

香港兒童權利委員會
THE HONG KONG COMMITTEE ON CHILDREN'S RIGHTS

**Submission to the Panel on Welfare Services
on Child Protection**

On 29 June 2006, the Panel on Welfare Services called a Special Meeting on Child Protection to discuss if the existing system is sufficient to protect our children from harm. Members in the meeting expressed grave concern about the lack of coordination among relevant bureaux and departments, and saw the need for a Child Commission, as a high-level and central mechanism, to oversee and monitor the implementation of child protection policies in Hong Kong, and formulate a comprehensive Child Policy as a guiding principle for all services concerning children. LC Paper No. CB(2)1762/06-07(06) These calls were repeated by NGOs, political parties, non-affiliated legislators and concerned individuals in a series of Legislative Council panel meetings (e.g., Home Affairs Panel Meeting, 10 July 2005, 10 February 2006; Welfare Services Panel Meeting, 29 June 2006), as well as the Children's Rights Forum convened by the Home Affairs Bureau. http://www.hab.gov.hk/file_manager/tc/documents/policy_responsibilities/the_rights_of_the_individuals/human/child_forum_20061215Minutes1_c.doc

We are glad to see that after the Special Meeting, the Legislative Council Secretariat has compiled an informative research report in comparing Hong Kong with three selected overseas places namely England, Ontario and New South Wales for the main features of the child protection policies and measures. Once again, it was found Hong Kong is lagging behind these advanced cities in protecting our children. Hong Kong is the only place where it has no guiding principles for child protection policies nor child protection intervention principles that are specified by law. Unlike England and New South Wales, Hong Kong is also lacking authorities independent of the government such as a Child Commission or a Child Commissioner to safeguard children's rights. Ontario also lacks one but their parliament is making a legislative proposal to establish one.

Research report on "Child Protection in Selected Overseas Places" prepared by the Research and Library Services Division of the LegCo Secretariat [RP03/06-07].

This was echoed by the findings of an independent study report "A Children's Commission for Hong Kong – Shaping the Future" commissioned by our Committee in 2006. Increasing evidences showed that many laws in relation to child protection in Hong Kong are outdated, resources are overlapping, and matters related to children are falling into various bureaux and

departments but lacks one single body to put their interests and perspectives into focus.

http://www.childrenrights.org.hk/A_Full_report.pdf

It is a global trend to establish a Children's Commission or Children's Ombudsman in order to take care of the specific needs of children. The United Nations Committee on the Rights of the Child also advocates it as a priority, and repeatedly urged the HKSAR government to set up such a body in line with the Paris Principles.

http://www.hab.gov.hk/file_manager/en/documents/policy_responsibilities/CRC_Concluding_observations_2005_e.pdf

The Appendix 1 attached to this submission "Statement to support the establishment of a Commission for Children in Hong Kong" is generated by a long list of NGOs, professional groups and concerned individuals who are committed to promote the establishment of such a body for 1.3 million children in Hong Kong, with reference to documents, study reports and materials generated in Hong Kong since the mid-90's.

The call for a Commission for Children in Hong Kong was clear, both in the community and in the United Nations. The time for a Children's Commission is right now – before our children grow into a society that does not benefit Hong Kong.

Submitted by

Hong Kong Committee on Children's Rights

12 May 2007

Statement to support the establishment of a Commission for Children in Hong Kong

The United Nations Convention on the Rights of the Child (UNCRC) came into effect in Hong Kong in 1994. It is the obligation of the HKSAR Government to implement the rights mentioned in the Convention for the 1.3 million children aged under 18 in the territory. At present, we have many bureaux that are responsible for children. However, there is no single bureau that has children as its main focus and to ensure that the public authorities translate the principles enshrined in the UNCRC into reality. Without such a commitment, children and their rights continue to languish at the bottom of the political agenda.

It is a global trend to establish a Children's Commission or Children's Ombudsman in order to take care of the specific needs of children. The United Nations Committee on the Rights of the Child and the newly formed United Nations Human Rights Council advocated that such body should be set up as a matter of priority. In 2005, a total of 20 agencies and professional groups submitted a shadow report to reflect the child rights situation in Hong Kong (NGO Report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child). They called on the government to set up a Children's Commission with the appropriate power and resources to carry out its functions at the earliest time possible. In the Concluding Observations, the UN Committee strongly recommended that our government to establish such a body to improve the child rights situation in Hong Kong.

The call for a Commission for Children in Hong Kong was clear, both in the community and in the United Nations. We believe it is the right time to bring this issue forward and to act now with determination. A Children's Commission may not be the answer to all the problems faced by children but it can be a channel through which the voice of children can be more clearly heard.

We hope the Commission for Children can fulfill the following functions and roles:

- 1. Advocate and influence policies** by monitoring the implementation of the UNCRC and the child rights situation in Hong Kong; by reviewing existing policies, ensuring a child impact study is done when policies are changed or new policies introduced and in monitoring the implementation of legislation in practice.
- 2. Research and analyze** by developing indicators to measure the improvement of the child rights situation and to conduct research in order to systematically analyze the child rights situation in

Let's join hands to make our children grow up in a society that respects their rights!

different aspects.

- 3. Coordinate, communicate and cooperate** by liaising with various government bureaux, departments and the private and voluntary sectors on matters affecting children; and by cooperating with local and overseas organizations and professionals to seek better practice and services for children.
- 4. Educate and promote children's rights** by developing guidelines and training materials for the general public and by raising awareness through the media and public campaigns.
- 5. Probe** into cases in breach of children's rights, which have public and policy implications, to suggest necessary changes and to make recommendations for improvement.
- 6. Speak for children** by encouraging children to express their views and representing them by putting forward their views and concerns at a higher level to ensure the child's perspective is being considered; by consulting, communicating and hearing the views directly from children through appropriate channels.

This statement was supported by the following agencies and professional groups, which have committed themselves to promote the establishment of a Children's Commission in Hong Kong:

Against Child Abuse

Center for Child Development, Hong Kong Baptist University

Chinese YMCA of Hong Kong – Hin Keng Centre

Chinese YMCA of Hong Kong – Tsuen Wan Centre

Dr Fernando Cheung's office

Dr Kwok Ka Ki's office

Evangelical Lutheran Church of Hong Kong – Grace Rehabilitation Service

Evangelical Lutheran Church of Hong Kong – Letter Box to Uncle Long Leg

The Hong Kong Childhood Injury Prevention and Research Association

Hong Kong College of Paediatricians

Hong Kong Committee for UNICEF

Hong Kong Committee on Children's Rights

Hong Kong Council of Early Childhood Education and Services

Hong Kong Down Syndrome Association

Hong Kong Human Rights Monitor

Hong Kong Paediatric Foundation

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229th Hong Kong Scout Group
Hong Kong Society for the Protection of Children
Kids' Dream
Playright Children's Play Association
Society for Community Organization
Suen Mei Speech & Hearing Centre
The Boys' and Girls' Clubs Association of Hong Kong
The Hong Kong Council of Social Service
The Hong Kong Paediatric Society
TREATS

If you support this statement and wish to make changes for children in Hong Kong, please return the attached reply slip to us as soon as possible. We will make use of the list of supporters to strengthen our campaign for the establishment of a Commission for Children in Hong Kong.

If you have any concerns and views to share, please do not hesitate to contact us through Ms Billy Wong of the Hong Kong Committee on Children's Rights at 2324 9782 or Email: hkccr8@childrenrights.org.hk. We look forward to seeing your participation!

Supporting agencies and individuals

Hong Kong Community Development Network
Hong Kong Church Renewal Movement
Intellectually Disabled Education and Advocacy League
Evangelical Lutheran Church of Hong Kong
Ms Cyd Ho Sau-lan
Environmental Advisory Service
H.K.S.K.H. Lady MacLehose Centre
Committee on Youth Smoking Prevention
Children's Cancer Foundation
Mr Shiu Ka-chun
Hong Kong Institute of Education T.I.H. Alumni
Hong Kong Association of the Deaf
Prof Lau Yu-lung, Department of Paediatrics and Adolescent Medicine, The University of Hong Kong
The Against Elderly Abuse of Hong Kong
Prof Cheng Yu-shek, The City University of Hong Kong

Let's join hands to make our children grow up in a society that respects their rights!

關注傷殘津貼聯席

B.M. Kotewall Memorial School SAHK

Asian Consultancy on Tobacco Control

Hong Kong Social Workers' General Union

HK Association for Specific Learning Disabilities

Watchdog

Christian Action

Caritas – Hong Kong

The Boys' Brigade, Hong Kong

Hong Kong University Students' Union

The Association of the Advancement of Feminism

Global Institute for Tomorrow

Hong Kong Christian Institute

International Social Service Hong Kong Branch