

立法會
Legislative Council

LC Paper No. CB(2)560/06-07
(These minutes have been
seen by the Administration)

Ref : CB2/SS/1/06

**Subcommittee on Six Items of Subsidiary Legislation Relating
to the Relocation of Juveniles to the Tuen Mun Children and Juvenile Home**

**Minutes of the first meeting
held on Monday, 20 November 2006, at 5:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon Albert HO Chun-yan (Chairman)
Hon TAM Yiu-chung, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP

Public Officers attending : Item II

Mr Freely CHENG
Principal Assistant Secretary for Health, Welfare and Food
(Family)

Ms Wendy CHEUNG
Assistant Secretary for Health, Welfare and Food (Family) 3

Mr CHENG Suen-lok, Desmond
Assistant Secretary for Security

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

Mr NGAN Man-por
Chief Social Work Officer (Corrections)
Social Welfare Department

Action

Mr CHAN Kwok-ki
Assistant Director of Immigration
(Enforcement & Litigation)

Ms Phyllis POON
Government Counsel
Department of Justice

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 4

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mr Chris LAI
Senior Council Secretary (2) 7

Miss Maggie CHIU
Legislative Assistant (2) 4

I. Election of Chairman

Mr Albert HO was elected Chairman of the Subcommittee.

II. Meeting with the Administration

[LC Paper Nos. CB(2)387/06-07(01) and (02)]

2. The Subcommittee deliberated (Index of proceedings attached at **Annex**).
3. The Administration briefed members on the background about the six items of subsidiary legislation which were introduced to effect the relocation and co-location of six existing correctional/residential homes being operated by the Social Welfare Department (SWD) to the new Tuen Mun Children and Juvenile Home (the new Home). The Administration also highlighted the arrangements for the relocation exercise and the advantages to be brought about by the co-location of six homes.
4. The Chairman and Dr Fernando CHEUNG raised the following concerns about the co-location and re-location project –
 - (a) whether adequate arrangements were made for segregating juveniles who were admitted under different ordinances, notably juveniles of both sexes, offenders and non-offenders, as well as from local and overseas;

Action

- (b) whether the rehabilitation needs of the juveniles with different background could be adequately addressed in the new Home, given that the management was prone to set numerous routines and regulations to follow in a large institution;
 - (c) whether the reduction in staffing in the new Home would adversely affect the manning ratio and service quality, as it was estimated that the co-location project would give rise to 83 surplus staff; and
 - (d) whether the capacity of the new Home could cope with the future demand for various services for young offenders.
5. The Administration made the following response to members' concerns –
- (a) there would be adequate space in the new Home to provide segregated facilities and programmes for offenders and non-offenders of both sexes. The design of the complex could ensure that juveniles admitted under different ordinances would be adequately segregated and receive appropriate services at different facilities in the complex. No interaction of residents admitted under different ordinances was foreseen as residents would under no circumstances be left unattended;
 - (b) the site of the new Home was large enough to accommodate the various facilities for juveniles admitted under different ordinances. Apart from providing formal education courses and vocational training courses to juveniles in the new Home, outdoor and recreational activities would be provided to cater for their diverse needs. As part of the rehabilitative training service, small group living environment to enhance mutual help would be adopted in the new Home;
 - (c) the manning ratio of social work staff to residents would be 1:12 in the new Home. After completion of the relocation exercise, surplus staff would be deployed to other service initiatives in SWD; and
 - (d) given that the average enrollment of residents in the six existing homes over the past few years was in the region of 220 to 250 while the capacity of the new Home was 388 places, the new Home could cope with the existing and future demand for the various services for young offenders and juveniles.
6. Dr Fernando CHEUNG said that he would need more time to study if further clarification was required.
7. The Chairman concluded that the Subcommittee raised no objection to the commencement of the six items of subsidiary legislation and would not move any amendments to the subsidiary legislation. In the light of Dr CHEUNG's request,

Action

members agreed that the Chairman should move a motion at the Council meeting on 29 November 2006 to extend the scrutiny period of the six items of subsidiary legislation to 20 December 2006. The Chairman added that a report of the Subcommittee would be submitted to the House Committee.

III. Any other business

8. There being no other business, the meeting ended at 6:30 pm.

Council Business Division 2
Legislative Council Secretariat
5 December 2006

**Proceedings of the first meeting of the
Subcommittee on Six Items of Subsidiary Legislation Relating
to the Relocation of Juveniles to the Tuen Mun Children and Juvenile Home
on Monday, 20 November 2006, at 5:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000234	Mr Albert HO Ms Audrey EU	Election of Chairman	
000235 - 000507	Chairman Admin	Briefing by the Administration on the background for introducing and policy objectives of the six items of subsidiary legislation	
000508 - 001043	Chairman Admin	Implications on the probation and social rehabilitation services of the six existing homes and the new Tuen Mun Children and Juvenile Home if the subsidiary legislation was revoked by the Subcommittee	
001044 - 002532	Chairman Dr Fernando CHEUNG Admin	Members sought clarification from the Administration on the following concerns – (a) cost-saving consideration at the expense of service quality in the co-location exercise; (b) management problems arising from co-location of six existing homes; and (c) segregation of residents of both sexes, offenders and non-offenders, as well as from local and overseas in the new Home	
002533 - 003553	Dr Fernando CHEUNG Chairman Admin	Further discussion on how segregation between residents could be achieved and arrangement of programmes and activities, with a view to minimising potential conflicts among residents and reducing negative peer influence on non-offenders	
003554 - 004047	Chairman Dr Fernando CHEUNG Admin	Staffing implications of the co-location exercise on the manning ratio and service quality in the new Home	

Time marker	Speaker	Subject	Action required
004048 - 004319	Dr Fernando CHEUNG Chairman Admin	Food catering and medical facilities and services of the new Home	
004320 - 004538	Chairman Admin	Adequacy of capacity of the new Home to cope with the existing and future demand for the services	
004539 - 005106	Dr Fernando CHEUNG Admin	Impact of setting numerous routines and regulations at a large complex on the social rehabilitation of the residents with different background and needs	
005107 - 005542	Chairman Dr Fernando CHEUNG ALA 5 Admin	Layout plan of the new Home Extension of scrutiny period of six items of subsidiary legislation to 20 December 2006	

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