

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

STATEMENT TO PARLIAMENT - No. 14 / 2018

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 30 assessments refer to 35 people who have been in immigration detention for two or more years. Of these, seven assessments pertaining to nine detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1000633-O1

I note the Ombudsman's recommendation. This person is currently being assessed against the section 195A guidelines for a possible referral to me for the grant of a Bridging E visa.

2. Tabling statement for assessment: 1001613-O1

I note the Ombudsman's recommendations. This person has been found not to be owed protection and currently has an adverse security assessment and will remain in immigration detention, rather than live in the community, until such time that a durable solution is found that is consistent with Australia's international obligations. This person has not presented with any vulnerabilities that would suggest a need for an alternative placement. This person is currently engaged with a specialist psychological counselling service and is attending regular appointments. This person's health continues to be appropriately managed and monitored by the department's health service provider.

3. Tabling statement for assessment: 1001736-O1

I note the Ombudsman's recommendation. The department has reviewed this person's placement and found that due to their risk rating a transfer is not appropriate at this time.

4. Tabling statement for assessment: 1001981-O1

I note the Ombudsman's recommendation. I have recently considered this person's case under section 195A of the *Migration Act 1958* for the grant of a Bridging E visa and declined to intervene.

5. Tabling statement for assessment: 1002115-O1

I note the Ombudsman's recommendations. The department has reviewed this person's placement was reviewed and found that the current placement is appropriate. Should a transfer to another facility take place in the future, the department will assess whether it is appropriate to provide a service provider, to accompany the person's children on visits, in the absence of the person's spouse.

6. Tabling statement for assessment: 1002368-O2

I note the Ombudsman's recommendation. This person has been found not to engage Australia's protection obligations under the *Migration Act 1958*, which has been affirmed by the Immigration Assessment Authority. This person has sought further review at the Federal Circuit Court. The department has reviewed this person's placement and due to their risk rating a transfer is not appropriate at this time.

7. Tabling statement for assessment: 1002708-O

I note the Ombudsman's recommendation. These people arrived in Australia after 19 July 2013 and were transferred to a regional processing centre. They were temporarily transferred to Australia for medical treatment. Under current legislation and policy settings they remain subject to return to a regional processing centre on completion of their treatment.

8. Tabling statement for assessment: 1000508-O1, 1000958-O2, 1001308-O1, 1001489-O1, 1001659-O2, 1002373-O2, 1002505-O1, 1002530-O1, 1002537-O1, 1002710-O, 1002718-O, 1002720-O, 1002723-O, 1002734-O, 1002740-O, 1002752-O, 1002767-O, 1002772-O, 1002774-O, 1002783-O, 1002784-O, 1002788-O, 1002797-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
Department of Home Affairs
Minister for Immigration and Border Protection
14/06/2018