

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

STATEMENT TO PARLIAMENT – No. 10 / 2016

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 40 assessments refer to 50 people who have been in immigration detention for two or more years. Of these, 8 assessments pertaining to 17 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessments: 1002251.

I note the Ombudsman's recommendation. This person's case is being reviewed for possible referral to me for my consideration under section 501 of the *Migration Act 1958* (the Act).

2. Tabling statement for assessments: 1002594.

I note the Ombudsman's recommendation. I have intervened under section 46A of the Act to lift the bar to allow these people to lodge a Temporary Protection visa or a Safe Haven Enterprise visa application. These people have been invited to apply for a Temporary Protection visa or a Safe Haven Enterprise visa. These people have been granted Bridging E visas and are currently located lawfully in the community.

3. Tabling statement for assessments: 1002618, 1002851.

I note the Ombudsman's recommendation. I have intervened under section 46A of the Act to lift the bar to allow these people to lodge a Temporary Protection visa or a Safe Haven Enterprise visa application. These people have been granted Bridging E visas and are currently located lawfully in the community.

4. Tabling statement for assessments: 1002920.

I note the Ombudsman's recommendations. An instrument to bring this person into the fast track assessment process came into effect on 1 April 2016. I have intervened under section 46A and 46B of the Act to lift the bars to allow this person to lodge a Temporary Protection visa or a Safe Haven Enterprise visa application. This person has been invited to apply for a Temporary Protection visa or a Safe Haven Enterprise visa. This person has been granted a Bridging E visa and is currently located lawfully in the community.

5. Tabling statement for assessment: 1003149.

I note the Ombudsman's recommendations. The department is investigating the circumstances around this person's arrival and once finalised, priority will be given to resolving this person's immigration status.

6. Tabling statement for assessment: 1003480.

I note the Ombudsman's recommendations. I have intervened under section 197AB of the Act to place these people into community detention.

7. Tabling statement for assessments: 1003492.

I note the Ombudsman's recommendations. An instrument to bring this person into the fast track assessment process came into effect on 1 April 2016. The department will prepare a submission for my consideration to intervene, under sections 46A and 46B of the Act, to allow this person to lodge an application for a Temporary Protection visa or Safe Haven Enterprise visa. I have intervened under section 197AB of the Act to place this person into community detention with their family.

8. Tabling statement for assessment: 1002196, 1002199-O, 1002204, 1002211, 1002230, 1002284, 1002430, 1002453, 1002555, 1002557, 1002558, 1002565, 1002567, 1002601, 1002827, 1002913, 1003049, 1003167, 1003174, 1003177, 1003179, 1003191, 1003196, 1003201, 1003225, 1003270, 1003340, 1003393, 1003422, 1003430, 1003473, 1003532.

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

(original signed by Peter Dutton)

THE HON PETER DUTTON MP
Minister for Immigration and Border Protection
29 / 08 / 2016