

Supplementary written evidence submitted by Witness B (VIS0001)

[Note: This evidence has been redacted by the Committee. *** represents redacted text.]

Possible solutions to the issues affecting 18–23-year-olds in terms of legal or visa routes to the UK

1) Regarding this age group who were born in Hong Kong, there are three sub-categories:

- (a) at least one parent is a BN(O) and willing to apply with the young person;
- (b) their BN(O) parents are not applying with them;
- (c) no parent is BN(O).

We would like to focus on sub-categories (b) and (c).

For (b): we would suggest Home Office to allow them to apply without their BN(O) parents, provided there is proof of the parents' BN(O) status.

For (c): Since the UK government is introducing a new mobility scheme for 18–23-year-old HKSAR Passport Holders, we recommend the UK government to extend this scheme for this sub-category to study at high school/college/university (at a discounted rate, i.e. not international tuition fees). After their graduation, they should be allowed to find work, apply for a work visa, and have the possibility of a pathway towards obtaining UK citizenship.

The basis for our recommendation is that 18–23-year-olds from Hong Kong have been the most active participants in the social movements in Hong Kong since 2019, but not everyone has BN(O) and are wealthy enough to afford studying abroad. Allowing them to study in the UK is the best way to provide assistance and support, and allow them to contribute to the UK after they complete their studies.

2) Recommendation on easing restrictions on asylum seekers

In addition, regarding Hongkongers who are applying to seek asylum, we would recommend a lifting of the restrictions on work or study, for instance by encouraging them to engage in community service, and attend classes organized by NGOs/community centres, where they can actively build relations with communities. Since most asylum seekers are young, with a relative lack of work experience and education, waiting for the results of their cases on claiming asylum would mean losing precious years of their prime. Hence allowing them to engage in community service would help them mentally.

3) Recommendation on BN(O) Visa Fees and Immigration Health Surcharge

Whilst [***] this should be affordable by most Hongkongers, also taking into account the average income of Hongkongers, [***] we would nevertheless strongly recommend the Home Office to consider lowering or waiving the fee especially for the younger applicants or those most vulnerable, taking their financial situation into consideration. Given that the

Home Office estimates the net present social value (NPSV) Hongkongers will bring through this BN(O) Visa Scheme are estimated between £2.4bn and £2.9bn, and without using UK taxpayer's money to contribute towards this scheme, the Home Office should extend/prioritise support and direct resources where most urgently needed and towards those who need it the most, across different sectors and levels in the UK, in order to offer genuine protection and assistance that forms a core pillar and motivation of the BN(O) Visa Scheme.

Whether this country policy and information note, from November 2020, addresses concerns raised about the Hong Kong CPIN

This version of CPIN covers events (impact) of the National Security Law only up to August 2020. Therefore it has only addressed a small part of the concerns raised about Hong Kong. After that, there have been a number of shocking cases which have taken place. These include:

- The case of 12 Hongkongers who tried to leave Hong Kong for Taiwan but were intercepted and placed into detention in Shenzhen, with suspected collusion between Hong Kong and mainland law enforcement agencies. The 12 were denied access to lawyers of their choice, and their families were denied any contact.
- The disqualification of four pro-democratic LegCo members utilising provisions of the National Security Law, which also led to the collective resignation of all pro-democratic legislators
- Apple Daily's Jimmy Lai arrested on National Security Law grounds, refused bail in the Court of Final Appeal and is under exceptionally harsh treatment
- Mass arrest of 53 persons who participated in a civil-society-based primary election (in which 600,000 Hongkongers participated), and among those arrested are some low profile and not very active social workers and parents of disabled children etc.

As such, any wishful thinking that the National Security Law is only applied in a narrow sense to ensure economic interest, or only targeting a minority, such as those mentioned in Paragraphs 4.1.3 and 4.1.4 (p.17) of the CPIN, have been proven unrealistic. On the contrary, the application of National Security Law has been shown to be highly arbitrary and arrests are made on very questionable or even weak grounds in any Common Law jurisdictions. It is also proven that in Jimmy Lai's case that the Judiciary in Hong Kong can provide little reassurance to protect basic human rights to a fair judicial process according to Common Law principles.

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