

# 立法會 *Legislative Council*

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## **Panel on Welfare Services**

**Updated background brief prepared by  
the Legislative Council Secretariat  
for the special meeting on 14 January 2020**

## **Hong Kong Rehabilitation Programme Plan**

### **Purpose**

This paper gives a brief 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.<sup>1</sup> 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. RAC will adopt the following guiding principles in formulating the new RPP:

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<sup>1</sup> 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.

- (a) adopting a life span approach in examining the needs of persons with disabilities in various aspects in different stages of their lives;
- (b) exploring cross-sectoral collaboration in providing services for persons with disabilities; and
- (c) conducting in-depth review and extensive consultation and research work.

3. 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 the United Nations Convention on the Rights of Persons with Disabilities ("UNCRPD") and inclusive society.

4. RAC has set up a Review Working Group and five Task Forces to take forward the task, and commissioned the Hong Kong Polytechnic University ("Consulting Team") to provide consultancy service to the Review Working Group and to launch public engagement exercises. The Consulting Team also assists the Review Working Group in consolidating the findings of the Task Forces on specialized issues, with a view to mapping out the overall strategic directions.

## **Deliberations by the Panel**

### Expanding the scope of the review of Hong Kong Rehabilitation Programme Plan

5. 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.

6. Some members expressed concern about how the principles, objectives and the 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. These members 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. They took the view that the RPP review should have a wider coverage on law reform, including the definition of persons with disabilities, guardianship system and supported decision-making arrangements for mentally incapacitated persons, revamp of the contents of the "Design Manual: Barrier Free Access" and inclusion of "reasonable accommodation" for persons with disabilities in the Disability Discrimination Ordinance (Cap. 487) as suggested by the Equal Opportunities Commission.

7. The Administration advised that the scope of the RPP review sought to set out the strategic directions for the development of various rehabilitation and care services for persons with disabilities and measures to address the demand for such services. If consensus on making amendments to relevant legislation had been reached at the Consensus Building Stage, the Labour and Welfare Bureau ("LWB") and relevant policy bureaux/departments would follow up the matter. The Administration further advised that promotion of "reasonable accommodation" measures in the workplace would be studied under the RPP review.

8. Some members considered that the RPP review should also study life-long learning and continuous educational needs of persons with disabilities, setting up of small residential care homes for persons with disabilities, medical-social collaboration and articulation of services for elderly persons with disabilities. According to the Administration, the RPP review had covered provision of pre-school rehabilitation services, special education in primary and secondary schools and support for graduates with special educational needs (including continuous educational needs and career planning). Various modes of providing residential care home services for persons with disabilities and medical-social collaboration had been covered by the RPP review.

9. Taking the view that dementia services should not target at elderly persons only, some members called on the Administration to study the provision of dementia services for persons aged below 60 under the RPP review. According to the Administration, although the scope of the RPP review did not cover dementia-related issues, LWB and the Food and Health Bureau were working closely to provide suitable services for persons with dementia. The Elderly Commission would also look into the subject matter.

#### Support for carers of persons with disabilities

10. 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. They were also 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

11. 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 LWB 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.

### **Latest development**

12. According to the Administration, RAC has completed the public engagement exercises of the Scoping Stage and the Formulation Stage. The public engagement exercise of the Consensus Building Stage has commenced on 5 November 2019 and will last until 31 January 2020. The Administration will brief members on the progress of the formulation of the new RPP at the Panel special meeting on 14 January 2020.

### **Relevant papers**

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

Council Business Division 2  
Legislative Council Secretariat  
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**Relevant papers on Hong Kong Rehabilitation Programme Plan**

<b>Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Panel on Welfare Services	11 December 2017 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	8 January 2018 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	12 November 2018 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>

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