

# Finding help for women at I

By Cher S. Jimenez

BELIEVE it or not, there is help available for migrant women caught in unwanted pregnancy and are overstaying in Hong Kong. PathFinders, a registered charity run mostly by women staff, have been helping foreign domestic helpers who find themselves entangled in a web of problems associated with expecting a child out of wedlock.

Hong Kong News sat down with Kylie Uebergang, the group's co-founder and director one afternoon as she talked about the services offered by PathFinders. They can be reached at 5190-4886 or through email at help@hongkong-pathfinders.com.

**Hong Kong News: What is PathFinders?**

**Kylie Uebergang:** It helps women who give birth to babies in Hong Kong including those who overstay their visas. It helps them find a future for their family. We

aim to help women to go home to a place where they have a right to work.

**HKN:** Right now how many women are you helping?

**KU:** Right now we probably know about 100 women in Hong Kong that fall into this category. Different NGOs (non-government organizations) have estimated that there are probably 500-1,000 women that have babies in Hong Kong every year. I'm not saying that they all overstay and I'm not saying that they're all out of wedlock, and I'm not saying that they're all mixed race. But probably a lot of those do fall into that category.

We look at our clients in terms of those who are willing to take steps and make plans to build a stronger future: And those who are terrified-they just have a certain amount of limited support in Hong Kong and they don't want to make any moves, they just stay here and wait. They're terrified to go home they made claims with

the UN (United Nations) or with the immigration department for torture. There's probably 40 clients out of 1 say 100 that are actively thinking about their future.

We are hoping to provide information so that they can make better decisions about their future. There's probably about 60 that we know out there, we've met them, but they are not willing to make any moves in the future.

**HKN:** Are most of these women overstaying?

**KU:** Eighty-five percent of our clients have overstayed their visa. And if they don't overstay they generally go home and have their babies which means they're not afraid to tell their families they're pregnant. And sometimes they're pregnant with the husband at home.

We help women ideally because we want to find the best future for the child and the way to do that is to keep the mother earning money because she is the provider. Migrant women are a very common part of the socio-economic structures particularly in Indonesia and the Philippines. So if we can find a way to help that woman number one stay legal, if she's illegal make her legal.

**HKN:** How do you do that?

**KU:** If she's overstayed, we encourage her to surrender to the immigration department. We go with her. So once you surrender we can then take you to the hospital, make sure the baby's healthy, we can help you get immunization for the child, (and) we can help you think about what you want to do in the future. But the key is we have to make you legal in order for us to figure out what options are out there.



**HKN:** Will they not be charged if they surrender to the immigration department?

**KU:** Generally, yes. For overstayed, the immigration department will investigate. But generally in our experience a pregnant woman would probably be released straight away on account of her being pregnant. If you overstay for a few months you'd probably get a suspended sentence. Again depending on where it is in terms of your pregnancy and the leniency of the judge and how remorseful you are-we try and help you get a suspended sentence. But sometimes, touch wood, we haven't had any women who'd been charged and had to serve time in prison.

Again, once you overstayed, surrender. Then you get investigated. Then you get charged. Then after you're charged you either go to prison or go home. Now the only thing that will stop that from hap-

pening is if somewhere along the way you make a torture claim or UN claim then it stops the investigation. Once that shield is taken away, you're back on that other part. You get limited support and you're not forced to leave. Part of the problem is that domestic workers who've come into Hong Kong on working contracts and only once they've been terminated from those contracts do they then make immigration claims or torture or UN claims. Because they came in and they worked for however long, it doesn't look like they are the sort of people who should be applying for torture claims or refugee claims but they do. So there's an abuse of that system.

**HKN:** Are there many of your clients who have applied for torture?

**KU:** There are other 60 people who are not willing to make the next move, most

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# PathFinders

of them have made UN and torture claims. The immigration department has advised us that in 2009 up until November, there's about 350 ex-domestic helpers who've made torture claims. Now we don't know how many of those have made UN claims.

A lot of these domestic helpers are pairing up with other ISS (International Social Service) clients so then the other ISS clients say 'now we're gonna have a baby and I have a girlfriend and she wants to make a claim as well.' So ISS then has to extend their care to this new family. Unfortunately, the migrant mother and the baby then eventually make torture claims because that's the only way that they would get any support. That is an abuse of that system and it's creating quite a bottleneck. The government has just approved and recently implemented procedures to get torture claims get moving again. It's been frozen for 12 months and now what is happening is that every claimant is having access to a lawyer and that lawyer will then go in to the interview process with the immigration department. The fact that in the last few years it's been quite easy to stay in that system for a long time - the UN's been a different system and they are processing them much faster. The people are being rejected much faster but the torture claims system, it's been very bottleneck. That's gonna change so that's no longer gonna be a shield. Soon enough, that system will start kicking people out when it starts assessing and rejecting and it has been doing that today. So as far as we're concerned it's even more urgent for us to help this women look at long-term plan for the baby and her family. And us terrified as she maybe about telling her family and about going home and about the lack of support, those are the issues that we're really trying to have our focus on and find ways to support her in getting answers to those questions.

**HKN:** Are most of your clients Filipinos or Indonesians?

**KU:** We're 50-50 for awhile then but a lot of our clients come from referrals from other clients. Of late, the last few months, it seems that we're getting more and more referrals from Indonesians. I don't know if that's a sign of a bigger picture or whether that's just because we're getting referrals from Indonesians. We're gonna see over the next year as we hopefully open up an office in Kowloon within 2010. We're trying to take it to the next level of exposure. And once we have more exposure and can do a bit more networking and marketing, it's going to be easier to see whether the trend is continued for Indonesians to be the ones that are getting into this situation.

**HKN:** Are all these pregnancies out of wedlock?

**KU:** All of these pregnancies except for about one have been out of wedlock. All of these pregnancies except for two have been mixed-race. There's probably 15 percent that are single women and found their partner here. It's not infidelity or anything like that.

**HKN:** What are the normal circumstances of these women?

**KU:** Well, normally you meet a guy in the park and he's a nice guy and you see him on a Sunday... a bit of sweet talk, and then you get pregnant and then you tell him, and you don't see him again.

**HKN:** So that means they don't normally practice safe sex?

**KU:** That is one of the areas that we haven't seen pushed further at times, you know you deserve to protect yourself. This is not an answer having a child out of wedlock when you're already trying to struggle to raise your family. And most of these pregnancies are definitely unplanned so a bit of contraception and understanding about asserting your sexual rights - we're not saying don't have sex but protect yourself not just from pregnancy.

**HKN:** Are majority of these women married?

**KU:** A lot of them are married and separated. Filipinos tend to be more late 20s or over 30s and married.

**HKN:** What do they do with their babies here?

**KU:** Some of them can take the babies home. It's definitely an advantage for the woman if she gives birth safely to a baby and then a few months later takes the baby home as opposed to arriving home six months pregnant. Some women choose adoption, some women choose staying here, working illegally, getting someone to look after their baby and that's highly risky.

Ultimately in the longer term we would love to be of help to these women figure out how to make livelihoods when they get home. Because sending home the mother and a baby that is not acceptable, is gonna be ostracized in the community, is not a good solution. But sending a mother so she could set up a small business and look after her child is a better solution.

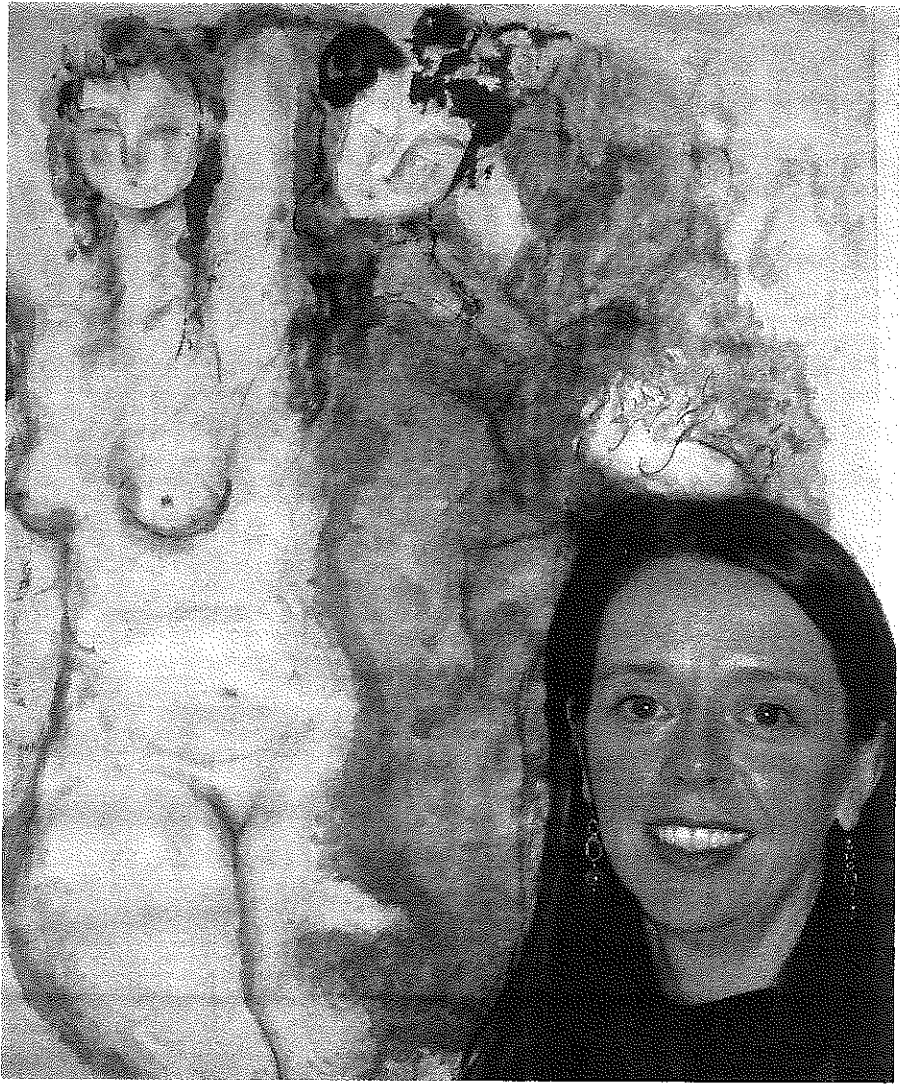
**HKN:** What do most of your Filipino clients choose to do when they get involved in unwanted pregnancy when they get home?

**KU:** Most of them take their babies home. Only one of them chose adoption.

**HKN:** How lenient is the Hong Kong government to migrant women in this type of situation?

**KU:** It's very segmented by department. With the immigration department, if a woman is indeed pregnant, they more often that not seem to allow her once she's surrendered not detain her, just keep an eye on her, get her to report every week or something like that. So they're showing leniency there but ultimately they're progressing through the procedures that they have to go to get her to be deported. The social welfare department (and) the hospital system-I think they require the woman to have documentation.

Hospitals require the woman to be under a legal working contract in order to give her medical assistance. Some hospitals are more lenient but there are no rules.



PathFinder co-founder Uebergang says women are given a choice and they decide what to do. (CJimenez)

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