

Our ref: 486N-1001202-O2

13 April 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 39 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 20 recommendations in relation to 13 cases (Attachment B).

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*.

Yours sincerely



Jaala Hinchcliffe  
Acting 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	1001202-O2	1	Mr X	1	1985	2,191	IDF	4 June 2018 and 6 December 2018	25 June 2018
2	1001377-O3	1	Mr X	1	1973	2,008	IDF	10 May 2018 and 12 November 2018	21 March 2018
3	1002229-O3	2	Mr X Ms X (wife) Master X (son) Master X (son)	4	1968 1980 2011 2015	1,825 1,825 1,825 1,246	CD CD CD CD	14 May 2018 and 15 November 2018	25 June 2018
4	1002380-O3	3	Mr X Ms X (wife) Master X (son) Master X (son) Miss X (daughter)	5	1977 1980 1998 2004 2015	1,643 1,643 1,643 1,643 1,164	CD CD CD CD CD	23 April 2018 and 24 October 2018	18 June 2018
5	1002384-O3	2	Mr X Ms X (wife) Miss X (daughter)	3	1981 1982 2014	1,643 1,643 1,393	CD CD CD	27 April 2018 and 29 October 2018	18 June 2018
6	1002393-O2	3	Mr X Ms X (wife) Master X (son) Master X (son)	4	1984 1986 2015 2016	1,643 1,643 1,368 747	CD CD CD CD	4 May 2018 and 29 October 2018	21 March 2018
7	1002404-O2	1	Mr X	1	1959	1,649	CD	14 May 2018 and 19 November 2018	21 March 2018
8	1002410-O3	1	Mr X Ms X (wife) Miss X (daughter) Miss X (daughter) Miss X (daughter) Master X (son)	6	1978 1984 2001 2002 2015 2016	1,643 1,643 1,643 1,643 1,378 1,019	CD CD CD CD CD CD	18 May 2018 and 19 November 2018	25 June 2018
9	1002574-O2	0	Mr X	1	1980	1,467	Removed	21 January 2019	26 November 2018

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

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

## 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
10	1002668-O1	1	Mr X	1	1988	1,279	CD	11 May 2018 and 12 November 2018	21 March 2018
11	1002744-O1	0	Mr X	1	1976	1,277	BV	23 August 2018 and 21 February 2019	15 October 2018
12	1002788-O2	1	Mr X	1	1993	1,100	IDF	25 October 2018	13 February 2019
13	1002828-O1	2	Mr X Master X (son)	2	1973 2001	1,107 1,107	CD CD	12 July 2018 and 23 January 2019	9 May 2018
14	1002885-O	1	Mr X Master X (son)	2	1978 2003	730 730	CD CD	21 April 2018 and 22 October 2018	First Assessment
15	1002920-O	0	Mr X	1	1977	912	IDF	7 June 2018 and 6 December 2018	First Assessment
16	1002934-O	1	Mr X	1	1973	914	CD	3 July 2018 and 3 January 2019	First Assessment
17	1003037-O	0	Mr X	1	1992	730	IDF	18 January 2019	First Assessment
18	1003042-O	0	Mr X	1	1986	740	IDF	31 January 2019	First Assessment
19	1003044-O	0	Mr X	1	1976	732	IDF	29 January 2019	First Assessment
20	1003052-O	0	Mr X	1	1995	730	IDF	7 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>	1001202-O2
<p>Mr X was detained in December 2012 after arriving in Australia by sea and has remained in an immigration detention facility for more than six years. He has no matters before the Department of Home Affairs (the Department), the courts or tribunals and is on an involuntary removal pathway.</p> <p>The Department lodged a request for a travel document from the authorities of Country A in May 2015. At the time of its latest report dated 6 December 2018, the Department continued to liaise with the authorities of Country A to progress Mr X's removal.</p> <p>The Department noted that the process of obtaining travel documents from the authorities of Country A is highly protracted. The authorities of Country A will not provide the Department with a timeframe for processing Mr X's application for a travel document. The Department advised that there is no prospect of resolving this barrier to Mr X's removal from Australia in the short-term.</p> <p>In March 2019 the Department advised that Mr X was included in a ministerial submission on long-term detention cases and that the Assistant Minister indicated that Mr X's case should be considered on an individual basis. The Department intended to prepare a submission for consideration of ministerial intervention in Mr X's case.</p> <p>International Health and Medical Services (IHMS) advised that Mr X received treatment for multiple mental health concerns associated with his prolonged detention and removal pathway.</p> <p>A treating counsellor reported that Mr X remains at risk of suicide and self-harm while his immigration status remains unresolved. IHMS reported that Mr X's mental health is being exacerbated by his detention placement and that this finding is supported by the Area Medical Director.</p> <p>The Ombudsman notes the serious risk posed to Mr X's physical and mental health, due to obstacles that apply to his removal from Australia which has resulted in his prolonged immigration detention and are likely to continue.</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 of the <i>Migration Act 1958</i> for the grant of a bridging visa, given the protracted nature of his removal from Australia and the adverse impact of remaining in detention.</li></ol>	

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1001377-03
<p>Mr X was detained in May 2013 after arriving in Australia by sea and has remained in immigration detention for more than five and a half years.</p> <p>Mr X's application for a Temporary Protection visa was refused in May 2015. The Refugee Review Tribunal affirmed the refusal decision in October 2015 and the Federal Circuit Court (FCC) remitted the matter to the Administrative Appeals Tribunal for reconsideration in October 2017. Following ministerial appeal the Federal Court ordered in December 2018 that there be no change to the orders of the primary judge of the FCC matter.</p> <p>The Department of Home Affairs (the Department) advised that Mr X remains a person of interest to the Department in relation to his offshore criminal history. Mr X was convicted of an offence in Country A between 2009 and 2011 and was sentenced to a term of one year imprisonment. The Ombudsman notes that no behavioural, security or character concerns have subsequently been reported.</p> <p>On 12 November 2018 the Department advised that it was preparing a submission on long-term detention cases to provide the Minister with an opportunity to consider the cases on an individual basis, which included Mr X's case.</p> <p>International Health and Medical Services advised that Mr X received treatment for mental health concerns related 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><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 of the <i>Migration Act 1958</i> for the grant of a bridging visa, given the absence of any recent behavioural or security concerns.</li></ol>	

<b>Name</b>	Mr X Ms X (wife) Master X (son) Master X (son)
<b>Ombudsman ID</b>	1002229-O3
<p>Mr X, Ms X and their son, Master X were first detained in July 2013 after arriving by sea. They have remained in immigration detention, in a detention facility and the community, for a cumulative period of more than five years.</p> <p>Mr X and his family were transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. Their second 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 of an RPC to finalise the Refugee Status Determination of Mr X and his family while they remain temporarily in Australia for medical treatment.</p> <p>International Health and Medical Services has advised that Mr X and Ms X require ongoing treatment for complex mental health concerns. A paediatrician also noted that return to an RPC would be harmful for Master X given his 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. Work with the Government of an RPC to expedite the determination of the family's refugee status, noting that the family arrived in Australia in July 2013.</li><li>2. Explore all available options to address the prolonged detention of Mr X, Ms X and their family.</li></ol>	

<b>Name</b>	Mr X Ms X (wife) Master X (son) Master X (son) Miss X (daughter)
<b>Ombudsman ID</b>	1002380-O3
<p>Mr X, Ms X and their two sons were detained in July 2013 after arriving in Australia by sea. They have remained in immigration detention, both in a detention facility and the community, for a cumulative period of 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. Mr X and Ms X's daughter was born in Australia following their temporary transfer.</p> <p>The Department of Home Affairs (the Department) advised that as 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 further advised that it is supporting the Government of an RPC to finalise the Refugee Status Determination of Mr X and his family while they remain temporarily in Australia for medical treatment.</p> <p>The Ombudsman's previous assessment recommended that the Minister vary the family's community placement under s 197AD of the <i>Migration Act 1958</i> to facilitate a transfer to City A where they would have extended family support.</p> <p>On 18 June 2018 the Minister advised that the Department would be assessing the family's case under s 197AD for consideration of a variation of their community placement.</p> <p>At the time of the Department's latest report, dated 24 October 2018 it was advised that the family's case was being progressed for the Minister's consideration under s 197AD.</p> <p>International Health and Medical Services advised that the family required treatment for ongoing mental health concerns. Treating psychiatrists recommended that the family be transferred to City A where they would have the support of extended family. It was further noted that return to an RPC would be detrimental to Ms X's mental health.</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:</p> <ol style="list-style-type: none"> <li>1. Work with the Government of an RPC to expedite the determination of the family's refugee status, noting that the family arrived in Australia in July 2013.</li> <li>2. The family's case be referred to the Minister for consideration under s 197AD for variation of their community placement to a location in City A where they would have extended family support.</li> <li>3. The Department explore all available options to address the prolonged detention of Mr X, Ms X and their three children.</li> </ol>	

Attachment B

<b>Name</b>	Mr X Ms X (wife) Miss X (daughter)
<b>Ombudsman ID</b>	1002384-O3
<p>Mr X and Ms X were detained in October 2013 after arriving 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. Mr X and Ms X's daughter was born in Australia following their temporary transfer.</p> <p>The Department of Home Affairs (the Department) advised that because Mr X and Ms X 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 was supporting the Government of an RPC to finalise the Refugee Status Determination of Mr X and his family while they remain temporarily in Australia for medical treatment.</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 has advised that Ms X 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 that the Department:</p> <ol style="list-style-type: none"><li>1. Work with the Government of an RPC to expedite the determination of the family's refugee status, noting that the family arrived in Australia in October 2013.</li><li>2. 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>	1002393-O2
<p>Mr X and Ms X were detained in August 2013 after arriving in Australia by sea. They have remained in immigration detention, both 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 Centre (RPC) and returned to Australia for medical treatment. Mr X and Ms X's two sons were born in Australia following their temporary transfer.</p> <p>The Department of Home Affairs (the Department) advised that under current legislation and policy settings, the family remain subject to return to an RPC on completion of their treatment.</p> <p>The Department advised it is supporting the Government of an RPC to finalise the Refugee Status Determination of Mr X and his family while they remain temporarily in Australia for medical treatment.</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>In October 2018 Mr X and his family were referred for assessment against the guidelines under s 197AD for the Minister's consideration to vary the family's residential address for relocation to City A to be close to family and community links.</p> <p>International Health and Medical Services advised that Ms X continued to receive treatment for multiple complex mental health concerns. A treating psychiatrist and counsellor advised that an opportunity to live closer to family, friends and an increased level of social support would be beneficial for Ms X's mental health and sense of wellbeing and will assist her in recovery. It was recommended that the family be transferred to City A.</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:</p> <ol style="list-style-type: none"> <li>1. The Department work with the Government of an RPC to expedite the determination of the family's refugee status, noting that the family arrived in Australia in August 2013.</li> <li>2. The Minister consider varying the family's community placement under s 197AD to facilitate a transfer to City A where they would have support from extended family.</li> <li>3. The Department explore all available options to address the prolonged detention of Mr X, Ms X and their two sons.</li> </ol>	

Attachment B

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002404-O2
<p>Mr X was detained in July 2013 after arriving in Australia by sea. He has 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 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 Mr X arrived after 19 July 2013 he remains liable for transfer back to an RPC on completion of his treatment.</p> <p>The Department advised that Mr X has undergone a Refugee Status Determination by the Government of an RPC and has been found to be a refugee.</p> <p>International Health and Medical Services has advised that Mr X requires ongoing treatment for complex mental and physical health concerns.</p> <p>In April 2018 a counsellor advised that Mr X's psychosocial functioning has deteriorated as a result of the time he spent in held detention and he has shown little sign of recovery while living in community detention.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of Mr X poses a significant risk to his 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.</li></ol>	

Attachment B

<b>Name</b>	Mr X Ms X (wife) Miss X (daughter) Miss X (daughter) Miss X (daughter) Master X (son)
<b>Ombudsman ID</b>	1002410-O3
<p>Mr X, Ms X and their two daughters were detained in August 2013 after arriving 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 his family were transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. Mr X and Ms X's third daughter and son were 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 further 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>International Health and Medical Services has 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 four children.</li></ol>	

Attachment B

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002668-O1
<p>Mr X was detained in August 2013 after arriving in Australia by sea. He has remained in immigration detention, in a detention facility and the community, for a cumulative period of more than three and a half years.</p> <p>Mr X 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 Mr X arrived after 19 July 2013 he remains liable for transfer back to an RPC on completion of his treatment.</p> <p>The Department advised that Mr X has undergone a Refugee Status Determination by the Government of an RPC and has been found to be a refugee.</p> <p>The Department further advised that Mr X will not be considered for the grant of a Final Departure Bridging visa under s 195A of the <i>Migration Act 1958</i> in light of the vulnerabilities associated with his medical conditions.</p> <p>International Health and Medical Services (IHMS) has advised that Mr X requires ongoing treatment for complex mental and physical health concerns. In April 2018 a treating psychiatrist commented that Mr X was presenting with mental health concerns partly due to ongoing uncertainty about his future.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of Mr X poses a significant risk to his 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.</li></ol>	

Attachment B

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002788-O2
<p>Mr X arrived in Australia as part of an extended family unit in April 2006 on a Refugee visa. He was detained in October 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>In September 2015 Mr X's Refugee visa was mandatorily cancelled under s 501 of the <i>Migration Act 1958</i> and in April 2016 a delegate of the Minister declined to revoke the cancellation of his visa. The Administrative Appeals Tribunal affirmed the refusal decision in October 2016 and the Federal Court dismissed the matter in March 2018.</p> <p>Mr X lodged a Protection visa application in August 2017. At the time of the Department of Home Affairs' (the Department) report, dated 25 October 2018 Mr X's Protection visa application continued to be assessed.</p> <p>International Health and Medical Services (IHMS) advised that in March 2018 Mr X had lodged a request for transfer to a facility in City A to be closer to his family for support. IHMS supported the request for transfer on mental health grounds. Mr X is currently located at a facility in City B.</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 to enable him to reside closer to his family and support network.</li></ol>	

Attachment B

<b>Name</b>	Mr X Master X (son)
<b>Ombudsman ID</b>	1002828-01
<p>Mr X and his son, Master X were detained in September 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 three years.</p> <p>Mr X and his son were transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. The Department on Home Affairs (the Department) advised that under current policy and legislative settings Mr X and his son remain liable for transfer back to an RPC on completion of their treatment.</p> <p>The Department advised that Mr X and his son have undergone a Refugee Status Determination by the Government of an RPC and have been found to be refugees.</p> <p>Mr X's wife, and Master X's stepmother, Ms X, resides in the community on a bridging visa with her son who was born in Australia. She has applied for a Temporary Protection visa which includes her son as a dependent. Mr X's other son resides in the community and has applied for a Safe Haven Enterprise visa.</p> <p>International Health and Medical Services advised that Mr X and his son have required treatment for significant physical and 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. Address and resolve the risk of family separation resulting from Mr X and his son's differing immigration pathway from his wife and other children.</li><li>2. Explore all available options to address the prolonged detention of Mr X and his son.</li></ol>	

Attachment B

<b>Name</b>	Mr X Master X (son)
<b>Ombudsman ID</b>	1002885-O
<p>Mr X, Ms X and their son were detained in August 2013 after arriving in Australia by sea. Ms X is subject to a separate Ombudsman assessment as a result of her differing number of days in detention. Mr X and his son have remained in immigration detention, in a detention facility and the community, for a cumulative period of more than two and a half years.</p> <p>Mr X and his son were transferred to a Regional Processing Country (RPC) and returned to Australia for medical treatment. The Department of Home Affairs (the Department) advised that because Mr X and his son arrived after 19 July 2013 they remain liable for transfer back to an RPC on completion of Ms X's treatment.</p> <p>The Department advised that Mr X and his family have undergone a Refugee Status Determination by the Government of an RPC and they have been found to be refugees.</p> <p>International Health and Medical Services advised that Mr X and his son received treatment for complex 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 and his son.</li></ol>	

Attachment B

<b>Name</b>	Mr X
<b>Ombudsman ID</b>	1002934-O
<p>Mr X was detained in July 2013 after arriving in Australia by sea. He has remained in immigration detention, in a detention facility and the community, for a cumulative period of more than two and a half years.</p> <p>Mr X 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 Mr X arrived after 19 July 2013 he remains liable for transfer back to an RPC on completion of his treatment.</p> <p>The Department advised that Mr X has undergone a Refugee Status Determination by the Government of an RPC and has been found to be a refugee.</p> <p>International Health and Medical Services advised that Mr X received ongoing treatment for complex mental health concerns.</p> <p>The Ombudsman notes with concern that the ongoing uncertainty of the immigration status of Mr X poses a significant risk to his 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.</li></ol>	