

立法會
Legislative Council

LC Paper No. CB(2)1644/10-11
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Monday, 14 March 2011, at 10:45 am
in Conference Room A of the Legislative Council Building

Members present : Hon CHEUNG Kwok-che (Chairman)
Hon WONG Sing-chi (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, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Paul CHAN Mo-po, MH, JP
Dr Hon LEUNG Ka-lau
Hon IP Wai-ming, MH
Dr Hon PAN Pey-chyou
Dr Hon Samson TAM Wai-ho, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip

Member absent : Hon WONG Kwok-kin, BBS

Public Officers attending : Items IV and VI

Ms Karyn CHAN Ching-yuen
Principal Assistant Secretary for Labour and

Welfare (Welfare) 1

Item IV

Mrs Anna MAK CHOW Suk-har
Assistant Director of Social Welfare
(Family and Child Welfare)

Item V

Mr Stephen SUI Wai-keung
Commissioner for Rehabilitation
Labour and Welfare Bureau

Mr CHEUNG Hing-wah
Deputy Director of Social Welfare (Services)

Mrs Cecilia YUEN
Assistant Director of Social Welfare
(Rehabilitation & Medical Social Services)

Mr Simon KONG Ha-wing
Senior Architect, Social Welfare Department

Item VI

Mr Roy TANG Yun-kwong, JP
Deputy Secretary for Labour and Welfare
(Welfare) 1

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

Staff in attendance : Mr YICK Wing-kin
Assistant Legal Adviser 8

Ms Yvonne YU
Senior Council Secretary (2) 4

Miss Karen LAI
Council Secretary (2) 4

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Confirmation of minutes

[LC Paper No. CB(2)1215/10-11]

The minutes of the meeting held on 10 January 2011 were confirmed.

II. Information paper(s) issued since the last meeting

2. Members noted that no information paper had been issued since the last meeting.

III. Items for discussion at the next meeting

[LC Paper Nos. CB(2)1216/10-11(01) to (02)]

3. Members agreed to discuss the following items proposed by the Administration at the next meeting on 11 April 2011 at 10:45 am –

- (a) Development of social enterprises; and
- (b) Integrated Discharge Support Programme for elderly patients.

IV. Proposed amendments to the Guardianship of Minors Ordinance

[LC Paper Nos. CB(2)1216/10-11(03) to (04)]

4. Principal Assistant Secretary for Labour and Welfare (Welfare)1 ("PAS(W)1") briefed members on the Administration's proposal to amend the Guardianship of Minors Ordinance ("GMO") (Cap. 13) for implementing the recommendations of the Report on Guardianship of Children ("the Report") published by the Law Reform Commission of Hong Kong ("LRC"), as detailed in the Administration's paper.

5. PAS(W)1 elaborated that the Administration proposed to amend GMO to implement all the law reform recommendations of the Report. Besides, it also proposed to adopt, with modifications, a few other

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provisions in the English Children Act 1989 with a view to enhancing the clarity of GMO. She added that the Administration aimed to introduce the amendment bill for amending GMO into the Legislative Council within the current session.

6. Mr Albert HO expressed general support for the legislative proposal. He asked whether the Administration had consulted the stakeholders, such as the Hong Kong Bar Association, The Law Society of Hong Kong and children welfare organisations, on the legislative proposal; and if so, whether any opposing views had been received.

7. PAS(W)1 advised that LRC had conducted extensive consultation with the stakeholders on the subject of guardianship prior to preparing the Report and making its recommendations. In the course of examination of the Report, the Administration had approached frontline social workers for their feedback, and the latter responded positively to LRC's recommendations. Assistant Director of Social Welfare (Family and Child Welfare) ("ADSW(F&CW)") supplemented that views from stakeholders on the LRC recommendations were solicited from time to time during the review process. They had responded positively to the recommendations, and in particular the children's associations expressed support for the proposal to take into account the views of the child, as far as practicable, on the appointment of the guardian.

8. Mr Albert CHAN enquired whether the scope of the legislative proposal would be applicable to Hong Kong children born to Mainland parents and who were being taken care of by relatives in Hong Kong as well as those children who were victims of child abuse cases. Mr CHAN elaborated that for the first type of cases, the Mainland parents would seldom appoint another person residing in Hong Kong to be a guardian of their child(ren) in place of themselves to take care of the child(ren)'s well-being in Hong Kong. In the absence of a guardian, these Hong Kong children's rights were undermined, for instance, they were not eligible for applying for public rental housing. As for victims of child abuse cases, Mr CHAN said that the Administration should make reference to overseas experience to introduce a provision which provided that an official solicitor could be appointed to represent the interests of the abused child.

9. PAS(W)1 explained that the proposed amendments to GMO focused on the legal arrangements relating to the guardians appointed by parents and the court for minors in the event of the death of one or both parents,

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having regard to the appointment of guardians was a private arrangement between the appointing parent and the appointed guardian.

10. ADSW(F&CW) supplemented that to her knowledge, Mainland parents of Hong Kong born children seldom appointed a guardian to take care of their children living in Hong Kong, and they could exercise their parental rights if they so wished. In the event that it had reason to believe that an individual child was in dire need of urgent medical treatment, the relevant authority could proceed with the medical treatment under the existing mechanism. As for the child abuse cases, the protection of children and juveniles was dealt with under the Protection of Children and Juveniles Ordinance ("PCJO") (Cap. 213). The Director of Social Welfare might apply to the court to be a guardian of a child for safeguarding the well-being of the child when such needs arose.

11. While welcoming the Administration's proposal to retain the status quo in relation to the powers of the Official Solicitor to act as guardian of the estate, Mr Albert HO enquired whether the Official Solicitor would be required to appear before the court hearings. Mr HO noted that the Administration proposed to extend the power of the Court of First Instance to remove a guardian to the Family Court. Pointing out that children and juvenile affairs were currently dealt with by the Court of First Instance, the Family Court and the Magistrates' Court, Mr HO asked whether the Administration would consider taking the opportunity to rationalise the arrangements. In his view, issues relating to the welfare of children and juveniles would best be dealt under the jurisdictions of the Family Court.

12. PAS(W)1 explained that a guardian would normally act as the guardian of a minor's estate as well. Section 18 of GMO provided that the Court of First Instance could appoint a person to be the guardian of a minor's estate, either generally or for a particular purpose. The legislative proposal merely sought to maintain the status quo in relation to the powers of the Official Solicitor to act as guardian of the estate as recommended by LRC.

13. PAS(W)1 clarified that arrangements relating to the appointment of guardianship for the purpose of GMO was within the jurisdictions of the Family Court and the Court of First Instance, save for that only the Court of First Instance was empowered under section 8 of GMO to remove a guardian. The LRC therefore recommended that GMO should be amended to the effect that similar powers should be given to the District

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Court, including the Family Court. ADSW(F&CW) said that issues relating to the powers of the court would have far-reaching implications and require thorough study before proposing any changes. The Chairman said that the Administration might wish to convey Mr HO's views for the consideration of LRC.

14. In concluding, the Chairman said that members raised no objection to the Administration's proposed amendments to GMO.

V. Setting up a New Integrated Rehabilitation Services Centre for Persons with Disabilities at Kau Wah Keng, Kwai Chung (i.e. the site of Ex-O Pui Shan Boys' Home)

[LC Paper Nos. CB(2)1216/10-11(05) to (06)]

15. At the invitation of the Chairman, Commissioner for Rehabilitation ("C for R") briefed members on the setting up of a new Integrated Rehabilitation Services Centre ("IRSC") for persons with disabilities in Kau Wah Keng, Kwai Chung ("Kau Wah Keng IRSC"), as detailed in the Administration's paper.

16. C for R elaborated that the Social Welfare Department ("SWD") proposed to set up the Kau Wah Keng IRSC by retrofitting and converting the existing premises which had been used as the then O Pui Shan Boys' Home ("OPSBH"). The future operator of the proposed Kau Wah Keng IRSC would be required to provide 210 residential care places and 160 day training places for persons with disabilities. The Kau Wah Keng IRSC was targeted to commence operation in the first quarter of 2012. C for R said that the setting-up costs of the IRSC would be funded under the Lotteries Fund ("LF"). In line with the established practice, the Administration would seek the Finance Committee ("FC")'s approval for the proposed project which would incur recurrent government expenditure in excess of \$10 million per annum. The Administration planned to seek FC's approval in May 2011 for the allocation from LF.

17. Noting that the average waiting time for Hostel for Severely Mentally Handicapped Persons ("HSMH") in 2009-2010 was 68.4 months, Mr TAM Yiu-chung was gravely concerned about the long-term strategy in place to increase the provision of residential care services for persons with disabilities. In his view, the Administration should consider earmarking sites and identifying suitable premises for setting up residential care homes

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for persons with disabilities ("RCHDs"). Mr TAM enquired about the community care services provided for persons with disabilities to facilitate their continued living at home while waiting for residential care services.

18. C for R advised that in accordance with the 2007 Rehabilitation Programme Plan, the Administration had been adopting a three-pronged approach to encourage participation from different sectors in providing diversified residential care services for persons with disabilities, viz -

- (a) regulating RCHDs, so as to ensure the service quality on one hand and help the market develop residential care homes of different types and operational modes on the other;
- (b) supporting the non-governmental organisations (NGOs) to develop self-financing homes; and
- (c) continuing to steadily increase the number of subsidised residential care home places.

C for R said that in line with these strategic directions, the Administration would introduce a licensing scheme for RCHDs. The relevant legislative proposal was being scrutinized by the Bills Committee on the Residential Care Homes (Persons with Disabilities) Bill. C for R further said that in tandem, the Administration had launched the pilot Bought Place Scheme for private RCHDs with a view to encouraging private operators of RCHDs to upgrade service standard, shortening the waiting time for services by increasing the overall supply of subsidised residential care places, and helping the market develop more service options. SWD planned to purchase about 150 to 230 private RCHD places in 2011-2012. C for R added that the Administration had been continuously increasing the provision of subsidised residential places in recent years. Over the past three years, the Government had provided 1 015 additional subsidised places in RCHDs. Coupled with the allocation for recurrent expenditure already earmarked, the Administration would provide a total of 1 046 additional subsidised RCHD places in 2010-2011 and 2011-2012, including residential care places to be provided by the proposed Kau Wah Keng IRSC. It was estimated that there would be over 1 100 additional subsidised residential care places for persons with disabilities in the next five years, with priority given to the severely disabled persons.

19. Assistant Director of Social Welfare (Rehabilitation & Medical

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Social Services ("ADSW(RMSS)") said that apart from the residential care services, the Administration also strived to make available training and support to persons with disabilities with a view to assisting them in developing their potential, enabling them to continue to live independently at home and preparing them for full integration into the community. The Government had been strengthening the day training services, such as setting up 16 district support centres for persons with disabilities to provide one-stop district-based support services, as well as providing additional day training places. In 2010-2011 and 2011-2012, the Administration would provide a total of 478 day activity centre training places, including those to be provided by the proposed Kau Wah Keng IRSC. ADSW(RMSS) further said that the Administration was also mindful of the acute waitlisting situation of residential care services for persons with severe disabilities. An one-off funding of \$163 million had been sought under LF for implementing the three-year Pilot Scheme on Home Care Services for Persons with Severe Disabilities ("the Pilot Scheme") on 1 March 2011 to provide persons with severe disabilities, who were living in the community and on the waiting lists for subsidised residential care services at HSMH, hostel for severely physically handicapped persons and care and attention home for severely disabled persons, with a package of home-based support services to meet their care and rehabilitation needs. These enhanced support services sought to facilitate the continued living of persons with disabilities at homes while waiting for subvented residential care services, and help relieve the stress of their family carers.

20. Mr TAM Yiu-chung cautioned that the passage of the Residential Care Homes (Persons with Disabilities) Bill would not necessarily increase the number of residential care places for persons with disabilities. Instead, some private RCHDs might cease operation or reduce the number of beds as a result of the upgraded spatial requirement and service standard after the implementation of the licensing system. Given the Administration was unable to secure suitable premises for RCHDs, Mr TAM said that it would be equally difficult for private operators to find suitable premises for RCHDs.

21. C for R said that the Administration was mindful of the difficulties in securing suitable premises for RCHDs. It was noteworthy that both the number of private RCHDs joining the Voluntary Registration Scheme and the number of private RCHDs known to SWD had increased recently. C for R reiterated that the Administration would introduce complementary measures to private RCHDs to ensure compliance with the licensing

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requirements. C for R assured members that the Administration was committed to continuing increasing the provision of subsidised RCHD places.

22. Ms LI Fung-ying took the view that the shortfall of subsidised RCHD places was extremely acute. Notwithstanding that the Administration had advised that there would be an additional provision of over 1 100 subsidised residential care places for persons with disabilities in the next five years, the additional places were far from adequate to meet the demand of the 2 032 persons with disabilities who were currently on the waiting list for HSMHs, not to mention meeting new demands. In her view, the Administration should formulate long-term planning for increasing the supply of residential care places and set specific pledges for allocation of different types of residential care places to the waitlistees. To this end, the Administration should earmark potential suitable sites at the planning stage of new development or redevelopment projects. Pointing out that some family carers had to take care of persons with disabilities at home simply because of inadequate subsidised residential care places, Ms LI held the view that the Administration should provide family carers of persons with disabilities with carers allowance so as to relieve their financial burden and stress in taking care of persons with disabilities.

23. C for R said that the provision of additional RCHDs would depend on the availability of suitable sites/premises. Nevertheless, the Administration would continue its efforts to bid for more resources to increase the supply of subvented residential care places for persons with disabilities and identify suitable sites for setting up new RCHDs. Apart from converting vacant government premises into RCHDs, the Administration had earmarked sites in new development projects including public housing estate development projects for the setting up of RCHDs as appropriate. While the Administration endeavoured to increase the supply of subsidised residential care places, it was no easy task to set specific targets for allocation of residential care places as the waiting time would depend on the availability of new RCHD places in individual districts and the waitlistees' preference for specific RCHDs. Moreover, the turnover rates of subvented residential care places were low as a result of the longer expectancy and improved healthcare services. C for R assured members that the Labour and Welfare Bureau had accorded top priority to the provision of new subvented residential care places for persons with disabilities.

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24. On the provision of carers allowance, C for R said that discretionary grant/supplement was provided under the Comprehensive Social Security Assistance ("CSSA") Scheme for eligible persons with disabilities to employ domestic helpers to take care of them at home. This apart, the Administration was committed to enhancing the community care support for persons with disabilities living in the community. As advised earlier, the Administration had earmarked \$163 million under LF to implement the Pilot Scheme to facilitate the continued living of persons with disabilities at home while waiting for subvented residential care services, and help relieve stress of their family carers.

25. In the light of the difficulties encountered in securing suitable premises for setting up new RCHDs and rehabilitation facilities, Mr Albert CHAN took the view that the Administration should consider expanding the project scope of the proposed Kau Wah Keng IRSC by making use of the adjacent vacant government site having regard to its convenient location. This would help increase the number of residential care places and day training places for persons with disabilities. Mr CHAN was concerned about the accessibility of the proposed IRSC by wheel-chair users and the nuisances caused by an unlicensed food premises nearby.

26. Deputy Director of Social Welfare (Services) ("DDSW(S)") said that the Kau Wah Keng IRSC would be set up by retrofitting and converting the existing premises located at Kau Wah Keng, which had become vacant following the relocation of OPSBH. Having considered the plot ratio and the height restriction of the existing site, the Administration held the view that the current proposal would be the most effective way to set up a new IRSC and hence increase the number of RCHD places within the shortest time span. ADSW(RMSS) added that due consideration should be given to the proposed height restriction of 24 metre for RCHDs bearing in mind that the licensing system would be coming into effect.

27. On the accessibility of the proposed Kau Wah Keng IRSC, C for R said that funding had been earmarked under LF for the future operator to purchase three vehicles to facilitate persons with disabilities and their family carers to access the IRSC. As regards Mr Albert CHAN's concern about the nuisance caused by an unlicensed food premises in the vicinity of the proposed IRSC, DDSW(S) said that he would seek further information, if any, from relevant departments concerned.

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28. While acknowledging the constraints on expanding the project scope of the proposed IRSC, Mr Albert CHAN said that the problems as expressed could be resolved if the Administration would change its mindset and study the proposal from the long-term planning perspective. For instance, a revision to the plot ratio of the site and relevant development plans would allow the construction of additional buildings on the site and thereby provide more residential care places. The Chairman concurred with Mr CHAN. He urged the Administration to actively consider Mr CHAN's proposal and revert to the Panel if necessary.

29. Mr LEUNG Yiu-chung said that the Administration should be committed to providing more resources, including suitable premises, for the supply of residential care places for persons with disabilities as the number of places coming on stream was far from adequate to meet the demand. He supported Mr Albert CHAN's proposal and requested the Administration to actively consider setting up large-scale RCHDs in the coming years. Noting that the Lands Department had already given approval for change in land use allocation for the Kau Wah Keng IRSC in June 2010, Mr LEUNG took the view that the Administration should expedite the preparation and construction works so as to gear up for operation. Mr LEUNG asked whether the capacity of 210 residential care places could be further increased.

30. DDSW(S) advised that having regard to the spatial requirement of the residents who were persons with disabilities, a total of 210 residential care places would be the maximum capacity for the proposed Kau Kah Keng IRSC.

31. Mr LEUNG Yiu-chung was concerned whether the recurrent subvention for the operation of the Kau Wah Keng IRSC was adequate for meeting the operating costs, expenses for organising daily activities and repair and maintenance.

32. DDSW(S) explained that the recurrent subvention for the operation of Kau Wah Keng IRSC was estimated based on the existing subvention level for subvented RCHDs. He elaborated that funding for meeting the operating costs, the provision of social and recreational activities as well as repairs for normal wear and tear was allocated under Other Charges. On the maintenance of the Kau Wah Keng IRSC, Senior Architect, Social Welfare Department said that as it was a Government property, the Architectural Services Department would be responsible for facilities

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upkeep of the IRSC such as repair and maintenance of the building. The repair costs for normal wear and tear would be met by the future operator. Allocation from LF could be sought for interior refurbishment and alteration should such needs arose. ADSW(RMSS) added that as set out in paragraph 12 of the Administration's paper, funding from LF had been obtained for meeting the setting-up costs of the IRSC, the fitting-out works and costs of furniture and equipment. At the request of Mr LEUNG Yiu-chung, DDSW(S) said that the Administration would provide a breakdown of the subvention for the IRSC allocated under Other Charges after the meeting.

33. Mr LEUNG Kwok-hung was dissatisfied at the Administration's lack of long-term strategy for the provision of residential care services for persons with disabilities. In his view, the difficulties in securing suitable premises and enlisting local community support for setting up RCHDs could be resolved if the premises for RCHD purpose was reserved at the planning stage of development projects. This apart, the Administration should pursue Mr Albert CHAN's proposal to expand the project scope of the Kau Wah Keng IRSC so as to increase the supply of residential care places. To better understand the extent to which the increase in the provision of new RCHD places had met the demand, Mr LEUNG asked about the respective numbers of new subsidised RCHD places provided and waitlistees in the past years.

34. DDSW(S) said that in 2006, there were 6 200 persons with disabilities on the waiting list of various types of subvented residential care homes and the corresponding number in December 2010 was 7 350. The increase in the number of waitlistees was attributed to various factors, such as an ageing population. DDSW(S) stressed that the Administration attached great importance to the provision of residential care services for persons with disabilities and would continue its efforts to bid for more resources to increase the supply of subvented residential care places for persons with disabilities.

35. Dr PAN Pey-chyou said that the Administration should give active consideration to Mr Albert CHAN's proposal on the project scope. Dr PAN pointed out that the design and fitting-out of the former OPSBH was not for RCHD purpose. He wondered why the Administration refused to demolish the premises and construct a new RCHD so as to achieve the optimum land use. It would be difficult, if not impossible, to redevelop the Kau Wah Keng IRSC after it had put into use. Dr PAN said that as a

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matter of principle, he should not support the Administration's present proposal to set up the Kau Wah Keng IRSC as the proposal could be further improved. However, he would not oppose to taking forward the proposal in order not to delay the provision of residential care places and day training places in the Kau Wah Keng IRSC. Referring to the notional staffing of the IRSC, Dr PAN asked whether it would be specified in the tender proposals the respective numbers of professional staff, training and care staff and supporting staff in the IRSC. Dr PAN further asked about the mechanism in place to ensure suitable personnel was deployed to ensure service quality and meet service needs.

36. DDSW(S) said that the Administration had examined critically the various options for setting up the Kau Wah Keng IRSC as well as the technical constraints on the land use. The project proposal was considered the most viable option to provide residential care places and day training places for persons with disabilities in the shortest possible timeframe. On the staff establishment of the IRSC, DDSW(S) said that the subvention would be allocated in a lump sum mode to allow greater flexibility to the operator in resource deployment. The funding estimates of the personal emoluments were based on the mid-point salary of the notional staffing of 184 professional, care and ancillary staff. NGOs would be invited to submit project proposals to operate the Kau Wah Keng IRSC and selection would be made through a competitive quality-based system. The service requirements would be stipulated in the relevant Funding and Service Agreement for the IRSC.

37. The Chairman said that the Panel raised no objection to the proposal to set up the Kau Wah Keng IRSC. However, members strongly urged the Administration to take concrete actions to address the difficulties in identifying suitable premises and sites for setting up RCHDs, with a view to increasing the provision of residential care services and day training places for persons with disabilities.

38. The Chairman further said that to his knowledge, some parents of persons with disabilities expressed grave concern about the long waiting time for sheltered workshop places in the New Territories West and the North District. To increase the provision of residential care places and training places for persons with disabilities, consideration could be given to critically re-examining the land use of certain welfare premises. For instance, the Greenery Villa in Tuen Mun was under-utilized, and SWD should actively consider developing the site for RCHD purpose. The

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Chairman strongly urged the Administration to set up a task force under SWD to follow up social welfare land use planning.

VI. Update on the long-term social welfare planning
[LC Paper Nos. CB(2)1216/10-11(07) to (08)]

39. The Chairman said that he proposed to discuss the item as it was expected that the Social Welfare Advisory Committee ("SWAC") would finalise its report on long-term social welfare planning in late February 2011. Given the report had not yet finalised, he invited the Administration to provide members with an update on the progress of SWAC's study.

40. Deputy Secretary for Labour and Welfare (1) ("DS(W)1") said that following the release of the consultation paper entitled "Long-term Social Welfare Planning in Hong Kong" by SWAC in mid-April 2010, views from stakeholders were invited. The Panel also held two special meetings in June 2010 for deputations to express views on long-term social welfare planning. Having thoroughly reviewed the views collected during the consultation period, SWAC was currently finalising the report on its analyses and recommendations. It was expected that SWAC's report would be completed by the second quarter of 2011. Upon receipt of SWAC's report, the Administration would thoroughly analyse and study its recommendations and report to the Panel as soon as possible.

41. Mr IP Wai-ming commented that the Administration had not acceded to the repeated requests for conducting the study on long-term social welfare planning by the Government, instead of SWAC. Mr IP asked about the expected timeframe for the release of SWAC's report and how the Administration would take forward the recommendations. He further asked why the report would be submitted to LWB before making public. Mr IP opined that during the two rounds of consultation launched by SWAC, it mainly gauged views from stakeholders related to social welfare. The community at large was unaware of the consultation underway. He appealed to the Administration to conduct a public consultation on the SWAC's report and recommendations.

42. DS(W)1 advised that in line with the usual practice of advisory bodies in preparing study reports, SWAC would first endorse the report before its formal release. At the same time, it would issue a press release,

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upload the report onto SWAC's website and forward its report to the Administration for consideration. The Administration would then study SWAC's recommendations and report to the Panel together with the Administration's stance and response to the recommendations in the report. He stressed that the SWAC's report would not be subject to the vetting and approval of the Administration prior its release.

43. On the consultation arrangement, DS(W)1 said that apart from organising consultation sessions, the consultation paper was sent to organisations which had been invited to put forward their views in the first round of consultation, and also local universities and institutes, business sector/professional bodies, and some private foundations and charities related to social welfare. In addition, the consultation paper was uploaded onto the SWAC's website, and views from members of the public were invited. To his knowledge, views from different sectors were received during the consultation period. DS(W)1 added that as explained earlier, the Administration planned to report to the Panel in response to the recommendations made in SWAC's report in the second quarter of 2011.

44. Mr LEUNG Kwok-hung said that he did not see the need for SWAC to study and conduct consultation on the long-term social welfare planning, having regard to the strong call from the community and Legislative Councillors for implementing a universal retirement protection scheme. In his view, the Government should formulate the long-term policy in this regard and SWAC should advise on the Government how to take forward the relevant policy. The current study conducted by SWAC merely revealed the Administration's lack of long-term commitment for social welfare planning.

45. DS(W)1 said that it was not uncommon for an advisory body like SWAC be tasked to conduct consultation and gauge the views of the public on policy issues. Majority of advisory bodies comprised members from various sectors who would be able to provide valuable advice to the Government on specific policy issues based on their professional knowledge. DS(W)1 said that the Administration was committed to providing additional resources for welfare services. Notably, the public expenditure on welfare services had been increased eightfold from 5.4 billion to 42.2 billion in the past 20 years. The growth rate was faster than that of Hong Kong's Gross Domestic Product and the total Government recurrent expenditure in the corresponding period. The proportion of total Government recurrent expenditure on welfare services also rose from

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around 14.2% to 17.4% in the past decade.

46. Referring to the growth rate of about 3% in Government's recurrent expenditure on welfare services in the past decade, Mr Frederick FUNG asked whether the increase was due to an increase in the Comprehensive Social Security Assistance ("CSSA") payments. DS(W)1 replied that the proportion of expenditure on CSSA payments to the total expenditure on welfare services remained rather stable in the past years.

47. Mr Frederick FUNG said that the Chief Executive had undertaken in his Policy Address to study the long-term development planning for social welfare. However, SWAC had yet to finalise its report and recommendations, and that the Administration would only form a stance on how to take forward the recommendations after receiving SWAC's report. He cast doubt as to whether the Administration would honour the pledge having regard to the fact that the tenure of the current Government would soon expire. Regarding the consultation on the long-term social welfare planning, Mr FUNG considered it unacceptable for the Government to task an advisory body to study the subject. He said that it was understandable that service operators would put forward views relating to individual service areas in the context of social welfare planning. To demonstrate its commitment, the Government should assume the overall responsibility for making a blueprint on the long-term development of welfare services in Hong Kong, such as reinstating the five-year plan mechanism for planning the social welfare services. In his view, it was Government's responsibility to identify and propose, at the macro perspective, the long-term strategies for social welfare planning in a holistic way for public consultation.

48. DS(W)1 emphasised that it was not a special or uncommon arrangement for an advisory body to conduct consultation on a specific subject. He said that SWAC launched two rounds of consultation with the welfare sector. To kick-start the first round consultation, SWAC invited stakeholders in the sector to offer their views on the long-term development of social welfare in 2008. The views collected were diverse and focused mainly on service provision in specific welfare areas. SWAC was therefore unable to draw up recommendations based on these diverse views collected. To put the study in context, SWAC subsequently released the consultation paper on the subject in April 2010, which marked the commencement of the second round consultation. SWAC was carefully reviewing a number of valuable views received during the consultation

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period. DS(W)1 assured members that the Administration would make its best endeavour to provide its response to SWAC's report within the current term of the Government.

49. Dr PAN Pey-chyou considered the consultation arrangement agreeable. He cited that during the consultation on the implementation of the Lump Sum Grant ("LSG") subvention mode, although the welfare sector raised strong opposition to the proposal, the new subvention mode had come into force in 2001. Against this background, he appealed to the Administration to take heed of the views collected. Dr PAN asked whether SWAC would take the opportunity to examine the implementation and impacts of the LSG subvention system on the welfare sector.

50. DS(W)1 assured members that the Administration had an open-mind on the report to be prepared by SWAC and would respond to the recommendations made in the report. He added that subject to the consent of the senders, the submissions in response to the consultation document would be published for public viewing after conclusion of the consultation exercise. DS(W)1 said that as the SWAC's study aimed at developing a blueprint for the future welfare system, it would not look into the detailed provision of specific services and resources, such as the implementation of the LSG subvention system. To his understanding, the Administration would report to the Panel on the progress of implementation of recommendations of the LSG Independent Review Committee in the second quarter of 2011.

51. Mr LEUNG Yiu-chung said that the growth of Government's expenditure on welfare services did not necessarily mean that the services had been enhanced having regard to the growing and ageing population. He took the view that the Administration should develop specific performance indicators with a view to increasing and enhancing the welfare services for the disadvantaged. Noting that diverse views were collected during the first round consultation, Mr LEUNG said that the Administration should consider setting out concrete proposals on the long-term planning of social welfare and putting forward for public consultation.

52. DS(W)1 reiterated that the Administration was committed to increasing in Government expenditure on welfare services to help the disadvantaged and enhancing the services as reflected in the diversity and quality of existing welfare services. On the issues to be covered in the

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consultation document, DS(W)1 said that in the light of the diverse views collected in the first round consultation, SWAC had set out in the consultation paper issued in mid-April 2010 the key and directional issues affecting the provision of welfare services as well as the guiding principles and strategic directions proposed to be adopted for the long-term social welfare planning in Hong Kong.

53. On the social welfare mechanism, DS(W)1 said that the Government had adopted a five-year plan mechanism for planning the social welfare services in the past. However, in view of the rapidly changing social and economic environment, the Government had since adopted a more flexible planning approach comprising an annual consultation mechanism with the welfare sector. The new arrangement allowed the Administration to provide timely and effective response to the changing welfare needs of the society. This also explained the technical difficulties in setting targets for specific service areas.

54. Responding to the Chairman, DS(W)1 said that the Administration would thoroughly study the SWAC's report and revert to the Panel on how it would take forward the recommendations of SWAC in the second quarter of 2011.

VII. Any other business

55. There being no other business, the meeting ended at 12:50 pm.