

立法會
Legislative Council

LC Paper No. CB(2)324/09-10
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

**Minutes of special meeting
held on Monday, 28 September 2009, at 4:30 pm
in the Chamber 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 TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, MH
Hon LEUNG Kwok-hung
Hon Ronny TONG Ka-wah, SC
Hon Paul CHAN Mo-po, MH, JP
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS

Member absent : Hon Alan LEONG Kah-kit, SC

Member attending : Hon Cyd HO Sau-lan

Public Officers attending : Item I

Ms Grace LUI Kit-yuk
Deputy Secretary for Home Affairs (1)

Mr Jacky LUM Kwok-keung
Principal Assistant Secretary for Home Affairs (Civic Affairs)1

Mr FUNG Man-lok
Assistant Director of Social Welfare
(Youth and Corrections)

**Deputations
by invitation** : Item I

The Hong Kong Council of Social Service

Ms Christine FANG
Chief Executive

Mr Moses MUI
Chief Officer (Family and Community)

Hong Kong Social Workers' General Union

Mr YUM Kwok-tung

Hong Kong Confederation of Trade Unions Committee of
Public Services

Mr TAM Chun-yin

Community Development Alliance

Ms WONG Shek-hung

Grassroots Social Workers

Mr AU YEUNG Tat-chor

舊區住屋權益社工聯席

Mr WONG Kai-lai

舊區租客大聯盟

Mr FUNG Chi-ming

Welfare Group of the Democratic Party

Mr LO Kin-hei
Member

Frontline Welfare Employees' Union

Ms LEUNG Ching-shan
Executive Member

Neighbourhood and Worker's Service Centre

Mr WONG Yun-tat
Community Affairs Officer

Anti "False Harmony" Alliance

Mr Eddie TSE Sai-kit

Hong Kong Youth Assistant for the Underprivileged
Association

Mr CHENG Tsz-fung

大澳居民組織

Ms LEUNG Lee-jen

Hong Kong Federation of Social Work Students

Mr WAN Wai-keung

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

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I. Professional autonomy of social workers in the provision of subvented community services

[LC Paper Nos. CB(2)2507/08-09(01) to (03), CB(2)2533/08-09(01) and CB(2)2563/08-09(01) to (05)]

The Chairman said that in view of the wide public concern about the reports on an allegation that the Secretary of Home Affairs (SHA) had interfered in the operation of a non-governmental organisation (NGO) and the professional autonomy of social workers, the special meeting was convened to discuss issues relating to the professional autonomy of social workers in the provision of community services and the corporate governance of NGOs receiving subventions from the Government.

2. The Chairman expressed dissatisfaction that SHA had declined the Panel's invitation for his attendance at the meeting. He considered that the Administration was disrespectful for the Panel's work.

3. Deputy Secretary for Home Affairs(1) (DS/HA(1)) disagreed with the Chairman's remarks. She advised that being the officer responsible for policy matters on community development, she had the duty to explain the policy to members and answer questions relating to the subject matter. DS/HA(1) added that SHA had attended a case conference with Duty Roster Members under the Legislative Council (LegCo) Redress System (case conference) on the specific case in question.

Meeting with deputations

The Hong Kong Council of Social Service
[LC Paper No. CB(2)2533/08-09(01)]

4. Ms Christine FANG presented the views of the Hong Kong Council of Social Service (HKCSS) as detailed in the submission. Ms FANG drew members' attention to the five objectives of community development services set out in the Policy Statement on the Community Development (the Policy Statement) released in 2004. Since then, social workers had been playing an important role in servicing the deprived and transient communities with a view to addressing local service needs, resolving the community conflicts and empowering local residents. To this end, Ms FANG considered that at the district level, the Administration should put in place mechanism to promote integration of disadvantaged communities with the mainstream society. At the policy level, the Administration should improve the communications with NGOs on issues related to community development. For instance, while the NGO Forum on Community Development (the Forum) was a platform for discussing issues relating to the overall planning and management of resources for community development services and meetings would be held on a quarterly

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basis, the Forum had met only five times since its formation. In her view, there was room for further improvement in respect of communications between the Administration and the community development service providers.

Hong Kong Social Workers' General Union
[LC Paper No. CB(2)2563/08-09(01)]

5. Mr YUM Kwok-tung presented the views of the Hong Kong Social Workers' General Union (HKSWGU) as detailed in the submission. Mr YUM highlighted that as laid down in the Policy Statement, the Forum would meet on a quarterly basis. However, no meeting had been convened between 2006 and mid 2009. Referring to the recent incident in Tai O, Mr YUM said that the Forum could have provided a platform for fostering understanding and communication between different sectors in Tai O. The Union urged that –

- (a) SHA should give an account of the incident, in particular why he had mentioned the receipt of a copy of a complaint letter from the Tai O Rural Committee to the Hong Kong Young Women's Christian Association (YWCA) during a meeting to discuss the latter's business development plan, and whether SHA had conducted any investigation into the case after receiving the complaint letter;
- (b) an independent commission of inquiry, comprising representatives from social workers and service users, should be set up to investigate the case; and
- (c) the Administration should abolish the Lump Sum Grant subvention system (LSGSS) and service bidding exercises.

舊區住屋權益社工聯席

6. Mr WONG Kai-lai said that since the inception of LSGSS, subventions were allocated to NGOs on a project basis. NGOs and social workers were obliged to support Government policies in a bid to continue to receive subventions for implementing new projects. He told the meeting that in the event that social workers held divergent views from the relevant authorities, say, in handling a redevelopment project, the social workers concerned often faced pressure from their serving organisations or funding organisations, causing them not to sound out the grave concern raised by the residents affected by the redevelopment plan. Mr WONG was of the view that the Administration should devise a long-term welfare plan based on the community interest.

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舊區租客大聯盟

7. Citing his experience as an example, Mr FUNG Chi-ming told the meeting that social workers were very often refrained from sounding out the needs and fighting for the rights of the disadvantaged communities simply because they feared that the subventions for the projects would cease if they held a different stance from the Government.

Welfare Group of the Democratic Party
[LC Paper No. CB(2)2563/08-09(02)]

8. Mr LO Kin-hei presented the views of the Welfare Group of the Democratic Party as detailed in the submission. He expressed concern about the direction and implementation progress of the community development services as set out in the Policy Statement. Mr LO said that the red tape of public organisations also stifled the professional autonomy of social workers as such organisations perceived themselves as the employers of social workers and expected social workers to act upon their direction. The Democratic Party was of the view that complaints relating to the professionalism of social workers should be referred to the Social Workers Registration Board (SWRB) for follow-up, instead of being dealt with by the management of the respective subvented NGOs.

Frontline Welfare Employees' Union
[LC Paper No. CB(2)2563/08-09(03)]

9. Ms LEUNG Ching-shan presented the views of the Frontline Welfare Employees' Union as detailed in the submission. The Union held the view that since the inception of LSGSS, many subvented organisations and social workers were obliged to adopt a value neutral attitude in delivering their services. The recent YWCA's case was only a tip of the iceberg. She urged the Government to set up an independent commission of inquiry to investigate the incident and to examine critically ways to maintain the professional autonomy of social workers.

Neighbourhood and Worker's Service Centre

10. Mr WONG Yun-tat considered that the alleged case was not an individual case. Instead, this revealed that the professional autonomy of social workers and the welfare of service users were at stake under LSGSS. Given the amount of subventions was determined under the service bidding exercises, NGOs receiving subventions were refrained from conflicting with the funding organisations. In his view, the requirements of services for NLCDPs were specified in the Funding and Services Agreements (FSAs), the delivery agents should enjoy full autonomy in discharging their daily work. In this respect, the Centre urged the Government to review the subvention system and set up an independent commission of inquiry to investigate the Tai O case.

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*Anti "False Harmony" Alliance
[LC Paper No. CB(2)2563/08-09(04)]*

11. Mr Eddie TSE presented the views of the Anti "False Harmony" Alliance as detailed in the submission. Mr TSE said that to his knowledge, the management of YWCA had held a press conference during which it admitted that SHA's remarks was one of the factors taken into consideration by the management in making the staffing arrangement, despite SHA had stated that he had no such intention of interfering. In his view, the interference in the operation of YWCA had in fact been effected. He was of the view that if SHA had not conducted any investigation before making his remarks, SHA was dereliction of duty and should apologise for his inappropriate remarks relating to the complaint from the Tai O Rural Committee. Mr TSE further said that social workers should enjoy professional autonomy in the delivery of community services. He could not accept that social workers should pursue "social harmony" at the expense of social justice. The Alliance strongly requested the Administration to explain the meaning of "social harmony" and conduct an independent investigation into the case. The Alliance also requested SHA to undertake that he would not interfere with the autonomy of welfare organisations in the provision of community services.

*Hong Kong Youth Assistant for the Underprivileged Association
[LC Paper No. CB(2)2563/08-09(05)]*

12. Mr CHENG Tsz-fung presented the views of the Hong Kong Youth Assistant for the Underprivileged Association as detailed in the submission. Mr CHENG said that NLCDPs aimed to foster a spirit of mutual help in the community and to motivate the community to participate actively in community activities to improve their quality of life. With the assistance of professional social workers, members of the deprived and transient communities could seek appropriate welfare services to solve their own problems. The two ex-social workers of YWCA in Tai O had exemplified the spirit of NLCDPs and had gained recognition of the residents. The Association strongly urged the Administration to set up an independent appeal mechanism to monitor the corporate governance of subvented NGOs.

大澳居民組織

13. Ms LEUNG Lee-jen told the meeting about her experience in receiving timely assistance from social workers of the Tai O NLCDP. As a single mother with two small children, she was desperate in seeking appropriate assistance from government departments when she became homeless as a result of the landslide and flooding in Tai O in June and September 2008. She and other Tai O residents were appreciative of the dedicated support of the social workers of the NLCDP who never failed to help them tide over difficulties. She could not understand why the social workers concerned were transferred out of Tai O.

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Hong Kong Federation of Social Work Students

14. Mr WAN Wai-keung presented the view of the Hong Kong Federation of Social Work Students. Mr WAN said that the Tai O case was not an isolated incident. He appealed to the Administration to learn from the case and adopt policy to prevent the recurrence of similar incidents in future. Mr WAN further said that under LSGSS, NGOs would compromise the service delivery and autonomy in order to secure funding under the service bidding exercises. With reference to the Code of Practice for Registered Social Workers issued by SWRB, Mr WAN stressed that social workers should adopt a people-oriented approach rather than a pro-government approach in service delivery.

Discussions

15. Responding to the depositions, DS/HA(1) said that the Policy Statement on Community Development set out the Government's policy on community development and the general development direction of community development services. In pursuit of its policy area of district and community relations, HAB commissioned the Social Welfare Department (SWD) as its delivery agent to provide community development services in the form of community centres and NLCDPs through subventions to NGOs. As stated in the Policy Statement, the community development services sought to mobilize community resources and encourage people to interact with one another through participation in a series of activities and networking groups. They aimed at promoting self-help and mutual help in solving community problems, and building up social support networks. The services should help strengthen the community capacity and facilitate social integration, which contributed to a caring, just and harmonious society. The policy had remained intact without further changes since the release of the Policy Statement in 2004.

16. DS/HA(1) further said while the Forum was not conducted frequently in the past, a Forum meeting had recently been convened in 2009. DS/HA(1) added that the Forum even if convened would not have tackled individual complaint cases. As regards the complaint letter from the Tai O Rural Committee addressed to YWCA and copied to SHA, it was an internal matter for YWCA as the organisation concerned to handle. The Administration fully respected the autonomy of YWCA over personnel issues. It would not be for HAB to conduct an investigation into the remarks made in the letter on the performance of the NLCDP; rather it would be for YWCA to consider the views of the Rural Committee and decide on YWCA's own course of action. DS/HA(1) said that SHA had time and again stated clearly on different occasions, including the case conference on 18 September 2009, that he had absolutely no intention to interfere and had indeed not made any interference. Nor would it be possible for him to interfere in the internal operation of YWCA and professional autonomy of social workers. SHA himself did not make any

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complaint against any social worker. Noting that it was Government's policy to foster social harmony, SHA mentioned the receipt of a copy of a letter from the Tai O Rural Committee to YWCA, during his meeting with YWCA in January 2009. DS/HA(1) hoped that members would not draw a conclusion based on inferences about exertion of pressure which were totally unfounded and inaccurate.

17. Mr LEE Cheuk-yan was of the view that the inferences about SHA had interfered in YWCA's internal affairs were not unfounded. In accordance with YWCA's report on the incident, it stated that District Officer (DO) (Islands) had lodged a complaint to YWCA against the work of two social workers who were allegedly uncooperative in working with the local communities and were not appreciative of the efforts of the funding organisations. Moreover, SHA had mentioned to YWCA during a meeting on the latter's business development plan that he wished YWCA and the Tai O Rural Committee could work together to promote for the well-being of the residents of Tai O and a harmonious community. Consequent upon the conversation, YWCA decided to issue warning letters to the two social workers concerned and transferred them out of Tai O. Mr LEE added that SHA had stated at the case conference that he had not investigated the case. In his view, SHA was too hasty in making the remarks without conducting an investigation into the complaint case.

18. In the light of the Tai O case, Mr LEE Cheuk-yan sought clarification about the meaning of "harmonious community". Expressing similar concerns, Mr LEUNG Yiu-chung asked whether the Administration had provided clear guidelines on how to achieve a harmonious community and whether SHA had assessed the impact of his remarks.

19. DS/HA(1) advised that SHA had given a clear account at the case conference on the circumstances of his meeting with YWCA. SHA had mentioned the receipt of a letter from the Tai O Rural Committee to YWCA because repeated complaints had been made by the local communities against the organisation. DS/HA(1) added that as shown from the YWCA 2007-2008 Annual Report, subventions from HAB amounted to less than 0.3% of its total income. She saw no reason how SHA could make use of the funding allocation arrangement and put pressure on the staff arrangement of YWCA.

20. Referring to the Code of Practice for Registered Social Workers issued by SWRB, Mr WONG Sing-chi said that the principles of practice related to profession and society were the core values of social workers in delivering social services to clients. The Tai O case had revealed that the Administration attached more importance to social harmony than professional autonomy of social workers in delivering community services. Noting that the two social workers concerned had all along performed well in Tai O, Mr WONG asked whether SHA had investigated the case before mentioning the complaint letter to the management of YWCA.

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21. DS/HA(1) responded that the Administration fully respected the professional autonomy of social workers and the Code of Practice issued by SWRB. NLCDPs could all along determine their own style in delivering their services, as long as they fulfilled the service standards as specified in FSAs. DS/HA(1) reiterated that the complaint letters reflected that there was disharmony in the community. Having regard to the subject of the letter from the Tai O Rural Committee, it was a matter for YWCA, and not HAB, to investigate.

22. Mr LEUNG Kwok-hung expressed dissatisfaction at SHA's failure to substantiate the allegations before mentioning the complaint letter to YWCA. Moreover, he was surprised to learn that a complaint case concerned local affairs was handled by SHA personally, instead of the relevant DO. In his view, SHA owed the public an explanation whether it was unusual for him to raise the issue direct with YWCA. To better understand whether it was SHA's routine business to promote the message on social harmony when he met with various NGOs, Mr LEUNG considered that the Administration should provide members with SHA's diaries in the past year.

23. While confirming that SHA had mentioned the receipt of a copy of letter from the Tai O Rural Committee to YWCA during a casual chat at the meeting with YWCA in January 2009, DS/HA(1) said it would be impossible to provide a record of SHA's day-to-day conversation as requested by Mr LEUNG Kwok-hung.

24. Ms LI Fung-ying noted with concern and asked why only five meetings of the Forum had been convened since 2004 notwithstanding that it was stated in the Policy Statement that meetings would be held on a quarterly basis.

25. DS/HA(1) said that the Forum provided a platform for all stakeholders to exchange views on the policy and strategic direction of community development. Meetings should be held on a need basis, and since there had been no major policy issues on community development to discuss, the Administration did not see the need to convene the Forum on as frequently as per a quarterly basis. DS/HA(1) added that the frequency of Forum meetings was discussed at its last meeting and was under review.

26. Responding to Ms LI Fung-ying's concern about the criteria for subventions allocation and the monitoring of the use of subventions, Assistant Director of Social Welfare (Youth and Corrections) said that subventions were allocated to NLCDPs under LSGSS. Following the release of review report by the LSG Independent Review Committee (IRC) in December 2008, the Administration had accepted all the 36 recommendations made by IRC and the Social Welfare Advisory Committee was considering the implementation of the recommendations.

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27. Mr CHEUNG Kwok-che said that he was under the impression that funding organisations had/would put pressure on the operation of subvented organisations during the funding allocation process. Although SHA had stated that he had never expressed any opinion and made any interference on the staff deployment of YWCA, YWCA had attached undue importance to and taken on board the remarks made by SHA during a casual chat seriously and decided to transfer the social workers concerned to other service areas. Mr CHEUNG took the view that it was warranted to set up an independent commission of inquiry to investigate the case. In this connection, he would propose a motion urging the Administration to do so.

28. Mr CHEUNG Kwok-che was of the view that social harmony should not be held responsible merely by social workers. He wondered whether DO(Islands) had met with various sectors in the community to resolve their conflicts before lodging a complaint to YWCA right away about the performance of individual social workers. Expressing similar concerns, Mr Albert HO said that to his knowledge, DO(Islands) had drawn the attention of YWCA that the social workers concerned were not appreciative of the funding bodies. He asked whether DO(Islands)'s way of handling the case was in line with HAB's established policy.

29. DS/HA(1) reiterated that at the relevant case conference, YWCA had already stated that SHA had not exerted pressure on its staff deployment. DO(Islands) had also clarified that he had not made any comments on the social workers concerned, and that he had reflected the views of some local residents to YWCA. DS/HA(1) stressed that the Government respected the expression of different opinions, and it was the Administration's policy to foster social harmony.

30. Mr Albert HO held the view that having regard to YWCA's decision to transfer the social workers concerned out of the Tai O NLCDP and the development of the incident, SHA should assume the political responsibility for lacking of sensitivity in handling the matter.

31. Mr TAM Yiu-chung said that he was one of the Duty Roster Members attending the case conference during which members had listened to different views from the parties concerned. He recapitulated that SHA had stressed that he had never expressed any opinion or attempted to put pressure on the staff deployment of YWCA. YWCA had stated that SHA's remarks had not put any pressure on it. YWCA also told members that with hindsight, it could have handled the matter differently. Mr TAM disagreed to the suggestion of setting up an independent commission of inquiry having regard to the resource implications and the fact that the matter was not contentious.

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32. Ms Cyd HO asked whether SHA had given a clear account to YWCA that he had no intention to exert pressure on its staff deployment. In her view, it was improper for SHA to convey a complaint from a third party during a casual chat. Instead, a formal mechanism should be established to deal with complaints.

33. DS/HA(1) reiterated that SHA had time and again explained on different occasions the circumstances of his meeting with YWCA. A copy of SHA's statement had also been sent to YWCA. SHA had clarified that he had not exerted and had no intention to exert pressure on YWCA. DS/HA(1) stressed that the staff arrangement of YWCA was an internal matter for YWCA and HAB would not comment on it. It was noteworthy that YWCA had stated clearly that the deployment of social workers in Tai O NLCDP was independent of SHA's remarks.

34. Mr WONG Kwok-kin considered that in the absence of real evidence to substantiate the allegations, he would not support Mr CHEUNG Kwok-che's proposal of setting up an independent commission of inquiry.

35. Mr Frederick FUNG expressed support for Mr CHEUNG Kwok-che's proposed motion. In his view, the conduct of an independent investigation would help dispel the doubts and concerns arising from the allegations.

36. The Chairman was of the view that although SHA had stated that he no intention to interfere in the internal affairs of YWCA, the effect of his remarks was obvious that the governing board of YWCA had held a meeting immediately after the casual chat and decided to transfer the two social workers concerned out of Tai O. Pointing out that SHA would not follow up personally each and every complaint case, the Chairman considered that the selective approach adopted by SHA in handling the complaint from the Tai O Rural Committee warranted an in-depth investigation. He supported the proposal to set up an independent commission of inquiry to look into the case. Should the Administration refuse to accede to the proposal, members might consider proposing the set-up of a select committee by LegCo to investigate the case.

37. The Chairman referred members to the motion to be moved by Mr CHEUNG Kwok-che and seconded by Mr LEE Cheuk-yan. The wording of the motion was tabled at the meeting, as follows -

"That this Panel urges the Chief Executive to set up an independent commission of inquiry immediately to investigate whether the Secretary for Home Affairs and the District Officer (Islands) have interfered with the professionalism of social workers, resulting in the quality of social services being affected; in addition, the Home Affairs Bureau should transfer the responsibilities for the policy and funding of the Neighbourhood Level Community Development Projects to the Labour and Welfare Bureau." (Translation)

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38. DS/HA(1) said that as a matter of policy and practice, HAB absolutely respected the professional autonomy of social workers. She drew members' attention to the fact that SHA had expressed his wish that YWCA and the Tai O Rural Committee could work together to promote a harmonious community, and YWCA had stated that such remarks had no bearings on its staff arrangement. DS/HA(1) added that in the absence of any convincing evidence, the Administration considered that there was no need to set up an independent commission of inquiry.

39. The Chairman and Mr LEUNG Kwok-hung expressed dissatisfaction at DS/HA(1)'s remarks. They commented that DS/HA(1) should not have pre-empted the decision of the Chief Executive before the proposal was put forward for his consideration. DS/HA(1) clarified that as the Administration's representative, she had to convey to Members the Administration's position.

40. The Chairman put the motion moved by Mr CHEUNG Kwok-che to vote. Seven members voted for the motion, three members voted against it and one member abstained from voting. The Chairman declared that the motion was carried.

[To allow more time for discussion, members agreed to extend the meeting by 10 minutes.]

41. At the invitation of the Chairman, the following deputations expressed further views as follows –

- (a) Moses MUI of HKCSS said that to uphold the professional autonomy of welfare services, the Administration should make reference to the practices adopted in the United Kingdom and Canada, i.e. to make agreements with subvented NGOs on the delineation of accountabilities and roles between the Government and NGOs in provision of social services;
- (b) Mr Eddie TSE of the Anti "False Harmony" Alliance said that YWCA had admitted at a press conference that SHA's remarks was one of the factors taken into account in effecting the staff arrangement. He also expressed dissatisfaction at SHA's failure to explain why he considered YWCA was not working together with the Rural Committee for the well-being of the residents of Tai O. This apart, he questioned whether social harmony meant working harmoniously with the pro-government organisations;

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- (c) Mr YUM Kwok-tung of HKSWGU said that the inferences about exertion of pressure on YWCA were not unfounded having regard to the staff deployment was effected after SHA had made the remarks. The Union held the view that HAB should respect the professional autonomy of social workers in the provision of community services;
- (d) Mr TAM Chung-yin of the Hong Kong Confederation of Trade Unions Committee of Public Services wondered if social harmony would outweigh professional autonomy of social workers in the provision of community services. The Union urged SWD to set up an appeal mechanism to handle complaints relating to employment issues of social workers;
- (e) Ms WONG Shek-hung of the Community Development Alliance considered it unacceptable if the Administration had equated the expression of different opinions with disharmony. Even though SHA had no intention to interfere, he had underestimated the impact of his remarks and should be accountable for the incident. The Alliance supported the proposal to set up an independent commission of inquiry to investigate the case;
- (f) Mr LO Kin-hei of Welfare Group of the Democratic Party held the view that contrary to the policy of providing flexibility for NGOs to deploy subventions and manpower, SHA had commented on the working relationship between YWCA and the Tai O Rural Committee during a meeting with YWCA. In the light of the consequence of his remarks, SHA should apologise for his act. In addition, he remained unconvinced that the Administration did not see the need to convene the Forum because of no change in policy on community development;
- (g) Mr AU YEUNG Tat-chor of Grassroots Social Workers said that in the light of the experience of the Tai O case, consideration should be given to introducing legislation to monitor corporate governance of subvented organisations and include representatives of service users in the respective governing boards; and
- (h) Ms LEUNG Lee-jen of 大澳居民組織 said that she and residents of Tai O appreciated the efforts of the two ex-social workers of YWCA in providing every assistance to them. She hoped that the Government would respect the autonomy of social workers in the provision of community services.

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42. Mr LEE Cheuk-yan remained of the view that inferences about SHA's exertion of pressure were not unfounded having regard to the prima facie evidence. In his view, the set-up of an independent commission of inquiry by the Chief Executive would help find out the truth.

Admin

43. Mr LEUNG Kwok-hung reiterated his earlier request for a copy of SHA's dairies so as to better understand whether SHA had all along promoted the message of social harmony when he met with other NGOs. DS/HA(1) said that she would convey the request to SHA.

44. DS/HA(1) stressed that it had been a major policy of HAB to foster social harmony and the Government respected and attached high importance to the expression of different opinions. As she had pointed out earlier, without any convincing evidence, the Administration considered that there was no need to carry out any independent investigation. As for the frequency of convening the Forum, DS/HA(1) said that as there was no major policy issues on NLCDPs to discuss, the Administration did not see the need to convene the Forum on a quarterly basis.

45. The Chairman was dismayed at the Administration's refusal to consider conducting an independent investigation which, in his view, had pre-empted the considerations of the Chief Executive. He commented that the Administration should first consult the Chief Executive as to whether he agreed to the proposal as set out in the motion passed by the Panel. The Chairman took the view that the Administration's stance on the matter was disrespectful for LegCo and was not conducive to the relationship between the executive and the legislature. He would consider raising the matter at a future meeting of the House Committee and requesting the Chairman of the House Committee to raise it with the Chief Secretary for Administration.

46. DS/HA(1) said that she had to convey the Administration's position to Members before Members voted on the motion.

II. Any other business

47. The Chairman reminded members that a joint meeting of the Panel with the Panel on Health Services would be held on 30 September 2009 to discuss the provision of community support services for ex-mentally ill persons.

48. There being no other business, the meeting ended at 6:40 pm.