

Progress Report on the Motion “Setting up a commission on children”

Background

At the Legislative Council meeting on 20 November 2013, members passed the following motion moved by Dr Hon Fernando CHEUNG, as amended by Dr Hon Kenneth CHAN –

“That, in the process of formulating public policies, children’s perspectives are very often neglected; at its meeting of 6 June 2007, the Legislative Council passed a Members’ motion urging the Government to set up a commission on children to fulfill the obligations under the United Nations Convention on the Rights of the Child, safeguard the well-being of children, and ensure that children’s perspectives were fully taken into account in the process of formulating policies; subsequently, the Government only established the Family Council in response to the demands, but the Family Council does not focus on children’s rights and well-being as its major areas of work; in this connection, this Council urges the Government to expeditiously set up a commission on children, so as to ensure that children’s well-being and perspectives are fully taken into account in the process of formulating policies, protect the legitimate rights under the United Nations Convention on the Rights of the Child, and convene summits annually on children development policies and strategies.”

This paper reports the Administration’s latest position on the subject.

The Administration’s position

2. The Administration is firmly committed to promoting children’s rights. Our society generally recognises that family is the important and fundamental group unit of society which provides the natural environment for the growth and well-being of all its members including children. Against this backdrop, we have been adopting a family-based approach in promoting children’s well-being, by providing necessary and appropriate services to children as well as families.

3. Children's affairs straddle across different policy areas, e.g., education, healthcare and welfare, etc. The relevant policy bureaux will handle matters under their respective purviews, such as formulating specific legislation for protecting the rights of children, and earmarking resources for implementing various policies. Relevant policy bureaux have been implementing extensive measures to enhance children's rights and well-being.

4. In case there are matters which involve a number of policy areas, policy bureaux will coordinate among themselves. We will also suitably coordinate and support through high level set-up such as the Policy Committee. For example, the 2014 Policy Address has set out a range of measures to be implemented by different bureaux and departments (B/Ds) to promote the well-being of children, notably those children who are disadvantaged. Highlights of these measures are set out in **Annex**. These measures have taken into consideration the views of, inter alia, the Legislative Council, the public and the United Nations Committee on the Rights of the Child on children's affairs.

5. As regards the collection of opinions when formulating policies relating to children, it is the current practice for policy bureaux to seek views from the relevant advisory bodies. With effect from 1 April 2013, a mandatory assessment of family implications has been introduced to the process of formulating policies and amendment of existing policies. B/Ds are required to use the three sets of family core values (i.e., "love and care", "respect and responsibilities" and "communication and harmony") as identified by the Family Council (the Council), as well as the impact on family's structure and functions as the basis for assessing the impact of their policies on families.

6. The Council, established in 2007, has been striving to advocate cherishing the family as a main driver for social harmony. The Council has been serving as a cross-sector and cross-bureau platform for examining family-related issues and promoting a culture of loving families. The Council is chaired by a non-official academic, and consists of official members include representatives from Home Affairs Bureau, Labour and Welfare Bureau, Education Bureau and Central Policy Unit, and non-official members from a wide range of background (including social welfare, professional, academic and business sector) with experience in family (including children) related issues. B/Ds are encouraged to consult the Council on policies which may affect the family.

7. Besides, the Children's Rights Forum (the Forum), established in 2005, has been serving as a platform for exchange of views among children bodies, children and the Administration on matters that concern children. It encourages members of the public who take an interest in children's affair (including children) to propose topics for discussion and participate in the Forum's discussions. Forum participants' views on different topics (e.g., legislation on the implementation of the Joint Parental Responsibility Model and the Centre of Excellence in Paediatrics) have been reflected to relevant bureaux accordingly.

8. The Administration will endeavour to enhance the cooperation between the Council and the Forum. In particular, the Forum will relay to the Council the views of children on various government initiatives expressed at the Forum, so as to facilitate the Council's work in assessing the impact of these policies on family. Views reflecting children's interest will thus be more systematically collected in policy formulation by B/Ds and the Council. The Council will also invite policy bureaux to brief and consult the Council on children-related policies and initiatives being formulated.

9. We consider that the current arrangement for handling children affairs provides us the necessary flexibility in addressing the concern of various sectors on children matters, and is in line with our policy objective of strengthening the role of family. The Administration remains of the view that there is no imminent need to duplicate ongoing efforts and establish a commission on children.

Constitutional and Mainland Affairs Bureau
Home Affairs Bureau
January 2014

Highlights of measures to promote the well-being of children

- a) Introduce a Low-income Work Family Allowance tied to employment and working hours to encourage self-reliance and break the vicious cycle of inter-generational poverty. If the family includes children or youth members, it is entitled to an additional full allowance. More than 200 000 low-income families, including 180 000 eligible children and young people, will benefit from the allowance.
- b) From the 2014/15 school year, the Education Bureau will provide the “Chinese Language Curriculum Second Language Learning Framework” with supporting learning and teaching materials, and increase funding support to schools to implement the new framework. The Education Bureau will also provide an Applied Learning (Chinese Language) subject to be pegged at the Qualifications Framework at senior secondary level and encourage parents of Non-Chinese speaking students to let their children start learning Chinese at the pre-primary stage through district-based projects/programmes.
- c) Enhance support for students receiving Comprehensive Social Security Assistance (CSSA) by increasing grants for school-related expenses for primary and secondary students of CSSA families through regularisation of a Community Care Fund programme from the 2014/15 school year.
- d) Provide additional teacher assistants and progressively reduce the class size for schools with children with disabilities, and increase the staff of the boarding section of special schools and provide additional grant for these schools.
- e) Provide additional places for rehabilitation services, including for pre-school rehabilitation.
- f) Extend the Public Transport Fare Concession Scheme on a concessionary fare of \$2 to eligible children with disabilities under the age of 12.

- g) Increase the voucher value of the Pre-primary Education Voucher Scheme by \$2,500 for the 2014/15 and 2015/16 school years and lift the fee remission ceiling to help needy families.
- h) Regularise three CCF learning support programmes from the 2014/15 school year to ensure that disadvantaged students have equal learning opportunities to benefit about 270 000 students, namely, (i) providing free lunch at schools for primary students receiving a full grant under the student financial assistance scheme; (ii) increasing the flat-rate grant by about 100% for each primary and secondary student eligible under the School Textbook Assistance Scheme; and (iii) establishing a tuition fee reimbursement mechanism for students in need pursuing eligible programmes below sub-degree level and providing them with a flat-rate academic expenses grant.
- i) Earmark \$300 million in the next financial year to ensure the sustainability of the Child Development Fund and help more students from needy families.