

BEYOND ASYLUM – IMMIGRATION (AMENDMENT) BILL

INTRODUCTION:

A complex issue facing the Director of Immigration is how to manage procedural issues related to Asylum Seekers and Claimants under the CAT. As a participant at the Beyond Asylum Conference (HKU, Saturday 12 November 2011) and a volunteer for the Hong Kong Refugee Advice Center, I have a direct connection with and concern for Asylum seekers in Hong Kong.

When reviewing amendments to the Immigration Bill, I would ask the Director of Immigration to consider the issue of marginalization that is experienced by the Asylum Seeker and CAT Claimant community in Hong Kong, and the practical means of ameliorating this serious problem.

While I recognize and sympathize with the complex range of issues the Director faces on this matter, I would ask that the following proposal be considered as an alternative to current arrangements.

PROPOSAL:

“Reduction of support costs through meaningful labour engagement.”

As a means of offsetting ISS costs paid by the HKSAR Government to provide support for Asylum Seekers and CAT Claimants while awaiting adjudication of their claims, we propose that the HKSAR look at enacting a scheme:

1. Permit both Asylum Seekers and CAT Claimants (“Claimants”), on a voluntary basis, to participate in a HKSAR work scheme. The work scheme could, for example, be operated by the HKSAR Land, Works and Public Utilities where Claimants receive temporary employment status and earn at least minimum wage.
2. The earnings of Claimants would be offset against costs they incurred under the ISS scheme. The difference between earnings and deductions would be for the benefit of the Claimant.
3. Such a scheme would not only benefit the public purse, but at the same time it would allow Claimants to move beyond the experience of marginalized victimhood that often leads to a significant deterioration in the mental and physical health of this community.

DEPUTATION
WILLIAM NICHOLLS
HONG KONG PERMANENT RESIDENT
21ST NOVEMBER 2011