

**RESPONSE TO OMBUDSMAN'S STATEMENT MADE  
UNDER SECTION 4860 OF THE *MIGRATION ACT 1958*  
- STATEMENT TO PARLIAMENT-**

I refer to the Commonwealth Ombudsman's report tabled in Parliament today. I note that this report covers 58 assessments relating to 47 people.

Of these 47, 34 of the individuals remained in immigration detention at the time I announced the ministerial review of long term detainees on 12 March 2008.

The other 13 had already been released from detention subsequent to their cases being reported to the Commonwealth Ombudsman; the majority of these cases have had their immigration status resolved.

Subsequent to the commencement of my review on 12 March 2008, 6 of the 34 individuals have had their immigration status resolved.

At this date 28 of the 34 remain in detention. An announcement regarding my consideration of these cases will be made very shortly.

Statement 366/08

This person was part of my review of long term detainees announced on 12 March 2008.

My Department subsequently granted this person a permanent Protection visa on 6 May 2008.

Statement 368/08

This person remains in the community whilst his ongoing request for intervention under section 351 is being considered. In the interim, this person will remain in the community on a Bridging visa.

Statement 369/08

This person was part of my review of long term detainees announced on 12 March 2008.

This person presented strong compassionate claims for my consideration.

I granted this person a Spouse visa on 7 May 2008.

Statement 373/08

This person was part of my review of long term detainees announced on 12 March 2008.

I was not satisfied that there were strong compassionate or humanitarian claims that warranted my intervention in this case and therefore consented to their removal.

This person was removed from Australia on 11 April 2008.

Statement 374/08

This person was part of my review of long term detainees announced on 12 March 2008.

This person was assessed as being owed protection. My Department subsequently granted this person a Temporary Protection visa on 28 April 2008.

Statement 376/08

This person's original visa was reinstated after a Full Federal Court decision on 28 November 2006. The Commonwealth Ombudsman notes that this person's visa was reinstated, and makes no recommendations.

Statement 377/08

This person was granted a permanent Protection visa on 11 January 2008. The Commonwealth Ombudsman notes that this person has been granted a Protection visa, and makes no recommendations.

Statement 378/08 (2 people)

These people were granted permanent Protection visas on 21 August 2007, and 4 March 2008. The Commonwealth Ombudsman notes that these people were granted Protection visas and makes no recommendations.

Statement 379/08

I exercised my public interest powers to grant this person a permanent Five Year Resident Return visa on 5 March 2008. The Commonwealth Ombudsman notes that this person was granted a permanent visa and makes no recommendations.

Statement 380/08 (2 people)

I exercised my public interest powers to grant these people permanent Global Special Humanitarian visas on 4 March 2008. The Commonwealth Ombudsman notes that these people were granted permanent visas and makes no recommendations.

Statement 381/08

I exercised my public interest powers to grant this person a permanent Five Year Resident Return visa on 5 March 2008. The Commonwealth Ombudsman notes that this person was granted a permanent visa and makes no recommendations.

Statement 382/08

This person's original visa was reinstated on 18 January 2007 after a Full Federal Court decision. The Commonwealth Ombudsman notes that this person's original visa was reinstated and makes no recommendations.

Statement 385/08

This person was granted a Bridging visa on 17 November 2005, and remains on a Bridging visa while his Protection visa application is being processed by my Department. The Commonwealth Ombudsman notes that this person has been granted a Bridging visa with work rights, and makes no recommendations.

Statement 394/08

This person was part of my review of long term detainees announced on 12 March 2008.

This person presented strong humanitarian claims for my consideration.

I granted this person a Global Special Humanitarian visa on 17 April 2008.

Statement 400/08

This person was part of my review of long term detainees announced on 12 March 2008.

I was not satisfied that there were strong compassionate or humanitarian claims that warranted my intervention in this case and therefore consented to their removal.

This person was removed from Australia on 2 May 2008.

Statement 401/08

This person was granted a Bridging visa on 14 March 2007, and remains on a Bridging visa. The Ombudsman noted that this person has been living in the

community for 12 months without work rights and income support, and recommended that I consider granting this person a Removal Pending Bridging visa, or another visa, to allow this person to live independently in the community.

This person currently has a Protection visa application before my Department, and will remain on a Bridging visa while that application is being processed. A submission is currently being prepared for my consideration.

Statement 412/08

This person was granted a Bridging visa on 6 October 2006, and remains in the community on a Bridging visa while my Department assesses a Ministerial intervention request made by this person. The Commonwealth Ombudsman notes that this person resides lawfully in the community, and makes no recommendations in this case.

Statements 367/08; 370/08; 371/08; 372/08; 375/08; 383/08; 384/08; 386/08; 387/08; 388/08; 389/08; 390/08; 391/08; 392/08; 393/08; 395/08; 396/08; 397/08; 398/08; 399/08; 402/08; 403/08; 404/08; 405/08; 406/08; 407/08; 408/08; 409/08; 410/08; 411/08

These cases are part of my review of long term detention cases. I have reviewed all of these cases individually and considered a range of options including the pursuit of removal, granting temporary and permanent visas, lifting the section 48B bar so that new protection claims can be reassessed and placement in community detention. My Department is working closely with our detention service providers to ensure that my decisions are managed in a responsible and timely manner. An announcement regarding my consideration of these cases will be made very shortly.



CHRIS EVANS  
Leader of the Government in the Senate  
Minister for Immigration and Citizenship  
Dated: 13/5/08.