

立法會
Legislative Council

LC Paper No. CB(2)2545/08-09
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

**Minutes of special meeting
held on Wednesday, 29 July 2009, at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Albert CHAN Wai-yip (Chairman)
Hon CHEUNG Kwok-che (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Hon LI Fung-ying, BBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, MH
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung

Members absent : Hon TAM Yiu-chung, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Paul CHAN Mo-po, MH, JP
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS

Public Officers attending : Item I
Ms Carol YIP, JP
Deputy Secretary for Labour and Welfare (Welfare) 2

Mr Simpson LO
Acting Principal Assistant Secretary for Labour and
Welfare (Welfare) 4

Mr Stephen Fisher, JP
Director of Social Welfare

Mr FUNG Pak-yan
Deputy Director of Social Welfare (Administration)

Mr NG Wai-kuen
Chief Social Security Officer 1
Social Welfare Department

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. Further discussion on the general public's perception of Comprehensive Social Security Assistance recipients
[LC Paper Nos. CB(2)1492/08-09(01) and CB(2)2269/08-09(01) to (02)]

The Chairman said that the Panel had received deputations' views on the general public's perception of Comprehensive Social Security Assistance (CSSA) recipients at the special meeting on 11 July 2009. Owing to the limited time at that meeting, members agreed to hold another meeting to continue discussion on the matter. Against this background, he considered it unnecessary to receive deputations' views again at this meeting, although some deputations had requested to attend the meeting to express further views on the matter.

2. The Chairman further said that this was the last occasion on which Mr Stephen Fisher, JP, attended the Panel meeting in the capacity of the Director of Social Welfare (DSW) before he proceeded to retirement. The Chairman and members expressed gratitude for his dedicated work and services, and wished him all the best in his retirement life.

3. Referring to the Administration's response to the views expressed by deputations at the special meeting on 11 July 2009 as detailed in its paper, Deputy Secretary for Labour and Welfare (Welfare) 2 (DS(W)2) highlighted the following points –

Action

- (a) the CSSA Scheme provided a safety net for those who could not financially support themselves. Since its goal was to support persons in need through the CSSA Scheme, the Government certainly would not discriminate against the recipients. However, given that the CSSA Scheme was a non-contributory social security scheme funded entirely by general revenue, the Administration had to ensure that public funds were used properly to ensure the sustainability of the safety net;
- (b) the Government had been actively disseminating information on CSSA to the general public. Various pamphlets on the CSSA Scheme were available to the public at District Social Welfare Offices, Social Security Field Units (SSFUs) and Integrated Family Service Centres (IFSCs). All such information, as well as other publications and press releases on the CSSA Scheme, were uploaded to the website of the Social Welfare Department (SWD) for easy access by the general public; and
- (c) at present, SWD was assisting Oxfam in preparing educational kits to promote positive information about CSSA recipients.

4. Mr WONG Kwok-hing noted with concern that there were about 300 000 CSSA households comprising some 500 000 CSSA recipients in Hong Kong which indicated a widening gap between the rich and the poor. The Government should on the one hand put more efforts to assist persons in need through creating jobs to facilitate self-reliance, for instance, the development of flea markets, and consider relaxing the residence requirements under the CSSA Scheme on the other hand. In his view, the residence requirements had resulted in discrimination against new arrivals and those Hong Kong residents who had worked outside Hong Kong for a long time and returned to Hong Kong due to unemployment. While the Administration had provided the number of cases in which discretion was exercised to waive the residence requirements, Mr WONG asked about the number of relevant applications.

5. DSW responded that the seven-year residence requirement provided a rational basis for the allocation of public resources and helped sustain a non-contributory social security system. The requirement sought to encourage able-bodied new arrivals to be self-reliant rather than relying on welfare benefits. However, discretion could be exercised to waive such requirement in cases involving applicants in genuine hardship, which would be considered on a case-by-case basis having regard to the individual circumstances. DSW said that between 1 January 2004 and 30 June 2009, out of 19 341 applications for discretion to waive the seven-year residence requirement, 5 754 applications involving applicants in genuine hardship were approved on a discretionary basis,

Action

160 applications were rejected, 238 applications were being processed and 13 189 applications had been withdrawn. The applicants withdrew their applications after learning the residence requirements mainly because they agreed to seek employment first or had resorted to other forms of assistance.

6. As regards the applications for discretion to waive the one-year-continuous-residence requirement, DSW said that from 1 June 2007 to 30 April 2009, 3 043 applications were approved, 107 applications were rejected and 1 467 applications had been withdrawn. DSW added that discretion would normally be exercised in cases involving needy elderly applicants. As for the withdrawn cases, most of the applicants were encouraged to seek employment first before resorting to CSSA immediately as they had sufficient means to support their living for more than two months.

7. Mr LEE Cheuk-yan said that although the Government had produced pamphlets and was assisting Oxfam in preparing educational kits to promote positive information about CSSA recipients, the negative message conveyed by the Government through broadcasting two television (TV) announcements in the public interest (APIs) on CSSA had created labelling effect and projected negative image on the CSSA recipients. Mr LEE noted with concern that of the some 400 000 persons whose monthly income levels were lower than the average monthly payments of CSSA recipients, only some 50 000 of them had applied for CSSA. In his view, most of them did not apply for CSSA because of the labelling effect on CSSA recipients. He urged the Administration to produce and broadcast another TV API to promote positively about CSSA recipients.

8. DSW responded that the production of two TV APIs in 2007 aimed to disseminate to the general public the positive message that CSSA should be rendered to those with genuine needs. Before the production of the two APIs, SWD had commissioned a consultancy to conduct a public opinion survey. The findings of the survey showed that most of the respondents supported that SWD should produce APIs with the themes of encouraging self-reliance and combating CSSA frauds. Nevertheless, having regard to the feedback from some CSSA recipients that they felt uncomfortable about the APIs and the achieved effects of the two APIs, the Administration had ceased to broadcast the APIs.

9. In response to Mr LEE, DSW said that it would be difficult to disseminate the message of encouraging people in genuine need to apply for CSSA while not creating a negative impact on the CSSA system through broadcasting a TV API in 30 seconds. On-going public education to eradicate the possible discrimination against CSSA recipients was considered more effective. Hence, different publicity strategies were put in place for achieving various purposes.

Action

10. Mr LEE Cheuk-yan disagreed with DSW's remark that it was difficult to disseminate a positive message on the CSSA system in a 30-second API. He remained of the view that SWD should produce and broadcast APIs in this respect.

11. Referring to paragraph 6 of the Administration's paper, Mr LEUNG Yiu-chung noted that the number of fraud or abuse cases only accounted for 0.3% of all CSSA cases in 2008-2009. While understanding that frontline staff of SSFUs needed to discharge their role as gatekeepers, their unhelpful manner made the CSSA applicants feel being discriminated and had deferred those in need from applying for CSSA. This apart, the message of encouraging CSSA recipients to move towards self-reliance had given rise to a misperception among the public that CSSA recipients had inertia to work. Mr LEUNG was of the view that many CSSA recipients were unemployed not because they did not want to work towards self-reliance but because of other factors, such as the need to take care of their family members and the lack of suitable jobs in the labour market. Mr LEUNG considered that the Administration should take these into account when processing and screening CSSA applications.

12. DSW said that in providing assistance to those in need, the frontline staff of SSFUs should also ensure the proper use of public funds. Staff of SSFUs would render every assistance to CSSA recipients and, where appropriate, refer them to other social service units having regard to their specific welfare needs. SWD's frontline staff were reminded to continue to pay careful attention to the needs of the recipients and serve in a proactive and caring manner, bearing in mind the motto "always people first".

13. DSW further said that elders and persons with disabilities (PWDs) accounted for about 70% of the total CSSA cases while the remaining 30% were cases of able-bodied adults including the unemployed, low income earners and single parents. The various schemes/programmes for encouraging self-reliance were applicable to the able-bodied adults which sought to assist them to enter or re-enter the labour market. It was noteworthy that the recent trend showed that the duration of unemployed able-bodied adults on CSSA had been getting longer. Hence, he saw a need to assist and motivate those who had been unemployed for a long time to secure employment and move towards self-reliance.

14. Mr LEUNG Yiu-chung said that while he did not object to launching programmes to assist the unemployed to find jobs, the Administration should change the mindset from encouraging self-reliance to assisting them to solve their difficulties in entering the labour market, such as through skills upgrading training to enhance their employability. Otherwise, this would convey a negative message that CSSA recipients were inertia to work and would rely on CSSA if they were not motivated to do so.

Action

15. Ms LI Fung-ying was of the view that the impact of the negative message on CSSA recipients as disseminated by the two TV APIs should not be underestimated. Pointing out that the number of fraud or abuse cases only accounted for 0.3% of all CSSA cases in 2008-2009, Ms LI considered that the Government had over-reacted to the reports on the fraud or abuse cases. To remove the negative impacts resulted from the two APIs, Ms LI urged the Administration to disseminate the correct message through electronic means that the CSSA Scheme aimed to provide a safety net for those who could not financially support themselves. Referring to the concerns made by some people about able-bodied adults on CSSA, Ms LI said that the misperception could be corrected if the Administration would consider separating the unemployed and low earnings cases from the CSSA Scheme by providing other forms of unemployment assistance to able-bodied adults.

16. DSW reiterated that in the light of the public concern about the fraud and abuse cases which were widely reported by the media, SWD had commissioned the Hong Kong Polytechnic University (PolyU) to conduct a public opinion survey in September 2006. The findings of the survey showed that most of the respondents supported that SWD should produce TV APIs with the themes of encouraging self-reliance and combating CSSA frauds. It was against this background that the two APIs were produced in 2007.

17. DS(W)2 said that in light of the experience of the two APIs, the suggestion of producing another API to disseminate to the general public information on the objective of the CSSA Scheme required careful consideration as the audience might have different perceptions on the message being brought by an API. DS(W)2 added that SWD had all along been actively disseminating to the public a positive message that CSSA should be rendered to those with genuine needs. At present, SWD was assisting Oxfam in preparing educational kits to promote positive information about CSSA recipients.

18. Mr CHEUNG Kwok-che was of the view that the Administration should not be over-worried that many people would apply for CSSA as a result of the production of APIs to disseminate the message that CSSA would be rendered to those with genuine needs. To obviate the concern, he suggested that SWD could consider producing a series of special TV/radio programmes on, say, the life stories of CSSA recipients who moved from welfare to self-reliance. Expressing understanding that it was not easy for staff of SSFUs to strike a balance between providing assistance to people in need and discharging their role of gatekeepers, Mr CHEUNG considered that SWD should provide adequate on-going job-related training for frontline staff of SSFUs. DSW said that SSFUs staff were already provided with job-related training and were subject to postings so as to widen their exposure and experience. The Administration would consider the suggestion of production of special TV/radio programmes where appropriate.

Action

19. Responding to Mr CHEUNG Kwok-che, DSW said that SWD would refer able-bodied unemployed CSSA recipients to join the Support for Self-reliance Scheme which aimed to encourage and assist them to secure paid employment and move towards self-reliance. The CSSA recipients would be exempted from joining the relevant programmes if they could provide valid justifications, such as sickness and family problems. For instance, a deduction of \$200 per month would be made from their monthly CSSA payments for participants refusing to take part in the Enhanced New Dawn Project without valid justifications.

20. Given that the number of fraud or abuse cases only represented 0.3% of all CSSA cases in 2008-2009, Mr Alan LEONG considered that the production of the two TV APIs in the light of the public concern about the fraud and abuse cases reported by the media was unnecessary. Instead, the Administration should have stated clearly to the public about the extent of the problem with concrete figures where available. In view of the general misperception of the CSSA recipients, Mr LEONG saw the need to convey to the public the positive message on CSSA and the Administration could consider setting up a focus group comprising members from the parties concerned to throw light on the theme of the promotional campaign and to preview the effect of the campaign materials.

21. DSW said that the misperception of CSSA recipients was a rooted problem which could not be eliminated merely by the production of a 30-second API. DSW reiterated that before the production of the two APIs in question, PolyU had conducted a public opinion survey in 2006, and the consultancy team had set up a focus group and invited public views on the themes of the APIs. Most of the respondents supported that SWD should produce APIs with the themes of encouraging self-reliance and combating CSSA frauds. Notwithstanding that a lot of preparatory work had been carried out, some members of the public felt uncomfortable about the two APIs. In the light of the experience, the Administration had reservation on the suggestion of producing another API on CSSA, bearing in mind that other effective means were available for disseminating the positive message on the CSSA system. Citing the Special Training and Enhancement Programme as an example, DS(W)2 supplemented that SWD had arranged with the media to interview some successful participants of the Programme who had rejoined the workforce or returned to mainstream schooling.

22. Mr Albert HO was of the view that the Administration lacked sensitivity in handling the production of the two APIs in question. Having regard to the negative perception of CSSA recipients by some people, the two APIs had further worsened the situation and made the CSSA recipients feel more uncomfortable. Mr HO said that to his knowledge, some needy had refused to apply for CSSA simply because they did not want to be looked down upon by the

Action

community and staff of SSFUs. Echoing Mr LEONG's view, Mr HO said that the Administration should learn from the experience of the production of the two TV APIs and form a focus group to work out the themes of APIs.

23. DSW advised that PolyU had invited public views on the themes of the two APIs. With hindsight, CSSA recipients could have been invited to join the focus group. DSW stressed that the Administration would take note of the experience and fine-tune the preparatory work for the future publicity work where appropriate.

24. Mr Frederick FUNG held the view that the crux of the problem was the CSSA system per se. In his view, the public generally expressed concern about able-bodied adults on CSSA, but not those CSSA recipients who were elders and PWDs. To this end, assistance to the unemployed able-bodied adults should be segregated from the CSSA Scheme. Citing the experience from the recent duty visit to Taiwan and the Republic of Korea conducted by the Subcommittee on Poverty Alleviation, Mr FUNG said that legislation on minimum wages was enacted in both places, and private companies would receive Government subsidies for expenses on salaries in return for hiring the unemployed. Mr FUNG urged the Administration to critically re-examine its policies on assisting the unemployed and the socially disadvantaged. DSW responded that the issue so raised by Mr FUNG had been discussed on different occasions and the Administration would need to give very careful consideration to it.

25. Noting that SWD had implemented programmes to encourage self-reliance and a total of 38 193 CSSA recipients had joined the Integrated Employment Assistance Scheme (IEAS), Mr WONG Kwok-hing enquired about the number of participants who could successfully secure full-time paid employment through IEAS. Mr WONG further asked about the Administration's efforts in facilitating the development of flea markets to help create job opportunities in the local community.

26. DSW said that the development of flea markets was coordinated by the Home Affairs Bureau (HAB) so as to promote economic activities at the district level. DSW added that the following funds under HAB and SWD were available to facilitate employment of the socially disadvantaged –

- (a) the Enhancing Self-Reliance Through District Partnership Programme, which supported the start-up of social enterprises with a view to creating jobs for the socially disadvantaged;
- (b) the Enhancing Employment of People with Disabilities through Small Enterprise Project, which supported the creation of small enterprises/businesses to facilitate the employment of PWDs; and

Action

- (c) the Partnership Fund for the Disadvantaged, under which the Government would provide matching grants to donations made by business organisations to support non-governmental organisations promoting social welfare projects to help the disadvantaged.

27. Mr WONG remained of the view that the Administration should exert more concerted efforts and cross-departmental collaboration in promoting flea markets and urged SWD to closely work together with HAB in this respect.

28. Mr CHEUNG Kwok-che noted with concern that CSSA recipients might feel stressful to find jobs due to the shrinkage of the job market amidst the financial tsunami. He urged SWD to take this into account and adjust the targets of the SFS Scheme. Mr CHEUNG also suggested that the Administration should consider deploying social workers to station at SSFUs given that social workers would be in a better position to handle CSSA applicants' problems at the spot and take appropriate follow-up if needed.

29. DSW responded that SSFUs were responsible for screening and processing CSSA applications. Staff of SSFUs would refer the applicants to other service units for follow-up on their welfare and social needs as appropriate. As a matter of fact, most SSFUs were located within the same building of other service units of SWD such as IFSCs. The arrangement was considered appropriate given the different roles and responsibilities of staff in these two facilities.

30. The Chairman was of the view that discrimination against CSSA recipients by some members of the public was a matter of social values and perception. In his view, the CSSA Scheme provided a safety net for the socially disadvantaged, and that abuse and fraud cases were unavoidable for all kinds of welfare services. He cast doubt about the need to produce the two TV APIs to combat abuse and fraud cases simply because of the media reports on a negligible fraud cases. He pointed out that some CSSA applicants had sounded out that they felt being looked down upon by staff of SSFUs in the course of applying for CSSA, and some felt humiliated to apply for CSSA, and therefore they refused to apply for CSSA even though they were in genuine financial difficulties. The Chairman urged the Administration to examine critically its position and the policy on the provision of social security assistance so as to adopt the appropriate publicity programmes to disseminate to the public the positive message that it was an individual's rights to apply for and receive CSSA when they were in hardship.

Action

31. DS(W)2 responded that it was the Government's policy to adopt a people-oriented approach in managing the social security system. SWD would remind frontline staff of SSFUs to serve in a proactive and caring manner in rendering assistance to people in need. DS(W)2 reiterated that the production of the two TV APIs aimed to disseminate to the public the message that CSSA should be rendered to those with genuine needs. Having regard to the feedback from some members of the public, the Administration had held internal discussions and considered that it might not be effective to disseminate the message through TV APIs. Instead, the Administration should continue to disseminate to the public the positive message on CSSA by means of other publicity channels.

32. Mr LEE Cheuk-yan remained of the view that TV APIs were effective means to reach out the general public and therefore the Administration should continue to produce TV APIs to disseminate to the public the objectives of CSSA.

33. While understanding the difficulties in bringing out the theme unambiguously in a 30-second TV API, Mr LEUNG Yiu-chung considered that the Administration should focus on conveying to the public the primary objective and the concept of providing social security assistance to the needy and the socially disadvantaged.

34. DS(W)2 said that the Administration would consider members' views and consider the most viable and effective way to disseminate to the public the positive message about the CSSA system.

Motion moved by Mr LEE Cheuk-yan

35. Mr LEE Cheuk-yan tabled the following motion, which was seconded by Mr CHEUNG Kwok-che, at the meeting -

"That this Subcommittee demands that the Government should take the initiative to promote positively to the public the CSSA system through broadcasting announcements of public interests during the Government's television air time, producing special programmes in collaboration with RTHK, and by means of posters and advertisements etc, so as to disseminate messages such as "any Hong Kong resident having financial difficulties and meeting the eligibility criteria has the right to apply for CSSA" and "CSSA, being a component of social security, serves a positive meaning in the development of the community"; and that CSSA recipients and concern groups be duly consulted on the promotion strategies and in the production process to ensure that both the messages and attitude are correct." (Translation)

Action

36. Mr Alan LEONG agreed with the need to convey a positive message on the CSSA system to remove the labelling effect on CSSA recipients resulting from the broadcasting of the two APIs. While he supported Mr LEE Cheuk-yan's proposed motion, he suggested to replace the word "and" between "producing special programmes in collaboration with RTHK," and "by means of posters and advertisements" with the word "or" so that the Administration would have room to consider the most viable and effective way to disseminate the positive message on CSSA.

37. Expressing no objection to Mr Alan LEONG's suggestion, Mr LEE Cheuk-yan stressed that the production of posters and advertisements should by no means be regarded as a substitute for producing TV APIs or special programmes. In the light of Mr LEONG's view, Mr LEE moved the amended motion as follows –

"That this Subcommittee demands that the Government should take the initiative to promote positively to the public the CSSA system through broadcasting announcements of public interests during the Government's television air time, producing special programmes in collaboration with RTHK, or by means of posters and advertisements etc, so as to disseminate messages such as "any Hong Kong resident having financial difficulties and meeting the eligibility criteria has the right to apply for CSSA" and "CSSA, being a component of social security, serves a positive meaning in the development of the community"; and that CSSA recipients and concern groups be duly consulted on the promotion strategies and in the production process to ensure that both the messages and attitude are correct." (Translation)

38. The Chairman put the motion to vote. All the members present at the meeting voted for the motion and no member voted against it. The Chairman declared that the motion was carried.

II. Any other business

39. There being no other business, the meeting ended at 10:20 am.