

立法會
Legislative Council

LC Paper No. CB(2)2154/00-01
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

LegCo Panel on Welfare Services

Minutes of meeting
held on Monday, 9 July 2001 at 10:45 am
in Conference Room A of the Legislative Council Building

Members Present : Hon LAW Chi-kwong, JP (Chairman)
Hon CHAN Yuen-han, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon Cyd HO Sau-lan
Hon CHEUNG Man-kwong
Dr Hon YEUNG Sum
Hon CHOY So-yuk
Hon LI Fung-ying, JP
Hon Henry WU King-cheong, BBS
Hon Michael MAK Kwok-fung
Hon WONG Sing-chi
Hon Frederick FUNG Kin-kee

Members Absent : Hon David CHU Yu-lin, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Fred LI Wah-ming, JP

Public Officers Attending : Item IV

Mr HO Wing-him, JP
Deputy Secretary for Health and Welfare 2

Mr Patrick NIP
Deputy Secretary for Health and Welfare 2 (designate)

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Mrs Brenda FUNG
Principal Assistant Secretary for Health and Welfare (Welfare) 1

Ms L L LOW
Research Officer
Health and Welfare Bureau

Mrs Eliza LEUNG
Senior Statistician (Elderly Services)
Health and Welfare Bureau

Miss Bella MUI
Assistant Secretary for Health and Welfare (Welfare) 4

Item V

Mrs Carrie LAM, JP
Director of Social Welfare

Mr Robin GILL, JP
Deputy Secretary for Health and Welfare 3

Miss Diane WONG
Principal Assistant Secretary for Health and Welfare (Welfare) 2

Ms Ann LAU
Assistant Director of Social Welfare
(Family and Child Welfare)

Prof Nelson CHOW
Consultant

Dr Joe LEUNG
Consultant

Item VI

Mrs Carrie LAM, JP
Director of Social Welfare

Mr Robin GILL, JP
Deputy Secretary for Health and Welfare 3

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Miss WONG Ka-wing
Chief Social Work Officer (Corrections)
Social Welfare Department

Clerk in Attendance : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Miss Mary SO
Senior Assistant Secretary (2) 8

I. Confirmation of minutes of meetings held on 8 and 11 June 2001
(LC Paper Nos. CB(2)1949/00-01 and CB(2)2021/00-01)

The two sets of minutes were confirmed.

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)2022/00-01(01) and (02))

2. Members agreed not to hold meeting(s) during the summer recess unless urgent matters requiring immediate attention came up.

3. The Chairman said that Miss CHAN Yuen-han proposed to discuss the subject of additional support services for the elderly living with at least one nuclear family and the issue of extension of the Integrated Neighbourhood Projects. Members agreed to include the aforesaid two issues on the list of issues to be considered by the Panel in the next legislative session. Members further agreed to expand the scope of the first issue to be discussed to the provision of support services for elderly persons regardless of whether they were living with at least one nuclear family or alone.

III. Information paper issued since the last meeting
(LC Paper No. CB(2)1835/00-01(01))

4. Members noted the above information paper entitled "Annual inflation adjustment of the standard payment rates under the Comprehensive Social Security Assistance Scheme and the Social Security Allowance Scheme" provided by the Administration, and raised no queries.

IV. Financial support for older persons
(LC Paper No. CB(2)2022/00-01(03))

5. At the invitation of the Chairman, Deputy Secretary for Health and Welfare 2 (DSHW2) gave a power point presentation on the financial disposition of current and next generation of older persons in Hong Kong, including the potential problem areas identified, as well as the overseas experience in financial support for older persons, which were detailed in the Administration's paper.

6. Dr YEUNG Sum welcomed the Administration's intention to offer additional assistance to a group of Old Age Allowance (OAA) recipients who were in greater financial need, but considered that older persons applying for such additional assistance should not be subject to a complicated means test. Dr YEUNG further said that the existing arrangement of requiring older persons living with their families to apply for Comprehensive Social Security Assistance (CSSA) on a household basis was not entirely desirable, as it could not be assumed that they would all be taken care of financially by their adult children. In this connection, Dr YEUNG enquired about the measure(s) which would be taken by the Administration to help these older persons.

7. DSHW2 responded that the Administration had not yet come to a decision on how the additional financial support would be provided, including whether the applications for additional assistance would be means-tested. DSHW2, however, pointed out that some form of financial test to identify the target group of older persons was necessary, having regard to the fact that there were at present over 1 million older persons in Hong Kong. If increasing OAA was made across the board, it would create a heavy financial burden on the Government and the money would be spread too thin. DSHW2 conceded that some older persons might find means testing complicated, and, this, in turn, might discourage some of them from applying for additional assistance. In the light of this, consideration would be given to putting in place a simpler arrangement to determine whether they were in need of additional financial support. DSHW2 pointed out that declaration of income and assets was currently required in applications for Normal Old Age Allowance (NOAA), i.e. people aged 65 to 69 would be paid NOAA if their income and assets did not exceed the prescribed level.

8. Responding to Dr YEUNG's second question about providing financial support for elders living with their families, DSHW2 clarified that the Social Welfare Department (SWD) would accept application for CSSA from an elderly person living with his/her family exceptionally and would consider such case on its own merit. If the elderly person had a poor relationship with his/her family and it would cause him/her undue hardships to have to rely on his/her family members for financial support, SWD would also refer the elderly person and his/her family members for appropriate services, including counselling by professional social workers. DSHW2 further said that the Administration considered it inappropriate to rely on CSSA as the main scheme to provide old age financial protection to the older population. This view

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was shared by many overseas countries. To this end, the Administration would strive to identify the best approach for old age protection for elders of the next generation and to come up with a solution to help the existing elders who were in financial hardships but did not wish to apply for CSSA.

9. Dr YEUNG Sum agreed that there must be way to identify the target group of OAA recipients in greater financial need, so as to ensure that additional assistance would go to those people truly in need of it. Dr YEUNG, however, was adamant that in doing so, complicated means test should not be used. Dr YEUNG further said that the recently implemented Mandatory Provident Fund (MPF) Scheme was not adequate to provide protection to older persons in need, and urged the Administration to reconsider the feasibility of implementing an old age pension scheme.

10. Ms LI Fung-ying disagreed with the Administration's view that the next generation of older persons would generally be financially better off than those of the current generation because 30% of the current workforce were in jobs providing retirement protection, even before the MPF was introduced. The reason being that under the Employment Ordinance (Cap. 57), accrued benefits derived from the contributions made by an employer for an employee under a MPF Scheme could be used to offset the amount of severance payment or long service payment. Ms LI enquired whether the Administration had taken this factor into account when examining the financial disposition of elders of the next generation and about the action(s) which would be taken by the Administration to help those older persons of the next generation whose retirement protection would be undermined when they were laid off by their employers.

11. DSHW2 said that the primary objective of the survey on the current generation and the next generation of older persons in Hong Kong was to obtain a macro-understanding of their socio-demographic profile, health condition and financial disposition. DSHW2, however, agreed to convey Ms LI's concern about accrued benefits from the contributions made by an employer for an employee under a MPF Scheme being used to offset the amount of severance payment or long service payment to the relevant policy bureaux for consideration. DSHW2 pointed out that through the survey on the current generation and the next generation of older persons in Hong Kong, the Administration had identified some potential problem areas which needed to be addressed and remedied. The most immediate task at hand was to find out ways to help those OAA recipients who were in greater financial hardships, and yet did not wish to apply for CSSA. The next step would be to come up with a system which could provide a relatively all-round retirement protection for elders. DSHW2 also clarified that the percentage of the workforce presently having some form of retirement protection should be considerably higher than 30%, as the aforesaid figure only referred to the percentage of the workforce which had some form of retirement protection prior to the implementation of the MPF Scheme in December 2000.

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12. Ms Cyd HO said that the Administration was too optimistic about the financial disposition of older persons of the next generation. For example, although it was stated in paragraph 11 of the Administration's paper that about 37% of older persons of the next generation had self-occupied properties, no regard had been to the fact that properties needed money for upkeep and to meet the requisite building and fire safety standards. Ms HO further said that the Administration's paper failed to provide detailed information on the survey respondents, such as their income, asset, occupation and how many of them were male and female. The Chairman said that a report on the overall findings of the survey on the current generation and the next generation of older persons in Hong Kong had been published by the Census and Statistics Department.

13. DSHW2 responded that the Administration had reasons to come to a view that older persons of the next generation seemed to be financially better off than those of the current generation based on the survey findings. Notably, older persons of the current generation generally had little savings and owned very little or no asset, as they spent most of their income on raising their children. Moreover, only 15% of them enjoyed retirement benefits, with most of them receiving it as a lump sum on retirement. The lump sum amounts received had a median value of \$65,000, and were not likely to enable the elders to support themselves for long. On the other hand, older persons of the next generation generally earned higher income. As they had fewer children or no child at all, they tended to own more assets. Moreover, most of them should enjoy retirement benefits in one form or another when they retired.

14. DSHW2 further said that although the next generation of elders appeared to be financially better off at present, 67% of them had not made any arrangement to meet their future financial needs. While 58% of them indicated that they would rely on financial support from their children after retirement, it should be noted that the family size of the next generation of older persons was getting smaller. 55% of them had only one or two children, and 12% had no child at all. The reduction in family size was expected to have implications on how the soon-to-be-old were going to finance their post-retirement living. The Administration was also concerned that there might still be a group in the next generation of older persons who were currently on low income and had few or no children to support them when they grew old. In the light of the aforesaid, DSHW2 pointed out that financial support for some of the elders of the next generation would be required in view of possible reduced support from their adult children.

15. Mr WONG Sing-chi said that the Administration was conservative in its approach in providing financial support for older persons, by emphasising that people had the responsibility to take care of their own financial needs in old age and that Government's role was only limited to providing assistance for those financially vulnerable elders to help them meet their basic and special needs through the CSSA, and, to some extent, the OAA. Unfortunately, the stigmatisation of people on CSSA as lazy people taking advantage of the social security system had resulted in some

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people, including elders, ashamed of applying for the CSSA Scheme even though they truly needed it. In this connection, Mr WONG urged the Administration to step up efforts to rectify the perception that CSSA supported lazy people as it was the Government's responsibility to help people in need. To enable elders to lead a dignified retirement life, Mr WONG was of the view that the Administration should increase the OAA to a level which could meet the basic needs of elders, and that OAA should be paid to all elders regardless of their age and means. Mr WONG echoed members' views that older persons of the next generation might not necessarily be financially better off than those of the current generation even though they had self-occupied properties, having regard to the fact that many properties in Hong Kong had depreciated to the extent that they had become negative assets.

16. DSHW2 clarified that the Administration's approach in providing financial support for older persons was not conservative but proactive. A case in point was that the Administration was actively looking at ways to help those vulnerable elders who lacked family support or retirement protection, were aware of CSSA, but did not wish to apply for assistance. DSHW2 further said that expecting people with means to make arrangements to meet their future financial needs was not unreasonable. For example, people who earned a relatively good income should save some money during their working lives to ensure that they had enough money to live on in their old age rather than relying on public assistance. If everyone relied on public assistance for their retirement life, it was questionable whether this was an effective use of public money. Moreover, such an arrangement could not be sustained in the long run because of the ageing population. At present, there were over 1 million people aged over 60 in Hong Kong, representing about 15% of the population. By 2030, it was estimated that the number of people aged over 60 in Hong Kong would exceed 2 million, or one in every four persons would be aged over 60. The problem of sustainability would be aggravated by the lower fertility rates, as fewer future workers would have to support more retirees who also lived longer. DSHW2 pointed out that affluent countries such as Australia and Canada which had adopted a non-contributory scheme funded by public revenue by paying a basic amount to those who met the age and residency requirement regardless of their means now found it difficult, if not impossible, to sustain the scheme because of increasing life expectancy and lower fertility rates, and were now looking for other alternatives to provide financial support for elders.

17. Miss CHAN Yuen-han said that merely relying on CSSA and the MPF Scheme would not be adequate to meet the needs of older persons. Miss CHAN was of the view that, as an interim measure, the Administration should increase OAA to a level which could meet the basic needs of elders. Where possible, OAA should be paid to all elders regardless of their means. Moreover, the Administration should relax the requirements for the elderly to continue to receive cash assistance under the CSSA Scheme if they chose to retire permanently in Guangdong. In the long run, consideration should be given to introducing an old age pension scheme whereby all elders regardless of their means and whether they had made contributions to it would receive a basic amount.

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18. DSHW2 responded that if OAA or a pension was paid to all elders regardless of their means, it would either create a significant financial burden on the public coffer, or else the money would be spread too thin to be of assistance to those financially vulnerable elders. As about 10% of older persons of the current generation needed additional assistance and given that resources were finite, the Administration considered it more cost-effective to use the money on this group of elders. Such an approach of targetting assistance at financially vulnerable elders would be applied to the next generation of elders, having regard to the fact that about 30% to 40% of them earned a relatively good income and most of them should enjoy some form of retirement benefits when they retired. On the suggestion of introducing a contributory old age pension scheme, DSHW2 said that it was highly doubtful whether the public would support it, given that both employers and employees now had to make contributions to the MPF Scheme. However, if the old age pension scheme was funded by public revenue, it was questionable whether such a scheme could be sustained in the long run because of the ageing population and lower fertility rates. To address the concern that the public would be reluctant to make contributions to the old age pension scheme because they already had to make contributions to the MPF Scheme, Miss CHAN Yuen-han said that the Administration should re-consider the two-tier social security scheme, which comprised an old age pension scheme and a MPF scheme, proposed by the Hong Kong Federation of Trade Unions several years ago.

19. Summing up the discussion, the Chairman said that most members were in favour of an increase in OAA and had reservation about complicated means testing of applicants.

V. Review of family welfare services
(LC Paper No. CB(2) 2022/00-01(04))

20. Prof Nelson CHOW and Director of Social Welfare (DSW) briefed members on the major findings and recommendations of the Review of the Family Welfare Services (the Review) and the Administration's response to the recommendations made by the Consultants respectively, which were detailed in the Administration's paper.

21. The Chairman informed members that detailed findings and recommendations of the Review were contained in the Report entitled "Meeting the Challenge: Strengthening Families" (English version only), a copy of which was deposited with the Legislative Council Secretariat for members' reference.

22. Miss CHAN Yuen-han enquired how the move towards the new service delivery model of an Integrated Family Service Centre would impact on the staff establishment of SWD. As many family problems were caused by unemployment, Miss CHAN further enquired whether the Consultants, in coming up with their

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recommendations, had sought the views of the labour sector, and how the new service delivery model could help families cope with the pressure brought about by unemployment.

23. Prof CHOW responded that the move towards the new service delivery model of an Integrated Family Service Centre should not have any significant impact on the existing staff establishment of SWD, though the job duties of some SWD staff would need to be changed to suit the new service arrangements. Prof CHOW added that SWD staff, particularly the frontline ones, were very supportive of the changes proposed by the Review which recommended strengthening families through a child-centred, family-focused and community-based approach, with emphasis on establishing effective partnerships and interface with family-related services in creating a family-friendly environment in service delivery.

24. As to the question whether the Consultants had sought the views of the labour sector in coming up with their recommendations, Prof CHOW replied in the positive. As regards how the new service delivery model could help families cope with the pressure brought about by unemployment, DSW referred members to Chart 6.2 on page 78 of the Report entitled "Meeting the Challenge : Strengthening Families" (see **Appendix**) which illustrated how an Integrated Family Service Centre would work in partnership with the community and the social service system to help families in need. In essence, the new service model would use the Integrated Family Service Centre as the core service programme, to be supported by other types of family services. DSW said that an Integrated Family Service Centre would comprise three components, namely, the resource unit, the support unit and the counselling unit. In general, the resource and support units would perform a mixture of preventive, support, educational and developmental functions, as well as empowerment and advocacy functions, while remedial functions would mainly be provided in the counselling unit. These three units would develop different ties with key service partners, so as to provide multiple entry points for users to receive services. For example, the Integrated Family Service Centre would strengthen ties with SWD's Social Security Field Units, to provide timely and appropriate services to families facing problems and at risk. Prof CHOW said that provision of family service based on a community approach would help to improve the responsiveness of family service programmes to locally defined community needs and the accessibility of family services to families in need.

25. Miss CHAN Yuen-han and Mr WONG Sing-chi expressed concern that the effectiveness of the new service delivery model would be undermined if other government departments concerned would not accept or follow up cases referred to them. As the success of the new service delivery model depended on the close collaboration with other government departments concerned, Ms Cyd HO considered it necessary for these departments to consult SWD before making any changes to their existing services affecting families and children. DSW responded that SWD would step up liaison with other government departments concerned to maintain a close partnership with them. Although other government departments concerned had their

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own policies and ways of doing things, DSW believed that they would cooperate with SWD as far as possible to help families in need. She envisaged that the problems highlighted by members would primarily stem from bureaucracy and different interpretation of issues, which should not be too difficult to resolve.

26. Mr WONG Sing-chi welcomed the new service delivery model, but hoped that the Integrated Family Service Centre would not operate mainly as a referral agency. If an Integrated Family Service Centre was to perform the functions mentioned by DSW in paragraph 24 above, it was necessary for its staff to have the relevant knowledge and skills. In this connection, Mr WONG enquired about the training programmes required to achieve such.

27. Assistant Director of Social Welfare (Family and Child Welfare) (ADSW(FCW)) responded that there were two major areas for training support. Social workers working in the counselling unit would require more support in clinical intervention, assessment and counselling skills, including short-term and advanced training in family therapy. On the other hand, social workers in the future Integrated Family Service Centres would be multi-skilled and community-based practitioners, multi-skills on training group work, volunteer development, team building, community needs assessment and developing partnership would be required. ADSW(FCW) further said that while social workers adopted a case manager's approach in case handling, services and resources were arranged and coordinated to meet specific needs of families. This was in line with the future approach of having three levels of intervention, namely, the resource unit, the support unit and the counselling unit, forming a continuum of service to meet family needs proactively at different levels. The Integrated Family Service Centre would not function just as a referral agency.

28. Ms Cyd HO said that notwithstanding the advantages of adopting a child-centred approach to help families at risk or in crises, there were concerns that such an approach would not always work as some parents would refuse intervention from SWD. Prof CHOW agreed that some parents would refuse intervention from SWD. However, he was of the view that very few parents would refuse assistance when the welfare of their children was at risk. Prof CHOW further said that the fact that future family service centres would strive to develop a non-stigmatising environment for families, it was envisaged that more families would voluntarily come forward to seek assistance so that timely identification of problems and intervention could be provided.

VI. Hong Kong Human Rights Monitor's Report on the Correctional/Residential Homes run by the Social Welfare Department (LC Paper No. CB(2)2022/00-01(05))

29. DSW introduced the Administration's paper which outlined the concerns raised by the Hong Kong Human Rights Monitor (HKHRM) in their Study Report on the

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correctional/residential homes run by SWD, and the Administration's response to the HKHRM's recommendations.

30. Mr CHEUNG Man-kwong requested the Administration to respond to the following matters reported in the newspapers -

- (a) Inadequate education service with an absence of teachers in the girls' remand section of the Begonia Road Juvenile Home;
- (b) The adoption of military style of control in the management of short-term homes. For examples, residents of the Ma Tau Wai Girls' Home were only allowed to wash their hair every two days and that the washing time was limited to 10 minutes, residents of the Fanling Girls' Home were only allowed to take a shower three times a week, and residents of Pui Chi Boys' Home were required to sleep with their backs closely adhered to the beds; and
- (c) Inadequate provision of food.

31. Regarding the complaint of inadequate food for residents, Chief Social Welfare Officer (Corrections) (CSWO(C)) said that there was no question of such a situation. On the contrary, more food was always available to meet the request of residents. For example, in addition to three meals a day, residents would be provided with a snack around 9:00 pm. The menu was revised regularly under the advice of the Department of Health, with the most recent one conducted in October 2000 to provide more variety of food and fresh fruits to residents. CSWO(C) pointed out that the complaint was likely to have been caused by a misunderstanding over the words "food" and "fruit". She added that according to a survey conducted to find out how the parents of the residents found the services provided to their children, over 80% of the respondents were satisfied with the services provided, including meal service.

32. As to the restrictions imposed on the residents cited by Mr CHEUNG in paragraph 30(b) above, CSWO(C) said that SWD had never laid down such restrictions. Although a time limit was set for washing hair and taking a shower, residents were allowed to wash their hair and take a shower every day. Following the concern raised about requiring residents of Pui Chi Boys' Home to sleep with their backs closely adhered to the beds, SWD immediately looked into the matter and found it unsubstantiated. CSWO(C) further said that although the scheduled activities or programmes of the homes might appear to outsiders as being overly-disciplined, it nevertheless was necessary to help residents with behavioural problems/delinquent behaviour lead a regular and meaningful life. Moreover, as far as discipline in the homes was concerned, it was SWD's responsibility to provide a safe environment for all residents.

33. Regarding the concern about an absence of teachers in the girls' remand section of the Begonia Road Juvenile Home, CSWO(C) said that such a situation had been

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rectified following the relocation of the girls' remand section of the Begonia Road Juvenile Home to merge with the Ma Tau Wai Girls' Home on 16 May 2001. CSWO(C) further said that starting from September 2001, the education service would be strengthened in all correctional/residential homes, including those for short-term stay. Moreover, SWD would upgrade some of the teacher posts to graduate level and provide additional teaching posts for short-term homes.

34. Mr Michael MAK enquired about the action(s) which would be taken by SWD to address the concern raised by HKHRM that the conditions in the correctional/residential homes fell short of meeting the international human rights standards adopted by the United Nations. Mr MAK further enquired whether SWD had provided language training for its staff, such as Putonghua, so they could better communicate with residents speaking languages and dialects other than English and Cantonese, having regard to the fact that some residents were illegal immigrants (IIs) from the Mainland.

35. DSW responded that the smooth operation of the correctional/residential homes depended to a very extent on the staff's knowledge of human rights. To this end, seminars on human rights related issues had been and would continue to be organised regularly. Apart from this, SWD had extended an invitation to an overseas expert to visit Hong Kong later this year to conduct training for staff to better equip them with the skills in taking care of children and juveniles with emotional and behavioural problems. As to language training for its staff, CSWO(C) said that although SWD did not provide regular language training for its staff per se, staff were nevertheless encouraged to take language lessons organised by the Civil Service Training and Development Institute. Where necessary, translators would be hired. CSWO(C) further said that to her understanding, staff had no great difficulty communicating in Putonghua with residents from the Mainland.

36. Ms Cyd HO declared that she was a member of HKHRM. Ms HO expressed concern about whether the human rights and health of the persons, particularly IIs, put in isolated detention in the correctional/residential homes were being protected. As IIs being detained in the correctional/residential homes were children or juveniles and invariably had no family members in Hong Kong from whom they could seek support and assistance, Ms HO enquired whether they would be provided with counsel from the Legal Aid Department to safeguard their rights. Alternatively, whether SWD would allow voluntary agencies to render assistance to these IIs.

37. DSW responded that SWD strictly discouraged detaining people in isolation in the correctional/residential homes. If required to do so, the superintendent of the home would need to obtain approval from the District Social Welfare Officer of the district in which the home concerned was located. DSW pointed out that very few correctional/residential homes had facilities for segregated detention, and even those with such facilities rarely used them. DSW assured members that if it was deemed necessary to detain a person in a correctional/residential homes in isolation, human rights standards would be closely adhered to. CSWO(C) supplemented that under

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SWD's recently promulgated Service Quality Standards, residents were informed of their rights to complain, access to information and protection from abuse etc. through regular dormitory meetings with residents, briefing sessions upon their admission and notices displayed throughout the homes. CSWO(C) further said that in order to safeguard the health of residents, one registered nurse was generally stationed in a correctional/residential home and doctors would regularly visit such a home to check on the health of the residents. If a resident was found to have behavioural/emotional problem, arrangements would be made to refer him/her for specialist treatment.

38. Ms Cyd HO said that relying on SWD staff to apprise IIs being detained in the correctional/residential homes of their human rights was not satisfactory, having regard to the fact that SWD was the authority detaining IIs. To rectify such, Ms HO was of the view that a third party should be allowed to apprise IIs being detained in the correctional/residential homes of their human rights.

39. There being no other business, the meeting ended at 1:05 pm.

Legislative Council Secretariat
26 July 2001