

**RESPONSE TO OMBUDSMAN'S ASSESSMENT NO. 1 / 2020 MADE UNDER  
SECTION 486O OF THE *MIGRATION ACT 1958***

**STATEMENT TO PARLIAMENT - No. 1 / 2020**

*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 one case.

*Response to the Commonwealth Ombudsman's assessments*

**1. Tabling statement for case: 1000675-O3.**

The Department has initiated an assessment of this person against my section 195A guidelines. If they meet the requirements, they will be referred for my consideration under section 195A of the *Migration Act 1958* (the Act) for the grant of a bridging visa.

This person has been referred on three occasions under section 195A of the Act, for Ministerial consideration of the grant of a BVE.

On each occasion, the then Minister was provided detailed information on this person's health and welfare needs, criminal history, behaviour in detention and an assessment of their risk to the community.

The Ministerial intervention power under section 195A of the Act is non-compellable and non-delegable. The Minister declined to consider this person for the grant of a bridging visa on each of the three occasions.

**2. Tabling statement for cases: 1000689-O4, 1002387-O4, 1002643-O3,  
1002657-O3, 1002661-O3, 1002899-O2, 1002992-O1, 1003101-O and 1003102-O.**

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

(Original signed by Alan Tudge)

THE HON ALAN TUDGE MP  
Acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

5 / 2 / 2020