

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

STATEMENT TO PARLIAMENT - No. 24 / 2016

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 50 assessments refer to 84 people who have been in immigration detention for two or more years. Of these, 12 assessments pertaining to 24 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment 1002863:

I note the Ombudsman's recommendation. This person's case has been referred to the external agency for review. This matter requires resolution before this person's case is referred to me.

2. Tabling statement for assessment 1003350:

I note the Ombudsman's recommendation. The department is investigating whether a request for increased funding for support services has been made for this person. If it is found to have been declined, the department will review that decision. This person continues to receive disability support.

3. Tabling statement for assessment 1002403-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 been invited to apply for a Temporary Protection visa or a Safe Haven Enterprise visa.

4. Tabling statement for assessments 1003152, 1003413:

I note the Ombudsman's recommendations. I have intervened under section 46A of the Act to lift the bar to allow these people to lodge a Temporary Protection visa or a Safe Haven Enterprise visa application. These people have lodged an application for a Temporary Protection visa or Safe Haven Enterprise visa. These people have been granted Bridging E visas and are currently residing lawfully in the community.

5. Tabling statement for assessments 1002229-O, 1002273-O, 1002293-O, 1002332-O, 1002343-O, 1002350-O, 1002386-O:

I note the Ombudsman's recommendations. These people arrived after 19 July 2013 and were transferred to a regional processing centre. These people have since been transferred back to Australia. In line with current policy and legislation settings, these people are subject to return to a regional processing centre on completion of their temporary transfer.

6. Tabling statement for assessments 1000762-O, 1001039-O, 1001047-O, 1001262-O, 1001343-O, 1001410-O, 1001497-O, 1001525-O, 1001585-O, 1001803-O, 1001941-O, 1001944-O, 1001969-O, 1002054-O, 1002170-O, 1002209-O, 1002250-O, 1002252-O, 1002254-O, 1002256-O, 1002262-O, 1002263-O, 1002297-O, 1002306-O, 1002342-O, 1002409-O, 1002417-O, 1002425, 1002427-O, 1002435-O, 1002520, 1002566, 1003043, 1003142, 1003384, 1003440, 1003490, 1003503 :

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
03 / 11 / 2016