

立法會
Legislative Council

LC Paper No. CB(2)112/16-17
(These minutes have been
cleared with the Chairman)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Tuesday, 18 October 2016, at 4:00 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon SHIU Ka-chun (Chairman)
Hon KWONG Chun-yu (Deputy Chairman)
Hon James TO Kun-sun
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon WU Chi-wai, MH
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Kenneth LEUNG
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon POON Siu-ping, BBS, MH
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Dr Hon Junius HO Kwan-yiu, JP
Hon LAM Cheuk-ting
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN
Hon Tanya CHAN
Hon HUI Chi-fung
Hon Jeremy TAM Man-ho

- Members absent** : Hon LEUNG Yiu-chung
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Dennis KWOK Wing-hang
Hon Eddie CHU Hoi-dick
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim
Dr Hon LAU Siu-lai
Hon YAU Wai-ching
- Members attending** : Hon CHAN Kin-por, BBS, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Hon SHIU Ka-fai
- Clerk in attendance** : Mr Colin CHUI
Chief Council Secretary (2) 4
- Staff in attendance** : Miss Flora TAI
Assistant Secretary General 2
- Ms Wendy LO
Senior Council Secretary (2) 2
- Ms Catherina YU
Senior Council Secretary (2) 4
- Miss Kay CHU
Council Secretary (2) 4
- Miss Alison HUI
Legislative Assistant (2) 4
- Miss Maggie CHIU
Legislative Assistant (2) 5
- Ms Camy YOONG
Clerical Assistant (2) 2
- Miss LEE Wai-yan
Clerical Assistant (2) 4
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I. Election of Chairman and Deputy Chairman for the 2016-2017 session

[Appendices II and III to LC Paper No. CB(2)15/16-17]

Election of Chairman

Mr James TO, member present who had the highest precedence, presided over the election of Chairman of the Panel. Mr TO called for nominations for the chairmanship of the Panel for the 2016-2017 session. Mr SHIU Ka-chun was nominated by Dr KWOK Ka-ki and the nomination was seconded by Mr WU Chi-wai. Mr SHIU accepted the nomination.

2. As there was no other nomination, Mr TO declared Mr SHIU Ka-chun elected as Chairman of the Panel for the 2016-2017 session. Mr SHIU then took the chair.

Election of Deputy Chairman

3. The Chairman called for nominations for the deputy chairmanship of the Panel for the 2016-2017 session. Mr KWONG Chun-yu was nominated by Dr Helena WONG and the nomination was seconded by Mr LAM Cheuk-ting. Mr KWONG accepted the nomination.

4. As there was no other nomination, the Chairman declared Mr KWONG Chun-yu elected as Deputy Chairman of the Panel for the 2016-2017 session.

II. Schedule of meetings for the 2016-2017 session

5. Members agreed that regular meetings of the Panel would be held on the second Monday of each month at 10:45 am. A schedule of meetings for the 2016-2017 session would be issued to members after the meeting.

(Post-meeting note: The meeting schedule was issued vide LC Paper No. CB(2)31/16-17 on 19 October 2016.)

III. Items for discussion at the next meeting

[LC Paper Nos. CB(2)30/16-17(01) and (02)]

Special meeting on quality problem of private residential care homes for persons with disabilities

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6. Dr KWOK Ka-ki expressed grave concern about a recent incident, in which the former head of a private residential care home for persons with disabilities ("RCHD") was accused of sexually assaulting some female residents with mental disabilities ("the Incident"). He suggested that the Panel should expeditiously hold a special meeting and receive views from deputations in relation to the quality problem of private RCHDs.

7. The Deputy Chairman said that the public was very concerned about the Incident as an online petition arising from the Incident had collected 100 000 signatures from members of the public. He supported the suggestion of holding a special meeting to address the public concern, and suggested that the Panel should continue to follow up with a view to strengthening the monitoring of private homes in the long run.

8. Sharing the views of Dr KWOK Ka-ki and the Deputy Chairman, Dr Fernando CHEUNG also supported the suggestion of holding a special meeting and receiving views from deputations with a view to improving the monitoring of RCHDs and the relevant legislation, and preventing the recurrence of similar incidents.

9. The Chairman asked members to consider whether the Panel should hold a joint meeting with the Panel on Administration of Justice and Legal Services ("the AJLS Panel") to discuss the policy issues arising from the Incident. Whilst agreeing to hold either a special meeting or a joint meeting with the AJLS Panel, Dr Fernando CHEUNG raised concern about the difficulty in making a quorum for a joint meeting.

10. Ms Tanya CHAN supported the suggestion of holding a joint meeting with the AJLS Panel given that the Department of Justice ("DoJ") had made a decision about the Incident and some relevant guidelines which were outdated should be reviewed. She further asked the Clerk to explain the calculation of quorum at a joint meeting.

11. The Clerk advised that according to Rule 77(10) of the Rules of Procedure and rule 22(n) of the House Rules, the quorum of a joint meeting was one thirds of the members of all the relevant Panels including the Chairman (a fraction of the whole number being disregarded). A Member who was a member of both Panels at a joint meeting should be counted as one member of the joint meeting for the calculation of quorum.

12. Noting some members' concern about the difficulty in making a quorum at a joint meeting, Mr Charles Peter MOK suggested that the Panel should hold a special meeting and receive views from deputations, while

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members of the AJLS Panel could be invited to join the discussion at that meeting.

13. The Chairman said that the Secretariat would inform members of the arrangement of the aforesaid meeting once confirmed.

(Post-meeting note: As instructed by the Panel Chairman, the Panel would hold a special meeting on Tuesday, 1 November 2016 at 9:30 am for meeting with deputations and the Administration (whose representatives should include, inter alia, officers from DoJ) to discuss the subject of "Looking into the quality problem of private residential care homes for persons with disabilities in light of the 'Bridge of Rehabilitation Company' incident". Members of the AJLS Panel would be invited to join the discussion of the aforesaid subject.)

Regular meeting in November 2016

14. Members noted that the following two items, which were proposed by the Administration, would be discussed at the next regular meeting on 14 November 2016:

- (a) Annual adjustment of social security payment rates under the Comprehensive Social Security Assistance ("CSSA") Scheme and the Social Security Assistance Scheme, and issues relating to rent allowance under the CSSA Scheme; and
- (b) Elderly Services Programme Plan.

Issues to be discussed at future meetings

15. Dr Helena WONG expressed concern about support measures for carers and the progress of the consultancy study on the long-term development of child care services. She also considered that priority should be accorded to discussing the review of Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and the monitoring of private residential care homes for the elderly. In addition, she said that the Administration should brief members on social welfare planning which covered, inter alia, the planning targets for the provision of child care places and residential care places for elderly persons and persons with disabilities.

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16. Mr Alvin YEUNG was concerned about issues relating to students with special educational needs. He proposed inviting the Panel on Education to join the relevant discussion.

17. Mr CHAN Chi-chuen was aware that the Administration would review the implementation of Old Age Living Allowance ("OALA"), taking into account the outcome of the public consultation exercise on retirement protection. Taking the view that political parties generally supported relaxing the asset requirement of OALA, he requested the Chairman to urge the Administration to conduct the aforesaid review without further delay.

18. The Chairman undertook to relay Mr CHAN's view to the Secretary for Labour and Welfare. The Chairman also expressed concern that there were loopholes in the Social Workers Registration Ordinance (Cap. 505) which had been implemented for nearly two decades. He therefore suggested that the Panel should discuss the Ordinance in the current session.

IV. Any other business

19. There being no other business, the meeting ended at 4:15 pm.

Council Business Division 2
Legislative Council Secretariat
7 November 2016