

**Legislative Council of the Hong Kong Special Administrative Region of the People's Republic of China
Subcommittee on Poverty: Agenda item II "Hong Kong Poverty Situation Report on Ethnic Minorities and the related support policies"**

15 March 2016: Oral Intervention: 3 minutes

My name is Lia Lau Ngatini. I represent PathFinders, a Hong Kong charity that assists pregnant, migrant women, mainly Foreign Domestic Workers (FDWs), and their Hong Kong-born children. PathFinders has, to date, helped over 1,000 newborns and toddlers up to 2 years' age of whom 91 were in such a vulnerable, abandoned and/or otherwise isolated state that they would, but for PathFinders, have been at significant risk of abuse, neglect and/or trafficking. There is no other NGO serving these children and their mothers. PathFinders receives no government funding.

PathFinders has six recommendations:

These recommendations are intended to assist this sub-committee to ensure that our most vulnerable populations are protected as well as to ensure that Hong Kong meet its commitments under international treaties.¹

1. The Hong Kong Poverty Situation Report on Ethnic Minorities (EM) ("the **Report**") fails to account accurately for the most vulnerable and poor EMs: it excluded FDWs as part of the analyzed statistical group², only children from South Asian households were accounted for³ and it does not take into consideration children not attending schools⁴.

We recommended that the remit of this report be extended to include both FDWs and their Hong Kong-born children. Failure to do so will result in an inaccurate poverty finding for this specific group and, by extension, an ineffective city-wide EM poverty policy.

2. PathFinders agrees with the report's emphasis on education⁵ as a means to bridging the poverty gap for future generations but is concerned that the Education Bureau has only developed policies targeting Hong Kong-resident children of EM households. Without education, non-resident children who live in Hong Kong will be truly lost and their future limited.

We recommend that the same support services, especially and critically education services, are extended to all children in Hong Kong, without reference to their residential status.

3. The support services outlined in the report, such as recurrent cash policies and social welfare, are currently and worryingly, neither applicable nor accessible to FDWs or their Hong Kong-born children.

We recommend that specifically the social welfare services, be expanded to include and cater for FDWs and their Hong Kong-born children.

4. There are relevant reports that this sub-committee can refer to for pertinent data about EMs.

We recommend that this sub-committee carefully review and consider Hong Kong University Law Faculty's Puja Kapai's recent report on the Status of Ethnic Minorities in Hong Kong. That report highlights several factors that may contribute to the poverty level of EMs in Hong Kong including systemic discrimination and the need for the Social Welfare Department to conduct proper outreach to poor EM households in the appropriate language(s) to ensure EMs are aware of the public assistance and public services available to them and so EMs are educated about their rights.⁶

5. PathFinders welcomes the range of support services set out in the Report. In our experience, however, those services are not reaching the most vulnerable people, especially EM children.

We recommend that the support services detailed in the Report be designed to cater for and to children born to Hong Kong's migrant population as well as the wider EM community by being culturally sensitive and language appropriate.

6. Finally, it is recommended that a best-interests-based approach be taken to policy development regarding EM poverty, with the best interests of the children being paramount.

¹ Such as the International Convention for the Elimination of Racial Discrimination; the Convention relating to the Status of Stateless Persons

² By the Report's own admission, it excludes 60% of the EM population in Hong Kong

³ Which the Census and Statistics Department has stated represents only 32% of EM households in Hong Kong

⁴ The Report also narrowed the children counted by using a sampling frame based on student information collated by the Education Bureau, therefore only South Asian households with children attending public or Direct Subsidy Scheme secondary and primary schools were covered

⁵ Page 55 of the Report

⁶ <http://www.law.hku.hk/ccpl/pub/EMreport.html>