

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

STATEMENT TO PARLIAMENT – No.9 / 2016

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 40 assessments refer to 99 people who have been in immigration detention for two or more years. Of these, 38 assessments pertaining to 97 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1002188.

I note the Ombudsman's recommendation. The former Minister intervened under section 46A of the Migration Act 1958 (the Act) to lift the bar to allow these people to lodge a permanent Protection visa application. In accordance with amendments to the Act on 16 December 2014, these people have been granted a Temporary Protection visa and are currently residing lawfully in the community.

2. Tabling statement for assessment: 1002966.

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 Safe Haven Enterprise visa application. Due to a change in circumstances, some of these people have lodged an application for a Safe Haven Enterprise visa. These people have been granted Bridging E visas and are currently residing lawfully in the community.

3. Tabling statement for assessments: 1003284, 1003327.

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 Safe Haven Enterprise visa application. These people have been granted a Temporary Protection visa or Safe Haven Enterprise visa and are currently residing lawfully in the community.

4. Tabling statement for assessments: 1002449, 1002841, 1003086.

I note the Ombudsman's recommendation. 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 been granted Bridging E visas and are currently residing lawfully in the community.

5. Tabling statement for assessments: 1002485, 1002654, 1002935, 1003018, 1003096, 1003280.

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 Safe Haven Enterprise visa application. These people have been invited to apply for a Temporary Protection visa or a Safe Haven Enterprise visa. These people have been granted Bridging E visas and are currently residing lawfully in the community.

6. Tabling statement for assessment: 1002288, 1002648, 1002652, 1002661, 1002944, 1002945, 1003019, 1003074, 1003208, 1003259, 1003268, 1003317.

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 Safe Haven Enterprise visa application. These people have lodged an application for a Temporary Protection visa or a Safe Haven Enterprise visa. These people have been granted Bridging E visas and are currently residing lawfully in the community.

7. Tabling statement for assessments: 1003450.

I note the Ombudsman's recommendations. The department is investigating the circumstances around these people's arrival and once finalised, priority will be given to resolving their immigration status. The primary applicant has been granted a Bridging E visa and is residing lawfully in the community. The secondary applicant is residing in community detention.

8. Tabling statement for assessments: 1002859, 1003029, 1003087, 1003228, 1003402, 1003403, 1003482.

I note the Ombudsman's recommendations. The department is investigating the circumstances around these people's arrival and once finalised, priority will be given to resolving their immigration status.

9. Tabling statement for assessments: 1003232, 1003365.

I note the Ombudsman's recommendations. The department is investigating the circumstances around these people's arrival and once finalised, priority will be given to resolving their immigration status. These people have been granted Bridging E visas and are currently residing lawfully in the community.

10. Tabling statement for assessments: 1002380, 1003258, 1003451.

I note the Ombudsman's recommendations. The department is investigating the circumstances around these people's arrival and once finalised, priority will be given to resolving their immigration status. These people have been granted a Temporary Protection visa or Safe Haven Enterprise visa and are currently residing lawfully in the community.

11. Tabling statement for assessments: 1002493, 1003497.

I note that the Ombudsman has made no recommendations in relation to these cases.

12. Tabling statement for assessments: 1003474.

I note that the Ombudsman has made no recommendation in relation to this case. The de-identified assessment was printed in booklet No.6/2016 and tabled on 15 April 2016.

(original signed by Peter Dutton)

THE HON PETER DUTTON MP
Minister for Immigration and Border Protection
29 / 08 / 2016