yet attending school.</p> <p>International Health and Medical Services (IHMS) advised that Mr X and Ms X require treatment for complex mental health concerns. IHMS further advised that Ms X's mental health concerns are related to her family's prolonged detention and uncertain immigration status.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of the family poses a significant risk to their health and welfare.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that the Department:</p> <ol style="list-style-type: none"><li>1. Explore all available options to address the prolonged detention of Mr X, Ms X and their two children.</li></ol>	

<b>Name</b>	Mr X Ms X (wife) Master X (son) Miss X (daughter) Master X (son)
<b>Ombudsman ID</b>	1002457-02
<p>Mr X, Ms X and their three children were detained in December 2013 after arriving in Australia by sea. They have remained in immigration detention, in a detention facility and the community, for a cumulative period of more than four and a half years.</p> <p>The family was transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. The Department of Home Affairs (the Department) advised that because the family arrived after 19 July 2013 they remain liable for transfer back to an RPC on completion of their treatment.</p> <p>The Department advised that the family has undergone a Refugee Status Determination by the Government of an RPC and they have been found to be refugees.</p> <p>The Department further advised that the family will not be considered for the grant of Final Departure Bridging visas under s 195A of the <i>Migration Act 1958</i> while they have children under the age of five who are not yet attending school.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of the family poses a significant risk to their health and welfare.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that the Department:</p> <ol style="list-style-type: none"><li>1. Explore all available options to address the prolonged detention of Mr X, Ms X and their three children.</li></ol>	



<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002470-O2
<p>Mr X was detained in May 2013 after arriving in Australia by sea and has remained in an immigration detention facility for a cumulative period of more than four and a half years.</p> <p>In September 2016 Mr X's Safe Haven Enterprise visa application was refused and in December 2016 the Immigration Assessment Authority (IAA) affirmed the refusal.</p> <p>In July 2017 Mr X was referred for involuntary removal. The Department of Home Affairs (the Department) advised that Mr X does not have a valid travel document and is unwilling to return to Country A voluntarily. The authorities of Country A are currently not cooperating with the involuntary removal of Country A citizens and as a result Mr X's removal is likely to be protracted.</p> <p>Mr X sought judicial review of the IAA decision with the Federal Circuit Court (FCC). In September 2018 the FCC declared that the applicant is not an 'unauthorised maritime arrival' and quashed the IAA's decision. The Minister appealed the FCC decision however in November 2018 discontinued the appeal.</p> <p>The Department advised that Mr X's case is affected by a Federal Court judgment and that it was considering the effect of the judgment on the immigration status of the individual cases that were affected.</p> <p>In November 2018 Mr X's case was referred for a guidelines assessment under s 195A of the <i>Migration Act 1958</i>. At the time of the Department's latest report, dated 11 February 2019, this assessment remained ongoing.</p> <p>International Health and Medical Services (IHMS) advised that Mr X received treatment for complex mental health concerns in relation to his prolonged detention.</p> <p>The Ombudsman notes with concern the government's duty of care to detainees and the serious risk to physical and mental health prolonged immigration detention may pose.</p> <p>The Ombudsman further notes the significant length of time Mr X has remained in detention and the absence of any recent behavioural or security concerns.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that:</p> <ol style="list-style-type: none"><li>1. Mr X's case be referred to the Minister for consideration under s 195A for the grant of a bridging visa.</li></ol>	

<b>Name</b>	Mr X Ms X (wife) Miss X (daughter) Master X (son)
<b>Ombudsman ID</b>	1002496-O2
<p>Mr X, Ms X and their daughter were detained in September 2013 after arriving in Australia by sea. They have remained in immigration detention, in a detention facility and in the community, for more than four and a half years.</p> <p>Mr X and his family were transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. Their son was born in Australia following their temporary transfer.</p> <p>The Department of Home Affairs (the Department) advised that because Mr X and his family arrived after 19 July 2013 they remain liable for transfer back to an RPC on completion of their treatment.</p> <p>The Department advised it is supporting the Government on an RPC to finalise the Refugee Status Determination (RSD) of Mr X and his family while they remain temporarily in Australia for medical treatment. In March 2019 the Government of an RPC invited the family to confirm their participation in the RSD process and advised that in the absence of confirmation, the family's RSD would be finalised based on the information the available.</p> <p>The Department further advised that the family will not be considered for the grant of Final Departure Bridging visas under s 195A of the <i>Migration Act 1958</i> while they have a child under the age of five who is not yet attending school.</p> <p>International Health and Medical Services (IHMS) advised that the family requires ongoing treatment for complex mental and physical health concerns.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of the family poses a significant risk to their health and welfare.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that the Department:</p> <ol style="list-style-type: none"><li>1. Explore all available options to address the prolonged detention of Mr X, Ms X and their two children.</li></ol>	

<b>Name</b>	Mr X Ms X (wife) Master X (son)
<b>Ombudsman ID</b>	1002596-02
<p>Mr X and Ms X were detained in July 2014 after arriving in Australia by sea. They have remained in immigration detention, in a detention facility and the community, for a cumulative period of more than four years.</p> <p>Mr X and Ms X were transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. Their son was born in Australia following their temporary transfer.</p> <p>The Department of Home Affairs (the Department) advised that because the family arrived after 19 July 2013 they remain liable for transfer back to an RPC on completion of their treatment.</p> <p>The Department advised that the family has undergone a Refugee Status Determination by the Government of an RPC and have been found not to be refugees. Merits review of this determination remained ongoing at the time of the Department's latest report, dated 14 February 2019.</p> <p>The Department further advised that the family will not be considered for the grant of Final Departure Bridging visas under s 195A of the <i>Migration Act 1958</i> while they have a child under the age of five who is not yet attending school.</p> <p>International Health and Medical Services (IHMS) advised that the family requires ongoing treatment for mental health. IHMS further advised that in September and October 2018 Mr X presented with feelings of hopelessness, stress and anxiety regarding his family's uncertain circumstances in Australia.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of the family poses a significant risk to their health and welfare.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that the Department:</p> <ol style="list-style-type: none"><li>1. Explore all available options to address the prolonged detention of Mr X, Ms X and their son.</li></ol>	

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002667-O1
<p>Mr X was detained in May 2015 following his release from a correctional facility and has remained in an immigration detention facility for more than three and a half years.</p> <p>Mr X's visa was mandatorily cancelled under s 501 of the <i>Migration Act 1958</i> in January 2015 following a criminal conviction. In August 2016 the Assistant Minister decided not to revoke the decision to cancel Mr X's visa. The Federal Court quashed the Assistant Minister's decision in August 2017 and remitted the matter for determination according to law.</p> <p>Following reconsideration the Minister decided not to revoke the decision to cancel Mr X's visa in August 2018. Mr X lodged an application for judicial review in the Federal Court and judgment was reserved in March 2019.</p> <p>The Department of Home Affairs (the Department) advised that Mr X remains in an immigration detention facility based on an assessment of his risk to the community due to his criminal history.</p> <p>International Health and Medical Services advised that Mr X received treatment for complex mental health concerns in the context of his prolonged detention. In August 2018 a treating psychiatrist reported that Mr X preferred his placement at Facility Z as it was closer to his family.</p> <p>The Ombudsman notes with concern the government's duty of care to detainees and the serious risk to physical and mental health prolonged immigration detention may pose.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that:</p> <ol style="list-style-type: none"><li>1. The Department consider transferring Mr X to Facility Z so he can reside closer to his family and support network.</li></ol>	



<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002670-01
<p>Mr X was detained in May 2015 following his release from a correctional facility and has remained in an immigration detention facility for more than three and a half years.</p> <p>Mr X's Permanent visa was mandatorily cancelled under s 501 of the <i>Migration Act 1958</i> in May 2015. A delegate of the Minister refused to revoke the cancellation decision in July 2016 and the Administrative Appeals Tribunal (AAT) affirmed the refusal in June 2017.</p> <p>Mr X applied for judicial review at the Federal Court (FC) in June 2017 and in January 2018 the FC set aside the AAT's decision and remitted the matter for reconsideration according to law. Mr X was scheduled to attend a hearing at the AAT in November 2018. At the time of the Department's latest report, dated 5 November 2018, the matter remained ongoing.</p> <p>The Department of Home Affairs (the Department) advised that Mr X has family members who reside in City A and City B. During an interview with Ombudsman staff in February 2018 Mr X advised that his mental health would benefit from their support.</p> <p>In the previous Ombudsman's assessment, tabled in Parliament on 9 May 2018, it was recommended that Mr X be transferred to an immigration detention facility in City A or City B to enable him to reside closer to his family and support network. In response, the Minister advised that it was not possible for Mr X to be transferred at that time due to capacity issues.</p> <p>International Health and Medical Services advised that Mr X received treatment for multiple mental health concerns.</p> <p>The Ombudsman notes with concern the government's duty of care to detainees and the serious risk to physical and mental health prolonged immigration detention may pose.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that:</p> <ol style="list-style-type: none"><li>1. The Department consider transferring Mr X to an immigration detention facility in City A or City B to enable him to reside closer to his family and support network.</li></ol>	

<b>Name</b>	Mr X Ms X (wife) Master X (son)
<b>Ombudsman ID</b>	1002841-O
<p>Mr X, Ms X and their elder son were detained in July 2013 after arriving in Australia by sea. The family has remained in immigration detention, in a detention facility and in the community, for a cumulative period of more than three years.</p> <p>Mr X, Ms X and their elder son were transferred to a Regional Processing Country (RPC) and returned to Australia medical treatment. Mr X and Ms X's second son was born in Australia following their temporary transfer and is not yet subject to reporting under s 486N of the <i>Migration Act 1958</i>.</p> <p>The Department of Home Affairs (the Department) advised that because Mr X, Ms X and their elder son arrived after 19 July 2013 the family remains liable for transfer back to an RPC on completion of their treatment.</p> <p>The Department advised that Mr X, Ms X and their elder son have undergone a Refugee Status Determination by the Government of an RPC and have been found to be refugees.</p> <p>The Department further advised that the family will not be considered for the grant of Final Departure Bridging visas under s 195A while they have a child under the age of five who is not yet attending school.</p> <p>International Health and Medical Services (IHMS) has advised that the family requires ongoing treatment for complex mental health concerns. IHMS advised in August 2017 that the ongoing instability and uncertainty of the family's immigration status has had a profound effect on their mental health and in particular on their elder son's development. A psychotherapist strongly recommended that the family's refugee status in Australia be resolved to provide safety and stability.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of the family poses a significant risk to their health and welfare.</p> <p><b>Recommendation</b></p> <p>The Ombudsman recommends that the Department:</p> <ol style="list-style-type: none"><li>1. Explore all available options to address the prolonged detention of Mr X, Ms X and their sons.</li></ol>	

**CONCERNS IDENTIFIED BY THE COMMONWEALTH OMBUDSMAN TO  
THE MINISTER FOR IMMIGRATION, CITIZENSHIP AND MULTICULTURAL AFFAIRS**  
*Under s 486O of the Migration Act 1958*

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002758-O1
<p>Mr X was initially detained in October 1999 after arriving in Australia by sea. He was subsequently detained in September 2015 following his release from a correctional facility and has remained in an immigration detention facility for a cumulative period of more than three and a half years.</p> <p>Mr X's visa was cancelled under s 501 of the <i>Migration Act 1958</i> in August 2015. Mr X did not apply for revocation of his visa cancellation and has no ongoing matters before the Department of Home Affairs (the Department), the courts or tribunals.</p> <p>Mr X has been on an involuntary removal pathway since August 2015. The Department advised that Mr X's removal has been protracted due to difficulties associated with establishing his identity and obtaining a travel document. Mr X's removal has been further complicated by his unwillingness to engage with the Department in obtaining identity documentation.</p> <p>International Health and Medical Services advised that Mr X received treatment for complex mental health concerns.</p> <p>In light of the nature of Mr X's criminal offences, the Ombudsman does not consider it appropriate to make a recommendation about the grant of a bridging visa or a community placement at this time.</p> <p>The Ombudsman raises the concern that Mr X is likely to remain in immigration detention for a prolonged period due to the protracted nature of his removal from Australia. This poses a significant risk to his health and welfare.</p>	