

立法會
Legislative Council

LC Paper No. CB(2)2335/02-03

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seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Monday, 12 May 2003 at 10:45 am
in Conference Room A of the Legislative Council Building

Members Present : Dr Hon LAW Chi-kwong, JP (Chairman)

Dr Hon David CHU Yu-lin, JP

Hon Cyd HO Sau-lan

Hon LEE Cheuk-yan

Hon Fred LI Wah-ming, JP

Hon Bernard CHAN, JP

Hon LEUNG Yiu-chung

Dr Hon YEUNG Sum

Hon CHOY So-yuk

Hon LI Fung-ying, JP

Hon Henry WU King-cheong, BBS, JP

Hon Tommy CHEUNG Yu-yan, JP

Hon Michael MAK Kwok-fung

Hon WONG Sing-chi

Members Absent : Hon CHAN Yuen-han, JP (Deputy Chairman)

Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP

Hon Frederick FUNG Kin-kee

Public Officers Attending : All Items

Mrs Carrie LAM, JP

Director of Social Welfare

Items III and IV

Mr Patrick NIP
Deputy Secretary for Health, Welfare and Food (Elderly Services)

Item IV

Miss Ophelia CHAN
Assistant Director of Social Welfare
(Rehabilitation and Medical Social Services)

Item V

Mr CHEUNG Hing-wah
Assistant Director of Social Welfare (Youth and Corrections)

Mrs LAU LAI Siu-wan, Marigold
Project Director 2
Architectural Services Department

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

Staff in Attendance : Miss Lolita SHEK
Senior Assistant Secretary (2) 7

I. Information paper issued since the last meeting
(LC Paper No. CB(2)1924/02-03(01))

Members noted the information paper provided by the Administration on the “Proposed Creation of Permanent Directorate Posts of Permanent Secretary for Health, Welfare and Food and Administrative Assistant to the Secretary for Health, Welfare and Food” issued since the last meeting.

II. Items for discussion at the next meeting
(LC Paper Nos. CB(2)2015/02-03(01) and (02))

2. The Chairman noted that the review of family welfare services had not been completed but that the Social Welfare Department (SWD) had been deliberating on the directions for the development of such services with a view to implementing some of its plans for the services before the completion of the review. The Chairman therefore suggested that the interim report on the review, if available, together with SWD's recommendations on the future development of the services, be provided to the Panel for discussion at the next or a future meeting. Director of Social Welfare (DSW) undertook to check the position of the interim report before confirming the date for discussion by the Panel.

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3. Members agreed to discuss the following items at the next regular meeting on Monday, 9 June 2003 -

- (a) residence requirements for social security benefits; and
- (b) update on various measures to support young people.

(Post-meeting note : At the request of the Chairman, a third item "the operation of residential care homes for the elderly in commercial premises" had been added onto the agenda for the next regular meeting.)

III. Subsidy arrangements for residential care services for frail elders
(LC Paper No. CB(2)2015/02-03(03))

4. At the invitation of the Chairman, DSW highlighted the salient points in the paper provided by the Administration on the subsidy arrangements for residential care services for frail elders with the aid of a power-point presentation. The paper provided information on the demand for long term care (LTC) services in Hong Kong, initiatives launched in the development of community and home-based care and in the improvement of residential care for elders in the past decade, problems in the existing arrangements in providing subsidised LTC, proposal to develop a Fee Assistance Scheme (FAS) for residential care services for frail elders and potential problems for the implementation of FAS. DSW informed members that the Elderly Commission had been consulted on and had indicated its support for the initial proposal for FAS in April 2003. Informal discussions with non-governmental organisations (NGOs) also indicated in principle support for the concept. Sharing sessions on FAS would be held with operators of residential care homes for the elderly (RCHes) from both NGOs and the private sector in May and June.

5. Mr WONG Sing-chi pointed out that after the implementation of FAS, RCHEs might no longer need to be worried about the lack of customers. Since most of their customers would be FAS recipients receiving similar levels of fee assistance, RCHEs might refuse to provide services to elders who required extra care as compared with others, or those with bad tempers or eccentric habits. He asked how the rights of these elders could be safeguarded under FAS.

6. In reply, DSW said that competition between homes would increase after the introduction of FAS and she did not envisage that the situations described by Mr WONG Sing-chi would happen. She added that nearly one third of the RCHEs were operated by charitable organisations and it was unlikely that these homes would refuse to provide services to certain elders for the reasons described by Mr WONG. DSW further explained that under the Comprehensive Social Security Assistance (CSSA) Scheme, special grants would be offered to elders with severe disability which might be able to pay for the extra care service required by these elders. She assured members that this issue would be further considered together with other problems to be addressed in the implementation of FAS.

7. In response to the concern raised by Ms LI Fung-ying as to how elders who had little or no family support would be able to make an informed decision on the choice of RCHEs, DSW said that CSSA elders staying in private homes faced the same problem under the existing arrangements. Some of them were ignorant of their right to choose between different homes. To address this issue, the Administration had re-engineered and enhanced community support services for elders and kept them well informed of the choices of different services available to them. DSW assured members that similar assistance would be provided to elders under FAS and some form of guardianship arrangements would be in place to help those mentally incapacitated to exercise their consumer rights.

8. Mr LEE Cheuk-yan enquired about the fee assistance levels under FAS. He reckoned that the levels would probably be lower than the existing subvention of \$8,474 for subvented care and attention (C&A) homes. He pointed out such levels of fee assistance would lower the income of the subvented homes and create financial difficulties for them as they had all along been operating on the existing level of subvention.

9. DSW responded that she did not have an immediate answer to the questions from Mr LEE Cheuk-yan. She said that the paper sought to point out the anomalies in the existing arrangements and seek initial views from members and NGOs on the proposal. She said that FAS was not a new concept in welfare services. Similar systems were in place in other countries where subsidies

followed the service users. She hoped that members would agree that the existing arrangements in providing subsidised LTC were not satisfactory and that they would support FAS as a better alternative. She assured members that the quality of services provided by RCHEs would be improved eventually after the implementation of FAS. However, such a change would happen only gradually and it was important that FAS should be designed and implemented carefully.

10. DSW further clarified that FAS was not related to the recent cost saving exercise of the Government. The Administration considered that it was timely to introduce FAS as community and home-based care and residential care services for the elderly had been greatly strengthened over the past decade.

11. Ms Cyd HO said that she supported the idea of “money following the user” described in paragraph 17 of the Administration’s paper. She suggested that a progressive scale should be adopted for the fee assistance levels under FAS. She further proposed that the fee assistance levels should be adjusted in accordance with the changes in the financial situations of the children of the elders. Such an arrangement would help relieve the burden on their children who were willing to shoulder some of the responsibilities in taking care of their parents. DSW noted the views of Ms HO.

12. Noting from paragraphs 12 and 18(a) of the paper provided by the Administration that a means-test might be introduced under FAS, Mr LEE Cheuk-yan expressed concern that some elders might not pass the test and hence not be eligible for FAS. He commented that the introduction of the means-test was a controversial issue. If the income of all the family members of the elders was to be included in the means-test, it might be difficult for most elders to meet the eligibility criteria and hence, elders might be regarded as a burden to their families. Mr LEE sought clarification on this issue as well as how the asset and income limits were to be set. Sharing the concern of Mr LEE Cheuk-yan, Ms LI Fung-ying opined that the asset and income limits had to be set carefully in view of the impact on elders and their families.

13. DSW replied that the issue had to be discussed widely by members and NGOs before a final recommendation could be made. She assured members that the Administration would provide further recommendations on FAS including the proposed asset and income limit in due course.

14. To conclude, the Chairman pointed out that the technical details of FAS were members’ greatest concerns. He said that members all agreed that families should take care of their elders but were concerned how the means-test and the asset and income limit for the eligibility for FAS would be set. To prevent double subsidies for elders under FAS and CSSA, he suggested to remove all

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elderly cases from the CSSA Scheme and to establish a separate financial assistance scheme for elders. He requested the Administration to consider this suggestion as well as the views expressed by other members and revert to the Panel with the proposed details of FAS once they were available for further discussion.

IV. Social Welfare Department's work relating to the prevention of the spread of Severe Acute Respiratory Syndrome
(LC Paper No. CB(2)2015/02-03(04))

15. Members noted the paper provided by the Administration which reported on the work of SWD relating to the prevention of the spread of Severe Acute Respiratory Syndrome (SARS), including the provision of support for vulnerable groups and service providers in promoting environmental and personal hygiene, assistance and support for SARS patients and their families, hotline services for the public and support for frontline staff, as well as the introduction of special preventive measures to RCHes and child care centres (CCCs).

Support for vulnerable groups

16. Mr Michael MAK said that he delivered a talk on the prevention of SARS for a community centre recently. He found that the elders had little knowledge of the proper use of masks and there was not adequate supply of masks for them. He considered that SWD should step up its efforts on educating elders on the prevention of SARS.

17. DSW agreed with Mr Michael MAK that it was necessary to educate elders on the proper preventive measures to be taken against SARS. She informed members that posters with illustrations had been distributed to elders and displayed in elderly centres and homes. She also assured members that there would be continuous supply of free masks to elders through the various service units of SWD.

18. DSW added that approval would be sought from the Finance Committee (FC) on 16 May 2003 for an allocation of \$102 million for the creation of 4 500 temporary jobs for three months to provide free household cleaning service and minor repair services for vulnerable groups, including the elders. The package would help to improve their environmental hygiene.

19. In reply to the question from Mr LEUNG Yiu-chung on the eligibility for the cleaning and repair services mentioned in paragraph 18 above and the selection of service users, DSW advised that the Panel on Manpower had been briefed on

the details of the programme which would be implemented by SWD in collaboration with NGOs. It was estimated that over 100 000 elderly and vulnerable families would benefit from this package. She explained that the service users might not necessarily be CSSA recipients. Elders living alone, elder couples or other vulnerable groups such as disabled persons would also be eligible for the service. They were welcome to apply to SWD directly for the service. Referrals could also be made through the service units of SWD, the Housing Authority and Housing Department. DSW said that referrals from Mr LEUNG Yiu-chung and other Members would be welcome.

20. Mr WONG Sing-chi expressed appreciation of DSW's effort in initiating the "We Care Education Fund" to provide for the long-term education of young children of deceased SARS patients. He opined that additional assistance should also be provided for families on CSSA. He pointed out that similar to all households, these families had to spend more money in the past two months on preventive measures against SARS such as buying masks and disinfectants. Since these families would benefit very little from the \$11.8 billion relief and economic revival measures to be implemented by the Government, he asked whether SWD would provide assistance to these families to meet the extra expenses for protecting themselves from the disease.

21. DSW responded that assistance had been provided to the vulnerable groups in the form of free supply of items for combating SARS such as masks and disinfectants. A lot of donations had been received for this purpose and free supply of these items would continue, if necessary. She informed members that the private sector had mobilised its resources efficiently offering assistance to SARS victims and it might not be necessary for the Government to play a dominant role in the provision of relief in all emergencies. She said that while the relief and economic revival measures might not have been specifically designed for the vulnerable groups, the latter might still be able to benefit from the rates/water/sewage charges concession in the package. As a further help, SWD had obtained approval from the Treasury Branch of the Financial Services and the Treasury Bureau for SWD not to adjust CSSA payments as a result of these concessions. This was an exceptional measure and would mean that CSSA recipients might retain an estimated total of \$58 million for alternative use.

Special preventive measures for RCHEs

22. Mr Michael MAK pointed out that frail elders were a high risk group for SARS and constituted over 50% of deaths from the disease. He expressed concern about the hygiene and the preventive measures implemented in RCHEs particularly the private ones, and sought information on the number of elders in these RCHEs who had died from SARS since the outbreak of the epidemic.

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23. In reply, DSW informed members that over 50% of deceased SARS patients were aged over 65. However, the number of deaths of elders in private RCHEs, which constituted about 60% of RCHEs, was not particularly high. She clarified that there had not been cross-infection in private RCHEs. Most of the SARS patients there had been infected when they were hospitalised or by visitors to the homes. She said that since the outbreak of SARS in March, SWD had been liaising closely with the Department of Health (DH) and RCHEs to ensure that any homes with residents infected with SARS would be thoroughly cleaned and disinfected. In discussion with DH and the Hospital Authority (HA), all parties agreed that the admission of elders into hospitals should be reduced as far as possible in this critical period. Accordingly, HA would enhance the service provided by its Community Geriatric Assessment Teams to RCHEs.

24. DSW further informed members that SWD staff had completed a round of concern visits to 730 RCHEs at the end of April 2003. The Chairman of the Elderly Commission had also joined some of the visits. She said that SWD was generally satisfied that most of the homes, including the private ones, were well aware of the importance of environmental and personal hygiene, and were in good compliance with the "Guidelines on the Prevention of the Spreading of Atypical Pneumonia in Social Welfare Services Unit (Residential Services)" issued by SWD in March 2003.

Support and assistance to CCCs and parents

25. Mr WONG Sing-chi noted from paragraph 12(e) of the Administration's paper that a briefing session for CCC operators/workers would be held on 12 May 2003 to prepare them for class resumption and related arrangements. He said that some CCC staff were under great pressure recently as they had little knowledge of the precautions to be taken for young children and whether incidents like vomiting by children had to be handled differently in order to prevent the spread of SARS. He suggested that these topics should be covered in the briefing.

26. In reply to Mr WONG Sing-chi, DSW said that CCCs were one of the major focuses in the work of SWD relating to the prevention of the spread of SARS. She said that she had not heard of any complaints against the lack of directions from SWD to CCCs in this respect. She informed members that to prepare for class resumption, the department had procured 200 000 child-size face masks for distribution to CCCs for use by children, while ear thermometers with disposable covers would be distributed to them before class resumption. Guidelines on the necessary precautionary measures upon class resumption had also been issued to CCCs and uploaded to the SWD homepage. Moreover, teaching materials including VCDs and posters on prevention of SARS suitable for

young children were being produced. DSW added that concern visits would also be made to all the 490 aided or private CCCs by SWD staff in the week prior to class resumption on 19 May 2003 to see whether there were problems encountered by CCC upon class resumption.

27. In response to the suggestion from Ms Cyd HO that staff of DH should also be invited to join the visits to CCCs or conduct briefings to teach workers at CCCs the precautions to be taken against SARS, DSW said that staff from DH might not be able to join all the visits to CCCs. However, VCDs on prevention of SARS were being produced to provide useful information to CCCs in this respect.

28. Mr WONG Sing-chi expressed concern about the financial difficulties faced by some CCCs arising from the refusal by some parents to pay the centre fees during the closure of the centres. He noted from paragraph 13 of the Administration's paper that SWD had encouraged operators to make use of the savings accumulated from their previous operations to tide-over their cash flow problems. However, he pointed out that many of the centres might be operated with difficulties in the summer break in August and September and might need to reserve these savings for other purposes, such as introducing improvements to the centres in order to increase their competitiveness, or making severance payments to staff who might have to be laid off in order to reduce the operation costs. Mr WONG declared his involvement in a CCC operated by his employer. He informed members that with a considerable number of children withdrawing their enrolment, the centre had been operated with difficulties. It might resort to reducing its costs by requesting staff to take no pay leave. He urged the Administration to consider the plight of these CCCs which were mostly operated by charitable organisations, and provide additional assistance to enable them to overcome their financial difficulties so that they could continue to serve the community.

29. DSW stressed that it was the responsibility of the parents to pay the centre fees and she had issued letters on 10 May 2003 to parents appealing to them to pay fees. As regards the financial difficulties faced by some CCCs, she clarified that not all CCCs were operated by charitable organisations. There were 160 private CCCs which were accommodated in commercial buildings. As a form of assistance to these centres, SWD had appealed to their landlords to offer them concessions in rent and utility charges. DSW added that the 5% subsidy, rent and rate subsidy, and other subvention items in relation to the Extended Hours Scheme and the Occasional Child Care Scheme would continue to be paid to operators. In addition, SWD and NGOs might also refer parents who had genuine difficulties in paying CCC fees to the Hong Kong Council of Social Service for financial assistance under the Community Chest of Hong Kong Operation UNITE Fund.

30. DSW added out that CCCs should review their financial situation after class resumption when the number of children who had withdrawn their enrolment was confirmed, and prepare their estimates of income and expenditure for the next school year accordingly. She explained that before the outbreak of SARS, the Administration had requested CCCs to lower their fees in the next school year. Subject to the financial situations of individual CCCs, they might maintain the existing levels of fees so as to reduce their deficits, if any. She stressed that a thorough assessment of the impact of SARS on CCCs could be made only after the latter had submitted their estimates to SWD. The Administration would then consider whether extra assistance should be provided to CCCs.

31. Mr WONG Sing-chi opined that the Administration should consider the difficulties of parents who did not pay the centre fees. He explained that some of them had incurred additional expenses on hiring temporary carers for their children during closure of the centres. In response, DSW reiterated that parents who could afford the centre fees should pay them.

32. Echoing the views of Mr WONG, Mr LEUNG Yiu-chung pointed out that some parents who did not pay the centre fees might have their own difficulties. He therefore considered that the statement that responsible parents should pay the centre fees was insensitive to those parents. He commented that while the Administration might call upon parents who could afford the centre fees to pay them, it should cease repeating the statement. DSW accepted his request.

33. Sharing the concern of Mr WONG Sing-chi and Mr LEUNG Yiu-chung about the difficulties faced by some parents, Ms Cyd HO suggested that the Administration should relax the eligibility criteria for the CSSA Scheme for parents whose asset and income were slightly above the eligibility limits so as to provide financial assistance to those parents to help them cope with the emergency. In reply, DSW explained that the eligibility criteria for CSSA were set and adjusted in accordance with an established mechanism. It would not be appropriate to deviate from this mechanism and lower the eligibility criteria just for a particular group of people even in case of emergencies. She supplemented that families and individuals in need might obtain assistance from several funds established through the concerted efforts of the Government and the community specifically for helping people affected by SARS.

Assistance and support to SARS patients and their families

34. Mr Michael MAK said that he had received complaints that certain funeral homes had refused to provide funeral service for deceased SARS patients. As a result, the families of these deceased patients had not been able to arrange proper funerals for the deceased, which had deepened their grief. Mr MAK pointed out

that these dead bodies should be handled in accordance with the work practices recommended under Category 2 of the guidelines for the precautions for handling and disposal of dead bodies issued by the Administration, and proper funerals could be arranged. He asked for an explanation as to why the funeral homes concerned had refused to handle the dead bodies of SARS patients. He suggested staff of SWD to contact the families concerned and offer counselling service for them, even though some of them might be still suffering from delayed bereavement and might initially refuse the assistance offered.

35. In response, DSW clarified that it might be more appropriate for DH and HA to respond to the complaints about the handling of bodies of deceased SARS patients as the subject was under their purview. As regards the assistance provided to families of deceased SARS patients, Assistant Director of Social Welfare (Rehabilitation and Medical Social Services) (ADSW(R&MSS)) informed members that the medical social workers (MSWs) in public hospitals would provide psychosocial support to them. MSWs would also provide eligible families with urgent financial assistance under the Department's Subhead 157 Assistance to patients and their families, including grants to meet burial expenses.

36. DSW supplemented that staff of SWD would contact families of all deceased SARS patients, especially those with young children who might have lost one or both parents. Counselling services would be provided to the families in need by SWD's dedicated team of over 40 clinical psychologists and NGOs which were experienced in providing these services such as Caritas Hong Kong. She invited Mr MAK to refer families in need to SWD.

37. Ms Cyd HO expressed appreciation of DSW for initiating the "We Care Education Fund". However, she opined that the fact that DSW had to initiate the Fund in her private capacity had revealed the lack of flexibility of the public welfare system in responding to emergencies. Ms HO considered it the responsibility of the Government to provide relief to victims of emergencies and the Government efforts might be complemented by those of the private sector. She urged the Administration to review the system so that it would react to emergencies more efficiently in future.

38. In reply, DSW stressed that the Government had provided assistance promptly to victims of SARS. Besides the Department's Subhead 157 Assistance to patients and their families mentioned in paragraph 35 above, eligible families and individuals might also seek help from CSSA. With the Government providing all these basic assistance, the private sector and the civil service sector had reacted swiftly to the needs of SARS victims and mobilised efforts in the community to establish various private funds to provide extra relief to affected families and individuals. DSW reiterated that the Government and the private

sector had complemented each other in coping with the emergency.

V. Proposed residential training complex for juveniles in Tuen Mun
(LC Paper No. CB(2)2015/02-03(05))

39. At the invitation of the Chairman, DSW and Project Director 2 (PD2) introduced the paper provided by the Administration on the proposed residential training complex for juveniles in Tuen Mun with the aid of a power-point presentation. They briefed members on the problems of the existing arrangements in providing community and residential treatment services for mal-adjusted juveniles and young offenders in six separate correctional/residential homes, and the proposal to re-locate and co-locate the six homes to a new residential training complex in Tuen Mun with a view to improving the service quality and provide a more cost-effective and integrated rehabilitative training service for these young people. They also highlighted the technical details, significant advantages, and staffing and financial implications of the project.

40. DSW further informed members that the project had been presented and discussed in the Social Services Committee of the Tuen Mun District Council (TMDC) on 11 March 2003 and the Social Welfare Advisory Committee on 4 April 2003. Both committees supported the project. Subject to the Panel's endorsement, the Administration would consult the Public Works Subcommittee on 11 June 2003. Subject to approval of funds by FC, the works would commence in early 2004 and be completed by end of 2006 the earliest.

41. Referring to the capacity of the existing six correctional/residential homes under SWD in Appendix I and that of the proposed residential training complex in Tuen Mun in Appendix II of the Administration's paper, Mr Michael MAK asked why there were 10 more places for girls in the latter than those in the former.

42. In reply, DSW explained that the 248 places for boys and 140 for girls were the planned capacity for the complex. Depending on the demand for the services for young juveniles and offenders, the complex might not be operated to its full capacity. DSW added that a study was being conducted on the alternative treatment programmes for young juveniles. Subject to the findings and recommendations of the study, the demand for residential treatment services might be reduced in future.

43. Mr Michael MAK expressed concern that in view of the large size and capacity of the complex in Tuen Mun, residents in its neighbourhood might raise opposition to the project. He added that although TMDC had discussed and supported the project, the local residents might not have been consulted on the

construction of the complex.

44. To address the concern of Mr Michael MAK, DSW clarified that there was not any residential area in the vicinity of the proposed complex. The complex would be surrounded by similar public facilities. She assured members that TMDC had discussed the proposal extensively and had not raised any objection to the project. It had, however, suggested that the design of the complex should not be imposing so that it would not stand out as a correctional institution. DSW added that the possibility of conducting rehabilitation programmes in the local community including participation in community activities and performance of community services, for the residents of the complex was being explored. She therefore did not anticipate any strong opposition from the local community.

45. Sharing the view of TMDC, Mr Michael MAK suggested that the Administration should make reference to the design of similar facilities in other places and adopt a less imposing design for the complex. He also suggested that the Administration should invite local residents to visit the complex so as to enhance their understanding of the new home and enlist their support for the project.

46. Mr WONG Sing-chi said that he supported the involvement of the community in the rehabilitation of young juveniles and offenders. He suggested that the participation of NGOs might be included in the programme. DSW responded that the Administration would consider Mr WONG's suggestion.

47. Mr WONG Sing-chi expressed concern that if the six existing homes were to be co-located in the same complex, the opportunity of interaction among residents of the homes might increase, hence creating difficulties in management.

48. In reply, PD2 informed members that the project would proceed on a Design and Build basis. More time and efforts would be put on the software design of the complex. For this, a working group had been formed and the Superintendents and staff of the six homes were being consulted on the design. She assured members that there would be adequate space in the new complex to provide segregated facilities and programmes for offenders and non-offenders of both sexes as required, backed up by common support facilities. The design would ensure that residents admitted under different ordinances would be adequately segregated and receive different services as appropriate at different facilities in the complex.

49. To conclude, the Chairman said that members did not raise objection to the proposed residential training complex in Tuen Mun. However, he expressed concern about the management of the residents in the new home. He pointed out

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that in such a large institution, residents were usually required to comply with numerous routines and regulations, which was not conducive to the proper development of the youth. He requested the Administration to address this issue.

VI. Any other business

50. There being no other business, the meeting ended at 12:50 pm.

Council Business Division 2
Legislative Council Secretariat
6 June 2003