

香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

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11 January 2016

Ms Joanne Mak
Chief Council Secretary (2)3
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms Mak,

**Follow up to Meeting of Panel on Constitutional Affairs on
16 November 2015**

The Panel on Constitutional Affairs discussed at the meeting on 16 November 2015 the outline of the topics in the third report of the Hong Kong Special Administrative Region under the International Convention on the Elimination of All Forms of Racial Discrimination. The Hon. Chan Chi-chuen requested the Government to provide statistics on the applications for extension of stay from foreign domestic helpers (FDHs) who had been victims of domestic violence over the past three years, including the number of cases approved and the period of extension granted. Our reply is provided in the following paragraphs.

The Immigration Department (ImmD) will provide assistance as appropriate to FDHs who have been abused or exploited and will, where necessary, refer such cases to relevant departments for follow-up. ImmD will keep a record of such cases and take them into account in considering any future applications for employment of FDHs from these employers. If there is evidence that an employer has abused or exploited his/her FDH, his/her future application for employing FDH will normally not be approved.

If an FDH, after the termination or expiry of his/her contract, has been abused or exploited and is required to remain in Hong Kong for assisting in investigation or acting as a witness, ImmD may, based on individual merits, exercise discretion to allow the FDH to extend his/her stay in Hong Kong as a visitor. If the FDH concerned has been confirmed by the Police as a victim of a criminal case and needs to remain in Hong Kong to act as a witness in investigation or legal proceedings, ImmD will allow him/her to remain in Hong Kong as a visitor and waive the fee for extension of stay.

The ImmD only maintains statistics on the approval of application from FDHs for extension of stay, categorised by the type of hearings they remained to attend (see **Annex**). It does not maintain the specific statistics requested by the Hon. Chan.

I should be grateful if you could forward the above information to Members for reference.

Yours sincerely,



(Winnie Chui)
for Secretary for Security

cc: Secretary for Constitutional and Mainland Affairs
(Attn: Mr Michael Yau)

**Number of Approved Applications from FDHs for Extension of Stay
by Type of Hearings they Remained to Attend in 2013 to 2015**

Type of hearings	Year		
	2013	2014	2015
Conciliation meeting	2 297	1 068	815
Labour tribunal	493	485	536
Minor Employment Claims Adjudication Board (MECAB)	355	194	114
Police cases	386	432	359
Total	3 531	2 179	1 824

Note: The figures above reflect the number of approved applications but not the actual number of applicants. An applicant may have submitted more than one application for various reasons (e.g. extending their stay further before the expiry of their limit of stay).