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

STATEMENT TO PARLIAMENT - No. 16 / 2017

General Comments

I refer to the Commonwealth Ombudsman’s assessments tabled in Parliament today. The 34 assessments refer to 50 people who have been in immigration detention for two or more years. Of these, 18 assessments pertaining to 30 detainees contained recommendations.

Response to the Commonwealth Ombudsman’s assessments

1. **Tabling statement for assessment: 1000653-O.**

I note the Ombudsman’s recommendation. This person’s placement is currently being reviewed, with the department seeking input from relevant stakeholders, including health professionals, before considering whether to refer this person to me under s197AD of the Migration Act 1958 (the Act), for a variation to their current community detention placement.

2. **Tabling statement for assessment: 1000961-O.**

I note the Ombudsman’s recommendation. This person has voluntarily departed Australia.

3. **Tabling statement for assessment: 1000966-O1.**

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

4. **Tabling statement for assessment: 1001247-O.**

I note the Ombudsman’s recommendations. This person’s placement was reviewed and the department has found that a transfer to a facility in or near Perth is not appropriate at this time. This person was found not to meet the guidelines against section 197AB of the Act, for referral to me for a community detention placement.

5. **Tabling statement for assessment: 1001472-O.**

I note the Ombudsman’s recommendation. Progress is occurring in these people’s case. The department has requested these people provide additional information in support of their application.


I note the Ombudsman’s recommendations. This person will be assessed against the section 195A guidelines for a possible referral to me for a Bridging E visa. This person’s placement has been reviewed and at this time the department considers their placement appropriate. Arrangements are in place to allow this person to maintain contact with their family support network.
7. **Tabling statement for assessment: 1002118-O.**

I note the Ombudsman’s recommendations. This person has been found not to meet the guidelines against section 197AB of the Act. As such, this person was not referred to me. The department regularly facilitates visits between this person and their family support network. The department offers educational programs for detainees, and this person has been encouraged to access them.

8. **Tabling statement for assessment: 1002197-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.

9. **Tabling statement for assessment: 1002235-O1.**

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

10. **Tabling statement for assessment: 1002416-O1.**

I note the Ombudsman’s recommendations. The department is not aware of any significant vulnerability that would warrant referral of these people for consideration of a variation to their community detention placement. These people arrived after 19 July 2013 and were transferred to a regional processing centre. They have since been temporarily transferred to Australia for medical treatment. The department is supporting the relevant offshore government to finalise these people’s refugee status determination while they remain in Australia.

11. **Tabling statement for assessment: 1002515-O.**

I note the Ombudsman’s recommendation. This person will be assessed against the section 195A guidelines for a possible referral to me for a Bridging E visa.

12. **Tabling statement for assessment: 1002411-O1, 1002449-O1, 1002633-O.**

I note the Ombudsman’s recommendations. The department has provided these people with in-home care support and its service provider has initiated ongoing programmes to assist self-sufficiency while residing in the community. These people arrived after 19 July 2013 and were transferred to a regional processing centre. They have since been temporarily transferred to Australia for medical treatment. The department is supporting the relevant offshore government to finalise these people’s refugee status determination while they remain in Australia.


I note the Ombudsman’s recommendations. These people arrived after 19 July 2013 and were transferred to a regional processing centre. They have since been temporarily transferred to Australia for medical treatment. The department is supporting the relevant offshore government to finalise these people’s refugee status determination while they remain in Australia.
14. Tabling statement for assessment: 1000903-O1, 1000965-O, 1001172-O, 1001283-O, 1001286-O, 1001444-O1, 1001543-O1, 1001784-O1, 1001933-O1, 1002100-O, 1002133-O, 1002224-O1, 1002247-O1, 1002283-O1, 1002543-O, 1002546-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
10/10/2017