

Security Bureau

9/F, East Wing, Central Government Offices,
2 Tim Mei Avenue,
Tamar
Hong Kong

Attention: Hon. Secretary for Security Lai Tung Kwok, SBS, ISSM, JP,

27 July 2015

Honorable Sir –

Ref. SFAA Wavers for Refugee Children

Vision First is a non-governmental organization providing advocacy, activism and advice to refugees in Hong Kong. We witness daily the consequences of government policy, or lack thereof, on asylum seeking and the resulting hardship suffered by the refugee community.

We write to draw your attention to the following issue of great concern: [According to a recent report by the South China Morning Post](#), among 9,940 non-refoulement claimants, 504 are minors and 269 were born in Hong Kong. While a certain number is below kindergarten age, the majority attend nine years of compulsory schooling, six in primary school and three in secondary school. Most children also attend three years of kindergarten, which are essential to learn Cantonese for the higher grades, least refugee students are set at an unfair disadvantage.

Despite these refugee students being issued with: 1) Immigration Department letter of non-objection to their enrolment in schools; 2) Placement in local schools; 3) Fee remission and financial assistance by the Student Financial Assistance Agency (SFAA), the following problem occurs:

Fee remission (for kindergarten) by the Education Bureau (EDB) and financial assistance (all grades) by the SFAA are retroactively paid, at times over six months after refugee parents are required to pay essential monthly fees and costs to the relevant schools.

This problem puts unwarranted financial pressure on families of children whose parents are prevented by local laws to engage in any form of income earning activity. Refugees are allowed to stay in Hong Kong for years, and yet provided with no economic rights. Consequently, many parents are obliged to work to raise money to pay for school fees and costs that are reimbursed months later by a process formulated for disadvantaged residents with access to other resources.

As an example, a despondent African mother lamented the unbearable financial burden she faced in meeting a 27 July 2015 deadline to enroll her three children. Without a dollar in her pocket or the right to work, she listed the expenses she had to shoulder: *"P3 book \$1234 + P2 books \$1256 + P1 books \$1256 + uniform for 2 boys \$1600 + shoes for one boy \$700 (2 pair) + shoes for second boy \$700 + 3 schools bags \$600 + girl uniform \$500 + shoes for girl \$500. Total HK\$ 8346."*

She added, “Hong Kong says that refugee children get free education, but it is not free. I have to pay this money first, or my children cannot start school next month. If I could work it would be easy, but that is against the law.” Her plight raises the questions: How is she expected to raise the money? Is the Hong Kong Government disingenuously forcing refugee parents to work illegally for their children’s education?

Vision First submits it is unreasonable that refugee parents are subjected to the annual pressure to work illegally, or beg for cash to comply with EDB’s unrealistic grant mechanism. Such economic dependency and humiliation might be seen to conflate immigration deterrence with humanitarian assistance – greatly discrediting the credibility of Hong Kong’s asylum process.

We urges the Security Bureau to consider a “**Student Costs Waiver System**” similar to the arrangement implemented by the Hospital Authority (HA) in relation to medical fees and costs at public hospitals and clinics. The HA would certainly consider it preposterous to require refugee patients to prepay hospital fees and wait months for a full refund from the same department that is fully aware of their destitution and has oversight of the entire welfare-medical process.

Vision First proposes that the EDB and SFAA coordinate with the schools that accept refugee students in the best interest of the children who, a) are not expected to be removed by Immigration Department during the upcoming school year; b) have been granted financial assistance by the SFAA; and, c) have been accepted by a school with the approval of the EDB.

The process could be as simple as a statement in the EDB confirmation letters guaranteeing the SFAA grants to the schools and suggesting that relevant fees and costs be waived or prepaid. As the grants would be paid anyway, such waivers would not constitute an extra burden for tax-payers.

Vision First respectfully suggests that the Security Bureau coordinate with the Secretary for Education, the Controller of the SFAA and the Director of Social Welfare to remove a regrettable stumbling block in the education of arguably the most disadvantaged children in Hong Kong.

Sincerely yours,

Cosmo Beatson

Cosmo Beatson
Executive Director

- cc. Secretary for Education
Director of Social Welfare
Controller of the SFAA
Refugee Union
Select lawmakers
Select media