

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

STATEMENT TO PARLIAMENT - No. 20 / 2016

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 75 assessments refer to 131 people who have been in immigration detention for two or more years. Of these, 31 assessments pertaining to 70 detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1000689-O.

I note the Ombudsman's recommendation. This person's case is being reviewed for a possible referral to me for my consideration under section 195A of the *Migration Act 1958* (the Act) for the grant of a Bridging E visa.

2. Tabling statement for assessment: 1002544.

I note the Ombudsman's recommendation. This person had been residing in the community while the department was progressing their immigration status as per the Ombudsman's recommendation. This person has recently been confirmed as deceased. The department is assisting with the Coroner's investigation.

3. Tabling statement for assessment: 1002689.

I note the Ombudsman's recommendation. The department is preparing a submission for referral to me for my consideration under section 195A of the Act for the grant of a Bridging E visa, while this person's removal is progressed.

4. Tabling statement for assessment: 1002834.

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 been granted Bridging E visas and are currently residing lawfully in the community.

5. Tabling statement for assessment: 1003454.

I note the Ombudsman's recommendation. The department has requested its health services provider arrange a psychiatric review of this person.

6. Tabling statement for assessment: 1003522.

I note the Ombudsman's recommendation. This person's case has been referred to me for my consideration under section 195A of the Act for the grant of a Bridging E visa.

7. Tabling statement for assessment: 1002260-O, 1002268-O, 1002270-O, 1002271-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. The Department continues to identify options to manage these people's immigration status.

8. Tabling statement for assessment: 1002777, 1002786, 1003012, 1003071, 1003342.

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 a Safe Haven Enterprise visa. These people have been granted Bridging E visas and are currently residing lawfully in the community.

9. Tabling statement for assessment: 1002371, 1002401, 1002524, 1002695, 1002795, 1002835, 1002894, 1002929, 1002930, 1003004, 1003072, 1003107, 1003135, 1003277, 1003278, 1003354.

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 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.

10. Tabling statement for assessments: 1000516-O, 1001377-O, 1001402-O, 1001436-O, 1001540-O, 1001543-O, 1001546-O, 1001565-O, 1001598-O, 1001602-O, 1001604-O, 1001662-O, 1001666-O, 1002178-O, 1002197, 1002212-O, 1002225-O, 1002230-O, 1002235-O, 1002257-O, 1002258-O, 1002269-O, 1002326, 1002429-O, 1002459, 1002816, 1002818, 1002819, 1002865, 1003143, 1003145, 1003151, 1003250, 1003307, 1003315, 1003318, 1003337, 1003411, 1003426, 1003459, 1003478, 1003488, 1003512, 1003526.

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
17 / 10 / 2016