

立法會
Legislative Council

LC Paper No. CB(2)2797/05-06
(These minutes have been
seen by the Administration)

Ref : CB2/HS/2/04

**Subcommittee to Study Issues Relating to the Provision of
Boarding Places, Senior Secondary Education and Employment
Opportunities for Children with Special Educational Needs**

**Minutes of meeting
held on Friday, 16 June 2006 at 10:45 am
in the Chamber of the Legislative Council Building**

- Members present** : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon LEE Cheuk-yan
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, JP
Hon LEUNG Yiu-chung
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
- Public Officers attending** : Mrs Betty IP
Principal Assistant Secretary (School Administration
and Support), Education and Manpower Bureau
- Mrs Mary MA
Commissioner for Rehabilitation, Health, Welfare and
Food Bureau
- Mrs Agnes LI CHAN Chui-ngan
Chief Social Work Officer (Rehabilitation and Medical
Social Services)¹
- Mr Raymond CHIU Tat-loi
Assistant Director/Special Duties, Planning Department
- Mr Patrick CHOW
Senior Labour Officer (Selective Placement Division),
Labour Department

Attendance by invitation : Item II

The Association of Parents of the Severely Mentally Handicapped

Ms CHENG Yee-man
Deputy Chairman

Ms HO Wai-ngan
Secretary

Hong Kong Council of Social Service

Mr Philip YUEN
Rehabilitation Chief Officer

C.C.C. Kei Shun Special School Parents Staff Association

Mrs CHENG KAN Fung-kuen
Member

Mrs Angela HO KWAN Chi-wah
Member

The Hong Kong Joint Council of the Mentally Handicapped

Ms Eva MOK
Vice-Chairperson

Ms LEE Mei-yin
Centre-in-charge

肢體殘障人士關注小組

Miss CHENG Kin-wai
Representative

多重殘障人士家長關注小組

Ms WONG Wai-han
Representative

Hong Kong Association for Parents of Persons with Physical Disabilities

Ms Ivy TAM
Member

Ms HO Bo-ching
Member

Parents' Alliance on Special Education System

Mrs MAK CHAN Lai-lun
Executive Member

Mr Ronald LAM
Executive Member

Mrs CHUNG LAU Ping
Parent from School for the moderately mentally
handicapped

Clerk in attendance : Miss Odelia LEUNG
Chief Council Secretary (2)6

Staff in attendance : Mr Stanley MA
Senior Council Secretary (2)6

Miss Carmen HO
Legislative Assistant (2)6

Action

I. Confirmation of minutes
[LC Paper No. CB(2)2359/05-06]

The minutes of the meeting held on 19 May 2006 were confirmed.

II. Provision of post-school rehabilitation services for students with special educational needs
[LC Paper Nos. CB(2)2013/05-06(01), CB(2)2358/05-06(01), CB(2)2408/05-06(01) – (03) and CB(2)2465/05-06(01)]

Briefing by the Administration

2. Senior Labour Officer (Selective Placement Division), Labour

Action

Department briefed members on the Administration's paper entitled "Provision of employment service for students with special educational needs and identification of sites for hostels for people with disabilities (PWDs)" [LC Paper No. CB(2)2358/05-06(01)].

Provision of residential services

3. The Chairman pointed out that Appendix I to the Administration's paper only provided the current capacity of various types of residential homes and the average waiting time for the allocation of a place in these residential homes. He expressed disappointment that the Administration had not provided long-term plans and strategies to increase the number of residential places and shorten the average waiting time for these places.

4. Mrs Selina CHOW said that given the low discharge rates in various types of residential care homes from the 2003-04 to 2005-06 years as shown in the Administration's paper [LC Paper No. CB(2)2408/05-06(02)], the waiting time for the allocation of a residential place could hardly be shortened as the demand for residential services was increasing. She asked whether the Administration had made reference to overseas experience in the provision of residential services, and had plans to collaborate with local communities and non-government organisations (NGOs) to improve the provision of residential services in the long term.

5. Commissioner for Rehabilitation (C for R) responded that the prevailing international trend was to enhance integration of PWDs into the local community and to facilitate PWDs to lead an independent living wherever possible. Effective coordination of community efforts and resources to support PWDs living in the community was also a major direction of development. The Administration had strengthened the provision of community-based support services to enhance social integration of PWDs in recent years. Having said that, the Administration recognised that there were PWDs with genuine needs for residential services. The Administration would adopt a three-pronged development approach in the provision of residential services, namely, increasing the provision of subvented hostels, encouraging the development of self-financed hostels, and regulating the operation of private hostels by way of a licensing scheme.

6. Mrs Selina CHOW said that the average waiting time for the allocation of residential places in different types of residential homes was unacceptably long. She considered that the Administration should formulate policies and measures to improve the provision of residential services and shorten the waiting time for residential places.

7. C for R responded that PWDs on the waiting list for residential services were receiving appropriate community-based support services. This was in line

Action

with the policy objective for the provision of rehabilitation services that PWDs should be supported to live with their families in the community wherever feasible.

8. The Chairman pointed out that at present, some 1 000 PWDs had been assessed as having a genuine need for residential services under the standardised assessment tool. Chief Social Work Officer (Rehabilitation and Medical Social Services)1 (CSWO(R&MS)1) clarified that not all the persons on the waitlist had been assessed. As of date, around 800 PWDs on the waitlist had been assessed as qualified and were queuing for the allocation of a residential place.

9. Mr CHEUNG Man-kwong said that although the prevailing international trend in the provision of rehabilitation services was to assist PWDs to integrate into the community, people with severe disability, in particular people with severe intellectual disability (ID), could not be expected to lead an independent life and should be given a priority placement for residential services. In case their parents were willing to look after them, the Administration should provide sufficient community-based and home-based support and services for these families.

10. Mr CHEUNG Man-kwong further said that according to the information provided by the Administration, there were 6 185 applicants on the waiting list for residential services, and persons with severe ID who were merited for priority placement had to wait for at least a year for the allocation of a residential place. He considered that persons with severe ID, in particular those who were not being looked after by their parents should be given priority consideration in allocation of residential services. Given the 0.7% discharge rate of the hostels for the severely mentally handicapped in 2005-06, Mr CHEUNG asked how many places in the projected supply of 230 additional places in 2006-07 would be allocated to persons with severe ID who had been assessed by the Social Welfare Department (SWD) as being qualified for priority placement. He also asked how many waitlistees were persons with severe ID who had been assessed as being qualified for priority placement. He considered that the Administration should at least formulate a timetable for the provision of residential services for waitlistees qualified for priority placement in the short term, and work out a long-term plan to accommodate the needs of PWDs for residential services.

11. CSWO(R&MS)1 responded that around 110-120 persons with severe ID had been assessed as being qualified for priority placement every year. Normally, these PWDs would be allocated a residential place in a year. At present, there were three, 10 and two waitlistees with ID qualified for priority placement in care and attention homes for the severely disabled, hostels for the severely mentally handicapped and hostels for the moderately mentally handicapped respectively. She added that with justified reasons and the recommendation of the social workers concerned, earlier placement would be arranged for waitlistees.

Action

12. CSWO(R&MS)1 further said that a care and attention home for the severely disabled with 60 places, a hostel for the severely mentally handicapped with 50 places and supported hostels with 120 places would be available for operation in 2006-07. With these new provisions, the needs of the waitlistees with severe ID qualified for priority placement at present could be accommodated.

13. Mr CHEUNG Man-kwong asked whether the provision of new places in the next two years would shorten the waiting time for residential services as a whole. He also requested the Administration to provide statistics on the ages of the parents or carers of PWDs on the waiting list for residential services.

Admin

14. CSWO(R&MS)1 responded that as new applicants would be added to the waiting list for residential services, the additional provisions would not significantly reduce the average waiting time for different types of residential homes. She pointed out that under the standardised assessment mechanism, the age of parents or primary carers was only one of the factors for consideration. She added that around 50% of the waitlistees were receiving certain community-based, home-based, or day care and activity services. At the Chairman's request, she agreed to provide information on the types of support services received by these waitlistees.

Admin

15. Mr CHEUNG Man-kwong suggested that the Administration should consider giving priority placement for persons with severe ID whose parents were over the age of 60 or unfit to look after them. CSWO(R&MS)1 responded that the Administration would consider the financial implications and consult the key stakeholders on the suggestion.

16. Mr LEE Cheuk-yan considered that the Administration should set out performance pledges to shorten the waiting time of PWDs on the waiting list for residential services. He pointed out that persons with severe ID and physical disability (PD) would need care and support services on a 24-hour basis. He suggested that the Administration should consider providing allowance to parents or carers who were willing to look after persons with severe ID and/or PD.

17. C for R responded that given the increasing demand, the low discharge rate of PWDs in various residential homes and the unit cost of around \$10 000 a month, the Health, Welfare and Food Bureau (HWFB) would continue to locate and identify suitable sites and bid for the necessary recurrent resources to increase the supply of residential places in the long term. She pointed out that persons with severe disabilities in need of 24-hour care services were eligible for a non-means-tested allowance of \$2,240 a month. In addition, persons with severe disabilities might apply for the provision of financial assistance from various charity funds, such as the Yan Chai Tetraplegic Fund.

Action

18. Mr LEE Cheuk-yan considered that the Administration should set out policy plans and targets for the provision of residential services for PWDs. C for R responded that apart from bidding additional resources through the annual resources allocation exercise, HWFB would continue to collaborate with SWD and the Planning Department to identify and bid for sites under the land use planning system for provision of residential services on a regional basis in the long term, having regard to views from the districts, local welfare facilities and financial implications. In the medium term, HWFB would coordinate with the Housing Department to reserve sites for provision of residential services in new public housing estates and redevelopment projects for existing estates, such as the Shek Kip Mei redevelopment. In the short term, HWFB would coordinate with relevant departments for identification of suitable vacated school premises and government premises for conversion into residential homes.

19. Mr LEE Cheuk-yan remarked that HWFB should set out the additional provision of residential places in the short, medium and long terms. He suggested that should HWFB encounter difficulties in bidding for the allocation of sites for provision of residential services, members could provide assistance but they needed to have the details, in particular the locations of the available sites.

20. C for R explained that bidding for sites under the land use planning system or vacated government premises, such as vacated premises in public housing estates, should follow the established procedures. Premature disclosure of the prospective sites for the construction of social welfare facilities, such as residential services, might arouse opposition from local residents which would affect the development progress of the facilities concerned.

21. Mr LEE Cheuk-yan said that if the Administration considered that the locations of the sites should not be disclosed prematurely, the Subcommittee could hold a closed meeting to discuss the issue. The Chairman agreed with Mr LEE and said that the Administration could provide the information in a confidential document for discussion at a closed meeting. C for R agreed to coordinate with the Housing Department and the Education and Manpower Bureau (EMB) to explore the feasibility of providing a list of possible sites for provision of residential services.

22. Mr LEUNG Yiu-chung considered it most important to provide sufficient residential services for PWDs. He suggested that the Subcommittee should take the lead in discussing with relevant bureaux and departments, including the Treasury, concerning the allocation of suitable sites for provision of residential services at a closed meeting. He added that HWFB should work out a detailed plan for the provision of residential homes in 2008 and afterwards, and the Housing Department should explain why no residential homes were provided in the new public housing developments completed in recent years. Miss CHAN

Action

Yuen-han supported Mr LEUNG's suggestion and said that the Administration should review and formulate new policies for allocating land for social welfare facilities. The Chairman pointed out that under the existing land use planning system, SWD could only submit bids for premises upon receiving invitation of bids from relevant departments for social welfare facilities.

Admin

23. C for R responded that she would coordinate with relevant bureaux and departments on the feasibility of compiling a list of possible suitable sites for residential services for members' consideration.

Admin

24. Mr CHEUNG Man-kwong was concerned whether the Administration had identified any suitable vacated school premises for conversion into residential homes. The Chairman suggested that the Administration should include vacated school premises for conversion into residential homes in its list of suitable sites.

Consultation on social welfare facilities projects

25. Ms Audrey EU expressed regret that C for R had repeatedly said that the construction of social welfare facilities such as residential homes for PWDs was subject to the views and acceptance of local residents in the districts concerned. She considered that as the Disability Discrimination Ordinance had been implemented for a decade, the community as a whole should recognise and respect the equal rights of PWDs in the community. She questioned whether the Government had put in sufficient resources and efforts to promote the concept of equal opportunities and rights for PWDs in the community. She suggested that the Administration should take the opportunity arising from the arrival of Professor HAWKING in Hong Kong to reinforce publicity on equal opportunities and rights for PWDs.

26. C for R responded that the Administration had all along endeavoured to promote the concept of equal opportunities and rights for PWDs in the community through various means. HWFB would continue to collaborate with EMB, the Home Affairs Bureau and the Equal Opportunities Commission to organise programmes and activities to promote integration of PWDs into the community, as well as to reinforce civil education and the concept of equal opportunities and rights for PWDs in schools. She added that as a signification of their equal rights and opportunities in participating in social events, a number of PWDs had participated in the activities organised by the Hong Kong University of Science and Technology in relation to Professor HAWKING's visit to Hong Kong.

27. Ms Audrey EU requested the Administration to provide the Chief Executive with the information on the average waiting time for residential services. C for R noted her request and said that the Chief Executive was well aware of the planning and developments in the provision of support services for PWDs.

Action

28. The Chairman asked whether the Administration had cancelled or withdrawn any residential home project as a result of objection from local residents in individual districts since 1997. CSWO(R&MS)1 responded that the Administration would consult the local communities and District Councils for every residential home project. So far no residential home project had been dropped or withdrawn as a result of objection from local residents. However, there might be projects with a change of location as a result of strong objection from local residents.

Admin

29. The Chairman requested the Administration to provide information on the capacity of residential home projects with a change of location as a result of objection from local residents since 1997. Ms Audrey EU said that the information was useful as it reflected the need for reinforcing publicity and education on the rights of PWDs in the community. She considered that the change of location for a residential home project would in effect reduce the number of residential places to be provided.

30. Mr CHEUNG Man-kwong said that as a Legislative Council (LegCo) member, he had encountered strong protest from local residents for the construction of a number of social welfare facilities in different districts in the past 15 years. He considered that local residents opposing the provision of social welfare facilities was a sad reality in certain circumstances, but the problem could be resolved if handled with care and patience. He suggested that the Administration should collaborate with LegCo Members to resolve such problems. The Administration should plan the provision of residential homes in new and redevelopment projects during the concept design stage so that the local residents were aware of the provision of such homes in the districts before they decided to move to the districts. He added that the Administration should consult the local communities for conversion of vacated school premises into residential homes in rural areas.

Views and concerns of deputations

31. Mr Philip YUEN said that the waiting list for residential services had reached a peak in history. He appealed to members to urge the Administration to take immediate measures to reduce the waiting time for residential places. He pointed out that the Administration had allocated resources for the provision of a large number of residential places to meet the needs of PWDs before.

32. Ms LEE Mei-yin said that according to overseas experience, the cost of community-based support services was twice that of residential services. She considered that the Government should allocate resources to improve residential services as soon as possible. She pointed out that there were students with severe, moderate or mild ID above 18 years of age who still stayed in the boarding section of special schools because they had not been provided with residential

Action

services. She was concerned that the commencement of operation of some new residential homes had been delayed for various reasons.

33. Ms WONG Wai-han said that the Administration should listen with empathy to parents' views on the difficulties in looking after a child with severe disability, and allocate sufficient resources to provide residential services and the necessary professional services including therapy treatment for PWDs.

34. Ms HO Bo-ching said that the Administration should allocate resources for residential services to shorten the waiting time in the long term, and provide sufficient community-based support services to PWDs on the waiting list for residential services. She added that the charge of some community-based care services as well as the travelling costs for attending day activities were very expensive for PWDs.

35. Mrs MAK CHAN Lai-lun said that many persons with severe disabilities such as severe PD residing in districts where the appropriate types of residential services were not available were not given priority placement. She requested the Administration to publicize the number of PWDs on the waiting list for various types of residential services. She also suggested that the Administration should increase the capacity of the self-financing residential homes with sufficient space and community-based support services for PWDs.

36. Ms CHENG Yee-man said that children with severe ID should be provided with residential services. She requested the Administration to examine the needs of children with severe ID in hospitals and the provision of sufficient professional services for children with severe ID.

37. Miss CHENG Kin-wai said that like the provision of public housing, the Administration should set out performance pledges for the provision of residential services. She also considered the current allowance of \$2,240 a month for persons with a severe disability insufficient.

Follow-up

38. The Chairman and Mr CHEUNG Man-kwong requested the Administration to provide the number of PWDs on the priority waiting list for different types of residential services and explain in writing why priority placement was not applicable to certain types of residential homes in certain districts. CSWO(R&MS)1 agreed.

Admin

Development of social enterprises

39. Mr CHEUNG Man-kwong expressed support for the development of social enterprises to provide direct training and employment opportunities for PWDs. He pointed out that as at May 2006, some \$19 million had been allocated

Action

to NGOs under the “Enhancing Employment of PWDs through Small Enterprise” project (the Project) for the establishment of 36 social enterprises which employed some 489 employees, of which some 350 posts were tailor-made for PWDs. This would mean the creation of a stable job for a PWD at an average cost of about \$54,000 which was well justified.

40. CSWO(R&MS)1 responded that SWD would continue to encourage NGOs to submit applications for funding support on feasible and sustainable business plans. Up to now, around \$20 million of the \$50 million allocated for the Project had been granted to NGOs and a total of 38 social enterprises had been established. SWD would coordinate the provision of professional support and advice for NGOs to run the social enterprises. In addition, SWD would negotiate with government departments, public utility companies and the commercial sector to provide business venues and job orders to facilitate the development of social enterprises.

41. Mr CHEUNG Man-kwong suggested that the Administration should make long-term development plans of social enterprises to create more employment opportunities for PWDs. He suggested that the Administration should consider turning the operation of kiosks in public sector schools and public parks into social enterprises on a progressive basis.

42. CSWO(R&MS)1 responded that SWD would continue to liaise with the Leisure and Cultural Services Department and the Hospital Authority for the provision of appropriate venues to support the operation of social enterprises. Principal Assistant Secretary (School Administration and Support) (PAS(SAS)) supplemented that EMB would encourage schools to invite tenders from social enterprises for the provision of appropriate services such as tuckshops and refreshments for school activities.

43. Mr LEE Cheuk-yan remarked that social enterprises would not be able to compete with commercial enterprises in open tenders. He suggested that EMB should encourage schools to invite social enterprises to bid for the operation of kiosks, store shops, etc., by way of restricted tenders. He pointed out that some schools had appointed social enterprises to provide such services and found that their students had developed good relationship with their PWD employees.

44. PAS(SAS) agreed to consult school councils on the matter. She believed that subject to reasonable terms and conditions of contract, schools might be interested to hire the services of social enterprises to provide refreshments for school activities or to run tuckshops. Mr LEE Cheuk-yan and Miss CHAN Yuen-han remarked that the Administration should formulate policies to promote sustainable operation of social enterprises in schools.

45. Miss CHAN Yuen-han considered that the Administration should formulate policies to support the on-going operation and development of social

Action

enterprises run by NGOS, instead of relying on the commercial sector to support the social enterprises and employ more PWDs. She pointed out that at the Council meeting on 14 June 2006, the Financial Secretary had said that the Administration did not consider it appropriate to provide special terms and conditions to facilitate the development of social enterprises. She added that not many employers participating in the Work Orientation and Placement Scheme would continue to employ the PWDs after the three-month trial period.

Views of deputations

46. Mr Philip YUEN said that the development of social enterprises to create job opportunities for PWDs should be the way forward. He requested the Administration to formulate policies and implement measures to support the development of social enterprises in schools. He pointed out that some of the social enterprises in operation had suffered losses so far.

47. Ms WONG Wai-han considered that the Government should legislate for the employment of PWDs and take the lead in setting a fixed quota for employment of PWDs in the civil service.

Way forward

48. The Chairman urged the Administration to consider the views and suggestions of members and deputations expressed at the meeting, in particular the allocation of resources to improve the provision of residential services and shorten the waiting time for different types of residential homes. He requested C for R to coordinate the attendance of relevant bureaux and departments for a closed meeting to be held before mid-July 2006 to discuss the allocation of lands and resources for the provision of more residential homes. He added that since the issue of provision of residential services was beyond the terms of reference of the Subcommittee, the issue would be referred to the Panel on Welfare Services for follow up in the new session.

[*Post-meeting note* : The Chairman directed that he would first discuss with the Administration concerning the closed meeting.]

III. Any other business

49. Members agreed that the Subcommittee would hold the next meeting on Tuesday, 25 July 2006 at 10:45 am to discuss review on implementation of integrated education.

[*Post-meeting note* : The next meeting was subsequently re-scheduled to be held on Friday, 21 July 2006 at 10:45 am.]

Action

50. There being no other business, the meeting ended at 1:06 pm.

Council Business Division 2
Legislative Council Secretariat
19 July 2006