

For information on
13 January 2014

Legislative Council Panel on Welfare Service
Humanitarian Assistance for Non-refoulement Claimants
in Hong Kong

PURPOSE

This paper briefs Members on the proposed enhancement to the humanitarian assistance for non-refoulement claimants¹ (claimants) in Hong Kong.

BACKGROUND

2. On humanitarian grounds, the Administration, in collaboration with non-governmental organisations (NGOs) and on a case-by-case basis, has been offering in-kind assistance to claimants who are deprived of basic needs during their presence in Hong Kong to prevent them from becoming destitute, while at the same time not creating a magnet effect which may have serious implications for the sustainability of our current support systems and for our immigration control.

3. The Social Welfare Department (SWD) has commissioned the International Social Service Hong Kong Branch (ISS-HK) to provide the above in-kind assistance services since 2006. The current service contract with ISS-HK which commenced in September 2012 is estimated to continue up to August 2014. In year 2013-14, the budget for the humanitarian assistance programme is \$203 million.

4. At its meeting held on 22 July 2013, the Legislative Council Panel on Welfare Services discussed ways to improve the humanitarian assistance package available to claimants in Hong Kong. The Administration undertook to review the humanitarian assistance programme, with a view to identifying necessary enhancement measures

¹ Persons who have lodged an asylum claim with the United Nations High Commissioner of Refugees (UNHCR) and mandated refugees may also receive such assistance.

for implementation as soon as practicable.

ENHANCEMENTS

5. Taking into account the concerns raised by Members and deputations at the meeting, views of concerned NGOs, as well as relevant factors such as changes in price level, the Administration plans to enhance the service package for claimants in terms of accommodation, food, transportation and utilities allowances. The enhancements will be rolled out in February 2014, and details are set out in the ensuing paragraphs.

Accommodation

6. The Administration notes that given their unique background, e.g. language barrier and limitation to commit to a long term tenancy, claimants may face difficulty securing suitable accommodation. We also note that rental cost has increased since the commencement of the service contract in the third quarter of 2012. The Administration agrees to provide rental deposits (i.e. \$3,000 or an amount equivalent to two months of rent, whichever is the less) and property agent fees (i.e. \$750 or an amount equivalent to the rent for half a month, whichever is the less) to better meet the needs of claimants. The Administration will also adjust the existing rent allowance grid per claimant from \$1,200 to \$1,500.

Food

7. To address the concerns about the food quality and quantity², the Administration has obtained the expert advice of pediatrician and dietitian from the Department of Health (DH) regarding the choice, quantity and nutritional value of food on the standard selection form as well as food collection samples from claimants of different profile and ethnic groups. DH advises that the quantities and nutrition values of the food items are sufficient in general. Recommendations for enhancements are made, such as substituting ordinary fruit juice by 100% fruit juice; increasing the fruit quantity; providing relevant quantity of milk powder for children at different ages. Advice is also given to claimants on selection of more nutritious food and less entertainment

² At present, a variety of nearly 200 food items provided include but are not limited to 21 meat/meat products, 35 vegetables, 12 grains/cereals, 12 beverages, 9 fruits, 20 condiments/spices, 7 milk/dairy products and 40 baby food items.

food (e.g. drinks and snacks). To implement DH's recommendations and taking account of food price increase, the Administration agrees to increase the average budget for food for each claimant from \$1,060 to \$1,200. The amount is not a monetary-equivalent ceiling since the amount of food distributed to service users is based on actual need.

8. Moreover, based on feedback from claimants in recent months, they may choose to collect food either three or six times in a month depending on their own preference and circumstances.

Transportation Allowance

9. To allow claimants to better meet their transportation expenses, the Administration will change the payment arrangement by providing cash allowance in advance for regular trips (e.g. appointments with the Immigration Department, duty lawyers, food collection, etc.) instead of reimbursement. Furthermore, the monthly transportation allowance allows claimants a small buffer to meet non-routine journeys, such as urgent medical appointments or additional meetings with legal representatives, etc. The actual allowance per claimant ranges from \$200 to \$420 per month depending on their location of residence and the number of routine journeys.

Utilities

10. The monthly allowance will be adjusted from around \$260 to \$300 per claimant. Claimants will have flexibility to make use of allowance to meet different utilities charges (i.e. water, gas, electricity).

11. Upon implementation of the above enhanced service package, the provision for each claimant will see substantive improvement. The assistance provided to each claimant will continue to be considered on a case-by-case basis and may vary according to the needs and personal situations of the person concerned. There is no monetary-equivalent ceiling on how much an individual service user in genuine need may receive.

EDUCATION ARRANGEMENT AND MEDICAL ASSISTANCE

12. The Hospital Authority / SWD will continue to provide waivers of medical expenses for claimants in Hong Kong on a case-by-case basis for receiving relevant services at public clinics or

hospitals such as accident and emergency service, general and specialist out-patient service, in-patient service, etc. Meanwhile, the Education Bureau will accept schooling applications for minor claimants within school age who are not expected to be removed from Hong Kong within a short period and would wish to attend schools whilst they are here. All relevant bureaux / departments have been advised in August 2013 that all claimants remaining in Hong Kong, regardless of the stage of their claim proceedings, are eligible for the above assistance.

WAY FORWARD

13. The Administration will implement the enhanced service package with effect from 1 February 2014. To provide more flexibility to cater for timely adjustment of the service package where warranted, the Administration will consider building in a regular review mechanism based on objective criteria in the next service contract.

**Security Bureau
Social Welfare Department
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