



Public Law and Human Rights Forum

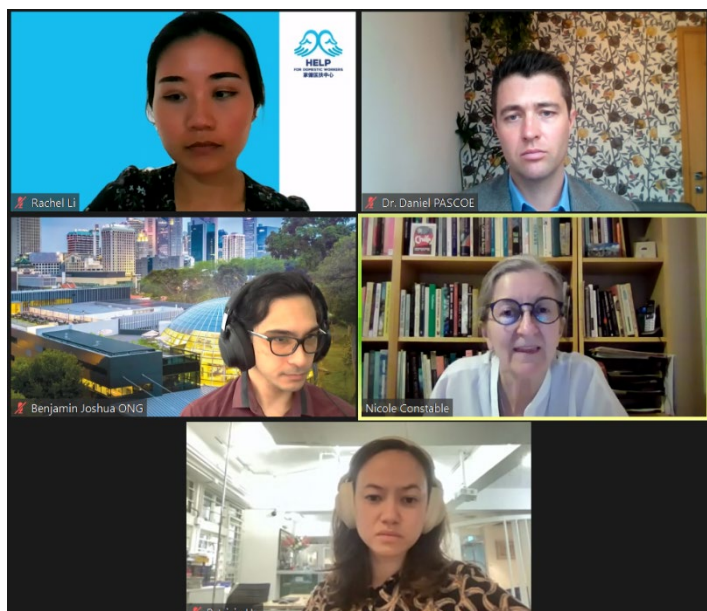
香港城市大學
City University of Hong Kong

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CPLR Webinar Series on Asian Perspectives on Human Rights (IV) Migrant Domestic Workers / Foreign Domestic Helpers and the Hong Kong Legal System

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On 21 April 2023, the Public Law and Human Rights Forum at the School of Law, City University of Hong Kong convened a 90-minute webinar entitled 'Migrant Domestic Workers / Foreign Domestic Helpers and the Hong Kong Legal System'. The webinar formed part of the Webinar Series on Asian Perspectives on Human Rights, running since 2021. The session was hosted by **Daniel Pascoe**, Associate Professor at the School of Law, City University of Hong Kong and featured three invited panelists, a special guest, and an audience of about 15 attendees. The three panelists were **Patricia Ho**, Managing Partner of Patricia Ho & Associates, **Rachel Li**, Head of Case Management and Research at HELP for Domestic Workers, and **Benjamin Ong**, Assistant Professor of Law, Singapore Management University. The special guest was **Nicole Constable**, Professor of Anthropology, University of Pittsburgh.



The host, panelist and special guests discussed the legal concerns of migrant domestic workers in Hong Kong in detail, as well as the comparative situation abroad. The invitees observed that the most common legal issues they have encountered are overstaying, labour law violations, and human trafficking. The origins of migrant domestic worker legal disputes are in attitudes of entitlement among employers and the state, together with associated power imbalances. **Dr Ong** observed that very similar issues arise in Singapore, another jurisdiction in which migrant domestic workers play a prominent role in the economy.



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Nevertheless, the invitees observed that the situation of migrant domestic workers has been gradually improving in Hong Kong, with victims of crime and civil claimants able to obtain help and advice through their national communities. Workers from smaller national communities in Hong Kong (e.g. Bangladeshis, Madagascans) have found it more difficult.

The webinar also addressed the impact of the Covid-19 pandemic and the 2019-2020 civil unrest on the circumstances of migrant domestic workers in Hong Kong. Invitees observed that Covid-19 lockdowns led to increased physical abuse in the home, and workers being dismissed for becoming sick or being stuck in quarantine facilities. More positively, the pandemic allowed migrant domestic workers to better organise through online methods. The closure of Hong Kong's borders also doubled migrant domestic worker wages, albeit temporarily.

Finally, the invitees addressed the question of what universities can do to raise awareness of migrant domestic worker legal issues and solutions. The panelists suggested holding events (like this webinar), for academics to conduct research considerate of migrant domestic worker interests, in documenting qualitatively and quantitatively the problems that such workers face. Within law school teaching in subjects like contracts and criminal law, academics should consider migrant domestic worker legal issues as emblematic of broader legal inequalities and access to justice concerns. The webinar concluded with a few questions from the audience. **Dr Pascoe** thanked the invitees for their time. We look forward to seeing you at the next webinar.

Reports on past events:

[CPLR Webinar Series on Asian Perspectives on Human Rights I: “Post-colonial Asian Perspectives on Human Rights” by Radhika Coomaraswamy](#)

[CPLR Webinar Series on Asian Perspectives on Human Rights II: “Sexual Harassment Against Women in Asia: A Dialogue on Gender Based Violence in India, Pakistan, Bangladesh and Afghanistan”](#)

[CPLR Webinar Series on Asian Perspectives on Human Rights III – “Defining and Defending the Rule of Law”](#)