

立法會
Legislative Council

LC Paper No. CB(2)640/19-20
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of special meeting
held on Monday, 18 November 2019, at 9:30 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon KWONG Chun-yu (Chairman)
Hon SHIU Ka-chun (Deputy Chairman)
Hon LEUNG Yiu-chung
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, SBS, MH, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon POON Siu-ping, BBS, MH
Hon Wilson OR Chong-shing, MH
Dr Hon Pierre CHAN
Dr Hon CHENG Chung-tai

Members Absent : Hon Michael TIEN Puk-sun, BBS, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon LUK Chung-hung, JP

Member attending : Hon SHIU Ka-fai, JP

Public Officers attending : Ms PANG Kit-ling
Assistant Director (Family and Child Welfare)
Social Welfare Department

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

Ms Rosemary KWAN
Chief Social Work Officer (Licensing and
Regulation)²
Social Welfare Department

Attendance by invitation : Catholic Diocesan Pastoral Centre for Workers-
Kowloon

Mr TSENG Ka-chun
Program Officer

The Hong Kong Council of Social Service

Ms Louisa YAU Shui-ling
Officer (Children and Youth Service Development)

Mr LAU Ka-tung

Mr TAM Chi-shing

Mr YEUNG Pak-ning

Miss SIU Wing-yee

江志友先生

Miss WONG Tsz-yan

Mr KO Po-lun

Democratic Alliance for the Betterment and Progress of
Hong Kong

Mr Victor LAU Ngai
Member of Young DAB

The Federation of Hong Kong & Kowloon Labour
Unions

Mr HO Ho-tin
Social Affairs Coordinator

Cleaning Workers Union

Ms WU Mei-lin
Coordinator

Cleaning Workers Union (Nepalese)

Ms Rabina LIMBU
Organizer

Hong Kong Christian Service

Miss CHAN Pui-yi
Deputy Director (Youth & Social Rehabilitation)

ONCALL48

Miss WONG Wing-fai
Volunteer

Ms Florence KONG Suk-wah

葉志豪先生

Mr CHEUNG Kwok-chung

Mr WHY

關顧聯殘疾人士小組

林倩雯女士
成員

香港善導會

彭紹梅小姐

Clerk in attendance : Ms Wendy JAN
Chief Council Secretary (2) 4

Staff in attendance : Ms Catherina YU
Senior Council Secretary (2) 4

Mr Roger CHUNG
Council Secretary (2) 4

Miss Natalie WU
Clerical Assistant (2) 4

Action

I. Welfare and community support for people affected by recent social incidents

[LC Paper No. CB(2)218/19-20(01)]

At the invitation of the Chairman, Assistant Director (Family and Child Welfare) ("AD(Family and Child Welfare)") briefed members on the welfare and community support services provided by the Social Welfare Department ("SWD") for people affected by recent social incidents.

2. The Chairman invited the deputations/individuals to present their views. A total of 21 deputations/individuals expressed their views which were summarized in the **Appendix**.

The Administration's response to views of deputations/individuals

3. AD(Family and Child Welfare) said that SWD had been working with various non-governmental organizations ("NGOs") in recent months to provide assistance for people affected by the social incidents. Some people were emotionally distressed due to contention at workplaces, schools or within families. The number of such cases received by SWD's Integrated Family Service Centres, Family and Child Protective Services Units, medical social workers and NGOs had increased. The number of calls received by the emotional support hotlines set up by SWD had also increased substantially. SWD appreciated the efforts made by various service units to maintain their services for users despite the undesirable road and traffic conditions arising from protests and assemblies. SWD would continue to join hands with NGOs and provide assistance for the needy.

4. AD(Family and Child Welfare) further said that owing to lack of trust in the Government, some people were very concerned about the security of their personal information held by government departments. As such, the Clinical Psychology Units of SWD ("CPU") had only received a small number of referrals from NGOs for clinical psychological services. SWD had discussed the concern with the Hong Kong Council of Social Service ("HKCSS") and NGOs. Frontline staff were reminded that service users were not required to provide personal information unless they were willing to do so. However, they might need to provide certain personal information for follow-up services. She appealed to people in need to take the initiative to seek help from professionals.

5. Regarding support for young people affected by the social incidents, AD(Family and Child Welfare) said that SWD's clinical psychologists and social workers had approached some young people requiring assistance through NGOs in an attempt to understand their needs. Some of these young people were unwilling to divulge their feelings unless they were in a very safe environment. To cater for their needs, SWD and NGOs had arranged for some of these young people to share their feelings and distress in small groups or meet with psychologists and social workers on a one-to-one basis. Social workers and clinical psychologists of SWD were exploring how they could get in touch with people from various strata who were affected by the social incidents and offer appropriate assistance to them.

6. In respect of some deputations' concerns about the Police's operations during the social incidents, AD(Family and Child Welfare) said that SWD had reflected the concerns to both the Police headquarters and relevant district police stations. SWD was, however, not in a position to request the Police to act in a certain manner. There was also no legal provision allowing social workers to carry out their work at unlawful protests/assemblies.

7. In response to some deputations' enquiries about SWD's stance on social workers carrying out their work at protest scenes, AD(Family and Child Welfare) said that SWD considered that when the protests and assemblies were lawful and peaceful at the beginning of the social incidents, social workers might provide emotional support for protesters at the scenes. Having regard to the recent development of the social incidents, SWD had reminded HKCSS and NGOs that social workers, for their own safety, should not carry out their work at unlawful protests/assemblies or in dangerous places.

8. Regarding the coordination of social welfare services in various districts, AD(Family and Child Welfare) said that SWD would coordinate the provision of such services. SWD had also requested the Police to resume briefings for police officers on the immediate referral services between the Police and NGOs for arrested young persons aged 10 to under 18 under the Community Support Service Scheme. SWD would reflect some deputations' concerns which were outside the purview of SWD (e.g. support and protection for cleaning workers, mental health-related assistance, transport arrangements for persons with disabilities to receive medical treatment at public hospitals, etc.) to relevant government bureaux/departments ("B/Ds") for follow-up.

Discussion

Contingency plans

9. The Deputy Chairman opined that Assistant Directors of SWD overseeing welfare services for families, youths, elderly persons and persons with disabilities should meet with NGOs to discuss how the operation and provision of social welfare services could be improved so as to address the needs of society. Given that it might take a very long time for society to recover from the aftermath of the social incidents and many affected people were having imminent needs for various social welfare services, he called on the Administration to draw up contingency plans and establish a mechanism for responding to the needs of society as soon as possible.

10. Referring to the incident where a student was shot by a police officer in Sai Wan Ho, Mr CHAN Chi-chuen expressed concern that the school social worker responsible for the case not only had to provide assistance to the student but also had to deal with the emotions of the student's parents as well as other students in the school concerned. He asked whether SWD had formulated any contingency measures to support frontline social workers in emergency cases.

11. AD(Family and Child Welfare) responded that given that the social incidents were unprecedented and various sectors in society were affected, the Administration should give thorough consideration to the scope of the contingency plans. She added that relevant B/Ds would be involved in the formulation of contingency plans with a view to assisting affected people to tide over the difficult times.

12. Assistant Director (Youth and Corrections) ("AD(Youth and Corrections)") supplemented that SWD had maintained close contact with school social workers and rendered assistance and support to parents, students and teachers who were emotionally disturbed. District Social Welfare Officers, clinical psychologists and medical social workers of SWD would work with schools and provide the required services for parents, students and teachers if necessary.

Roles of social workers at protest scenes

13. Referring to the criticisms made by some media editorials on the social workers who provided assistance to protesters at protest scenes, the Deputy Chairman considered it necessary for the Administration to make clear to the public that it was social workers' duty to defend social justice and human dignity and assist those in need in an unbiased manner.

14. AD(Family and Child Welfare) responded that while appreciating social workers' dedication to upholding justice, she shared some deputations' views that political issues should be resolved by political means. SWD should therefore stick to its roles and work dutifully to meet the welfare needs of needy groups.

15. Mr CHAN Chi-chuen considered that SWD should affirm the legitimate role of social workers in assisting protesters so that social workers would not be arrested or injured by the Police while they were performing duties at protest scenes. Moreover, SWD should inform social workers well in advance if SWD considered that social workers should bear the consequences if they did not leave the scenes once the Police had declared that the protests were unlawful.

16. AD(Family and Child Welfare) responded that it was important for social workers to give due consideration to their personal safety and should only discharge duties under lawful situations. Social workers should follow the instructions of law enforcement officers and leave the scenes if so advised.

Support for frontline social workers and non-governmental organizations

17. Referring to the assembly in the campus of the Hong Kong Polytechnic University ("PolyU"), Mr SHIU Ka-fai expressed worries about the safety of the young people who were in the campus. While appreciating some social workers' commitment to helping young people, he took the view that these young people should be reminded to stay away

from dangerous places in the first place. In this connection, the Chairman pointed out that social workers had to adhere to the principle of "client self-determination" in performing their duties.

18. Mr KWOK Wai-keung considered that while social workers should adhere to the principle of "client self-determination", it was their duty to analyze the situation in an objective manner and provide their clients with factors that should be taken into consideration in making decisions, including the objective fact that it was impossible for the Government to accede to the call for "five demands (not one less)".

19. Dr Fernando CHEUNG and Dr CHENG Chung-tai opined that the situation in the campus of PolyU in the past few days was a humanitarian crisis. Dr CHEUNG said that some social workers who had tried to help the young people who wished to leave the campus were arrested or beaten up. The young people in the campus were in a state of panic and despair. Some of them had even written their last words. He asked how the Labour and Welfare Bureau and SWD would help these young people. Dr CHENG said that some of these young people were injured and were not provided with medical treatment in a timely manner. In his view, the humanitarian crisis was created by the Government and the Police. AD(Family and Child Welfare) responded that the Administration would explore measures to address the concerns of members and deputations.

20. The Deputy Chairman expressed concern about the severe shortage of manpower for providing youth outreach services and assistance for people who were arrested as a result of the social incidents. The Deputy Chairman and Dr KWOK Ka-ki enquired whether SWD would allocate additional resources to NGOs for meeting the service demand during this critical period. Dr KWOK also asked how SWD would protect the social workers who helped the protesters in the campus of PolyU and what measures it would adopt to assist the social workers who were arrested by the Police.

21. AD(Family and Child Welfare) responded that as it was unsafe to stay in the campus of PolyU, social workers should follow the Police's advice for their own safety. She further said that SWD had not received any request from the arrested social workers for assistance and SWD would provide them with necessary assistance upon request. With respect to the provision of resources for NGOs, she said that extra manpower and financial resources had already been provided for some NGOs to meet additional service needs. Some NGOs had applied for funding to implement programmes to meet the specific needs of people who were

affected by the social incidents. SWD had not rejected any of these applications and no deadline had been set for these applications.

22. AD(Youth and Corrections) supplemented that SWD had maintained close communication with youth outreaching social work teams, Cyber Youth Support Teams, teams under the Community Support Service Scheme and NGOs on the service needs of young people during this period. SWD had also kept in view the number of social service referrals involving young people who were arrested during the social incidents with a view to enhancing the services provided for young people.

(At 11:50 am, the Chairman extended the meeting for 15 minutes beyond the appointed ending time to allow sufficient time for discussion.)

Personnel matters and administrative arrangements of non-governmental organizations

23. Mr KWOK Wai-keung enquired whether SWD had requested their staff and staff of NGOs to work at protest scenes, and whether NGOs which had asked their staff to work at protest scenes on their own accord had reported to SWD. Mr SHIU Ka-fai opined that SWD should provide full protection for social workers if it allowed them to work at protest scenes. He enquired whether frontline social workers would be covered by insurance if they were injured and whether they would be provided with legal assistance if they were arrested while performing duties. In the light of an increasing demand for social work services due to the social incidents, he asked how social workers' overtime work would be compensated.

24. AD(Family and Child Welfare) responded that SWD had not required NGOs to arrange for their staff to work at protest scenes. However, social workers providing outreach services might need to work at districts where protests and assemblies took place. As social workers of NGOs were not employed by SWD, NGOs should provide the necessary protection and support for their staff at work and remind them to safeguard their safety. If the service centres of NGOs were located near the protest scenes, the NGOs concerned should keep in view the situation in the vicinity. NGOs should only require their staff to work at these centres if it was safe to do so. NGOs should adhere to the provisions of their administrative arrangements and the terms in employment contracts regarding the protection for staff at work and compensation for overtime work.

25. In response to Mr KWOK Wai-keung's enquiry about the number of NGO staff who were absent from work frequently since the commencement of the social incidents, AD(Youth and Corrections) responded that SWD did not have the requisite information.

26. Dr KWOK Ka-ki took the view that obtaining information on the absenteeism of NGO staff would create "white terror". Given that the workload of many NGOs was already extremely heavy, he opined that SWD should not increase their burden by requiring them to compile the aforesaid statistics. Dr CHENG Chung-tai expressed concern that there was already "white terror" in the social welfare sector and some of the NGO staff were worried that their employers would think that they were absent from work deliberately due to their political stance. AD(Family and Child Welfare) responded that SWD had no plan to request NGOs to provide information on the absenteeism of their staff.

27. Dr CHENG Chung-tai further said that many staff from around 10 NGOs had reflected to him that despite they had difficulties in getting to the workplace due to bad road and traffic conditions arising from protests and assemblies, their employers still required them to report duty. If they were unable to go to the workplace, some of these organizations had requested them to work at branch offices which were close to their homes but such arrangements were not specified in the employment contracts. If they failed to do so, their absence from work would be counted as annual leave. He was of the view that the above mentioned arrangements might constitute a violation of relevant labour legislation and a breach of employment contracts. AD(Family and Child Welfare) responded that SWD had written to NGOs and requested them to handle such cases with flexibility so as to ensure the safety of their employees and smooth operation of services.

28. There being no other business, the meeting ended at 12:16 pm.

Panel on Welfare Services

Special meeting on Monday, 18 November 2019, at 9:30 am

Welfare and community support for people affected by recent social incidents

Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation / individual	Views
1.	Catholic Diocesan Pastoral Centre for Workers-Kowloon	<ul style="list-style-type: none"> ● Due to a lack of channels for ethnic minorities to access to reliable information on recent social incidents, they were very concerned about their personal safety during the social incidents. ● The Police should adopt a humane attitude towards protestors.
2.	The Hong Kong Council of Social Service	LC Paper No. CB(2)241/19-20(01)
3.	Mr LAU Ka-tung	<ul style="list-style-type: none"> ● Social workers were performing their duties through providing assistance to needy persons during recent social incidents. ● The Police should not arrest the social workers who had provided assistance for the protestors in the campus of the Hong Kong Polytechnic University ("PolyU"). ● The Social Welfare Department ("SWD") should affirm the legitimate role of social workers in assisting protestors at protest scenes.
4.	Mr TAM Chi-shing	LC Paper No. CB(2)218/19-20(02)
5.	Mr YEUNG Pak-ning	<ul style="list-style-type: none"> ● The support services provided by the Administration for people affected by recent social incidents were inadequate. ● SWD should take immediate actions to ensure that human rights of arrestees were respected and protected. ● SWD should formulate measures to facilitate social workers to provide assistance to needy persons at protest scenes.
6.	Miss SIU Wing-ye	<ul style="list-style-type: none"> ● SWD should affirm the legitimate role of social workers in assisting protestors at protest scenes.

No.	Name of deputation / individual	Views
7.	江志友先生	<ul style="list-style-type: none"> ● The Administration should assess the health impacts of the chemicals used by the Police in dispersal operations. ● The Police had used excessive force in handling recent social incidents. ● The Administration should affirm the legitimate role of social workers and first-aiders in helping needy persons at protest scenes.
8.	Miss WONG Tsz-yan	LC Paper No. CB(2)218/19-20(03)
9.	Mr KO Po-lun	LC Paper No. CB(2)242/19-20(01) (Restricted to members only)
10.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> ● The Administration should enhance the Love Upgrading Special Scheme by expanding its scope and streamlining the application procedures. ● The Administration should create short-term and temporary posts in government bureaux and departments to generate more job opportunities and ease unemployment. ● The Administration should recruit additional healthcare professionals and allocate more resources to non-governmental organizations ("NGOs") with a view to providing better support to emotionally disturbed families and persons.
11.	The Federation of Hong Kong & Kowloon Labour Unions	LC Paper No. CB(2)241/19-20(02)
12.	Cleaning Workers Union	LC Paper No. CB(2)218/19-20(04)
13.	Cleaning Workers Union (Nepalese)	LC Paper No. CB(2)222/19-20(01)
14.	Hong Kong Christian Service	LC Paper No. CB(2)292/19-20(01)
15.	ONCALL48	<ul style="list-style-type: none"> ● SWD did not provide any support services for arrestees and their family members in recent social incidents. ● The situation in the campus of PolyU was a humanitarian crisis. ● SWD should set up a contingency mechanism to

No.	Name of deputation / individual	Views
		deal with the humanitarian crisis.
16.	Ms Florence KONG Suk-wah	LC Paper No. CB(2)271/19-20(01)
17.	葉志豪先生	<ul style="list-style-type: none"> ● Social workers were having difficulties in dealing with contention at schools or within families arising from recent social incidents. ● Social workers were worried that they would be arrested when providing assistance to needy service users at protest scenes. ● The Family and Child Protective Services Units of SWD did not provide adequate support for young people and social workers in recent social incidents.
18.	Mr CHEUNG Kwok-chung	<ul style="list-style-type: none"> ● SWD should affirm the legitimate role of social workers in assisting protestors at protest scenes, police stations and hospitals. ● SWD should look into the reasons why the Police had only referred a small number of arrested youths to NGOs for follow-up actions under the Community Support Service Scheme ("CSSS") between July and October 2019. ● Briefings on CSSS and the immediate referral mechanism between the Police and NGOs for arrested young people had been discontinued since June 2019.
19.	Mr WHY	LC Paper No. CB(2)287/19-20(01)
20.	關顧聯殘疾人士小組	<ul style="list-style-type: none"> ● The Administration did not take appropriate and immediate actions to tackle the problems arising from recent social incidents. ● The situation of recent social incidents was getting worse since the Police did not adopt a humane attitude towards protestors at protest scenes.
21.	香港善導會	<ul style="list-style-type: none"> ● SWD should allocate additional resources to NGOs for meeting the service demand during this critical period. ● SWD should coordinate the welfare services in various districts so as to provide better support for people affected by recent social incidents. ● SWD should affirm the legitimate role of social workers in assisting protestors at protest scenes and police stations.

Council Business Division 2
Legislative Council Secretariat
27 February 2020