

## REPLACEMENT STATEMENT

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

#### STATEMENT TO PARLIAMENT - No. 7 / 2017

##### *General Comments*

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 57 assessments refer to 70 people who have been in immigration detention for two or more years. Of these, 5 assessments pertaining to 7 detainees contained recommendations.

##### *Response to the Commonwealth Ombudsman's assessments*

#### **1. Tabling statement for assessment: 1001347-O.**

I note the Ombudsman's recommendation. This person has been transferred to Brisbane.

#### **2. Tabling statement for assessment: 1002379-O.**

I note the Ombudsman's recommendation. I have intervened under section 46A of the *Migration Act 1958* (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 an application for a Safe Haven Enterprise visa. This person is currently residing lawfully in the community on a Bridging E visa.

#### **3. Tabling statement for assessments: 1002354-O.**

I note the Ombudsman's recommendations. This person was found not to meet the guidelines against section 197AB of the Act for a possible community detention placement. This person arrived after 19 July 2013 and was transferred to a regional processing centre. This have since been temporarily transferred to Australia for medical treatment. Under current policy settings this person remains subject to return to a regional processing centre on completion of their treatment.

#### **4. Tabling statement for assessments: 1002385-O and 1002404-O.**

I note the Ombudsman's recommendation. These people arrived after 19 July 2013 and were transferred to a regional processing centre. These people have since been temporarily transferred to Australia for medical treatment. Under current policy settings these people remain subject to return to a regional processing centre on completion of their treatment.

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5. Tabling statement for assessment: 000479-O, 1000341-O, 1000782-O, 1000856-O, 1000874-O, 1001023-O, 1001048-O, 1001249-O, 1001304-O, 1001349-O, 1001416-O, 1001518-O1, 1001693-O, 1001761-O, 1001901-O, 1001950-O, 1001973-O1, 1002052-O, 1002057-O, 1002059-O, 1002089-O, 1002121-O, 1002146-O, 1002161-O, 1002167-O, 1002169-O, 1002173-O, 1002185-O, 1002192-O, 1002198-O1, 1002200-O1, 1002201-O1, 1002289-O1, 1002333-O, 1002341-O, 1002347-O1, 1002348-O, 1002355-O1, 1002382-O, 1002388-O, 1002415-O, 1002424-O, 1002426-O, 1002430-O, 1002445-O, 1002452-O, 1002455-O, 1002485-O, 1002491-O, 1002493-O, 1002501-O, 1002512-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  
13/06/2017