

立法會
Legislative Council

LC Paper No. CB(4)1501/16-17
(These minutes have been seen
by the Administration)

Ref : CB4/HS/1/16

Subcommittee on Children's Rights

**Minutes of the forth meeting
on Tuesday, 21 February 2017, at 10:45 am
in Conference Room 2 of the Legislative Council Complex**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon LEUNG Yiu-chung
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon HUI Chi-fung
Dr Hon CHENG Chung-tai
Hon Nathan LAW Kwun-chung
Dr Hon LAU Siu-lai

Members absent : Hon SHIU Ka-chun (Deputy Chairman)
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Dr Hon Helena WONG Pik-wan

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

**Public Officers
attending : Agenda Item I**

Mr Kenneth CHENG
Principal Assistant Secretary for Labour & Welfare
(Welfare)1
Labour and Welfare Bureau

Mr LAM Ka-tai, JP
Deputy Director of Social Welfare (Services)
Social Welfare Department

Mr FUNG Man-chung
Assistant Director (Family & Child Welfare)
Social Welfare Department

Mrs Helen KWOK
Assistant Director (Youth & Corrections)
Social Welfare Department

Dr SIN Ngai-chuen
Chief Manager (Patient Safety & Risk Management)
Hospital Authority

Mr Fred CHAN
Senior Manager (Patient Safety & Risk Management)
Hospital Authority

Ms Becky CHAN
Department Operation Manager
(Department of Paediatrics & Adolescent Medicine)
Alice Ho Miu Ling Nethersole Hospital
Hospital Authority

Mr CHAN Fu-man
Principal Education Officer (Special Education)
Education Bureau

Ms Kitty HO
Principal Inspector (Guidance & Discipline)
Education Bureau

Attendance by invitation : Agenda Item I

The Hong Kong Council of Social Service

Ms Dora NGAN Ching-ching
Officer (Children & Youth Service)

The Civic Party

Mr Matthew WAN Chung-yin
Vice President of the Youth Civic

PathFinders

Miss LAW Sum-yi
Case Manager

Hong Kong Society for the Protection of Children

Mr MAK Kang-ying
Service director

Hong Kong Christian Service –
Foster Care (Emergency) Service

Ms LUK Yee-ping
Chief supervisor, foster care service

Mr Shaphan MARWAH

Mr Azan MARWAH

Hong Kong Committee on Children's Rights

Ms Billy WONG
Executive Secretary

馮美珍小姐

S.K.H. St Christopher's Home –
On Yam Small Group Home

馮佩玲女士

S.K.H. St Christopher's Home

陳彩蓮女士
助理總幹事

Hong Kong Family Welfare Society

詹琪穎女士
高級經理

Precious Blood Children's Village

張銀珊女士
院長

Ms WAN Shuk-ha

Hong Kong Family Welfare Society –
Foster Care (Emergency) Service

余嘉慧女士
資深社工

阿峰

Hong Kong Christian Service

Ms Ida YIP
Chief Supervisor

Clerk in attendance : Ms Angel WONG
Chief Council Secretary (4)4

Staff in attendance : Miss Mandy NG
Council Secretary (4)4

Ms Sandy HAU
Legislative Assistant(4)4

I. Review on residential child care services

(LC Paper No. CB(4)577/16-17(01) -- Paper provided by the Administration)

Other papers

Written submissions from deputations/individuals not attending the meeting

(LC Paper No. CB(4)601/16-17(12) -- Submission from Professor Mooly WONG Mei-ching (*English version only*)

LC Paper No. CB(4)601/16-17(13) -- Submission from Mother's Choice (*English version only*) (*Restricted to members only*)

Meeting with deputations/individuals and the Administration for agenda item I

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Subcommittee received views from 17 deputations/individuals attending the meeting and two written submissions from deputations/individuals which/who had not attended the meeting. Their major views and concerns were summarized as below:

Policies related to children's rights

- (a) an independent commission on children responsible for policies and initiatives relating to children's rights should be established expeditiously;
- (b) the Administration should conduct a holistic review on the provision of the residential child care services ("RCCS") and devise a long-term plan for RCCS;
- (c) the Administration should review its data collection methodologies and data analysis methods for formulating policies relating to children's welfare;

Facilities and manpower of residential care homes

- (d) many residential care homes, which were established in 1990s, required renovation and repair works for the outdated facilities therein. The schedule of accommodation of residential care homes which was made decades ago should also be reviewed;
- (e) in view of the increasing number of younger children and children with special education needs ("SEN") receiving RCCS, there was a pressing need to enhance manpower provision and training for frontline staff of residential care homes;

Foster care service

- (f) the number of foster parents was declining in recent years. Although the Administration would provide 240 additional foster care places in phases, including 60 foster care (emergency) places, there were insufficient foster parents to deliver such service;
- (g) the Administration should step up its efforts in retaining and recruiting more foster parents, including reviewing the effectiveness of its publicity programmes to enhance public awareness of foster care service, increasing the level of foster care allowances, organizing incentive programmes to recognize foster parents' contribution, and making arrangements for foster parents to take leave occasionally;
- (h) to facilitate foster parents to take care of SEN children, relevant training, such as first aid, should be provided;
- (i) children receiving foster care service should be arranged with school places in the vicinity of their foster homes. Counseling and psychological services as well as school tuition classes should be offered to these children, when necessary;

Permanency plans for children

- (j) in the absence of permanency plans, children were arranged with different short-term residential care placements frequently which would greatly impact on their growth and development. To this end, it was incumbent upon the Administration to formulate appropriate permanency plans for children receiving RCCS;

- (k) the Administration should put in place effective measures to monitor the implementation progress of permanency plans for the children. Consideration should be given to provide a legal footing to these monitoring measures;
- (l) the Administration should make reference to the practices in the United Kingdom and consider appointing an independent officer to review the implementation progress of and make recommendations on permanency plans for children;
- (m) the Administration should strive to facilitate children receiving RCCS to have reunion with their families. However, if parents were unable to fulfill the parental role or were not traceable after certain period of time, the Administration should proactively formulate other long-term arrangements for these children (e.g. the arrangement of adoption);
- (n) the Administration should follow up on the conditions of children discharged from RCCS, and provide them with counseling and support services when necessary;
- (o) the functions of the Central Referral System for Residential Child Care Services ("CRSRC") should be enhanced to keep track of the service records of each child receiving RCCS so as to facilitate the follow up actions of caseworkers; and
- (p) in view of the heavy workload of caseworkers, the Administration should increase the manpower supply of frontline social workers and strengthen their professional skills in implementing permanency plans for children.

3. Members shared the concerns raised by the deputations attending the meeting, and expressed grave concern about the lack of permanency plans for children receiving RCCS. Members also urged the Administration to take steps to recruit more foster parents.

4. On the views and concerns raised by members and deputations at the meeting, the Administration made the following responses:

Policies relating to children's rights

- (a) the Administration had commissioned consultancy service to study feasible measures to enhance child care services in Hong Kong;

Provision of RCCS

- (b) the Administration envisaged that every child requiring residential care services could receive timely and appropriate services;
- (c) the Administration had all along been monitoring and reviewing the demand for and utilization of various types of RCCS. The operation and waitlisting situation of relevant services were also under regular review;
- (d) the Administration had taken concrete measures to increase provision of RCCS. In the 2017-2018 school year, there would be around 80 additional places of girls' home with school for social development on-site. Five additional places for emergency/short-term care in small group homes would also be provided in 2017-2018;

Facilities and manpower of residential care homes

- (e) the Social Welfare Department ("SWD") would continue to gauge views from services operators of RCCS to review the current facilities of residential care homes. Lotteries Fund grants might provide funding support to operators to carry out renovation of residential care homes;
- (f) given 30% of the children receiving RCCS were SEN children, the Administration had engaged an additional of 49 social workers and 25 psychologists for 131 residential care homes, benefiting 19 service operators. In addition, certain special schools under the Education Bureau had been providing residential care services for children with intellectual disability to facilitate their effective learning;
- (g) with the implementation of the policy of Free Quality Kindergarten Education starting from the 2017-2018 school year, the Administration would enhance the remuneration of child care staff so as to retain and attract such staff;

Foster care service

- (h) SWD would consult foster care service providers to review the promotion strategies of foster care services. In April 2017, SWD would launch a series of Television and Radio

Announcements in the Public Interests and posters to enhance the public awareness of foster care service;

- (i) SWD would explore different ways, including approaching religious organizations and retirees associations, to recruit more people to participate in foster care service. Incentive programmes had been arranged to give credit to foster parents;

Permanency plans for children

- (j) according to the existing mechanism, social workers would work out appropriate care arrangements and permanency plans for children and caseworkers would regularly follow up on the conditions of the children. Caseworkers and management officers concerned would review the cases every three to six months, with a view to revising and adjusting the children's existing residential care arrangements;
- (k) caseworkers would follow up on the conditions of children discharged from RCCS. In 2016, 833 children discharged from RCCS for various reasons, such as, having reunion with families, being adopted or reaching the age ceiling of RCCS;
- (l) parents' decisions would be taken into consideration when devising permanency plans for children. However, if situation warranted, SWD could apply for adoption order in accordance with the Adoption Ordinance (Cap. 290) after seeking legal advice;
- (m) the Client Information System ("CIS") kept records of service users' information. CRSRC was part of the CIS which recorded the information of each child applying for RCCS, including the service received, the withdrawal of RCCS applications or the reasons for discharging from service. The Administration would explore enhancement measures for these systems so as to enable social workers to follow up individual cases more effectively; and
- (n) the Administration would provide more training for frontline staff of SWD and NGOs to enhance their capabilities in working out appropriate care arrangements for children receiving RCCS.

5. The Subcommittee requested the Administration to provide the following information:

- (a) On CRSRC and CIS:
 - (i) the existing functions of both systems;
 - (ii) whether the systems could keep track of each child's record of receiving RCCS, reasons for discharging from service, and conditions after the discharge (i.e. at home/at school/at work); and
 - (iii) whether SWD had any plans to enhance both systems so as to facilitate social workers to follow up these cases more effectively;
- (b) the number of cases, in the past five years, in which children were re-admitted for residential service after they had been discharged; and
- (c) the number of cases, in the past five years, in which children were adopted pursuant to court order in accordance with the Adoption Ordinance (Cap. 290).

(Post-meeting note: The Administration's written information was issued to members vide LC Paper CB(4)900/16-17(01) on 24 April 2017.)

II. Any other business

6. The Chairman suggested that the public should be invited to give views on children's expectation on the Government and support measures for deaf and hard-of-hearing children at forthcoming Subcommittee meetings. Members agreed.

7. There being no other business, the meeting ended at 1:07 pm.

Subcommittee on Children's Rights

Proceedings of the forth meeting on Tuesday, 21 February 2017, at 10:45 am in Conference Room 2 of the Legislative Council Complex

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item I - Review on residential child care services</i>			
000313 - 001214	Chairman Mr LEUNG Yiu-chung Dr KWOK Ka-ki	Opening remarks	
001215 - 001606	Chairman Social Welfare Department ("SWD")	SWD briefed members on the recent developments and current position in respect of residential child care services ("RCCS") as set out in the Administration's paper (LC Paper No. CB(4)577/16-17(01))	
001607 - 001940	Chairman The Hong Kong Council of Social Service	Presentation of views [LC Paper No. CB(4)717/16-17(01)]	
001941 - 002222	Chairman The Civic Party	Presentation of views [LC Paper No. CB(4)601/16-17(01)]	
002223 - 002554	Chairman PathFinders	Presentation of views [LC Paper No. CB(4)601/16-17(02)]	
002555 - 002900	Chairman Hong Kong Society for the Protection of Children	Presentation of views [LC Paper No. CB(4)601/16-17(03)]	
002901 - 003224	Chairman Hong Kong Christian Service - Foster Care Service	Presentation of views [LC Paper No. CB(4)601/16-17(04)]	
003225 - 003545	Chairman Mr Shaphan MARWAH	Presentation of views LC Paper No. CB(4)577/16-17(02)	
003546 - 003928	Chairman Mr Azan MARWAH	Presentation of views LC Paper No. CB(4)577/16-17(02)	
003929 - 004219	Chairman Hong Kong Committee on Children's Rights	Presentation of views [LC Paper No. CB(4)601/16-17(05)]	
004220 - 004542	Chairman 馮美珍小姐	Presentation of views	
004543 - 004913	Chairman S.K.H. St Christopher's Home – On Yam Small Group Home	Presentation of views [LC Paper No. CB(4)601/16-17(06)]	

Time marker	Speaker(s)	Subject(s)	Action required
004914 - 005246	Chairman S.K.H. St Christopher's Home	Presentation of views [LC Paper No. CB(4)601/16-17(07)]	
005247 - 005646	Chairman Hong Kong Family Welfare Society	Presentation of views [LC Paper No. CB(4)601/16-17(08)]	
005647 - 010051	Chairman Precious Blood Children Village	Presentation of views	
010052 - 010414	Chairman Ms WAN Shuk-ha	Presentation of views [LC Paper No. CB(4)601/16-17(09)]	
010415 - 010728	Chairman Hong Kong Family Welfare Society - Foster Care (Emergency) Service	Presentation of views [LC Paper No. CB(4)601/16-17(10)]	
010729 - 011155	Chairman 阿峰	Presentation of views	
011156 - 011536	Chairman Hong Kong Christian Service	Presentation of views [LC Paper No. CB(4)601/16-17(11)]	
011537 - 013317	Chairman SWD Hospital Authority Education Bureau	The Chairman's remarks and the Administration's initial response to the views of the deputations	
013318 - 014000	Chairman Mr Andrew WAN SWD	Mr WAN's concerns about the outdated facilities and manpower shortage of residential care homes as well as the effectiveness of publicity programmes to enhance the public awareness of foster care services	
014001 - 014808	Chairman Dr CHENG Chung-tai SWD	Dr CHENG's enquiry about the functions and enhancement plan of the Central Referral System for Residential Child Care Services ("CRSRC") The Administration was requested to provide detailed functions of CRSRC and the Client Information System	Paragraph 5 of the minutes refers
014809 - 015546	Chairman Mr HUI Chi-fung SWD	Mr HUI's criticism on the absence of visionary and long-term plan for RCCS and the lack of permanency plans for children receiving RCCS The Administration was requested to provide the number of cases, in the past five years, in which children were adopted pursuant to court order	Paragraph 5 of the minutes refers

Time marker	Speaker(s)	Subject(s)	Action required
015547 - 020000	Mr Nathan LAW SWD	Mr LAW's enquiry about the follow up actions on children discharged from RCCS and the possibility of setting up a pay scale for child care staff The Administration was requested to provide the number of children re-admitted to RCCS after being discharged from such service	Paragraph 5 of the minutes refers
020001 - 021007	Chairman Dr CHENG Chung-tai SWD	Dr CHENG's views that the planning of RCCS should be based on the standard planning guidelines and the demographic mix of each district	
021008 - 021102	Chairman The Hong Kong Council of Social Service	Presentation of views	
021103 - 021253	Chairman Hong Kong Committee on Children's Rights	Presentation of views	
021254 - 021440	Chairman Hong Kong Family Welfare Society	Presentation of views	
021441 - 021619	Chairman Hong Kong Society for the Protection of Children	Presentation of views	
021620 - 021703	Chairman Mr Azan MARWAH	Presentation of views	
021704 - 021824	Chairman Ms WAN Shuk-ha	Presentation of views	
021825 - 022150	Chairman SWD	The Chairman's remarks and the Administration's response to the views further expressed by the deputations	
<i>Agenda Item II – Any other business</i>			
022151 - 022320	Chairman	Closing remarks	