

Against Child Abuse

Responding to the outline of the topics to be covered in the Second Report of the Hong Kong Special Administrative Region under the International Covenant on Economic, Social and Cultural Rights

Responding to the Outline of topics to be covered in the second report on the Hong Kong Special Administrative Region under the International Covenant on Economic, Social and Cultural Rights, the Against Child Abuse has the following questions and comments:

1. Part I: 8. p.3

We suggest including specifically the population and breakdown in terms of age group of the new immigrants and the various minority groups.

2. Part II: 10. p.4

It was stated that the second report will be shorter than the initial one. We think that the report should not be repetitive and unnecessarily lengthy but it should adequately reflect any changes, significant progress and if no progress in certain aspects, reasons behind such lack of progress should be properly addressed.

3. The Government's response to the Committee's concluding observations

14. p.6 & 18. p.8

Re: Concluding observations of the Committee 15. d) A national human rights institution with a broad mandate...

We are very concerned that a child commission has not been established to ensure adequate respect of a child perspective in necessary policies and practices. We consider the existing advisory committees and working groups, with their own terms of reference, cannot on its own comprehensively deal with child's rights issues.

Furthermore there is no mechanism to measure progress in terms of human rights development and community attitude change. We propose the government to allocate on-going resources to ensure such mechanism established at least on a periodic basis to measure progress and effectiveness.

We do recommend the government to seriously review ‘the Social Welfare into the 1990s and Beyond’ White paper which has been there for a decade. It must be reviewed to cover significant trend and concerns anticipated for the new millennium.

The existing document tends to adopt a focus on remedial efforts for the vulnerable and those in trouble, but not sufficiently in prevention and total reform in strengthening children and families to become caring, dignified and responsible citizens.

4. Review of the Equal Opportunities Commission and Article 3- equal rights of men and women 21. 22. p.9

The Equal Opportunities Commission played an important and significant role attending to the equal opportunities of the disabled and women and must continue to receive adequate support in terms of policy and resources.

The EOC should include children as their target to ensure their equal opportunity in the community.

We support the urge for a review of the Domestic Violence Ordinance to reflect the definition of domestic violence and to improve the areas of protection.

5. Article 7, 29. p. 13 Right to enjoy just and favorable conditions of work
In view of the situation of children left unattended ACA has recommended jointly with other community groups the need to encourage work place child care in Hong Kong. What are the government stance and what action has been taken to actualize this aspiration?
6. Article 9- Right to social security
How effective has our social security been to enable children to enjoy their social and cultural rights in school activities and activities with their peers? Have we included this area in the calculation of our level of social security?
7. Article 10- Protection of the family
The recent increase in traumatic homicide and suicide cases with parent(s) killing their children and themselves must be properly and immediately addressed. Furthermore with the increase in divorce, separation and extramarital affairs, the frequencies of children witnessing violence and parents’ disputes have increased.

What have the government done in this respect to protect our children's emotional and holistic well being?

How did the government in terms of policy and programs try to improve the cooperation between Hong Kong and the Mainland in ensuring child protection and family protection for the split families and families traveling back and forth between the two jurisdictions.

How would the government ensure that the restructured Family and Child Protection Unit (FCPSU) would not lose focus and specialization on the handling of child abuse and child related concerns? A lot of efforts would be devoted to publicize and handle areas such as spouse and elderly battering but efforts and resources must continue to be devoted to preventing child abuse.

Resources must be devoted to ensure evidence based and effective early prevention programs such as healthy start home visitation programs be implemented for every newborn family in Hong Kong.

Single parent families and split families

What is the prevalence of the split family's situation? Do we have statistics and what is our policy to enable children to live with their parents?

8. 39. p.18 Comprehensive child protection

We reiterate our urge for a comprehensive up-dated strategic child protection policy to prevent all forms of abuse, to empower children and community at large and to encourage their active participation. We think that the current approach had been piece meal, reactive, remedial and disintegrated and some times, inconsistent.

The policy should state clear and specific principles on:

How do we ensure the public to adopt non-violent alternatives to Corporal punishment as an effective means of discipline at home and in the community?

The vicious cycle of victims victimizing others seems increasing. Situations of children abusing children and bullying were increasingly reflected and must be properly managed and prevented.

How do we effectively ensure 'children being left unattended and unsupervised' being properly protected and their holistic development being attended?

How do we accelerate our concerns and efforts to improve the situation of psychological abuse of children? How do we help to identify such victims and families so that children suffering from psychological abuse would be properly protected?

In terms of the increase in reporting of child sexual abuse, have our victims, perpetrators and families received the necessary form of help to prevent further trauma and abuse?

Past efforts in child protection had been in investigation and prosecution. More efforts and resources must be devoted to treatment of victims, families and perpetrators. We propose mandatory treatment to be included to ensure significant parties receiving such rehabilitation programs.

9. Age of Criminal responsibility

We urge the age to be raised to 14 to reflect consistency in child protection policy and to go on par with China and Taiwan.

10. Article 13- Right to education

All children should receive adequate schooling. There has been criticism of the Hong Kong education system for being examination and academic oriented. Children are having too many home works. How did the government improve students participation, stimulating analytical thinking, increase human rights education, improve social skills and human relationship. Furthermore how did the government try to cultivate positive life values through our education system? Our curriculum must allow time to include these areas.

We have the concern on the 180 Mainland children being denied of education. What has been the progress so far? How do we ensure children will not be denied their right to schooling when their period of stay in Hong Kong cannot be specified?

We have concern on the government's handling of a case with a parent denying schooling of his daughter. The child was denied of schooling over a year for personal reasons. We stress the importance to ensure in a humane manner proper schooling and attention for the holistic growth and development of children.

11. Hong Kong has started to recognize the importance of parents' education and the government has designated an amount in this cause. A strategy is required to extensively enable as many parents as possible, particularly the hard to reach ones, to acquire basic information, skills and attitudes to strengthen parent-child relationship.

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9 December 2002