



香港法律改革委員會

THE LAW REFORM COMMISSION OF HONG KONG

Your Ref.: CB2/PL/WS  
Our Ref.: LRC/TOP/49

30 April 2021

Ms Maisie Lam  
Clerk to the Panel on Welfare Services  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central  
Hong Kong

Dear Ms Lam,

**Panel on Welfare Services**  
**Meeting on 10 May 2021**

Thank you for your letter of 22 April 2021 inviting representatives of The Law Reform Commission of Hong Kong (“LRC”) to attend the above meeting for discussion of the item on “Formulating a mandatory reporting mechanism for child abuse cases and strengthening the prevention of child abuse”.

The LRC is still working on the report on Causing or Allowing the Death or Serious Harm of a Child or Vulnerable Adult (“CADCVA”) the deliberations of which have to be kept confidential until its formal publication. Recommendations made by the LRC are to be passed to the relevant policy bureau for consideration. Hence, I am afraid that the LRC is not in a position to accept the invitation.

In any event, as you are aware, the LRC study on CADCVA focuses on a new proposed offence of “Failure to protect”, without a recommendation on a mandatory reporting mechanism. It is specifically stated in paragraph 8.2 of the relevant Consultation Paper published in May 2019 that the issue of “*obligations on the reporting of abuse – ie, how these obligations operate (whether voluntary or mandatory), what are their implications and how effective are they*” is an issue “*not strictly within our terms of reference*” and the relevant research information on

reporting obligations is set out in the Consultation Paper for the Government and other organisations involved to consider "*how to further develop policies in this complex area*". In this regard, we have no further information to provide.

We thank the Panel for its interest in the LRC's work.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Adeline Wan', is positioned above the printed name.

Adeline Wan  
Secretary  
Law Reform Commission of Hong Kong

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