

**RESPONSE TO OMBUDSMAN'S STATEMENT MADE  
UNDER SECTION 486O OF THE *MIGRATION ACT 1958*  
- STATEMENT TO PARLIAMENT -**

General Comments

I refer to the Commonwealth Ombudsman's statements tabled in Parliament on 7 February 2007.

Statement 105/06

The Commonwealth Ombudsman makes no specific recommendation. This person was granted a permanent Global Special Humanitarian Visa (XB-202) on 14 December 2006.

Statement 106/06

This person was granted a Temporary Protection Visa (XA-785) on 14 July 2005.

My predecessor set a shorter period than the 30 months required under regulation 866.228 so that this person may be considered for the grant of a Permanent Protection Visa.

Statement 107/06

This family was granted Permanent Protection Visas (XA-866) on 5 September 2006.

I note the Ombudsman's comments concerning the alleged assault and I can advise that my Department has referred the matter to the police who advised that as the complainant is not prepared to provide a statement to the police they are unable to commence or progress an investigation further.

In regard to the Ombudsman's comments concerning the support provided following visa grant, I can advise that my Department liaises with the Australian Red Cross who facilitates access to Centrelink, Medicare, accommodation needs and counselling services if required.

Statement 108/06

This person was granted a Temporary Protection Visa (XA-785) on 6 October 2006 and is residing in the community.

I note the Commonwealth Ombudsman's recommendations and advise that changes to the Migration Series Instruction in 2005 were not intended to exclude legal representatives from the removal notification process. The Migration Series Instruction is currently being revised and will make clear that, with the client's consent, legal representatives are to be notified, along with other stakeholders, of impending removal.

Statement 109/06

The Ombudsman recommended that my predecessor finalise this person's Ministerial Interventions no later than the statutory period prescribed in s486P of the *Migration Act 1958* for tabling the report in Parliament. The Ombudsman also recommended that this person be considered for the grant of a Removal Pending Bridging Visa.

I can advise that all submissions referred to my predecessor have been decided upon in relation to this person. My Department currently has a further Ministerial Intervention request before it.

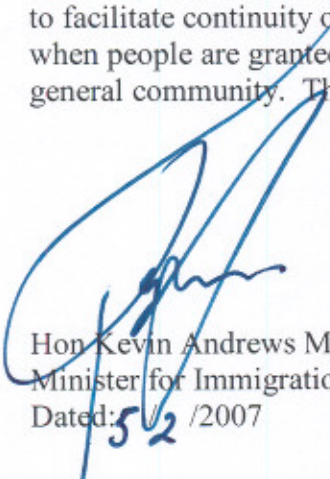
Statement 110/06 and 111/06

The Commonwealth Ombudsman makes no recommendations regarding these people. They were removed under voluntarily arrangements on 13 November 2006.

Statement 112/06

This person was granted a Bridging Visa (WR-070) on 8 August 2005 and released from detention. He was granted a Temporary Protection Visa (XA-785) on 26 May 2006. He can be considered for a further visa at the conclusion of 30 months.

I note the Commonwealth Ombudsman's recommendations. My predecessor has also asked my Department to discuss with State and Territory health authorities protocols to facilitate continuity of health care as part of its future detention health strategy when people are granted a visa and moved between the detention environment and the general community. These discussions are underway.



Hon Kevin Andrews MP  
Minister for Immigration and Citizenship  
Dated: 5/2 /2007