

立法會

Legislative Council

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Report of the Panel on Welfare Services for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Welfare Services during the 2002-2003 Legislative Council (LegCo) session. It will be tabled at the Council meeting on 2 July 2003 in accordance with Rule 77(14) of the Rules of Procedure.

The Panel

2. The Panel was formed by a resolution of this Council on 8 July 1998 and as amended on 20 December 2000 and 9 October 2002 for the purpose of monitoring and examining Government policies and issues of public concern relating to welfare services matters.
3. The terms of reference of the Panel are in **Appendix I**.
4. The Panel comprises 17 members, with Dr Hon LAW Chi-kwong and Hon CHAN Yuen-han elected as Chairman and Deputy Chairman of the Panel respectively. The membership list of the Panel is in **Appendix II**.

Major work

Social Welfare Department's work relating to the outbreak of Severe Acute Respiratory Syndrome

5. In May 2003 the Administration reported to the Panel the work of the Social Welfare Department (SWD) in assisting vulnerable members of the community during the outbreak of Severe Acute Respiratory Syndrome (SARS). Members noted that SWD had participated actively and extensively in various aspects of work relating to SARS, ranging from promoting environmental hygiene in the welfare services units to offering assistance to

individuals and families directly affected by SARS. SWD staff would contact families of all deceased SARS patients, especially those with young children. Counselling services would be provided by a dedicated team of over 40 clinical psychologists and non-governmental organisations (NGOs) which were experienced in providing such services.

6. Members were particularly concerned about the preventive measures for residential care homes for the elderly (RCHEs). Members noted that most of the SARS patients from RCHEs had been infected by visitors to the homes or when they were hospitalised, and some elderly patients might not show any symptoms of SARS when they were infected. Since RCHEs generally lacked isolation facilities, members were worried that the elderly patients on their return to the homes after receiving treatment for other diseases at hospitals might pose danger of infection of others. The Administration explained that as the admission of elders into hospitals should be avoided as far as possible in this critical period to avoid cross-infection, the Hospital Authority would enhance the outreach service provided by its Community Geriatric Assessment Teams to RCHEs. In addition, a Visiting Medical Officers Scheme had been implemented with the participation of medical practitioners from the private sector.

7. Following the death of two RCHE employees who contracted SARS, the Panel urged the Administration to review the disease notification mechanism, isolation facilities, as well as the outreach support for RCHEs. The Administration agreed that there was a need for such a review which would be carried out as soon as practicable.

Re-engineering community support for elders services

8. A consultancy study completed in 2000 found that there was room for improvements to the existing services in achieving greater integration, better cost effectiveness, lesser service duplication and improved convenience to service users. Following the successful experience in launching new integrated projects based on the recommendations of the consultancy study, the Panel discussed the progress report of the re-engineering exercise in January 2003.

9. Members noted that a bottom-up rather than a top-down approach was adopted in the re-engineering exercise. In view of the growing ageing population and the fact that there would be very little chance of the Government allocating additional resources for community support services for elders, there was a need for more efficient and effective use of resources. The exercise involved rationalisation of service boundaries, swapping of service units between NGOs to achieve better synergy where justified and alliance among small NGOs to form consortiums where needed, having regard to the service needs of users, particularly on a district basis.

10. Whilst expressing support for the re-engineering exercise, members were concerned about the fierce competition for funding that would result and asked whether any measures would be taken to ensure that the partnership between NGOs would not be adversely affected.

11. The Administration explained that having an element of competition in the bidding exercise was conducive to attracting more quality proposals. However, price was not the sole factor for allocating new service units or project funding as emphasis was also placed on how innovative a proposal was vis-à-vis other competing proposals. This was made clear to the applicants from the outset and there should be no cause for concern about any cut-throat competition which might engender mistrust or animosity amongst NGOs. To promote cohesion amongst agencies, the bidding procedures were made as open and transparent as possible. The Hong Kong Council of Social Service (HKCSS), with its role of promoting agency development and partnership, should also help in this regard.

12. A member pointed out that due to the ageing of residents in many old public housing estates, premises formerly used to operate kindergartens and youth centres were now vacant and could be turned into elderly centres. The Administration said that the Housing Department had no objection to renting empty space in public housing estates to NGOs to operate elderly centres. SWD would be supportive if these centres were used as a place for elders to chat and socialise and managed by the elders themselves, without the need to incur public funds to hire social workers to organise activities for them.

Phasing out of self-care hostels and homes for the aged

13. Following a comprehensive assessment on the long-term need of elders for housing and residential care, the Elderly Commission recommended in September 1998 that able-bodied elders and those who could take care of themselves should remain in the community. In March 2002, the Director of Audit published a value for money report on residential services for the elderly which recommended, inter alia, that SWD should formulate an action plan to phase out homes for the aged. In April 2003, the Panel discussed the progress of SWD's plan to phase out self-care hostels and homes for the aged and direct residential care services to elders with genuine need while encouraging and facilitating elders with no or low impairment to age in their familiar environment.

14. Members noted that on 18 July 2002, SWD held a sharing session with HKCSS and representatives from NGOs operating self-care hostels and homes for the aged to brief them on the scope of the phasing out plan. On 18 December 2002, the Director of Social Welfare (DSW) conducted a briefing for all referring service units and representatives from NGOs providing elderly

services on the phasing out plan and announced at the briefing that no new applications for admission to self-care hostels and homes for the aged would be accepted as from 1 January 2003. Members considered that the Administration should have announced the implementation date earlier so that there would be sufficient time for NGOs to disseminate the information to their frontline workers and elders, instead of making the announcement just a few days before the Christmas holidays. Members pointed out that many elders were unaware of the phasing out plan and were denied the opportunity to make an application for admission to self-care hostels and homes for the aged before the cut-off date.

15. Noting that a 2000 survey showed that only 38% of existing homes for the aged places were technically suitable for conversion to care and attention home places, members were concerned about the conversion arrangements and suggested that a steering committee should be formed to oversee the exercise. The Administration explained that the phasing out of self-care hostels and homes for the aged would be achieved through natural wastage. Admitting that the conversion of such places was a very complicated issue, the Administration agreed to consider the suggestion of setting up a steering committee.

Subsidy arrangements for residential services for frail care elders

16. The Administration sought members' initial views on its proposal to develop a Fee Assistance Scheme for residential care services for frail elders in May 2003. Under the proposed Scheme, Government would subsidise eligible elders who had care and financial needs direct to enable them to receive residential care services at homes of their choice.

17. Members generally supported the concept of "money following the user" under the proposed Scheme. However, members were concerned as to how elders who had little or no family support would be able to make an informed decision on the choice of homes. The Administration pointed out that elders receiving Comprehensive Social Security Assistance (CSSA) and staying in private homes faced the same problem under the existing arrangement. To address the 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. Similar assistance would be provided to elders under the proposed Scheme and some form of guardianship arrangements would be in place to help those mentally incapacitated to exercise their consumer rights.

18. Noting that a means-test might be introduced under the Scheme, some members expressed concern that some elders might not pass the test if all the income of the family members was to be included in the means test. Members shared the view that the asset and income limits had to be carefully

set in view of the impact on elders and their families. A member suggested that a progressive scale should be adopted for the fee assistance levels under the Scheme and the fee assistance levels should be adjusted in accordance with any changes in the financial situation 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.

19. To prevent double subsidies for elders under the proposed Scheme and CSSA, a member suggested to remove all elderly cases from the CSSA Scheme and to establish a separate financial assistance scheme for elders. The Panel requested the Administration to consider the suggestions and views made by members and revert to the Panel with more details of the proposed Scheme once they were available for further discussion.

Strategy and measures to prevent and tackle family violence

20. The Panel discussed the progress made and recent developments to prevent and tackle family violence in February 2003. Some of the developments were based on comments and suggestions made by members during the last discussion in March 2002. Members noted that to further enhance multi-disciplinary collaboration for helping families suffering from family violence, efforts had been made to improve the existing mechanism in many ways, one of which was drawing up revised multi-disciplinary guidelines to facilitate co-operation by the professionals concerned in handling family violence cases.

21. Based on legal advice and the views of the Privacy Commissioner for Personal Data, the Administration had taken on board the Panel's suggestion for referral of family violence cases for welfare services without the consent of the victims and the referral mechanism had been implemented since January 2003. With this mechanism in place, the Police would refer cases classified as crime or dealt with by court proceedings/binding over applications to SWD without the consent of the victim/alleged offender/child. For cases without consent not falling under these categories, the Police could also refer them to SWD by applying exemption under the Personal Data (Privacy) Ordinance. The Police had also completed a comprehensive review on the Police procedures for handling domestic violence which had been promulgated in January 2003.

22. The Administration agreed with members' view that no matter how much resources were put into remedial services, the problem of family violence could not be satisfactorily tackled without more timely intervention and assistance provided to families in crisis. To this end, some of the resources previously put into preventive services had been diverted to providing remedial measures such as stepping up public education on family violence, installing more hotlines and strengthening outreaching work. As a result of the

enhancement of preventive measures and targetting services at those in need, the workload of frontline staff had been reduced to a more manageable level.

23. As to the suggestion of engaging victims of family violence to provide support and guidance to families in crisis, the Administration pointed out that it was a strategy which SWD had been encouraging all family service units to pursue and some of them had adopted it. One example was the Family Service Ambassador Scheme run by the Family Crisis Support Centre of the Caritas - Hong Kong, which had obtained funding from the Community Investment and Inclusion Fund to extend the Scheme throughout the territory. Each of the 18 Districts would have its own group of Family Service Ambassadors rendering peer counselling and social support to individuals and families in crisis.

24. Members welcomed SWD's intention not to cut back its family support service in achieving the Government's goal of reducing spending by 10% in 2006-07. As to members' suggestion of setting up an interdepartmental working group to provide guidance and support to frontline social workers, the Administration said that this had already been done. The Committee on Child Abuse and the Working Group on Combating Violence attended by Government representatives, NGOs and relevant professionals met regularly to devise strategies and measures to tackle the problems of child abuse and spousal battering through multi-disciplinary collaboration.

Community Investment and Inclusion Fund

25. The Fund was established to encourage mutual concern and help amongst the population, and to promote community participation in both district and cross-sector programmes. When the progress of the use of the Fund was discussed by the Panel in January 2003, members were concerned that only 14 out of the first batch of 227 applications were successful, and that over half the successful applicants were established welfare agencies and community groups. Some members pointed out that many applicants did not fully understand the Fund's objectives and criteria. They suggested that the assessment criteria should be made clearer and more assistance should be given to the applicants.

26. The Administration explained that the reason why so few of the applications in response to the first call for proposals were successful was due to the fact that social capital development was a new concept in Hong Kong. In view of this, the Community Investment and Inclusion Fund Committee had made special efforts to identify projects with "demonstration" potential with regard to social capital development and which could serve as "benchmarks" for other applicants. Briefings by successful applicants would be held to facilitate experience sharing.

27. A member suggested that the Fund Secretariat should step up its efforts in disseminating information about the Fund to organisations outside the welfare sector, so as to better achieve the objective of involving cross-sector collaboration in developing social capital and promoting social participation in the community. The Administration undertook to make more efforts in that regard through the Home Affairs Department and local community groups.

28. As the Fund was initially set up for three years only, some members were concerned whether the Administration would fund projects worthy of support after the three-year operation of the Fund. The Administration pointed out that if resources permitted and if there were projects still worthy of support at the end of the three-year period, the duration of the Fund could be extended. Another possibility was to solicit sponsorship from the corporate sector and to encourage volunteerism from within the relevant local community.

Residence requirements for social security benefits

29. Following the release of the Report of the Task Force on Population Policy on 26 February 2003, the Panel discussed the specific recommendations relating to social welfare in March 2003. Members were particularly concerned about the recommendation to adopt the seven-year residence requirement for social security benefits. The Panel further discussed the subject in June 2003 after it was announced that the recommendation would be adopted from 1 January 2004.

30. Some members expressed support of the new policy, noting that children aged below 18 would be exempted from any prior residence requirement. Other members were concerned about the divisive effect of the new policy on society. Some members were of the view that the seven-year residence requirement for the CSSA Scheme would aggravate discrimination against new arrivals and would deter needy new arrivals from seeking financial assistance. The Administration explained that in approaching this complex issue, a very fine balance amongst the interests of various sectors of the community had to be struck, with due regard to the long-term sustainability of Hong Kong's social services within limited financial resources. In genuine cases of hardship, DSW had the discretion to waive the residence requirement for new arrivals who had resided in Hong Kong for less than seven years.

31. A member urged the Administration to apprise new arrivals that they could seek assistance under the CSSA Scheme when faced with financial hardship even though they had not yet resided in Hong Kong for seven years. The Administration responded that the social welfare system in Hong Kong was already very transparent, but this would be done. Appropriate steps would also be taken to ensure that the new rule was brought to the attention of all potential new arrivals.

Other issues/items discussed

32. Other issues/items discussed by the Panel included Integrated Neighbourhood Projects in targetted old urban areas, services and support for people with disabilities, adjustment of the CSSA rates, financial assistance for older persons, implementation of the information technology strategy for the social welfare sector and operation of residential care homes for the elderly in commercial premises. The Panel was consulted on the planned introduction of the Adoption (Amendment) Bill 2003 and the proposed residential training complex for juveniles in Tuen Mun.

Meetings held

33. The Panel held a total of 10 meetings from October 2002 to June 2003.

Council Business Division 2
Legislative Council Secretariat
23 June 2003

Panel on Welfare Services

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to welfare and rehabilitation services matters.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Appendix II

Panel on Welfare Services

Membership list

Chairman	Dr Hon LAW Chi-kwong, JP
Deputy Chairman	Hon CHAN Yuen-han, JP
Members	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 Mrs Sophie LEUNG LAU Yau-fun, SBS, 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 Hon Frederick FUNG Kin-kee

(Total : 17 Members)

Clerk Ms Doris CHAN

Legal Adviser Mr LEE Yu-sung

Date 10 October 2002