

立法會
Legislative Council

LC Paper No. CB(2)1013/13-14
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

**Minutes of special meeting
held on Tuesday, 19 November 2013, at 8:30 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Hon CHAN Yuen-han, SBS, JP (Chairman)
Hon CHEUNG Kwok-che (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEUNG Yiu-chung
Hon Ronny TONG Ka-wah, SC
Hon Alan LEONG Kah-kit, SC
Hon WONG Yuk-man
Hon Frankie YICK Chi-ming
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu

Members absent : Hon TAM Yiu-chung, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Dr Hon LEUNG Ka-lau
Hon LEUNG Kwok-hung
Hon Gary FAN Kwok-wai
Hon CHAN Han-pan
Dr Hon Helena WONG Pik-wan

Member attending : Hon KWOK Wai-keung

**Public Officers : Item I
attending**

Miss Mandy WONG
Acting Commissioner for Narcotics
Security Bureau

Mr Enoch YUEN
Acting Principal Assistant Secretary for Security
(Narcotics)²
Security Bureau

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

Dr Ben CHEUNG, MH, JP
Chairman, Sub-committee on Treatment and
Rehabilitation
Action Committee Against Narcotics

**Attendance by : Item I
invitation**

Mr CHONG Yiu-kwong, Solicitor

Civil Human Rights Front – Human Rights
Group

Mr Andrew SHUM Wai-nam
Convenor

Christian Zheng Sheng Association Limited

Mr LAM Hay-sing

Christian Zheng Sheng College

Mr CHAN Siu-cheuk

Democratic Alliance for the Betterment and
Progress of Hong Kong

Ms CHEUNG Fan-lan
Deputy Spokesperson of Welfare Services

Ms Cherry LEE

Ms Mary YIP

Mr Dennis CHENG

Mr David LEUNG

The Society for the Aid and Rehabilitation of
Drug Abusers

Mr Barry WONG
Superintendent of Social Service

Christian New Life Association

Rev CHENG Chun-wah
Director

Hong Kong Council of Social Service

Mr Moses MUI
Chief Officer (Family & Community)

Civic Party

Miss Bonnie LEUNG
Exco Member

Operation Dawn

Ms Flora
Assistant to General Secretary

Jockey Club Lodge of Rising Sun, Hong Kong
Christian Service

Ms HON Siu-wan
Superintendent

Community Drug Advisory Council

Ms YUEN How-sin
Agency Head

Hong Kong Policy Viewers

Mr KUNG Wai-sum

Christian Social Workers

Mr NG Wai-chiu
Member

Hong Kong Christian Institute

Mr TANG Wing-fai
Programme Secretary

New People's Party

Mr KAM Man-fung
Chair of New People's Party Youth Committee

Clerk in attendance : Mr Colin CHUI
Chief Council Secretary (2) 4

Staff in attendance : Miss Karen LAI
Council Secretary (2) 4

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Drug treatment and rehabilitation services

[LC Paper Nos. CB(2)294/13-14(01) to (04) and CB(2)346/13-14(01) to (02)]

At the invitation of the Chairman, Acting Commissioner for Narcotics ("Ag C for N") briefed members on the drug treatment and rehabilitation services as detailed in the Administration's paper. She said that the Action Committee Against Narcotics ("ACAN") was now soliciting views from the public on the consultation paper on the RESCUE Drug Testing Scheme ("RDT") issued in September 2013. Based on the views collected, the Administration would consider whether to introduce RDT, and if so, how, as an additional measure to combat drug abuse.

2. The Chairman invited deputations/individuals to present their views. A total of 20 deputations/individuals expressed their concerns which are summarized in the **Appendix**.

3. In response to deputations' views, Ag C for N made the following points –

- (a) the more prevalent psychotropic substances among young people could induce severe damage to the body and mind, sometimes irreversible. There was a pressure to race against time to find out the drug abusers as early as possible, before it was too late. Drug abuse was more than a matter of personal choice. It affected families and society as a whole;
- (b) as with possession and trafficking of dangerous drugs, consumption of dangerous drugs was a serious offence under the Dangerous Drugs Ordinance (Cap. 134), and was subject to a maximum penalty of \$1 million fine and seven years' imprisonment;
- (c) RDT was a means to help identify drug abusers in an early stage, who would be referred to counselling and treatment programmes in a timely manner. The proposed RDT was modeled on existing legislation on drug driving, under which law enforcement officers were already empowered to require a driver undergo testing when there were reasonable grounds. RDT proposed that on top of showing signs of having just taken drugs, there should be strong circumstantial conditions such as substances suspected of being drugs were found in the near vicinity of the person;

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- (d) the Court of Final Appeal had in a case cited the European Court of Final Appeal Court of Human Rights, noting that the privilege against self-incrimination does not apply to the use of compulsory powers to obtain breath, blood, urine and other samples which have an existence independent of the will of the suspect;
- (e) the experiences in implementing drug testing in overseas countries, e.g. Sweden, revealed that drug testing had a positive impact on identifying drug abusers as early as possible and then directing them to treatment;
- (f) according to an independent research study on the Trial Scheme on School Drug Testing in Tai Po District ("the Trial Scheme"), it had been proven that the Trial Scheme had a deterrent effect on drug abuse and, in view of its positive results, the Trial Scheme had been extended territory-wide;
- (g) as to the existing drug treatment services, 11 Counselling Centres for Psychotropic Substance Abusers ("CCPSAs") were in place to offer community-based services and 40 Drug Treatment and Rehabilitation Centres ("DTRCs") were in place to offer residential services. Statistics showed that the occupancy rate of DTRCs was about 70% with the majority of cases being placed within two weeks. The various institutions under the Correctional Services Department also had a strong element of rehabilitation; and
- (h) the Administration had been committed to the continuous upgrading and where necessary, reprovisioning, of DTRCs through the Beat Drugs Fund Special Funding Scheme. The relocation attempts were however often met with strong local resistance. It was hoped that there could be more acceptance in the community to drug treatment and rehabilitation facilities.

4. Dr Ben CHEUNG, Chairman of the Sub-committee on Treatment and Rehabilitation of ACAN pointed out that although there was a decline in the number of drug abusers reported in the Central Registry of Drug Abuse ("CRDA"), heroin abusers steadily accounted for about half of the total. CRDA figures more showed the trend of change in drug population over the years rather than presenting the exact number of drug abusers. He highlighted that –

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- (a) deducting from the student survey on drug abuse and service statistics of the Hospital Authority, the exact number of drug abusers would be significantly higher than the CRDA figures. The harm brought about by drug abuse including psychiatric disorder and organ impairment was well established medically;
- (b) RDT would be an additional entry point to identify drug abusers as the Police could not ascertain whether a person had taken drugs by drug tests without one's consent even though consumption of dangerous drugs was an offence under the existing law;
- (c) there had been more instances where drug abusers had inflicted harm on others than in the case of drug driving; and
- (d) the consultation document suggested a high threshold to trigger RDT and a possible diversion away from a judicial path. The purpose of RDT was to help drug abusers, not to punish them.

Discussion

Adequacy of downstream support services

5. Dr KWOK Ka-ki expressed the view that the provision of adequate treatment and rehabilitation services was a prerequisite for taking forward RDT. Referring to the increasing number of people who had been taking drugs for over 10 years and the long waiting time for drug treatment, he asked whether the Administration would increase places for drug treatment and rehabilitation services.

6. Ag C for N responded that 75% of probationers received residential treatment and rehabilitation services within two weeks and 97% of them within two months, and the existing occupation rate of residential drug treatment places was 70%. Additional resources had been injected into the Beat Drugs Fund to enhance the medical services for young drug abusers with a view to giving priority to assist teenagers to quit drugs. The Administration fully recognized the importance of adequacy of downstream support services and would make sure that resources would be proportionally increased in related areas if RDT was to be pursued.

7. Mr TANG Ka-piu expressed grave concern on the readiness of government departments and non-governmental organizations ("NGOs") to cope with the increasing referrals for treatment and rehabilitation services.

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He enquired about the estimated increase in the number of referrals for treatment services after the implementation of RDT; and what assistance would be provided for DTRCs, which were now under sub-standard conditions, to meet the statutory licensing requirements. Mr WONG Yuk-man considered that the Administration should be more proactive in assisting these DTRCs in meeting the requirements. In his view, RDT should not be pursued if downstream support services were not ready to cope with the increasing workload.

8. Ag C for N responded that the RDT consultation at the current stage was to seek the public views on some broad principles like whether they could accept RDT as a matter of principle. The Administration would have more in-depth discussion with different sectors regarding the detailed arrangement if and only if there was a consensus in the community that RDT should go ahead. She reiterated that the proposed RDT aimed to provide an extra entry point of intervention before the more prevalent yet more damaging psychotropic substances had inflicted irreversible damage on the abusers. As regards DTRC licensing, of the 40 centres, 23 had acquired licences under the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566), while 17 were having in-situ upgrading or needed to secure alternative sites for reprovisioning for various reasons. The Administration had encountered huge difficulties in identifying sites for the reprovisioning due to opposition of residents in the vicinity. The Administration would continue to provide assistance for these DTRCs through the Beat Drugs Fund.

Abuse of power by the Police

9. Mr CHAN Chi-chuen said that he was not in support of RDT on the grounds of safeguarding human rights and preventing possible abuse of power by the Police. To fight against drug abuse, the Administration should step up its measures to combat drug supply at source. He was aware of the grievances of parents and their expectation on RDT in assisting their children to quit drugs but that might be a wrong expectation. Mr TANG Ka-piu was of the view that the Administration should evaluate whether RDT could achieve its objective to combat hidden drug abuse or it would undermine human rights.

10. Ag C for N responded that RDT was proposed against the background that drug abusers had a very low motivation to voluntarily seek help to quit drugs. Experiences from law enforcement officers during raids at high-risk venues reaffirmed difficulties in motivating young people to seek help.

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11. Mr WONG Yuk-man objected to the proposed RDT on the ground that it would increase the power of the Police and violate Article 28 of the Basic Law which prohibited arbitrary or unlawful search of the body of any resident of Hong Kong. He said that RDT was not comparable to legislation against drug driving, as the latter could cause traffic accidents and casualties.

12. Mr CHONG Yiu-kwong opined that drug abuse should not be dealt with through legal means. Noting the Administration's response in paragraph 3(b) above, he pointed out that under section 54A of the Dangerous Drugs Ordinance (Cap. 134), no custodial sentence should be imposed on a person for an offence against section 8 or 36 unless the person was convicted in the same proceedings of any other offence and was sentenced for that other offence to imprisonment for more than nine months; or was at the time of conviction serving a term of imprisonment of more than nine months. He was opposed to the proposal to empower the Police to conduct drug testing which currently could only be conducted with a directive from the court.

[Member agreed that the meeting be extended for 30 minutes to allow sufficient time for discussion.]

Timing for enactment of RDT

13. The Deputy Chairman said that he had reservations on the enactment of RDT on the grounds that the community had not reached a consensus on the effectiveness of mandatory drug testing and the downstream support services had not been well developed. He pointed out that many NGOs lacked support from the Government in the provision of drug treatment and rehabilitation services.

14. Mr CHAN Siu-cheuk of the Christian Zheng Sheng College ("CZSC") expressed disappointment that according to the existing policy, the Government was not in favor of setting up schools dedicated to drug rehabilitation services. CZSC, as a registered private school, lacked resources for running rehabilitation programmes to assist teenage drug abusers.

15. Mr Alan LEONG considered that it would be impractical for the Administration to pursue RDT if it had not planned well ahead in the provision of treatment and rehabilitation services for drug abusers.

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16. Mr LEUNG Che-cheung enquired about the estimated number of hidden drug abusers to be referred for services after launching RDT and whether the existing manpower of NGOs would be able to cope with the increase of referrals. He opined that it would be rather late for taking two to three years in the preparation for RDT given the prevalence of drug abuse.

17. Ag C for N responded that the current consultation would last for four months, during which stakeholders' views would be sought on whether RDT should be supported-in-principle having regard to how individual rights could be safeguarded and the applicable scope of RDT. ACAN would then consider the views collected and make a recommendation to the Administration on the proposed way forward. If it was considered necessary, a second-stage consultation would be rolled out to solicit stakeholders' views on the detailed arrangement of RDT. Subject to the outcome of the second-stage consultation if there was one, the Administration would consider drafting a legislation for RDT with holistic planning on the complementary measures and rehabilitation services.

18. Mr Frankie YICK said that the Liberal Party had not yet come up with a stance regarding RDT. He agreed that drug abuse would have detrimental impacts on drug abusers and society, and early identification and timely referral for treatment by means of RDT might be a right approach to cope with the prevalence of psychotropic substance abuse. He however cautioned that the Administration should have holistic planning on treatment and rehabilitation services and address the concerns on the abuse of power by the Police.

Optimizing public finances through RDT or less intrusive measures

19. Dr Fernando CHEUNG said that as the effectiveness of RDT to combat drug abuse had yet to be proven, the Administration should have prudent consideration on whether resources should be allocated to RDT or other less intrusive measures, such as school social work services, youth outreaching teams and rehabilitation programmes and, if the Administration decided to take forward RDT, it should have holistic planning on the provision of treatment and rehabilitation services. He sought deputations' views on the optimal effectiveness of RDT vis-à-vis other anti-drug measures.

20. At the invitation of the Chairman, three deputations expressed their views as follows -

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- (a) Mr CHONG Yiu-kwong said that RDT would inevitably lead to increase of manpower in the Police for conducting drug tests which in his view would cause nuisance to the public. The Administration should increase the manpower for school social workers and youth outreaching services;
- (b) Mr LAM Hay-sing of Christian Zheng Sheng Association Limited ("CZSA") said that he was in support of taking forward RDT with a view to identifying drug abusers as early as possible; and
- (c) Mr Barry WONG of The Society for the Aid and Rehabilitation of Drug Abusers ("SARDA") hoped that more resources would be allocated to hiring healthcare professionals such as psychiatric nurses in residential rehabilitation centres and improving the physical set up of these centres. He said that the introduction of RDT and enhancement of existing preventive and education measures could be pursued at the same time.

Relapse of drug taking

21. Referring to the rise in the average age of drug abusers, Mr Albert HO cast doubt on the effectiveness of the Government's anti-drug measures and enquired about the number of drug abusers taking drugs again after rehabilitation. He urged the Administration to plan well in the provision of rehabilitation services and step up its measures in combating drug supply at source and other education and outreaching service to assist drug abusers.

22. Ag C for N responded that although many drug abusers could not quit drugs at the first time they received treatment services, one should not underrate its positive impact on motivating abusers to quit drug in the long run.

23. At the invitation of the Chairman, the following deputations gave views as below –

- (a) Mr LAM Hay-sing of CZSA said that around 70% of drug abusers could quit drugs at the first time when they received treatment services in CZSC provided that adequate resources were available;

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- (b) Mr Barry WONG of SARDA said that the first entry point for drug treatment services was crucial to the success of quitting drugs. Of the 1 800 drug abusers receiving treatment services each year in his serving organization, less than 5% needed to enroll on the treatment services again; and about 50%-60% could quit drugs after receiving 12-month after-care counselling services;
- (c) Mr KUNG Wai-sum of Hong Kong Policy Viewers expressed concern about the negative stigma effect on drug abusers and urged that more thoughts should be given on how to help them reintegrate into society; and
- (d) Mr Andrew SHUM of Civil Human Rights Front – Human Rights Group was of the view that RDT would aggravate the problem of hidden drug abuse. He was not convinced that the Administration, by means of RDT, would effectively lower the number of hidden drug abusers and eliminate the stigma effect so imposed on them.

24. The Chairman took a strong view that the Administration should have holistic planning on drug treatment and rehabilitation services before taking forward RDT. She said that such views were supported by different political parties and should be conveyed to the Secretary for Security for reference in considering the way forward. She also called on the Administration to strengthen its support to drug rehabilitation centres and the reprovisioning of DTRCs.

25. Ag C for N responded that following the release of the Report of the Task Force on Youth Drug Abuse in 2008, the Administration had been increasing funding allocation to anti-drug measures, including setting up more CCPSAs, assistance to DTRCs for carrying out the necessary upgrading works, increasing some 100 social workers stationed at schools, and collaborating with the healthcare sector for the enhancement of anti-drug medical services. The Administration had also been engaging in dialogue with different sectors and would take account of their views in working out the drug testing mechanism for RDT.

26. In closing the discussion, the Chairman advised that the Administration should be more proactive in assisting teenagers to quit drugs and providing a concrete timetable on the provision of drug treatment and rehabilitation services in its future proposal on RDT.

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II. Any other business

27. There being no other business, the meeting ended at 11:02 am.

Council Business Division 2
Legislative Council Secretariat
10 March 2014

Panel on Welfare Services

Special meeting on Tuesday, 19 November 2013 at 8:30 am

Drug treatment and rehabilitation services

Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation	Major views and concerns
1.	Mr CHONG Yiu-kwong, Solicitor	<ul style="list-style-type: none"> • To safeguard human rights and prevent possible abuse of power by the Police, the Hong Kong Human Rights Monitor was opposed to the implementation of the RESCUE Drug Testing Scheme ("RDT"). • In Hong Kong, drug abuse itself was not a serious offence that would lead to imprisonment. Mandatory drug testing was not a rational and proportionate response to the drug abuse problem in Hong Kong. The effectiveness of RDT in identifying hidden drug abusers and assisting them to quit drugs was in doubt. The Administration should provide strong justifications on taking forward RDT, instead of other less intrusive measures, to combat drug abuse. • The proposed threshold for triggering the power under RDT was not a high one. The conditions of "substances suspected of being drugs" and "drugs are found in the 'near' vicinity" were too vague that the Police might abuse their power when conducting a drug test.
2.	Civil Human Rights Front – Human Rights Group	<ul style="list-style-type: none"> • The deputation was opposed to RDT as it would drive drug abusers to be even more hidden. • The drug situation had not been improved over the years as revealed by the alarming lengthening in the drug history of drug abusers. The median drug history of first-time reported abusers rose from 1.9 years in 2008 to four years in 2012. The reported decrease in the number of drug abusers could not reflect the reality of increasingly hidden drug abuse. • RDT was not the same as measures against drug driving as the harm of drug abuse was more on individuals. Legislation and penalty was not the only means to drive drug abusers for treatment.

No.	Name of deputation	Major views and concerns
3.	Christian Zheng Sheng Association Limited [LC Paper No. CB(2)294/13-14(03)]	<ul style="list-style-type: none"> • The Administration should implement RDT to combat the growing prevalence of drug abuse. Referring to the two proposed circumstantial conditions in triggering the power under RDT namely (i) substances suspected of being drugs were found in the near vicinity of a person, and (ii) the person in question showed signs of having taken drugs, the deputation was of the view that the first condition should be removed. • The purpose of RDT was not for prosecution. Discussion on RDT should be focused more on the irreversible damage of drugs to the health of drug abusers than safeguarding human rights and individual privacy.
4.	Christian Zheng Sheng College	<ul style="list-style-type: none"> • There had been serious family violence cases recently relating to psychotropic drug abuse. Drug abuse was not a personal issue since abusers of psychotropic substance might inflict harm on others. • The concern that RDT might drive drug abusers to be more hidden was not valid, given that there had been growing prevalence of hidden drug abuse over the years even without RDT. The Administration was urged to implement RDT as a means to identify drug abusers and refer them for timely treatment and rehabilitation. It should also undertake studies on the experiences of other countries regarding the effectiveness of RDT.
5.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> • In addition to causing damage to body function of the abusers, drug abuse would lead to anti-social behaviour as abusers would lose control and inflicted harm on others. In view of the lowering of the age of drug abusers and the prevalence of hidden drug abuse, the Administration should work out measures to combat drugs. RDT could be an effective means but the community had not reached a consensus on its effectiveness. • The Administration was urged to strengthen its existing anti-drug preventive work in counselling, school and outreach social work services; enhance the drug treatment services; and launch effective publicity campaigns to educate youngsters about the negative impacts of drug abuse.
6.	Ms Cherry LEE	<ul style="list-style-type: none"> • Ms LEE relayed the views of young female drug abusers receiving rehabilitation services at her serving organization as follows – (a) 80% of the abusers supported taking forward RDT as a way to identify drug abusers early for timely treatment; (b) the Administration should

No.	Name of deputation	Major views and concerns
		<p>address public concerns about the abuse of the Police power and driving drug abusers to be more hidden; and (c) healthcare professionals, instead of the Police, should be deployed to conduct drug test.</p> <ul style="list-style-type: none"> Despite continuous anti-drug efforts by the Police and the Customs and Excise Department, the drug abuse problem remained prevalent. The Administration should explore the reasons for youth drug abuse and work out more effective preventive measures.
7.	Ms Mary YIP	<ul style="list-style-type: none"> In support of RDT on the ground that parents were very depressed due to drug abuse of their children. As most drug abusers had very low motivation to seek help, mandatory treatment could provide an entry point of intervention before the drugs had inflicted irreversible damage on their health. Concerns were raised by her clients (working male drug abusers aged above 25) in respect of the abuse of power by the Police and the extent of waiving prosecution under RDT. Some of her clients, however, were of the view that the Police could abuse their power even without RDT.
8.	Mr Dennis CHENG	<ul style="list-style-type: none"> Many parents were helpless when their children refused to receive drug treatment. Teenage drug abusers had very low motivation to seek help. While a voluntary approach alone proved ineffective, the Administration should pursue RDT as an entry point of intervention for mandatory treatment. There were loopholes in the existing legal regime as it would be difficult to prosecute drug abusers if there was no evidence of custody of drugs. Even though drug abusers might not quit drug at the first time they received drug treatment, they would be more willing for receiving treatment later on.
9.	Mr David LEUNG	<ul style="list-style-type: none"> Education programmes should be organized to foster harmonious family relation so that parents could play a more significant role in persuading and supporting their children for drug treatment and rehabilitation. Concerns were raised about the increasing referrals of drug abuse cases for psychiatric treatment. RDT should be a way forward for early intervention and timely referral.

No.	Name of deputation	Major views and concerns
10.	The Society for the Aid and Rehabilitation of Drug Abusers	<ul style="list-style-type: none"> Concerns were raised about the recent domestic violence cases committed by drug abusers suffering from serious psychiatric diseases. The Administration was requested to develop an effective mechanism for early intervention and referral to assist drug abusers to quit the bad habit. RDT was a means to help drug abusers. More discussion should be conducted on RDT with a view to reaching a consensus on the way forward and enhancing the existing rehabilitation services.
11.	Christian New Life Association	<ul style="list-style-type: none"> The drug abuse situation in Hong Kong got more serious over the years. The anti-drug measures by the Government lagged much behind as compared to the development of drug businesses. The Administration should be more proactive in its anti-drug work, and RDT could provide an extra entry point for early intervention. Drug abuse was not a personal matter but had detrimental impacts on both drug abusers and the community as a whole. The Administration should work out effective measures to cope with the increasingly hidden drug abuse.
12.	Hong Kong Council of Social Service ("HKCSS")	<ul style="list-style-type: none"> HKCSS was not convinced of RDT as the most effective means to help identify drug abusers and refer them for timely treatment. The deputation suggested that more information should be provided on justifications for taking forward RDT for early identification and intervention, as compared to other measures including education, assistance for parents, and cross-sector collaboration. The Action Committee Against Narcotics was requested to provide the above information and invite further discussion on the effectiveness of RDT so that the anti-drug sector could reach a consensus on the way forward.
13.	Civic Party [LC Paper No. CB(2)346/13-14(02)]	<ul style="list-style-type: none"> The drop in number of drug abusers reported to the Central Registry of Drug Abuse did not reflect the reality since there had been increasing hidden cases. The existing drug treatment services were inadequate to cope with the demand in the community. The number of drug abusers reported to the Central Registry of Drug Abuse was

No.	Name of deputation	Major views and concerns
		<p>10 939 in 2012. However, the total number of drug treatment residential places subsidized by the Department of Health and the Social Welfare Department were 404 and 357 respectively. Given the inadequacy of existing rehabilitation services, RDT was not the way forward.</p> <ul style="list-style-type: none"> Concerns were expressed about the effectiveness of mandatory drug treatment to tackle the growing prevalence of hidden drug abuse. As proven in many developed countries, legal means to combat drug abuse would only prompt drugs manufacturers to go underground and there was no evidence that it would lower the number of drug abusers. The deputation suggested that the Administration should prudently assess the effectiveness of RDT, and that if it decided to take forward RDT, it should have holistic planning on the provision of treatment and rehabilitation services.
14.	Operation Dawn	<ul style="list-style-type: none"> The deputation, which was a rehabilitation hostel with a clientele of drug abusers in early 20s, was of the view that drug abuse affected individuals, families and society. It was in support of RDT as an effective means to combat drug abuse.
15.	Jockey Club Lodge of Rising Sun, Hong Kong Christian Service	<ul style="list-style-type: none"> The deputation, which provided services for voluntary drug abusers, had reservations on the adoption of legal and mandatory means such as RDT to tackle drug abuse. It called on the Administration to cope with the hidden drug abuse through a people-oriented approach by carrying out programmes on fostering family relationship, counselling, and healthcare outreach services.
16.	Community Drug Advisory Council	<ul style="list-style-type: none"> The deputation was open-minded on RDT. It relayed concerns of front-line social workers about whether the intervention by the Police would undermine the trust developed between social workers and their young clients. For the purpose of early identification and intervention, preventive education work should be done to strengthen the resolve of potential and high-risk youngsters to refuse drugs; and crisis management teams be set up to provide support for abusers with long drug history. Concerns were raised about the effectiveness of RDT to combat drug abuse as drug manufacturers would develop new categories of drugs not under the scope of RDT, and whether the drug abusers referred for mandatory treatment could eventually quit drugs.

No.	Name of deputation	Major views and concerns
17.	Hong Kong Policy Viewers [LC Paper No. CB(2)294/13-14(04)]	<ul style="list-style-type: none"> • The deputation was opposed to the implementation of RDT, in particular the stigma effect so incurred on young drug abusers. • The objectives of RDT, i.e. early identification and intervention for drug treatment, could be achieved through the enhancement of education, counselling work and outreach services. • The zero tolerance approach against drug abuse, as illustrated from experiences of overseas countries, was not effective in tackling the problem of drug abuse. The Administration was urged to allocate more resources in combating the supply of drugs at source and enhancing its work in preventive education and rehabilitation. It should also look into the underlying causes for youth drug abuse including uneven distribution of wealth, structural problems of the economic system; and strive to create an environment conducive to development of young people.
18.	Christian Social Workers	<ul style="list-style-type: none"> • The deputation had reservations on RDT, in particular the possible abuse of power by the Police and the effectiveness of mandatory treatment. It called on the Administration to consider other anti-drug measures such as combating the supply of drugs, educating parents to persuade their children for drug treatment, and strengthening the counselling services at schools.
19.	Hong Kong Christian Institute	<ul style="list-style-type: none"> • RDT could not lower the number of drug abusers. The mandatory treatment would aggravate the problem of hidden drug abuse. • The implementation of RDT contradicted with human rights and individual privacy, and would undermine the rule of law in Hong Kong in the long run. • The effectiveness of RDT was in doubt given that there was no proven evidence on the drop of the number of drug addicts as a result of the implementation of mandatory drug testing in overseas countries such as Sweden.
20.	New People's Party	<ul style="list-style-type: none"> • The New People's Party supported RDT in principle on the ground that it would help identify drug abusers early and refer them for treatment and rehabilitation before the drugs had inflicted irreversible damage on their bodies.

No.	Name of deputation	Major views and concerns
		<ul style="list-style-type: none"> • The Administration was urged to consider deputations' concerns about possible abuse of power by the Police before taking forward RDT and set out objective parameters regarding the circumstances that the Police could conduct drug tests. • In tandem, the Administration should enhance its anti-drug work on other fronts, including combating the supply of drugs at source, education at schools and to parents, and rehabilitation.

Council Business Division 2
Legislative Council Secretariat
10 March 2014