

CONTROLLING OFFICER'S REPLY

SB003

(Question Serial No. 0794)Head: (151) Government Secretariat: Security BureauSubhead (No. & title): (000) Operational expensesProgramme: (3) Immigration ControlControlling Officer: Permanent Secretary for Security (Joshua LAW)Director of Bureau: Secretary for SecurityQuestion:

What were the numbers of non-refoulement claims received and handled by the Immigration Department in the past 3 years? How many claims were decided, withdrawn and under screening? How many persons under screening were involved in crime? What was the publicly-funded legal assistance provided for non-refoulement claimants?

Asked by: Hon CHAN Hak-kan (Member Question No. 30)Reply:

Figures on non-refoulement claims handled by the Immigration Department (ImmD) since commencement of the Unified Screening Mechanism (USM) to end February 2017 are as follows:

Year	Claims made	Claims determined	Claims withdrawn or where no further action can be taken	Pending claims
Upon commencement of the USM				6 699
Mar to Dec 2014	4 634	826	889	9 618
2015	5 053	2 339	1 410	10 992
2016	3 838	3 218	1 561	9 981
Jan to Feb 2017	377	703	390	9 265
Total	13 902	7 086	4 250	9 265

According to the Police, the number of non-ethnic Chinese on recognizance (mostly non-refoulement claimants) who were arrested for criminal offences in the past three years and this year are tabulated below:

Crime	2014	2015	2016	2017 (up to Feb)
Shop theft	147	277	463	74
Serious narcotics offences	79	159	179	22
Miscellaneous thefts	86	110	161	26
Wounding and serious assault	67	100	117	23
Serious immigration offences	34	85	117	11
Forgery and coinage	40	80	85	17
Disorder/fighting in public places	43	64	37	3
Others	169	238	347	39
Total	665	1 113	1 506	215

In addition, according to ImmD's records, the number of non-ethnic Chinese on recognizance (mostly non-refoulement claimants) arrested for taking up unlawful employment in violation of section 38AA of the Immigration Ordinance (Cap.115) in the past three years and this year are tabulated below:

Financial Year	No. of Persons Arrested
2014	166
2015	232
2016	302
2017 (up to Feb)	63

The expenditure on providing publicly-funded legal assistance as required by law to non-refoulement claimants during the screening process under USM in the past three years and this year are tabulated below:

Financial Year	Publicly-funded Legal Assistance (\$ million)
2014-15	97
2015-16	106
2016-17 (revised estimate)	135
2017-18 (estimate)	244

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