

**SPEECH DELIVERED BY ANNIE LI, RESEARCH AND POLICY OFFICER,
IN THE MEETING OF THE SUBCOMMITTEE ON CHILDREN'S RIGHTS OF THE LEGISLATIVE COUNCIL
ON ESTABLISHING A CENTRAL DATA BANK FOR CHILDREN**

4 April 2018

Civil society has advocated for a Children's Commission with a centralised data bank for more than 20 years. It is important that the Government sets up and maintains a data bank for the Commission on Children. It is only with verifiable data can we make long term planning for the best interests of the child, as stipulated in Article 3 of the Convention on the Rights of the Child.

The establishment of such centralised data collection systems was recommended by the Committee on the Rights of the Child in its concluding observations on Hong Kong in October 2013 and November 2005. The Committee stated that the data should be used as a basis for assessing progress achieved in the realisation of child rights and for designing policies and programmes to implement the Convention. The data should be disaggregated by age, sex, geographical location, ethnicity and socioeconomic background. Particular attention should be given to children of ethnic minorities, documented or undocumented migrant children, refugee and asylum-seeking children and children with disabilities. Justice Centre Hong Kong adds that non-numerical data is as important as numerical data in capturing the experiences of children fully.

However, Justice Centre is disappointed that the Government has not accepted this recommendation. Accessing data on children is challenging in Hong Kong. There is no data on refugee children or children who are victims of human trafficking and forced labour that the Government publishes regularly. Important data is often not maintained or accessible through freedom of information requests. For example, on 10 July 2017, Justice Centre made a data request on the number of refugees who were children disaggregated by the year of substantiation of the claim and nationality. While the Immigration Department gave us the number of refugees who were children at the time of the request, they did not maintain data on the number of refugees who were children at the time of the determination of the claim.

The Government should report on the progress of considering this recommendation of the Committee on the Rights of the Child on establishing a data bank, including which bureau or department is in charge and the reasons for accepting this recommendation or otherwise.

Justice Centre also calls upon the Government to incorporate the Convention on the Rights of the Child through domestic legislation.

PROTECTING FORCED MIGRANTS' RIGHTS

This is an issue that Justice Centre will raise with the United Nations Human Rights Council and Consulates through the Third Cycle Universal Periodic Review on China. Justice Centre is facilitating the Hong Kong Universal Periodic Review Coalition, comprising dozens of local civil society organisations, including many working on children's rights. The review will take place in November this year.