

立法會
Legislative Council

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seen by the Administration)

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Subcommittee to Study Issues Relating to Mainland-HKSAR Families

Minutes of the 11th meeting
held on Monday, 22 February 2010, at 4:30 pm
in the Chamber of the Legislative Council Building

- Members present** : Hon LEE Cheuk-yan (Chairman)
Hon LEUNG Yiu-chung (Deputy Chairman)
Hon Miriam LAU Kin-ye, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon WONG Kwok-hing, MH
Hon Ronny TONG Ka-wah, SC
Hon Cyd HO Sau-lan
Hon CHAN Hak-kan
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
- Members absent** : Hon Albert HO Chun-yan
Prof Hon Patrick LAU Sau-shing, SBS, JP
- Public Officers attending** : Item I
Home Affairs Bureau
Ms Grace LUI Kit-yuk
Deputy Secretary for Home Affairs (1)
Home Affairs Department
Ms Dora FU Ha-man
Assistant Director of Home Affairs (3)

Social Welfare Department

Ms LUNG Siu-kit
Assistant Director (Social Security)

Miss Maria LAU
Chief Social Work Officer (Family & Child Welfare) 1

**Deputations
by invitation**

: Item I

Society for Community Organization

Ms SZE Lai-shan
Community Organizer

Split Families Concern Group

Ms HO Yuk-lin
Member

International Social Service Hong Kong Branch

Ms Iris LIU
Director of Programme

Community Development Alliance

Ms WONG Wing-chi
Community Organizer

關注中港家庭權利聯席

Mr TSANG Koon-wing
Member

Mission To New Arrivals Ltd.

Rev. LEUNG Yau-tung
General Secretary

New Women Arrivals League

Ms YEUNG Mei
Chairman

Mainland-Hong Kong Families Rights Association

Ms LEUNG Choi-lai
Member

Mr CHAN Wai-hung
Member

Christian Action

Ms LEE Wing-chong
Manager, Social Services Department

Concerning CSSA Review Alliance

Mr AU YEUNG Tat-chor
Community Organizer

Justice and Peace Commission of the Hong Kong Catholic
Diocese

Mr John CHUNG Ping-lam
Committee Member

Hong Kong Christian Institute

Mr LEE Ling-hon
Programme Secretary

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

Staff in Attendance : Miss Florence WONG
Senior Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 4

Action

I. Support services for families with new arrivals from the Mainland and with members on Two Way Permits

[LC Paper Nos. CB(2)870/08-09(01), CB(2)915/09-10(01), CB(2)981/09-10(01) to (06) and IN22/08-09]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Subcommittee received views from 12 deputations on support services for families with new arrivals from the Mainland and with members on Two Way Permits (TWP). Major views of the deputations are summarised below –

- (a) the Government lacked cross-departmental policy to support cross-boundary families, especially those comprised Mainland single mothers who were not eligible for One Way Permits (OWPs), Comprehensive Social Security Assistance (CSSA) and subsidised public healthcare services. The Government should liaise with the Mainland authorities to open a channel for Mainland single mothers of Hong Kong children to apply for OWPs and allowing them to use subsidised public services during their stay in Hong Kong;
- (b) the Administration should enhance the frontline staff's awareness on the needs of Mainland-Hong Kong families;
- (c) there were inadequate integration and retraining programmes as well as bridging courses for pursuing further education for adult new arrivals. The Administration should provide more tailor-made programmes to facilitate the new arrivals and Mainland residents of Hong Kong families waiting for OWPs to facilitate their early integration into the community and develop their full potentials;
- (d) the Integrated Family Service Centres (IFSCs) could not completely replace the former post-migration centres (PMCs) in meeting the specific needs of newly arrived members of Hong Kong families;
- (e) the Home Affairs Bureau (HAB) should redeploy resources released from the terminated Neighbourhood Level Community Development Projects (NLCDPs) to assist the new arrivals;
- (f) the Administration should strengthen the support services, in particular the provision of emergency funds and short-term food assistance, to the Mainland-Hong Kong families with a view to assisting them to tide over financial difficulties;
- (g) the CSSA Scheme failed to provide a safety net for Hong Kong families with new arrivals from the Mainland and members on TWPs. It was noteworthy that newly arrived women were required to seek

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employment in order to meet the criteria for waiving the seven-year residence requirement under the CSSA Scheme;

- (h) as Mainland single mothers on TWPs and their Hong Kong children were not eligible for public rental housing application, the Administration should take note of their imminent housing needs, and the Social Welfare Department (SWD) should recommend these cases to Housing Department (HD) for waiving the residence requirement on flat allocation or compassionate rehousing; and
- (i) the Administration should consider relaxing the immigration policy by, say, allowing Mainlanders who were family members of Hong Kong residents on TWPs to work during their stay in Hong Kong, taking into account that they were not visitors but in effect family members of Hong Kong residents.

3. The Administration made the following responses –

- (a) relevant bureaux/departments had from time to time exchanged views with the Mainland authorities on arrangements relating to Mainland-Hong Kong families;
- (b) the residence requirements under the CSSA Scheme provided a rational basis on which the public resources were allocated and ensured the sustainability of a non-contributory social security system. The Director of Social Welfare (DSW) might exercise discretion to waive the residence requirements in the light of the exceptional circumstances of individual cases. The message was disseminated in pamphlets on the CSSA Scheme and SWD's website;
- (c) IFSCs provided a continuum of services to needy families, including those with new arrivals and members on TWPs. The 61 IFSCs across the territory could provide more accessible and comprehensive services for new arrivals than PMCs. Mainland spouses of Hong Kong residents who were on TWPs could approach IFSCs for assistance when they encountered family problems during their stay in Hong Kong;
- (d) SWD had provided subvention to the International Social Service Hong Kong Branch (ISS-HK) to operate the Cross-boundary and Inter-country Casework Service, which helped families cope with problems arising from geographical separation. This apart, SWD had linked up its Departmental Hotline with the Arrival Hotline operated by ISS-HK so that calls from new arrivals to SWD Hotline could be transferred to the Arrival Hotline, and callers could receive tailor-made and targeted services provided by ISS-HK;

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- (e) SWD would recommend families with new arrivals which failed to meet the seven-year residence requirement but had pressing housing needs to the Housing Department for consideration of compassionate rehousing taking into account individual case merits;
- (f) the short-term food assistance service projects aimed to provide assistance to needy persons on a temporary basis, with provision for a maximum of six weeks, in order to help them tide over difficulties. Individuals who had long-term welfare needs would be referred to appropriate service units for long-term assistance; and
- (g) HAB was actively discussing with relevant non-governmental organisations about the use of resources released from the terminated NLCDPs to strengthen services to new arrivals.

4. In the light of the depositions' views, members expressed grave concern about the difficulties faced by families with Mainland mothers on TWPs who were not eligible for welfare, housing, healthcare, and training/retraining services, and other long-term support services and assistance. Members urged the Administration to consider –

- (a) exercising discretion to waive the residence requirements under the CSSA Scheme in respect of Mainland mothers of Hong Kong children on TWPs, in particular Mainland single mothers;
- (b) allowing Mainland single mothers on TWPs and their children who were Hong Kong residents to apply for public rental housing flats;
- (c) stipulating in the Funding and Service Agreements (FSAs) of IFSCs regarding the provision of support services for new arrivals and family members of Hong Kong residents who were on TWPs;
- (d) providing longer term food assistance to these families; and
- (e) setting up a cross-departmental team specialising in handling issues and problems relating to Mainland-Hong Kong families.

5. In response, the Administration advised that –

- (a) to be eligible for CSSA, applicants had to pass the financial tests and satisfy the residence requirements. Mainland spouses of Hong Kong residents on TWPs who were in genuine hardship could approach IFSCs for assistance, such as provision of short-term food assistance, charitable trust fund, child care services, etc;

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- (b) IFSCs provided one-stop comprehensive support services to families, including those with members from the Mainland, having regard to their welfare, child care needs, etc. As compared with PMCs, IFSCs could better facilitate the newly arrived members to integrate into the local communities. Having regard to the specific needs of the communities served by individual IFSCs, it would not be appropriate to stipulate in the FSA the requirement for all IFSCs to provide services to new arrivals when some districts might have a low concentration of new arrivals. Nonetheless, the review on the implementation of the IFSC service mode had examined the effectiveness of IFSC services in serving specific target groups, including new arrivals; and
- (c) the Subcommittee had provided a platform for exchanging views on issues relating to Mainland-Hong Kong families, and relevant bureaux and departments would take into account views of the Subcommittee in formulating and reviewing policies and measures relating to these families.

Follow-up actions

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6. The Administration was requested to –
 - (a) collate information from the relevant departments on the number of Mainland single mothers on TWPs, if available; and
 - (b) provide information on developmental services provided by the 61 IFSCs to new arrivals and Mainland family members of Hong Kong residents on TWPs, if available.
7. As regards the suggestion of holding a meeting to further discuss the public rental housing policy and arrangements relating to Mainland single mothers on TWPs with Hong Kong children who had genuine difficulties in meeting imminent housing needs, the Chairman said that members might wish to obtain information from the Transport and Housing Bureau in the first place, and consider whether it was necessary to follow up the matter upon receipt of the paper. Members agreed.
8. Members considered that the Administration should understand the needs of the cross-boundary families and plan carefully for the support services for these families. To this end, members agreed that the Census and Statistics Department should be requested to collate statistics relating to the size, structure and demographic characteristics of these families, including the number of family members on TWPs and the number of Mainland single mothers on TWPs, in the forthcoming Population Census.

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9. Members took the view that the Chief Secretary for Administration should be invited to attend a future meeting to discuss the population policy which had impacts on Mainland-HKSAR families.

II. Any other business

10. Members agreed to discuss the immigration policy relating to Mainland-Hong Kong families at the next meeting. Members would be notified of the meeting date in due course.

(Post-meeting note: With the concurrence of the Chairman, the next meeting would be scheduled for 22 April 2010.)

11. There being no other business, the meeting ended at 6:49 pm.

Council Business Division 2
Legislative Council Secretariat
15 March 2010

**Proceedings of the 11th meeting of the
Subcommittee to Study Issues Relating to Mainland-HKSAR Families
on Monday, 22 February 2010, at 4:30 pm
in the Chamber of the Legislative Council Building**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Support services for families with new arrivals from the Mainland and with members on Two Way Permits</i>			
000000 - 000615	Chairman	Opening remarks	
000616 - 001018	Society for Community Organization	<p>Presentation of views as detailed in the submission [LC Paper No. CB(2)981/09-10(01)]</p> <p>View that the Government lacked policy on cross-boundary families and cross-departmental collaboration on providing support to these families, especially those with Mainland single mothers who were not eligible for One Way Permits (OWPs), Comprehensive Social Security Assistance (CSSA) and public healthcare services. The Administration should put more efforts to assist these families</p>	
001019 - 001340	Split Families Concern Group	Concerns about the hardship faced by Mainland single mothers who failed to meet the residence requirements for CSSA, and request for opening a channel for Mainland single mothers to apply for OWPs and allowing them to use subsidised public healthcare services during their stay in Hong Kong	
001341 - 001735	International Social Service Hong Kong Branch (ISS-HK)	<p>Request for –</p> <p>(a) strengthening the cross-departmental collaboration in providing support services to Mainland-Hong Kong families and enhancing the awareness of frontline staff of various government departments on the needs of these families;</p> <p>(b) reviewing and refining the Points System under the OWP Scheme to fully utilise the daily quota; and</p> <p>(c) providing more complementary measures to facilitate the new arrivals and Mainland members of Hong Kong families waiting for OWPs to facilitate their early integration into the community and develop their full potentials</p>	
001736 - 002200	Community Development Alliance	<p>View that –</p> <p>(a) the Integrated Family Service Centres (IFSCs) could not completely replace the former post-migration centres (PMCs) in meeting the specific needs of newly arrived members of Hong Kong families;</p> <p>(b) the Home Affairs Bureau (HAB) should consider redeploying resources released upon termination of some Neighbourhood Level Community Development Projects (NLCDPs) to assist the new arrivals; and</p>	

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		(c) the Administration should also provide support services to families with members visiting Hong Kong on the strength of Two Way Permits (TWPs)	
002201 - 002608	關注中港家庭權利聯席	<p>Presentation of views as detailed in the submission [LC Paper No. CB(2)981/09-10(02)]</p> <p>View that the Steering Committee on Population Policy should review the population policy and relevant policies and measures relating to Mainland-Hong Kong families which were not conducive to family reunion and had posed difficulties to these families. Besides, the recently launched one-year multiple-entry "visiting relatives" exit endorsements had yet to benefit Mainland spouses of Hong Kong residents</p>	
002609 - 003017	Mission To New Arrivals Ltd.	<p>Presentation of views as detailed in the submission [LC Paper No. CB(2)981/09-10(03)]</p> <p>View that the Administration should strengthen the support services, in particular the provision of emergency fund and short-term food assistance, to the Mainland-Hong Kong families with a view to assisting them to tide over financial difficulties</p>	
003018 - 003437	New Women Arrivals League Chairman	<p>Presentation of views as detailed in the submission [LC Paper No. CB(2)981/09-10(04)]</p> <p>Concerns about the difficulties faced by newly arrived women who were required to seek employment even though discretion had been exercised to waive the seven-year residence requirement under the CSSA Scheme</p>	
003438 - 003935	Mainland-Hong Kong Families Rights Association	<p>Concerns about the imminent housing needs of Mainland single mothers on TWPs and their Hong Kong children, and view that the Social Welfare Department (SWD) should recommend cases with grave difficulties to the Housing Department (HD) for compassionate rehousing. This apart, more support services, including integration, development and retraining programmes should be provided to Mainland women on TWPs</p>	
003936 - 004339	Christian Action	<p>Concerns about the lack of integration and retraining programmes and bridging courses for pursuing further education for adult new arrivals and Mainland residents on TWPs who were waiting for OWPs, and residential services for children when their Mainland parents had to return to the Mainland for renewal of TWPs</p>	
004340 - 004806	Concerning CSSA Review Alliance	<p>View that the CSSA Scheme failed to provide a safety net for Hong Kong families with new arrivals from the Mainland and with members on TWPs. The welfare policy was contradictory to the Government's policy of promoting integration with the Mainland. The Government should, in the light of the ever-increasing trend of cross-boundary marriages, review the welfare policy</p>	

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004807 - 005306	Justice and Peace Commission of the Hong Kong Catholic Diocese	<p>Presentation of views as detailed in the submission [LC Paper No. CB(2)981/09-10(05)]</p> <p>View that the Administration should address the education needs of newly arrived children, including those aged above 16, and the civil rights of new arrivals in respect of voting and using subsidised public healthcare service. This apart, the Administration should consider relaxing the immigration policy and allowing those TWP holders who were members of Hong Kong families to work in Hong Kong bearing in mind that they were not visitors but in effect family members of Hong Kong residents</p>	
005307 - 005747	Hong Kong Christian Institute	<p>Presentation of views as detailed in the submission [LC Paper No. CB(2)981/09-10(06)]</p> <p>View that the immigration policy and post migration measures lacked consideration from the family perspective, and urging for setting up a joint liaison working group to handle policies and issues relating to Mainland-Hong Kong families and take care of the education, housing, employment and healthcare needs of family members of Hong Kong residents who were on TWPs</p>	
005748 – 011347	Chairman Administration	<p>In the light of the deputations' views, the Administration made the following responses –</p> <p>(a) as reported to the Subcommittee at the last meeting, the Steering Committee on Population Policy had thoroughly considered the Subcommittee's views;</p> <p>(b) relevant bureaux/departments had from time to time exchanged views with the Mainland authorities on policies which had impacts on Mainland-Hong Kong families and the Administration would maintain communications with the relevant Mainland authorities;</p> <p>(c) the residence requirements under the CSSA Scheme provided a rational basis on which the public resources were allocated and ensured the sustainability of a non-contributory social security system. If an applicant did not meet the residence requirements but was in genuine hardship, the Director of Social Welfare (DSW) might exercise discretion to waive the residence requirements in the light of the exceptional circumstances of individual cases. The message was disseminated in the pamphlet on the CSSA Scheme and SWD's website. Moreover, where a new arrival worked to support his/her family members, discretion would normally be exercised to waive the residence requirements for CSSA in recognition of the new arrival's efforts to become self-supporting;</p> <p>(d) IFSCs provided a continuum of services to needy families, including those with new arrivals and members on TWPs. The 61 IFSCs over the</p>	

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		<p>territory could provide more accessible and comprehensive services for new arrivals than PMCs. Mainland spouses of Hong Kong residents who were on TWPs could approach IFSCs for assistance when they encountered family problems during their stay in Hong Kong;</p> <p>(e) SWD had provided subvention to ISS-HK to operate the Cross-boundary and Inter-country Casework Service, which helped families cope with problems arising from geographical separation. This apart, SWD had linked up its Departmental Hotline with the Arrival Hotline operated by ISS-HK so that calls from new arrivals to SWD Hotline could be transferred to the Arrival Hotline and callers could receive tailor-made and targeted services provided by ISS-HK;</p> <p>(f) SWD would recommend families with new arrivals who failed to meet the seven-year residence requirement but had imminent housing needs to the Housing Department for consideration of compassionate rehousing taking into account individual case merits;</p> <p>(g) the short-term food assistance service projects aimed to provide assistance to needy persons on a temporary basis, with provision for a maximum of six weeks, in order to help them tide over difficulties. Individuals who had long-term welfare needs would be referred to appropriate service units for long-term assistance; and</p> <p>(h) HAB was actively discussing with the relevant non-governmental organisations (NGOs) on the use of resources released from the terminated NLCDPs, including strengthening support services for new arrivals</p> <p>The Chairman was of the view that the Transport and Housing Bureau should be requested to advise on the public rental housing policy and arrangements in respect of flat allocation concerning Mainland single mothers with Hong Kong children</p>	
011348 – 012353	Chairman Mr WONG Kwok-hing Administration	<p>Implementation of the new arrangements for one-year multiple-entry exit endorsements and obstetric service charges for Mainland spouses of Hong Kong residents</p> <p>Concerns about the well-being of children whose mothers were Mainland residents on TWPs and were not eligible for CSSA for not meeting the residence requirements, and whether discretion could be given to these families in applying for CSSA</p> <p>The Administration's response that to be eligible for CSSA, applicants must pass the financial tests and satisfy the residence requirements in the light of the finite resources. Notwithstanding this, families with genuine hardship could approach SWD and NGOs for assistance, such as provision of short-term food assistance and</p>	

Time marker	Speaker(s)	Subject(s)	Action required
		<p>charitable trust funds. Besides, various day and residential child care services were available to children who had genuine needs and met the admission criteria. These services were also available to children born in Hong Kong whose parents were Mainland spouses of Hong Kong residents on TWPs</p> <p>Mr WONG Kwok-hing strongly requested the Administration to take into account the well-being of the children and consider exercising discretion to waive the residence requirements for CSSA applications from Mainland single mothers of Hong Kong children</p>	
012354 - 013135	Mr LEUNG Yiu-chung Chairman Administration	<p>Expressing concerns about the difficulties faced by single-parent families comprising Hong Kong children and Mainland single mothers on TWPs, Mr LEUNG Yiu-chung requested the Administration to review afresh the need for setting up a cross-departmental team to handle problems specifically relating to Mainland-Hong Kong families</p> <p>The Administration's response that –</p> <p>(a) the Subcommittee had provided a platform for exchanging views on issues relating to Mainland-Hong Kong families and relevant bureaux and departments would take into account views of the Subcommittee in formulating and reviewing policies and measures which had impacts on these families; and</p> <p>(b) IFSCs provided one-stop comprehensive services to families having regard to their welfare, child care needs, etc. Mainland spouses of Hong Kong residents who were on TWPs could approach IFSCs for assistance when they encountered family problems during their stay in Hong Kong. As compared with PMCs, IFSCs could better facilitate the early integration of newly arrived family members into the local communities</p>	
013136 - 014022	Mr CHEUNG Kwok-che Chairman Administration	<p>Enquiries –</p> <p>(a) about the reasons for requiring newly arrived women with children below 12 to seek employment notwithstanding discretion had been exercised to waive the seven-year residence requirement under the CSSA Scheme; and</p> <p>(b) whether provision of services for new arrivals and Hong Kong family members on TWPs would be stipulated in the Funding and Service Agreements (FSAs) of IFSCs and whether consideration would be given to re-opening PMCs</p> <p>The Administration's response that –</p> <p>(a) under the CSSA Scheme, where a new arrival worked to support his/her family members, DSW might exercise discretion to waive the residence requirements in recognition of the new arrival's efforts to become self-supporting;</p>	

Time marker	Speaker(s)	Subject(s)	Action required
		<p>(b) individual IFSCs sought to provide a continuum of services to families having regard to the specific needs of the communities they were serving. It would not be appropriate to stipulate in the FSA the requirement for all IFSCs to provide services to new arrivals when some districts might have a low concentration of new arrivals. Nonetheless, the review on the implementation of the IFSC service mode had examined the effectiveness of IFSC services in serving specific target groups, including new arrivals; and</p> <p>(c) Mainland spouses of Hong Kong residents on TWPs who were in genuine hardship could approach IFSCs for assistance, such provision of short-term food assistance, charitable trust fund, child care services, etc.</p>	
014023 - 014929	Ms Cyd HO Chairman Administration	<p>Expressing grave concern about the imminent housing needs of families with Mainland single mothers on TWPs, the Administration should consider applications for public rental housing units from children of these families who were Hong Kong residents, and providing them with longer term food assistance on a par with the assistance for political asylum seekers</p> <p>The Administration was requested to collate information on the number of Mainland single mothers of Hong Kong children on TWPs in Hong Kong, if available</p>	Admin
014930 - 015038	Chairman Mr CHEUNG Kwok-che	Request for the attendance of the Chief Secretary for Administration to a future meeting of the Subcommittee to discuss the population policy	
015039 - 015244	Chairman New Women Arrivals League	View that IFSCs could not address the needs of new arrivals and should be reviewed	
015245 - 015416	Community Development Alliance	View that IFSC staff was overloaded and priority was given to remedial services. The development needs of new arrivals were compromised	
015417 - 015641	關注中港家庭權利聯席	View that the Administration should review the population policy, provide more support services to new arrivals and Mainland family members of Hong Kong residents on TWPs, and that the Census and Statistics Department (C&SD) should collate information relating to Mainland-Hong Kong families, such as the number of Mainland single mothers on TWPs and profiles of cross-boundary students, with a view to better understanding their needs for policy planning	
015642 - 015811	Mission To New Arrivals Ltd.	View that the Government would devise measures to assist the Mainland single mothers on TWPs from a family perspective	
015812 - 020034	Mainland-Hong Kong Families Rights Association	View that more training should be provided to frontline staff of IFSCs to enhance their sensitivity in assisting Mainland spouses of Hong Kong residents on TWPs	

Time marker	Speaker(s)	Subject(s)	Action required
020035 - 020220	Concerning CSSA Review Alliance	View that the Administration should step up publicity on the consideration factors for exercising discretion to waive the seven-year residence requirement under the CSSA Scheme	
020221 - 021012	Chairman Administration Mr CHEUNG Kwok-che Justice and Peace Commission of the Hong Kong Catholic Diocese Ms Cyd HO	<p>The Administration's advice that IFSCs sought to provide a continuum of preventive, supportive and remedial services to families in need, including families with new arrivals from the Mainland and members on TWPs. SWD would continue to strengthen frontline staff's sensitivity and knowledge on the needs of Mainland-Hong Kong families with a view to providing more appropriate services to them</p> <p>The Administration was requested to provide information on developmental services provided by the 61 IFSCs to new arrivals and Mainland family members of Hong Kong residents on TWPs, if available</p> <p>The Subcommittee would request C&SD to collate statistics relating to Mainland-Hong Kong families, including the number of family members on TWPs and the number of Mainland single mothers, in the forthcoming Population Census</p>	Admin
021013 - 021149	Chairman Ms Cyd HO	Date of next meeting and item for discussion, and follow-up actions of the meeting	