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Panel on Security

Background brief prepared by the Legislative Council Secretariat for the meeting on 5 May 2009

Problem of youth drug abuse and the work of the Task Force on Youth Drug Abuse

Purpose

This paper summarizes the areas of concern raised by Members on the problem of youth drug abuse and the work of the Task Force on Youth Drug Abuse (the Task Force).

Current anti-drug policy

2. The Administration's anti-drug policy is embodied in a "five-pronged" approach, namely, law enforcement and legislation, treatment and rehabilitation, preventive education and publicity, research and external cooperation. It has been drawn up on the advice of the Action Committee Against Narcotics (ACAN) and its sub-committees, with members from various fields including youth, social work, medicine, academia and Legislative Council Members. The Fight Crime Committee (FCC) and the District Fight Crime Committees also discuss the youth drug abuse problem from time to time.

3. The Administration regularly reviews its treatment and rehabilitation programmes and formulates a "Three-year Plan on drug treatment and rehabilitation services in Hong Kong" every three years in consultation with the anti-drug sector. It also keeps in touch with anti-drug workers from subvented and non-subvented treatment centres, youth groups, social welfare organisations, etc through the Drug Liaison Committee.

Youth drug abuse situation and anti-drug strategies

4. According to information provided by the Administration in April 2008, the number of young drug abusers (aged under 21) fluctuated quite significantly during the

past 10 years. The figures recorded between 2005 and 2007 indicated a reverse of the declining trend between 2000 and 2004. The number of young drug abusers in 2007 stood at 2 919, representing a 13.1% increase over 2 581 in 2006. There has been a shift from the use of heroin to psychotropic substances. From 1998 to 2007, the number of reported heroin abusers decreased from 13 588 to 7 390, but that of reported psychotropic substance abusers increased from 3 412 to 7 810. In 2007, the number of reported psychotropic substance abusers exceeded the number of reported heroin abusers for the first time. Results of the survey of drug use among students conducted by the Central Registry of Drug Abuse (CRDA) in 2004 also revealed that about 3.4% (i.e. 17 300) of the secondary students had abused drugs in their lifetime, including some 0.8% (i.e. 4 300) who had abused drugs in the 30 days prior to the survey.

5. In his 2007-2008 Policy Address, the Chief Executive announced the appointment of the Secretary for Justice, the incumbent Deputy Chairman of FCC, to lead a high level inter-departmental Task Force to tackle youth drug abuse. The Task Force was set up in October 2007.

6. The Task Force conducted in-depth examination of the youth drug abuse problem and devised a series of initial measures that could be implemented in the short to medium term. The measures covered a range of areas, including preventive education and publicity, treatment and rehabilitation, law enforcement and research. The Task Force completed its work and released its report on 11 November 2008.

Members' concerns

7. The Panel on Security, the Panel on Welfare Services and the Panel on Administration of Justice and Legal Services had discussed issues relating to the problem of youth drug abuse and the work of the Task Force at a number of meetings held between October 2006 and December 2008. The major areas of concern raised by Members are summarised below.

Drug abuse trend among the youth

8. Noting the changing trends in drug abuse in that many psychotropic substance abusers were "hidden" youths who were not motivated to seek help and remained out of reach of the existing help networks, members considered that the Administration should formulate measures to facilitate early identification of drug abuse cases among the youth. There was a suggestion that the Administration should consider applying the Education Regulations, such that mandatory medical examination could be conducted on students who were suspected of abusing drugs.

9. The Administration responded that while there was no legislation in Hong Kong that empowered the Administration to require any person to submit to a medical examination for the purpose of identifying drug abuse, the relevant provisions of the Education Regulations were archaic and unlikely to be applicable in present day

circumstances. As the suggestion of implementing compulsory drug tests involved an individual's privacy and would impact on the existing policy on the provision of free education, the Administration had to consider the issue carefully before arriving at a decision. As a first step, the Task Force would consider the feasibility of making the test available on a voluntary basis and with parental consent. It would work closely with the Hong Kong Medical Association to arrange for the provision of training for private medical practitioners to enhance their awareness and knowledge of the problem, so that they might participate in preventive education programmes or provide medical advice and treatment and referral services should they encounter patients who had drug abuse problems. Furthermore, a new pilot collaboration scheme seeking to strengthen the cooperation between social workers and private medical practitioners for the provision of body check service and motivational interviews for young drug abusers would be launched.

10. Members were gravely concerned that the problem of youth drug abuse had worsened and the age of young drug abusers was getting lower. Some members queried whether the increased supply and low retail price of Ketamine had led to the increase in drug abuse among the youth. They asked about the measures taken by the Administration to combat the sale and trafficking of drugs into Hong Kong.

11. The Administration responded that according to statistics for the first three quarters of 2006, the average age of young drug abusers was 17 and the average age when a young person first abused drugs was 15. The Administration advised that the retail price for a small pack of Ketamine of about 0.2 to 0.5 grams in weight was about \$55 to \$60. Following the seizure of a huge quantity of Ketamine in an operation in 2006, Ketamine was trafficked in smaller quantities. As some countries did not classify Ketamine as a dangerous drug, there were difficulties in combating Ketamine at the international level. Nevertheless, the Administration would continue to combat the drug trafficking problem at source. A Narcotics Bureau had been established at the Police's headquarters and special duty squads were deployed in each Police district and Police regions undertaking operations against retail outlets of drugs. The Customs and Excise Department (C&ED) had stepped up enforcement against drug trafficking at all control points. The Police and C&ED also worked closely, and maintained a close partnership with the relevant law enforcement agencies in other jurisdictions in the exchange of intelligence and joint enforcement actions.

Cross-boundary drug abuse

12. Members were very concerned about the increasing number of persons crossing the boundary to abuse drugs on the Mainland. They considered that the Administration should combat the problem in collaboration with the relevant Mainland authorities.

13. The Administration advised that to address the problem, it would implement a series of initial measures recommended by the Task Force, which included enhancing detector dog services at the boundary control points and stepping up anti-drug publicity

targeting young people at the boundary. A large-scale territory-wide campaign would also be launched to correct the misconceptions and change the wrong attitudes about psychotropic substance abuse, and to foster a drug free culture among the youth and mobilise the whole community against youth drug abuse. The Administration also advised that the Mainland authorities had done a lot to combat drug abuse, including enforcing the law strictly. A person convicted of drug abuse on the Mainland for the first time would be subject to administrative detention for 15 days, while persons convicted for the second time would be subject to compulsory drug treatment. The Administration would consider stepping up publicity on the consequences of cross-boundary drug abuse. It would also continue its liaison with the Mainland authorities with a view to drawing up long-term measures to combat the problem of cross-boundary drug abuse.

14. Members were also concerned that Hong Kong residents arrested for drug abuse on the Mainland might not have a chance of receiving treatment and rehabilitation. They suggested that arrival checking could be conducted at boundary control points. The Administration should also obtain from the Mainland authorities the list of Hong Kong residents arrested for drug abuse on the Mainland, so that the cases concerned could be followed up when the latter returned to Hong Kong. Members further suggested that hair analyses should be conducted, with the consent of parents, on students to identify those who abused drugs.

15. The Administration reiterated that it would continue to combat the problem of cross-boundary drug abuse through launching intelligence-led operations and maintaining close communications with the Mainland authorities. For Hong Kong residents arrested for drug abuse on the Mainland, the Police had established a mechanism with social workers for the provision of services to those who were willing to receive such a service when they returned to Hong Kong. The Administration advised that the issue of conducting medical examination to identify students who abused drugs would be one of the issues that would be studied by the Task Force.

Survey of drug use among students

16. Regarding the survey of drug use among students conducted by CRDA, members noted that the next survey would be conducted in 2008, and future surveys would be conducted more frequently at three-year intervals. Some members remained of the view that it would be difficult to obtain latest information in respect of youth drug abuse with such a frequency of conducting surveys. These members suggested that the survey should be conducted at shorter intervals (say once every two years), with a smaller-scale survey to be conducted annually.

17. The Administration responded that as the scope of the survey was broad, and given the complexity of the exercise, it would be very difficult to conduct surveys at shorter intervals. Launching smaller-scale survey annually without an effective sample size might also defeat the purpose of the study. The Administration stressed that the survey was only one of the means by which the youth drug abuse situation was

assessed. Besides the survey, ad hoc research studies, admission statistics from treatment and rehabilitation service agencies and drug-related arrest and seizure figures provided reference on the latest situation.

18. Regarding the reporting mechanism administered by CRDA, some members queried whether the existing mechanism could reflect accurately the situation of drug abuse by young persons. They suggested that the Administration should improve the existing reporting mechanism with a view to providing information on the accurate number of young drug abusers for formulation of anti-drug measures and support services. In addition, the Administration should enhance the collaboration among the relevant bureaux and government departments in combating the problem of youth drug abuse.

19. The Administration explained that CRDA collated statistical information regarding drug abuse and tracked the changing trend. CRDA figures did not represent the total number of abusers. They reflected the general trend of drug abuse which was useful in guiding policy-making. The Administration further advised that the current anti-drug policy was drawn upon the advice of ACAN and its sub-committees. In partnership with ACAN, the Administration had launched different anti-drug initiatives through cross-sectoral efforts, including the pilot co-operation scheme as mentioned in paragraph 9 above, which was a good example of collaboration between the medical and social welfare sector spearheaded by ACAN.

Rehabilitation and support services for young drug abusers

20. Members took the view that the existing support services for young drug abusers were far from adequate to address the increasing severity of the problem. They called on the Administration to enhance inter-departmental efforts to improve the rehabilitation and support services for young drug abusers.

21. The Administration responded that it attached great importance to anti-drug work, and had invested significant resources in helping high-risk youth. For example, funding in the region of millions of dollars was provided each year through the Beat Drugs Fund to non-government organisations for launching anti-drug publicity programmes. Apart from the Beat Drugs Fund, about \$590 million was allocated for anti-drug efforts in 2007. A two-year pilot collaboration scheme seeking to provide early intervention to young drug abusers was also launched in 2007-2008 to strengthen co-operation between social workers and private medical practitioners. Under the scheme, youngsters and occasional abusers were given medical treatment and advice, or offered counselling or other services at an early stage. Over \$2 million had been allocated for the implementation of this pilot collaboration scheme.

Report of the Task Force on Youth Drug Abuse

22. The Administration briefed the Panel on Security on the Report of the Task Force (the Report) at the meeting on 2 December 2008. The major recommendations in

the Report included, among others, increased cooperation with the Mainland authorities to combat cross-boundary drug abuse, strengthened law enforcement and probation system, enhanced treatment and rehabilitation programmes, improved medical support in counselling centres for young drug abusers, structured professional training for teachers and protocols for school personnel, and the introduction of a school-based drug testing scheme.

23. Regarding the proposed compulsory drug testing scheme, some members cautioned that it might be argued as an interference with human rights, in particular the right to privacy. These members said that some people might even argue that compulsory drug testing would provide excessive powers to law enforcement agencies. For this reason, the Administration should address all possible problems before taking forward any proposals.

24. The Administration responded that the primary purpose of the compulsory drug testing scheme was to enable early intervention for treatment and rehabilitation, instead of facilitating prosecution. The proposed compulsory drug testing scheme for youngsters should comprise a tiered intervention structure offering a warning and treatment and rehabilitation option for those who were tested positive, diverting them away from possible prosecution which should be the last resort.

25. Some members enquired about the implementation details, including the timetable, the process of testing and the criteria for invoking the drug testing process. They asked whether a test would be conducted only where there was reasonable suspicion or by means of random sampling. These members held the view that, in devising the voluntary drug testing scheme, the Administration should avoid possible labelling effect on schools and students.

26. The Administration responded that the Task Force appreciated the validity of all relevant concerns, such as privacy, confidentiality, consent and stigmatization. All these issues had to be fully addressed. A research project would be commissioned to devise possible school-based drug testing schemes for voluntary adoption by schools, having regard to the practices in local international schools and those in overseas jurisdictions. Upon completion of the research study, which would take about a year, the Administration would launch a pilot scheme in selected schools to test out the viability of the schemes.

27. The Administration added that drug testing in schools had attracted considerable discussion within the school sector. Given the host of issues of concern identified, the Administration would undertake a more in-depth study into the relevant issues and suggest model schemes for reference, in order to assist the schools in considering the feasibility of introducing drug tests on campus. Wide consultation would be conducted, especially in the school sector.

28. Some members took the view that the approach pursued by the Task Force would only result in confrontation and even radical response from the youngsters. They

expressed reservation about the proposal of implementing drug testing, as many important issues, including human rights and privacy, were not addressed.

29. The Administration responded that the Task Force fully recognized the sensitive issues and wide implications involved in seeking to introduce compulsory drug testing, particularly from a human rights perspective. As the proposal was controversial, there was a need for consultation and consensus before proceeding. Against this background, the proposal for a compulsory drug testing scheme would be set out in a detailed consultation paper and public views would be invited before the proposal was taken forward.

Related information

30. Hon Joseph LEE has given notice to move a motion on the expeditious formulation of a comprehensive anti-drug policy to address the increasingly serious youth drug abuse problem at the Council meeting on 29 April 2009.

Relevant papers and questions

31. A list of relevant papers and questions raised at the Council meetings on youth drug abuse is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
22 April 2009

Appendix

List of relevant documents on the problem of youth drug abuse and the work of the Task Force on Youth Drug Abuse

Date of meeting	Meeting	Document / Paper No.
13.10.2006	Panel on Welfare Services	Minutes of meeting (LC Paper No. CB(2)262/06-07)
18.10.2006	Legislative Council	Question raised by Hon Bernard CHAN on drug abuse (Question 13)
22.11.2006	Legislative Council	Question raised by Dr Hon Joseph LEE on drug abuse by adolescents (Question 3)
24.1.2007	Legislative Council	Question raised by Hon LAU Kong-wah on drug rehabilitation services for youth (Question 20)
25.1.2007	Panel on Security	Minutes of meeting (LC Paper No. CB(2)1177/06-07)
6.2.2007	Panel on Security	Minutes of meeting (LC Paper No. CB(2)1450/06-07)
		Administration's paper entitled "The Latest Drug Abuse Situation and Anti-drug Strategies " (LC Paper No. CB(2)989/06-07(05))
7.3.2007	Legislative Council	Question raised by Hon James TO on Hong Kong Youth Taking or Trafficking Drugs on the Mainland (Question 12)
25.4.2007	Legislative Council	Question raised by Hon LAU Kong-wah on Hong Kong People Arrested for Taking Drugs on Mainland (Question 12)
13.6.2007	Legislative Council	Question raised by Hon Jasper TSANG on provision of services to young people abusing drugs (Question 4)
3.7.2007	Panel on Welfare Services	Minutes of meeting (LC Paper No. CB(2)2773/06-07)
		Administration's paper entitled "Support Services for Young Drug Abusers" (LC Paper No. CB(2)2300/06-07(03))

Date of meeting	Meeting	Document / Paper No.
11.7.2007	Legislative Council	Question raised by Hon James TIEN on youth drug abuse (Question 2)
17.10.2007	Panel on Security	Minutes of meeting (LC Paper No. CB(2)694/07-08)
		Administration's paper entitled "Policy Initiatives of Security Bureau" (LC Paper No. CB(2)41/07-08(01))
22.10.2007	Panel on Administration of Justice and Legal Services	Minutes of meeting (LC Paper No. CB(2)402/07-08)
30.10.2007	Panel on Security	Minutes of meeting (LC Paper No. CB(2)452/07-08)
		Administration's paper entitled "Youth Drug Abuse" (LC Paper No. CB(2)167/07-08(01))
10.4.2008	Panel on Security	Minutes of meeting (LC Paper No. CB(2)2482/07-08)
		Administration's paper entitled "Youth Drug Abuse" (LC Paper No. CB(2)1495/07-08(04))
16.4.2008	Legislative Council	Question raised by Hon LAU Kong-wah on drug addiction and abuse of psychotropic substances among adolescents (Question 17)
4.6.2008	Legislative Council	Question raised by Hon CHEUNG Hok-ming on abuse of drugs by youngsters (Question 10)
2.12.2008	Panel on Security	Minutes of meeting (LC Paper No. CB(2)738/08-09)
		Administration's paper entitled "Report of the Task Force on Youth Drug Abuse" (LC Paper No. CB(2)261/08-09(01))