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

STATEMENT TO PARLIAMENT - No. 8 / 2017

General Comments

I refer to the Commonwealth Ombudsman’s assessments tabled in Parliament today. The 25 assessments refer to 28 people who have been in immigration detention for two or more years. Of these, 12 assessments pertaining to 15 detainees contained recommendations.

Response to the Commonwealth Ombudsman’s assessments

1. **Tabling statement for assessment: 1000034-O.**

I note the Ombudsman’s recommendation. I have asked the Department to finalise an assessment on the risk posed to the Australian community before considering a community detention placement for this person.

2. **Tabling statement for assessment: 1001134-O.**

I note the Ombudsman’s recommendations. This person has been removed from Australia.

3. **Tabling statement for assessment: 1001384-O.**

I note the Ombudsman’s recommendation. I have recently considered this person’s case under section 195A of the Migration Act 1958 (the Act) and declined to intervene. The department will review this person’s case for a possible re-referral in the near future.

4. **Tabling statement for assessment: 1001386-O.**

I note the Ombudsman’s recommendation. I have agreed to consider this person’s case under section 195A of the Act for the grant of a Bridging E visa. The Department is currently preparing a submission for my consideration.

5. **Tabling statement for assessment: 1002168-O.**

I note the Ombudsman’s recommendation. The Department is currently unable to transfer this person to Villawood IDC due to capacity issues.


I note the Ombudsman’s recommendations. This person is being assessed against section 197AB guidelines for possible referral to me 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 for medical treatment. Under current policy settings this person remains subject to return to a regional processing centre on completion of their treatment.
7. **Tabling statement for assessment: 1002241-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.

8. **Tabling statement for assessments: 1000980-O, 1001534-O.**

I note the Ombudsman’s recommendations. These people have been transferred to centres closer to their families.

9. **Tabling statement for assessments: 1002428-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 temporarily transferred to Australia. Under current policy settings these people remain subject to return to a regional processing centre on completion of their treatment.


I note the ombudsman’s recommendations. I have intervened under section 197AB of the Act to allow these people to reside 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. Under current policy settings these people remain subject to return to a regional processing centre on completion of their treatment.

11. **Tabling statement for assessments: 1000120-O1; 1001822-O; 1001939-O1; 1002181-O; 1002232-O1; 1002245-O1; 1002266-O1; 1002429-O1; 1002454-O; 1002456-O; 1002464-O; 1002490-O and 1002542-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  
22 / 05 / 2017