

立法會

Legislative Council

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Panel on Welfare Services

Updated background brief prepared by the Legislative Council Secretariat for the meeting on 11 June 2018

Work of the Family Council

Purpose

This paper gives an account of past discussions at the meetings of the Council and relevant committees on the work of the Family Council.

Background

2. According to the Administration, the objective of its family policy is to enhance family harmony for building a harmonious community and alleviating social problems. To this end, the Administration set up the Family Council in 2007, with the Chief Secretary for Administration as the Chairperson and its secretariat serviced by the Home Affairs Bureau ("HAB"). The Family Council serves as a cross-sector and cross-bureau platform to study and address family-related problems with a view to providing high-level steer and advice, and fostering effective co-ordination and collaboration to maximize efforts and achieve synergy.

3. With effect from 1 April 2013, a mandatory assessment of family implications has been introduced for all government policies. Government bureaux and departments ("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, as well as the impact on family's structure and functions, as the basis for assessing the impact of the relevant policies on families. B/Ds are also encouraged to consult the Family Council on new policies which carry family implications. To implement these new initiatives and to strengthen its advisory role, the Family Council was re-constituted under a non-official Chairperson with effect from 1 April 2013.

Deliberations by Members

Efforts of the Family Council in promoting family support

4. At its meeting of 5 June 2013, the Council passed a motion urging the Administration to make stronger efforts in promoting family-friendly policies, enhancing family cohesion and individual resilience against adversities, restoring mutual love among family members and building up positive family values, so as to create a harmonious society. The proposed measures included, among others, the following:

- (a) expeditiously implementing an impact assessment system in respect of public policies on families to assess the impact of existing social policies, legislation and measures on families, so as to make the relevant improvements;
- (b) enhancing the functions of the Family Council, and setting up a "social fund for families" to subsidize social welfare organizations to organize programmes and activities related to family education; and
- (c) encouraging public and private organizations to implement family-friendly employment policies more proactively for creating a family friendly working environment.

5. The Administration advised that it had implemented the new initiatives regarding family impact assessment, which were mentioned in paragraph 3 above. In the light of the implementation experience, HAB would continue to review the effectiveness of the assessment framework in consultation with the Family Council. On family education, the Family Council would introduce new family education packages in early 2014, with special focus on addressing the needs of different types of families, including young families, underprivileged families and cross-border families. As regards the promotion of family-friendly employment policies, the Family Council had launched the territory-wide "Family-Friendly Employers Award Scheme" since 2011 on a biennial basis to give recognition to companies and organizations which attached importance to family-friendly spirit and encourage them to implement more diversified family-friendly policies and practices. When the Panel on Welfare Services was briefed on the work progress of the Family Council at its meeting on 13 June 2016, the Administration advised that riding on the success of the previous two Award Schemes organized in 2011 and 2013-2014 which attracted over 1 100 and 1 800 enrolments respectively, HAB and the Family Council launched the third Award Scheme on 15 December 2015. The Awards for Breastfeeding Support 2015-2016 had been newly added to the third Award Scheme to commend employers that provided suitable facilities in

the workplace to support employees who were breastfeeding. The third Award Scheme had been well received with a record high entries of 2 739, representing an increase of some 50% as compared with the 1 814 in the second Award Scheme in 2013-2014.

6. Some Members considered that instead of launching promotional activities, the Family Council should formulate strategic directions on family-related policies. While acknowledging the public expectation on the work of the Family Council, the Administration stressed that the Family Council was an advisory body to the Government. It provided a high-level platform for discussion of major issues from the family perspective and strategic directions as well as priorities on family-related policies. Two subcommittees had been set up under the Family Council to conduct in-depth deliberations on the strategic directions regarding promotion of family core values, family education and family support. The Family Council would continue to study policy initiatives and conduct in-depth deliberations on its areas of work. Provision of services to support families would continue to be delivered by relevant service providers and delivery agents.

7. While supporting the policy initiative to promote family harmony, some Members considered that the Family Council should draw up its targets, especially on how to foster the collaboration among different B/Ds on family support work. The Administration advised that the setting up of the Family Council aimed to establish a family-based support network and forge closer and harmonious relationships among family members. The Family Council would advise the Administration on the integration of family policies and strategies for supporting and strengthening the family as well as the development of related programmes and activities across different B/Ds, and monitor their implementation. The Administration further advised that the Family Council had agreed that the priority issues to be considered should include identification of core family values; ways to create a pro-family environment including work environment; ways to enhance the effectiveness and co-ordination of family education and fostering a family perspective among policy-makers.

Establishment of a Commission on Children

8. Some Members expressed concern that the Family Council focused on family implications only and overlooked children's perspective in policy discussions. Some other Members urged the Administration to establish a Commission on Children to tackle children poverty. The Administration advised that in formulating policies relating to children, children's best interest and perspectives were taken into consideration. B/Ds were also invited to brief the Family Council on policies which might affect the family (including children). Since January 2014, the Family Council had enhanced its

co-operation with the Children's Right Forum¹ in taking children's perspective into account during policy discussions. The Government had already set up a Preparatory Committee to prepare for the establishment of the Commission on Children in mid-2018. The Commission aimed to amalgamate the efforts of relevant B/Ds and child concern groups, and focus on addressing problems faced by children as they grew up. The Preparatory Committee was now carefully considering the views collected from the public engagement activities conducted from November 2017 to January 2018 regarding the Commission's role, functions and the priority areas to be addressed, etc., and would formulate concrete proposals for the establishment of the Commission.

Assistance to women and needy families

9. Some Members opined that the Family Council should not overlook the needs of women who were facing pressure and problems arising from long working hours, divorce, cross-boundary marriages, and being full-time carers. The Family Council should consider coordinating non-governmental organizations' efforts in promoting harmonious family life to strengthen the support for the needy, particularly, mothers with newborn babies and/or suffering from postpartum depression. In addition, the Family Council was called upon to put more efforts in addressing family problems arising from divorce, cross-boundary marriages, domestic violence and poverty. Some other Members suggested that the Family Council should consider conducting a survey to collect statistics about families with members suffering from chronic illness, mental/physical disabilities or dementia to better understand the problems faced by these families and facilitate it to make recommendations to address these problems. The Family Council advised that it was concerned about the issues raised by Members, and agreed that it should do more to help the underprivileged families.

Improving the system of maintenance

10. Some Members were of the view that as many divorced parents who had disputes over maintenance were unwilling to meet up with each other and discuss their children's matters, the Administration should put more efforts in improving the system of maintenance. Some other Members expressed concern that many divorced mothers were unable to receive maintenance and thus had financial difficulties in raising their children. They enquired whether the Family Council would impress upon the Administration to take on board the suggestion of setting up a maintenance board to ensure that maintenance would be paid to divorced mothers. The Administration advised that it had

¹ According to the Administration, the Children's Right Forum convened by the Constitutional and Mainland Affairs Bureau aims to provide a platform for exchanging views on matters concerning children's rights among non-governmental organizations, children's representatives and the Government.

previously set up an inter-departmental working group to examine the suggestion of setting up a maintenance board and considered that adopting administrative arrangements might be more effective in helping maintenance payees to recover arrears of maintenance. Measures had been taken to tackle the difficulties faced by maintenance payees. For example, it was now an established policy that in case of arrears of maintenance and the maintenance payer concerned could not be located, designated government departments (i.e. the Immigration Department, the Transport Department and the Housing Department) were allowed to disclose the address of the maintenance payer to the maintenance payee. The requirements imposed on the making of attachment of income orders had been relaxed to make the issuance procedure more flexible. Interest or even surcharge against defaulting maintenance payers would also be imposed.

11. The Administration further advised that in addition to the Administration's implementation of the aforesaid measures, HAB would commission a study through the Family Council to examine various divorce-related issues including matters related to maintenance ("the Study"). HAB invited quotations from relevant tertiary institutions in late 2017 and were reviewing the proposals received. The Study was expected to commence in the first half of 2018 and be completed in about 18 months. While the Study was underway, HAB would continue to review and implement suitable enhancement measures to facilitate the enforcement of maintenance orders. Taking into account the views of the welfare sector and the legal profession, HAB was conducting a review of the Director of Legal Aid ("DLA")'s First Charge, which covered the amount of monthly maintenance to be exempted from the DLA's First Charge. HAB planned to brief the Panel on Administration of Justice and Legal Services in the second quarter of 2018 on the outcome of the review and the proposed way forward. To speed up the processing of legal aid applications, the Legal Aid Department ("LAD") and the Social Welfare Department ("SWD") were exploring how the existing procedures of referring recipients of Comprehensive Social Security Assistance ("CSSA") to LAD for recovery of maintenance could be streamlined. Seminars would be conducted by LAD for SWD's frontline staff to help them understand more about the processing of legal aid applications in respect of maintenance recovery. Furthermore, the Hong Kong Council of Social Service and the Hong Kong Baptist University had jointly conducted a study on divorced single-parent families in poverty. One of the recommendations made in the study report was enhancement of public education on matters relating to maintenance. In this connection, HAB had launched the Community Involvement Project on Maintenance since 2000 and had sponsored over 70 community participation projects in relation to maintenance so far. HAB would continue with the publicity and public education work.

Legislation on standard working hours

12. Pointing out that it was very common in Hong Kong that both parents needed to work and long working hours had an adverse impact on family life, some Members considered that the Family Council should impress upon the Administration the importance of legislating for standard working hours ("SWH"). According to the Family Council, it was important to make cultural change and strengthen community education on work-life balance. The Family Council had lengthy discussions on SWH at its meeting on 15 August 2013 and requested the Labour and Welfare Bureau to brief its members on the development of SWH at its meeting on 16 June 2016. The Family Council would continue to follow up on family issues arising from long working hours.

Effectiveness of the work of the Family Council

13. Some Members enquired about the ways to evaluate the effectiveness of the programmes on promoting family core values which were implemented by the Family Council. The Administration advised that HAB, which provided secretariat support to the Family Council, would continue to monitor the effectiveness of various activities on promoting family core values and review matters such as the scope of activities as well as the engagement of stakeholders and partnering organizations. For programmes/activities co-organized with other organizations, the sponsored organizations were required to submit reports setting out financial reporting, participants' feedback and evaluation of the effectiveness of the projects, etc. upon completion of the projects.

14. Some Members enquired whether the Family Council was in a position to press the Administration for taking forward its views and recommendations on family-related issues. Some other Members urged the Administration to empower the Family Council to ensure that recommendations of the Family Council would be implemented. According to the Administration, with the introduction of the mandatory assessment of family implications as mentioned in paragraph 3 above, the advice of the Family Council on various family-related policies had been duly reflected to relevant B/Ds for follow-up. During the three-year period from April 2013 to April 2016, Family Impact Assessment ("FIA") was conducted for over 250 policy measures and programmes. In 2016, the Family Council commissioned a consultancy study through the Central Policy Unit to evaluate the effectiveness of the FIA framework and develop a more elaborated FIA checklist as the basis for assessing the impact of public policies on families.² The consultancy study

² According to the Administration, the Family Council recommended that the checklist should be able to:

- (a) assist government bureaux and departments in examining the impact of their policies on families and families' functions. Their impact on different forms of families

was completed in February 2018.

Working relationships with the Elderly Commission, the Women's Commission and the Commission on Youth

15. Noting that the Family Council would seek to rationalize the work of the Elderly Commission ("EC"), the Women's Commission ("WC") and the Commission on Youth ("CoY") under the Family Council, some Members and deputations giving views to the Panel considered that EC, WC and CoY were performing different roles to meet the specific needs of different age groups and genders, and should not be brought under the Family Council.

16. The Administration advised that it was open-minded on the issues of concern raised by Members. The Family Council would advise the Administration on the integration of family policies and related programmes across different B/Ds for different age and gender sectors, including the work of EC, WC and CoY. The Family Council would consider carefully how to rationalize the work of EC, WC and CoY, and achieve more collaboration between the Family Council and the three Commissions. The Administration further advised that the Family Council recommended that while EC, WC and CoY should continue to perform their roles in relevant sector-specific areas, they could form a closer alliance with the Family Council and make more concerted efforts to help enhance support services for families. To facilitate communication and co-operation between the three Commissions and the Family Council, the Chairpersons of EC, WC and CoY were appointed as ex-officio members of the Family Council with effect from 1 April 2009.

Relevant papers

17. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

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should also be taken into consideration;

- (b) reflect different policy objectives and take into account the social economic situations of Hong Kong;
- (c) make flexible adaptations for different policy areas; and
- (d) provide evidence-based information.

Relevant papers on work of the Family Council

| Committee | Date of meeting | Paper |
|---------------------------|-------------------------------|---|
| Panel on Welfare Services | 13 October 2006 (Item I) | Agenda Minutes |
| | 15 October 2007 (Item I) | Agenda Minutes |
| | 14 February 2008 (Item IV) | Agenda Minutes CB(2)2661/07-08(01) |
| | 23 October 2008 (Item I) | Agenda Minutes |
| | 11 May 2009 (Item IV) | Agenda Minutes |
| | 22 October 2009 (Item I) | Agenda Minutes |
| | 11 January 2010 (Item V) | Agenda Minutes CB(2)2152/09-10(01) |
| | 12 March 2012 (Item IV) | Agenda Minutes CB(2)2617/11-12(01) |
| Finance Committee | 10 April 2013 | Administration's replies to members' written questions in examining the Estimates of Expenditure 2013-2014 Page 626 |
| Legislative Council | 5 June 2013 | Official Record of Proceedings Pages 145-281 Progress Report |

| Committee | Date of meeting | Paper |
|---------------------------|-----------------------------|--|
| Finance Committee | 2 April 2014 | Administration's replies to members' written questions in examining the Estimates of Expenditure 2014-2015 Pages 15-17, 30, 657, 812-818 and 836 |
| Panel on Welfare Services | 9 June 2014 (Item III) | Agenda Minutes |
| Legislative Council | 9 December 2015 | Official Record of Proceedings Pages 82-108 |
| Panel on Welfare Services | 25 January 2016 (Item I) | Agenda Minutes CB(2)624/15-16(02) |
| Finance Committee | 6 April 2016 | Administration's replies to members' written questions in examining the Estimates of Expenditure 2016-2017 Pages 65-66, 88-89 and 777-778 |
| Panel on Welfare Services | 13 June 2016 (Item IV) | Agenda Minutes |
| Panel on Welfare Services | 12 March 2018 (Item III) | Agenda Minutes |

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