

立法會 *Legislative Council*

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Subcommittee to study the subject of combating poverty

Background brief prepared by Legislative Council Secretariat

Combating poverty

Purpose

This paper provides an account of past discussions held by Panels and other committees relating to the subject of combating poverty. It also provides information on past questions raised and motion debates moved on the subject at Council meetings.

Relevant issues discussed by various Panels

2. Past discussions held by various Panels on the subject of combating poverty are summarised in paragraphs 3 to 73, under the following topics -

- (a) setting up of an inter-departmental committee to combat poverty;
- (b) establishing a poverty line;
- (c) developing social capital to combat poverty;
- (d) providing financial support to older persons;
- (e) retirement protection for elders;
- (f) providing an effective safety net to the needy;
- (g) medical fee waiver mechanism;
- (h) budget implications;

- (i) creation of employment opportunities;
- (j) measures to promote employment;
- (k) minimum wage;
- (l) housing needs;
- (m) legal aid;
- (n) public transport;
- (o) information technology; and
- (p) utility charges.

Setting up of an inter-departmental committee to combat poverty

3. The Panel on Welfare Services discussed measures to address poverty with the Administration on 12 November 2001 and 8 March 2004. The Panel considered that although the approaches adopted by the Administration to tackle poverty were well-intentioned, they were ineffective and lacked coordination. The Panel passed a motion calling upon the Administration to set up an inter-departmental committee to ensure a focused and coordinated approach to address the problem.

4. The Administration responded at the Panel meeting on 12 November 2001 that there was no need to set up an inter-departmental committee, as there was already in place within the Administration a mechanism to deal with issues which straddled various policy areas. The Health and Welfare Bureau was responsible for coordinating and examining all issues relating to poverty, and it would convene meetings with the relevant policy bureaux/government departments where necessary. Moreover, progress reports on the approaches made to address poverty were regularly submitted to the Chief Executive (CE) who was also very concerned about this issue. Similar views were expressed by the Administration at the Panel meeting on 8 March 2004.

5. At the meeting of the Panel on Welfare Services on 8 November 2004, members asked the Secretary for Health, Welfare and Food (SHWF) whether the Administration would set up a high level inter-departmental committee to combat poverty, as proposed in the motion on “Alleviating the disparity between the rich and the poor” passed by the Council on 3 November 2004. SHWF responded that the matter was being considered by CE. To his understanding, the problem

of poverty would be addressed by CE in his Policy Address to be delivered in January 2005.

Establishing a poverty line

6. The Panel on Welfare Services discussed the subject of establishing a poverty line with the Administration on 3 October 1997 and 9 April 2001.

7. The Administration repeatedly pointed out to members that there was no official definition of poverty in Hong Kong and there were various approaches for defining poverty. Some non-governmental organisations (NGOs) had defined poverty in relative terms, setting the poverty line at, say, half the median wage, or half of the median household income, or some other similar benchmarks. However, this approach would mean that even the most affluent societies would always contain a group of people regarded as "poor", which in the Administration's view was unsound. Other NGOs had defined poverty in terms of income distribution, but such analyses did not take account of intangible income derived from Government spending on housing, health and education, etc. Although there was no poverty line in Hong Kong, it had always been Government policy to help people in need and those who had difficulty in earning a living. For instance, the Comprehensive Social Security Assistance (CSSA) Scheme ensured that no one would be denied medical care, food, shelter and other basic needs.

8. A research report entitled "The Measurement of Poverty" [RP07/PLC] was prepared by the Research and Library Services Division of the Provisional Legislative Council Secretariat and discussed at the meeting of the Panel on Welfare Services on 24 March 1998.

Developing social capital to combat poverty

9. At the meeting of the Panel on Welfare Services on 8 November 2004, SHWF advised members that the Administration was focusing its effort to address poverty by engaging the third sector (i.e. groups which were non-government and non-business) and the corporate sector in developing social capital.

10. Some Panel members were concerned whether the third sector had the capability to take up the task of developing social capital given the budgetary constraints. They also considered it unrealistic to expect that a significant number of businesses would be willing and ready to give their time and money to such a cause.

11. SHWF explained that there was a need to re-focus on the "social investment" concept to first, strengthen the capacities and capabilities of individuals, families and communities; second, foster self-help, mutual help, networking and support; and third, encourage giving in terms of donations and volunteerism. Such paradigm shifts would, on the one hand, encourage self-reliance and self-betterment and facilitate economic and social inclusion and integration at the individual level, and on the other hand, build up human capital and social capital and strengthen intergenerational solidarity and cohesion at the societal level. As a start, the Health, Welfare and Food Bureau would engage the third sector in developing new strategic directions in relation to shifting from the "service provision" approach to a "social investment" concept and "capacity building" approach. Greater efforts would be put into further developing the tripartite partnership between the Government, the business community and the third sector in building up social capital.

12. SHWF also told the Panel that with a low taxation regime practised in Hong Kong, the long term sustainability of the welfare system would be difficult to achieve, if the policy of assisting the vulnerable was merely to inject money into the welfare programmes. Therefore, developing social capital, which was in line with the international trend, was the way forward. SHWF disagreed that businesses would be resistant to helping the socially vulnerable achieve upward mobility. SHWF undertook to do more to encourage the business sector to participate in public service and volunteer work.

Providing financial support to older persons

13. The Administration sought the views of the Panel on Welfare Services on 9 July 2001 on the future retirement protection structures of Hong Kong. The Administration further briefed the Panel on 11 November 2002 on the progress of the review of the existing social security schemes for older persons. In this connection, the Administration clarified that it had no plan to abolish or reduce the Old Age Allowance (OAA).

14. OAA is one of the allowances payable under the Social Security Allowance (SSA) Scheme, which is non-contributory. The objective of the SSA Scheme is to provide monthly allowance to the severely disabled and elderly Hong Kong residents aged 65 or above to meet special needs arising from disability and old age. Normal OAA is payable to those applicants aged between 65 and 69 having an income and assets below the prescribed limited. Higher OAA is payable to all applicants aged 70 or above and is non-means tested.

15. Members welcomed the Administration's intention to help those older persons who lacked family support or retirement protection but did not apply for assistance. Most members were in favour of an increase of the OAA, but had reservations about putting in place complicated means testing of applicants.

16. The Administration pointed out that while an increase of the OAA would provide more financial assistance to many elders, any proposal that had significant financial implications would need to compete for resources with other programmes. The Administration also pointed out that an across-the-board increase in the OAA to meet the needs of the majority of older persons would effectively reposition it as a universal basic pension. Overseas experience had demonstrated that an untargeted scheme, funded from general revenue, would be difficult to sustain. Hong Kong's current low and simple taxation system also could not sustain this approach.

17. According to the Legislative Council (LegCo) Brief entitled "The Way Forward for the Social Security System" dated 25 February 2003, the OAA rates would remain frozen at their current levels until inflation in subsequent years caught up, as some vulnerable elders not on CSSA were depending largely on their OAA for a living. A review of the existing social security arrangements for the elderly was also underway. Given the complexity of the issues involved in developing a long term sustainable financial support system that could better target resources at needy elders, it would take some time before the review could be completed.

Retirement protection for elders

18. Some members were of the view that the Administration should re-consider the feasibility of introducing an old age pension scheme (OPS) so that all elders, regardless of their means, would receive a basic income in their old age.

19. The Administration pointed out that there were diverse views on the setting up of an OPS in a public consultation exercise in 1994 when the Government explored options to provide retirement protection for elders. While some members of the public gave support to the proposal, others considered it unfair because of a lack of relationship between benefits and contributions. Some also claimed that an OPS would shift the burden of old age protection from individual/family to society. There was concern that an OPS could not target assistance at those in need, and there was the question of inter-generational equity. There was also concern whether such a scheme, if funded by public revenue, could be sustained in the long run because of the ageing population and low fertility rates.

20. In view of the above and since the Mandatory Provident Fund Scheme had only been implemented for a short time, the Administration considered that priority should be accorded to the development of a sustainable safety net for needy elders, for which more in-depth studies would have to be done.

Providing an effective safety net to the needy

Changing pattern of CSSA caseload

21. In a paper provided to the Panel on Welfare Services for the meeting on 8 November 2004, the Administration has pointed out the changing pattern of CSSA caseloads and their nature from 1994 to September 2004, as follows -

- (a) as at September 2004, the total number of CSSA cases was 295 703, i.e. an increase of about 182% over that in 1994. The average growth in the number of cases per annum is 12%;
- (b) there were 534 217 recipients in September 2004, i.e. an increase of 327% over that in 1994;
- (c) the proportion of recipients aged 60 or above decreased from 57.5% in 1994 to 34.2% in 2004. The proportion of those aged below 60 increased from 42.5% to 65.8%, with those aged between 15 to 59 accounting for 42.9% of the total number of CSSA recipients;
- (d) in terms of the nature of the cases, the proportion of old age/disability/ill health decreased from 84.7% in 1994 to 63.9% in 2004. The proportion of unemployment/low earnings/single parent family cases increased from 11.3% to 34.5%; and
- (e) Government expenditure increased from \$3.4 billion in 1994-95 to \$17.9 billion in 2004-05. CSSA expenditure as a percentage of total government recurrent expenditure increased from 3.2% to 8.8%.

Reviews of the CSSA Scheme

1996 review of the CSSA Scheme

22. The current CSSA standard rates take their basis from a comprehensive review of the CSSA Scheme completed in 1996. A basket of goods and services was then drawn up and costed with the help of experts, such as dieticians, to ensure that CSSA rates were sufficient to ensure a basic livelihood.

23. Apart from setting the CSSA standard rates for different categories of recipients to meet their basic and essential needs, the 1996 review also led to the establishment of a mechanism for annual adjustment of CSSA standard rates on the basis of the Social Security Assistance Index of Prices (SSAIP). Under this mechanism, a household expenditure survey for CSSA households is conducted every five years, in addition to the annual adjustment. The aim is to update the SSAIP in the light of the relative importance of individual items of goods and services consumed by CSSA households. The survey also serves to ensure that the index can more accurately reflect the expenditure pattern of CSSA households and the impact of price changes on the purchasing power represented by the CSSA standard rates.

24. As a result of the review, the standard rates for specific categories of recipients identified to be in need of additional financial support were increased in real terms between 9% and 57% in April 1996. No downward adjustment, however, was made to the standard rates for other categories of recipients (for example, single elderly, severely disabled adults, children), even though the rates were found to be more than enough to meet their basic needs.

1998 review of the CSSA Scheme

25. In October 1997, an inter-departmental Steering Group chaired by the Director of Social Welfare was set up to review the operation of the CSSA Scheme and to make recommendations on how to help and encourage able-bodied CSSA recipients to become self-reliant. A package of measures, implemented in June 1999, included the following –

- (a) the launching of the Support for Self-reliance (SFS) Scheme to encourage and assist able-bodied CSSA recipients to move towards self-reliance. The Scheme comprises the Active Employment Assistance Programme, Community Work Programme and enhanced Disregarded Earnings;
- (b) under the enhanced Disregarded Earnings, the first month's income earned by a CSSA recipient from a new job is totally disregarded, on the condition that he is working no less than 120 hours and earning no less than \$3,200 a month. The CSSA recipient is allowed to enjoy this benefit only once every two years to discourage unnecessary turnovers;
- (c) for households comprising three able-bodied adult/children or more, the standard rate payments to these members are reduced by 10% and 20% respectively;

- (d) no special grant would be paid to able-bodied adults except for rent and water. As for able-bodied children, they would be given special grants to cover rent, water charge and those relating to schooling and child care centre fees. A special grant to meet child care centre fees would only be paid if there is a demonstrated need for a young child to be placed in a child care centre; and
- (e) persons living together with family members are required to apply for CSSA on a household basis.

26. At the meeting of the Panel on Welfare Services on 13 December 1999, members agreed to set up a subcommittee to discuss with the Administration issues arising from the 1998 Review.

27. Members of the subcommittee were particularly concerned about the requirement that persons living with families had to apply for CSSA on a household basis. They were worried that the policy would make it necessary for more and more elderly CSSA recipients to move out in order to retain their eligibility and avoid being a burden to their children. They urged the Administration to allow flexibility in respect of elderly recipients, taking into account the fact there was no OPS in Hong Kong.

28. The Administration, however, was of the view that members of the same family should support their family members who had no financial means. Where the total income of a family was assessed to be insufficient to meet its total recognised needs, financial assistance would be provided to bridge the gap. The Administration considered that the system was fair and equitable. If it was found that the elderly person had poor relationship with his/her family members, special consideration could be given to such cases, and the Social Welfare Department (SWD) could exercise discretion to exempt individual applicants from the requirement.

Adjustment of the CSSA standard rates

29. Before 1999, the CSSA rates were adjusted annually, normally from the start of the financial year, in accordance with the forecast rate of increase of the SSAIP. In the light of the over-adjustments for inflation of CSSA standard rates in 1997-98 and 1998-99 and the difficulty in making predictions on price changes, the Administration proposed to change the adjustment methodology from one based on the forecast inflation for the following year to one based on the actual price movements in the previous year from 1999.

30. Members of the Panel on Welfare Services expressed concern about the change in forecast methodology. Some members were particularly worried that the adoption of an adjustment mechanism based on actual price movements in the previous year would put CSSA recipients in a vulnerable position at times of high inflation. To address members' concern, the Administration agreed to -

- (a) put in place an internal procedure to monitor and review the actual SSAIP movement on a half-yearly basis;
- (b) consider seeking approval for any inflationary adjustments to the standard payment rates ahead of the annual cycle, if recent movements in the SSAIP and other economic indicators indicated likely high inflation; and
- (c) submit an Information Note on an annual basis to the Finance Committee (FC) to facilitate its monitoring of this adjustment exercise in the intervening years when the rates were frozen.

31. As a result of the over-adjustment for inflation of CSSA standard rates in 1997-98 and 1998-99 and continuous deflation thereafter, the Administration briefed the Panel on Welfare Services 11 November 2002 on the potential for adjusting the CSSA downwards. The Administration pointed out that against the general economic situation and high unemployment, the number of families and individuals requiring financial support by Government was bound to increase. To sustain this safety net, there was a need to ensure that existing resources could go further to meet the increasing demand.

32. The Administration also pointed out that prices for goods and services had come down considerably even as measured specifically by the SSAIP. Any downward adjustment to CSSA rates based on the movements in the SSAIP was no more than returning the buying power of those benefits to their original level and should not cause recipients undue hardship.

33. Despite the opposition expressed by members of the Panel on Welfare Services to the Administration's intention to adjusting the CSSA standard payment rates downwards by 11.1%, the Administration announced on 25 February 2003 the endorsement by the Executive Council (ExCo) to adjust CSSA/SSA standard rates downwards as follows -

- (a) the standard payment rates for non able-bodied CSSA recipients (i.e. the elderly, the disabled and those medically certified to be in ill health) be adjusted downwards by 11.1% in two phases over two

years, first by 6% in 2003-04 from October 2003, followed by the second phase adjustment effective from October 2004; and

- (b) the standard payment rates for able-bodied CSSA recipients, and those of Disability Allowance under the SSA Scheme be adjusted downwards by 11.1% from June 2003, and other standard payment rates under CSSA (such as maximum rent allowance) be reduced in accordance with the established adjustment mechanism for all categories of recipients from June 2003.

34. These downward adjustments were effected through the enactment of the 2003 Appropriation Bill which included provisions for CSSA in accordance with the adjusted rates. At the special FC meeting on 26 March 2003, the Administration stressed that the decision of CSSA downward adjustment was reached after detailed analysis and careful deliberations by the Administration, taking into account views expressed by different sectors of the community and balancing all relevant factors, including fiscal and welfare considerations.

35. As Hong Kong had entered an inflation period in 2004, some members of the Panel on Welfare Services asked the Administration on 8 November 2004 whether it would immediately adjust the CSSA rates upwards.

36. The Administration responded that a close watch would be kept on the inflation trend and its impact on CSSA recipients as reflected by the movement of the SSAIP, to ensure that the CSSA rates were adjusted in time to maintain their purchasing power. The weighting system of the SSAIP on the basis of the findings of the 2004-05 household expenditure survey for CSSA households would also be updated, to ensure that the index could accurately reflect the expenditure pattern of CSSA recipients. Initial results were expected to be available in late 2005.

Residence requirement for CSSA

37. On 3 June 2003, ExCo endorsed the proposal to revise the residence requirements for the CSSA Scheme and the SSA Scheme from one year to seven years from 1 January 2004. This is in line with the "principle of seven-year residence requirement" for providing social benefits heavily subsidised by public funds as recommended by the Task Force on Population Policy, the main purpose of which is to ensure that there is a rational basis for providing heavily subsidised social services. Children below 18 are exempted from any residence requirement under the new arrangements. In cases of genuine hardship, discretion would be exercised to exempt the residence requirement for social security benefits. The proposal was approved by FC on 27 June 2003.

38. A subcommittee was formed by the Panel on Welfare Services on 18 December 2003 to study, among others, the operation of discretion under the CSSA Scheme to waive the seven-year residence rule.

39. The subcommittee considered that not only would the seven-year residence requirement aggravate discrimination against new arrivals, it would also deter needy new arrivals from seeking financial assistance. The Administration assured members that in cases of genuine hardship, discretion would be exercised to exempt the residence requirement for social security benefits.

40. The Administration also pointed out that the seven-year residence requirement applied only to CSSA applicants aged 18 and above and admitted into Hong Kong on or after 1 January 2004. Given the original one-year residence requirement, it would not have any impact on these new arrivals until one year after its implementation.

Disregarded earnings (DE) for employable able-bodied CSSA recipients

41. To encourage able-bodied CSSA recipients to take up any paid job available, SWD removed the minimum monthly income and working hours requirements for the purpose of monthly DE for employable able-bodied adults in July 2000. Upon the completion of a review of the provision of DE in September 2002, SWD recommended the following -

- (a) to allow no DE for all categories of recipients in the initial determination of eligibility and in cases which have been on CSSA for less than three months; and
- (b) to raise the maximum level of monthly DE from \$1,805 to \$2,500 and its 'no deduction' limit from \$451 to \$600 for all categories of recipients in cases which have been on CSSA for at least three months.

42. Following approval by LegCo in April 2003 of the above measures, SWD has implemented, on a time-limited basis for three years subject to review, these new DE arrangements since 1 June 2003 as part of the Intensified Support for Self-reliance measures.

43. At the meeting of the Panel on Welfare Services on 13 April 2004, some members were of the view that the measure of not providing DE for all categories of recipients in the initial determination of eligibility and in cases which had been on CSSA for less than three months should be expeditiously reviewed. This was because such a measure was at variance with the objectives of DE to meet

employment-related expenses and to allow the CSSA recipients to keep a portion of their earnings, thereby providing an incentive for them to find work and continue working.

44. These members also pointed out that such a measure was particularly unfair to people who, as soon as they were on CSSA, went out to find employment. This group of people, who were more likely to find employment than people who had been on CSSA for a longer period of time, should be encouraged, instead of being discouraged, to seek employment. The arrangement would also create hardship for people who relied on their first CSSA payments to make ends meet, as SWD would withhold the CSSA payments once it knew that they had found a paid job with income equivalent to or exceeded the CSSA payments.

45. The Administration responded that it should be borne in mind that earnings that were disregarded under the CSSA Scheme were in fact revenue foregone, because if a recipient did not have the benefit of DE, the amount of CSSA payments would be reduced. If existing recipients who had been on CSSA for less than three months were allowed DE, the Government would incur an additional expenditure of some \$20 million per annum. The provision of DE had also lifted the CSSA income thresholds for families with employment earnings, thus allowing families with an income that would otherwise be considered sufficient to meet their basic needs to receive CSSA.

46. Panel members requested the Administration to advance its plan to review the measure of not providing DE for all categories of recipients in the initial determination of eligibility and in cases which had been on CSSA for less than three months. The Administration agreed to consider.

Promoting self-reliance strategy

47. To help CSSA recipients and “near CSSA” recipients to find employment, three major initiatives were launched by SWD under the SFS Scheme as follows -

- (a) commissioning NGOs in early 2001 to run a Special Job Attachment Programme to provide participants with more structured employment assistance;
- (b) setting up of an Intensive Employment Assistance Fund in early 2001 to finance NGOs to run innovative, tailor-made employment assistance projects for specific groups; and
- (c) implementing an Ending Exclusion Project in March 2002 to encourage and help CSSA single-parent recipients to maximise their

chances of participating in social and economic activities so that they can become more self-reliant and be included in mainstream society.

48. Members of the Panel on Welfares Services were of the view that although all the initiatives under the SFS Scheme were well-intentioned, they fell far short of being effective in helping the unemployed secure gainful employment. To improve the efficacy and the cost-effectiveness of various initiatives to help the unemployed, they considered that the Administration should adopt a more forward-looking and co-ordinated approach in tackling the unemployment problem.

49. Some members were concerned that the job-seeking initiative under the SFS Scheme overlapped with the efforts put in by various bodies such as the Education and Manpower Bureau, Labour Department and Employees Retraining Board in helping the unemployed to find employment. The Panel on Welfare Services and the Panel on Manpower held a joint meeting on 27 February 2001 to discuss the various initiatives introduced by the Administration to help the unemployed find employment. The Administration assured members that there was no wastage or duplication of resources as each of these employment programmes served a distinct client group and had a different purpose. There was also close liaison between the relevant government departments and other service providers to ensure the best use of available resources to help disadvantaged job-seekers to find employment.

Setting up of a Subcommittee on review of the CSSA under the Panel on Welfare Services

50. The Panel on Welfare Services decided to form a subcommittee on review of the CSSA Scheme at its meeting on 8 November 2004. The first meeting of the subcommittee is scheduled for 17 December 2004.

Medical fee waiver mechanism

51. At present, CSSA recipients are waived of paying all public hospital fees and charges, including the outpatient Chinese medicine clinics under the Hospital Authority (HA). To ensure that the low income, chronically ill and elderly patients with limited income/assets are protected from high financial risk, HA has put in place a fee waiver mechanism operated by medical social workers.

52. At the meeting of the Panel on Health Services on 24 February 2003, members raised concern that the eligibility criteria were too stringent and unclear, and that medical social workers had too much discretion to decide whether the fee

should be waived in full or partially. Some members suggested that persons aged 65 and above should be granted full or 50% fee waiver on presentation of their Hong Kong identity cards.

53. The Administration explained that it was necessary that medical social workers had the discretion to consider fee waiver applications, having regard to the varied circumstances of applicants. Review on the effectiveness of the enhanced mechanism to assist patients in need would be conducted in the light of the operational experience. Where justified, changes to the enhanced mechanism would be made. The Administration disagreed that all elderly patients should be granted half fee waiver of public medical charges on the assumption that well-off elderly patients would not use public clinics. In fact, some well-off elderly were users of public clinics, and they were also users of hospital and rehabilitation services provided by HA.

54. A motion moved by Hon Frederick FUNG urging the Government to relax the eligibility criteria under the medical fee waiver mechanism was passed by the Council on 12 March 2003.

55. In its progress report to the Council, the Administration has advised that after considering the suggestions from Members and the community, the Government decided to introduce further changes to the medical fee waiver mechanism. One of the changes made was increasing the asset limit for each elderly member in an applicant's family from \$80,000 to \$150,000. Another change was to extend the maximum validity period of waiver for chronically ill patients who have difficulty with paying medical fees from six to 12 months.

56. As a general rule under the revised mechanism, a patient will be eligible to apply for a waiver for his medical expenditure at the public sector if his/her monthly household income does not exceed 75% of the Median Monthly Domestic Household Income (MMDHI) applicable to his household size, and if his/her household asset is within a stipulated limit. Patients whose monthly household income are approximately at the level of 50% or below of the MMDHI and who pass the asset limit test will be considered for full waiving of their medical fees at public clinics and hospitals.

57. The Administration has also advised that it will regularly review the operation of the revised mechanism to ensure smooth service delivery and that the administrative procedures are efficient and convenient to the users.

Budget implications

58. During the briefings given by the Financial Secretary (FS) at meetings of the Panel on Financial Affairs on 16 December 2002 and 6 December 2003, some members expressed concern about the impact of expenditure cuts on the vulnerable groups in the community and the widening gap between the rich and the poor respectively.

59. When FS briefed the Panel on Financial Affairs on the 2005-06 Budget Consultations at the meeting on 1 November 2004, some members expressed concern about the problems of poverty and uneven distribution of wealth among different sectors in Hong Kong. They urged the Administration to devise measures in the 2005-06 Budget for enhancing employment opportunities, helping the unemployed to find jobs, and combating poverty.

Creation of employment opportunities

60. During the briefings given by FS at meetings of the Panel on Financial Affairs on 2 June 2003, 28 October 2003, 6 December 2003 and 14 June 2004, some members expressed concern about the unemployment problem, in particular the high unemployment rates for aged workers, workers with low education attainment, construction workers and the low income group. They urged the Government to devise concrete measures to tackle the problem and enhance employment opportunities.

61. At the joint meeting of the Panel on Environmental Affairs and Panel on Manpower held on 27 September 2001, members were briefed on the Government's new initiatives to further promote prevention and recovery of domestic waste in Hong Kong. Members suggested, among other things, that the Administration should consider creating employment opportunities by providing support for the waste recovery and recycling industries as these were labour-intensive industries.

Measures to promote employment

62. The Panel on Manpower had discussed with the Administration various measures to promote employment, including new measures to enhance the employment services, new employment assistance programmes for middle-aged job-seekers, pilot scheme to promote self-employment for the youth, measures to promote employment opportunities for people with disabilities, Youth Sustainable Development and Engagement Fund.

Minimum wage

63. At the meeting on 22 April 2004 when the subject of employment terms for persons engaged in projects or services contracted out by the Government was discussed by the Panel on Manpower, some members expressed concern about the low wage problem of non-skilled workers engaged by government contractors.

64. At the meeting, the Panel passed a motion urging the Government to adopt the average monthly wages of selected occupations published by the Census and Statistics Department (C&SD) as the standard of minimum wage for workers engaged in projects or services contracted out by the Government. The Government subsequently promulgated a new mandatory requirement on wage rates for tender assessment for contracts for the procurement of government services (excluding construction services) that relied heavily on the deployment of non-skilled workers. Under this mandatory requirement, a tender offer shall not be considered if the monthly wage rates offered by the tenderer to their non-skilled workers are less than the average monthly wages for the relevant industry/occupation as published in the latest C&SD's Quarterly report of Wages and Payroll Statistics at the time when tenders are invited. The Panel was briefed on the new requirement on 17 June 2004.

65. At its meeting on 4 November 2004, the Panel on Manpower discussed the need to introduce a minimum wage policy in Hong Kong to better safeguard the livelihood of low income workers. A member was of the view that the monthly income of some workers was even lower than the monthly allowance under CSSA, and that the Administration should address the poverty problem by introducing a minimum wage policy as early as possible. The Administration advised that the issue of minimum wage would be referred to the Labour Advisory Board.

Housing needs

66. The Panel on Housing discussed on 7 April 2004 assistance to elderly property owner-occupiers in dilapidated buildings. Members were concerned that some elderly property owner-occupiers in dilapidated buildings had daily living problems, for instance, frail elders living in buildings without lifts would have difficulties in getting about. Moreover, they were not eligible for public rental housing because they were property owners. To address these problems, the Administration proposed that elderly property owners in genuine need could be granted temporary residence in the Housing for Senior Citizens of the Housing Authority or the Housing Society. Elderly property owners would be allowed to stay for a year and during this period they could dispose of their property.

Legal aid

67. In the 2003-04 session, the Panel on Administration of Justice and Legal Services discussed issues relating to the financial eligibility limits for legal aid in the context of the review of provision of legal aid services. A major concern expressed by some members of the Panel was that many applicants who were refused legal aid on grounds of means, despite that they had a meritorious case to pursue, were unable to conduct litigation on a private basis because of the huge legal costs involved. For those who chose to pursue their case, they were forced to litigate without legal representation.

68. Some Panel members considered that the upper financial eligibility limits for legal aid were set at unrealistically low levels. The present legal aid regime therefore failed to achieve the policy objective of assisting litigants in need to seek justice through legal proceedings. The Administration had responded that as legal aid was funded by public money, there had to be proper prioritization of the use of resources. The means and merits tests were the two cardinal criteria for the granting of legal aid to ensure that assistance was provided to those genuinely in need, and the Director of Legal Aid's discretion to waive the financial eligibility limit for legal aid should be exercised in a restrictive manner. The Administration considered that the coverage of legal aid was fair and reasonable, and complied with human rights principles.

Public transport

69. The Panel on Transport was well aware of the public's concern about the level of public transport fares. Whilst noting the Administration's plan to develop a more objective and transparent process for public transport fare adjustment which would allow for increase as well as reduction in fares, the Panel was very concerned about the slow progress in taking forward the proposed fare adjustment mechanism. The Panel called on the Administration to expeditiously discuss with various public transport operators to reduce the public transport fares and re-introduce the half-fare travel concessions for students, and encourage public transport operators to cooperate in offering more joint concessions.

70. At the FC meeting on 19 November 2004 when the merging of the Cross-net Travel Subsidy Scheme and the Student Travel Subsidy Scheme was discussed, the Administration undertook that it would review the eligibility criteria for the granting of the means-tested education-related subsidies. Members requested the Education and Manpower Bureau to report to the Subcommittee on the progress of its review.

71. At the meeting of the Panel on Welfare Services on 8 November 2004, SHWF advised that discussion would be made with public transport operators to offer half-fare concessions to people with disabilities after he and Secretary for Environment, Transport and Works had identified which groups of people with disabilities were most in need of such assistance and the numbers involved.

Information technology

72. When the subject of “digital divide” was discussed by the Panel on Information Technology and Broadcasting in the past few years, members were concerned about the widening gap in society between those who were information technology competent and those who were not. At its meeting on 10 November 2003 when the subject was last discussed by the Panel, members had exchanged views with deputations (disadvantaged groups such as the disabled, elderly and low-income earners and information technology related bodies) and the Administration on, inter alia, effectiveness of Government’s measures in bridging the “digital divide” and concerns about possible reduction in the Government’s financial support for related services due to budget deficits.

Utility charges

73. The Panel on Economic Services was of the view that a tariff freeze by the two power companies for 2004 was not enough to alleviate the burden on the general public and the commercial and industrial sectors. The Panel was also disappointed that the agreement secured during the 2003 Interim Review of the Scheme of Control Agreements (SCAs) with the two power companies did not result in a tariff reduction, despite the persistent deflation over the past few years. The Panel called on the Government to ensure that the inherent limitations of the current SCAs would be avoided in the post-2008 regulatory regime. The Panel will follow up the matter with the Administration and the two power companies. It will receive a briefing by the two power companies on the proposed electricity tariff for 2005 at the forthcoming meeting to be held on 16 December 2004.

International Covenants

International Covenant on Economic, Social and Cultural Rights (ICESCR)

74. On 11 May 2001, the Committee on Economic, Social and Cultural Rights issued its concluding observations after holding its hearings on the report of the Hong Kong Special Administration Region (HKSAR) in the light of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Some of the observations made by the Committee are detailed as follows -

- (a) the Committee is gravely concerned about the widespread and unacceptable incidence of poverty in HKSAR. It is especially concerned that a large number of older persons continue to live in poverty without effective access to social services;
- (b) the Committee is deeply concerned that the HKSAR lacks adequate, institutional arrangements to ensure the formulation and implementation of comprehensive, integrated, consistent and effective anti-poverty strategies;
- (c) the Committee strongly recommends that the HKSAR establish either an inter-departmental anti-poverty unit or an independent anti-poverty commission, to conduct relevant research, formulate anti-poverty strategies and monitor all policies for their impact on poverty; and
- (d) the Committee urges the HKSAR to ensure that CSSA levels permit recipients a reasonable standard of living consistent with Article 9 on the right to social security and Article 11 on the right to an adequate standard of living of the Covenant (Extract from ICESCR is in **Appendix I**).

75. At the meeting on 11 June 2004, the Panel on Home Affairs was briefed on the implementation of international human rights treaties in Hong Kong in 2003. In the context of ICESCR, members noted that the Labour Department launched in 2003 several new employment initiatives to promote employment for groups particularly hard-hit by unemployment, namely the middle-aged and young people. For the middle-aged group, the new measures were the District Employment Programme for the Middle-aged, Re-employment Training Programme for the Middle-aged and Graduate Employment Training Scheme. As for youth, improvement measures were made to existing programmes i.e. the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme.

Convention on the Rights of the Child

76. The HKSAR's first report under the Convention on the Rights of the Child was submitted to the UN Committee on the Rights of the Child as part of China's second report in June 2003. The Panel on Home Affairs discussed the Report of the HKSAR at the meeting on 11 June 2004. Members of the Panel were concerned about the increase in the number of children on CSSA and the protection of the rights of children who were living below the poverty line. They urged the Administration to formulate a policy to ensure that the basic needs of

poor children were met.

77. The Administration had subsequently responded that on top of a social security net, families in need were provided with a wide range of support services in terms of education, housing medical care, etc. Needy families not receiving CSSA could also apply for other assistance, such as child care fee assistance, student travel subsidy, school textbook assistance, school fee remission and medical fee waiver. Furthermore, the family services, operated along the “child-centered, family-focused and community-based” principle, also played a significant role in addressing the psychosocial needs of children and families.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

78. The Committee on the Elimination of Discrimination against Women considered the combined third and fourth periodic reports of China in February 1999. Addendum 2 to these reports covered the implementation of the Convention by the Government of HKSAR.

79. In its concluding comments on the situation in HKSAR, the Committee on the Elimination of Discrimination against Women expressed concern that –

“Noting the growing participation of women in the formal economy and the low level of unemployment of women, the Committee is nonetheless concerned about the large discrepancies in wage earned by men and women. The Committee is also concerned about the highly disproportionate number of women in the lowest wage levels, especially given the absence of minimum wage laws. The Committee is also concerned that the contraction of the manufacturing sector affects particularly low-skilled women”.

80. At the meeting on 8 November 2002, the Panel on Home Affairs discussed the second report to be prepared by HKSAR under CEDAW. At the meeting, the Equal Opportunities Commission (EOC) expressed concern about the feminization of poverty in Hong Kong. According to ECO’s statistics, 80% of employed persons who earned less than half of the median monthly earnings were women, and that the biggest increase in recipients of CSSA during the period from 1996 to 2001 was found in female recipients. Further, of single parent families who were CSSA recipients, 61% were headed by women, a situation unchanged since 1996.

Research studies

81. The LegCo Secretariat has conducted research studies on “Income and Expenditure Patterns of Low Income Households in Hong Kong” [RP20/95-96] in 1995-96 session and “The Measurement of Poverty” [RP07/PLC] in the 1997-98 session (paragraph 8 above refers), and an information note entitled “Profile of Employed Persons Who Earned Less Than HK\$8,000 a Month” [IN2/98-99] in the 1998-99 session.

Recent developments

82. At the Council meeting on 3 November 2004, Members passed a motion on “Alleviating the disparity between the rich and the poor” proposed by Hon Frederick FUNG Kin-kee, as amended by Hon James TIEN Pei-chun, as follows -

"That, as the Hong Kong economy has entered an inflation period, yet the unemployment rate remains high, with wages not showing an evident rebound and the disparity between the rich and the poor becoming more serious, this Council urges the Government to set up a governmental interdepartmental committee on aiding the poor to comprehensively examine the disparity between the rich and the poor in Hong Kong, so as to enhance the self-help capability of the socially disadvantaged groups and enable a more effective allocation of social resources, thereby helping those who are most in need and safeguarding the basic needs of the grass-roots people; at the same time, the Government should co-ordinate the efforts of various departments in formulating corresponding policies as well as measures to help get rid of poverty, with a view to narrowing the gap between the rich and the poor, reducing social conflicts and promoting harmonious social development."

83. At the meeting of the House Committee on 12 November 2004, Members agreed that a subcommittee be formed under the House Committee to study the subject of combating poverty and to discuss the subject with the inter-departmental committee.

84. On 20 November 2004, two deputations met with Duty Roster Members (DRM) requesting their assistance in urging the Administration to expeditiously formulate policies on aiding children living in poverty. The referral from DRM is in **Appendix II**.

Questions raised by Members at Council meetings

85. A list of questions raised by Members at Council meetings is given in **Appendix III**.

Motions moved by Members at Council meetings

86. A list of motions moved by Members at Council meetings is given in **Appendix IV**.

Council Business Division 2
Legislative Council Secretariat
2 December 2004

**Extract from International Covenant on
Economic, Social and Cultural Rights**

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ARTICLE 9

The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

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ARTICLE 11

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

- (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
- (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

* * * * *

2004年11月20日
立法會當值議員
就貧窮兒童扶貧政策
與香港社區組織協會及“兒童權利關注組”舉行會議

申訴團體的意見

申訴團體表示，過去多年來，基層失業及工資大幅被削的情況嚴重，導致愈來愈多家庭陷入貧窮境況，兒童最受影響。部分兒童更因家庭不幸或父母低收入的原故而需領取綜援及居於籠屋或板間房，可見兒童貧窮問題日益嚴重。然而，政府在教育、房屋、社會福利等方面均未能為貧困兒童提供適切援助，影響兒童的發育成長。近年更因綜援家庭生活拮据而出現童工問題，導致兒童的自尊低落及局限了他們的身心發展。

2. 鑒於以上所述，申訴團體向政府當局提出的建議重點如下：
 - (a) 按照《聯合國兒童權利公約》(下稱“公約”)制定扶助兒童脫貧政策，讓各政府部門投放資源，確保所有學校及社會服務均有一套完善制度及足夠資源協助所有貧窮兒童享有平等發展機會；
 - (b) 制定資助貧窮兒童政策、放寬學習津助申請資格和資助範圍，及增設貧窮兒童特別津貼，例如提供學習券、康樂券或營養食物券等，確保貧困兒童能享有一般兒童應有的營養、身心發展及學習生活；
 - (c) 停止削減綜援及重新檢討綜援金額標準；
 - (d) 放寬申請公屋的7年居港資格及盡快安置有兒童的綜援家庭入住公屋；及
 - (e) 設立兒童事務專員，處理及調查涉及侵害兒童權利的投訴，推動兒童政策，確保兒童平等發展機會。
3. 申訴團體補充，由於綜援家庭不能負擔為兒童添置電腦器材以應付學習的費用，他們促請當局全面善用現存學校及公共資源，例如安排學童在課後借用電腦及數碼設備。此外，當局應推廣暑期培訓計劃、邀請非政府機構設立社區學習中心，及凝聚社會資源，以設立貧窮兒童基金。
4. 申訴團體提出的其他意見，詳情載於**附件**。

政府當局的回應

兒童政策

5. 民政事務局表示，公約涵蓋政府不同決策局的政策範疇。各決策局在計劃和制定政策時，都得到有關的諮詢組織和非政府機構的協助。如某一政策範疇涉及多於一個決策局，有關的決策局便會作出協調安排。政府在考慮與兒童有關的立法建議或政策時，均以保障兒童和“兒童的最佳利益”的原則為考慮因素。公約內不同方面的條文，都有個別的法例來處理。法例所造成的影響和政策的執行，受到立法會、申訴專員和新聞界的監察，並由有關決策局作出檢討。通過這些安排，政府得以對不斷轉變的情況和市民關注的問題作出靈活而迅速的反應，因此無需以某種劃一的行政制度、一條兒童條例、單一的監察制度或一位兒童事務專員取代這安排。不過，政府對此抱開放的態度，若將來情況轉變，當局可以重新考慮立場。

兒童住屋問題

6. 關於提出在分配公屋時，房屋署應優先考慮容許有兒童的家庭申請市區公屋單位的建議，房屋及規劃地政局認為，現行按公屋輪候冊排名分配公屋單位的安排公平，亦廣為社會接受。鑒於市區公屋單位有限，而新興建的市區單位須留予重建戶作原區安置之用，所以自1999年4月，已不再接納市區公屋的申請。在眾多輪候冊申請人中，長者經濟能力稍遜，對公屋有較大需要，他們在適應環境及建立社交方面亦會稍慢，對市區單位的需求因而較為迫切。有見及此，政府為長者提供優先配屋，讓他們加快入住在熟悉社區內的公屋單位，安享晚年。

7. 房屋及規劃地政局表示，當局同意良好的居住環境有助兒童的成長及健全發展，但在現時多萬名輪候冊申請人中，有四成是有兒童的家庭。若這些家庭全部享有優先配屋資格，便會將其他同樣急切入住公屋的申請人的輪候時間延長，此安排並不公平。而且，市區公屋資源有限，難以配合這方面的大量需求。事實上，現時公屋平均輪候時間，僅為兩年多，如果申請人對地區並無特定選擇，輪候時間更可縮短。至於位置，無論在市區或新市鎮的公共屋邨，其交通及社區配套都十分完善。新市鎮在城市規劃下都設有完善的交通網絡，居民可選擇各式各樣的公共交通工具直達市區。社區配套方面，新市鎮多採用自給自足形式，有學校、休憩場所及社區中心，不假外求，滿足區內兒童學習需要之餘，對其身心發展亦有莫大益處。而且，新市鎮比起人口稠密的市區地方較寬敞，可為兒童提供更大活動空間，再加上兒童適應新環境能力較強，一般很快便融入新社區的生活。當局強調，若果申請人家庭有特別原因，需要特定居住地點，可向社會福利署(下稱“社署”)申請體恤安置，房屋署會作出特別的配屋安排。

8. 至於為有兒童的家庭提供租金津貼的建議，房屋及規劃地政局回應，政府致力將平均公屋輪候時間維持於3年水平，應無特別需要在輪候期間再提供其他補助。任何家庭如在輪候公屋期間遇到經濟困

難，都可向社署求助，按體恤安置計劃加快獲配公屋，或申請“綜合援助計劃”以濟燃眉之急。

兒童經濟、社交、生活及學習需要方面的援助

9. 關於調整綜援金額的建議，衛生福利及食物局較早時指出，綜援和公共福利金標準金額的調整是參考社會保障援助物價指數(社援物價指數)的變動來進行。政府在決定把綜援金額按社援物價指數調整前，曾詳細研究調整對各類受助人(包括有兒童的綜援家庭)的影響，及社會各界的意見。由於目前的調整幅度只是將援助金額回復到原來的購買力水平，調整後的援助金額仍然能照顧到受助人各方面的認可需要。

10. 至於向兒童提供社交及生活津貼的建議，當局表示，學童不論家庭經濟狀況，在學校都享有參與課外活動的機會。他們可以因應自己的能力及興趣，選擇合適的活動。一般而言，學校所舉辦的活動都是免費的；即使要收取費用，亦會減至最低。學校亦會按同學的特殊需要而提供協助。事實上，教育統籌局(下稱“教統局”)的學校活動分組為學校提供撥款，以舉辦公益少年團、香港青年獎勵計劃、戲劇、認識中國文化活動及制服團體等活動。同時，學校可利用學校及班級津貼資助各項活動，以減低同學所需支付的費用。某些制服團體，如童軍總會，亦為有需要的同學提供免費制服，讓有興趣的同學不會因財政問題而放棄參加的機會。此外，為了照顧綜援家庭兒童的基本生活及發展需要，兒童綜援受助人可獲發比成人為高的標準金額。綜援亦為有需要的家庭提供照顧幼兒及就學開支的特別津貼。為鼓勵他們參與社區活動，綜合青少年服務中心、兒童及青年中心及社區中心亦有為領取綜援家庭的子女提供費用減免。與此同時，社署提供的互助小組、個人發展及訓練小組、以及為單親綜援受助人而設的欣葵計劃等，都以提升弱勢社群的能力，幫助他們改善就業和社交生活作為重要目標。長遠而言，這種模式的支援可為低收入家庭帶來更大惠益。

11. 至於兒童學習需要方面的援助，教統局表示，該局現時已為開設於公共屋邨的自修室提供租金及差餉津貼。部分社署所資助的綜合青少年服務中心、兒童及青年中心及社區中心亦有提供閱覽室／自修室服務，為有需要的青少年提供合適的環境，溫習功課。每年4月至6月期間，教統局會租用中、小學校舍的課室，作為臨時自修室，晚上開放給學生使用。綜合青少年服務中心、兒童及青年中心及社區中心亦會在考試季節，將部分的活動室用作臨時閱覽室／自修室，以滿足需求。康樂及文化事務署亦有為有需要兒童提供自修室服務。

議員的意見

12. 部分議員表示已向政府當局提議設立兒童發展基金，向貧窮家庭的兒童在就學方面的需要提供援助。另外，一位議員表示將於2004年11月24日在立法會的會議上動議議案，促請政府當局回復綜援金額至2003年6月1日之前的水平。若動議獲得通過，綜援家庭的貧困情況可得到舒緩。

13. 議員指示申訴部將申訴團體提出的關注事項轉交研究有關減貧事宜的小組委員會、福利事務委員會、教育事務委員會、房屋事務委員會及民政事務委員會，以考慮作出跟進。

14. 議員得悉，政府當局於1999年前一直向綜援家庭的在學兒童發放購買眼鏡的特別津貼，但自當局於該年終止發放該項津貼，並於去年削減綜援金額後，已導致很多綜援家庭生活拮据，連為兒童購買眼鏡的費用也負擔不來。議員認為，以香港現時的經濟發展水平，貧窮兒童連眼鏡這樣基本的必需品也沒有，實在令人難以接受。他們認為應向政府當局反映有關問題，並強烈要求當局立即恢復發放所有綜援家庭兒童的眼鏡津貼，讓貧窮兒童能夠正常地學習。經討論後，議員決定由其中兩位議員一起草擬函件，並邀請全體60位議員聯署，然後將函件送交當局作出回應。

申訴部

立法會秘書處

2004年11月25日

香港社區組織協會

世界兒童權利日 - 貧窮兒童立法會申訴部請願

香港社區組織協會兒童權利關注組於世界兒童權利日向立法會申訴部請願，要求立法會議員敦促政府制定扶助兒童脫貧政策，關注貧窮兒童在教育、房屋及福利方面的問題。

聯合國定每年 11 月 20 日為世界兒童權利日，敦促政府確保每一個兒童得到健康成長及學習的機會，聯合國【兒童權利公約】於 1994 年適用於香港，但香港兒童貧窮情況愈來愈嚴重。過去數年，基層失業嚴重或工資大幅被削，愈來愈多家庭陷入貧窮中，兒童最受影響，為貧窮率最高組群。全港有 1,329,800¹ 名 18 歲以下兒童，超過 35 萬兒童家庭收入低於貧窮線，佔全港兒童約四分之一，其中約 2 萬 3 千蝸居籠屋、板房，其中近 15 萬兒童更因家庭不幸或父母低收入而領取綜援，相較十年前(20,900)上升 7 倍，可見兒童貧窮問題日益嚴重，未來棟樑的發展已響起巨大的警號，但政府仍未制定一套扶貧政策，在教育、房屋、社會福利政策不但未能提供適切支援，反而令貧困兒童面對更多障礙，問題概述如下：

一. 教育制度未能協助脫貧

現時學校發展多元智能及全方位學習教學，學生不能像以往只熟讀書本便可以達到要求，而是要運用資源作多方面學習，例如：要電腦上網或相機做功課，交費出外參觀等，學校的基金未全面資助所有年級學生，而且政策不一，令貧苦學生再勤力也難以克服這些困難。

二. 房屋政策未符合所需

現時輪候公屋時間平均需要三年，對於正在成長的兒童而言仍是漫長的日子，約五千兒童更因未符合居港七年要求而被凍結申請七年。這些兒童長期困在狹小空間，平均每人居住面積只有 22 呎，遠低於房屋署的 70 呎標準，每日學習、吃、玩均擠在床上，沒有伸展空間，影響身體骨骼成長。長期困居斗室，生活緊迫，缺乏安全感，缺乏正常童年生活，令這些兒童自我形象低落、精神受困擾。

同時房屋政策規定 2002 年 7 月 1 日才申請輪候公屋的人士不能選擇市區，這些兒童普遍來自貧窮家庭，家庭收入中位數為 \$7500，遠低於全港家庭收入中位數(\$18,705)近兩倍。搬離市區，令這些兒童面對增加轉校所需要的費用或交通費、父母可能失去現時工作等問題。而公屋並未豁免低收入或綜援兒童的按金，令赤貧兒童無能力接受房屋分配。

三. 政府落井下石，再三削綜援，板房童難上樓，拾荒幫補家計

政府不但未能協助貧窮兒童脫貧，更再三削減綜援，損害這些兒童的身心發展機會。於 1999 年按家庭人數削減家庭綜援標準金額 10% 至 20%，並取消特別津貼(包括：電話費、補牙、眼鏡、長期補助金、搬遷津貼、按金)，影響重大，例如：令有些家庭因沒有按金及搬遷費而不能搬往較好居住環境或入住公屋，要繼續蝸居板房，家裏沒有電話與人溝通。

¹ 2003 年 香港統計處

2003年6月1日再削減標準金額11.1%，租金津貼15.8%，單親補助金及學生膳食津貼11.1%，學習津貼7.7%，嚴重影響兒童生活，例如：書簿費不足(見本會2004「兒童暑期活動及學習開支問題調查」(www.soco.org.hk/publication/publication_index.htm#4)，一半家庭要倒貼租金，令生活質素更差。

四. 研究顯示生活赤貧，影響成長

根據香港社區組織協會最新「綜援兒童生活狀況研究」(www.soco.org.hk/children/main.htm)顯示這些兒童出現營養不足問題(卡路里低於標準近半)，近四成更曾因沒有錢而要捱餓，而由於缺乏資源，學習及潛能發展受局限，自尊更遠較其他兒童低落，有些更要與母親拾荒幫補生活。

五. 綜援兒童生活遠低於貧窮線

基本上四人家庭經兩次削減共40.1%，金額遠低於香港貧窮線31.6%(附件5及6)，一個小孩子每月標準金額只有\$1275，四人綜援標準金額只有\$4840，加上其他津貼，取其最高額，也每人平均只有\$1,812，比較香港貧窮線的\$2650²(個人中位工資一半)仍要低31.6%。現時近十五萬領取綜援兒童，21.4%是家人年老/傷殘/健康欠佳，36.4%是單親家庭，這些都是無能力或不能工作，另外，14.1%是有工作，但工資過低而申請綜援補貼，只有25.1%是失業綜援。對這些殘病家庭，又沒有能力拖著孩子做長工，只好一起到街邊拾荒或清潔幫補家計。

貧窮對兒童及社會均有深遠影響，分述如下：

1. **影響兒童發育成長：**研究顯示兒童因經濟困難，出現營養不良，三餐不繼及捱餓問題，連基本溫飽也成問題，嚴重損害發育成長，威脅兒童生存權利。
2. **兒童成長模式被扭曲，呈現童工問題：**綜援金額微薄，兒童不但未能得到三餐基本溫飽，有些更要與家人一起出外拾荒幫補家計，一些小孩子應做的活動應擁有的物資都欠奉，這些綜援兒童童年生活只有貧窮和賺取家計，有些甚至傾向早些工作養家，童工問題值得關注。
3. **自尊低落，局限發展：**身心缺乏資源支援發展，影響自尊心低落，影響兒童的求進心及發展潛能的機會，損害香港未來棟樑的質素。
4. **製造貧窮循環：**低收入或綜援兒童的家庭背景都較殘缺，父母都沒有能力脫貧，子女是他們脫貧的希望，但教育及福利制度對兒童支援嚴重不足，剝奪兒童發展權利，存在極大貧窮循環危機。
5. **香港未來發展堪虞：**香港未來發展倚賴兒童這些未來棟樑，但因經濟發展，其中超過十分一要靠綜援維生，而綜援的制度卻未能為他們提供健全成長發展的機會，這些兒童及香港的前景發展同樣令人感到擔憂。

七. 建議：

《聯合國兒童權利公約》第27條「1. 締約國確認每個兒童均有權享有足以促進其生理、心理、精神、道德及社會發展的生活水平。3. 締約國按照本國條件在其能力範圍內，應採取適當措施幫助父母或其他負責照顧兒童的人實現此項權利，並在需要時提供物質援助和資助

² 2002年香港統計處

方案，特別是在營養、衣著和住房方面。」香港作為國際大都市，應該以國際人權為標準，履行公約責任，改善政策，保障貧窮兒童平等發展權利。

針對以上貧窮兒童面對的問題，本會建議如下：

1. 整體政策

1.1 制訂扶助兒童脫貧政策

現時兒童貧窮問題日益嚴重，貧窮人口佔兒童人口四分之一，根據研究顯示貧窮兒童出現營養不良、身心缺乏發展機會、自尊心低落、需要課餘工作幫補家計的問題，嚴重剝削兒童權利，違反《聯合國兒童權利公約》，亦損害香港未來發展，政府應制定扶助兒童脫貧政策，在各部門作出協助貧窮兒童的政策及投放資源，確保所有學校及社會服務均有足夠資源及一套完善制度協助所有貧窮兒童享有平等發展機會。

1.2 設立貧窮線，成立專責工作小組協助貧窮線下兒童

政府應先設立貧窮線，界定需要協助的貧窮兒童階層；根據國際公認的貧窮線定義，將收入低於全港家庭入息中位數一半的家庭界定為需要全面協助的對象³。所有有關貧困兒童的社會政策(包括：社會福利、教育、房屋、學費及交通津貼等)均需參考貧窮線，而為兒童作出全數豁免。同時成立扶助貧窮學生專責小組，了解學生所需，作出相應政策及資源支援，召集及統籌社會資源。

1.3 設立兒童事務專員(Children's Ombudsman)

政府應倣效外國經驗(例如：瑞典)，設法定獨立兒童事務專員，處理及調查涉及侵害兒童權利的投訴，並不定期檢討各項與兒童有關的社會政策及法例，推動兒童政策，確保兒童平等發展機會。

2. 教育政策

2.1 放寬學習津助申請資格及資助範圍

政府應放寬現有書簿費及學費減免制度全免申請的條件，檢討現行的學童資助計劃，包括擴大現有津助項目種類；除原有的學費及車船津貼外，更應先加入多元學習津貼、課外活動津貼、參加制服團體等活動津貼等。此外，當局更應放寬申領津助資格(例如：將現有賽馬會全方位基金的資助對象擴展至全港各級中小學及幼稚園⁴；除綜援家庭及貧窮線以下的家庭獲全數津貼外，其他家庭的兒童亦應可獲按比例資助)。

2.2 統一學童津助制度申請程序

當局應增加各校對有關津貼的推廣，並統一申請程序，例如：在每學年開始要求學生填報家庭狀況，校方每年自動減免貧困學童費用，避免學生因面對群眾壓力而不敢申請。

³ 根據綜合住戶統計調查按季統計報告書(2004年4月至6月)，現時全港家庭入息中位數為\$15,400(家庭住戶平均人數：3.1人)，以4人家庭為例，全港家庭入息中位數為\$19,870元，換言之，4人家庭的貧窮線應訂於\$9,935。

⁴ 現時各校主要以賽馬會全方位學習基金，為小四至中三的經濟援助，小四以下及中四或以上的學童則不獲津貼。由於他們在學習上有同樣需要，當局應將計劃推廣至各級，讓各年級內真正有需要的學童也能受惠。而資助範疇除了戶外活動，應包括：學習用品(電腦、相機)、海外交流等。

2.3 全面善用現存學校及公共資源

由於現時不少學校均未有全面使用校內資源，不少課室及電腦室等在課後均已關閉，當局應善用資源，在課堂時間以外及長假期(例如：暑假、聖誕及新年假期、復活節假期等)全面開放課室、電腦室及圖書館等，並由各區非政府機構與各校合作管理事宜，安排給學童課後借用電腦。此外，政府亦應延長各區圖書館及自修室的開放時間，讓學童在課餘後有更多資源及地方進行學習。

2.4 推廣深入暑期培訓計劃

為協助兒童善用暑假及全方位地提高學童學習能力，政府應在全港各校推廣「深入暑期培訓計劃」⁵，在一個半月的暑期計劃內，以活動教學的形式，每年進行英語、普通話及數學等專科培訓，當中包括安排與外國和內地學生交流，增進學童的學習經歷⁶。

2.5 推行學童寄宿服務

現時全港只有七百個多學童寄宿名額，為有需要的學童提供住宿及學習服務。但現時兒童面對更多家庭問題，需要寄宿服務，政府應針有特殊需要的學童，為他們提供學童寄宿服務。

3. 社會福利

3.1 社會福利署應增設貧窮兒童特別津貼

因應兒童成長需要，政府不應削減綜援金，反而應增設針對低收入(收入與綜援相若)或綜援兒童需要的特別津貼(例如：眼鏡津貼、牙齒津貼、學習開支、社區活動津貼、奶粉卷及電話費等)。外國不少地區(例如：瑞典及美國等)也為貧困兒童提供一系列津貼，包括：學習券(Study voucher)、康樂券(Recreational voucher)、營養食物等，這是值得香港借鏡，確保貧困兒童能享有一般兒童應有的營養、身心發展及學習生活(例如：購買課外書、學習用品、學習樂器等)。

3.2 檢討綜援金額標準

2003年社會福利署以跟隨通縮減綜援，並認為綜援金額高於生活水平，但相對貧窮線相差甚遠，可見綜援金額遠低於基本生活水平，有需要重新檢討金額釐定標準。

4. 房屋政策

4.1 放寬分配公屋條件

政府應放寬申請公屋七年居港條件，讓所有兒童享有平等輪候公屋機會及儘快安置合適居所。

4.2 將兒童列入公屋優先安置的行列及開放市區申請

房屋署在分配公屋時，應採取積極措施(affirmative action)，將有兒童的公屋申請個案列

⁵ 參考夏橋計劃

入優先處理類別，儘快安置，並放寬申請市區公屋的規定，避免增加家庭支出及打斷兒童的成長網絡等。

4.3 為正輪候公屋的兒童家庭提供租金津貼

房屋署應為有兒童的輪候公屋家庭提供租金津貼，即時紓緩兒童住屋困難，分配公屋時，容許家庭選擇公屋或租金津貼。

4.4 設立社區學習中心

當局應在特殊貧困的地區中(例如：深水埗、觀塘、九龍城、天水圍及元朗等)設立鄰舍層面的社區學習中心；政府可提供免租的樓宇，並由非政府機構管理，當中可設置電腦站及基本設施，讓特別有需要的貧困學童在社區中有更多學習機會。中心更可為與商界合作，為私樓貧窮兒童提供上網服務。

5. 推動社會參與及凝聚社會資源

5.1 發展全港兒童支援網絡計劃

學校是最直接及最容易接觸及培訓貧困兒童的途徑。當局應鼓勵各校及家長教師會展開兒童啟蒙天使計劃，鼓勵經濟較理想的學童家長或校友作兒童啟蒙天使，為兒童提供資源及生活啟導等。此外，當局亦可鼓勵各校與非政府機構合作，夥拍商界團體，邀請社會賢達作學童的啟蒙天使，擴闊他們的生活圈子及視野，協助他們改善環境，發展全港「兒童支援網絡計劃」，鼓勵商界及社會各界共同協助貧窮兒童。

5.2 凝聚社會資源，設立貧窮兒童基金

政府可凝聚社會資源設立貧窮兒童基金，資助各項扶助貧窮兒童的政策及服務，並以稅務優惠方式，鼓勵商界及企業捐助兒童，並可以一元對一元的方式，當民間每捐出一元的金錢或服務，政府則相應撥出一元扶助貧窮兒童。其後政府可成立專責小組，讓各非政府機構計劃各種協助兒童的申請計劃及審批工作，

6. 關注特別組群

6.1 為特殊家庭提供服務

政府應針對有特殊情況的家庭提供服務，例如為患有長期病患家庭的父母、雙職子女等提供膳食服務、在囚人士子女提供支援服務。此外，由於很多領取綜援的單親家庭均希望工作改善經濟環境，當局應改善幼兒託管服務，讓他們有機會工作，並投放資源協助單親家庭學習照顧子女技巧及面對生活逆境的能力，強化對他們服務支援。

6.2 檢討及增加對少數族裔服務

此外，現時全港約有一萬多名少數族裔學童，他們的學習需要及成長均有其特別需要，更難以融入香港教育制度，發展受阻礙，政府應就他們的各項需要進行研究及檢討，增加支

⁶ 詳情及內容可參考夏橋計劃(Summer Bridge)。

援及改善政策。

6.3 關注新移民兒童生活質素

政府收緊新移民家庭享用社會福利及醫療的條件，例如：探親人士不享有本地醫療福利，居港未滿七年人士如有經濟困難不可申請綜援等，均會直接影響這些家庭中，兒童的生活質素及家庭和諧，政府應檢討政策及對新移民兒童作出支援。

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王智源 2713 9165

日期: 2004 年 11 月 20 日

Appendix III

Questions raised by Members at Council meetings

Meeting	Meeting Date	Question
Legislative Council	17 October 2001	Written question on “Proposal to provide transport subsidy to the low-income people” raised by Hon TAM Yiu-chung
	7 November 2001	Written question on “Absence period set for Old Age Allowance recipients” raised by Hon LAU Kong-wah
	14 November 2001	Oral question on “Breakdowns on household income statistics” raised by Hon LEE Cheuk-yan
	5 December 2001	Oral question on “Rising number of unemployed and low-earnings CSSA cases” raised by Hon CHAN Yuen-han
	9 January 2002	Written question on “Employment, marriage and youth problems in Tuen Mun, Yuen Long and Tin Shui Wai ” raised by Hon Albert HO Chun-yan
	23 January 2002	Oral question on “Pledges for the elderly persons” raised by Hon WONG Sing-chi
	27 February 2002	Oral question on “Creation of new jobs in the public sector” raised by Hon LEUNG Yiu-chung
		Written question on “Creation of job opportunities in the public sector” raised by Hon CHAN Yuen-han
	8 May 2002	Written question on “Review of Comprehensive Social Security Assistance and Old Age Allowances” raised by Hon WONG Sing-chi

	12 February 2003	Oral question on “Wage level and rest days for workers employed by government service contractors” raised by Hon LI Fung-ying
	25 February 2004	Written question on “Increasing disparity in household income” raised by Hon Emily LAU Wai-hing
	10 March 2004	Written question on “Number of low income households and measures to relieve their financial hardship” raised by Hon Emily LAU Wai-hing
	24 March 2004	Oral question on “Elderly property owners living in tenement buildings” raised by Hon TAM Yiu-chung
	13 October 2004	Oral question on “Alleviate the financial hardship of low-income families ” raised by Hon Fred LI Wah-ming
	27 October 2004	Written question on “Additional assistance to CSSA recipients who are old or with disabilities and review of CSSA scheme” raised by Hon Fernando CHEUNG Chiu-hung

Appendix IV

Motions moved by Members at Council meetings

Meeting	Meeting Date	Motion
Legislative Council	18 October 2000	Motion on “Impoverishment of marginal workers” moved by Hon CHAN Yuen-han
		Motion on “Creating employment opportunities” moved by Hon Fred LI Wah-ming
	8 November 2000	Motion on “Enhancing the welfare for the elderly” moved by Hon YEUNG Yiu-chung
	7 November 2001	Motion on “Reviewing the Old Age Allowance Scheme” moved by Dr Hon YEUNG Sum
	21 November 2001	Motion on “Alleviating the disparity between the rich and the poor” moved by Hon Frederick FUNG Kin-kee
	24 April 2002	Motion on “Safeguarding the reasonable and legitimate rights and interests of employees” moved by Hon LEUNG Fu-wah
		Motion on “The problem of "working poverty"” moved by Hon LEE Cheuk-yan
	10 July 2002	Motion on “Giving priority to employment” moved by Hon CHEUNG Man-kwong
	9 October 2002	Motion on “Solving the problem of unemployment” moved by Hon TAM Yiu-chung

	13 November 2002	Motion on “Ageing of the population” moved by Hon TAM Yiu-chung
	22 January 2003	Motion on “Assisting low-income earners and the poor elderly” moved by Hon CHAN Yuen-han
	26 February 2003	Motion on “Opposing cutbacks in welfare benefits” moved by Hon WONG Sing-chi
	12 March 2003	Motion on “Medical fee waiver mechanism” moved by Hon Frederick FUNG Kin-kee
	8 October 2003	Motion on “Facing up to the transport needs of people with disabilities” moved by Hon LEUNG Yiu-chung
	22 October 2003	Motion on “Elderly persons taking up permanent residence in the Mainland” moved by Hon CHAN Kam-lam
	12 May 2004	Motion on “Public housing rent policy” moved by Hon LAU Ping-cheung
	13 October 2004	Motion on “Minimum wage, maximum working hours” moved by Hon CHAN Yuen-han
		Motion on “Facilitating the integration of people with disabilities into society” moved by Hon LEUNG Yiu-chung
	3 November 2004	Motion on “Alleviating the disparity between the rich and the poor” moved by Hon Frederick FUNG Kin-kee
	24 November 2004	Motion on “Restoring the Comprehensive Social Security Assistance rates to the level prior to 1 June 2003” moved by Hon Fernando CHEUNG Chiu-hung