

*Revised*  
**立法會**  
*Legislative Council*

LC Paper No. CB(2)3163/05-06

(These minutes have been  
seen by the Administration)

Ref: CB2/PL/SE

**Panel on Security**

**Minutes of special meeting  
held on Monday, 31 July 2006 at 8:30 am  
in the Chamber of the Legislative Council Building**

- Members present** : Hon James TO Kun-sun (Chairman)  
Hon Daniel LAM Wai-keung, SBS, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Dr Hon LUI Ming-wah, SBS, JP  
Hon Margaret NG  
Hon CHEUNG Man-kwong  
Hon Howard YOUNG, SBS, JP  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon LEUNG Kwok-hung
- Members absent** : Dr Hon Philip WONG Yu-hong, GBS  
Hon WONG Yung-kan, JP  
Hon LAU Kong-wah, JP  
Hon CHOY So-yuk, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon CHIM Pui-chung
- Members attending** : Hon Emily LAU Wai-hing, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon Patrick LAU Sau-shing, SBS, JP
- Public Officers attending** : Ms Grace LUI  
Deputy Secretary for Security
- Mr Alan CHU  
Principal Assistant Secretary for Security (Security)

Mr Freely CHENG  
Principal Assistant Secretary for Health, Welfare and  
Food (Family)

Mr FUNG Pak-yan  
Assistant Director of Social Welfare (Development)

Mr CHAN Kwok-ki  
Assistant Director (Enforcement & Litigation)  
Immigration Department

Ms Jennie HUI  
Deputy Director of Legal Aid (Application and Processing  
Division)  
Legal Aid Department

Mr Francis CHAN  
Senior Legal Aid Counsel  
Legal Aid Department

**Deputations  
by invitation**

: Hong Kong Bar Association (Special Committee on  
Constitutional Affairs and Human Rights)

Mr Philip DYKES, SC

United Nations High Commissioner for Refugees  
Hong Kong Sub-Office

Miss Nazneen FAROOQI  
Assistant Protection Officer

Barnes & Daly

Mr Mark DALY  
Partner (Solicitor)

Amnesty International Hong Kong

Miss HO Wai-ying  
Barrister-at-law

Refugee Concern Network

Ms Sarah CORNISH  
Assistant Manager

Ms Raquel AMADOR  
Refugee Advisor

International Social Service Hong Kong Branch

Ms Adrielle M PANARES  
Migrants Programme Coordinator

Orthodox Metropolitanate of Hong Kong and Southeast  
Asia

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Fr Sean GOVOSTES

Society for Community Organization

Ms Annie LIN  
Community Organizer

Hong Kong Human Rights Monitor

Mr LAW Yuk-kai  
Director

The Centre for Comparative and Public Law, the  
University of Hong Kong

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Ms Jennifer STONE

Congolese Refugee Community

Mr Christian KILA  
Vice President

Ms Maggie KILA  
Secretary

**Clerk in attendance** : Ms Odelia LEUNG  
Chief Council Secretary (2) 6

**Staff in attendance** : Mr Chris LAI  
Senior Council Secretary (2) 7

Miss Katherine YEUNG  
Legislative Assistant (2) 6

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**I. Further discussion on situation of refugees, asylum seekers and torture claimants in Hong Kong**

[LC Paper Nos. CB(2)2747/05-06(01) and CB(2)2865/05-06(2)]

Introduction

As an introduction, the Chairman said that the meeting was a continuation of the joint meeting of the Panel on Security and Panel on Welfare Services on 18 July 2006 to further discuss the situation of refugees, asylum seekers and torture claimants in Hong Kong. As the deputations had made oral presentation at the last meeting, they would be invited to participate in discussion only.

The Administration's response to members' questions and views raised at the joint meeting

2. At the invitation of the Chairman, Deputy Secretary for Security (DSS) responded to members' questions and views raised at the joint meeting, as follows –

- (a) as the 1951 United Nations Convention relating to the Status of Refugees (the Convention) did not apply to Hong Kong, the Administration did not have any obligation to admit individuals seeking refugee status under the Convention. Claims for refugee status lodged in Hong Kong were dealt with by the United Nations High Commissioner for Refugees (UNHCR). The Administration did not see the need to establish a separate refugee status determination mechanism;
- (b) there were currently no mandated refugees in detention. As at July 2006, some 350 asylum seekers and torture claimants had been released on recognizance. Of the 120 detainees, 60% had violated conditions of stay, with one-third of them overstaying for more than one year prior to detention. The remaining 40% had records of criminal offences. 60% of the 120 detainees had been issued removal orders or deportation orders, but these orders had been put on hold pending the determination of their refugee claims or torture claims. No persons under the age of 18 were being detained;
- (c) children of refugees, asylum seekers and torture claimants whose removal was unlikely for a considerable length of time would be provided schooling on a case-by-case basis. According to the records of the Immigration Department, in 2005 and 2006 (as at 26

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July 2006), 32 applications for admission to schooling had been approved: five in pre-school education; 15 in primary education; five in secondary education; and seven in “Initiation Programmes for non-Chinese speaking children” subsidized by the Education and Manpower Bureau. Over the same period, no children of refugees, asylum seekers and torture claimants applying for admission to school had been rejected;

- (d) the number of torture claims had drastically increased from 40 in 2004 to 190 in 2005. In the first seven months of 2006, some 200 claims had been received. In view of the complexity of the cases involved and the court judgment that torture claims should be handled with a high standard of procedural fairness, the processing would take a considerable amount of time. The Administration was planning to redeploy resources and increase manpower, with a view to speeding up the processing of torture claims;
- (e) to protect local workers and to avoid creating any magnet effect, refugees, asylum seekers and torture claimants were not allowed to work in Hong Kong. However, assistance would be provided to those with subsistence needs to prevent them from becoming destitute; and
- (f) the Administration had provided supplementary information under confidential cover on the alleged sexual violence case and the alleged missing person case raised at the joint meeting (LegCo Paper Nos. CB(2)2870/05-06(01) and CB(2)2886/05-06(01)). For privacy reason, the details of the two cases would not be disclosed at the meeting.

3. The Chairman, Mr CHEUNG Man-kwong and Dr Fernando CHEUNG said that as the Administration’s response to the questions raised at the joint meeting contained substantial information and figures, they considered that the Administration should provide a written reply. DSS explained that given the short notice of the meeting, the Administration was not able to provide the information in writing before the meeting. She would provide the information after the meeting. At members’ request, an extract of her speaking note containing the figures was tabled at the meeting (**Appendix**).

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Detention of refugees, asylum seekers and torture claimants

4. Dr Fernando CHEUNG and Mr Albert HO expressed dissatisfaction that asylum seekers had been detained for an unreasonably long period of time without legitimate reasons other than overstaying, which was unavoidable as the

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determination process was lengthy because of resource constraints. Dr CHEUNG asked for detailed information on the detention period .

5. DSS responded that any person, including an asylum seeker, who was found in breach of Hong Kong laws might be liable to enforcement actions. Of the 120 asylum seekers and torture claimants under detention, 57% had been held for three months or less, and 72% for six months or less. Only seven asylum seekers had been detained for more than one year, with six having records of imprisonment.

6. Assistant Director for Immigration (Enforcement & Litigation) (AD(E&L)) added that a majority of asylum seekers and torture claimants in detention lodged their refugee claims or torture claims only after being arrested for breaching Hong Kong laws. The Administration's records indicated that only 6% of torture claimants lodged torture claims in the first two weeks of arrival, whereas the remaining 94% made their claims after staying in Hong Kong for an average of one year and two months. He said that for torture claimants who had made refugee claims as well, they lodged torture claims after their refugee claims had been rejected by the UNHCR for an average of 10 months. Among those released on recognizance, 32 had absconded. AD(E&L) pointed out that these figures suggested possible abuses of the existing mechanisms.

7. The Chairman asked how many people among the 120 detainees were held up simply for entering Hong Kong by using fake passports. He considered it unreasonable to detain asylum seekers and torture claimants for using fake passports, as this might be the only way to escape from their countries where there was a danger of being tortured.

8. DSS responded that prior to the establishment of their claims, it would be premature to presume that these claimants had used fake passports for escaping their lives. AD(E&L) supplemented that the Administration would provide the figure of asylum seekers and torture claimants in detention who had used fake passports after the meeting.

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9. Mr Albert HO enquired about the general principles for deciding whether to grant overstaying asylum seekers and torture claimants release on recognizance. He also asked whether there would be different treatment between persons surrendered themselves to the Immigration Department claiming refugee status or making torture claims and those being arrested for overstaying. The Chairman sought clarification on whether an asylum seeker claiming refugee status at the time when his passport was valid would have a higher chance of getting release on recognizance.

10. AD(E&L) responded that asylum seekers and torture claimants in

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detention might be granted release on recognizance on the merit of individual cases, having regard to the following three factors –

- (a) whether the person concerned constituted a security risk to the community;
- (b) whether there was any risk of the person absconding and (re)offending; and
- (c) whether removal was not going to be possible within a reasonable time.

11. AD(E&L) added that asylum seekers who surrendered themselves to the Immigration Department claiming refugee status and those holding valid passports when making their claims would be considered more favourably in deciding whether to grant them release on recognizance. That said, the consideration was made on a case-by-case basis and according to the three principles as mentioned in paragraph 10.

12. DSS stressed that the discretion to grant release on recognizance would be exercised on a case-by-case basis. The general principles did not amount to an undertaking by the Administration that overstaying asylum seekers and torture claimants who presented themselves to the Immigration Department would necessarily be granted release on recognizance.

13. Using a hypothetical case, Mr Philip DYKES asked what actions would be taken to an asylum seeker approaching the airport immigration officials with a valid passport and lodging torture claims.

14. In response, AD(E&L) said that the asylum seeker concerned would most probably not be allowed to enter Hong Kong as he was not a genuine visitor and his torture claim would be processed if his removal was being considered. DSS supplemented that under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Administration's general duty was not to remove a torture claimant to the place where there were substantial grounds for believing that he would be in danger of being subjected to torture.

15. Mr Christian KILA expressed discontent that the Immigration Department had detained asylum seekers, including children under 18 years of age, holding the letters issued by the UNHCR. As regards the missing person case, he was gravely concerned about the repatriation of the Congolese asylum seeker, while the UNHCR was simply informed of the Administration's action. The Chairman said that the Panel would not discuss a specific case. Mr Albert HO advised Mr KILA to seek other means of assistance to follow up the case, if necessary.

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16. DSS responded that the Administration had provided supplementary information on the alleged missing person case for members' reference. As to the alleged detention of children, she said that according to the Administration's record, no person under 18 years of age was currently under detention.

Determination of refugee status and torture claims

17. Mr CHEUNG Man-kwong sought information on the concrete actions taken by the Administration to speed up the process of torture claims, and assist the UNHCR to improve its refugee determination procedures.

18. DSS responded that the Administration was considering ways to speed up torture claim determination, including additional manpower resources.

19. Miss Nazneen FAROOQI said that because of resource constraints, the UNHCR was seeking the Administration's assistance to accelerate the refugee determination process, including exploring the feasibility of joint determination of refugee and torture claims and provision of financial assistance.

20. Mr CHEUNG Man-kwong and Ms Margaret NG considered that the Administration should provide assistance to the UNHCR to speed up its refugee determination process. Mr CHEUNG proposed to set a target time for completing the processing of a torture claim.

21. DSS responded that the Administration had maintained close liaison with the UNHCR to deal with the drastic surge in refugee and torture claims. However, careful consideration was necessary before deciding whether and how assistance could be given to the UNHCR. She pointed out that owing to the complexity of the cases, the unique languages used by torture claimants and the vast amount of information involved, it was inevitable that determination of torture claims would take time. AD(E&L) added that the processing time of torture claims would also depend on the co-operation of claimants.

22. Mr Albert HO sought information on the figure of asylum seekers who had made both refugee and torture claims. He remarked that if a considerable number of asylum seekers lodged both claims, the Administration should consider developing a joint determination procedure with the UNHCR, with a view to speeding up the process.

23. Dr LUI Ming-wah said that the Administration and the UNHCR should draw up clear procedures to accelerate the determination of refugee status and torture claims. He considered that to speed up the efficiency, asylum seekers should be advised to lodge refugee and torture claims at the same time, in the



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event they had such intention. Dr LUI disagreed with the suggestion that the Administration should provide resources to the UNHCR to speed up refugee status determination, having regard to the substantial financial burden on Hong Kong arising from the Vietnamese refugees problem in the 1980s.

24. DSS said that among the 350 asylum seekers granted release on recognizance, 279 had made both refugee and torture claims. She said that since the Administration would exercise a high standard of procedural fairness and caution when handling torture claims, the determination process would take considerable time. DSS responded that the Administration would take Dr LUI's views into consideration when exploring with UNHCR on possibilities of co-operation.

Support to refugees, asylum seekers and torture claimants

25. Principal Assistant Secretary for Health, Welfare and Food (Family) (PAS/HWF(F)) said that under the existing practice, asylum seekers and torture claimants were required to produce documentary evidence of their lawful or tolerated presence when approaching the Social Welfare Department for help. If they were unable to prove their lawful or tolerated presence in Hong Kong, they should approach the Immigration Department. Basic assistance-in-kind, including clothing, food and emergency medical treatment, would be provided to needy cases to prevent them from falling into destitution, even in the absence of the required documentary proof. However, the Administration must ascertain the status of the asylum seekers and torture claimants concerned before proceeding to assess their needs in detail.

26. Dr Fernando CHEUNG considered it unreasonable to require asylum seekers and torture claimants to approach the Immigration Department lodging their status before they could be offered assistance, as they would be subject to arrest and detention. He doubted whether the Administration had tightened the eligibility for assistance to asylum seekers and torture claimants after the joint meeting.

27. PAS/HWF(F) responded that the Administration had not tightened up the criteria for providing assistance to asylum seekers and torture claimants. The assistance provided was not welfare, but a tide-over assistance provided on humanitarian grounds. When the UNHCR ceased its support to vulnerable asylum seekers in May 2006, the cases were referred to the International Social Service Hong Kong Branch (ISS), which was commissioned by the Administration to provide assistance-in-kind services to vulnerable asylum seekers and torture claimants. ISS would regularly interview asylum seekers and torture claimants referred by the Administration to assess the nature and level of assistance they required, as well as their status. They would be advised to approach the Immigration Department if they had not sought a lawful or

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tolerated presence in Hong Kong.

28. The Chairman commented that if the asylum seekers and torture claimants could produce the letter from the UNHCR as documentary proof of their status, there was no need to require them to approach the Immigration Department before getting assistance. In response, PAS/HWF(F) said that basic assistance-in-kind, including clothing, food and emergency medical treatment, would be provided to needy cases to prevent them from falling into destitution, even in the absence of the required documentary proof.

29. DSS supplemented that the UNHCR's letter could at best indicate that an asylum seeker had lodged his refugee claim, but his refugee status had yet to be established. The Administration was obliged to ascertain the status of asylum seekers including their limit/conditions of stay. DSS further said that asylum seekers should present themselves to the Immigration Department if they not had done so. Three quarters of overstaying asylum seekers and torture claimants had been granted release on recognizance, and there were only some 120 in detention.

30. Mr Albert HO expressed grave concern that refugees and asylum seekers were treated in an inhumane manner in Hong Kong. He was dissatisfied that they were not even provided with allowance-in-cash to meet their daily needs. He asked the Administration to explain why these groups of refugees and asylum seekers were badly treated, having regard to the favourable treatment given to Solomon Islands refugees early this year.

31. PAS/HWF(F) stressed that the assistance currently provided to asylum seekers and torture claimants was made on humanitarian grounds, and it was not welfare. He said that the service components of ISS assistance included, on a case-by-case and need basis, appropriate transportation allowance for asylum seekers to attend appointments with the Immigration Department, doctors and lawyers. To his understanding, student financial assistance had been provided by the Education and Manpower Bureau in several cases on compassionate grounds. PAS/HWF(F) added that in a recent court case, the judge considered the current practice of assistance-in-kind to asylum seekers appropriate.

32. Ms Sarah CORNISH raised concern that children's needs were accorded low priority under the assistance-in-kind programme run by ISS and children of asylum seekers were not provided with enough food. In response, Ms Adrielle PANARES said that children's needs were well attended to under the assistance programme offered by ISS to asylum seekers. She said that ISS had not received any complaint from asylum seekers receiving their assistance about inadequate provision of food for their children.

33. Mr Philip DYKES pointed out that in the judicial review case, while the judge considered the current assistance to asylum seekers generally acceptable,

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there was no ruling that the Administration had won the case. The case was instead adjourned after the plaintiff had struck a compromise with the Social Welfare Department. DSS clarified that the Administration had made no reference to “winning” of the judicial review case. She said that the Administration was only making reference to the judge’s view on the current practice of assistance to asylum seekers.

Legal aid to asylum seekers and torture claimants

34. Deputy Director of Legal Aid (Application & Processing Division) (DDLA) said that regardless of whether a Hong Kong resident or not, any person involved in court proceedings in Hong Kong could apply for legal aid and would be granted legal aid if the applicant was able to satisfy the eligibility criteria, namely, the means test and the merits test. For civil cases, the Legal Aid Department pledged to complete processing within three months for 85% of legal aid applications, with actual performance at 89% in 2005. DDLA said that priority would be given to urgent legal aid applications, including those involving torture claimants seeking release on recognizance.

35. In response to the Chairman and Mr Albert HO, DDLA said that as legal aid applications made by asylum seekers and torture claimants who wished to take or defend legal proceedings had been grouped under the category of immigration-related matters, the Administration needed more time to produce the relevant figure and would provide the information after the meeting. However, the Legal Aid Department had noted that there was an increasing trend in the number of legal aid applications made by torture claimants.

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36. Ms Margaret NG urged the Administration to take immediate actions to put in place fair, efficient and comprehensive policy and procedures to ensure protection of the rights of refugee and asylum seekers based on the international obligations. She considered that as for the case of Vietnamese refugees, the Administration should provide legal representation to refugees, asylum seekers and torture claimants involved in legal proceedings.

37. Mr Mark DALY pointed out that legal aid was currently not available to torture claimants, in spite of the complexity of the cases involved. He said that the torture claimants might only apply for legal aid when seeking judicial review challenging the Administration’s public policies, or procedures in handling torture claims. He further said that to his knowledge, legal aid was also not provided to asylum seekers lodging refugee claims to the UNHCR.

38. DDLA responded that as legal proceedings in the courts of Hong Kong were not involved, legal aid was currently not available to torture claimants lodging torture claims.

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39. Ms Emily LAU was of the view that the Administration had an obligation to provide assistance to refugees, asylum seekers and torture claimants in Hong Kong. As regards the legal aid to asylum seekers, she pointed out that to her knowledge, some asylum seekers in detention had waited for a long period of time for receiving assistance from the Legal Aid Department.

40. DDLA responded that asylum seekers in detention could submit legal aid applications with the assistance of the Immigration Department by means of mail or fax. She said that there were asylum seekers and torture claimants who had been granted legal aid to seek judicial review or apply for release on recognizance.

41. On the Chairman's question regarding the means by which detained asylum seekers could approach the Legal Aid Department for assistance, AD(E&L) said that detainees were allowed to communicate with their legal representatives or the Legal Aid Department through approved means, including telephone, fax and mail.

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42. The Chairman, Dr Fernando CHEUNG, Ms Margaret NG and Ms Emily LAU were dissatisfied that inadequate legal assistance was provided to refugees, asylum seekers and torture claimants. They requested the Administration to provide a paper to address members' concerns about the availability of legal aid to refugees, asylum seekers and torture claimants. The paper should also include the number of those asylum seekers and torture claimants under detention who had made legal aid applications, the nature of their applications, the number of rejected applications and the reasons for rejection. Ms Margaret NG also said that the Director of Legal Aid and the Director of Administration should be invited to attend future meetings of the relevant Panels when policy issues relating to legal aid to refugees and asylum seekers were discussed.

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Education of minors of refugees, asylum seekers and torture claimants

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43. Mr CHEUNG Man-kwong expressed serious concern about the education of children of refugees, asylum seekers and torture claimants. He requested the Administration to provide the following information –

- (a) the number of children of refugees, asylum seekers and torture claimants in Hong Kong, and the average number of months they had stayed here;
- (b) whether these children were provided with education, and if yes, of details; if not, how many applications for admissions to schooling

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had been rejected so far; and

- (c) the definition of a ‘considerable length of time’ in paragraph 11 of LC Paper No. CB(2)2747/05-06(01) when deciding whether a child of refugee, asylum seeker or torture claimant should be provided schooling.

44. Ms Sarah CORNISH pointed out that even if the Immigration Department had not raised objection to the provision of schooling to children of refugees and asylum seekers, there had been cases where their applications were subsequently rejected by the Education and Manpower Bureau.

45. DSS responded that it was the Administration’s policy that children of refugees, asylum seekers and torture claimants whose removal was unlikely to take place shortly would be provided access to education. She said that some cases required a longer processing time, largely because of specific requirements of the applicants.

Motion passed by the Panel

46. Mr Albert HO remained dissatisfied with the Administration’s policy towards refugees and asylum seekers. He proposed the following motion –

“本會議決促請香港政府 –

- (一) 提供資源，協助聯合國難民事務高級專員署香港辦事處（“專員署”）從速實行難民身份申請人甄別政策；
- (二) 與專員署合作建立機制，處理同時為難民身份和免受酷刑申請人的個案；
- (三) 在難民身份和免受酷刑申請的審批過程中，確保申請人：
  - (i) 不會只因為觸犯《入境條例》而被長期羈留；
  - (ii) 會獲得合乎人類尊嚴和人道的照顧和對待；及
  - (iii) 家庭成員中的所有兒童都會得到受教育的機會；及
- (四) 研究擴大法援範圍，使免受酷刑的申請可得到法律援助。”

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*(Translation)*

“That this Panel resolves to urge the Hong Kong Government to:

- (a) provide resources to assist the Hong Kong Sub-office of the United Nations High Commissioner for Refugees (“UNHCR”) in expeditiously implementing the screening policy for claimants for refugee status;
- (b) establish a mechanism jointly with the UNHCR to deal with cases of claimants who have lodged both refugee and torture claims;
- (c) ensure the following for the claimants during the vetting process of their refugee and torture claims:
  - (i) they will not be detained for a prolonged period of time solely for breaching the Immigration Ordinance;
  - (ii) they will be attended to and treated in such a manner that upholds human dignity and humanity; and
  - (iii) all children in their families will have the opportunity to receive education; and
- (d) consider expanding the scope of legal aid so that legal aid may be granted for torture claims.”

47. DSS responded that while the Administration would consider feasible ways to assist the UNHCR to speed up the refugee status determination, the territory had no obligation to admit persons seeking refugee status under the Convention. As to the proposal to set up a joint procedure with the UNHCR to deal with cases of claimants who had lodged both refugee and torture claims, she pointed out that following a recent court case, the Administration was required to put in place its own screening procedure to deal with torture claims with a high standard of procedural fairness.

48. The Chairman put the motion to vote. All five members present at the meeting voted for the motion. The Chairman declared the motion carried.

*(Post-meeting note: A letter relaying the passing of the above motion was issued to the Administration on 2 August 2006.)*

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49. There being no other business, the meeting ended at 10:45 am.

Council Business Division 2  
Legislative Council Secretariat  
19 October 2006

### 拘捕或羈留

- 現時無被確認為難民身份的人士正被入境處羈留。截至七月中，獲保釋外出的尋求庇護者或酷刑聲請人超過 350 人，而正在羈留的則約 120 名。在這 120 名人士當中，約有 60% 的人士只違犯了逾期逗留，其中有三分之一已逾期逗留在港超過一年。其餘約 40% 的人士則違犯了其他刑事罪行，例如“襲警”、“藏有攻擊性武器”、“盜竊”、“藏有他人身分證”等。
- 在約 120 名被羈留的人士當中，約有 60% 的人士已被發遣送離境令或遞解離境令。若非因為他們的難民申請或酷刑聲請正被處理，而令我們按其個案把他們暫緩執行遣返，該些人士已遭遣返到原居地。
- 就兒童而言，現時並無任何 18 歲以下的尋求庇護者或酷刑聲請人被拘留。



## 縮短酷刑聲請等候時間

- 在過去兩年，酷刑聲請的個案數目大幅上升，由 2004 年的 40 宗，上升至 2005 年的約 190 宗。本年首七個月，我們已收到約 200 宗聲請。由於法院已裁定政府需高度公平地處理這些聲請，加上大部分聲請個案的內容相當複雜，故此我們需時處理酷刑聲請個案。我們會調撥資料，並會爭取增加人手，希望處理聲請的時間可以縮短。

## 兒童就學政策

- 一般而言，難民、尋求庇護者及酷刑聲請人的子女或年幼的申請或聲請人，若他們將於一段頗長時間內留港，可在港就學。根據有關的數字，我們在 2005 年全年及今年截至 7 月 26 日，一共批准 32 名有關兒童的入學申請，他們的分佈如下：學前教育(5 宗)、小學教育(15 宗)、中學教育(5 宗)、由教育統籌局資助開辦的「非華語兒童啓動課程」(7 宗)。
- 在同一期間(2005 年至 2006 年 7 月 26 日)，入境處並無拒絕任何該些兒童提出的入學申請。