

**立法會**  
**Legislative Council**

LC Paper No. CB(4)1412/17-18  
(These minutes have been seen  
by the Administration)

Ref : CB4/HS/1/16

**Subcommittee on Children's Rights**

**Minutes of the fifteenth meeting  
on Thursday, 8 March at 3:00 pm  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Dr Hon Helena WONG Pik-wan  
Hon IP Kin-yuen  
Dr Hon Elizabeth QUAT, BBS, JP  
Hon Alvin YEUNG  
Hon Andrew WAN Siu-kin

**Members absent** : Hon SHIU Ka-chun (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Hon CHU Hoi-dick  
Hon HUI Chi-fung  
Dr Hon CHENG Chung-tai

**Public Officers attending** : Agenda Item I  
  
Mr Matthew CHEUNG, GBM, GBS, JP  
Chief Secretary for Administration  
  
Dr LAW Chi-kwong, GBS, JP  
Secretary for Labour and Welfare  
  
Miss Leonia TAI, JP  
Deputy Secretary for Labour and Welfare (Welfare)1

Mr Andy CHAN, JP  
Under Secretary for Constitutional and Mainland Affairs

Dr CHOI Yuk-lin, JP  
Under Secretary for Education

Dr CHUI Tak-yi, JP  
Under Secretary for Food and Health

Mr Jack CHAN, JP  
Under Secretary for Home Affairs

**Attendance by  
invitation**

: 香港社區組織協會-兒童權利關注會

Miss SZE Lai-shan  
Community Organizer

Hong Kong Professional Teachers' Union

Ms MOK Loi-yan  
Member

Hong Kong Unision

Miss Phyllis CHEUNG  
Executive Director

Hong Kong Committee on Children's Rights

Mrs Priscilla LUI  
Chairperson

Kid's Dream Secretariat

Mr HO Man-lok  
Member

Children's Council

Miss YEUNG Chin-mong  
Member

Hong Kong Paediatric Foundation

Dr Lilian WONG  
Secretary General

Hong Kong Society for the Protection of Children

Ms Susan SO  
Director

Young Children SEN Concern Group

Mr KAN Ming-yue

Against Child Abuse

Ms LEE Yu-po  
Service Manager (Chuk Yuen Centre)

Mr Azan MARWAH

Anti480 Anti Sexual Violence Resource Centre

Miss Crystal CHAN  
Centre in Charge

關注學童發展權利聯席

盧嘉麗  
兒童組織幹事

**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)

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**I. Establishment of a Commission on Children**

(LC Paper No. CB(4)633/17-18(01) -- Paper provided by the Administration)

Written submissions from deputations/individuals not attending the meeting

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(LC Paper No. CB(4)717/17-18(02) -- Joint submission from 12 deputations/individuals (*Chinese version only*)

LC Paper No. CB(4)754/17-18(01) -- Submission from End Child Sexual Abuse Foundation (*Chinese version only*)

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

2. The Subcommittee received views from 13 deputations/individuals attending the meeting and two written submissions from deputations which had not attended the meeting. The major views and concerns of deputations/individuals were summarized as follows:

- (a) Deputations generally welcomed the Administration's initiative to establish a Commission on Children ("the Commission"). However, the Administration's proposal on the Commission's expected role, structure and membership fell short of deputations' expectation:
  - (i) the Commission should be an independent statutory body, and not merely an advisory committee within the existing Government structure. It should have a clear legal mandate to safeguard children's rights in accordance with the United Nations Convention on the Rights of the Child ("UNCRC");
  - (ii) the Commission should have its own secretariat with proper financial and manpower resources. An independent Commissioner on Children should be appointed to lead the Commission and act as the watchdog over the children's rights in Hong Kong;
  - (iii) to align with the definition of children stipulated in UNCRC, the primary target group of the Commission should be children aged under 18, and not children under 14 as proposed by the Administration;
  - (iv) the Commission should have diversity in its membership. It should comprise representatives of child concern groups and relevant non-governmental organizations, experts in children affairs, parents of different backgrounds, etc. Most importantly, it should have children members so as to provide adequate representation; and

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- (v) subcommittees should be set up under the Commission to thoroughly study various issues regarding children's growth. With a view to ensuring transparency, meetings of the Commission should be open to the public.
- (b) Regarding the functions of the Commission, child concerns groups envisaged that the Commission should be empowered to:
- (i) investigate complaints regarding the violation or non-compliance of children's rights and monitor the implementation of UNCRC in Hong Kong;
  - (ii) provide overall coordination and implementation of children-related policies and assess the impact of these policies to ensure the best interest of children;
  - (iii) develop a central database for children and collect children-related information to facilitate policy formulation on matters pertaining to children;
  - (iv) initiate research studies and formulate "Children Wellbeing Indicators" to track the overall development of children in Hong Kong; and
  - (v) provide an avenue to extensively canvass stakeholders' and children's views and enhance public awareness of children's rights.
- (c) Upon its establishment, the Commission should accord priorities to address the following issues:
- (i) support for less privileged children namely, children of ethnic minorities and new immigrants, asylum seeking children, children in poverty, etc.;
  - (ii) formulation of a comprehensive child-health policy to cater for the physical and mental well-being of children;
  - (iii) improvement measures to facilitate early identification of and intervention for children with special needs;
  - (iv) review of sex education and prevention of child abuse;
  - (v) review of existing child care policy;

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- (vi) reform of child protection legislation; and
- (vii) parent education.

3. Members shared deputations' view that the Commission should be an independent statutory body. Concern had also been raised over the Commission's membership, functions and resources.

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

- (a) after decades of discussion, the setting up of a Commission marked a breakthrough to amalgamate the efforts of Government and child concern groups to address the needs of children. In view of the unprecedented nature of the Commission, it was pragmatic to set up the Commission as a non-statutory advisory body to start work for the early benefit of children. Under the chairmanship of the Chief Secretary for Administration, the Commission would be a high-level advisory body with members including the Policy Secretaries of relevant Bureaux and Heads of relevant Departments. The Commission would take a driving role to develop policies and set strategy and priorities for the development of children. Whether there was a need for the Commission to be given a statutory status could be considered after the Commission had been in operation for a period of time;
- (b) in 2018-2019, a funding of about \$12 million had been earmarked for the inception of the Commission for the conduct of its work and establishment of the Secretariat;
- (c) the Preparatory Committee for the establishment of the Commission had conducted a series of public engagement activities and collected the public's views on various issues on matters including the Commission's role and functions as well as the priority areas to be addressed by the Commission. The Administration would consider these views carefully and formulate a concrete proposal in respect of the establishment of the Commission;
- (d) the Commission would be officially established in mid-2018 and its members would decide on the details of its operation, including setting up working groups to deal with various children issues and consider ways to listen to children's views e.g. through focus group meetings, etc.; and

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- (e) the Commission would look into children-related services provided by the Government, such as the services provided for children with special needs, recreation facilities for children, etc., so as to identify areas for improvement. It would also explore measures to facilitate the formulation of long-term children-related policies.

**II. Any other business**

- 5. There being no other business, the meeting ended at 5:02 pm.

Council Business Division 4  
Legislative Council Secretariat  
26 July 2018

## Subcommittee on Children's Rights

### Proceedings of the fifteenth meeting on Thursday, 8 March 2018 at 3:00 pm in Conference Room 1 of the Legislative Council Complex

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item 1 - Establishment of a Commission on Children</i>			
001312 - 002429	Chairman The Administration	Opening remarks and briefing by the Administration	
002430 - 002749	Chairman 香港社區組織協會-兒童 權利關注會	Presentation of views [LC Paper No. CB(4)633/17-18 (02)]	
002750 - 003104	Chairman Hong Kong Professional Teachers' Union	Presentation of views [LC Paper No. CB(4)633/17-18 (03)]	
003105 - 003359	Chairman Hong Kong Unision	Presentation of views	
003400 - 003720	Chairman Hong Kong Committee on Children's Rights	Presentation of views [LC Paper No. CB(4)667/17-18 (01)]	
003721 - 004029	Chairman Kid's Dream Secretariat	Presentation of views [LC Paper No. CB(4)667/17-18 (02)]	
004030 - 004304	Chairman Children's Council	Presentation of views	
004305 - 004619	Chairman Hong Kong Paediatric Foundation	Presentation of views [LC Paper No. CB(4)667/17-18 (03)]	
004620 - 004958	Chairman Hong Kong Society for the Protection of Children	Presentation of views [LC Paper No. CB(4)717/17-18 (01)]	
004959 - 005325	Chairman Young Children SEN Concern Group	Presentation of views	
005326 - 005645	Chairman Against Child Abuse	Presentation of views [LC Paper No. CB(4)667/17-18 (04)]	
005646 - 005951	Chairman Mr Azan MARWAH	Presentation of views [LC Paper No. CB(4)709/17-18 (01)]	
005952 - 010246	Chairman Anti480 Anti Sexual Violence Resource Centre	Presentation of views [LC Paper No. CB(4)709/17-18 (02)]	
010247 - 010607	Chairman 關注學童發展權利聯席	Presentation of views	



<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action required</b>
010608 - 011944	Chairman The Administration	The Chairman's remarks and the Administration's response to the views expressed by the deputations	
011945 - 013000	Chairman Dr KWOK Ka-ki The Administration	Dr KWOK's calling for the appointment of an independent Commissioner to lead the Commission on Children ("the Commission")	
013001 - 013943	Chairman Mr Andrew WAN The Administration	Mr WAN's calling for the setting up of an independent statutory Commission	
013944 - 014634	Chairman Mr IP Kin-yuen The Administration	Mr IP's concerns about the Commission's terms of reference and primary target group	
014635 - 015335	Chairman Dr Elizabeth QUAT The Administration	Dr QUAT's concerns about the Commission's composition, structure and resources	
015336 - 015441	Chairman Hong Kong Professional Teachers' Union	Presentation of views	
015442 - 015616	Chairman Hong Kong Committee on Children's Rights	Presentation of views	
015617 - 015719	Chairman Children's Council	Presentation of views	
015720 - 015826	Chairman Hong Kong Paediatric Foundation	Presentation of views	
015827 - 015945	Chairman Mr Azan MARWAH	Presentation of views	
015946 - 020029	Chairman Hong Kong Society for the Protection of Children	Presentation of views	
020030 - 020330	Chairman The Administration	The Administration's response to the views further expressed by the deputations	
020331 - 020642	Chairman Dr Helena WONG The Administration	Dr WONG's suggestions of issues to be addressed by the Commission	
<i>Agenda Item II – Any other business</i>			
020643 - 020838	Chairman	Closing remarks	