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“The Place Where Hurt Turns Into Healing”

Saturday, March 02, 2002

To the Subcommittee on Drug Dependent Persons Treatment
and Rehabilitation Centres (Licensing) Ordinance

Submission for the Subcommittee Meeting to be Held Monday March 4th, 2002

The matter being raised on land usage and zoning, today, is a matter of great concern to my organization. I agree that upgrading of NGO Drug Rehabilitation facilities is important and that standardizing drug rehabilitation operations is also a good thing.

I feel that it should be moderately difficult to get funding to upgrade our center we operate in Siu Lam Village near the Castle Peak Road. However, land usage, leasing, and zoning is far beyond our control. I feel we are at the mercy of Hong Kong SAR government departments.

I feel Legco members should have visited drug rehabilitation centers with usage and zoning problems to see for themselves what complications were involved, and so that they could have become more fully aware of these problems before passing the Drug Dependent Persons Centres Treatment Ordinance. I believe Legco was not fully aware of these problems when this bill was passed.

I believe the Social Welfare Department and the Narcotics Division to be sincere in their commitments to assist us with upgrading that includes funding; however, I have the following reservations.

1. My major reservations are not with the Social Welfare Department and Narcotics Division as they have been supportive, but my reservations are with the Fire Services Department, the Building Authority, and the Town Planning Board whom we have heard little from them on the action they intend to take related to the Drug Dependent Persons Treatment and Rehabilitation Centres

Ordinance. Thus, I face the future with grave concern, and feel like I am walking through a dark tunnel not knowing where I am headed. The stress of all this is overpowering.

I would quit and give up if it were not for those past successes we have on the outside that are drug free, employed and reintegrated into society. For this reason, I feel it is important we be allowed to stay where we are in Siu Lam for the following reasons.

1. My center is located in a green belt area. We cannot understand why it is still a green belt area when a quarter of mile away on one side of us there is a large Sun Hung Kai housing estate. On the other side of us is a village where there are over thirty houses very near by that seem to also be in the same green zone we are in.
2. The lands office gave permission for our main building to be built about 40 years ago, but we only found out a year ago that we are incorrectly zoned. Whose fault is this? Is it the fault of the organization who gave us out buildings or is it that of government??
 - a. Our Main building has been well maintained and is in structurally good condition. So the question is, why abandon it? To abandon it and let it stand vacant would be a great waste.
 - i. It seems that if Sun Hung Kai can receive rezoning then we should not be treated any different than SHK.
3. I have not seen any written in depth statements from the Town Planning Board, Building Authority, or Fires Services Department and other related government departments dealing with usage and zoning of such cases such as ours. Will we receive any leniency when it comes to usage and zoning? This is a tormenting question we face daily as we approach April 1st. Many of the promises concerning leniency have been made to us are just verbal only by the Social Welfare Department and Narcotics Division.
 - a. I have read Ms. Selina Chow's letter faxed to me by the Narcotics division with statements that help will be provided to centers that have usage and zoning problems. The question is what kind of help is coming, and how will it be implemented?
 - i. However, I feel that the final power and decisions will be in the hands of department heads such as the Town Planning Board, Fire Services, and the Building Authority, and not just the Social Welfare Department nor the Narcotics Division. We are at various departmental heads mercy.

4. My staff has put much time, including three years hard work, and money into restoring and upgrading our present buildings. Is all this effort to be lost? To have to quit all these premises because of usage and zoning would be a great waste. When we began our work in Siu Lam in 1999, we were not aware of the usage and zoning problems. We had no knowledge of zoning laws.
5. Now, we have been told that we could possibly get a grant of land so that we can move. Who is going to pay for the new buildings? I am 65 years old and I have no desire to start rebuilding in another location some where way off on Lantau or way off in Sai Kung or to spend the last days of my life on an island somewhere off Lantau.
 - a. I founded a home for children in Sai Kung. I founded and started the Hong Student Society for Boys on Lantau Island. I helped with the planning and building of that Hong Kong Student Society Hostel in Kwun Tong. I established a youth center in Tai Wo Hau in 1990 that is now over ten years old.
 - i. After 41 years of service to the Hong Kong community, it seems to me that I should be able to face the future with fearless confidence that I will survive the present crisis I am facing with confident support that I feel that the Hong Kong SAR government owes me for assisting over a 1000 youth over the past 41 years.
 - ii. Is this going to be an issue where government says thank you for your help, but there is nothing we can do to help you??
 - b. At 65, I don't want to have to be faced with building new a center that possibly would not be finished until I am 70 years old. I want to give all my final years in Hong Kong in helping the youth of Hong Kong. It seems it would be more sensible to allow me to upgrade our present center that is in physically good location and condition
 - c. Wouldn't it be much easier and more practical to upgrade where we are in Siu Lam than waste millions of dollars of public money rebuilding just because we are in a green zone that I feel has become a residential area? What about the many people living in the house near our center that are also in the green zone? Are they going to be asked to leave also?
6. We now have the use of ten buildings. There dormitories for fifteen persons each, dining halls, offices, two two story staff houses and one

single storey staff house, and one auditorium. To replace these buildings would cost millions of dollars. If we are asked to leave, who is going to pay to replace these buildings on new property?

7. Even if we were granted land, I believe we would not have the space we have now which covers a whole large hillside as we have the use of property in Siu Lam that belongs to other Christian organizations. Here we have space to expand.
8. Since we are in the Tuen Mun area, we provide a valuable service for the addicts and their social workers in and around Tuen Mun. We have taken in many young people from this area over the past three years, and we are the only residential drug rehabilitation center close to Tuen Mun that we know of.
9. Finally, we have been told three million will be made available for each center over a period of eight years for upgrading from the Beat the Drugs Fund, but it seems that we have to run an impossible obstacle course to get this funding.
 - a. I feel this will not be enough money to upgrade in most cases and especially if an organization is required to rebuild their facilities on new land because of having to move as the result of proper zoning.
 - b. We have been told by the Narcotics Division that at least four other applications to other funds must fail before we can apply to the Beat the Drugs Fund.
 - c. We have been told that we must hire a recognized appraiser using our own funds to the amount of \$100,000.00 to do the planning of upgrading of our centre. It may be difficult for some smaller centers to get the required \$100,000.00 if they operate on a day to day private funding.

In conclusion, I feel that some strong written commitments are needed from all government departments and not just verbal ones that they will be a lenient as possible, and not those mostly coming from the Social Welfare and Narcotics Division. Also I believe there should be some indication as to how much leniency we can expect in the areas of usage and Zoning.

- a. We need this so that we can know where we are headed, and cut down a few sleepless nights over the next eight years. Are we only to have confidence in verbal promises that might change when a departmental head may be replaced with new and different policies during the years to come?

It may take years to resolve these usage zoning problems. For instance, it took twelve years for the government to rezone the area in Shatin on Mau On Shan so that the Cheshire Home built there would not be illegal according to Mr. Alan Crawley who was the Chairman of the Cheshire Home building committee. I am hopping for a more firm commitment from government departments involved in this law that we will not be shut down because of usage and zoning.

Next, I hope that safety of centers and standardization of operation will take priority over usage and zoning. If usage and zoning take priority; then, many of us providing successful drug rehabilitation services have little chance of surviving. I hope no rash decisions will be made and that thorough thought will be given that will not close any drug rehabilitation centers that have provided many years of successful service to the community.

It will be a serious deficit to the Hong Kong community to lost one of these organizations that are faithfully fighting such a massive problem often with limited community support. I would like to plead that the application of this ordinance be delayed until some more firm answers are received on land usage and zoning problems.

Sincerely Yours,

Charles McKnelly, Director
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