

**RESPONSE TO OMBUDSMAN'S ASSESSMENT NO. 36/2019 MADE UNDER
SECTION 486O OF THE *MIGRATION ACT 1958***

STATEMENT TO PARLIAMENT - No. 36/2019

General Comments

I refer to the Commonwealth Ombudsman's assessment tabled in Parliament today. This assessment refers to ten people who have been in immigration detention for two or more years. This assessment contains recommendations relating to two cases.

Response to the Commonwealth Ombudsman's assessment

1. Tabling statement for case: 1002286-O3

I note the Ombudsman's recommendation. The Department is preparing a submission under section 195A of the *Migration Act 1958* (the Act) for my consideration to grant this person a bridging visa.

2. Tabling statement for case: 1002483-O2

I note the Ombudsman's recommendation. I am mindful of the circumstances of this person, as they are a transitory person who has been temporarily transferred to Australia for medical treatment. Under current legislation and policy settings, they remain subject to return to a Regional Processing Country (RPC) on completion of their medical treatment.

They are currently residing in the community under a residence determination, which provides the best level of support while they have ongoing medical treatment.

The Department is regularly reviewing transitory persons residing in the community under a residence determination and, with the exception of the most vulnerable or those who represent security or community protection concerns, may refer these cases to me under section 195A of the Act for the consideration of the grant of a bridging visa.

3. Tabling statement for cases: 1000109-O3, 1002888-O1, 1002891-O1, 1003067-O, 1003071-O, 1003080-O, 1003089-O and 1003094-O

I note that the Ombudsman made no recommendations in relation to these cases.

(Original signed by David Coleman)

THE HON DAVID COLEMAN MP
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

10 / 10 / 2019