

立法會

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Panel on Welfare Services and Panel on Home Affairs

**Updated background brief prepared by the Legislative Council Secretariat
for the joint meeting on 8 June 2020**

Work of the Family Council

Purpose

This paper summarizes the major views and concerns expressed by Members during previous discussions on the work of the Family Council.

Background

2. The Family Council was set up 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 coordination and collaboration to maximize efforts and achieve synergy. The work of the Family Council mainly includes the following three aspects:

- (a) advising government bureaux and departments ("B/Ds") on the application of family perspectives in the policy formulation process;
- (b) advocating cherishing the family and promoting family core values as a main driver for social harmony through organizing various programmes and activities; and
- (c) conducting researches and surveys to foster a better understanding of the issues relating to the family.

3. With effect from 1 April 2013, a mandatory assessment of family implications has been introduced for all government policies. 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.

4. To promote family-friendly employment policies, the Family Council has launched the territory-wide "Family-Friendly Employers Award Scheme" ("Award Scheme") since 2011 on a biennial basis to give recognition to companies and organizations which attach importance to family-friendly spirit, and encourage them to implement more diversified family-friendly policies and practices.

Deliberations by Members since 2013-2014 session

Promoting family-friendly policies

5. Some Members were concerned about whether the Award Scheme was sufficient to promote family-friendly employment practices. According to the Family Council, many small and medium enterprises were awardees of the Award Scheme. These enterprises had adopted innovative practices to enable their employees to have better work-life balance. Short videos and publications of family-friendly employment practices were produced to provide exemplars for other companies and organizations to follow.

6. Some Members considered that instead of launching promotional activities, the Family Council should formulate strategic directions on family-related policies and, having regard to the findings of its researches and studies, make recommendations on family-friendly policies to the Government proactively.

7. The Family Council advised that it had all along been proactive in putting forward family-related policy proposals to the Government. As an advisory body to the Government, the Family Council 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.

8. 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 various 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 various 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 coordination of family education and fostering a family perspective among policy-makers.

Providing 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 mothers 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.

11. The Administration advised that it had 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 had become 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.

12. The Administration further advised that in addition to the implementation of the aforesaid measures, HAB had commissioned a study through the Family Council in June 2018 to examine various issues related to marriage and divorce, including reviewing the existing systems of collection of maintenance payments and enforcement of maintenance orders ("the Study"). The Study was expected to be completed in late 2019/early 2020. 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 had conducted 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. The amount of monthly exempted maintenance would be adjusted upwards from \$4,800 to \$9,100. To speed up the processing of legal aid applications, the Legal Aid Department and the Social Welfare Department had strengthened cooperation in the processing of legal aid applications related to enforcement of maintenance orders and streamlined the existing referral procedures since 2018.

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 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.

15. According to the Family Council, family impact assessment ("FIA") had become an integral part of the policy making process within the Government since 1 April 2013. All B/Ds were required to assess the policy impacts on families when formulating policies and set out the assessment results in the policy papers and the Legislative Council briefs. To further enhance the FIA system, the Family Council commissioned a consultancy study through the then 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. The consulting team developed and put into trial run in 2017 a draft FIA checklist comprising 24 questions under six principles.¹ With the support of the Family Council, the Administration had been adopting the refined FIA checklist as the basis for assessing family implications for public policies.²

Conducting family-related researches

16. Some Members suggested that the Family Council should consider conducting scientific risk assessments relating to family compositions, relationship and conflicts to facilitate a comprehensive understanding of these matters by the Administration. They also suggested that the Family Council should conduct studies on elderly care, child care and the implications of long working hours on family life.

17. According to the Family Council, issues relating to child care services would be discussed in the near future. In addition to standing surveys such as the Family Survey which was conducted on a biennial basis, thematic studies would be carried out if necessary. The Family Council would identify the

¹ The six principles are supporting the functions of families; strengthening family integrity and stability; promoting family harmony and balance between work and family; connecting families to the wider kin and community networks; encouraging families to participate in policy development, programme planning and evaluation; and supporting the vulnerable families.

² Please refer to the Family Impact Assessment Checklist provided by the Administration (LC Paper No. CB(2)1891/17-18(01)): <http://library.legco.gov.hk:1080/articles/1208450.310614/1.PDF>.

existing research gap and conduct other family-related studies where appropriate. The Policy Innovation and Co-ordination Office would also continue to include family-related issues in the scope of study topics of its Public Policy Research Funding Scheme.

Relevant papers

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

Council Business Division 2
Legislative Council Secretariat
2 June 2020

Relevant papers on work of the Family Council

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 Home Affairs	23 October 2017 (Item IV)	Agenda Minutes
Panel on Welfare Services	12 March 2018 (Item III)	Agenda Minutes
Panel on Welfare Services	11 June 2018 (Item IV)	Agenda Minutes

Committee	Date of meeting	Paper
Finance Committee	10 April 2019	<u>Administration's replies to members' written questions in examining the Estimates of Expenditure 2019-2020</u> <u>Pages 1176-1178</u>

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