

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

STATEMENT TO PARLIAMENT - No. 16 / 2018

General Comments

I refer to the Commonwealth Ombudsman's assessments tabled in Parliament today. The 30 assessments refer to 39 people who have been in immigration detention for two or more years. Of these, five assessments pertaining to five detainees contained recommendations.

Response to the Commonwealth Ombudsman's assessments

1. Tabling statement for assessment: 1002128-O1.

I note the Ombudsman's recommendation. This person's case is being reviewed for possible referral to me for my consideration under section 501 of the *Migration Act 1958* (the Act). Consideration of this person's case under section 195A of the Act is not appropriate at this time.

2. Tabling statement for assessment: 1002470-O1.

I note the Ombudsman's recommendation. I have considered this person's case under section 195A of the Act and declined to intervene.

3. Tabling statement for assessment: 1002483-O1.

I note the Ombudsman's recommendations. I have recently intervened under section 197AB of the Act to allow this person to reside in community detention. This person has been identified for possible referral to me under section 195A of the Act for the grant of a final departure Bridging E visa.

4. Tabling statement for assessment: 1002553-O1.

I note the Ombudsman's recommendation. This person has been identified by the department for assessment against the criteria under the *Migration Regulations 1994* for the possible grant of a Bridging E visa. As such, consideration of the exercise of my intervention powers under s195A of the Act is not appropriate at this time.

5. Tabling statement for assessment: 1002736-O.

I note the Ombudsman's recommendations. This person has been found not to meet the guidelines against section 197AB of the Act for possible referral to me for an alternate placement. This person is able to access appropriate support and medical services from their current placement.

6. Tabling statement for assessments: 1000677-O1, 1000727-O2, 1001123-O, 1001250-O1, 1001406-O2, 1001522-O2, 1001675-O2, 1002101-O1, 1002225-O1, 1002247-O2, 1002473-O1, 1002478-O1, 1002479-O1, 1002492-O1, 1002499-O1, 1002535-O1, 1002548-O1, 1002552-O1, 1002606-O1, 1002735-O, 1002745-O, 1002749-O, 1002771-O, 1002786-O, 1002787-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 Home Affairs
Minister for Immigration and Border Protection
07/06/2018