

For discussion on
2 December 2008

**LEGISLATIVE COUNCIL
PANEL ON SECURITY**

**Proposal to Create One Permanent Post of
Administrative Officer Staff Grade C in the
Narcotics Division of Security Bureau**

PURPOSE

This paper invites Members' views on a proposal to create a permanent post of Administrative Officer Staff Grade C (AOSGC) (D2) in the Narcotics Division (ND) of the Security Bureau (SB) with immediate effect. The purpose for the creation of the post is to provide dedicated support at the directorate level to the Commissioner for Narcotics (C for N) in formulating anti-drug policies and programmes and, in particular, implementing the comprehensive and long-term recommendations of the Task Force on Youth Drug Abuse (the Task Force) led by the Secretary for Justice.

JUSTIFICATION

Responsibilities of ND

2. ND is responsible for formulating and co-ordinating policies and measures across the public sector, non-governmental organisations (NGOs) and the community to combat the drug abuse problem. It is also responsible for anti-money laundering and counter-financing of terrorism (AML/CFT) matters in respect of the non-financial sectors. It is headed by C for N ranked at the Administrative Office Staff Grade B (D3) level which is the only permanent directorate post in ND.

3. On the anti-drug front, ND spearheads and coordinates the efforts of various bureaux and departments, the Action Committee Against Narcotics (ACAN), public agencies such as the Hospital Authority, NGOs, and other stakeholders in the community such as teachers, parents, social workers, medical practitioners, professional bodies, district and community organisations to implement the five-pronged strategy of preventive education and publicity, treatment and rehabilitation, legislation and law enforcement,

external cooperation, and research. It is also responsible for administering the Beat Drugs Fund (BDF) which was established in 1996 with a capital base of \$350 million. BDF provides a steady and long-term source of additional funding to augment Government recurrent subventions to finance worthwhile anti-drug projects. Since its establishment, BDF has sponsored a total of 373 applications with a total grant of \$171 million.

4. As an ancillary to the anti-drug efforts, ND used to be charged with AML/CFT issues as well, which took up about 20% of C for N's resources in a normal year.¹ While the overall policy coordinating role has been transferred to the Financial Services and the Treasury Bureau in October 2008, the implementation of the Financial Action Task Force on Money Laundering Recommendations in respect of the non-financial sectors² has remained with ND.

Growing Responsibilities of ND to Tackle Youth Drug Abuse arising from the Recommendations of the Task Force

5. The responsibilities of ND in leading bureaux, departments and NGOs to develop strategies and resolve complex issues to deal with the drug abuse problem have been increasing. The recommendations of the Task Force, published in a Report on 11 November 2008 (vide LC Paper No. CB(2)261/08-09(01)), signify a reinvigorated comprehensive and long-term strategy to tackle the drug abuse problem focusing on the youth. The Administration is committed to implementing these recommendations in a vigorous manner and the ND is central in this task.

6. ND plays a critical strategy-formulating and coordination role among the bureaux, departments, NGOs and many other stakeholders in the community in tackling the drug abuse problem. C for N will chair an inter-departmental working group to develop the comprehensive strategies recommended by the Task Force on a sustained, long-term basis and address the complex issues straddling policy, legal, resource and other areas. The leadership role of ND and C for N will be particularly significant in

¹ The year 2007-08 was an exceptional one. The Financial Action Task Force on Money Laundering (FATF), which is the inter-governmental organisation laying down standards on anti-money laundering and counter financing of terrorism, conducted a mutual evaluation on Hong Kong. To deal with the sudden surge of workload, complexities of issues and intensive coordination required both within government and outside, a supernumerary AOSGC post was created for six months from November 2007. With the setting up of the Central Coordinating Committee on Anti-Money Laundering and Counter Financing of Terrorism chaired by the Financial Secretary, another supernumerary AOSGC post was created for four months from May 2008 to provide support for the Committee and to formulate a priority strategy and work plan.

² The non-financial sectors include lawyers, accountants, trust and company service providers, estate agents, dealers of precious stones and metals, and non-profit-making organisations.

strategizing for and seeing through several major tasks under the five-pronged strategy endorsed by the Task Force. The major responsibilities of ND pursuant to the Task Force recommendations are set out as follows –

(a) Preventive Education and Publicity

In leading an initial but intensive two-year territory-wide anti-drug campaign launched in June 2008, ND has to sustain the momentum to dispel common misconceptions on psychotropic substances, to collaborate with various sectors of the community, including district bodies, the business sector, professional bodies, and community organisations, and to publicise the anti-drug messages to parents, teachers, youngsters and the like. Other additional responsibilities for ND include formulating strategies to –

- step up engagement with parents through various channels;
- make more and better use of the Internet; and
- upgrade the Hong Kong Jockey Club Drug InfoCentre and ND's website to turn them into new anti-drug focal points, physical and virtual.

Regarding the school sector, ND is working closely with the Education Bureau (EDB) to foster and institutionalise a healthy school policy with an anti-drug element in all schools. It is also overseeing the development of a set of resource kits to equip the school management, guidance and disciplined teachers, school social workers, form/subject teachers with necessary knowledge and skills for delivering drug education and handling possible drug abuse cases. Other additional responsibilities resulting from strengthening support to schools include –

- further enhancing and coordinating the efforts of the Hong Kong Police Force (HKPF), the Social Welfare Department (SWD), the Department of Health, NGOs and other stakeholders such as parent-teacher associations to step up anti-drug education programmes for students; and
- together with EDB, providing enhanced and more structured training to the school sector starting from the 2008/09 school year.

(b) *Treatment and Rehabilitation*

While many downstream services are provided by the departments and NGOs concerned, ND is responsible for various policy coordination work. Additional responsibilities arising from the Task Force's recommendations include –

- development of multi-disciplinary cooperation networks for treatment and rehabilitation services to ensure a continuum of service for drug abusers;
- enhancement to reintegration programmes for rehabilitated drug abusers; re-engineering of drug treatment and rehabilitation resources and programmes to meet the increasing needs of psychotropic substance abusers; monitoring and review of the efficiency and effectiveness of downstream services; and
- structured training for anti-drug workers.

The Task Force considered the possible use of drug testing as a powerful means to identify young drug abusers early for intervention, and the many sensitive, intricate issues surrounding it. ND's additional responsibilities arising from this proposal include –

- coordinating the preparation of a detailed consultation paper to invite views from the public on the design of a compulsory drug testing scheme. Various issues involving human rights, legal implications, possible stigmatisation, as well as necessary support services and resource implications, will need to be considered in detail; and
- commissioning a research project to devise a school-based voluntary drug testing scheme for adoption in local schools. Again, issues like privacy, possible stigmatisation, protocols for testing, resources, parental consent, etc will have to be addressed.

For young drug offenders, additional work in the pipeline for ND include the overseeing of a two-year pilot project on an intensified probation and rehabilitation system by SWD. Probation Officers will step up their coordinating and supervisory role while Judicial Officers will play an enhanced sanctioning role in the

rehabilitative process. Besides overseeing the rolling out of the project, ND will also review the project to gauge its effectiveness for possible further roll-out.

(c) Legislation and Law Enforcement

The additional responsibilities for ND in this aspect include –

- developing strategies with relevant departments in enhancing enforcement measures; and
- liaising with the Judiciary to provide Judges and Judicial Officers with the latest drug information.

(d) External Cooperation

The additional responsibilities for ND in this aspect include –

- closely monitoring the developments in the United Nations after the UNGASS³ evaluation in March 2009 and supporting the Mainland authorities in advocating international control of ketamine;
- stepping up liaison with the Mainland authorities in tackling cross-boundary drug abuse. ND and HKPF will also obtain information of youngsters caught abusing drugs in the Mainland and to receive such youngsters if they are repatriated to Hong Kong, for the purposes of informing their parents and providing suitable rehabilitative services; and
- enhancing tripartite cooperation among Hong Kong, Macau and Guangdong.

(e) Research

The Task Force has recommended research areas to buttress anti-drug policy formulation with evidence-based findings. These include a study to review various methodologies for estimating the drug abusing population; qualitative research on drug abuse situation among non-engaged youth and their service

³ In 1998, the 20th United Nations General Assembly Special Session (UNGASS) adopted a package of resolutions to counter the world drug problem, namely Political Declaration, Declaration of the Guiding Principles of Drug Demand Reduction and Measures to Enhance International Cooperation to Counter the World Drug Problem.

needs, and a number of studies to be sponsored by BDF. ND's additional responsibilities in this area are –

- consulting relevant stakeholders and working out the research briefs; and
- commissioning and overseeing the research projects.

7. In addition to the five-pronged approach, to tackle the youth drug abuse problem at root, the Task Force has recommended promoting a culture of community care, support and participation for the young people, with concerted efforts from all stakeholders and sectors of the community. To this end, ND will –

- enhance collaboration with the Family Council, the Commission on Youth, the Women's Commission and the relevant bureaux and departments to promote complementary support among different policy areas; and
- continue to spearhead the *Path Builders* initiative to engage and facilitate corporate citizens, business and professional organisations, and individuals to help young people in need through various ways.

8. Apart from the above responsibilities, ND will also –

- critically examine and improve the operations of BDF. Measures in the pipeline include enhanced project monitoring and evaluation mechanism; distillation and dissemination of exemplary practices; and solicitation of quality research projects; and
- undertake a review on the overall effectiveness of BDF.

Permanent Need for Providing Directorate Support

9. There is at present only one permanent directorate post, i.e. C for N herself responsible for the complex and broad anti-drug policy portfolio. In view of the urgent need to reinvigorate our anti-drug efforts and enhance coordination of work among various bureaux/departments, NGOs and stakeholders in the community for a proper response, we have resorted to an ad hoc and special arrangement since September 2007 to provide the necessary directorate support for C for N. A supernumerary AOSGC post was created under delegated authority from 3 September 2007 to 2 March 2008 to assist C for N in formulating and launching new initiatives and

measures to strengthen the anti-drug policy and strategy. After the lapse of the supernumerary post, we have been providing the necessary directorate support through the redeployment of existing manpower resources within the Government.

10. Having reviewed the efficacy of the existing ad hoc arrangements, we have concluded that they are not viable in the long term. The Task Force considered that combating youth drug abuse, or the drug problem in general, could not be a short-term or time-limited exercise. The drug problem is well recognised as a manifestation of more fundamental problems in society, such as problems of adolescent growth, family, and schooling among the young people, and problems of employment, drugs and crime more generally. The long-term, comprehensive strategy recommended by the Task Force underlines the kind of sustained and escalated efforts needed to fight the war on drugs relentlessly and incessantly.

11. The level of responsibility, experience and political awareness required by the resultant tasks exceeds the level normally expected of non-directorate officers. The nature of the work demands intensified steer, input and coordination on a sustained basis at the directorate level. It is beyond the capacity of the C for N to cope with all the increase in the volume and complexities of such work.

12. The Task Force has therefore recommended the creation of a permanent AOGSC post in ND to underpin C for N, in order to provide directorate support to combat the drug problem, and, in particular, to take forward the recommendations of the Task Force.

13. In view of the growing responsibilities of ND and significant increase in workload, we consider it appropriate to create a permanent AOSGC post, designated as Principal Assistant Secretary(Narcotics) to underpin C for N.

14. The job description of the proposed post is at **Annex 1**. The proposed organisation chart of ND is at **Annex 2** and that of SB incorporating ND and the proposed post is at **Annex 3**.

ALTERNATIVE CONSIDERED

15. We have critically examined whether the other existing directorate staff in SB have spare capacity to absorb the duties of the proposed post. As they are already fully committed to their existing workload, it is operationally not possible for them to take up the whole range

of ND's duties without adversely affecting the discharge of their own schedule of duties. Continuation of the existing short-term redeployment arrangements is also not feasible in view of the long-term nature of the war on drugs.

16. In view of the complexity of the issues, the sheer volume of work, and the high stakes involved, it is also not practicable for C for N to mobilise and coordinate effectively the efforts of various quarters in the battle against drugs without directorate support.

CONSULTATION

17. The Task Force Report has been presented to the Fight Crime Committee, ACAN and the Drug Liaison Committee. They support the reinvigorated strategy to tackle the youth drug abuse problem following the Task Force's recommendations, and in particular the proposal to enhance directorate resources in ND.

FINANCIAL IMPLICATIONS

18. The proposal will bring about an additional notional annual salary cost at mid-point of \$1,518,000. The full annual average staff cost, including salaries and staff on-cost, is \$2,038,000. SB will absorb the additional provision in 2008-09 from its existing resources and will include the necessary provision in the 2009-10 draft Estimates to meet the cost of the proposal.

ADVICE SOUGHT

19. Members are invited to comment on the proposal. Subject to Members' support, we will submit the proposal to the Establishment Subcommittee of the Finance Committee for consideration at its meeting on 14 January 2009.

**Security Bureau
November 2008**

Proposed Job Description of
Principal Assistant Secretary (Narcotics)

Rank : Administrative Officer Staff Grade 'C' (D2)

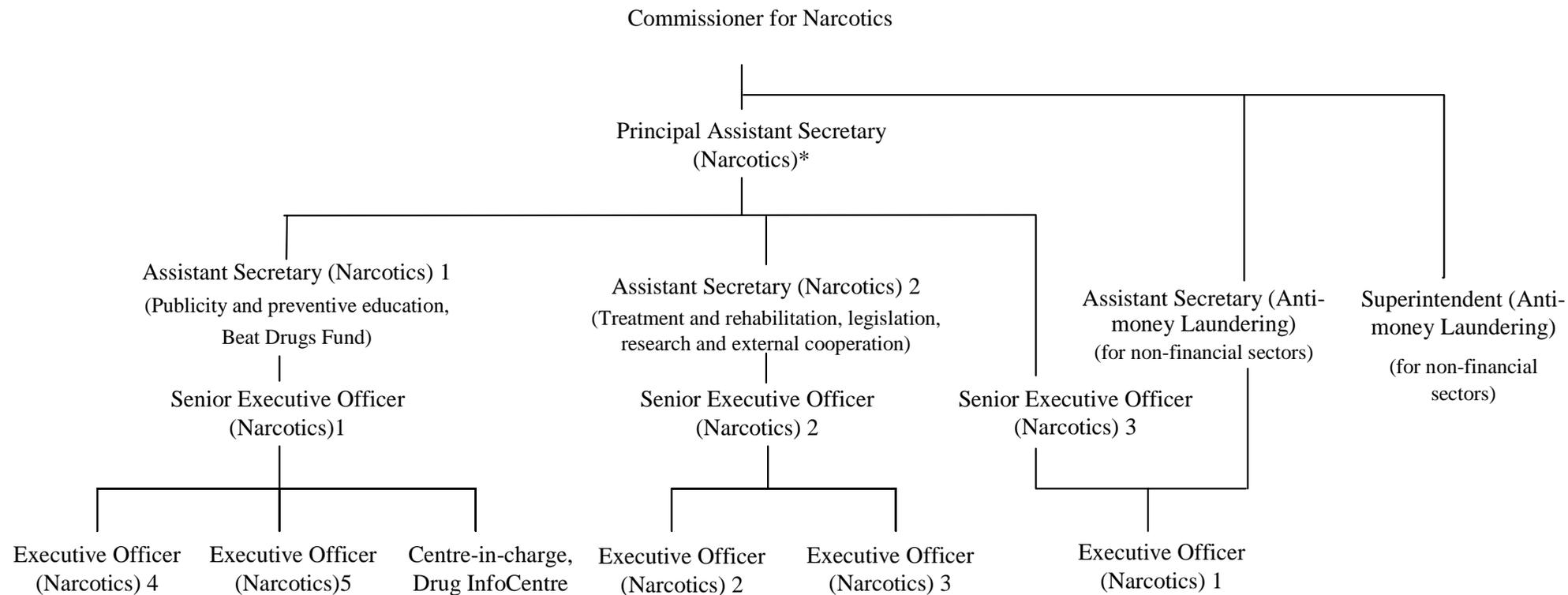
Responsible to : Commissioner for Narcotics (C for N) (D3)

1. To assist C for N in formulating and implementing anti-drug policies and programmes and in co-ordinating efforts across bureaux and departments, including the Working Group on Youth Drug Abuse;
2. To assist C for N in the detailed planning and implementation of the Recommendations of the Task Force on Youth Drug Abuse covering the five prongs of the enhanced anti-drug strategies, in collaboration with other bureaux and departments as well as stakeholders including the Action Committee Against Narcotics and its Sub-committees, the Fight Crime Committee, the District Fight Crime Committees and the Drug Liaison Committee, as well as the education, social services, youth, legal, medical, and community sectors and other key stakeholders in the community;
3. To raise community awareness of drug issues, strengthen preventive education for the general public as well as specific groups such as young people and parents, oversee new and structured anti-drug training programmes for the school sector, and implementation of key initiatives such as revamp of the Jockey Club Drug InfoCentre and development of an anti-drug Internet portal;
4. To consolidate and enhance the policy on treatment and rehabilitation and enhance policy coordination work, including the roll-out and implementation of the Three Year's Plan on Treatment and Rehabilitation Services in Hong Kong and the development of multi-disciplinary cooperation networks for treatment and rehabilitation services to ensure a continuum of service for drug abusers and to promote re-engineering of services and re-deployment of resources among opiate abusers and

psychotropic substance abusers as recommended by Director of Audit;

5. To plan and oversee anti-drug research work to establish evidence for policy formulation;
6. To plan and oversee external co-operation work, including international liaison and tripartite co-operation among Hong Kong, Macau and Guangdong, in particular to strengthen measures to curb cross-boundary drug abuse as recommended by the Task Force;
7. To mobilise various sectors of the community including the private sector, professional bodies, community groups and individuals to participate in the 'Path Builders' initiative to foster a community culture of care for the young people;
8. To oversee the policy and institutional matters, including the operation and review of the Beat Drugs Fund as well as resource planning;
9. To collaborate with other policy areas relating to the youth, the family and health to create synergies in promoting the healthy development of young people in order to tackle the youth drug abuse problem at root; and
10. To co-ordinate and ensure a continuum and complementarity of service among the five prongs of the anti-drug strategy.

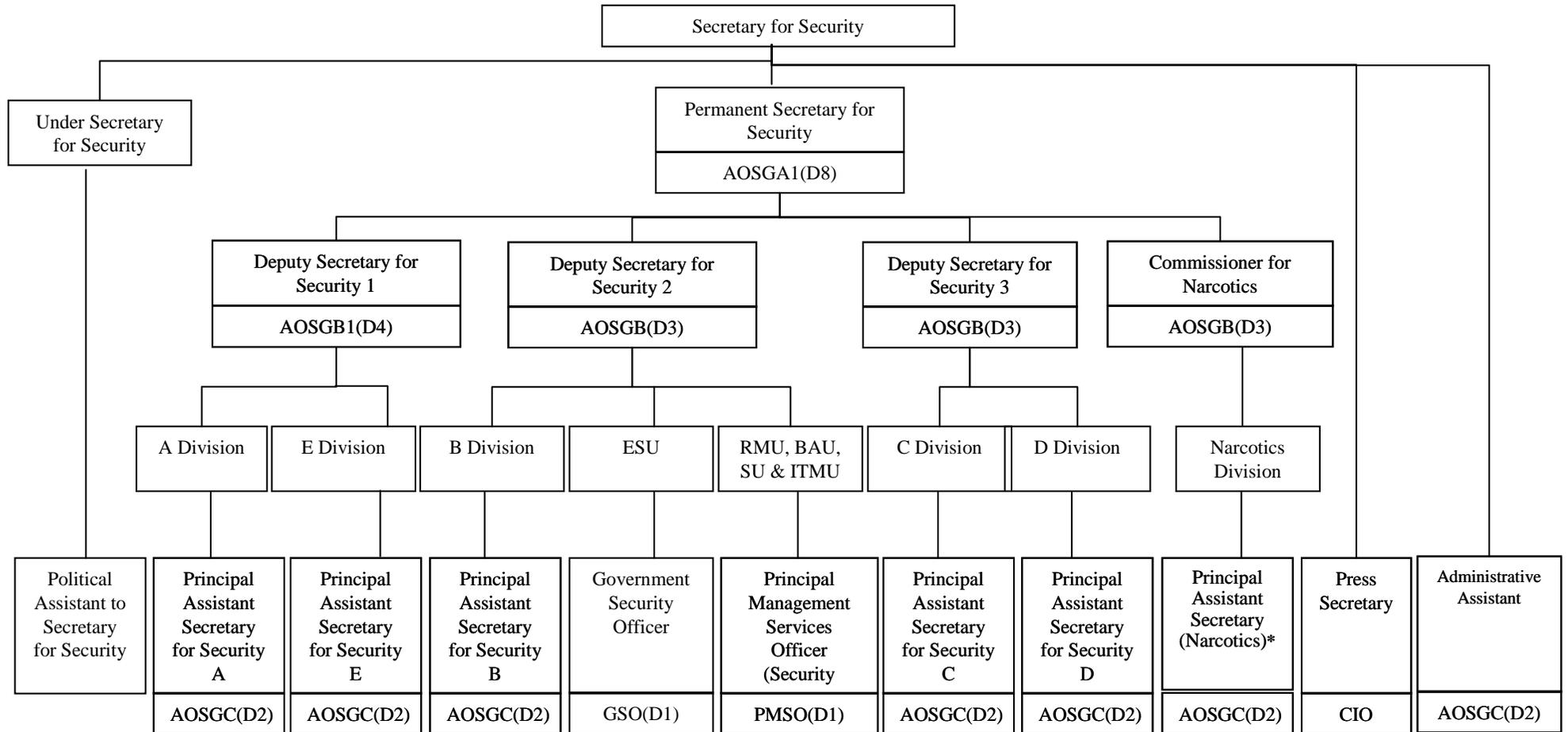
Organisation Chart of Narcotics Division



*Directorate post to be created

SECURITY BUREAU Organisation Chart

Annex 3



Legend :

RMU : Resource Management Unit BAU : Bureau Administration Unit
 SU : Statistic Unit ITMU : Information Technology Management Unit
 ESU : Emergency Support Unit GSO: Government Security Officer
 PMSO: Principal Management Services Officer
 CIO: Chief Information Officer

* Directorate post proposed to be created