

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

STATEMENT TO PARLIAMENT - No. 11 / 2017

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 28 assessments refer to 32 people who have been in immigration detention for two or more years. Of these, 8 assessments pertaining to 10 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1000030-O

I note the Ombudsman's recommendation. I have requested the Department resolve this person's Temporary Protection (subclass 785) visa (TPV) application before considering this person's case for a Bridging E (subclass 050) visa. The Department is currently progressing the assessment of this person's TPV application.

2. Tabling statement for assessment: 1002214-O1

I note the Ombudsman's recommendation. The Department is preparing a submission for my consideration under section 197AB of the *Migration Act 1958* (the Act) for a community detention placement. This person arrived after 19 July 2013, and was transferred to a regional processing centre. This person has since been temporarily transferred to Australia. The Department continues to identify options to manage this person's immigration status.

3. Tabling statement for assessment: 1002236-O1 and 1002255-O1

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 and are receiving medical treatment. Under current legislation and policy settings, these people are subject to return to a regional processing centre on completion of their treatment.

4. Tabling statement for assessment: 1002367-O1

I note the Ombudsman's recommendation. This person has been granted a Safe Haven Enterprise (subclass 790) visa and is currently residing lawfully in the community.

5. Tabling statement for assessment: 1002392-O and 1002421-O

I note the Ombudsman's recommendation. I have intervened under section 197AB of the Act and these people are currently residing in community detention. 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 legislation and policy settings they are subject to return to a regional processing centre on completion of their treatment.

6. Tabling statement for assessment: 1002418-O

I note the Ombudsman's recommendation. The Department has referred a submission for my consideration under section 197AB of the Act, for a community detention placement. 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 legislation and policy settings these people are subject to return to a regional processing centre on completion of their treatment.

7. Tabling statement for assessment: 1000372-O, 1000814-O, 1000979-O1, 1001254-O, 1001260-O, 1001337-O, 1001377-O1, 1001711-O, 1001738-O, 1001753-O, 1001896-O, 1001924-O, 1002172-O, 1002174-O, 1002206-O1, 1002413-O, 1002442-O, 1002511-O, 1002513-O, 1002557-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