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Panel on Welfare Services

Background brief prepared by the Legislative Council Secretariat for the meeting on 12 November 2018

Hong Kong Rehabilitation Programme Plan

Purpose

This paper gives an account of past discussions of the Panel on Welfare Services ("the Panel") on the formulation of a new Hong Kong Rehabilitation Programme Plan ("RPP").

Background

2. According to the Administration, RPP sets out the strategic directions as well as short, medium and long term measures to address various services needs of persons with disabilities, which cover areas such as residential and day care, community support, employment, barrier-free facilities, transport, healthcare, education, sports and arts, etc. RPP was last reviewed and updated in 2007 and currently covers 10 types of disabilities.¹ To keep the Administration's rehabilitation services abreast with the times, the Chief Executive announced in the 2017 Policy Address that the Rehabilitation Advisory Committee ("RAC") would be tasked to formulate a new RPP.

3. According to the Administration, the objective of the Government's rehabilitation policy is to help persons with disabilities develop their capabilities and to create a barrier-free physical environment, with a view

¹ The 10 types of disabilities covered by the Hong Kong Rehabilitation Programme Plan include attention deficit/hyperactivity disorder, autism, hearing impairment, intellectual disability, physical disability, mental illness, specific learning difficulties, speech impairment, visceral disability and visual impairment.

to ensuring that persons with disabilities can participate in full and enjoy equal opportunities both in terms of their social life and personal growth. The Government's rehabilitation policy is in line with the purpose of the United Nations Convention on the Rights of Persons with Disabilities ("UNCRPD") which is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. The Government will abide by the spirit of UNCRPD and the objective of the rehabilitation policy in reviewing RPP. In view of the diverse needs of persons with various disabilities, the Government will also adopt the following three guiding principles during the review:

- (a) adopting a life span approach in examining the rehabilitation and care needs of persons with disabilities in various aspects;
- (b) promoting cross-sectoral collaboration in providing diversified services for persons with disabilities and achieving barrier-free environment; and
- (c) conducting in-depth review and extensive consultation for stakeholders to have systematic and thorough discussion on the various rehabilitation service needs of persons with disabilities.

4. The scope of the RPP review will cover various macro topics related to persons with disabilities including the long-term planning of various rehabilitation and care services for persons with disabilities, the demand for and supply of subsidized rehabilitation and care services, supply of manpower for rehabilitation and care services, roles of subvented and private residential care home for persons with disabilities and the impacts of the application of technology on the provision of rehabilitation and care services, etc. The scope of the review will also cover the following specialized topics which have been the concern of the rehabilitation sector:

- (a) employment and vocational rehabilitation of persons with disabilities;
- (b) barrier-free environment, transport and information for persons with disabilities;
- (c) community support for ex-mentally ill persons;
- (d) services for persons with special needs (including services for persons suffering from attention deficit/hyperactivity disorder,

specific learning difficulties, dysphasia, autism, etc.); and

- (e) promotion of UNCRPD and inclusive society.

5. RAC has established a Review Working Group to undertake the formulation of the new RPP. The Review Working Group will conduct extensive public engagement exercise for the formulation of the new RPP in three stages namely Scoping Stage, Formulation Stage and Consensus Building Stage. RAC has completed the consultation work for the first stage formulation of RPP and is making preparation for the consultation work for the second stage formulation of RPP in end 2018. RAC aims to submit a report on the new RPP to the Government in end 2019.

Deliberations by the Panel

Policy direction and concept of new Rehabilitation Programme Plan

6. Taking the view that the guiding principles for the RPP review lacked a policy direction or conceptual framework, some members suggested that the new RPP should have a vision and conceptual framework as well as concrete plans for their implementation. The Administration advised that it would abide by the spirit of UNCRPD in formulating the new RPP and the major elements of UNCRPD would be adopted in conducting the RPP review. The scope of the RPP review would be comprehensive to include all relevant issues raised by stakeholders during the public engagement exercise.

7. Some members expressed concern about how the principles, objectives and framework of UNCRPD would be applicable to the RPP review and how the new RPP could address issues relating to guardianship system, legal capacity, authorization and judicial rights for persons with disabilities. They were also concerned about how the new RPP could facilitate persons with disabilities to uphold their rights. In this connection, they requested the Administration to establish a Commission on Persons with Disabilities to formulate and oversee implementation of policies for persons with disabilities so as to safeguard their welfare and rights. Opining that services for persons with disabilities should not be confined to rehabilitation services, some members called on the Administration to consider renaming RPP as "Plan on issues relating to disabilities" or "Policies and planning for issues relating to disabilities". The Administration advised that it would explore the setting up of the aforesaid Commission and consider the need of renaming RPP.

8. Some members considered that special task forces should be formed to study topics covered by the RPP review and views of the public should be reflected in the discussions of the special task forces. These members also called on the Review Working Group to set specific policy directions and draw up plans for service contents, manpower and land requirements, etc. after collating views from the public. According to the Administration, its preliminary thinking was to set up several task forces under the Review Working Group to study specialized topics under the RPP review. The Administration would keep in view the development and form a suitable number of task forces.

Support for carers of persons with disabilities

9. Taking the view that support for persons with disabilities and their carers should be considered in tandem, some members opined that the new RPP should also cover support for carers of persons with disabilities and were concerned about whether there would be adequate resources for the provision of support services for these carers. The Administration advised that pilot programmes had been launched to provide support for carers of persons with disabilities in recent years and support services for these carers would be one of the key areas of study under the RPP review. The Review Working Group would study whether existing resources could be amalgamated. Subject to the review of RPP, the Administration would secure additional resources through the normal procedure for providing support services for carers of persons with disabilities.

Population of persons with intellectual disability

10. Noting that the Census and Statistics Department ("C&SD") had difficulty in obtaining an accurate number of persons with intellectual disability, some members were of the view that the absence of such information would affect the service planning for these persons. According to the Administration, with the coordination of the Labour and Welfare Bureau on the matter with relevant government departments, C&SD proposed that the administrative records (e.g. levels of disabilities and health conditions) of service users should be collated to provide extra reference materials for service planning for persons with intellectual disability. Given that the proposal involved personal data of service users, advice of the Privacy Commissioner for Personal Data ("Privacy Commissioner") on the methodology of collating such information had been sought. The Privacy Commissioner raised no objection to the proposed methodology given that personal information of service users would be concealed. The Administration would proceed with the proposal accordingly.

Composition of Review Working Group

11. Some members called on the Administration to consider appointing Legislative Council ("LegCo") Members and service users with various background to the Review Working Group. The Administration advised that the membership of the Review Working Group had not yet been finalized but would include persons with disabilities, self-help organizations of persons with disabilities, organizations providing rehabilitation services, parents organizations, professionals from various sectors (e.g. health professionals and academics), a representative from the Hong Kong Council of Social Service and some RAC members.

Relevant papers

12. A list of the relevant papers on the LegCo website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
6 November 2018

Relevant papers on Hong Kong Rehabilitation Programme Plan

Committee	Date of meeting	Paper
Panel on Welfare Services	11 December 2017 (Item V)	Agenda Minutes
	8 January 2018 (Item V)	Agenda Minutes

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