

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

STATEMENT TO PARLIAMENT - No. 5 / 2017

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 16 assessments refer to 23 people who have been in immigration detention for two or more years. Of these, 3 assessments pertaining to 3 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1000109-O.

I note the Ombudsman's recommendation. The department has reviewed this person's placement and considers it appropriate. This person's placement will continue to be reviewed.

2. Tabling statement for assessment: 1002521-O.

I note the Ombudsman's recommendation. I have intervened under section 46A of the Act to lift the bar to allow this person to lodge a Temporary Protection visa or a Safe Haven Enterprise visa application. This person has lodged a Temporary Protection visa application. This person is currently residing lawfully in the community on Bridging E visa.

3. Tabling statement for assessment: 1002532-O.

I note the Ombudsman's recommendation. I have intervened under section 197AB of the Act to allow this person to reside in community detention. This person arrived after 19 July 2013 and was transferred to a regional processing centre. This person has since been temporarily transferred to Australia. Under current legislative and policy settings, this person remains subject to return to a regional processing centre on completion of their treatment.

4. Tabling statement for assessment: 1000765-O, 1001068-O, 1001080-O, 1001173-O, 1001547-O, 1001850-O, 1001881-O, 1001936-O, 1001943-O, 1001965-O, 1002123-O, 1002375, 1002405-O.

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
27/02/2017