

童夢同想

就有關香港特別行政區根據聯合國《兒童權利公約》提交的第二份報告的提出之意見書

童夢同想作為香港第一個兒童主導組織，一直致力於在香港推動兒童權利的工作。就香港特別行政區根據聯合國《兒童權利公約》提交的第二份報告，童夢同想已向聯合國提交兒童影子報告，並在二月初親身到日內瓦向聯合國反映香港兒童權利狀況。以下為將於會議上論述的重點。

(完整童夢同想兒童影子報告：

http://www1.kidsdream.org.hk/20121200_ChildrenReportToUN.pdf)

1. 對有特殊學習困難兒童支援極度不足

政府對有特殊學習困難，例如過度活躍症，讀寫障礙等兒童的照顧和支援極為不足。現時在教育局的制度下，這些兒童並不屬於四大殘疾種類，包括視障，聽障，肢體傷殘及智障。隨著大眾對這些特殊學習困難認知的提高，越來越多香港兒童被診斷出有這些障礙，而他們大部分都就讀於主流學校，和其他兒童一起接受教育。可是，直至在學習或社交上發生問題前，這些有特殊學習困難兒童的需要很多時候並沒有充分地滿足到，而這樣的情況非常影響兒童的健康發展。這個問題絕對值得教育局嚴肅地處理及提供主動的協助。

申訴專員公署於 2009 年所做的主動調查報告裡面，引用的學者報告裡估計有特殊學習困難的香港兒童百分比高達 9.7-12.6%，遠比政府報告裡的表格 21(c)所顯示的不足 1%為高。明顯地，香港政府並沒有把所有的這些兒童識別出來，更不用說為他們提供照顧及支援。

每位老師均應俱備應付及處理有學習困難學生的知識和能力以及早識別學生的問題。可是，申訴專員公署於 2009 年所做的主動調查報告及平

等機會委員會於 2012 年所做的研究報告均指出老師缺乏對融合教育的認識。目前，只有香港教育學院為還沒有畢業的老師提供關於特別教育需要的必修科堂，而教育局主要為在職老師提供這一方面的訓練。2009 年，還有 30% 的中學老師及 76% 的小學老師從來沒有接受過這方面的培訓，情況極為不足。在老師缺乏識別及照顧有特殊困難學生的認知下，很難保障這群學生能得到足夠的支援及協助以確保他們接受該有的最好教育的權利。

另外，公眾教育亦非常重要，特別是家長教育。有些家長現在還是會為自己子女的這些問題感到羞恥，或害怕學校的反面反應而不去求助，導致延誤了為子女尋找適當協助的時機。可是，只是老師去發現兒童的問題可能已經太遲。因此，我們認為公眾教育有助於及早協助家長去識別及處理學習困難的兒童，及減少公眾對這群兒童的標籤效應以達致以兒童的最大利益為依歸。

2. 兒童及青少年精神科服務輪候時間過長

隨著市民大眾對各種精神科疾病的認識增加，越來越多的兒童被懷疑患上精神科疾病而需要轉介到專科診所。可是，醫院管理局提供的兒童及青少年精神科服務並不能應付此增長。於 2010 年，醫院管理局裡只有 19 名精神科醫生及 8 名臨床心理學家提供兒童及青少年精神科服務，而導致公營體制裡的輪候時間為九個月到三年，更有家長稱輪候時間達五年，比政府報告第 309 段裡所指的一個星期為長。此情況完全不能接受。要是患上精神病的兒童因為輪候時間過長而不能被及時診治，他們的情況可能會惡化，影響他們日後的發展。

雖然坊間有不同的志願組織及私人機構提供不同的測試、治療及支援服務予患有精神科疾病的兒童，但他們的收費均較公營醫院高。一般來說，懷疑患病兒童均會被轉介到公營的兒童及青少年精神科服務的專科

診所，因為私人精神科服務收費由每節\$800至\$5,000，每節三十到六十分鐘不等。因此，超過九成的患有精神科疾病的兒童均依賴政府提供的公營診所及醫院裡接受治療。

雖然我們欣賞醫院管理局及衛生署推出了於第 308 段及 310 段提及的「思覺失調」服務計劃及情緒問題困擾的兒童及青少年提供及早識別和介入服務，這兩個計劃的覆蓋範圍並不全面。「思覺失調」服務計劃只為十五至六十四歲患有思覺失調的人士提供服務。十五歲以下的兒童和患有其他精神科疾病的兒童並不受惠於這計劃。而情緒問題困擾的兒童及青少年提供及早識別和介入服務側主要負責提供諮詢及支援服務。儘管這對患者是一個有幫助的資源，它並不能取替增加及加強兒童精神科服務的逼切需要。

因此，我們促請政府盡快及加大力度解決兒童及青少年精神科服務輪候時間過長的問題以保障《公約》裡第二十四條定明兒童能使用良好健康及保健服務的權利。

童夢同想

二零一三年三月十八日

Children's Report to the UN Committee on the Rights of the Child under the CRC



November 2012

By Kids' Dream in Hong Kong

Inside front cover
(Blank page)

Content

- 01 About Kids' Dream
- 02 Some notes on the report
- 03 Report under the Convention on the Rights of the Child
 - 03 Section 1: General measures of implementation
 - 06 Section 3: General principles
 - 13 Section 4: Civil rights and freedom
 - 19 Section 5: Family environment and alternative care
 - 26 Section 6: Basic health and welfare
 - 32 Section 7: Education, leisure and cultural activities
 - 40 Section 8: Special protection measures
- 48 List of contributors
- 49 Editor's note
- 50 Acknowledgements



A Report made by Children
and
for Children of Hong Kong



About Kids' Dream

Kids' Dream, the first child-led organization in Hong Kong, was formally established on 26 August 2006. It was previously known as the Children's Council Working Committee. Our mission is to promote the United Nations Convention on the Rights of the Child (UNCRC). Through collecting views of children under different circumstances, we strive to actualize the concept of "Children speaking for Children". We dedicate ourselves to voicing children's opinions, while making sure that these opinions are addressed properly.

Our members have been dedicated to actualize children's rights. We advocate for establishing a children's platform in Hong Kong where children can voice their opinion freely on matters that affect them. We organize various activities in the community to raise public awareness on the rights of children. We also participate in media interviews, forums and activities organized by the government as well as NGOs, as we hope the general public can recognize the importance of children's rights through different ways.

The majority of our members are children aged below 18. All of us have the experience in promoting children's rights. All decision-making within the organization is done by children themselves, for the equal weight of children's rights, responsibility and respect is what we emphasize. While children strive for their own rights, it is equally important for them to understand that they have the same responsibility in the society, their school and family, and that they have to build mutual respect with adults.

Our Mission

- Arouse public awareness on children's rights
- Ensure the full implementation of the United Nations Convention on the Rights of the Child (UNCRC) in Hong Kong
- Actualize the concept of "Children speaking for Children"
- Accelerate the establishment of a child-friendly and permanent platform for children to express their views in all matters affecting them



Some notes on the report

With the mission to ensure the full implementation of the Convention on the Rights of the Child (CRC) in Hong Kong, the preparation of this report started in April 2009. Since then, a working group of 20 plus members was formed and we systematically studied matters concerning children in Hong Kong according to the guidelines issued by the NGO Group for the CRC. We did a series of research with the support from different parties and had numerous debates on issues relating to children as we greatly valued the credibility of sources and diversity in representation.

We collected views from children of different backgrounds in order to obtain a more in-depth understanding of the topics. However, we found the areas covering refugee children and juvenile justice are particularly challenging for us as we lack the relevant knowledge and exposure. We can only conduct our study by reviewing news reports and the official statistics and the angles of view are unavoidably limited in these areas. We also understand and aware that children in poverty is a big issue in Hong Kong. However, we believe that there are other children's groups in Hong Kong that are in more advantageous position to reflect the situation to the Committee. Therefore, we decided to direct our efforts and resources into other areas that receive less attention and that issues about children in poverty are not included in this report.

We might not have come up with sufficient practical suggestions in all concerned aspects. Yet we believe our role is to highlight the issues from children's perspectives so that the authorities can have a more comprehensive picture when they formulate policies regarding children.

Report under the Convention on the Rights of the Child

Section 1: General measures of implementation

Article 4: Implementation of rights

Plan of Action for Children

1. As suggested by the previous paragraphs 13-15 of Concluding Observations and different NGOs, HKSAR still lacks a comprehensive Plan of Action for the implementation of the UNCRC. It is very disappointing to see that the Government has no intention to draft one in the past 5 years. We urge the Government to draft the Plan of Action, which includes the establishment of Children's Commission as soon as possible.

Family Council cannot replace Children's Commission

2. On 3rd June 2009, the Secretary for Constitutional and Mainland Affairs, Mr. Stephen Lam replied to the Legislative Council, "There is no pressing need to set up an additional commission which specializes on issues concerning children's rights."¹ He also argued, "The Family Council, established in late 2007, is tasked to examine, from the family perspective, departments' policies and programs designed for different ages and gender sectors (including children)."

3. However, we insist that the existence of the Family Council cannot replace the urgent need of setting up a Children's Commission. We recognize the value of Family Council, yet the Family Council and the Children's Commission are not mutually exclusive. The voice of children may not be adequately considered in a family-centric body. According to the Article 12 of the UNCRC, the right to be heard is an indispensable cornerstone. We believe that the true implementation of "Best interest of the Child" could only happen when children's voices are respected and sincerely considered. While the Family Council is formed by adults with no children's participation, we tend to believe that family interest would be interpreted from the parents' perspective and children's angles could be ignored, which may not align with the principles of the Convention. We visited the former Children's Commissioner for England, Professor Sir Albert Aynsley-Green in April 2009. During the visit, Sir Al showed how children had participated in the establishment of the commission—From the election of commissioner, choice of office venue and office decoration, to the name of the Children's Commission (11 MILLION) were all decided by children in England. Children have played an important role in the process. Their views were being listened, respected and adapted. We emphasize on the importance of children's involvement and empowerment in the formation and the operation of their own commission, as listed in the UNCRC's Article 12.

¹ Press Release of Legislative Council on the Protection of Children's Rights, June 3, 2009
<http://www.info.gov.hk/gia/general/200906/03/P200906030125.htm>

Existing statutory bodies cannot replace Children's Commission

4. As stated in paragraph 25 of the Combined Third and Fourth Reports of the People's Republic of China under the Convention on the Rights of the Child – Part Two: Hong Kong Special Administrative Region (“HKSAR report”), the Government believes that an extensive mechanism for the protection of human rights in Hong Kong is already in place. However, the Ombudsman, the Equal Opportunities Commission and the Office of the Privacy Commissioner highlighted in the HKSAR report cannot fully cover all aspects of the UNCRC. More importantly, the function of a child-centric body that has the ability to overview, monitor and advise child related policies could not be fulfilled by a group of statutory bodies that could each achieve parts of the goal only.

Central database for children

5. Data concerning children has been scattered among different departments and researches. The lack of coordination among departments hinders the formulation of children policies, e.g. slow school suspension decision during the outbreak of Human Swine Flu in 2009 was criticized for the lack of coordination between Education Bureau and Centre for Health Protection. Furthermore, some useful statistics are not being released to the public unless the public actively asks for them. Besides, the public can never know what kinds of statistics the Government possesses. There is an urgent need to create a central database which processes and actively researches for data concerning children. Child issues are often inter-disciplinary, but different departments may have different definitions and their own statistics, and that will cause confusion in the policymaking. Taking the number of child abuse cases as an example, the Hong Kong Police Force and Social Welfare Department have different definitions on child abuse, which affects their decision to take legal actions (Police Force) or to provide support (Social Welfare Department). As a result, two departments have a difference in the number of child abuse cases. The central database helps the Government to have a clearer and unified concept towards child issues. Besides, the central database can create a child rights index that can help the Government to evaluate the effectiveness of their policies related to children.

Article 42: Dissemination of the Convention

Commendable effort, but with doubtful effects

6. The HKSAR Government and NGOs have worked diligently on the dissemination of the Convention. An increasing number of the public has heard about the UNCRC and its principles. However, the majority of citizens still do not have a chance to learn about the importance of the Convention.

7. The Government has published a child-friendly version of the UNCRC in 2009, which should be praised, but this version cannot effectively reach the audience. Every school was distributed with two copies only. This number is far from enough. It is understood that not every child can own a copy owing to resources constraint, we hope that the Government can use alternative ways to let every child knows the concepts of children's rights. For example, we thank the Government for sponsoring us printing and distributing child rights leaflet games to all junior primary school students in commemoration of the 20th anniversary of the CRC coming into effect in 2010. It can be a cost-effective method to let all children know about children's rights. We believe this kind of promotion should be continuous and not one-off, and should be extended to all children in Hong Kong but not limited to junior primary school students.

8. Even so, putting child rights education into the school curriculum is irreplaceable. It is a part of their rights to know about their rights. Moreover, the emphasis of 3Rs (Rights, Responsibility and Respect) in child rights concepts is important for civic education too. This argument has been put in the previous shadow report submitted by Children's Council Working Committee (the former body of Kids' Dream) and the Committee's concluding observations also addressed it in 2005. Yet frustratingly, no progress has been seen so far.

9. When it comes to child rights education, it is important to educate the educators. Hong Kong Institute of Education is planning to launch a course about children's rights. However, it is not a compulsory one. It is important to let the teachers truly understand the principles of the Convention, so that they can put child rights into real practice. Not only can teachers share their child rights knowledge with their students, if they have learnt about child participation, they can also empower students to take part in class and school affairs. This concept applies to other child-related professionals as well, such as doctors and social workers.

10. UNCRC is a convention which everyone should at least have a basic understanding of. However, the Government's effort on promotion is not strong enough. The Government's production of the TV advertisement is appreciated, but the effect is doubtful. We suggest that a scientific research on the public awareness of the Convention should be done, so a measurable ground can be made for the estimate of promotional efforts.

Section 3: General principles

Article 2: Non-discrimination

Inclusive education: good intention but bad policy

11. Discrimination among different groups of children in Hong Kong was disappointingly an issue to be dealt with. The Government might have tried to solve the problem with commendable intention by introducing inclusive education, yet with insufficient assessment, poor planning, implementation and support, the policy turned out to be a tripping stone for a lot of the involved institutions.



12. Under the idea of inclusive education, the integration of normal school children with children with disabilities had started out as a beneficial idea for disabled children to gain earlier exposure to the world out there. However, the real situation is far from what we hope to see. The failure of genuine integration lies in the sad fact that disabled children are found to be bullied frequently, with few teachers willing to help them out. To other parents, teachers, and classmates, they are commonly perceived as trouble-makers who disrupt the teaching progress of the class, as well as the burden of his/her classmates.

13. According to a telephone interview with a secondary school teacher who works in the inclusive education unit of a band three secondary school in the Kwai Chung district, she found it very difficult to live out the idea as anticipated. Some mentally disabled children, along with other students with Special Learning Disability (SpLD) having trouble in hearing and speaking, were the targets for bullying.

14. *“One student had his empty schoolbag thrown into the rubbish bin on nearly a daily basis, with other possessions littered all over different places by his schoolmates. He was then forced to pack all his belongings and spend every recess and lunch time walking around the teachers’ office for 5 whole years to protect himself from being bullied.”*

15. In other cases, teachers are also discriminatory towards the disabled children, especially for mentally disabled ones. Meetings were held among teachers to discuss whether the disabled children should be included in school picnics because of the inconvenience they might likely to cause in terms of arrangement and logistics.

16. *“How can students treat the disabled kids as part of their group when their teachers had actually thought of excluding them from school events that they have every right to join?”* the teacher said.

17. She said the school principal and school management team are satisfied with only meeting the basic requirement of sustaining fundings to accomplish the most basic tasks instead of doing the best to help the students to integrate into a healthy school life. They also worried their dedicated efforts would in turn attract more disabled students to their school which will certainly pull down their academic performance level.

18. The Government might argue that they have provided fundings to schools for each disabled child to support their integration. Yet, this financial assistance should not be allocated only when they received these disabled children. The funding should be granted beforehand to train school staff right from the beginning so that better accommodation and preparation can be provided before disabled children’s arrival.

19. The school teacher’s frustrating experience and the disabled children being bullied by their peers are not single cases under the policy of inclusive education. The problem lies in the question of whether the Government is committed to help the deprived and the minorities to integrate into our society. Children and youth from ethnic minority origins in Hong Kong also encountered difficult situation under the current education and school system, such as the lack of resources to help them learn Chinese, which is an essential criteria to pursue further education; their way of living, such as set lunch provided in school canteen; school’s communication with their non-English speaking parents, and so on, have long been a problem to be dealt with. We will also elaborate more in the later sections of this report.

20. To deal with the above problems effectively, we therefore urge the Government to put more attention on public education and training professionals who have regular contacts with children. Once and for all, a Children’s Commission will be the ultimate solution and put these problems onto the policy agenda with priority.

Article 3: Best Interest of the Child

The need to have child impact assessment done on policies

21. Best interest comes as a very difficult issue with its lack of universal definition and its tendency to be interpreted differently by various parties. Best Interest of the Child itself is very debatable as it is subjected to different understandings from the perspectives of parents, teachers, the society, the Government, and the children themselves.

22. With the lack of an objective mechanism to ensure the Best Interest of the Child in the implementation of child-related policies, we therefore suggest professionals of different sectors to come up with a systematic set of indicators, or rather, a framework as a basis of reference when we are to value how different policies affect the Best Interest of the Child.

23. We hereby, suggest a few indicators which might be suitable for indicating how the Best Interest of the Child is affected. For example, while both the physical and psychological development of the child can be assessed, the child's own voices are also an important referencing source. As seen in a lot of divorce cases, although it is commonly believed that the child can lead a better life with a parent of higher income, we should also listen to their voices of whether the child wants to live with his/her mum or dad or not.

24. There are simply too many cases in which we find defining the Best Interest of the Child is a very tactful task to be carried out. Other than the above-mentioned divorce cases, we came across different circumstances where the dilemma of weighing various interests of children often took stage. In cases of disabled children, we see parents who are eager to keep their children in normal schools to ensure a better future for them, yet they totally failed to recognize their child is being bullied all the time. In the cases of drop-outs, the compulsory policy of making them go back to school might be beneficial to their development, yet it might be against the child's own wishes and neglected the real reasons behind. In cases of formulating education policies, children themselves are seldom being consulted. It is difficult to tell if these policies are for the Best Interests of the Child. We will mention more about the big opposition from students and the community in relation to the introduction of national education policies in the later sections of the report.

25. As reflected from the above cases, the way of deciding the Best Interest of the Child actually involves a lot of society's moral judgment and societal expectation of one's behavior that are highly diversified in a society with different backgrounds and perspectives. We therefore suggest the implementation of a Child Impact Assessment system that compares the "Before and After" effects whenever the Government is about to implement any child-related policies. It should be of a scientific

method in evaluating the benefits and disadvantages it can impose on the involved group of children. If the policies had its own advantages, the assessment system should be able to indicate in what area and by how much can children benefit from it. If they might bring about disadvantages to some children, these should be clearly indicated and the Government should simultaneously propose means of assistance in alleviating the problems that such policy might bring to children.

26. All in all, it really depends on how different parties view and weigh various aspects of the Best Interest of the Child. Through thorough discussions and consultations, policies can then be hoped to ensure the Best Interest of the Child in a more comprehensive way.

Article 6: Right to life

Children were forced to die with parents

27. Hong Kong is an affluent city when compared to many places around the world. However, the right to survival of children is sometimes not guaranteed in some extreme cases over the recent years. There were quite a number of cases in which a parent (usually the mother) committing suicide with their children regardless of their wishes. Some mothers jumped from height with their child, while some killed themselves and their children by burning charcoals. These tragedies might be due to family problems, the high level of stress, mental problems, or even a combination of the above. We suggest the Government to educate the public that children themselves have the inherent right to life as an individual human being, but not as a possession of parents whom they can choose to kill along with their own action of committing suicide. Moreover, education programs for parents should be enforced so that ideas of respecting children as an individual can be emphasized before any tragedy takes place again.

Children and youth suicide

28. The first report of the Review Panel of Pilot Project on Child Fatality Review² launched by the Social Welfare Department was released in January 2010. It discovered that 109 child death cases occurred in the year of 2006 had been reported to the Coroner's Court. There are 14 cases of suicide, all victims aged between 12 and 17, and 13 of them jumped from the height. The relationship problem with boyfriend/girlfriend and schoolwork problem were the main reasons accounting for their suicidal attempts.

29. It is appreciated that the Government launched the Pilot Project to study the cause of children's death so as to plan for future policy and improve current child service system. However, this is just a pilot project; the cases reviewed are not

² Social Welfare Department, "First report of the Review Panel of the Pilot Project on Child Fatality Review", 2010
<http://www.swd.gov.hk/doc/whatsnew/201001/PPCFR1R.pdf>

comprehensive. The panel only reviewed the cases that completed all criminal and judicial processes, victims aged between 12 and 17 and happened in 2006. In order to solve the problem, a Central Database for Children shall be set up by the Government (as we have under the section of article 4) to review the suicide cases annually. Thus, the Government can collect the data in a comprehensive manner to find out the trend and causes, so as to map up appropriate prevention strategies for all children aged below 18.

Article 12: Respect for the view of the Child

30. Even with reference to paragraphs 39-41 of the Concluding Observations in 2005 and the strong demand of different NGOs, the views of children are still, disappointingly, not given due respect and appropriate weight in the aspects of school and community.

Children's views in community

31. Children, as an individual sector in the society, take part in the process of policy-making to a very limited extent. For example, the Government never seriously consulted the views of children in education reforms. Although there had been some public consultations concerning the issue, the consultation were adult-centric and not child-friendly and thus, were not effective to collect children's views and ideas. During an interview with the former Secretary of Education, Dr. Arthur Li in 2006, we challenged the effectiveness of Government's consultation among school children. Dr. Li agreed that they could do better. Disappointingly, the Education Bureau is doing no better than 6 years ago. This is only one of the many examples which illustrated the negligence of children's opinions in the Hong Kong society. Furthermore, the school-based drug test scheme proposed by the Government in 2009 aroused widespread discontent among all sectors, especially among students involved in the scheme. Different sectors were consulted, for example the legal sector, the education sector, the medical sector, and even the Police Force. Yet, students who play the most vital role in the scheme, as they are the ones being examined, were never officially consulted. They can only initiate or take part in informal forums or panels of discussion, where Government officials may or may not be there to channel their opinions to executors. In 2012, a similar story took place again. A group of students, who named themselves as "Scholarism", initiated and assembled outside the headquarters of HKSAR Government to protest against the launch of "National Education" in primary schools. It raised much public discontents. The news reported that there were as many as 100,000 people in the assembly. Public comments frequently claimed that it was a direct result of insufficient consultation, especially of students, before the launch. While "Scholarism" had successfully



demonstrated how mature students can be in discussing and advocating policies that are closely related to them, it also showed that the Government has always been underestimating the consequence of neglecting children's views in the process of formulating child-related policies. We believe it's a strong signal to the Government that they should start considering children's voices seriously as the fast dissemination of information through internet empowers children and the public to understand, discuss and mobilize social campaigns concerning their interests, which may turn into a political crisis if not handled carefully.

32. According to the Government, the issue concerning the lack of consultation of children in the formulation of policies had been solved by the establishment of Children's Rights Forum organized by the Constitutional and Mainland Affairs Bureau (CMAB) since 2005. It sounds like an official platform for children to express their ideas, but we doubt the efficiency of our participation as Government officials concerned may or may not be there every time. And even if they were at the meeting, we see limited feedback or progress from Government departments. The children who took part in the Children's Right Forum did not come from a diverse background; they were coming from certain NGOs and children's groups only; and these have limited the different voices of children being heard in such platform. We have repeatedly asked CMAB to invite other children's groups, such as children from ethnic minority groups, children with disability, etc. Yet, we see no response from the Government after our 17 meetings with them. Besides, other children should also be able to take part in the forum, but not limited to representatives of children's groups. We suggest the Government to mobilize school children from primary and secondary schools to participate through the help of the Education Bureau (preferably Civic Education Division) to enrich the diversity of representation in the forum.

33. We, therefore, urge the Government to establish a Children's Commission (as suggested under the section in Article 4), which serves the purpose of monitoring Government's implementation on child-related policies, as well as a legalized mechanism to ensure children's views are systematically collected and responded.

Children's views in school

34. As students, children have limited participation in school. Some schools might have bodies like Students' Union or Students' Association as a representative organization. Yet, their authority and influence over school's decision differs from school to school. Some student leaders were elected, nominated or appointed by students, teachers or even the principal, whose representativeness are different and in doubt.

35. Most schools pay little attention to students' opinion even in big events or major decisions which can alter the school's development.

36. *“Everyone was shocked that the school had never consulted students on the school redevelopment project. The most frustrating part is that we have to follow something which we had never had the chance to decide on, whether we are willing or not.”*

--- a 16-year-old student in Hong Kong

37. There might not be any sound and legal measures from the Government to instruct the operation of schools, yet we encourage the establishment of a student advisory body in each and every school in Hong Kong. It needs not be as formal as a School's Council. Any mechanism which ensures children's voices are to be heard can already be a good start. Since it is almost a social norm that students should not be too active in classes and schools, educating students on their rights to express their views is the most crucial step towards more active participation.

38. Fundamentally, it is the insufficient promotion of the UNCRC and child rights related concepts in the society that explains the low awareness among children that they actually have the right to be heard with respect and follow-up actions. Therefore, we suggest the Government to launch more promotional campaigns, as well as integrating children's rights education into the school curriculum to allow child rights be taught and learnt in school campus at an early childhood stage, so as to make the Convention and the essential concepts concerning children's participation in all areas known to all children in Hong Kong.

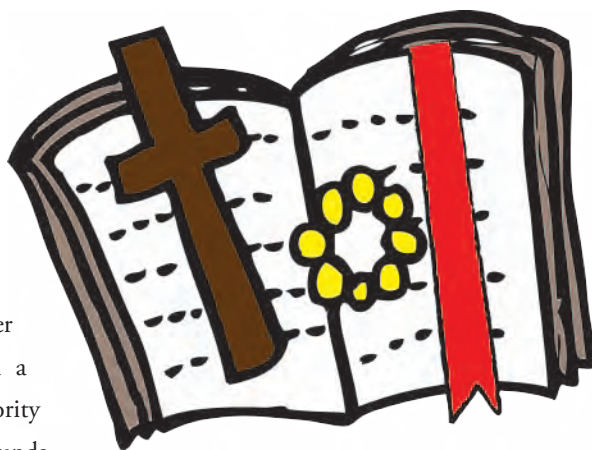
Section 4: Civil rights and freedom

Article 14: Freedom of thought, conscience and religion

Students in religious schools

39. The freedom of thought, conscience and religion of citizens in Hong Kong are protected by both the CRC and the Basic Law article 32. However, there is a lack of control and monitoring of its implementation in religious schools.

40. Generally speaking, students in Hong Kong enter different registered primary and secondary schools through a central allocation system under the Education Bureau. As majority of the registered schools in Hong Kong have religious backgrounds, many students enter religious schools for their education as a result. These schools mostly have compulsory lessons on religion and their own culture of preaching, like saying prayers. However, some students were dissatisfied that the compulsory religious lessons, where only knowledge of the school's religion is taught, is a form of violation to the freedom of religion among Hong Kong students. In many countries, religious studies is a subject that aims to promote different culture and religion in order to broaden students' horizons instead of preaching. This is not the case in Hong Kong.



41. Although many religious schools respect the freedom of religion, some schools do preach in extreme ways. One secondary school student told us that she echoed to a school poster calling for volunteers to do social services. She joined the volunteer service and found that it was an evangelistic meeting only. The student thought that she was being cheated.

42. The HKSAR Government claimed in her report that “children can withdraw from religious education in schools with the consent of their parents” as stated in paragraph 158. We regrettably have to be honest that the majority of both parents and children in Hong Kong do not know they are given such an option. There is also no known mechanism regarding how to drop the religious subject in primary and secondary schools. Even if one or two students had successfully dropped it, those students are very likely to be discriminated by teachers and principals, who would tend to put a lot of pressure on them in school.

43. Without proper control and monitoring to schools, students might not have their right to freedom of religion, thought and conscience guaranteed. Besides, students with no religious background may not feel comfortable studying in schools with strong religious atmosphere. It is suggested that Education Bureau shall have clear guidelines for teachers in teaching religion in schools, and clear principles for religious bodies to carry out preaching and missionary work in school campus.

Article 15: Freedom of association and of peaceful assembly

Protection for children at public assemblies

44. In recent years, more and more children are participating in public demonstrations and protests in order to express their views. However, their safety is not being well-protected. In March 2011, an eight year-old boy was pepper sprayed by the police when he followed his parents in a protest against the Budget Policy. Although no serious harm or injury was resulted, it raised the question that whether enough appropriate measures have been taken by the Government to protect children in public assemblies. It is beyond question that the use of pepper spray to children has threatened children's safety and violated their right to participation in these occasions. We suggest that the Government and police should review the regulations and guidelines when using such violent methods to keep public order in protests and demonstrations, so children can be well-protected to actualize the rights to freedom of assembly.

45. Another case also revealed that children's freedom of peaceful assembly could not be actualized due to the Government restriction. On 1st October, 2012, the National Day of the People's Republic of China, some members from student activist group "Scholarism" were prohibited by police to join the national flag raising ceremony without reason. They were taken away by security guards before the flag raising ceremony started. Police later gave the explanation that "they have to prevent any potential upset of discipline in the ceremony", which has driven public criticisms.

Article 16: Protection of privacy

Online privacy of children

46. With the popularization of Internet and communication technology, bullying behaviour runs rampant through a variety of Internet medium. According to the survey conducted by Hong Kong Family Welfare Society from December 2009 to February 2010, in 1,800 Form 1 to Form 7 secondary school students being interviewed, more than 30% of them had suffered from cyber bullying. Additionally, cyber bullying is usually in the form of text.



47. In recent years, the disclosure of one's personal information has been another popular form of cyber bullying. It was a serious infringement of children's privacy. In most of these cases, the victims' name, phone number, photos, school, age and even address were being posted on forums. It makes those children to face unnecessary nuisance. In May 2009, some Internet users set up Facebook groups to criticize a junior secondary school girl who was alleged to be abusing her dog, and soon there were over 100,000 people joined the "condemnation". Internet users then posted personal information of the

girl, like photos, school, Facebook and blogs account on a forum. Later, the girl's school took actions to investigate and found the dog just died of sickness. The girl was attacked by rumours spread on the Internet. But the school failed to calm the storm. The girl was seriously disturbed by the condemnation and even took leave from school for a few days. She also sought help from social workers.

48. As we can see, this invisible violence can hurt and hinder a child's mental development. However, the Government seems to be not addressing this serious issue and does not try their best to work on protecting children's privacy. To improve this situation, the Government should formulate policies and educate the public to protect children's privacy on the Internet.

Article 19: Abuse and neglect

Physical and verbal abuse on children

49. According to the Social Welfare Department's Child Protection Registry (CPR)³, the number of newly reported child abuse cases, including cases of physical abuse, neglect, sexual abuse and psychological abuse, has increased from 806 cases in 2006 to 1,001 cases in 2010 and with a slightly drop to 877 cases in 2011. Nevertheless, Child Protection Registry has only included the cases being reported, which might not be able to reflect the full picture of all the suspected and unreported child abuse cases.

50. In 2009, Kids' Dream conducted a survey, "Hong Kong past 20 years: Review on the Major Child-right Events" Survey⁴ by interviewing 939 children and 310 adults on the Internet, on streets and through NGO's child-service centers, to collect their opinions on the most encouraging and most disappointing events on children's rights in the past 20 years in Hong Kong. "Cases of child abuse and neglect have risen again in recent years" was chosen by both children and adults as the second most disappointing event. It can be said that the importance on child protection has been recognized by the public in Hong Kong, but the Government and the community still needs to work harder on preventing child abuse and neglect cases from happening.

51. Apart from physical abuse, verbal abuse is another form of violence that is easily being ignored. In 2007, Kids' Dream conducted a "Survey on humiliating verbal and physical activities acting on children"⁵ exploring the insulting words and acts commonly used by parents during their parenting. After interviewing around 760 children and adults, we listed out the insulting words and acts most commonly used by parents, and found out that 90% of children had expressed that these insulting words and acts used by parents would hurt them and lower their self-esteem. A similar survey on 'Emotional

³ Social Welfare Department, "Statistics on child abuse, spouse battering and sexual violence cases", <http://www.swd.gov.hk/vs/english/stat.html>

⁴ Kids' Dream, "Hong Kong past 20 years: Review on the Major Child-right Events survey report" (Chinese Version Only), 2009 http://kidsdream.org.hk/v2/archive/20090822_KD3rd/final_20090821_1700_1829_2.pdf

⁵ Kids' Dream, "Survey report released about humiliating verbal and physical activities acting on children (child-friendly version)" (Chinese version only), 2007 http://kidsdream.org.hk/v2/archive/20070901_KD1st/KD1st_Survey_childfriendly_c.pdf

Maltreatment in Family⁶ was conducted in 2011 by Hong Kong Committee of UNICEF Voices of Youth and Young Envoys 2011, 438 parents with children aged 6 to 15 and 503 students ranging from Primary 5 to Secondary 3 were involved through street interviews and questionnaires. It showed that more than 30% of the parents scold their children for more than 5 times per week, and they think that ‘scolding children loudly when they made mistakes are acceptable’. Therefore, we believe parents shall understand more about children’s rights and respect children in their parenting, as it is closely related to the development of self-confidence of children. Since scolding has been commonly considered as a “method” of parenting in Hong Kong, the concept of respecting children while parenting should be widely promoted.

Child neglect

52. On 25 August 2010, a six-year-old girl fell from the window of her 37th floor home in Fanling district and died. Her mother went shopping and left the girl at home alone.

53. In fact, according to the Child Protection Registry (CPR) of the Social Welfare Department, reported cases of child neglect had a sharp increase from 77 cases in 2006 to 105 cases in 2011⁷. Undoubtedly, there are many more unreported cases.

54. There are different child care services nowadays in Hong Kong, such as occasional child care services, child care services after school and also the Neighbourhood Support Child Care Project provided by different welfare organizations and coordinated by the Social Welfare Department.

55. However, these child care services are still insufficient and there are loopholes of the current services provided. We will elaborate more under Article 18 in Section 6.

56. Without sufficient education and promotion from the Government, parents do not know much about the services. According to the survey conducted by the Democratic Party in 2008, 75 % of the 940 interviewees did not know whether there are child care services near their home. 53% of them agreed that there were insufficient quotas and services of child care.⁸

57. The Government should provide more child care services and improve the current scheme. Also, parents should be educated about the risks of child neglect and child care services.

⁶ The Hong Kong Committee for UNICEF, “Emotional Maltreatment in Family” (Chinese version only), 2011
http://www.unicef.org.hk/download/executive_summary_full_version.pdf

⁷ Social Welfare Department, “Statistics on child abuse, spouse battering and sexual violence cases”, <http://www.swd.gov.hk/vs/english/stat.html>

⁸ The Democratic Party, “Survey on Occasional Child Care Services” (Chinese Version Only), 2008
<http://www.dphk.org/?p=1221>

Article 37(a): The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

Corporal punishment of children

58. Despite the fact that Hong Kong is a metropolitan city, many Hong Kong parents still follow traditional Chinese doctrine when it comes to child discipline, which includes the saying “Spare the rod, spoil the child”. In fact, as many as 83% parents and nearly 60% new immigrants in Hong Kong admitted that they have corporally punished their children, according to a survey conducted by Against Child Abuse: *Views of Parents and Secondary school students on legislating against corporal punishment 2006-2007*.

59. In Hong Kong, there is currently no law entirely abolishing the use of corporal punishment – only corporal punishment in schools, child care centres and prisons are prohibited. Although there is the Offences Against the Person Ordinance – Sect 27, to “wilfully cause physical damage to any person under 16”, children are not legally protected against corporal punishment as the term ‘corporal punishment’ has never been defined in any law, and it has not been explicitly banned in families.

60. Legislative Councilor Tam Yiu-chung noted that the root of the problem of corporal punishment lies in the lack of parenting education in Hong Kong and we cannot agree more. According to the survey conducted by Against Child Abuse as mentioned above, 58% Hong Kong parents wish to let their children understand the idea of corporal punishment would be employed when they misbehave; followed by parents wish that their children to learn from their mistakes through punishment; and parents wish to stop their children’s misbehaviour immediately by corporal punishment. These results showed Hong Kong parents’ misconception of child discipline, in which they wrongly believe that violence, instead of love and care, is the best way to make their children behave. In addition, as many Hong Kong families are under great pressure for livelihood, parents who have difficulty controlling their emotions may vent their anger on their children by corporal punishment.

61. In fact, the well-being of family is the key factor in preventing children suffering from corporal punishment at home. As revealed by the Social Welfare Department’s survey: *Study on Child Abuse and Spouse Battering Report 2005*⁹, in families with parents who always fight, the rate in which children suffer from corporal punishment doubles that in families without domestic violence. The only existing Governmental organization that can possibly be related to the welfare of children is the Family Council, which “advocates for cherishing the family as a main driver for social harmony; and promotes a family-based support network to forge closer and harmonious relationships amongst family members”. However, children’s rights and voice are often pushed back by adults in the family.

⁹ Social Welfare Department, “Study on Child Abuse and Spouse Battering Report”, 2005
<http://www.swd.gov.hk/vs/doc/Report%20on%20Findings%20of%20Household%20Survey.pdf>

62. Hong Kong is lagging behind in a world where 32 countries have legally banned all forms of corporal punishment¹⁰. Nowadays, many NGOs, Legislative Councilors, as well as 74.2% students out of 356 respondents and 49.7% parents out of 366 respondents support the ban on corporal punishment entirely according to a survey conducted by Against Child Abuse: Views of Parents and Secondary school students on legislating against corporal punishment 2006-2007. The Government should start considering and acting towards legally banning all forms of corporal punishment in Hong Kong. Once such law is implemented, continuous Governmental support will be required to clear public's concern, as well as to follow up cases rendered by corporal punishment.

63. To solve the problem of lack of parenting education, the Government can suggest and offer help to the Family Council and schools to organise seminars and courses on parenting. The Government can also maximize the advocacy of a healthy parental relationship through mass media.

64. The setting up of a Children's Commission, as suggested by many NGOs for years, would be helpful in protecting children from corporal punishment. Through this authoritative body, children would be able to understand their rights, voice out their views and take action against any right-violating harm such as corporal punishment. The Government should research into the possibility of establishing a Children's Commission at the soonest.

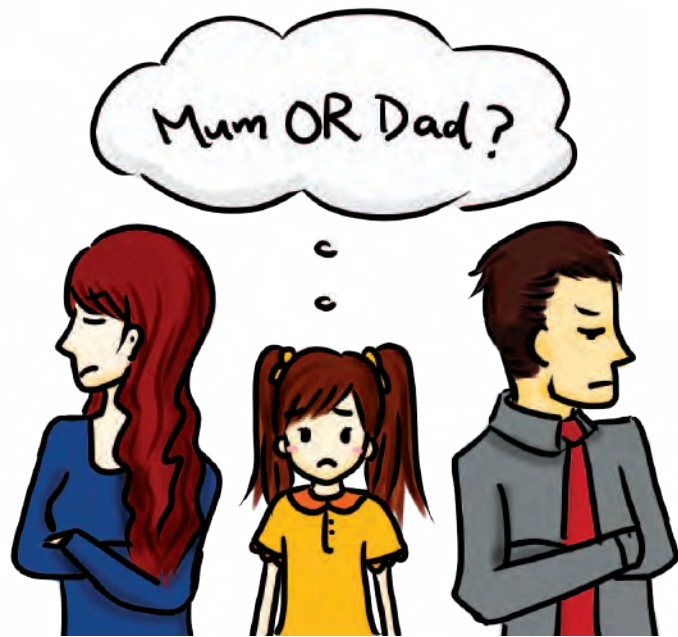
¹⁰ Against Child Abuse, "Press Release on ACA SpankOut Day Stop Corporal Punishment Against Children (28.4.2012)" http://www.aca.org.hk/press_news/20120428_SpankOutDay-Eng.pdf

Section 5: Family environment and alternative care

Article 9: Separation from parents

Missing voice of children in divorce proceedings

65. According to the Census and Statistics Department, the number of divorce cases has risen sharply from 15,380 in 2001 to 22,543 in 2011, representing an increase of 50%. Meanwhile, the number of children from single-parent families also surged from 52,826 in 1991 to 103,937 in 2011, with one in every 11 children coming from a single-parent family.



66. In recent years, we are giving due attention to children's involvement in divorce proceeding, as it is found that many of these children were not well addressed during the process. Their needs and voices were often overlooked and that some decisions made have actually done profound impact to them. Some problems are identified as inconsistent with the principles of the CRC, which requires further action for improvement.

67. In 2009, we successfully reached 24 children who experienced their parents divorcing. 2/3 of the children expressed they did not know the procedures of how their parents divorced or even what happened in their families. When they wanted to talk to someone, they found no one to talk to or seek help from. Only few of them voiced out to professionals like judges, lawyers, psychologists and social workers. Below are the direct quotes from some respondents:

68. *"I don't know anything. They both (mum and dad) said things against each other in front of me. I don't really know the truth."*

69. *“Parents should consider our views, instead of just busy arguing with each other.”*

70. *“They should let us know clearly why they have to divorce and how things would be arranged.”*

71. We have found that the current judiciary system in Hong Kong does not entertain the participation of children in divorce proceeding. Children are rarely consulted and listened to about their views in divorce cases. Their opinion may only be sought through a welfare report conducted by Social Welfare Department when there is disagreement between parents or when special conditions, such as domestic violence and abuse, are involved. Quite a number of the children wished that their voices would have been heard and they would have made some changes in the process if they could. In fact, not even half of the interviewed children said they had voiced out to someone. Only when necessary, the judge would appoint an independent legal representative to act and speak on behalf of the child, and the service is supported by the Official Solicitor’s Office. Regrettably, such service has yet to become widely known in Hong Kong.

72. Some of the children express their strong desire in giving their opinions and having their influence in deciding their own future in divorce proceedings. It is utmost important to hear their voice in divorce proceeding since their unique perspectives and needs are often easily overlooked. Perhaps not every child in divorce case may want to speak up, but channels should be available when he/she wants to.

73. In Children’s Council 2011, a group of Child Councilors interviewed a representative of the Official Solicitor’s Office and a Family Court Judge. They admitted that today’s children and their parents are largely unaware that such a legal service is provided which resulted in underuse of the service. The Child Councilors also conducted survey with 30 children who experienced parents’ divorce and the findings suggested that the Family Court Judges often rely too heavily on social workers’ reports as a means to hear children’s points of view. 77% of the children are unaware that they have the right to request the judge to appoint a legal representative to speak for them, or to talk to the judge directly and to express their views. The current mechanism fails to take children’s voices into account when making court order in divorce proceedings.

Article 5: Parental guidance, Article 18: Parental responsibilities

Follow up of court orders

74. Apart from child participation in divorce proceeding, we also found that some children from divorced families are not subject to appropriate care or even left alone at home due to an absence of follow-up actions and monitoring of the court order. One of the children in the survey expressed that his mother granted his custody just as for a larger amount of maintenance in return, though he was not guaranteed a stable and proper environment to grow up and live in. In fact, the boy was often left alone at home and little guidance was provided regarding his daily school lives. Difficulties also occur in some marginal cases. Some parents are granted with the custody of the child but they have to work many hours a day.

75. After all, these children are almost “invisible” in our system as there is no reporting mechanism for people to report an in-compliance of court order.

Independent child representative in family proceedings

76. After a series of research, we come to a consensus that a reform in our legal system is needed for engaging children’s voice in divorce proceedings. With reference to overseas’ experience, an independent body representing the child is highly appreciated in the process. For example, in the British Columbia Family Court process, a Family Advocate is appointed to a child through the Attorney General’s Discontinued Family Advocate Program to listen to the child’s voices¹¹. The young people felt glad of this service in many ways as they thought there was finally someone proactively takes care of their feelings and concerns¹². An independent advocate can act as a messenger who is able to pass the children’s own views to the Court, while avoiding children from being manipulated by parents and protecting the independent views of the child at the same time. Also, this body can provide emotional support, perhaps not exactly as what a social worker does, but at least as somebody to whom children can express their feelings when needed. In fact, 94% of the interviewed children in our survey in 2009 agreed that they should have an independent legal representative to act on their behalf in matrimonial lawsuits. They believe such body could get their views passed to and respected by judges and parents.

77. We hope the voice of the children in divorce proceeding would not be diminished, or mistakenly interpreted as a privilege rather than a right due to financial or administrative consideration.

¹¹ IICRD, “Through the Eyes of Young People: meaningful child participation in BC Family Court proceeding” (Canada: 2006).

¹² Ibid.

Article 20: Protection of children deprived of a family

Lack of child-centred support to children affected by divorce

78. Regarding the support provided by NGOs to children affected by divorce in Hong Kong, we cannot omit the fact that there are several units offering counselling services to the persons involved in divorce processes. However, we deem that the services provided are not child-centred at all. These units generally place emphasis on overall family conflicts and problems, but not specifically addressing towards the child subjected in the divorce proceedings.

79. In the divorce proceedings, children may suffer from psychological upheavals that may require long-term professional attention. However, our society seems to be not giving adequate and focused resources to this particular group of children. If these cases are not handled professionally in time, they may trigger a profound impact on children's healthy mental development in the long run.

80. According to the Government's report, it claims that residential childcare services has been extended by the Government and could accommodate more children deprived from a family environment. It is appreciated that Government has exerted efforts in expanding the hardware for these children. However, psychological assistance supplied by the Government may not be specific and adequate enough. Under the Family and Child Protective Services subordinated under the Social Welfare Department, its service does not specifically target on child deprived of a family or child facing divorce problem.

81. At the same time, with reference to the Government's report, the Boys' and Girls' Homes and Boys' and Girls' Hostels could only take care of children without a physical family environment. Those with a "pseudo family environment" would hardly be reported and entertained in those settings. However, according to the Article 20 of the CRC, "a child temporarily or permanently deprived of his or her family environment...should be entitled to special protection and assistance provided by the State." Family environment here should not be merely interpreted as the physical shelter but more on the warmth and care offered by a real family environment. The Government should launch much sophisticated services specifically catered for this batch of children in order to go in line with the Convention.

82. In light of this, we suggest the Government putting more resources, not only on the mediation and settlement between the parents, but also on the psychological upheavals suffering by the children. More trained social workers or paediatric psychologists should be sent to the children subjected to divorce proceedings to ensure that they could go

through the process with available emotional support. The Government should take a proactive role before situations worsen. Precautionary action should be highly preferred over remedial action, particularly in light of the psychological development of the subjected young ones.

83. Society has the responsibility to ensure that these children, who are already traumatized, to grow up as healthy as their counterparts. When children are under the heat of divorce, psychological assistance should top the list among other practical considerations. Only in this way would the detrimental effect on children be reduced to its minimum.

Article 10: Family unification

84. While some children suffer from being separated from parents as a result of divorce, many children are also separated from one or both parents by geographical boundaries, mostly between Hong Kong and Mainland China.

Cross-broader separation from one or both of the parents

85. In 2009, there are 48,587¹³ new immigrants from Mainland China and among them there are about 9,700 children aged less than 15. They are allowed to come to Hong Kong because one of their parents is a Hong Kong permanent resident. Most of these children live with one parent in Hong Kong and one parent in Mainland China. However, the parent in Hong Kong mostly needs to work for the livelihood, and therefore cannot take good care of their children.

86. To make it clearer, there are 5 types of combinations for those families that are suffering from geographical separation:

- | | |
|----------------------------------|-------------------------|
| (1) Hong Kong: Child and Mother; | China: Father |
| (2) Hong Kong: Child and Father; | China: Mother |
| (3) Hong Kong: Father; | China: Child and Mother |
| (4) Hong Kong: Mother; | China: Child and Father |
| (5) Hong Kong: Mother and Father | China: Child |

87. In fact, combinations (2) and (3) are the most common ones as more Hong Kong men are getting married with women from Mainland China in the past decade. The father lives and works in Hong Kong, while the mother continues to stay in Mainland China, waiting for the approval of residency in Hong Kong. The child can stay with either of the parents as they mostly have already entitled the residency in Hong Kong by the time they were born.

¹³ Home Affairs Department and Immigration Department Statistics on New Arrivals from the Mainland (First Quarter of 2010) : http://www.had.gov.hk/file_manager/tc/documents/about_us/organization/responsibilities/report_2010q1.pdf

88. For combination (2), the child lives with his/her father, being separated from his/her mother. As the father needs to work, children are very often left unattended. In some cases, the mother from Mainland China will come to Hong Kong to look after them, with a travel certificate called the “PRC Travel Permit for HKSAR & MSAR”, which is commonly known as the “Two-way Permit”¹⁴, which allows them to stay in Hong Kong for 3 months. They would keep travelling to Hong Kong with this type of permit until they are granted with a document called “PRC Permit of Proceeding to HKSAR & MSAR”, which is commonly known as “One-way Permit”, of which they could stay in Hong Kong as long as they wish to. Most would stay for 7 years so as to gain permanent residency in Hong Kong.

89. For combination (3), the children live with their mother in Mainland China. In this case, children have to undergo separation from their father until the mothers have successfully obtained the One-way Permit.

90. For combination (5), children would live with their relatives in Mainland China, but their parents would be living and working in Hong Kong. Children are totally separated from both their parents. They need to wait until they get the One-way Permit for them to come to Hong Kong. But due to administrative arrangement such as quotas and waiting queue, it always cause delay to family unification.

91. The mechanism looks acceptable and well organized. However loopholes occur when we look into it carefully.

92. Currently, there are 2 kinds of Two-way Permit: one is for single-use purpose, which the permit holder can stay in Hong Kong once for 14 days, within 3 months. Another type is for multi-use, which the permit holder can stay in Hong Kong for many times within 3 months, and the maximum duration of stay is 90 days. For those who come to Hong Kong with an aim to visit their spouse and children, the latter one is more preferred. However, when the permit overdue, the holder needs to leave Hong Kong and returns to the city where the permit is issued and applies for renewal. This creates a vacuum period when children in Hong Kong are separated from one or both of their parents. Many problems arise as a result, ranging from child neglect to “dummy single parent family”, which means that a child grow up in a family that is missing one of the parents most of the time due to the above mentioned situation.

¹⁴ This Permit is required when residents from mainland China come to Hong Kong or Macau, no matter what the reason is. On the Permit, different kinds of visa will be given according to the reason the person come. Those who travels to Hong Kong through Individual Visit Scheme or tours also need to obtain the Permit, but with different visa from those who come to Hong Kong for visiting relatives. Only those with visa for visiting relatives are common known as Two-way Permit.

93. The HKSAR Government should reflect proactively to the PRC Government for the need of a new Two-way Permit for parents in Mainland China to come to Hong Kong and take care of their young children. The Chinese authorities should simplify the procedures and allow Permit holders to renew their Permit as quickly as possible. Both the HKSAR Government and Mainland Government should speed up the process of issuing One-way Permits, so as to reduce the waiting time required for it and allow more families to reunite.

Section 6: Basic health and welfare

Article 18: Child care services for working parents

Lack of out-of-hour child care services

94. The Government launched a pilot Neighbourhood Support Child Care Project (NSCCP) in 2008 that aims at providing more flexible forms of day care services for young children. With positive feedback from the pilot programme, we are delighted that the government decided to regularise the service in 2011. The project provides 286 places at centre-based care groups for children aged between 3 to 6 years old and 154 places for home-based child care services for children aged below 6 in the 18 districts in Hong Kong¹⁵.

95. Centre-based care groups operate till late evening during weekdays, and cover some weekends and public holidays, while home-based child care services are mostly available from 7:00 a.m. to 11:00 p.m. on most days. Fees and charges of centres under the scheme are designed by operators and are approved by the Social Welfare Department, which are mostly reasonably affordable. Some would include meals as well. Needy families with financial hardship can contact service operators directly for details of fee reduction or waiving.

96. As the programme is operated by partner NGOs located in the 18 districts, the operation times, costs, modes and qualities vary. In general, there are limited services during weekends and holidays and the coverage of extended services is not comprehensive. Children from the lower socioeconomic class, of whom most parents may have to work during weekends and holidays, may not be able to be well taken care of and may be left home alone, as mentioned in article 19 under section 4. Moreover, the information and details of such service is scattered among some of the websites of partner NGOs, needy parents may not be able to know about and get access to such service.

97. After School Care Programme (ASCP) is another scheme that aims at providing supportive services for children aged 6 to 12 whose parents are unable to provide proper care for them during after-school hours owing to work or other reasons. Like the Neighbourhood Support Child Care Project, it is operated by various NGOs. In 2012, according to a press release of the Legislative Council, there are about 5,500 places for the scheme among 140 NGOs providing it and the usage reported is about 85%¹⁶, unlike what is stated in paragraph 230 of the government report.

¹⁵ Social Welfare Department, "Neighbour Support Child Care Project", 2012
[http://www.swd.gov.hk/doc/family/ccc/NSCCP%20-%20service%20brief%20\(Eng\)%20\(Mar%202012\).pdf](http://www.swd.gov.hk/doc/family/ccc/NSCCP%20-%20service%20brief%20(Eng)%20(Mar%202012).pdf)

¹⁶ Press Release of Legislative Council on Children being left unattended at home, January 20, 2010
<http://www.info.gov.hk/gia/general/201001/20/P201001200126.htm>

98. The After School Care Services are widely spread and basically sufficient. However, the quality of the services is beyond satisfaction. Normally, a tutor needs to take care of over 20 students. Thus, it is a difficult task for the tutor to thoroughly take care of individual students. Regarding the operation time for ASCP, in general, most service centres operate during afternoons and evenings, with their evening sessions last till around 7pm to 8pm on Mondays to Fridays. Some may as well extend their services on Saturdays, but not all. The service time on weekdays is too short that many children whose parents are not yet home from work, and they will be left unattended on the street. For many cases, they would stay on the street or playground for fun. It is therefore of high risk that the children can fall into prey of street gangs and get involved in illegal activities. In particular, during summer holidays, these centres may not be opened on some mornings. Such insufficient operation time increases the chances for these children to be left unattended at home as well.

99. Therefore, we urge the Government to review various programmes supporting child care of working parents, especially the operating hours and quality of care of centres. Information about such services should also be effectively be disseminated and easily accessed by parents, so as to protect most, if not all, children from being left unattended at home and becoming preys of street gangsters.

Article 23: Disabled children

Lack of recreational opportunities due to limited accessibility of buildings

100. At present, the government provides services like pre-school training, home care services, special school training, to both mentally and physically impaired children. However, there are insufficient recreational activities and services to these children, who also have the right to play and to engage in recreational and cultural activities. We are happy to see the effort of the Leisure and Cultural Services Department in installing some inclusive play equipment in a few public parks around Hong Kong¹⁷, but we hope that this is only the starting point. We hope to see more and more of such equipments to be included in parks of all districts of Hong Kong so as to ensure the right to play of disabled children is being protected.



¹⁷ Leisure and Cultural Services Department, "Press Release on Inclusive play equipment for enjoyment by all children", February 6, 2011
http://www.lcsd.gov.hk/en/ppr_release_det.php?id=3294

101. However, disabled children have another major difficulties in enjoying recreational facilities in the public parks due to low accessibility to and from buildings. Although the government had the revised design requirements for the provision of access and facilities to persons with disabilities outlined in the Design Manual: Barrier Free Access 2008 by the Building Department¹⁸ as suggested in paragraph 371 of the government report, there is still a lack of facilities to increase accessibility for the disabled persons around Hong Kong. In a formal investigation done by the Equal Opportunities Commission in 2010¹⁹, only 1 sports ground provided an accessible entrance and others recreational facilities are only partially in line with the building guidelines mentioned above. These cause inconvenience to disabled children or even refrain them from using recreational facilities near their home despite how good the facilities may be for them.

Lack of support in education for children with special needs

102. There is a lack of care and support for children who are suffering from certain milder mental illness, such as attention deficit/hyperactivity disorder (ADHD) and specific learning difficulties (SpLD). Under the present system, these children are not being classified into the 4 main categories of disabilities, namely visual impairment, hearing impairment, physical disability, and intellectual disability²⁰. With the growing awareness to these kinds of mental disabilities, more and more are diagnosed with these illnesses²¹. These children usually study in normal school, receiving the same education and attention as other children do. However, their needs are usually not being properly addressed until they cause problems in learning or getting along with their fellow students. In fact, these kinds of illnesses could hinder children's development. Such problem deserves Education Bureau's serious attention and active support before it is too late.

103. A direct investigation done on the support service for students with specific learning difficulties by the Ombudsman of Hong Kong in 2009²² points out that local academics estimated the prevalence of Specific Learning Disabilities (SpLD) is as high as 9.7-12.6%, much higher than 0.6% as stated in table 21(c) in the government report. It is quite obvious that the Government is not able to identify the majority, if not all, of children suffering from SpLD and ADHD, let alone providing them with support.

¹⁹ Equal Opportunities Commission, "Formal Investigation Report: Accessibility in Publicly Accessible Premises", 2010
<http://www.eoc.org.hk/eoc/graphicsfolder/inforcenter/investigation/list.aspx?itemid=8834&investigationname=4>

²⁰ Education Bureau, Special Education – Policy
<http://www.edb.gov.hk/index.aspx?nodeID=7389&langno=1>

²¹ Press Release of Legislative Council on Child and adolescent mental health services, July 11, 2007
<http://www.info.gov.hk/gia/general/200707/11/P200707110163.htm>

²² The Ombudsman of Hong Kong, Direct Investigation on Support Services for Students with Specific Learning Difficulties, 2009
http://www.ombudsman.gov.hk/concluded/2009_03_01.doc

104. It is essential for every teacher to be equipped with the knowledge and be alerted to children's behaviour and emotion in order to identify their problems early. At present, only the Hong Kong Institute of Education is offering a compulsory module on special educational needs for pre-service teacher training. For trainings for in-service teachers, it is mainly provided by Education Bureau. In 2009, there are 30% secondary school teachers and 76% primary school teachers who are never trained for meeting needs of students with special needs²³. This is way far from enough. With very few teachers understanding how to take care of children with special education needs, it is very difficult to ensure sufficient support is provided to safeguard the child's rights to best available education.

105. Besides, public education is very important, and in particular, among parents. Some parents still think it is a shame to disclose their children's problems and very often will delay the process of seeking appropriate assistance for their children. Some of them did not want to point out the fact for fear of the negative feedback from school. Yet, it could be too late for teachers to discover the problem. Therefore, public education is needed for assisting parents to detect and address the problem early, as well as reduce stigmatization of these children in the public so as to achieve the best interest in these children's development.

Article 24: Access to health care services

Excessive advertisement on formula milk

106. On Hong Kong television channels, we see more and more advertisement on baby food, in particular formula milk, nowadays. Such phenomenon is not only associated with indirectly discouraging mothers to breastfeed, but also other issues that may greatly affect the development of child.

107. Breastfeeding, not only is it proved scientifically that is the best food for child's health, it is also a way for the mother to bond with her child since infancy. Mothers take their time to hold the child and to talk to the child when breastfeeding. Such close relationship should be built since very small and it is certainly important for children's healthy development into adulthood, because parents should not be only a child's teacher and role model, but also lifelong friends of the child.

108. Apart from discouraging breastfeeding, the contents of most formula milk advertisements are outrageous as well. Here, we would quote two types of popular formula milk advertisements that show frequently during primetimes to illustrate the problem.

²³ Ibid.

109. One of the types claimed the formula milk has all essential nutrients for growth and marketing it as the best for children who are picky eaters. Such advertisement changes the way to treat young picky eaters. Picky eating is not solely a problem for growth during childhood, it affects children for a lifetime. Good eating habits are best to be developed since young and parents are majorly responsible to teach their children to have balanced diets. The advertisement may mislead parents that that particular formula milk is the way out if they have picky eating children and a lot of time and effort could be saved. However, we think that during the time when parents are teaching their children to eat healthily, they need to spend some continuous quality time with their children in order to deliver the message. In dealing with picky eaters, it's not only about their health, it's also about the parents being the role model and spending time to eat healthily with children, and all of these are certainly irreplaceable by some formula milk.

110. Another type of formula milk advertisement stresses on the fact that children have to excel and be the cream of the cream, of which the formula milk has all the essential nutrition for babies to develop all-rounded abilities and claimed they used "IQ formula" in the formula milk. Some even offer pre-school interview training materials for parents as a marketing tool. Such advertisement and marketing strategies would directly and indirectly change the culture of bringing up children in Hong Kong. It is already a tragedy that Hong Kong schoolchildren are facing enormous pressure from schoolwork and the social norm to be top students. Such advertisement is 'helping' to push the starting line of such pressure earlier and earlier. Parents may be directly or indirectly influenced by these advertisements and would increase the pressure on children to be better than others since very young. This would seriously affect children's right to health development and the right to enjoy a happy childhood.

111. According to the International Code of Marketing of Breast-milk Substitutes published by the World Health Organization in the 1981²⁴, there should be no advertising or other forms of promotion to the general public of breast-milk substituting products. Therefore, we urge the government to legislate against the advertisement of formula milk and other types of baby foods so as to encourage breastfeeding and eliminate various side effects of advertisements affecting children's healthy development.

Long waiting period for mental health services for children

112. With the growing public awareness of different kinds of disabilities and mental illnesses suffered by children, more and more children are suspected or confirmed to have illnesses such as ADHD, dyslexia, and other emotional and behavioural disorder. However, mental health services provided by the government are far from enough to cater for the growth. In 2010, there are 19 psychiatrists and 8 clinical psychologists providing child and adolescent psychiatric services

²⁴ World Health Organization, International Code of Marketing of Breast-milk Substitutes, 1981
http://www.who.int/nutrition/publications/code_english.pdf

in Hospital Authority²⁵. Some news reports published in 2009 stated that needy children have to wait for an average of 9 months to 3 years for the treatment under the system of the Hospital Authority²⁶, much longer than it is stated in paragraph 309 of the government report as 1 week for serious cases. The situation is absolutely unacceptable as when the children are not being professionally diagnosed and treated during the long waiting period, their situation may deteriorate and affect their development in the long run.

113. Though there are different NGOs, as well as private agencies, providing assessment, treatment and support services for children with mental illnesses, they are comparatively higher in price than public hospitals. In general, child and adolescent psychiatric patients are referred to outpatient clinics specialized in child and adolescent psychiatry for treatment as private psychiatrists are charging much higher fees, varying from HK\$800 to HK\$5,000 per session ranging from 30 minutes to 60 minutes. As a result, more than 90% of the child psychiatric patients are getting treatment in the public sector, and are relying heavily on services provided by the Government.

114. Although we appreciate the effort of Hospital Authority and the Department of Health in introducing “E.A.S.Y. Programme” and “Child and Adolescent Mental Health Community Support Project” as stated in paragraph 308 and 310 in the government report, their coverage is limited and insufficient. “E.A.S.Y. Programme” only caters for people aged between 15-64 who are diagnosed with psychosis. Children under 15 and those who are diagnosed with mental illnesses other than psychosis are not covered. Whereas for “Child and Adolescent Mental Health Community Support Project”, its major function is to provide consultation and supportive intervention services. Although this is a helpful resource, it could not replace the need for child psychiatric services to be more accessible.

115. We therefore urge the government to solve the problem of long waiting time of child and adolescent psychiatric services in order to protect children’s right to access of good health services.

²⁵ Press Release of Legislative Council on Child and adolescent psychiatric service , February 3, 2010
<http://www.info.gov.hk/gia/general/201002/03/P201002030171.htm>

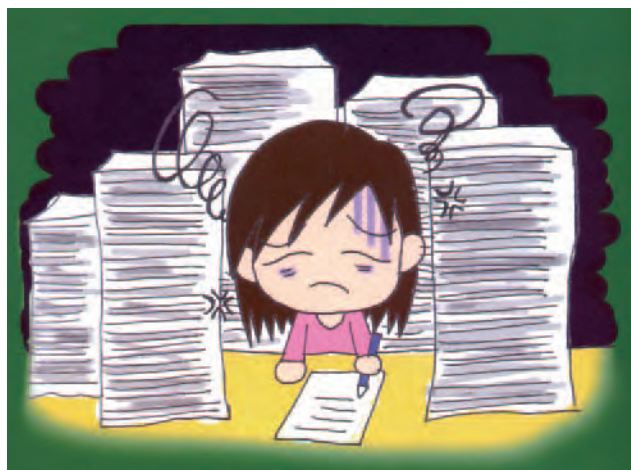
²⁶ “Children had to wait for 3 years for psychiatric service” (Chinese Version Only), News Report from Mingpao (Hong Kong), April 20, 2009
<http://happyama.mingpao.com/cfm/parenting3.cfm?File=20090420/newa/ygaa1h.txt>

Section 7: Education, leisure and cultural activities

Article 28: Right to education & Article 29: Aims of education

Pre-school education of children

116. Hong Kong's free and compulsory education begins in primary school. At present, all pre-school education or kindergartens in Hong Kong are privately run and they can be categorized as non-profit-making kindergartens and private independent kindergartens depending on their sponsoring organizations. The Government monitors all types of kindergartens and provides limited direct financial support to the non-profit-making kindergartens.



117. Since school year 2007/08, the Government has implemented the Pre-primary Education Voucher Scheme (PEVS) to support families by providing fee subsidy for pre-school education for parents regardless of their income, thus easing the financial burden of all parents in their children's pre-school education. The original Kindergarten and Child Care Centre Fee Remission Scheme (KCFRS) on the other hand provides financial assistance to parents of lower income group based on the income of the family. PEVS and KCFRS are the two current measures used by the Government to subsidize parents on their children's pre-school education expenses. However, the measures cannot help children to receive the best pre-primary education in terms of both quality and quantity.

118. Firstly, the Voucher Scheme limits parent's choice to non-profit-making kindergartens. Many parents have chosen to put their children in those kindergartens regardless the aptness of their children in order to receive the voucher from the Government. This hinders the opportunity for children to receive the most suitable education.

119. More importantly, the two measures do not benefit lower-income families, as there is a cap subsidy for KCFRS, which is far from sufficient for full-day schooling kindergartens. According to a research conducted between December 2008 and January 2009 by the Hong Kong Council of Social Service and the Council of Non-profit Making Organizations

for Pre-primary Education, school fees for full-day kindergartens in 2008/09 have exceeded the full subsidy amount provided under the KCFRS, which is \$25,400 for 2008/09 school year, by an average of \$2,845²⁷.

120. Children going to full-day schooling kindergartens are mostly coming from low-income families whereas both parents have to work. They have to either bear the additional cost or limit their choice to those schools with lower school fees. However, there are only 6.9% schools which the fees are under the cap for the Fee Remission Scheme as indicated in the survey mentioned above. The policy is actually limiting the choice of parents and cannot cover the current school fee level.

121. In conclusion, the Government should make necessary adjustment to the amount of subsidy under the Vouchers Scheme and Fee Remission Scheme in order to meet the actual school fee level. One suggestion is that the cap amount for full-day schooling kindergartens be doubled to those for half-day schooling, but not 1.6 times only as we currently have. On the other hand, the Fee Remission Scheme should provide remission for the actual amount paid by parents (that is the amount less than the Voucher) to provide full subsidy for low-income families.

Children are forced to attend two kindergartens

122. There has been news reporting that some parents have enrolled their children into two kindergartens at the same time in January 2011.²⁸ Pre-primary Education Voucher Scheme (PEVS) is only valid for non-profit-making kindergartens. Some international private kindergartens, which in most parents' eyes are better than the non-profit-making ones, are not including in the Voucher Scheme and parents have to pay out of pocket. Some parents wish to make full use of the Government's subsidy while providing better education for their children and they choose to make their children to attend two kindergartens every day. Children aged 4-5 are forced to go to two different kindergartens in the morning shift and in the afternoon shift. In effect, they have to change their uniforms in parks or other public areas in order to save time and also have their lunch in the short gap between the ending of the first school and the start of the second school. It greatly affects the mental and physical health of children.

²⁷ Hong Kong Council of Social Service and the Council of Non-profit Making Organizations for Pre-primary Education, "Press Release on Survey Study on Pre-primary Education Voucher Scheme Influence towards the Low-income Families" (Chinese Version Only), February 21, 2009
<http://www.hkcss.org.hk/cm/cc/press/detail.asp?id=358>

and

Hong Kong Council of Social Service and the Council of Non-profit Making Organizations for Pre-primary Education, "Pre-primary Education Voucher Scheme Influence towards the Low-income Families", 2009
http://www.hkcss.org.hk/cm/cc/scenario/download/25_knowledge.pdf

²⁸ "Attending two kindergarten makes children victims of child abuse from the Voucher Scheme" (Chinese Version Only), News Report from The Sun, January 24, 2011

http://the-sun.on.cc/cnt/news/20110124/00407_010.html

and

"The fantastic Voucher Scheme makes some kids to attend two kindergartens" (Chinese Version Only), News Report from Oriental Daily News, January 24, 2011

http://orientaldaily.on.cc/cnt/news/20110124/00174_001.html

123. Besides, it greatly infringes their right to play and rest. Attending two half-day kindergartens is different from those attending a full-day kindergarten. Full day kindergartens provide children with a nap in the afternoon. However, children attending two kindergartens have to engage all the activities scheduled on a single day. With the afternoon school ending at around 6pm, children cannot have enough time to rest and play at such a young age.

124. We believe that the Voucher Scheme should be a policy to help children to receive free and better pre-school education. The Government should monitor the policy closely to prevent parents from enrolling their children into two kindergartens at the same time. Otherwise, the families concerned shall be punished and not allow to receive anymore subsidy from the Government. In the long run, the Government should also widen the choice of parents by allowing the Voucher Scheme to be used in all kindergartens, both profit-making and non-profit-making, in Hong Kong.

Pressure from study

125. Many Hong Kong students are under great pressure from schoolwork. According to a survey 'Survey on Anxiety among Children' conducted by The Boys' and Girls' Clubs Association of Hong Kong between March and April 2009, it is estimated that about 7.2% primary school students in Hong Kong experience anxiety or depression.²⁹ The main reason for the anxiety is high pressure from school and parents' low level of awareness for their abnormal behaviours.³⁰

126. Many Hong Kong students are under great pressure from schoolwork. The highly competitive environment created by the education system has forced school children to study for examinations, but not for knowledge. According to a survey 'Survey Study on the Situation of Secondary School Students Attending Tutorial Schools' conducted by the Kowloon Community Centre, Caritas Community and Higher Education Service in September 2010, 73% of the secondary school respondents attended tutorial schools after school. Many of them had the first tutorial experience when they were only primary school students. Despite the fact that the New Academic Structure for senior secondary school is being introduced, the competitiveness of the education system has never been reduced. The major part of the curriculum is still focusing on written examinations in which students have to follow a set of suggested solutions and marking schemes. Most of the students believe that they can learn examination skills and tips from tutorial schools. Schools in Hong Kong usually end between 3:30-4:30pm, and the survey results showed students normally spend an average of 3 hours each week in attending tutorial classes. The average of 3 hours apparently does not include the time taken for students to travel between their home or school and the tutorial school. This usually takes them an extra hour or more per day. Furthermore, students have to bear the extra workload and cost required by tutorial schools. Students attending tutorial schools will have

²⁹ The Boys' and Girls' Clubs Association of Hong Kong, "Report on the Survey on Anxiety among Children", May 16, 2009
http://www.bgca.org.hk/bgca06/research/2009/Anxiety/AnxietyStudy_15-5-09.pdf

³⁰ Ibid.

less time for participating in extra-curriculum activities and rest. Most of them find it impossible to finish all the work when they returned home. Instead, they would choose to skip lunch and stay up late at night in order to finish their schoolwork. This hinders the opportunity for children to enjoy the right to play and leisure. This also reduces the chance for them to stay with their family and friends. Most importantly, it will worsen their health with habits like skipping lunch and staying up late at night.

Lack of support for children dropped out from school

127. It has been reported that there was approximately 1,200 primary and secondary school dropouts aged between 9 and 15 every year³¹, and an increasing trend of dropout rates in recent years³². Some of these students were even studying in elite schools or are gifted. Despite having outstanding performance in primary schools, they could not adapt to secondary school education for various reasons and eventually dropped out.

128. In general, the causes of secondary school dropouts are complex, including adjustment problems in school, learning difficulties, lack of learning motivation, inharmonious relationship with peers and/or teachers, family problems, cyber indulgence and social problems like adverse peer influence.

129. The existing practice³³ is that, except for authorized leave such as sick leave, schools must report to the Education Bureau (EDB) about all cases of continuous absence for seven days, regardless of the students' age and class level. The Non-Attendance Cases Team (NACT) of the EDB will analyze and assess the cases using the short-term case management strategy. When the problem is identified, the NACT will collaborate with parents and school social workers to follow up the case and provide assistance, such as educational assessment, family counseling and alternative education programs. School development officers of the Regional Education Offices will help the dropout return to their original school, or arrange for placements at schools suiting their needs as soon as possible. When student resumes schooling, the NACT will continue to provide support and monitor the progress according to the needs of the individual cases. There are also regular talks and seminars arranged for teachers and social workers.

130. The existing problem is that there is a lack of thorough assessment of the effectiveness of the support provided for school dropouts by the Education Bureau and NGOs. According to a study done by the Department of Social Work of The

³¹ Mrs Fanny Law, Permanent Secretary for Education and Manpower, "Give the Teens a Chance!" (Chinese Version Only) <http://www.edb.gov.hk/index.aspx?nodeID=5752&clangno=2>

³² Social Indicators of Hong Kong, School Dropout Rate (in percentage), <http://www.socialindicators.org.hk/en/indicators/children/29.14>

³³ Education Bureau Circular No. 1/2009: Upholding Students' Right to Education (Appendix III), January 6, 2009, http://www.edb.gov.hk/FileManager/EN/Content_1460/edbc09001e.pdf

Chinese University of Hong Kong in 2007³⁴, there are multiple reasons for drop out. Concerning the students themselves, the commonest reason was adjustment problem, especially when they first entered secondary school. It is hoped that the reporting system and counselling services provided by schools can help these children. The study suggested that the student dropouts usually had a record of frequent absence from school, yet under the current policy only an absence for more than 7 days warrants an investigation by EDB. It is suggested that a more flexible reporting system to be adopted and more education should be provided to teachers and parents in order to identify students with high drop out risk. Another finding of the study was that compared with students re-admitted to school, those failed to be re-admitted were more likely to have learning difficulties. More information on learning difficulties should be provided to teachers and schools, as suggested under article 24 in section 6. If learning difficulties are suspected, besides counselling services, it is suggested that referral to medical professionals should be arranged for appropriate management. More choices of alternative education such as vocational training should be arranged for students with low interest in subjects in mainstream schools.

131. In the survey mentioned above, the majority of teachers reported the need of improving their skills on dealing with emotional children and their parents, especially when poor parental relationship that contributes to the drop out problem. Apart from regular talks and seminars, more support should be provided to teachers in tackling difficult children and parents.

132. Another important reason for drop out that the Government might have overlooked is family problems or poor relationship with family. At the same time, the dropping out of children from school would cause great worries and distress to parents. Instead of the current practice that targets drop out students only, a more comprehensive approach should be adopted. Counselling or intervention should be arranged for parents as well, especially if family problems are suspected, in particular those with low educational level and in financial difficulties.

133. It is announced in the 2007-08 Policy Address that free education provided to Hong Kong students would be extended from 9 years to 12 years starting from the school year 2008-09³⁵. Yet, corresponding changes of the school resumption policy of dropouts were still not made in the circular issued by the EDB on January 2009³⁶. Besides, under the current system, students aged 15 years old or above can opt for fully subsidized vocational training instead of mainstream

³⁴ Department of Social Work, The Chinese University of Hong Kong, "Press Release on Student Dropout in Hong Kong – Current Situation and Intervention Survey" (Chinese Version Only), January 15, 2007, <http://www.cuhk.edu.hk/cpr/pressrelease/070115.htm>

³⁵ Hong Kong Government, "2007-08 Policy Address: 12-year Free Education" <http://www.policyaddress.gov.hk/07-08/eng/p88.html>

³⁶ "Education Bureau Circular No. 1/2009: Upholding Students' Right to Education" (P.1), January 6, 2009, http://www.edb.gov.hk/FileManager/EN/Content_1460/edbc09001e.pdf

education. However, whether there will still be support for those who opt for vocational training when they face difficulties or even want to drop out is still not clear.

Lack of consultation on the enforcement of the Moral, Civic and National Education

134. On 1 July 2010, Moral and Civic Education Section under the EDB has been renamed as Moral, Civic and National Education Section. There were no consultation made by the Education Bureau on the enforcement of the Moral, Civic and National Education. The Education Bureau only held public consultations on the aims of the subject and direction of the syllabus. Opinions towards the change of timetable of the enforcement of the subject were raised in several occasions. Yet, no change in schedule was made. Children and youth, which would likely be the most affected group of in case of the enforcement, were not specifically consulted.

135. However, in 2012, funded by the Education Bureau, the National Education Service Centre published the handbook for Moral, Civic and National Education, names “China Model” (中國模式國情專題教學手冊). Since then, there have been great opposing voices against the enforcement of Moral, Civic and National Education. Various interest groups, including Hong Kong Professional Teachers’ Union and a child-led student alliance named Scholarism, has been carrying out numerous acts including public seminars, petitions and demonstrations to voice out their concerns towards the subject scheduled to be enforced in September 2012. Their concerns are mainly that the content of the “China Model” handbook is greatly biased and is said to be brainwashing children about the greatness of the Chinese Government. One example of the concerned content includes, “Chinese one-party dictatorship is progressive, selfless and united.” (中國一黨專政「進步、無私與團結」)

136. In October, following the great objection from the society, in particular parents, teachers and students, the Education Bureau finally withdraw the 3-year trial period for the implementation of the new subject. The Government argues that the new syllabus has no problem at all and will not be withdrawal. The Government then allows all schools to decide whether to implement the new Moral, Civic and National Education subject. However, schools will be given extra funding if they decide to implement the new subject in the first 3 years. This provides a very large incentive to schools with insufficient resources to implement the new subject in order to receive more funding for the Government.

137. We believe that children have the right to receive education that helps them to develop critical thinking skills and a thoughtful understanding of the world around them. The syllabus or the suggested teaching materials are very biased in the areas about China and has to be changed.

Article 31: Leisure, recreation and cultural activities

Children are forced to engage in too many extra-curricular activities

138. In Hong Kong, children are very often forced by parents to join lots of extra-curricular activities to enrich children's learning profile, so that children can enter famous kindergartens, primary schools or secondary schools. These activities include musical instrument classes, sports classes, and tutorial classes, etc. After school, schoolchildren already have so much homework to finish and tests to review, they only get limited time to rest. However, parents still arrange so many classes for them and further reduce their resting time. Children have the right to rest and leisure and parents cannot take away such rights of their children. Also, time to play and recreational activities is essential for children's healthy development, but it is often being neglected.

139. Furthermore, due to the implementation of Hong Kong's New Senior Secondary (NSS) Academic Structure, students are urged to have a whole person development. Students in Hong Kong not only need to excel in academic subjects, but also need to join Other Learning Experiences (OLE) to broaden their horizon and to establish a global outlook. OLE is one of the three integral components of the NSS Curriculum. A minimum of 15% of the total learning time (suggested minimum lesson time: 405 hours) is allocated to OLE, which includes moral and civic education, community service, career-related experiences, aesthetic development and physical development.³⁷ Although schools would provide all 405 hours, students can still participate in OLE outside school.

140. OLE is being selectively recorded in the Student Learning Profile (SLP). The principle behind OLE and SLP is good, as it provides children with more opportunity to learn and grow, yet, there has not been a clear and standardized system to decide whether an OLE attended outside school is recognized as proper ones. Drawing from our own experience, in some schools, active participation in the Children's Council is not counted as an OLE, while some schools consider it as a valuable experience under the moral and civic education category. Children's Council is a project jointly organized by three NGOs: Against Child Abuse, Hong Kong Committee on Children's Rights, and Hong Kong Committee for UNICEF. Its objectives are to promote awareness of the UNCRC, to realize children's rights to participation, and to enrich children's capabilities to participate in public issues and decision-making on issues that affect them. This creates frustration especially for students who spent a lot of time on a particular activity. In the end, the school does not acknowledge their efforts.

³⁷ Education Bureau, 'Decoding' the New Senior Secondary Curriculum Student Handbook, 2010
<http://334.edb.hkedcity.net/doc/eng/StudentHandbookENG.pdf>

141. Moreover, the Heads of Universities Committee (HUCOM) announced in October 2008 that universities would accept the SLP as a reference document for admissions consideration. As a result, OLE becomes important as it is going to affect one's SLP and chances in getting into universities. Students are forced to join OLE as much as they can in order to enrich their SLP. In this way, pressure will build up among children in their young age and undermine their spiritual and intellectual developments. As a result, the original intention of OLE is then reverted, doing more harm than good.

142. To alleviate this problem, parents and the Education Bureau both need to bear the responsibility. It is the problem of attitude. There is a misunderstanding in the society that 'taking more courses, that child would be considered as more capable'. The truth is children's learning ability will be strangled if one takes too many courses, and children may become abhorred to learn. We hope parents could put more effort in accompanying their children and give more spaces to their children. The Education Bureau should further promote the message that SLP emphasizes quality rather than quantity and closely monitor the negative effects of OLE that might affect the students.

Children in poverty lack recourse to engage in extra-curricular activities

143. Children from low-income families do not get enough financial support for their healthy development. According to the data released by the Census and Statistics Department in 2010, there are 297,500 children living in poverty. Their families do not have the financial strength to support their children to engage in the art, cultural or leisure activities. The Leisure and Cultural Services Department organizes District Free Entertainment regularly. In year 2004-2005, the LCSD organized 666 free-of-charge entertainments in 18 districts. There are only 37 kinds of entertainment in each district. The frequency and variety of these shows are limited. The Government should subsidize the grass-root families and encourage them to participate in these kinds of functions and arrange more free-of-charge entertainments throughout the city so as to facilitate the development and right to leisure of children from low-income families.

Section 8: Special protection measures

Article 22: Refugee and illegal immigrant children

Refugee and illegal immigrant children

144. According to the UNHCR, 22% of the 103 refugees and 4,5% of 1,112 asylum seekers in Hong Kong are below the age of 18 (as of end of 2008 for which demographic data is available). Currently, there is no legislation that protects these children and they are often denied of access to education, adequate food, shelter and medical care. As for unaccompanied minors, no special support (such as an adequate shelter with supervision) is given. The United Nations Convention Relating to the Status of Refugees, which defines and protects the rights of refugees and asylum seekers, should be extended to Hong Kong to ensure that children are not deprived of such essential rights.

Education

145. Refugee and asylum seeking children are not entitled to education. Arrangements can only be made on a case-by-case basis, which is rare, if the child's eligibility is confirmed by the Hong Kong Immigration Department (HKID) or if he/she holds "recognizance" papers³⁸ issued by the HKID, meaning that access to education is not provided as a right. More importantly, whilst the Government relies on the UNHCR sub-office in HK to conduct refugee status determination (RSD), it does not recognize the papers issued by the UNHCR as documents permitting their stay. Therefore, seeking "recognizance" would involve surrendering to the HKID and being subject to detention if they have overstayed while waiting for the approval of their RSD. Hence, parents are often deterred from obtaining such approval for their children.

146. Furthermore, expensive textbooks, lunch, travel and uniform fees mean that many children cannot afford to go to school. They are unable to seek assistance like local Hong Kong students from the Student Financial Assistance Agency as they are not Hong Kong Residents. Rare applications are only accepted, again, on a case-by-case basis³⁹. Asylum seekers are thus dependent on classes and resources offered by NGOs such as Christian Action.

Accommodation

147. Many asylum seeking children are unable to have access to an adequate standard of living as children are excluded in the accommodation rental charges for an asylum seeking family allocated by the Social Welfare Department (SWD), which had contracted out to the International Social Services (ISS) in 2006. Those who rent accommodation are provided with \$1,000⁴⁰ rent subsidy which is submitted directly to the landlord. However, this allowance for a family is calculated

³⁸ Helen Wu. "Let us go to school, plead teenage refugees". South China Morning Post. September 6 2006.
<http://www.scmp.com/article/563090/let-us-go-school-plead-teenage-refugees>

³⁹ SOCO, "Denial of asylum seekers' rights". LC Paper No. CB (2) 2747/05-06 (03), P.8
<http://www.legco.gov.hk/yr05-06/english/panels/ws/papers/sews0718cb2-2747-3e.pdf>

⁴⁰ McKenzie, Hamish. "The sorry state of our city's refugees". Around Town. TimeOut Hong Kong. July 15, 2011
<http://www.timeout.com.hk/around-town/features/24890/the-sorry-state-of-our-citys-refugees.html>

solely on the number of adults⁴¹. For example, a family of six of which four are children will only receive \$2,000. This is surely not sufficient for families to rent adequate accommodation, let alone that it must cover electricity, water and gas costs. The Government does provide some shelters in Yuen Long for asylum seekers. However, these are not adequate as men, women and children are all crammed in the same shelter⁴². The shelter is far from schools, places of worship and NGOs or charities that they are dependent on for help. Most importantly, women and children, especially unaccompanied children, may be prone to sexual abuse.

Food

148. Asylum seekers who are supported under the ISS SWD are provided with food every 10 days⁴³. However, the food choice offered is often not nutritious enough for a balanced diet⁴⁴ and may go bad in hot weather if families cannot afford a refrigerator. In fact, only recently has \$450 worth of food been provided to each child of asylum seeking families per month, averaging to \$150 worth of food every 10 days⁴⁵. However, infants are still ineligible for food aid from the ISS. The lack of nutritious food and food for children may result in malnutrition and hence impede a child's growth. Without nutritious food, mothers are also unable to breastfeed their babies with healthy and sufficient milk.

Medical Care

149. Due to the lack of access to information and expensive costs, some young children and infants have been unable to acquire necessary vaccinations. Asylum seekers are also unable to seek emergency medical assistance outside working hours, as medical fee waivers have to be applied in the presence of a recognized social worker.⁴⁶ The fact that medical fee waivers have to be applied each visit makes it impractical compared to the six-month waiver basis of local CSSA or social

⁴¹ Joint submission on Immigration (Amendment) Bill 2009 from Hong Kong Society for Community Organization, Hong Kong Human Rights Commission and Asylum Seekers' and Refugees' Voice, 23 July 2009. LC Paper No. CB(2)2268/08-09(01)
<http://www.legco.gov.hk/yr08-09/english/bc/bc58/papers/bc580727cb2-2268-1-e.pdf>

⁴² SOCO, "Denial of asylum seekers' rights". LC Paper No. CB (2) 2747/05-06 (03), P8
<http://www.legco.gov.hk/yr05-06/english/panels/ws/papers/sews0718cb2-2747-3e.pdf>

⁴³ Hong Kong Human Rights Monitor. Shadow Report for the United Nations Committee against Torture on the implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in the Hong Kong Special Administrative Region, the People's Republic of China. P.31.
<http://www2.ohchr.org/english/bodies/cat/docs/ngos/HRMHongKong41.pdf>

⁴⁴ SOCO, "Denial of asylum seekers' rights". LC Paper No. CB (2) 2747/05-06 (03), P.7
<http://www.legco.gov.hk/yr05-06/english/panels/ws/papers/sews0718cb2-2747-3e.pdf>

⁴⁵ Eva Wu. "Asylum seekers call for healthier food handouts for the sake of children". South China Morning Post. March 28, 2008.
<http://www.scmp.com/article/631526/asylum-seekers-call-healthier-food-handouts-sake-children>

⁴⁶ Hong Kong Human Rights Monitor. Shadow Report for the United Nations Committee against Torture on the implementation of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in the Hong Kong Special Administrative Region, the People's Republic of China. P.31.
<http://www2.ohchr.org/english/bodies/cat/docs/ngos/HRMHongKong41.pdf>

security recipients. Also, many asylum seekers avoid seeking medical care in hospitals when required due to fear of being detained⁴⁷. A new hospital law implemented in 2005 stated that asylum seekers or refugees without valid visas or recognizance papers were to be reported to the police.

150. The lack of coherent legislation and policies in regards to the treatment of asylum seekers results in the deprivation of education, accommodation, food and medical assistance for children. The Government should extend all rights under the UNCRC to asylum seeking children irrespective of their immigration status, especially the right to education, be it through recognizing RSD papers issued by the UNHCR as immigration documents or extending the Refugee Convention to Hong Kong without delay.

Article 30: Children belonging to minority or indigenous people

Children belonging to ethnic minorities in Hong Kong

151. According to the 2011 Population Census, about 5% of Hong Kong's population (451,183 people) is of ethnic minorities, of which 44,320 are children under the age of 15.⁴⁸

Education

152. Ethnic minority children are often in a disadvantaged position in educational opportunities when comparing to the local children due to the language barrier. The allocation of ethnic minority children into CMI schools, for the first time in 2004, does allow them to improve their Chinese language ability and to better integrate into our society. The Government is providing adapted learning materials to schools for the Chinese language⁴⁹. It also currently sponsors NGOs to organize induction and initiation programmes for newly arrived children and to offer a "Cross-cultural Learning Youth Programme" for children aged 6-24 which includes 'Cantonese lessons, mentorship programmes and homework assistance'⁵⁰. Although the Government provides free education for all eligible children, it is often difficult for ethnic minority children who have been allocated to Chinese-medium schools (CMI) to integrate well into the school environment due to the lack of school resources and support. International schools or direct-subsidy scheme schools often cannot be considered as an alternative option due to the expensive school fees.



⁴⁷ Case: a pregnant mother was arrested along with her child and husband in a public hospital while receiving treatment with her UNHCR papers. She was later released but worries about costs of giving birth as her medical fees could only be waived "on a discretionary basis". [Ravina Shamdasvani. "Pregnant asylum seeker arrested on ward". South China Morning Post. September 20th 2005. <http://www.scmp.com/article/516947/pregnant-asylum-seeker-arrested-ward>]

⁴⁸ 2011 Population Census <http://www.census2011.gov.hk/en/census-result.html>

153. Despite programmes mentioned above, additional resources or funding should be provided to schools in order to support them in helping ethnic minority children for better integration. Only 22 out of the 533 primary and secondary schools admitted these children in the academic year 2008/09, and they received an annual fund of HK\$300,000-\$600,000⁵¹. Funding or grants should be provided for all schools admitting ethnic minority students for translating information, providing after-school support or other support services to ensure effective communication between the school and families so as to meet the needs of the children. Teachers should be given training on their culture, traditions and needs so that sufficient encouragement and assistance could be provided effectively. Additionally, Chinese language is a compulsory subject under the new 334 academic system. A tailor-made Chinese curriculum should be designed to cater for their needs and to ensure that suitable learning goals are in place⁵².

154. On the other hand, it is encouraging that adaptations should be made to university requirements to allow ethnic minority children to reach the Chinese education standards starting from 2008. The GCSE, GCE and the IGCSE Chinese language may be accepted for non-Chinese speaking JUPAS students (i.e. students studying in local schools following the local Hong Kong school curriculum) only if a) they have learnt Chinese for less than six years; or “b) the student has learned Chinese language for six years or more in schools, but has been taught an adapted and simpler Chinese language curriculum not normally applicable to the majority of students in our local schools”⁵³. Alternatively, “in exceptional cases, the Chinese language requirement may be waived having regard to individual circumstances”, or “on the basis of their outstanding performance in other academic subjects”⁵⁴.

155. To ensure equal opportunities for local and ethnic minority students to acquire higher education, it is suggested that the Chinese Language subject under the new 334 academic system should be revised and a syllabus of a lower level which is suitable for the non-Chinese speaking JUPAS students should be included for candidates to choose.

⁴⁹ “Adapted School Learning Materials on Chinese Language for Non-Chinese Speaking Students at Primary and Secondary Levels”. 5 July 2010. Education Bureau, the Government of HKSAR. <http://www.edb.gov.hk/index.aspx?nodeID=7229&langno=1>.

⁵⁰ “Programmes and Services – Cross-cultural Learning Youth Programme”. 11 January 2010. Race Relations Unit, the Government of the HKSAR. http://www.cmab.gov.hk/rru/english/programmes/programmes_edu_CCLP.html.

⁵¹ Hong Kong Unison, “Hong Kong Unison response to the Report of the HKSAR under the ICERD”. LC Paper No. CB(2)1905/08-09(01). P.3. <http://www.legco.gov.hk/yr08-09/english/panels/ca/papers/ca0615cb2-1905-1-e.pdf>

⁵² “The Report of the HKSAR under the ICERD – submission from the Equal Opportunities Commission”. LC Paper No. CB(2)1860/08-09(01). P.6. <http://www.legco.gov.hk/yr08-09/english/panels/ca/papers/ca0615cb2-1860-1-e.pdf>

⁵³ “Education for NCS students – Acceptance of alternative qualification(s) in Chinese Language for admission to undergraduate programmes of the University Grants Committee (UGC)-funded Institutions”. 22 July 2010. Education Bureau, the Government of the HKSAR. <http://www.edb.gov.hk/index.aspx?nodeID=4211&langno=1>.

⁵⁴ Ibid.

Article 33: Drug abuse

Failed effort in discouraging teenage drug users by Drug Test Scheme

156. The situation of teenagers abusing drugs in Hong Kong has been exacerbating in recent years. According to the statistical evidence provided by the Central Registry of Drug Abuse, Narcotics Division, the number of reported children drug abusers is 1318 in 2010, which makes up over 10% of the total reported drug abusers.

157. The statistics of the Central Registry of Drug Abuse also states that the major reasons for reported youth drug abuse included peer influence, a craving for peer recognition, curiosity and relief of boredom, depression or anxiety. However, the Government has been ignorant in perceiving drug abuse is a symbolism of other more complicated problems, such as family problem, academic failure and absence of supervision of parents, which are to be tackled.

158. The Government has implemented a pilot voluntary drug test scheme (drug test) in secondary school level in the school year 2009. The drug test was conducted in all secondary schools in the Tai Po district, where it was reported as one of the key districts that the problem has become severe. In this drug test scheme, students who are randomly selected for the test have the right to refuse to be tested. However, students refusing to receive the urine test would be followed up by school social workers or police force for further information.

159. The drug test has no effectiveness in identifying drug users in the secondary school level. When students have the refusal power, drug users would seldom consent to the drug test. In addition, it offers them a “golden period” for taking drugs after the drug test team left, as the drug test would not be done frequently within one school. On the other hand, rehabilitation services and trained professionals to help youth drug users in Hong Kong are far from adequate.



160. Despite serious criticism and backlash from the general public, such as its effectiveness, the concern of students' rights, privacy, views (as mentioned under article 12 in section 1), and inadequate rehabilitation services, the Government insisted on enforcing the drug test in late 2009. However, no drug user has been identified in the whole school year. In a move to conceal the failure of the pilot voluntary drug test scheme, the Government alleged that deterrent effect has been made and that resulted in a decrease in the number of drug users in the secondary school level. Apparently, the real problem is remained unsolved.

161. Teenage drug abuse is escalating in seriousness and the Government should put more resources and attention to address the youth drug abuse problem to prevent the youth struggling with a lifetime of regrets.

Article 34: Sexual exploitation and sexual abuse

Compensated dating on the rise

162. In Hong Kong, children engaging in prostitution activities under the name of “compensated dating” are on the rise. The term “compensated dating” originates in Japan. It refers to the practice that men give money or luxury gifts to girls or women for companion.

163. The ages of the children engaging in compensated dating are declining. Some of them are only in primary schools. In more serious cases, girls are controlled by agents. These agents even include secondary students who are below 18 years old. According to an article in the Ming Pao Daily News on 1 June 2009, twenty teenage girls with ages ranging from 13 to 16 were found to be engaging in compensated dating in an operation conducted by the Serious Crime Unit of the District Crime Squad in April 2009. Six agents controlling the girls were arrested in the operation.

164. During the ‘dates’, some girls are at the risk of being treated with violence. In an extreme case, a 16-year-old girl was murdered by a man she met on the Internet.

165. The Hong Kong Police Force has conducted operations to give the agents a setback. However, these operations have not wiped out all the controllers of such kind of prostitution. Furthermore, it was difficult to find girls who are involved in prostitution or compensated dating without relying on an agent, especially those who make contact through online chat-rooms.

166. The Hong Kong Police Force has also posted advertisements on websites, where girls engaging in prostitution and compensated dating are found, to warn against compensated dating. However, the advertisements do not seem to have a strong deterrent effect on the girls.

167. As the age of the girls engaging in prostitution in the name of compensated dating are declining and the number of these girls is rising, there is increasing urgency for the Government to tackle the problem⁵⁵.

168. We suggest the following: First, about prevention and education, it is suggested that stronger measures should be taken to prevent girls from prostitution and compensated dating. The Government should use the mass media to warn girls against compensated dating. It should advertise on the television, newspaper or magazines to let girls know the serious consequences of prostitution and compensated dating. Parents should be taught on how to handle the situation when they doubt that their daughters are engaging in prostitution or compensated dating.

169. Secondly, A help-seeking network should be established. Hotlines should also be set up for parents and girls to seek help. We suggest that the hotlines shall be run by qualified social workers by trained volunteers who have rehabilitated from past experiences of compensated dating, with the support of trained social workers. We believe the volunteers will understand help seekers better and they can provide more convincing advices.

170. Also, rehabilitation and counseling service should be provided to those girls who have involved in prostitution or compensated dating. This can prevent them to be lured and fall into the trap again.

Article 40: The administration of juvenile justice

Age of criminal responsibility

171. According to Juvenile Offenders Ordinance Cap. 226 , at present, the age of criminal responsibility is 10 years old. It has remained unchanged since 2003.

172. Setting the age of criminal responsibility to be at 10 year-old has been criticized as too young by the general public and in the Concluding Observations in 2005. In 2000, a survey carried out by the Law Reform Commission of Hong Kong

⁵⁵ Yang Memorial Methodist Social Service Yau Tsim Mong Integrated Centre for Youth Development, A preliminary study on the phenomenon of compensated dating of adolescent girls in Hong Kong (Chinese Version Only), 2008
<http://yang.intimexptx.com/zh/activity/mpopup/content.pdf>

indicated that more than half of the Hong Kong population (52.1%) clearly suggested their preferred age of criminal responsibility is to be 14 or above. In 2005, the Human Rights Committee of the United Nations observed, in relation to Hong Kong:

“While noting that the State Party has raised the minimum age of criminal responsibility in Hong Kong SAR, the Committee remains concerned that the age of 10 years is too low.” and “Within Hong Kong SAR, the Committee further recommends that the State party:

a) Raise the minimum age of criminal responsibility to an internationally acceptable level”

173. Children aged from 10 and 13 are only primary school children and children who have just been promoted to secondary schools. They are still very young and will be exposed to the outside world more with less parental control and these factors increase their chance of getting into trouble than children of 10 and below. Therefore, the society has the responsibility to take care, protect and guide the children of age 10 to 13, who are still at the age of distinguishing what is right and wrong, in particular. Moreover, these children are impulsive, so they are not likely to be deterred from doing wrong by the fear of punishment. Therefore, criminal sanction is not a good way to deter children at these age from offending.

174. Furthermore, children under 14 do not possess the ability to apprehend and understand entirely the criminal law and its procedures. As we can see, nowadays, most of the cases which involve children under 14 are dealt with alternatives other than prosecution. This proved that these children are not suitable for prosecution. The adverse consequence of being convicted and left with criminal record, which are detrimental to their supposed bright future, is too heavy for children of such young age to bear, as they yet to understand fully the reason why they are being punished.

175. By raising the minimum age of criminal responsibility to 14, Hong Kong will be in line with China, Taiwan and many countries around world. Where there has been reform, the international trend is that the age of criminal responsibility is raising. Therefore, we incline to recommend the Government to raise the minimum age of criminal responsibility from 10 to 14.

List of contributors

List of contributors

CHEN Sin Ying, Alexandra

CHENG Po Yan

KWOK Chi Lok, Brian

LAU Wai Kit, Jason

LI Cheuk Ying

LIANG, Shelly

SUEN, Althea

WONG Hiu Tung, Hilda

YAN Lut Hang, Lillian

CHAN Yeuk Mei, Emily

CHUI Shek Kwan, Charlotte

LAI Chi Ning, Hercules

LEE Yee Fong, Nikita

LI Wai Wa, Leeria

LUI Sze Ting, Dorothy

TAM Kent Chung, Jerry

WONG Sze Ching, Elaina

YIP Ki Mau, Mickey

CHENG Ki Sum, Cheney

HO Hung Pan, Vito

LAU Hi Tung

LEUNG Wai Hong, Henry

LI Wai Yan, Vivian

NG Ki Chun, David

TANG, Larissa Ho Ching

WONG Yu Chit, Peter

Illustrations

LEE Kai Wai, Vicky

WONG Lok Yin, Jessie

YUNG King Lai, Rain

Editor's note

This is the second time that I supported this children's group, now called Kids' Dream, to prepare their own independent report under the Convention. I am thrilled by the progress that they have made through these years. The scale of exploration and studies is much bigger and deeper than the last report published in 2005.

I could feel their sincerity and pride in taking over this task. At the same time, I could feel the frustration and challenges for children to get involved in the CRC reporting process. The long process of preparation and studies, and the even longer process of waiting for the turn of Hong Kong's reporting session. Indeed, many of them have grown from children to youth during this longer than expected process.

My role is to support them by helping them to understand and visualize the CRC reporting process; editing the report's grammars, errors, and pointing out unclear areas from a third person's point of view; facilitating them in the discussion; hinting them channels that they might find information; AND keeping my mouth shut as it is a child-led initiative. There are a lot of good memories by working with them, but what impressed me most was in the meetings where they were in the heat of discussion for the situations of children in difficult circumstances, and the frustrations written on their face for not able to find a solution for them. I hope no one will feel regret for involving in the CRC reporting process. For me, it is an invaluable chapter in my life.

Billy Wong

Executive Secretary

Hong Kong Committee on Children's Rights

Acknowledgements

We would like to give our heartfelt thanks to all the children who have given their views in person, on the phone, by questionnaires and through interviews to make this report come true. Thanks must also go to the adults and NGOs who have given us the assistance during the course of research and report preparation, as well as lots of encouragement and support.

We would also like to give a special thank and hug to an anonymous donor who believes in children's voice and children's role in the reporting process of the Convention. Thank you for giving us the trust to voice out for children of Hong Kong. Without her, this report cannot be published and we will not have the chance to go to Geneva and report before the United Nations Committee on the Rights of the Child directly.

Last but not the least, we would like to thank our trainers and supporting agencies – Against Child Abuse, Hong Kong Committee on Children's Rights, and Save the Children, for their kindest help and support throughout these years.

Inside back cover
(Blank page)



You call us the future, but we are also the present.