

**立法會**  
**Legislative Council**

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LC Paper No. CB(4)1210/20-21  
(These minutes have been seen  
by the Administration)

**Panel on Constitutional Affairs**

**Minutes of meeting**  
**held on Monday, 15 March 2021, at 2:30 pm**  
**in Conference Room 1 of the Legislative Council Complex**

- Members present** : Hon Holden CHOW Ho-ding (Chairman)  
Hon Kenneth LAU Ip-keung, BBS, MH, JP (Deputy Chairman)  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon WONG Ting-kwong, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Kin-por, GBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WONG Kwok-kin, SBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Steven HO Chun-yin, BBS  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, GBS, JP  
Hon CHUNG Kwok-pan  
Hon Jimmy NG Wing-ka, BBS, JP  
Hon CHEUNG Kwok-kwan, JP  
Hon LUK Chung-hung, JP
- Members absent** : Hon MA Fung-kwok, GBS, JP  
Dr Hon Junius HO Kwan-yiu, JP  
Dr Hon CHENG Chung-tai
- Public Officers attending** : Item III  
Ms Maisie CHAN Kit-ling, JP  
Deputy Secretary for Constitutional and Mainland Affairs (1)

Miss Cathy LI King-tsz  
Principal Assistant Secretary (Constitutional and Mainland  
Affairs) 5

Mr CHENG Ming-keung  
Principal Assistant Secretary (School Administration\_Special  
Tasks)  
Education Bureau

Ms Leonie LEE Hoi-lun  
Principal Assistant Secretary (Health)1  
Food and Health Bureau

Mr Andrew TSANG Yue-tung  
Principal Assistant Secretary (Welfare) 1  
Labour and Welfare Bureau

Ms Joceline CHUI Shih-yen  
Principal Assistant Secretary for Security (E)

Mr Cyrus CHEUNG Ho-chi  
Principal Assistant Secretary for Security (Review)

Mr Llewellyn MUI Kei-fat  
Deputy Solicitor General (Constitutional Affairs)  
Constitutional and Policy Affairs Division  
Department of Justice

Mr Sunny CHAN Sze-hoi  
Government Counsel  
Constitutional and Policy Affairs Division  
Department of Justice

**Clerk in  
attendance** : Ms Joanne MAK  
Chief Council Secretary (4) 7

**Staff in  
attendance** : Mr Bonny LOO  
Senior Assistant Legal Adviser 3

Ms Clara WONG  
Assistant Legal Adviser 4

Mr Dennis HO  
Senior Council Secretary (4) 7 (Acting)

Ms Louisa YU  
Legislative Assistant (4) 7

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**I. Information paper(s) issued since the last meeting**

Members noted that a joint letter dated 12 March 2021 sent by 15 organizations to the Panel Chairman [LC Paper No. CB(4)635/20-21(01)] had been issued to members after the last meeting. The Chairman said that these organizations raised concerns about the Panel's arrangements made for this meeting to collect public views on "An outline of the topics for the Third Report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child" ("the Outline of Topics") under agenda item III. The Chairman pointed out that the arrangements had been made pursuant to the Panel's decision at the last meeting that, in view of the Coronavirus Disease 2019 ("COVID-19") pandemic, a public hearing should not be held at this meeting to receive public views on the Outline of Topics, and that the public should be invited to submit their views in writing instead.

**II. Items for discussion at the next meeting**

[LC Paper Nos. CB(4)598/20-21(01) and (02)]

2. Members agreed to discuss "Proposed amendments to the Personal Data (Privacy) Ordinance (Cap. 486)" as proposed by the Administration at the next regular meeting on 19 April 2021 at 2:30 pm.

*(Post-meeting note: As the Panel and the Administration were unable to agree on a timeslot for rescheduling the meeting on 19 April 2021, the above discussion item was arranged to be discussed at the Panel meeting on 17 May 2021.)*

**III. An outline of the topics for the Third Report of the Hong Kong Special Administrative Region under the Convention on the Rights of the Child**

[LC Paper Nos. CB(4)560/19-20(01), CB(4)598/20-21(03) and (04)]

The Administration's response to deputations/individuals' views

3. Members noted that the Outline of Topics was issued on 23 February 2021 for public consultation until 9 April 2021 [LC Paper No. CB(4)560/19-20(01)].

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The Deputy Secretary for Constitutional and Mainland Affairs (1) ("DS(CMA)1") said that the Administration would carefully consider the views received during the public consultation in drafting the Third Report of the Hong Kong Special Administrative Region ("HKSAR") under the Convention on the Rights of the Child ("CRC"). Members noted that a total of nine written submissions had been received and forwarded to the Administration before the meeting. In response to the deputations/individuals' written views on issues under the purview of the Constitutional and Mainland Affairs Bureau ("CMAB"), DS(CMA)1 made the following points:

- (a) the enactment of the Discrimination Legislation (Miscellaneous Amendments) Ordinance 2020 ("the Ordinance") in June 2020 had strengthened the legal protection for children. The Ordinance provided protection from sexual, racial and disability harassment to volunteers and interns (including those under the age of 18) in a common workplace, and prohibited discrimination against a woman on the ground of breastfeeding. Besides, the Sex Discrimination (Amendment) Bill 2020 ("the Bill"), which sought to provide protection from harassment of breastfeeding women, was introduced into the Legislative Council ("LegCo") in December 2020 and the Second Reading debate on the Bill would be resumed at the Council meeting of 17 March 2021. Subject to the passage of the Bill, the relevant provisions outlawing discrimination and harassment of breastfeeding women would come into effect in June 2021. This would naturally be beneficial to breastfed children; and

*(Post-meeting note: The Bill was passed at the Council meeting of 17 March 2021.)*

- (b) as children were particularly vulnerable to risks of personal data disclosure and psychological harm brought by doxxing activities, the Administration would tackle the issue of doxxing through both law enforcement and introducing legislative amendments. Under section 64 of the Personal Data (Privacy) Ordinance (Cap. 486) ("PDPO"), a person would commit an offence if the person disclosed any personal data of a data subject which was obtained from a data user without the data user's consent, and the disclosure caused psychological harm to the data subject. The offender would be subject to a maximum fine of \$1,000,000 and imprisonment for five years. Since June 2019, the Office of the Privacy Commissioner for Personal Data ("PCPD") had referred over 1 460 cases which involved suspected contravention of section 64 of PDPO to the Police for criminal investigation and consideration of prosecution. Meanwhile, the

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Administration and PCPD were reviewing PDPO with a view to strengthening the protection of individuals (including children) from doxxing. The Administration aimed to complete the drafting of the legislative amendments to PDPO and introduce the relevant bill into LegCo for scrutiny within the current legislative session.

4. On issues which fell under the purview of the Education Bureau ("EDB"), Principal Assistant Secretary (School Administration Special Tasks) ("PAS(SA\_ST)") made the following points:

- (a) EDB had all along been fostering the whole-person development of students through the broad and balanced curricula in kindergarten ("KG"), primary and secondary education. For instance, the Kindergarten Education Curriculum Guide updated in 2017 had adopted "child-centredness" as its core value. According to the quality reviews of KGs conducted since the 2018-2019 school year, most KGs had been promoting children's quality learning experiences through play by strengthening the elements of free exploration and providing free-choice activities;
- (b) the framework on "Information Literacy for Hong Kong Students" had been provided to help schools develop students' knowledge, skills and attitude to use information and communication technology ethically and effectively, so as to raise students' awareness of safe, proper and healthy use of the Internet. Assistance was also provided to parents to help them nurture their children to develop a good habit of using information technology, and to prevent their children from indulging in Internet surfing and being exposed to indecent materials. A telephone hotline had been set up to provide individual support for parents, teachers, and students in need;
- (c) sex education and safety awareness were covered in different Key Learning Areas and subjects of the KG, primary and secondary curricula to raise students' awareness of self-protection. Topics such as understanding the body, identifying inappropriate physical contact, how to say no and seek help were included in the Personal Growth Education of primary schools. EDB encouraged schools to organize sex-related preventive and developmental guidance activities to teach students how to protect their bodies, say no when they felt offended and seek help when they ran into trouble;
- (d) as regards the support for students with special educational needs ("SEN") during the suspension of face-to-face classes amid the

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COVID-19 pandemic, EDB had maintained contact with schools to remind them to suitably adjust their teaching and support arrangements for students with SEN according to school-specific circumstances and students' needs. Schools were also reminded to keep regular communication with parents to understand the learning and emotional needs and changes of students with SEN, so as to provide appropriate learning materials and learning tasks for these students. In addition, the SEN Coordinators of schools would collaborate with professionals (such as school-based educational psychologists, school-based speech therapists and school social workers) to provide targeted support for individual students with special difficulties and their parents;

- (e) as regards the support for non-Chinese speaking ("NCS") students, starting from the 2014-2015 school year, EDB had implemented the Chinese Language Curriculum Second Language Learning Framework ("the Learning Framework"). Teachers could make reference to the Learning Framework to set appropriate learning targets, keep track of NCS students' learning progress and learning outcomes, plan the school-based curriculum and adopt appropriate teaching strategies, and enhance the learning effectiveness through a "small-step" progressive learning approach with a view to helping NCS students learn Chinese systematically. Moreover, with the implementation of the enhanced support measures for NCS students since the 2014-2015 school year, the number of primary and secondary schools admitting NCS students had gradually increased from about 590 in the 2013-2014 school year to about 650 in the 2020-2021 school year;
- (f) administering corporal punishment to pupils by teachers was prohibited under section 58 the Education Regulations (Cap. 279A). Schools were reminded to strictly observe the requirements of Cap. 279A and relevant training were provided for teachers regularly. No teacher had been charged with the offence of corporal punishment in the last five years; and
- (g) EDB believed that through collaboration amongst schools, teachers and other stakeholders in society, maintaining a caring and safe school atmosphere could enable students to grow up in a healthy environment.

5. On issues which fell under the purview of the Food and Health Bureau ("FHB"), Principal Assistant Secretary (Health)<sup>1</sup> made the following points:

- (a) to safeguard children's mental health, the Advisory Committee on Mental Health had been established since 2017 to advise the

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Government on mental health related policies. The mental health services supporting children and adolescents had been strengthened in recent years. For instance, FHB, in collaboration with EDB, the Hospital Authority ("HA") and the Social Welfare Department ("SWD"), had launched the Student Mental Health Support Scheme, under which multi-disciplinary teams, comprising psychiatric nurses of HA, designated teachers and school social workers, were formed to provide support to students with mental health needs in the school setting. Moreover, the Pilot Scheme on New Service Protocol for Child and Adolescent with Attention Deficit Hyperactivity Disorder and Comorbidity which had been launched in March 2021 would provide appropriate treatment and support services to those in need. In the five clusters currently providing the Child and Adolescent Psychiatric Service ("C&APS") under HA, the multi-disciplinary teams providing specialist out-patient services had been strengthened. C&APS would also be introduced in phases in HA's Hong Kong East Cluster;

- (b) FHB and the Department of Health had all along endeavoured to promote, protect and support breastfeeding. The Committee on Promotion of Breastfeeding had been set up with a view to enhancing the sustainability of breastfeeding and promoting breastfeeding as the norm for baby care widely accepted by the general public. Other measures were also in place to promote breastfeeding, which included promoting the Breastfeeding Friendly Workplace policy and Breastfeeding Friendly Premises in public places; as well as imposing mandatory requirements for the provision of baby care rooms and lactation rooms in the sale conditions of some government land sale sites for new commercial premises. As a result, there had been a significant increase in the breastfeeding rate on hospital discharge;
- (c) the operation of the Hong Kong Children's Hospital ("HKCH") had commenced in phases since December 2018 to provide diagnosis, treatment and rehabilitation services for patients with relevant clinical needs, from birth to 18 years of age in Hong Kong. HKCH adopted a children-centred and family-friendly design to create a home-like environment for child patients to relieve their fear and stress. HKCH also provided various facilities to cater for the needs of the patients and their families and create a better patient experience; and
- (d) to cater for the children's needs, the age, health condition and health risks of each child would be fully taken into account in providing various public health facilities and making arrangements for COVID-19-related testing, quarantine and isolation. For example, for

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inbound travellers, special arrangements would be made to allow young children and infants with genuine need on a case-by-case basis so that they could go to the place of quarantine as soon as possible without waiting for the test results.

6. On issues which fell under the purview of the Labour and Welfare Bureau, Principal Assistant Secretary (Welfare) 1 ("PAS(W)1") made the following points:

- (a) the Commission on Children ("CoC") had been established with the aim to ensure that Hong Kong was a place where the rights, interests and well-being of all children were respected and safeguarded and their voices were heard, and where all children enjoyed healthy and happy growth and optimal development so as to achieve their fullest potential. Chaired by the Chief Secretary for Administration and comprising official members who were Directors of Bureaux and Heads of Departments, as well as non-official members from different sectors of the community, CoC had been performing its functions effectively. Various bureaux and departments ("B/Ds") had been dealing with investigations, complaints and enforcement of children-related cases in accordance with their established mechanisms or legislation. CoC also deliberated on and coordinated children-related issues straddling different policy areas;
- (b) in late 2019, CoC commissioned a consultancy study to examine the feasibility, implementation framework and other issues relating to the development of a central databank on children. Specific work in the future would draw reference from the findings and recommendations arising from the study;
- (c) the Law Reform Commission ("LRC") published a report on Child Custody and Access in 2005, the main recommendation of which was the introduction of a new parental responsibility model into Hong Kong's family law. In this connection, the Government launched a public consultation exercise on a draft Children Proceedings (Parental Responsibility) Bill from November 2015 to March 2016. The percentage of views in support of the implementation of the proposed legislation was about the same as that opposing it (i.e. each accounted for more than 30%). Those who objected to the proposed legislation considered that it could not solve all conflicts between divorced parents, particularly those high-risk families with history of domestic violence, but might lead to litigation and more family problems, thus adversely affected the well-being of the child. The society's consensus at that time was that the Government should



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enhance the support services for separated/divorced families. Therefore, the Government reported to the Panel on Welfare Services on 12 March 2018 the decision not to introduce the proposed legislation, but to strengthen the measures to support separated/divorced families. The Government would continue to keep in view stakeholders' receptiveness to the legislative proposal, especially whether the worries of those who objected the proposal could be addressed, and then consider the appropriate timing to embark on the legislation;

- (d) to safeguard the interests of adopted children, a professional matching panel, comprising representatives of SWD and the three accredited adoption agencies, would conduct regular meetings to identify the most suitable adoptive parent(s) for a particular child/sibling group awaiting adoption. The well-being, rights and best interests of the child were of paramount importance in the matching process. Due regard would be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background. The conclusions and recommendations, including the factors that had been considered by the matching panel, would be recorded to ensure fair and consistent adoption arrangements; and
- (e) recognizing the importance of early intervention for pre-school children with special needs, the On-site Pre-school Rehabilitation Services ("OPRS") had been regularized since 2018. The number of OPRS places had been increased from 3 000 prior to regularization to 8 000 in the 2020-2021 school year, and would be further increased to 10 000 in the 2022-2023 school year. The Administration would continue to monitor the demand for OPRS and the supply of the relevant professional personnel.

7. On issues which fell under the purview of the Security Bureau, Principal Assistant Secretary for Security (E) ("PAS for S (E)") and Principal Assistant Secretary for Security (Review) ("PAS for S (R)") made the following points:

- (a) the Administration had been tackling child-related sexual crimes through inter-departmental and multi-disciplinary collaboration. In 2020, the number of child sexual abuse cases was 386, decreased by 8.5% from 2019. The Administration would continue to monitor the relevant trends and review the suitability and effectiveness of the strategies for preventing and combating child-related sexual crimes. Besides, the Prevention of Child Pornography Ordinance (Cap. 579) criminalized, amongst other things, the publication and possession of child pornography. In 2020, 45 people were arrested for committing the relevant offences;

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- (b) the Sexual Conviction Record Check ("SCRC") Scheme served as an administrative mechanism to minimize the risk of sexual abuse to children or mentally incapacitated persons and afford better protection to them. In November 2020, the relevant subcommittee under LRC published a consultation paper on sentencing and related matters in the review of sexual offences, which provided recommendations on the SCRC Scheme. The Administration would keep in view LRC's final recommendations in respect of the SCRC Scheme;
- (c) in 2020, the number of arrestees under the age of 18 was 2 352, increased by 3.7% from the previous year. The Police had put in place clear guidelines on handling child or juvenile arrestees to protect their rights and welfare. Detained children and juveniles enjoyed the same fundamental rights as other detained persons, and these rights had been clearly listed in the Notice to Persons in Police Custody or Involved in Police Enquiries;
- (d) under the Juvenile Offenders Ordinance (Cap. 226) ("JOO"), the minimum age of criminal responsibility was 10. For persons under the age of 14, there was a legal presumption of doli incapax under the common law, i.e. a child was incapable of committing a crime; the presumption could only be rebutted on proof with a high standard;
- (e) the Administration was concerned about the large number of young people and students present at the conflict scenes during the social unrests in recent years. Parents, schools and teachers had the responsibilities to protect the personal safety and well-being of children and students, and to remind them to stay away from violent confrontations and not to participate in illegal acts that might jeopardize their future. In the series of violent protests and processions since June 2019, about 4 000 students had been arrested, which accounted for 40% of the total number of arrestees. For arrestees under the age of 18 who had committed offences which were not serious in nature and had admitted the offences concerned, the Police would consider measures alternative to prosecution. So far amongst these arrestees, 19 were released after being cautioned under the Police Superintendent's Discretion Scheme, and around 130 were subject to bind-over orders. The Police would continue to implement measures on various fronts to facilitate the rehabilitation of juveniles in an effort to reduce recidivism;

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- (f) the Unified Screening Mechanism had been implemented since March 2014 to screen non-refoulement claims on all applicable grounds in one go. Claimants aggrieved by the decision of the Immigration Department ("ImmD") might appeal to the independent statutory Torture Claims Appeal Board. As at the end of 2020, there were 563 non-refoulement claims pending screening by ImmD, in which 42 of the claimants were minors. Apart from providing publicly-funded legal assistance and simultaneous interpretation services to claimants during the screening procedures, humanitarian assistance had also been provided to non-refoulement claimants since 2006 to meet their basic needs. These claimants might receive assistance on items covering food, other basic daily necessities, rental and transportation allowance, etc. SWD would arrange for the unaccompanied minors of non-refoulement claimants to stay in a shelter operated by the International Social Service Hong Kong Branch with 24-hour supervision. EDB would also arrange suitable school places for minors of non-refoulement claimants who wished to attend schools on a discretionary basis; and
- (g) the Correctional Services Department ("CSD") was committed to ensuring a secure, safe, humane, decent and healthy custodial environment, and providing appropriate rehabilitation programmes for persons in custody ("PICs") including young PICs. In accordance with the law, CSD strived to protect the rights of all PICs and ensure that they received equal treatment. Torture and corporal punishment against PICs were prohibited. PICs who felt aggrieved by any treatment received might lodge a complaint or express their views through various channels within or outside CSD. Moreover, CSD provided education programmes to young PICs under the age of 21 and encouraged them to take part in local and overseas accredited public examinations. To facilitate their reintegration into the society as law-abiding citizens, CSD also provided half-day vocational training to help young PICs acquire job skills, obtain recognized qualifications and develop good work habits.

8. On issues which fell under the purview of the Department of Justice ("DoJ"), Deputy Solicitor General (Constitutional Affairs) ("DSG(C)") made the following points:

- (a) the Prosecutions Division of DoJ had been providing regular criminal advocacy courses for prosecutors. The training content covered JOO, the Protection of Children and Juveniles Ordinance (Cap. 213) and the relevant international standards, as well as the court procedures in relation to the juvenile justice system. Between 2010 and 2020,

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five legal professionals within DoJ had participated in two seminars on child witnesses and the juvenile criminal justice system; and DoJ had provided talks to more than 5 000 students in 26 secondary schools to introduce the juvenile criminal justice system; and

- (b) under HKSAR's legal framework, the HKSAR Government and public authorities had always been prohibited from practising racial discrimination. The Hong Kong Bill of Rights Ordinance (Cap. 383) prohibited discrimination by the HKSAR Government and public authorities on the grounds of, amongst others, race, colour, descent and national or ethnic origin. Besides, the Race Discrimination Ordinance (Cap. 602) bound the Government and expressly rendered it unlawful to discriminate against a person on the ground of race in the prescribed areas of, amongst others, employment; education; the provision of goods, facilities and services; and the disposal or management of premises. It was also unlawful to racially harass another person in the prescribed areas.

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9. At the Chairman's request, DS(CMA)1 agreed that the Administration would provide after the meeting a consolidated written response to deputations/individuals' views.

*(Post-meeting note: The Administration's consolidated written response was issued vide LC Paper No. CB(4)931/20-21 on 3 May 2021.)*

Discussion

*The work of the Commission on Children and proposal to establish a central databank on children in Hong Kong*

10. Mr Martin LIAO enquired whether CoC would be upgraded to become a statutory body so that it could be given enforcement power to step up the protection of children's rights. He expressed support for the proposal of establishing a central databank on children in Hong Kong which, in his view, would help different B/Ds and other public bodies share and get hold of children-related data for policy formulation. Mr LIAO said that a number of overseas countries had set up similar central databanks, and the Australian authorities, for instance, had established various indicators and conducted mass-scale surveys relating to children's growth. He and Ms Starry LEE sought details about the progress of the consultancy study commissioned by COC relating to the development of a central databank on children in Hong Kong. Ms LEE also enquired whether CoC had conducted investigative and tracking surveys to find out the difficulties faced by the vulnerable children in Hong Kong, including

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those who were sick and those with SEN, ethnic minority, poor and single-parent backgrounds.

11. PAS(W)1 responded that CoC was effective in driving the work to promote the well-being of children through policy formulation as well as co-ordination and follow-up on the implementation of measures under different B/Ds. Four working groups had been set up under CoC to undertake specific areas of work and follow up on issues such as the provision of rehabilitation services, the long-term development of child care services, the design of children's playgrounds, the mental health of children and education for ethnic minority children. Representatives of relevant B/Ds would attend meetings of CoC to listen to and follow up on the views and suggestions expressed by its members. PAS(W)1 further said that developing a central databank on children in Hong Kong would be conducive to CoC's work by consolidating and integrating children-related data from various B/Ds and other organizations. As regards the relevant consultancy study commissioned by CoC, PAS(W)1 advised that the consultant had completed the review of relevant overseas experiences of implementing central databanks and was currently conducting a series of engagement sessions to collect the views, possible concerns and expectations from stakeholders. Specific work in the future would draw reference from the outcome the consultancy study.

*Support for needy children*

12. Ms Alice MAK expressed concern that while the reliance on e-learning had increased amid the COVID-19 pandemic, the support provided to children from grassroots backgrounds to facilitate their e-learning at home was inadequate. She and the Chairman enquired whether EDB would strengthen its support in this regard to ensure that all children would enjoy equal opportunities in accessing education.

13. PAS(SA ST) said that EDB had been implementing an assistance programme through the Community Care Fund to subsidize needy primary and secondary students to purchase mobile computer devices. In addition, EDB would disburse one-off top-up grants to subsidize schools for the additional expenses incurred in purchasing portable Wi-Fi routers and/or mobile data cards for needy primary and secondary students to facilitate e-learning at home. EDB also planned to launch a three-year programme under the Quality Education Fund to provide \$1.5 billion to schools to subsidize their purchase of mobile computer devices for loan to needy students etc. so as to ensure that all students would have equal opportunities in accessing e-learning. PAS(SA ST) added that EDB had maintained close communication with schools to ensure that students in need of support for e-learning were provided with the necessary assistance.

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14. Mrs Regina IP enquired about the Administration's measures to assist children who were in poverty and living in poor conditions. PAS(W)1 advised that on the social welfare front, the Administration had been providing support for these children in a number of ways, including providing higher standard rates for eligible children and various special grants to meet the educational needs of children under the Comprehensive Social Security Assistance ("CSSA") Scheme. As for working households who were not on CSSA, financial assistance was also provided under the Working Family Allowance ("WFA") Scheme, where each eligible child in an eligible household would be entitled to Child Allowance in addition to the working-hour linked household allowance of the WFA Scheme. There were also fee reduction/waiving arrangement under SWD's child care centre services and after-school care programme to enable needy low-income families to receive necessary services. Besides, Short-term Food Assistance Service Projects were also in place to help families who had difficulties in coping with their daily food expenditure.

15. In response to Mrs Regina IP's further enquiry, PAS(SA\_ST) advised that the Life-wide Learning Grant was provided to schools to support them to organize diversified learning activities and enrich students' learning experiences. EDB had also set up the Student Activities Support Fund to support students with financial needs to participate in various learning activities. PAS(SA\_ST) added that EDB would gauge the feedback from schools on these support measures provided to needy students in due course.

*Ensuring children's right to leisure*

16. Mr LUK Chung-hung raised concern that some students in Hong Kong were given a heavy load of homework and had busy schedules for revision and extra-curricular activities. These, in his view, might reduce the rest time of these students and deny their access to leisure and play time. He suggested that EDB should step up the monitoring of schools in respect of the amount of homework assigned to students.

17. PAS(SA\_ST) said that EDB had all along emphasised the balanced development of students with sufficient time for rest and leisure, and provided guidelines to schools on effective homework. Besides, the directional recommendations of the Task Force on Review of School Curriculum included "creating space and catering for learner diversity". EDB would also step up parent education on effective learning. To this end, the Positive Parent Campaign had been launched to enhance parents' mindset in nurturing their children with a view to helping their children learn effectively and grow happily.

*Protection of children from doxxing and bullying acts*

18. In the light of the doxxing incidents that took place in recent years, Ms Alice MAK questioned whether the "measures taken to protect children from arbitrary or unlawful interference with their privacy, family, home or correspondence and unlawful attacks on their honour or reputation" in paragraph 23 of the Outline of Topics were adequate in protecting children who fell victim to doxxing acts targeted at police officers and their family members. She also asked about EDB's measures to protect children of police officers from bullying in schools. Mr LUK Chung-hung, the Chairman and Ms Elizabeth QUAT shared similar concerns and urged the Administration to reflect the difficulties faced by these children in the Third Report of HKSAR.

19. DS(CMA)1 said that amendments to PDPO were proposed with a view to providing greater protection to individuals (including children) against doxxing activities. The scope of the proposed legislative amendments included the definition of a proposed doxxing offence, the threshold for conviction, criminal penalties and empowering PCPD with statutory criminal investigation and prosecution powers.

*Issues relating to children taking part in protests*

20. Mr LUK Chung-hung raised concern that some parents had brought their children to the scenes of violent and unlawful protests in recent years, while some teachers had encouraged students to take part in these protests. He stressed that it was the responsibility of parents and teachers to protect children from being exposed to the danger arising from violent conflicts. He also urged the Administration to step up parental education in this regard. Ms Alice MAK, the Chairman, Mr LEUNG Che-cheung and Mr LUK Chung-hung took the view that the social incidents that had happened since June 2019 should be referred to as "riots" in the Third Report so as to reflect their nature more accurately. Ms Elizabeth QUAT also raised concern that the law-abiding awareness amongst students had deteriorated in recent years due to the influence of public figures who advocated civil disobedience and violence.

21. PAS(SA ST) advised that EDB had conveyed relevant messages to schools to promote the responsibility of parents and teachers, notably the guidelines issued on 4 February 2021 on school administration and education in relation to safeguarding national security and national security education, with a view to maintaining a safe and orderly learning environment in schools and nurturing students to become good law-abiding citizens. Among other things, schools had been urged to step up the prevention and suppression of teaching or other school activities undertaken by any parties that were in breach of the law. PAS(SA ST)

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added that as parents played a pivotal role in the growth and learning of their children, schools were advised to maintain close contact with parents and foster home-school cooperation.

*Protection of children from abuses and crimes*

22. Mr LEUNG Che-cheung said that a suspected child abuse case in 2018, in which a five-year-old child was killed, had aroused widespread concern in the community. He sought details of the measures taken by the Administration in protecting children from abuse and domestic violence in recent years.

23. PAS(W)1 said that in May 2019, the relevant subcommittee of LRC had issued a public consultation paper which covered a preliminary proposal for reform of the law by creating a new offence of "failure to protect" in relation to children or vulnerable adults who died or were seriously harmed as a result of abuse or neglect while in the care of a person. The public consultation period was held between May and August 2019. The proposal covered broad and complex facets that required thorough consideration. The Administration would keep in view closely LRC's review and its final recommendations, and upon receipt of its final report, carefully consider the proposed recommendations. Meanwhile, the revised "Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation" was issued in April 2020 to provide enhanced procedures for handling suspected child maltreatment cases by different professionals.

24. To enhance the protection of children from possible sexual harassment and abuse, the Chairman considered that the SCRC Scheme should be extended to cover volunteers taking part in charitable activities. He enquired about the current arrangement in respect of schools requesting their prospective employees to undergo SCRC in the employment process.

25. PAS for S (E) said that the SCRC Scheme currently covered persons seeking work that involved children or mentally incapacitated persons from an organization or enterprise (including contract renewal staff of such type of work). The relevant subcommittee under LRC had proposed in its consultation paper that the current SCRC Scheme be extended to cover all existing employees, self-employed persons, and volunteers; and that the Government should evaluate the need to make the SCRC Scheme a mandatory scheme at an appropriate juncture. LRC was currently considering the public responses received and the Administration would keep in view LRC's final recommendations in respect of the SCRC Scheme. PAS for S (E) added that in 2020, more than 44 000 new applications and 12 800 renewal applications for SCRC were received. The Administration did not keep separate statistics on school-related SCRC applications.



26. Ms Elizabeth QUAT expressed concern that some children had fallen victim to sexually-related crimes such as naked chat scams, or had been lured into committing various sorts of crime. She called on the Administration to step up the protection of children from these crimes. DS(CMA)1 said that different B/Ds would continue to safeguard the rights and well-being of children through various measures. For instance, the Children's Rights Education Funding Scheme implemented by CMAB would help encourage and enable community organizations to take up educational projects for raising public awareness and understanding of children's rights enshrined in CRC, which would be conducive to developing proper attitudes and values in children.

27. In response to Mrs Regina IP's enquiry on the current situation of child trafficking in Hong Kong, PAS for S (R) said that the Administration had been collaborating with Mainland authorities to combat illegal immigration and human trafficking syndicates, and there had been no sign of child trafficking activities in Hong Kong so far.

#### *Curriculum design*

28. Referring to the current review of the curriculum design of Liberal Studies, Mrs Regina IP asked how the content of "Personal Development and Interpersonal Relationships", which was a key element in the Liberal Studies curriculum, would be taught after the review. She considered that the sex- and gender-related content in the current curriculum was too outdated and requested the Administration to seek new ways of teaching relevant issues in consultation with relevant non-governmental organizations. Mrs IP also called on the Administration to promote the sense of social belonging amongst students. The Chairman opined that in providing values education to students, more emphasis should be placed on promoting the existing institution of monogamy and traditional marriage between a man and a woman.

29. PAS(SA ST) said that while Liberal Studies was a core subject in the senior secondary curriculum, Personal Growth Education had been provided to students in primary schools. Through different subjects and activities, EDB promoted students' awareness of self-protection and helped students build up appropriate social values and attitudes. PAS(SA ST) said that members' views would be duly considered by relevant divisions of EDB.

30. Referring to footnote 1 of the Outline of Topics, Mrs Regina IP enquired about the reservations and declaration made by the People's Republic of China for and on behalf of HKSAR which were still applicable to HKSAR. Mrs IP also asked about the existing measures to protect children born out of wedlock. At the request of the Chairman, DS(CMA)1 undertook to provide in writing the Administration's responses to Mrs IP's enquiries after the meeting.

Action

(*Post-meeting note:* The Administration's written responses were issued vide LC Paper Nos. CB(4)813/20-21 and CB(4)1133/20-21 on 15 April and 18 June 2021 respectively.)

**IV. Any other business**

31. There being no other business, the meeting ended at 4:02 pm.

Council Business Division 4  
Legislative Council Secretariat  
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