

**For discussion
on 20 April 2017**

**Legislative Council House Committee
Subcommittee on Children's Rights**

Proposal for Establishing a Commission on Children

Purpose

This paper briefs Members on the existing mechanism on how the Government safeguards children's rights and well-being and the current Government's view on the proposal for establishing a Commission on Children.

Co-ordination of Children's Policies

2. Issues relating to safeguarding children's rights and well-being straddle across different policy areas, e.g. education, family, healthcare and welfare, etc. The relevant policy bureaux handle matters under their respective purviews, such as formulating specific legislation and making available resources for protection of children's rights and for implementation of policies to promote the well-being of children.

3. In case of matters involving a number of policy areas, policy bureaux will co-ordinate among themselves. The Government will also suitably co-ordinate and offer support through high level set-up such as the Policy Committee. To promote the well-being of children, notably those who are disadvantaged, the 2017 Policy Address has set out a range of measures to be implemented by different bureaux and departments, such as waiving the service fees of special child care centres, providing additional foster care places, and implementing free quality kindergarten education policy starting from the 2017/18 school year. These measures have taken into consideration the views of, inter alia, the Legislative Council, the public and the United Nations Committee on the Rights of the Child on children's affairs.

Family Impact Assessments of Government Policies

4. With effect from 1 April 2013, a mandatory assessment of family implications has been introduced for all policies, including those related to children. In assessing the impact of their policies on families,

bureaux and departments are required to consider the 3 sets of core family values identified by the Family Council (i.e., “love and care”, “respect and responsibilities” and “communication and harmony”) and the effects on family structure and functions. Bureaux and departments are also required to consider consulting the Family Council on policies which carry family implications.

5. At the same time, the Family Council also assesses the impact of these policies on family to ensure that due consideration is given to children’s well-being and views during the policy formulation process. This will help facilitate the collection and reflection of views concerning children’s interests for reference by bureaux and departments in a more systematic way, and will achieve similar purposes to a Commission on Children.

The Children’s Rights Forum

6. The Children’s Rights Forum (the Forum) has been serving as a platform for the exchange of views among children bodies, children and the Government on pertinent matters. It encourages members of the public who take an interest in children’s affairs (including children) to propose topics for discussion and participate in the Forum’s discussions. Since the establishment of the Forum in 2005, 31 meetings have been convened. These meetings were held after school hours or during weekends. There were about 30 to 50 participants at each meeting. Generally speaking, the Secretariat will, in respect of different topics, invite representatives from relevant bureaux and departments (usually pitched at directorate/senior level) to the meetings. The views of the participants on various topics are relayed to the bureaux/departments concerned. For example, views about rehabilitation services to help discharged young offenders reintegrate into society, student suicide and free quality kindergarten education, etc., have been reflected to the Security Bureau and the Education Bureau respectively. The topic to be discussed at the Children’s Rights Forum in June is sports development. Details of past meetings of the Children’s Rights Forum are at [Annex](#).

7. Starting from 2014, the Government has enhanced the co-operation between the Family Council and the Forum. The Forum will relay not only to policy bureaux but also to the Family Council the views of children on various government initiatives expressed at the Forum, so as to facilitate the Family Council’s work in assessing the impact of these policies on family. We will continue to encourage bureaux and departments to consult the Children’s Rights Forum, thereby collecting children’s views during the process of formulating and implementing children-related measures and policies. We also encourage and welcome views from all sectors of the

community so as to strengthen the role of the Forum as a platform for the exchange of views between the Government and children.

8. As a result of the views of attendees, the Secretariat to the Forum has already implemented a number of measures to improve meeting arrangements, including inviting Government representatives to attend the Forum in accordance with agenda items raised by children representatives, requesting Government representatives to take into account the needs of children in the course of preparing meeting papers and delivering presentations, and dividing attendees into groups for discussion, thereby making available more opportunities for attendees to speak.

Advice Sought

9. Members are invited to note the contents of this paper.

Constitutional and Mainland Affairs Bureau
April 2017

Annex

Details of meetings of The Children's Rights Forum

Date	District	Discussion topic
2 December 2005	Wan Chai	- Establishment of a Children's Rights Forum - Children's Rights Education Funding Scheme - Initial report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child: Response to the Concluding Observations of the United Nations Committee on the Rights of the Child (continued discussion)
25 January 2006 (continued meeting)	Wan Chai	
29 March 2006	Wan Chai	- Initial report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child: Response to the Concluding Observations of the United Nations Committee on the Rights of the Child (continued discussion) - Proposed race discrimination legislation - Establishment of the Children's Rights Unit - Review of corporate governance of the Equal Opportunities Commission
15 December 2006	Wan Chai	- Initial report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child: Response to the Concluding Observations of the United Nations Committee on the Rights of the Child (continued discussion) - Progress report on 2006-07 Children's Rights Education Funding Scheme
9 March 2007	Wan Chai	- Initial report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child: Response to the Concluding Observations of the United Nations Committee on the Rights of the Child (continued discussion) - Progress report on 2006-07 Children's Rights Education Funding Scheme - Social welfare services for children
29 June 2007	Wan Chai	- Initial report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child: Response to the Concluding Observations of the United Nations Committee on the Rights of the Child (continued discussion)

Date	District	Discussion topic
21 September 2007	Wan Chai	<ul style="list-style-type: none"> - Initial report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child: Response to the Concluding Observations of the United Nations Committee on the Rights of the Child (continued discussion) - Suggestions on Children's Rights Forum by Kids' Dream, Children's Rights Association and Child Councilors of Chinese YMCA of Hong Kong
29 February 2008	Wan Chai	<ul style="list-style-type: none"> - Fostering a Caring School Ethos – the Students' Participation
4 July 2008	Wan Chai	<ul style="list-style-type: none"> - Internet safety for children - Response of the Hong Kong Special Administrative Region to the Concluding Observations of the United Nations Committee on the Rights of the Child (continued discussion)
19 December 2008	Eastern	<ul style="list-style-type: none"> - Corporal punishment and violence to children - Convention on the Rights of the Child comic booklet - International Covenant on Civil and Political Rights comic booklet
16 April 2009	Eastern	<ul style="list-style-type: none"> - Children's health and health service – drug abuse among children - An outline of the topic to be covered in the second report of the Hong Kong Special Administrative Region under the United Nations Convention on the Rights of the Child
25 September 2009	Eastern	<ul style="list-style-type: none"> - Children's health and health service – sex education - Review of the Personal Data (Privacy) Ordinance
13 November 2009 (special meeting)	Yau Tsim Mong	<ul style="list-style-type: none"> - Briefing and discussion on review of Personal Data (Privacy) Ordinance
5 January 2010 (special meeting)	Yau Tsim Mong	<ul style="list-style-type: none"> - West Kowloon Cultural District Stage 1 Public Engagement Exercise
26 February 2010	Wan Chai	<ul style="list-style-type: none"> - An outline of the topics in the third report of the Hong Kong Special Administrative Region under the International Covenant on Economic, Social and Cultural Rights

Date	District	Discussion topic
2 July 2010	Wan Chai	<ul style="list-style-type: none"> - An outline of the topics to be covered in the third report of the Hong Kong Special Administrative Region in the light of the International Covenant on Civil and Political Rights - Prevention of Suicide
19 November 2010	Yau Tsim Mong	<ul style="list-style-type: none"> - West Kowloon Cultural District Stage 2 Public Engagement Exercise - Report on the Public Consultation on the Review of the Personal Data (Privacy) Ordinance
17 August 2011	Wan Chai	<ul style="list-style-type: none"> - Moral and National Education Curriculum - School violence
21 October 2011	Yau Tsim Mong	<ul style="list-style-type: none"> - West Kowloon Cultural District Stage 3 Public Engagement Exercise - Establishing the Sexual Conviction Record Check Scheme
20 April 2012	Central and Western	<ul style="list-style-type: none"> - Internet Learning Support Programme - "I Learn at home" - Consultation on the implementation of "Joint Parental Responsibility Model" by Legislative Measure
14 January 2013	Wan Chai	<ul style="list-style-type: none"> - Air quality in Hong Kong - Children's rights initiatives <ul style="list-style-type: none"> - 2013 Children's Rights Education Funding Scheme - School outreach programme - Mobile application for promoting children's rights
20 April 2013	Wan Chai	<ul style="list-style-type: none"> - Primary one allocation and transport arrangement for cross-boundary students - Second report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child - Progress report on 2013 Children's Rights Education Funding Scheme
30 July 2013	Central and Western	<ul style="list-style-type: none"> - Establishment of the Centre of Excellence in Paediatrics - Meeting arrangements of the Children's Rights Forum

Date	District	Discussion topic
17 January 2014	Sham Shui Po	<ul style="list-style-type: none"> - The hearing and concluding observations of the United Nations Committee on the Rights of the Child regarding the report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child - First report of the Child Fatality Review Panel - Rehabilitation services for pre-school children
12 August 2014	Yau Tsim Mong	<ul style="list-style-type: none"> - Enhanced support measures in learning Chinese for non-Chinese speaking students - Comprehensive child development service
1 April 2015	Central and Western	<ul style="list-style-type: none"> - Life planning education - Sexual Conviction Record Check Scheme
9 October 2015	Wan Chai	<ul style="list-style-type: none"> - Children's privacy - Sustainable development
4 December 2015	Central and Western	<ul style="list-style-type: none"> - Territory-wide System Assessment (TSA)
21 January 2016	Wong Tai Sin	<ul style="list-style-type: none"> - Proposed legislation to implement the recommendations of the Law Reform Commission Report on Child Custody and Access
27 May 2016	Central and Western	<ul style="list-style-type: none"> - Rehabilitation services to help discharged young offenders reintegrate into society
13 October 2016	Central and Western	<ul style="list-style-type: none"> - Student suicide
3 March 2017	Wan Chai	<ul style="list-style-type: none"> - Free quality kindergarten education