

立法會
Legislative Council

LC Paper No. CB(2)335/17-18
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

**Minutes of special meeting
held on Thursday, 28 September 2017, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon SHIU Ka-chun (Chairman)
Hon KWONG Chun-yu (Deputy Chairman)
Hon CHAN Hak-kan, BBS, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon POON Siu-ping, BBS, MH
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon YUNG Hoi-yan
Dr Hon Pierre CHAN

Members absent : Hon LEUNG Yiu-chung
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alvin YEUNG
Dr Hon Junius HO Kwan-yiu, JP
Hon HUI Chi-fung

Member attending : Hon IP Kin-yuen

Public Officers : Item I
attending

Ms Annisa MA Sau-ching
Acting Assistant Director (Family and Child
Welfare)
Social Welfare Department

Ms Micy LUI Siu-ying
Chief Social Work Officer (Family and Child
Welfare)1
Social Welfare Department

Mr Kenneth WOO Chi-man
Chief Executive Officer (Subventions/Planning)
Social Welfare Department

Ms Kitty CHIU Lai-chun
Senior Social Work Officer (Youth)3
Social Welfare Department

Ms Louise SO Yuen-yi
Principal Education Officer (School Administration)
Education Bureau

Mr Albert LEUNG Kwok-yan
Senior Education Officer (Placement & Support)
Education Bureau

Ms JIM Yuk-kuen
Chief Manager/Management (Tuen Mun & Yuen
Long)
Housing Department

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

Staff in : Mr Roger CHUNG
attendance Council Secretary (2) 4

Miss Alison HUI
Legislative Assistant (2) 4

Action

I. Review of the planning and provision of social welfare services with reference to the deaths of a mother and son at Shan King Estate

[LC Paper Nos. CB(2)2121/16-17(01) and CB(2)2123/16-17 (01)]

At the invitation of the Chairman, Acting Assistant Director (Family and Child Welfare) ("Acting AD(Family and Child Welfare)"), Principal Education Officer (School Administration) ("PEO(School Administration)") and Chief Manager/Management (Tuen Mun & Yuen Long) ("CM/M") briefed members on support services for families with single parent, support services for non-attendance students and provision of welfare premises in public rental housing estates under the Hong Kong Housing Authority ("HKHA") respectively.

Support for hidden families and individuals

2. Dr Fernando CHEUNG said that arising from the deaths of a mother and her 15-year-old son at Shan King Estate ("the mother and the son concerned"), the Administration should critically review the existing education and social welfare systems as well as the administration of neighbourhood support system. He enquired whether the Social Welfare Department ("SWD") had approached the mother and the son concerned and the assistance provided for them. Mr POON Siu-ping enquired about the number and nature of cases handled under the Family Support Programme ("FSP") of SWD. The Chairman and Mr KWOK Wai-keung asked whether specific services were provided for hidden families, elderly persons and youths and whether the resources allocated for provision of such services were sufficient.

3. Acting AD(Family and Child Welfare) responded that additional manpower resources had been provided for the related service units to implement FSP. To identify early the hard-to-reach families/individuals who were in need of help, Integrated Family Service Centres ("IFSCs"), Integrated Services Centres ("ISCs"), Family and Child Protective Services Units and Medical Social Services Units in the psychiatric setting proactively contacted and provided services for these families and individuals, including those prone to domestic violence, mental illness and the problem of social isolation through FSP. Under FSP, around 103 400 families/individuals were successfully contacted between 2007 and end-June 2017. As at end-June 2017, 4 395 volunteers had been engaged to provide services under FSP. Senior Social Work Officer (Youth)3 ("SSWO(Youth)3") supplemented that SWD subvented non-governmental organizations ("NGOs") to provide preventive, developmental and

supportive services for young people, including hidden youths, through integrated children and youth services centres, outreaching social work services and school social work service. Guidance and counselling would be provided for hidden youths and their families.

4. In response to Dr KWOK Ka-ki's enquiry about the number of families/individuals contacted under FSP in 2016-2017, Acting AD(Family and Child Welfare) said that 9 355 families/individuals were contacted during the said period. Dr KWOK Ka-ki said that according to the submission from a member of the public which was tabled at the meeting (LC Paper No. CB(2)2127/16-17(02)), a survey report released by a professor of the University of Hong Kong ("the Survey Report") showed that the estimated number of hidden youths in 2014 was 40 000. As there remained a substantial number of hidden youths who could not be reached by SWD, the Administration should deploy as much resources as possible to assist them proactively. He asked whether the Administration had set any targets in terms of manpower and resource deployment for providing assistance for all hidden youths, particularly those from single-parent families. Acting AD(Family and Child Welfare) responded that intensive support and outreaching services for hidden families and individuals would be provided continuously. SWD would approach them proactively and attempt to reach out to them through district networks in collaboration with the related government departments and NGOs. SWD would step up its efforts in this regard.

5. In response to the Chairman's enquiry about whether SWD accepted the estimated number of hidden youths of the Survey Report, SSWO(Youth)3 said that SWD did not collect such statistics on hidden youths. The Chairman said that the Administration should do so for service planning. Acting AD(Family and Child Welfare) said that SWD would take note of the Survey Report for reference as appropriate.

6. In response to Mr POON Siu-ping's enquiry about whether the manpower and resources allocated to FSP were sufficient, Acting AD (Family and Child Welfare) said that as the services provided by IFSCs included preventive services for individuals and families in need, manpower for FSP had been taken into account in deploying the resources for IFSCs.

7. Mr Andrew WAN said that given that the situations of hidden families and youths were more complicated, their cases required a higher level of attention and more thorough follow-up work than cases of ordinary individuals and families. Taking the view that the services provided by IFSCs, ISCs, etc. could not cater for their service needs, he

called on the Administration to deploy dedicated resources and professional staff for the provision of services to hidden families and individuals.

8. Mr CHU Hoi-dick said that according to the media reports, water and electricity supply to the unit of the mother and son concerned had been disconnected and there were records of rent default in relation to the unit concerned. He enquired about the actions the Housing Department ("HD") would take for similar cases. The Chairman also asked whether HD knew if water or electricity supply to a public housing unit had been disconnected. CM/M responded that as she understood, water and electricity supply to the unit had not been disconnected. Generally speaking, if public housing tenants had difficulties in making rent payments and required assistance, HD might recommend them to apply for rent assistance under its Rent Assistance Scheme or refer the cases to SWD if necessary. Normally, HD would not know if water or electricity supply to a public housing unit had been disconnected or not unless it had been notified. Mr CHU Hoi-dick suggested that a notification system should be put in place for the Water Supplies Department, the CLP Power Hong Kong Limited and the Hongkong Electric Company Limited to inform HD in case of disconnection of water or electricity supply to a public housing unit. CM/M responded that HD would study the suggestion. At the Chairman's request, CM/M undertook to provide information on whether HD had conducted home visits to the mother and the son concerned.

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(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(2)271/17-18(01) on 9 November 2017.)

9. The Deputy Chairman said that the tragedy in Shan King Estate might be prevented if relevant government departments were more attentive to the mother and the son concerned. As hidden families were unwilling to seek help, relevant government departments should collaborate and provide them with assistance proactively in order to prevent tragedies. He asked whether the Administration had maintained a list of hidden families who might require assistance and the actions HD would take if it knew that water or electricity supply to a public housing unit had been disconnected. CM/M responded that HD did not have such a list. When approached by tenants, HD would provide appropriate assistance or refer the cases to SWD depending on the circumstances. The Deputy Chairman opined that when HD observed something unusual about its tenants, it should provide information about the tenants concerned to relevant government departments so that preventive measures could be

taken. CM/M responded that in order to protect the privacy of the tenants, HD had to obtain the consent of the tenants concerned before passing their information to a third party. In response to the Chairman's enquiry about whether HD had sought the consent of the mother and the son concerned for referring their case to other government departments, CM/M said that HD had not received their request for assistance. Appreciating the importance of obtaining the consent of the parties concerned, the Deputy Chairman took the view that HD should not adhere to the established procedures under special circumstances. He urged HD to critically review the relevant mechanism. Expressing concern about the loopholes in the process of locating hidden families, he opined that it was important to identify the areas for improvement. Mr Andrew WAN said that in the light of the functions of mutual aid committees ("MACs") of public housing estates, MACs should be able to help in locating hidden families in their estates. However, many MACs had become inactive in recent years and the Home Affairs Department ("HAD") had a role to play in facilitating MACs to better perform their functions so as to enlarge the out-reaching network for hidden families.

10. Expressing concern that relevant HD staff might not exert themselves to contact tenants who had rent defaults, Dr Pierre CHAN asked about HD's procedures or guidelines for recovery of rent arrears. CM/M responded that HD would try to contact the tenants concerned through various means such as phone calls, home visits and written communication.

Handling of non-attendance cases

11. Mr POON Siu-ping enquired about the number of reported cases on students who had been absent from school continuously for seven days or more ("non-attendance students") in 2016 and whether the Education Bureau ("EDB") had analyzed the reasons for students' continuous absence. PEO(School Administration) responded that in the 2015/2016 school year, the number of non-attendance cases of primary school and junior secondary levels were 1 700 and that of senior secondary levels were 1 900. The reasons for students' non-attendance were complicated and involved various factors including adjustment in learning and social interaction, personal development, family and parenting problems as well as physical, mental and psychological problems, etc. In response to the Chairman's concern about the large number of non-attendance cases, PEO(School Administration) said that in the past three school years, the number of non-attendance cases of primary school and junior secondary levels were around 1 700. The corresponding number for senior secondary levels had dropped from around 2 900 in the 2014/2015 school year to 1 900 in the

2015/2016 school year.

12. In response to the Chairman's enquiry about the number of students who had been absent from school for more than three months, PEO(School Administration) said that EDB did not collect statistics in this regard. Dr Fernando CHEUNG said that under the Education Ordinance (Cap. 279) ("EO"), EDB was required to take a series of actions for non-attendance cases which included contacting the families concerned, referring the families to suitable service units, issuing attendance orders if the students concerned did not resume schooling with a valid reason, etc. He took the view that EDB should have information on different periods of non-attendance, the numbers of students involved, the reasons for non-attendance and the numbers of attendance orders issued, etc. PEO(School Administration) responded that EDB did not readily have breakdown of cases by duration and reasons of students' non-attendance. EDB's Non-attendance Case Team ("NACT") would follow up non-attendance cases jointly with guidance personnel and social workers of schools. They would contact parents of non-attendance students and provide them with the required assistance. When parents who insisted not to cause their children to attend school without reasonable excuse, EDB might issue an attendance order to them according to EO. The issuance of attendance orders would depend on the circumstances but they would not be served upon all parents of non-attendance students automatically. No attendance order had been issued for the past five years. In response to Dr Fernando CHEUNG's enquiry about how many non-attendance students had resumed schooling, PEO(School Administration) said that most of the non-attendance students had resumed schooling and for those who had not done so, they were either receiving social/professional support services or having health problems. EDB would continue to follow up these cases and refer them to SWD, relevant social services agencies or non-governmental social services organizations for professional support services (e.g. psychological services), as appropriate.

13. The Chairman said that although there were around 3 600 non-attendance students, no attendance order had been issued for the past five years. He cast doubt on the enforcement of compulsory education for children aged between six and 15. He asked whether an attendance order had been issued to the son concerned who had been absent from school for many years. PEO(School Administration) responded that both EDB and the school concerned had conducted home visits to the mother and the son concerned. As their home address was incomplete, home visits were unsuccessful. EDB had attempted to locate the mother and the son concerned through their family members, relatives and neighbours as

well as security staff of Shan King Estate between mid-2011 and mid-2012 but to no avail. EDB ceased to follow up the case after mid-2012. The Chairman, Dr Fernando CHEUNG and Mr KWOK Wai-keung said that it was unacceptable that EDB and the school concerned allowed a student to register in the school without a full residential address.

14. Mr Andrew WAN said that the mother and the son concerned were tenants of Shan King Estate which was a Tenant Purchase Scheme ("TPS") estate under HKHA, the Administration should be able to find their accurate home address within its systems, e.g. from records kept by HD. It was hard to accept that the Administration could not locate the mother and the son concerned. He wondered whether it was due to heavy workload of frontline staff. In response to the enquiries of the Chairman and Mr Andrew WAN about the manpower of NACT, PEO(School Administration) said that there were six Inspectors/Assistant Inspectors and 15 Student Guidance Officers ("SGOs") in NACT. Non-attendance cases from primary schools were handled through "Comprehensive Student Guidance Services" in primary schools and those from secondary schools were handled by NACT. She explained the support for non-attendance students by schools and NACT which was set out in paragraphs 4 to 7 in the Administration's paper (LC Paper No. CB(2)2123/16-17(01)). To enable members to evaluate whether NACT could cope with the caseload, Mr Andrew WAN enquired about the total number of cases handled by NACT and opined that the Administration would not be able to identify problem areas and make improvements in the absence of the caseload of NACT. PEO(School Administration) said that upon completion of handling non-attendance cases by SGOs, Inspectors and Assistant Inspectors would examine the approach and procedures adopted in handling the cases. The Chairman said that EDB should have information on the caseload of individual officers of NACT for performance monitoring. In this connection, the Administration was requested to provide information on:

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- (a) the number of non-attendance students, with a breakdown of the periods and reasons for absence;
- (b) the number of non-attendance students who had resumed schooling;
- (c) the number of non-attendance students who did not resume schooling and the services provided for them;
- (d) the number of non-attendance students who did not resume schooling and had not been provided with any services and the

reasons for that;

- (e) the reasons for not issuing attendance orders to non-attendance students who did not resume schooling or were not receiving any services;
- (f) the total number of cases handled by NACT in a year, with a breakdown of the number of telephone contacts, home visits and interviews by NACT; and
- (g) the number of cases handled/being handled by individual officers of NACT.

15. Noting that EDB ceased to follow up the non-attendance of the son concerned, Mr CHU Hoi-dick asked whether there were policies to ensure that EDB would not close non-attendance cases before making arrangements for the students concerned. Opining that the consequences of failing to locate non-attendance students could be serious, Mr IP Kin-yuen expressed concern that EDB would give up on non-attendance cases without full residential addresses. In this connection, he enquired about the standard procedures adopted by EDB in handling non-attendance cases with incomplete residential addresses. PEO(School Administration) responded that NACT would endeavor to contact non-attendance students and their parents through various channels, including contacting their relatives and neighbours, communicating with other government departments as needed such as IFSCs or non-governmental social services organizations (for cases concerning family or parenting problems), Immigration Department (for students who might depart from Hong Kong), HD (for students residing in public housing estates). EDB would consider closing the cases only when non-attendance students and their parents could not be located with all these efforts. In response to Mr IP Kin-yuen's enquiry about whether NACT had approached the relevant government departments in handling the non-attendance of the son concerned, PEO(School Administration) said that NACT did not contact HD but approached SWD because the aforesaid standard procedures only took effect in 2013. She said that NACT could have done better in handling the non-attendance of the son concerned and NACT had followed closely the standard procedures of 2013 in handling similar cases thereafter. Mr IP Kin-yuen opined that even though the standard procedures of 2013 represented an improvement, he called on the Administration to be more proactive in handling non-attendance cases so as to prevent similar tragedies. At Dr Fernando CHEUNG's request, PEO(School Administration) undertook to provide the number of non-attendance cases which EDB ceased to follow up in

2016 because it was unable to contact the students concerned and their parents.

16. Mr KWOK Wai-keung said that given that hidden families and individuals were hard to reach, substantial resources were required and sensitivity of frontline staff should be enhanced to locate these families and individuals. Pointing out that the son concerned had not attended school since primary level which was unusual, he considered it necessary for EDB to strengthen its work such as collecting more information about non-attendance cases, stepping up its efforts in contacting non-attendance students and their parents, evaluating whether more support and services should be provided for these students and parents, etc. Public's sensitivity to hidden families at risk should also be raised.

Management of Shan King Estate

17. Dr Fernando CHEUNG said that 山景邨教育及社會服務聯席 ("聯席"), which was formed by more than 10 schools and social welfare organizations operating in Shan King Estate, lodged a complaint against the property management company ("PMC") of Shan King Estate with the Transport and Housing Bureau in 2015. 聯席 complained, amongst other things, that the PMC hindered volunteers from visiting tenants who were in need of help and elderly tenants who lived alone. The PMC also prohibited rehabilitation buses and school buses from stopping in front of the residential care home for the elderly ("RCHE") and schools respectively in the Estate. Expressing concern that the tenants could not receive the required services because of the obstruction by the PMC, Dr Fernando CHEUNG asked how HD would solve the problems. Mr IP Kin-yuen said that many arrangements in relation to the management of Shan King Estate had caused inconvenience to the operation of the schools and social services organizations in the district. Taking the view that discussions between HD and the owners' corporation ("OC") of Shan King Estate had not been fruitful, he asked whether HKHA, as one of the owners of Shan King Estate, would exercise its statutory power to influence the OC concerned in making its decisions in this regard.

18. CM/M responded that Shan King Estate was a TPS estate. OCs had been formed in all TPS estates, and they had taken over the management responsibility of these estates and appointed PMCs to undertake the relevant management work. Since the management of TPS estates had been taken over by OCs, there was no difference between these estates and other private buildings in terms of estate management. TPS estates were subject to the restrictions under the Building Management Ordinance (Cap.

344) ("BMO"), the relevant Government leases and Deeds of Mutual Covenant ("DMCs"). OCs or PMCs appointed would, pursuant to the provisions of DMCs and BMO, convene meetings of management committees ("MCs") or OCs' general meetings to discuss and resolve daily management matters and proceed to implement decisions made at these meetings. HKHA, as one of the owners of TPS estates, appointed representatives from HD to participate in the work of OCs. HD, together with SWD and HAD, had discussed with 聯席, and reflected its concerns to the OC of Shan King Estate for consideration. Some issues had been resolved (e.g. rehabilitation buses could now stop at a spot not far away from the RCHE concerned, social service providers could visit tenants after going through simple registration procedures, etc.) while some were still in progress. HD would continue to follow up the remaining issues under the established mechanism. In response to Mr IP Kin-yuen's enquiry about the percentage of ownership shares of Shan King Estate held by HKHA, CM/M said that HKHA held 50% odd ownership shares and HD representative had one vote in MC meetings of Shan King Estate. It had been the policy of HKHA not to dominate estate matters of TPS estates in order to encourage owners' active participation in estate management and promote their autonomy. HD also encouraged OCs to maintain good communication with stakeholders concerned.

19. Mr IP Kin-yuen said that as HKHA was the largest owner of Shan King Estate, HD should not confine itself to giving views only and allow other owners to make decisions on management matters. He was of the view that HKHA had not fulfilled its responsibilities as the largest owner. CM/M responded that OCs were encouraged to act in the overall interests of the estates and safeguard all owners' interests. For this case in Shan King Estate, HD had taken into consideration interests of stakeholders and the management mode of the PMC, and reflected their views to the OC for consideration. HD hoped to narrow the differences between the OC of Shan King Estate and the stakeholders through communication.

20. The Chairman opined that the Administration should learn from the Shan King Estate tragedy and improve relevant policies and measures to avoid recurrence of similar tragedies.

The Administration's meeting with 聯席 to be held on 13 November 2017

21. The Chairman said that he would attend the 14th meeting between the Administration and 聯席 scheduled for 13 November 2017. He asked if CM/M would attend the meeting to discuss improvements to the management matters of Shan King Estate. Members of the Panel would

be also invited to attend the meeting. CM/M undertook to consider attending the meeting.

II. Any other business

22. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 2
Legislative Council Secretariat
15 November 2017