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(These minutes have been
seen by the Administration)

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Panel on Welfare Services

**Subcommittee on Review of the
Comprehensive Social Security Assistance Scheme**

**Minutes of the 17th meeting
held on Thursday, 8 February 2007, at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon LEE Cheuk-yan
Hon CHAN Yuen-han, JP
Hon TAM Yiu-chung, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon LEUNG Kwok-hung

Members absent : Hon Albert HO Chun-yan
Hon Alan LEONG Kah-kit, SC

Public Officers attending : Mr D C CHEUNG
Principal Assistant Secretary for Health, Welfare and Food
(Elderly Services and Social Security) 2

Miss Cherie YEUNG
Assistant Secretary for Health, Welfare and Food
(Elderly Services and Social Security) 4

Miss Nancy LAW, JP
Deputy Director of Social Welfare (Administration)

Mr CHENG Chok-man
Chief Social Security Officer (Social Security) 1
Social Welfare Department

Mr NG Wai-kuen
Chief Social Security Officer (Social Security) 2
Social Welfare Department

Ms PANG Kit-ling
Chief Social Work Officer (Domestic Violence)
Social Welfare Department

**Deputations :
by invitation**

The Against Elderly Abuse of Hong Kong

Ms Kennex YUE
Chief Executive Director

Hong Kong Chinese Civil Servants' Association, Social
Work Officers Grade Branch

Mr LEUNG Kin-hung
Chairman

Mr CHEUNG Kam-ki
Vice Chairman

Caritas-Hong Kong/Family Service

Ms KWOK Chi-ying
Supervisor

Hong Kong Chinese Civil Servants' Association Social
Security Assistants' Branch

Mr CHAN Chun-wah
Chairman

Hong Kong Association for the Survivors of Women Abuse
(Kwan Fook)

Ms LIU Ngan-fung
Chairman

Ah Man

Mission to New Arrivals Ltd.

Rev. LEUNG Yau-tung
General Secretary

Civil Human Rights Front

Mr Kenneth CHEUNG Kam-hung
Convenor

Association Concerning Sexual Violence Against Women

Ms Linda WONG
Acting Executive Director

Ms DU Wen-hui

Concerning CSSA Review Alliance

Mr LEE Tai-shing
Community Organizer

Ah Yee
Representative

Hong Kong Women's Coalition on Equal Opportunities

Ms CHUNG Yuen-yi
Co-ordinator, Anti-domestic Violence Programme

New Women Arrivals League

Ms YEUNG Mei
Chairman

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

Staff in attendance : Ms Maisie LAM
Council Secretary (2) 2

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Confirmation of minutes

[LC Paper No. CB(2)999/06-07]

The minutes of the meeting held on 12 December 2006 were confirmed.

II. Difficulties faced by victims of domestic violence in applying for Comprehensive Social Security Assistance

[LC Paper Nos. CB(2)1007/06-07(01) to (06), CB(2)1052/06-07(01) to (03) and CB(2)1060/06-07(01) to (05)]

Views of deputations

2. The Chairman welcomed representatives of deputations to the meeting. The views of deputations are summarised below.

The Against Elderly Abuse of Hong Kong
[LC Paper No. CB(2)1007/06-07(02)]

3. Ms Kennex YUE introduced the submission of the Against Elderly Abuse of Hong Kong tabled at the meeting. Ms YUE was of the view that the Administration should adopt a more flexible approach in handling the applications for Comprehensive Social Security Assistance (CSSA) from elderly victims of domestic violence by, say, allowing them to apply for CSSA on an individual basis if their family members declined to make statements on non-provision of financial support even though they were living together. Ms YUE criticised the Social Welfare Department (SWD) for not providing the discretionary special grants in time for victims of domestic violence to meet the expenses on rent, electricity, water and gas/LPG deposits when they were allocated public rental housing flats under the household splitting or compassionate rehousing arrangement. Moreover, the level of grants was outdated and far from adequate, as shown by the fact that the grant for an electric storage water heater was capped at \$950 despite the lowest possible cost for purchasing one being \$1,075.

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*Hong Kong Chinese Civil Servants' Association, Social Work Officers Grade Branch
[LC Paper No. CB(2)1007/06-07(03)]*

4. Mr LEUNG Kin-hung presented the views of the Hong Kong Chinese Civil Servants' Association, Social Work Officers Grade Branch as detailed in its submission. Mr LEUNG said that in the light of the difficulties encountered by the frontline social workers in handling cases relating to victims of domestic violence in applying for CSSA, the Association urged the Administration to –

- (a) relax the seven-year residence requirement for applying for CSSA so that immediate financial assistance could be provided for victims of domestic violence, especially new arrival single mothers with young children;
- (b) delegate the discretionary power for waiver of the residence requirement to the frontline Social Work Officers so that a fast-track channel for approving CSSA applications would be available for victims of domestic violence; and
- (c) provide short-term loans for victims who were applying for CSSA to meet the expenses for removal and rent deposits. The loans could be recovered from the CSSA payments.

*Caritas - Hong Kong, Family Service
[LC Paper No. CB(2)1007/06-07(04)]*

5. Ms KWOK Chi-ying presented the views of Caritas - Hong Kong, Family Service as set out in its submission tabled at the meeting. Ms KWOK said that the most imminent need of victims of domestic violence was to move out from their dwellings. To address their housing needs, immediate financial assistance should be provided for them to meet the expenses for moving into a new home. Moreover, rental allowance should be provided for those CSSA applicants who were victims of domestic violence even though they owned property jointly with their spouses, as they could not continue to stay with their spouses in the same unit. In this connection, the Administration should adopt flexibility in assessing their eligibility for CSSA.

*Hong Kong Chinese Civil Servants' Association, Social Security Assistants' Branch
[LC Paper No. CB(2)1007/06-07(06)]*

6. Mr CHAN Chun-wah presented the views of the Hong Kong Chinese Civil Servants' Association, Social Security Assistants' Branch as detailed in its submission. He hoped members would appreciate that the frontline Social Security Assistants (SSAs) were not unsympathetic with the applicants. However, in order to uphold the

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principle of prudent use of public money, they had to investigate into and verify the CSSA applications before making recommendations for approval. As victims of domestic violence who sought assistance from the Social Security Field Units (SSFUs) were often empty-handed when moving out of their home and they were required to provide such information as Police's reports or referrals from social workers to prove that they were forced to move away from their home, SSFUs staff would need some time to verify the applications.

7. Mr CHAN said that frontline SSFU staff should be provided with specific guidelines for processing applications from victims of domestic violence who did not meet the eligibility criteria for CSSA to facilitate the provision of assistance for them. As a longer-term measure, the Administration should consider setting up a relief fund to provide immediate financial assistance for victims of domestic violence pending approval of their CSSA applications.

Hong Kong Women's Coalition on Equal Opportunities
[LC Paper No. CB(2)1052/06-07(03)]

8. Ms CHUNG Yuen-yi presented the submission of the Hong Kong Women's Coalition on Equal Opportunities tabled at the meeting. Ms CHUNG said that as a result of the seven-year residence requirement under the CSSA Scheme, some victims of domestic violence who did not meet the eligibility criteria were forced to continue to live together with the batterers. Although discretionary special grants were available for victims to meet the expenses for rent deposit, removal and essential items, most applications for such grants were unsuccessful. She strongly requested the Administration to adopt flexibility in handling cases involving victims of domestic violence in applying for CSSA in view of the special difficulties faced by them.

New Women Arrivals League
[LC Paper No. CB(2)1060/06-07(04)]

9. Referring to a case as detailed in the submission of the New Women Arrivals League, Ms YEUNG Mei highlighted the difficulties faced by a victim of domestic violence who failed to meet the seven-year residence rule when applying for CSSA. She said that the victim concerned was forced to rely on the CSSA payments of her son. After her case was taken up by the New Women Arrivals League and Members of the Legislative Council (LegCo), SWD had exercised discretion to waive the residence requirement but the recipient did not know why her application was approved. She hoped that the Administration would enhance the transparency of the mechanism of discretion.

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Mission to New Arrivals Ltd.
[LC Paper No. CB(2)1060/06-07(05)]

10. Rev LEUNG Yau-tung introduced the submission of the Mission to New Arrivals tabled at the meeting. Rev LEUNG said that the organisation had provided a temporary relief fund for new arrivals, about 20% of whom were victims of domestic violence who did not meet the seven-year residence rule; some of them were even referred by social workers of SWD. Rev LEUNG pointed out that victims on Two Way Permits were afraid that they would lose their residence if they separated with their spouses because of domestic violence. To prevent cases of hidden domestic violence, the Administration should consider exercising discretion to waive the residence requirement of Two Way Permit holders in applying for CSSA. He added that a community support network should be developed to better support the victims and their children.

Civil Human Rights Front

11. Mr Kenneth CHEUNG held the view that the Administration should conduct a review of the seven-year residence requirement under the CSSA Scheme and delegate the discretionary power for waiving the residence requirement to frontline social workers, with a view to providing immediate financial assistance for the victims and their children in genuine hardship.

Association Concerning Sexual Violence Against Women

12. Ms Linda WONG said that she had come across cases where victims of sexual violence were asked by SSFU frontline staff to exhaust all their savings before applying for CSSA, instead of being advised that they did not meet the residence requirement. She was of the view that clear guidelines on the details of the residence requirements, particularly the mechanism of discretion, should be provided for SSFU frontline staff so that appropriate advice could be offered to the applicants. Ms WONG further said that in view of the special difficulties faced by victims who were often empty-handed when being forced to move away from their spouses, the Administration should provide the discretionary special grants for the victims to meet the expenses for moving out.

13. Ms DU Wen-hui, a Two Way Permit holder who was a victim of domestic violence, related the difficulties she had encountered in applying for CSSA because she did not meet the seven-year residence requirement. In short, she was asked by the SSFU frontline staff to either return to the Mainland, or rely on the CSSA payment of her child born in Hong Kong for a living.

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Concerning CSSA Review Alliance
[LC Paper No. CB(2)1052/06-07(02)]

14. Mr LEE Tai-shing introduced the submission of the Concerning CSSA Review Alliance tabled at the meeting. Mr LEE said that the Alliance shared the views of other deputations that the Administration should provide clear internal guidelines for the frontline SSFU staff. It was unacceptable for SSFU staff to ask the CSSA applicants to return to their place of origin or borrow money from relatives or friends before applying for discretion to waive the residence requirement.

15. Ah Yee, a new arrival and a victim of domestic violence, said that when she applied for CSSA, she was informed by the frontline SSFU staff right away that she was ineligible not because she did not meet the residence requirement, but because her savings could support the livelihood of her family for two months. She was also told by the SWD staff that a different set of guidelines was adopted for exercising discretion for waiving the residence requirement in respect of victims of domestic violence. Subsequently, her CSSA application was approved after she had used up her savings.

Hong Kong Association for the Survivors of Women Abuse (Kwan Fook)
[LC Paper No. CB(2)1052/06-07(01)]

16. Ah Man explained to members the difficulties faced by her in applying for CSSA. She was informed by the SSFU staff at the outset that she was ineligible because she did not meet the residence requirement. Although she was a victim of domestic violence, no discretion would be exercised to waive the requirement. Instead, she was asked to return to the Mainland, borrow money from relatives or friends, or rely on her son's CSSA payment for a living.

17. Ms LIU Ngan-fung referred members to a survey findings conducted by Kwan Fook as detailed in its submission tabled at the meeting, which revealed that a number of CSSA applications made by domestic violence victims had been dragged on for months or rejected. Moreover, most of the applications for discretionary special grants under the CSSA Scheme to meet the expenses for rent deposit, removal and essential furniture items, etc., were unsuccessful.

Other submissions received

18. Members noted that the following four organisations had provided written submissions, but had not sent representatives to the meeting –

- (a) Society for Community Organizations [LC Paper No. CB(2)1007/06-07(05)];

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- (b) The Boys' & Girls' Club Association of Hong Kong [LC Paper No. CB(2)1060/06-07(01)];
- (c) The Hong Kong Council of Social Service [LC Paper No. CB(2)1060/06-07(02)]; and
- (d) Po Leung Kuk [LC Paper No. CB(2)1060/06-07(03)].

The Administration's response

19. Deputy Director of Social Welfare (Administration) (DDSW(A)) made the following responses to the views expressed by the deputations –

- (a) the seven-year residence requirement under the CSSA Scheme was introduced on 1 January 2004 on the basis of the recommendations in the Report of the Task Force on Population Policy. The rationale for the requirement was to ensure a rational basis on which the heavily subsidised social services were allocated. The Director of Social Welfare (DSW) might, at his discretion in exceptional circumstances, grant CSSA to those who did not satisfy the residence requirement but were in genuine hardship;
- (b) there was no question of the applicants not knowing that CSSA might be granted in exceptional circumstances at the discretion of DSW to a person who did not satisfy the residence requirement. It had been the standard practice for SWD to give a copy of the pamphlet on residence requirements to each and every CSSA applicant who did not meet the requirement. The residence requirement was also stipulated clearly in SWD's internal guidelines. The perception of absence of clear guidelines for exercising discretion as alleged by some deputations might be due to communication problem between the frontline staff and the applicants;
- (c) it was not practical to set out guidelines for frontline SSFU staff to establish whether a person who was unable to satisfy the residence requirement had genuine hardship, as each case had to be considered on its own merits. It was a conscious decision to delegate Senior Social Security Officers (SSSOs) at the districts with the responsibility and discretionary power to decide whether the residence requirement should be waived in the cases concerned;

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- (d) apart from CSSA, other forms of assistance and support were available for new arrivals who did not meet the residence requirement, including victims of domestic violence. Frontline SSFU staff would refer the applicants concerned to other service units for follow-up as appropriate. The charitable trust funds administered by SWD and non-governmental organisations would also be tapped to assist the needy new arrivals to tide over their financial hardship under urgent situations; and
- (e) the CSSA Scheme, which provided a safety net of last resort, was not aimed at providing temporary relief to persons in need of urgent financial needs. SWD had all along been adopting a prudent approach in approving applications for CSSA to ensure that assistance would go to people genuinely in need. Applicants would be informed in writing of the results of their applications, and those who were not satisfied with the decision could lodge an appeal with the Social Security Appeal Board.

Discussion

20. The Chairman expressed dissatisfaction at the Administration's explanation that victims of domestic violence who did not meet the residence requirement could seek financial assistance from other funds to tide over their short-term financial difficulties.

21. Mr LEE Cheuk-yan disagreed with the Administration's observation that the absence of clear guidelines for waiving the seven-year residence requirement for CSSA was attributable to a communication problem between the frontline staff and the applicants. Referring to the "Frequently Asked Questions" section of the pamphlet on residence requirements, Mr LEE said that it was set out therein that discretion would normally be exercised to waive the residence requirement for an applicant with neither income nor other resources and who had been forced to move away from his/her spouse with his/her children because of domestic violence or other reasons. He considered that if that was the case, the frontline SSFU staff should be given the discretionary power to grant CSSA to each and every empty-handed victim of domestic violence who did not meet the residence requirement. If the caseworkers were in doubt as to whether CSSA should be granted, they should consult their senior officers such as SSSOs where necessary.

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22. DDSW(A) advised that the pamphlet on residence requirements spelt out the details of the residence requirements for CSSA and the main factors that SWD would take into consideration in exercising discretion. To determine whether an applicant was in genuine hardship, the Administration had to take into account all relevant information in accordance with the established procedures. As there were varying circumstances in each case, it was necessary for the discretion to be exercised by an experienced officer ranked at SSSO or above. DDSW(A) stressed that SWD should adopt a prudent approach in approving applications for CSSA to safeguard the public purse. She added that in the Ombudsman's report on SWD's system of processing applications for Disability Allowance (DA), the latter had endorsed in principle the Administration's position to recover DA overpayment cases in order to properly account for and to preserve public funds.

23. Mr LEE Cheuk-yan recalled that when the subject of SWD's system of processing applications for DA was discussed by the Panel on Welfare Services, he had criticised the criteria adopted by the Administration for approving CSSA and DA applications as being too stringent and had called for a study by the Ombudsman on the underpayment of DA. Mr LEE doubted if discretion would normally be exercised for victims of domestic violence who did not meet the seven-year residence requirement when applying for CSSA, given that the deputations had advised on the contrary. The Chairman echoed Mr LEE's views.

24. DDSW(A) reiterated that SWD had a set of long-established procedures for processing CSSA applications. SWD would keep under constant review the operation of its various services provided for social welfare recipients, including the granting of waiver of residence requirement, and make improvements where necessary.

25. Mr LEUNG Kwok-hung held the view that the primary objective of tightening the residence requirement for adult CSSA applicants from one year to seven years in 2004 was to cutback welfare spending and deter new arrivals from entering Hong Kong. He strongly urged the Administration to review the policy. Mr LEUNG sought the following information from the Administration –

- (a) the number of CSSA recipients who had resided in Hong Kong for less than seven years before the introduction of the seven-year residence requirement in 2004; and
- (b) the number of CSSA applications rejected for not meeting the seven-year residence requirement since 2004.

26. DDSW(A) responded that since the introduction of the seven-year residence requirement in 2004 and up to the end of January 2007, DSW had exercised discretion

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to waive the residence requirement in a total of 2 243 cases and rejected 73 applications. Regarding Mr LEUNG's first question, DDSW(A) said that SWD had not collated such information prior to the introduction of the seven-year residence requirement.

27. Mr LEUNG Kwok-hung opined that most new arrivals in genuine hardship had not proceeded with their CSSA applications upon learning of the residence requirement. Hence, the figures quoted by the Administration could not reflect the actual extent of the problem arising from imposition of the residence requirement. To better understand the magnitude of the problem, the Administration should look into the underlying reasons for the withdrawal of applications.

28. Echoing Mr LEUNG Kwok-hung's view, the Chairman said that judging from the figures provided by the Administration, 97% of the applications which failed to meet the residence requirement were approved with discretion. This, however, seemed incongruous with the situation cited by some deputations.

29. Noting that DSW had exercised discretion to waive the residence requirement in a total of 2 243 cases since 2004, Ms LIU Ngan-fung of Kwan Fook pointed out that the Administration had stated in paragraph 7 of its paper that SWD had exercised discretion to waive the residence requirement in a total of 606 cases of single parents during the period. Moreover, the Administration had advised at the Subcommittee's meeting on 19 July 2006 that there were only 1 073 CSSA applications approved with discretion in 2004-2006. She requested the Administration to explain the discrepancies. Ms LIU added that since 2004, the number of cases in rejection of CSSA applications involving domestic violence handled by Kwan Fook was on the high side. In many cases, new arrival victims in dire financial situation were asked by the frontline SSFU staff to return to their places of origin or borrow money from relatives or friends instead of resorting to CSSA. Ms LIU quoted the Tin Shui Wai family tragedy case where the victim was denied CSSA because of not meeting the residence requirement, and said that the Administration should learn the lesson from the tragedy.

30. DDSW(A) said that since the implementation of the residence requirement for the CSSA Scheme in 2004, SWD had exercised discretion to waive the requirement in a total of 2 243 cases as at end of January 2007. Of these, 606 recipients were single parents and some of them might include victims of domestic violence. However, SSFU had not collated a breakdown of these cases by gender and the detailed background.

31. Mr LEUNG Kin-hung of Hong Kong Chinese Civil Servants' Association, Social Work Officer Grade Branch said that as the gate-keeper of the social security system, they had to inform the applicants that they did not meet the seven-year

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residence requirement and were not eligible for applying for CSSA. Some applicants had decided not to proceed with the applications, although discretion might be granted based on the merits of individual cases. Mr LEUNG further said that although cases of domestic violence were followed up by caseworkers, applications for CSSA from these victims were investigated and processed by SSFU staff. To shorten the processing time for such cases, the Administration should consider delegating the discretionary power to Social Work Officers who were approached by the victims for assistance in the first place.

32. Mr CHAN Chun-wah of Hong Kong Chinese Civil Servants' Association, Social Security Assistants' Branch pointed out that according to the guidelines on the exercise of discretion, SSAs were required to explore other forms of assistance and support available for new arrivals before making a recommendation to waive the residence requirement, including the possibility of the applicant returning to his/her place of origin. Moreover, the information needed for making a recommendation on waiving the residence requirement for applying for CSSA varied from case to case. This exerted great pressure on the frontline staff. Mr CHAN added that the weighting of the factors taken into account by different SSSOs in exercising the discretion varied from time to time. As such, he called on the Administration to provide clear guidelines in this respect.

33. The Chairman agreed that there was a pressing need to improve the clarity of the guidelines on the operation of discretion, given that the residence requirement had caused undue hardship for many victims of domestic violence and put the frontline SWD staff under extreme pressure.

34. Miss CHAN Yuen-han asked for the following information –

- (a) the relevant factors that SSSOs would take into consideration when declining to exercise the discretion to waive the residence requirement for applying for CSSA; and
- (b) the rationale for exploring the possibility of the applicant returning to his/her place of origin in determining whether discretion should be exercised.

35. DDSW(A) assured members that every effort had been made by SWD to provide assistance for those who were in need. In determining whether discretion should be exercised to waive the seven-year residence requirement under the CSSA Scheme, each case had to be considered on its own merits and in the best interest of the CSSA applicant. To explore the possibility of the applicant returning to his/her place of origin would facilitate better understanding of the difficulties faced by the applicant. She stressed that this was not the only consideration factor.

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36. Responding to Miss CHAN's further enquiry about the time taken for consideration of waiver of the residence requirement, Chief Social Security Officer (Social Security) 1 said that this would take about four weeks if the applicants concerned had provided all the requisite information.

37. Miss CHAN Yuen-han expressed doubts on the operation of the discretion mechanism as the cases referred to by the deputations had been dragged on for months or come to no avail. As it was inappropriate for the Subcommittee to discuss details of individual cases, she suggested holding a case conference to better understand why discretion was not exercised to waive the residence requirement for such applicants. The Chairman added that deputations might consider referring individual cases to the Complaints Division of the LegCo Secretariat for follow-up.

38. Pointing out that most new arrivals came from the Mainland, Mr LEUNG Kwok-hung asked whether the Administration had discussed with the relevant Mainland authorities to see if it was a viable option for those CSSA applicants who did not meet the residence requirement to return to the Mainland. Mr LEUNG further said that it was difficult, if not impossible, for the new arrivals to prove that returning to their places of origin would not be in their interest. He held the view that the possibility of the applicant returning to his/her place of origin should be excluded from the list of consideration factors in determining whether discretion would be exercised to waive the residence requirement.

39. Principal Assistant Secretary for Health, Welfare and Food (Elderly Services and Social Security) 2 (PASHWF(ES&SS)2) stressed that the possibility of a CSSA applicant returning to his/her place of origin was merely one of the consideration factors in determining whether to exercise discretion to waive the residence requirement. For instance, it might be in the best interest of a victim of domestic violence with no relatives in Hong Kong to return to his/her place of origin.

40. The Chairman believed that putting in place the mechanism of discretion was to provide assistance for those who did not meet the residence requirement but were in genuine hardship. However, if the applicants were asked to exhaust all other possible sources of assistance in Hong Kong before consideration would be given to exercising the discretion, such an arrangement would undermine the spirit of the mechanism of discretion. He strongly urged the Administration to review the operation of the mechanism with a view to providing immediate financial assistance for the CSSA applicants who were forced to move away from his/her spouse because of domestic violence.

41. PASHWF(ES&SS)2 reiterated that CSSA was not the only form of assistance for victims of domestic violence, and other forms of assistance and support were available to them irrespective of their length of residence in Hong Kong. Chief

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Social Work Officer (Domestic Violence) supplemented that it was incumbent upon the social workers to explain to the new arrivals the options available to them. She had come across cases where the new arrivals decided to return to the Mainland where they would have a better network of support from relatives. Moreover, the trust funds administered by SWD would assist the new arrivals in need to tide over short-term financial hardship.

42. Mr LEUNG Kwok-hung asked about the number of applications for CSSA which were rejected and no discretion being granted on the ground that the applicants could return to their places of origin. DDSW(A) replied that SWD had not kept separate records by such categorisation.

43. The Chairman agreed that the figures requested by Mr LEUNG Kwok-hung would facilitate a better understanding of the impact of the seven-year residence requirement on new arrivals in applying for CSSA. The Chairman enquired about the number of rejected cases involved victims of domestic violence.

44. PASHWF(ES&SS)2 advised that it would be a time consuming exercise to prepare the data as SWD did not collate a breakdown of cases involving discretion being exercised to waive the residence requirement by detailed background of the applicants. PASHWF(ES&SS)2 added that all the SSSOs would meet regularly to share experience on the operation of discretion to waive the seven-year residence requirement for CSSA. If necessary, staff of SWD would also be happy to discuss with deputations after the meeting to follow up on the individual cases referred to at the meeting.

45. DDSW(A) supplemented that the SWD management maintained constant communication with the frontline staff on the operational procedures and other matters through various channels, including the departmental consultative committees and other staff consultative bodies.

46. The Chairman asked whether the Administration would consider drawing up a set of internal guidelines on the handling of CSSA applications from victims of domestic violence to ensure consistency in the discretion mechanism. DDSW(A) advised that internal guidelines on waiver of the seven-year residence requirement was already in place and did not see a need for drawing up separate guidelines for victims of domestic violence. She added that SSSOs would take into account all the relevant information and the recommendations made by the caseworkers in deciding whether waiver on residence requirement should be given to CSSA applicants. The Chairman and Mr LEUNG Kwok-hung expressed dissatisfaction at the Administration's response.

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Admin 47. To facilitate follow up by the Subcommittee on the matter, the Chairman said that the Administration should be requested to provide the following information after the meeting –

- (a) of the 2 243 CSSA cases on which discretion to waive the residence requirement since 2004 was approved, the number of cases in which the applicants were victims of domestic violence; and
- (b) a breakdown of the 73 rejected applications by reasons.

(Post-meeting note : The Administration's response was issued to members vide LC Paper No. CB(2)1327/06-07(01) on 15 March 2007.)

48. There being no other business, the meeting ended at 4:40 pm.

Council Business Division 2
Legislative Council Secretariat
23 March 2007