

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

STATEMENT TO PARLIAMENT – No.11 / 2016

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 40 assessments refer to 68 people who have been in immigration detention for two or more years. Of these, 22 assessments pertaining to 50 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1002756

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 lodged an application for a Safe Haven Enterprise visa. The department has refused this application. These people's case has been referred to the Immigration Assessment Authority for review. These people have been granted a Bridging E visas and are currently residing lawfully in the community.

2. Tabling statement for assessment: 1003381

I note the Ombudsman's recommendation. I have agreed to consider this persons case under section 195A of the *Migration Act 1958* (the Act) for the grant of a Bridging E visa.

3. Tabling statement for assessments: 1002630, 1002701, 1002702

I note the Ombudsman's recommendations. 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: 1002646, 1002860.

I note the Ombudsman's recommendations. 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.

5. Tabling statement for assessments: 1002592, 1002631, 1002755, 1002901

I note the Ombudsman's recommendations. 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 lodged an application for a Temporary Protection visa or a Safe Haven Enterprise visa. These people have been granted Bridging E visas and are currently residing lawfully in the community.

6. Tabling statement for assessments: 1003496, 1003500.

I note the Ombudsman's recommendations. I have intervened under sections 46A and 46B of the Act to lift the bars 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.

7. Tabling statement for assessments: 1002317, 1002857, 1002858, 1002978, 1003081, 1003120, 1003229, 1003335, 1003408

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

8. Tabling statement for assessment: 1000159-O, 1000413-O, 1002198-O, 1002231, 1002980, 1002995, 1003064, 1003158, 1003265, 1003273, 1003287, 1003306, 1003311, 1003372, 1003373, 1003400, 1003467, 1003487

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