

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

STATEMENT TO PARLIAMENT - No. 6 / 2018

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 14 assessments refer to 17 people who have been in immigration detention for two or more years. Of these, 14 assessments pertaining to 17 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1001712-O.

I note the Ombudsman's recommendation. Arrangements are being finalised to transfer this person to an alternative place of detention where they will be provided therapeutic disability-services to support their development.

2. Tabling statement for assessment: 1001857-O1.

I note the Ombudsman's recommendations. The department has recently assessed this person's case against the s195A guidelines and it did not meet the guidelines for referral to me. The department advised that in accordance with this person's risk rating, their current detention placement remains appropriate.

3. Tabling statement for assessment: 1002167-O1.

I note the Ombudsman's recommendations. The department is currently assessing this person's visa application to determine the impact of their Qualified Security Assessment. The department has provided this person with all of information to date regarding his case progression.

4. Tabling statement for assessment: 1002515-O1.

I note the Ombudsman's recommendations. This person remains a person of interest to the department. The department has refused this person's visa application. This person was recently reviewed by the IHMS psychiatrist, in addition to regular engagement with the department health service provider. This person's placement has been reviewed and due to capacity issues a transfer to a facility in Melbourne is not appropriate at this time.

5. Tabling statement for assessment: 1002629-O.

I note the Ombudsman's recommendations. The department is reconsidering this person request to revoke their visa cancellation decision. This person's placement has been reviewed and in accordance with this person's risk rating the current detention placement remains appropriate at this time.

6. Tabling statement for assessment: 1002660-O.

I note the Ombudsman's recommendation. The Assistant Minister decided not to revoke the department's visa cancellation decision. This person has sought judicial review of this decision in the Federal Court.

7. Tabling statement for assessment: 2000017-O.

I note the Ombudsman's recommendation. The department has reviewed this person's placement and due to their risk rating found unsuitable for placement at a lower security detention facility. The current placement remains appropriate at this time.

8. Tabling statement for assessment: 1002397-O1.

I note the Ombudsman's recommendation. This person arrived after 19 July 2013 and was transferred to a regional processing centre. This person has since been temporarily transferred to Australia for medical treatment. The department is supporting the relevant offshore government to finalise this person's refugee status determination while they remain in Australia.

9. Tabling statement for assessment: 1002399-O1.

I note the Ombudsman's recommendation. 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.

10. Tabling statement for assessment: 1002668-O.

I note the Ombudsman's recommendation. This person arrived after 19 July 2013 and was transferred to a regional processing centre. This person has since been temporarily transferred to Australia for medical treatment. This person has been found to be a refugee by the relevant offshore government.

11. Tabling statement for assessment: 1002376-O1, 1002393-O1, 1002404-O1, and 1002804-O.

I note the Ombudsman's recommendations. These people arrived after 19 July 2013 and were transferred to a regional processing centre. They have since been temporarily transferred to Australia for medical treatment. The department is supporting the relevant offshore government to finalise their refugee status determination while they remain in Australia. These people are plaintiffs in an ongoing court proceeding

(Original signed by Peter Dutton)

THE HON PETER DUTTON MP
Minister for Home Affairs
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16 / 03 / 2018