

OFFICIAL REPORT OF PROCEEDINGS

Wednesday, 16th February 1977

The Council met at half past two o'clock

PRESENT

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR CRAWFORD MURRAY MACLEHOSE, GBE, KCMG, KCVO
THE HONOURABLE THE CHIEF SECRETARY
SIR DENYS TUDOR EMIL ROBERTS, KBE, QC, JP
THE HONOURABLE THE FINANCIAL SECRETARY
MR CHARLES PHILIP HADDON-CAVE, CMG, JP
THE HONOURABLE THE ATTORNEY GENERAL
MR JOHN WILLIAM DIXON HOBLEY, CMG, QC, JP
THE HONOURABLE THE SECRETARY FOR HOME AFFAIRS
MR DENIS CAMPBELL BRAY, CMG, CVO, JP
THE HONOURABLE IAN MACDONALD LIGHTBODY, CMG, JP
SECRETARY FOR HOUSING
THE HONOURABLE LI FOOK-KOW, CMG, JP
SECRETARY FOR SOCIAL SERVICES
THE HONOURABLE DAVID AKERS-JONES, JP
SECRETARY FOR THE NEW TERRITORIES
THE HONOURABLE LEWIS MERVYN DAVIES, CMG, OBE, JP
SECRETARY FOR SECURITY
THE HONOURABLE DAVID WYLIE MCDONALD, JP
DIRECTOR OF PUBLIC WORKS
THE HONOURABLE KENNETH WALLIS JOSEPH TOPLEY, CMG, JP
DIRECTOR OF EDUCATION
THE HONOURABLE IAN ROBERT PRICE, CBE, TD, JP
COMMISSIONER FOR LABOUR
THE HONOURABLE DAVID GREGORY JEAFFRESON, JP
SECRETARY FOR ECONOMIC SERVICES
THE HONOURABLE ALAN JAMES SCOTT, JP
SECRETARY FOR THE CIVIL SERVICE
THE HONOURABLE GARTH CECIL THORNTON, QC
SOLICITOR GENERAL
THE HONOURABLE EDWARD HEWITT NICHOLS, OBE, JP
DIRECTOR OF AGRICULTURE AND FISHERIES
THE HONOURABLE THOMAS LEE CHUN-YON, JP
DIRECTOR OF SOCIAL WELFARE
THE HONOURABLE DEREK JOHN CLAREMONT JONES, JP
SECRETARY FOR THE ENVIRONMENT
DR THE HONOURABLE THONG KAH-LEONG, JP
DIRECTOR OF MEDICAL AND HEALTH SERVICES
THE HONOURABLE WILLIAM DORWARD, OBE, JP
DIRECTOR OF COMMERCE AND INDUSTRY (*Acting*)
DR THE HONOURABLE CHUNG SZE-YUEN, CBE, JP
THE HONOURABLE LEE QUO-WEI, CBE, JP
THE HONOURABLE OSWALD VICTOR CHEUNG, CBE, QC, JP
THE HONOURABLE ROGERIO HYNDMAN LOBO, OBE, JP

THE HONOURABLE JAMES WU MAN-HON, OBE, JP
 THE HONOURABLE HILTON CHEONG-LEEN, OBE, JP
 THE HONOURABLE LI FOOK-WO, OBE, JP
 DR THE HONOURABLE HARRY FANG SIN-YANG, OBE, JP
 THE HONOURABLE MRS KWAN KO SIU-WAH, OBE, JP
 THE HONOURABLE LO TAK-SHING, OBE, JP
 THE HONOURABLE ALEX WU SHU-CHIH, OBE, JP
 THE REV THE HONOURABLE JOYCE MARY BENNETT, JP
 THE HONOURABLE CHEN SHOU-LUM, JP
 THE HONOURABLE MISS LYDIA DUNN, JP
 DR THE HONOURABLE HENRY HU HUNG-LICK, OBE, JP
 THE REV THE HONOURABLE PATRICK TERENCE McGOVERN, SJ, JP
 THE HONOURABLE PETER C. WONG, JP
 THE HONOURABLE WONG LAM, JP

ABSENT

THE HONOURABLE PETER GORDON WILLIAMS, OBE, JP
 THE HONOURABLE JOHN HENRY BREMRIDGE, OBE, JP
 THE HONOURABLE FRANCIS YUAN-HAO TIEN, OBE, JP
 THE HONOURABLE LEUNG TAT-SHING, JP

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
 MRS LOLLY TSE CHIU YUEN-CHU

Papers

The following papers were laid pursuant to Standing Order 14(2): —

<i>Subject</i>	<i>LN No</i>
Subsidiary Legislation: —	
Places of Public Entertainment Ordinance.	
Places of Public Entertainment (Amendment) Regulations 1977	29
Places of Public Entertainment Ordinance.	
Notice under section 7A(1) specifying licence fees	30
Urban Council Ordinance.	
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<i>Subject</i>	<i>LN No</i>
Urban Council Ordinance.	
Urban Council Elections (Registration of Electors) (Amendment) Regulations 1977.....	32
Evidence Ordinance.	
Evidence (Authorized Persons) (No 2) Order 1977.....	33
Factories and Industrial Undertakings Ordinance.	
Factories and Industrial Undertakings (Guarding and Operation of Machinery) Regulations 1976 (Commencement) Notice 1977.....	34
Sessional Papers 1976-77: —	
No 36—Income and Expenditure Account of the Prisons Department Welfare Fund for the year ended 31st March 1976 (published on 16.2.77).	
No 37—Annual Report of the Li Po Chun Charitable Trust Fund for the period from 1st September 1975 to 31st August 1976 (published on 16.2.77).	
No 38—Trustee's Report on the Administration of the Education Scholarships Fund for the year ended 31st August 1976 (published on 16.2.77).	
No 39—Supplementary Provisions for the Quarter ended 30th September 1976 (published on 16.2.77).	
No 40—Annual Report by the Trustee of the Social Work Training Fund for the year ended 31st March 1976 (published on 16.2.77).	
No 41—Report of the Third Inland Revenue Ordinance Review Committee (published on 16.2.77).	

Oral answers to questions

Government forms

1. MR JAMES WU asked: —

Sir, will Government conduct a survey to ascertain: —

- (a) how many forms provided by Government Departments for completion by members of the public are bilingual and how many are in English only?
- (b) whether the English versions can incorporate Chinese translations?

Oral answers

SECRETARY FOR HOME AFFAIRS: —Sir, I do not think there are many forms that do not have Chinese versions so I think that any sort of formal survey would probably be a waste of time—there are thousands of statutory and non-statutory forms. I shall, however, have a check made. If the honourable Member knows of any cases where Chinese versions are not yet supplied I should be grateful if he would let me know.

Hawkers in housing estates: number of

2. MR CHEONG-LEEN asked: —

Sir, how many hawkers are there operating within housing estates which are administered by the Housing Authority

- (i) in the urban areas, and
- (ii) in the New Territories?

SECRETARY FOR HOUSING: —Sir, 12,000-odd hawkers operate inside the Housing Authority's urban estates, and 2,600 in its estates in the New Territories.

MR CHEONG-LEEN: —Sir, how many of these hawkers are food for man hawkers?

SECRETARY FOR HOUSING: —Sir, I should require notice of that question.

MR CHEONG-LEEN: —Sir, is the number of hawkers increasing in Housing Authority estates or is it decreasing?

SECRETARY FOR HOUSING: —Sir, I think the line is being successfully held at this point of time and if anything, a very slight decrease.

Hawkers in housing estates—policy on

3. MR CHEONG-LEEN asked: —

Sir, does the Housing Authority have any plans to license hawkers operating within housing estates in the urban areas and in the New Territories which are administered by the Housing Authority?

SECRETARY FOR HOUSING: —Sir, I take this question to be whether the Housing Authority has any plans to regularize the operations of hawkers trading within its estates.

The Housing Authority's long term aim is to have all trading activities in its estates conducted under a proper tenancy agreement in purpose-built shop stalls. When such stalls become available, hawkers are encouraged to bid for these tenancies. However, the large number of hawkers involved suggest that the Authority is unlikely to have enough shop-stalls in new estates for all hawkers to become commercial tenants in this way.

MR CHEONG-LEEN: —Sir, do I understand by regularizing that it is either a matter of issuing licences or of having market-stall leases?

SECRETARY FOR HOUSING: —No, Sir, the aim is that a proper commercial tenancy will only operate in proper purpose-built stalls. There is no intention to regularize, by licensing or otherwise, those hawkers who would be operating from anything other than a purpose-built stall.

MR CHEONG-LEEN: —In other words, Sir, this is a very long term operation, isn't it?

SECRETARY FOR HOUSING: —Well, Sir, given the numbers I would have to agree with that assumption.

MR CHEONG-LEEN: —Sir, as hawker-matters are managed by the Housing Authority in public housing estates, the Urban Council in the urban areas and New Territories Administration in the New Territories, will the Chief Secretary set up a top level committee to co-ordinate all hawker matters generally as they relate to land and other important resource requirements of these three authorities?

SECRETARY FOR HOUSING: —I think, Sir, that is another question.

MR CHEONG-LEEN: —I was addressing that question to the Chief Secretary.

HIS EXCELLENCY THE PRESIDENT: —That was another question. Perhaps you would put it down another time.

Junk Bay Area

4. MR Q. W. LEE asked: —

Sir, (a) has Government any plans for the balanced development of the Junk Bay area?

(b) if so, how soon will such development plans be implemented?

Oral answers

SECRETARY FOR THE NEW TERRITORIES: —Sir, consultants appointed in 1974 to investigate the further development of Junk Bay as an industrial area concluded that about 80 hectares of development land could be formed by terracing the hills and filling in the bay but that there would be severe constraints on the type of industry permissible, primarily because of the need to avoid any air pollution which could give rise to a deterioration in visibility at the airport.

A further investigation is just about to start which will determine how Junk Bay could be developed in the wider context of urban development for public and private housing and for some light non-polluting industry. This further study will take about six months. By the end of this year therefore, Government will be in a position to decide how and when to develop Junk Bay, which, because of its proximity to East Kowloon and Kwun Tong, is an obvious place to turn for future urban expansion.

Tai Hang Road

5. MR F. W. LI asked: —

Sir, will Government state the cause of the road collapse which occurred recently in Tai Hang Road?

DIRECTOR OF PUBLIC WORKS: —Sir, the road surface was undermined as a result of a sub-soil washout caused by leakage from a 300 mm diameter sewer located under the roadway.

Repair works were put in hand immediately and the road was re-opened to traffic the following morning.

Report on Form VI Education

6. REV JOYCE M. BENNETT asked: —

Sir, can Government please ensure that the report on Form VI education be sent to the head of each secondary school—Government, aided and private?

DIRECTOR OF EDUCATION: —Sir, heads of schools who want a copy of this report can obtain one on request from the Education Department.

But at present I am consulting the major bodies which represent schools and heads of schools along with the Universities and the Polytechnic. The results of this consultation will appear in the Green Paper on Senior Secondary and Tertiary Education. This will be published for comment by everyone concerned.

DR CHUNG: —Sir, arising from the answer given by the Director of Education, will be indicate when the Green Paper would be ready for tabling in this Council?

DIRECTOR OF EDUCATION: —Sir, the preparation of the Green Paper is not entirely a matter for my department, but I think that I cannot unreasonably suggest that it should be ready by October this year.

Severance pay

7. REV MCGOVERN asked: —

Sir, (i) how many awards of severance payments have been made by the Labour Tribunal or the Courts since they became compulsory by law?

(ii) in how many of these cases were the employers unable to pay in full or in part due to lack of funds?

THE ATTORNEY GENERAL: —Sir, it has not been possible in the time which has been available to obtain the information which I need to answer the question. I must explain, Sir, that it is not the practice of the Judiciary to keep separate statistical records of the outcome of individual civil cases, nor would it be generally useful for it to do so. It is therefore necessary to examine the Court record in each case. This is a considerable task. I shall provide the Reverend MCGOVERN with a written answer as soon as I can.

(The following written reply was provided subsequently).

A total of 422 awards of severance pay have been made between 23rd August 1974 and 31st December 1976. Not all awards are required to be paid into the Tribunal or to the District Court but where an employer fails to satisfy the award made by the Labour Tribunal the employees may register the award in the District Court and then enforce it as a civil judgment. In some cases these further enforcement proceedings have resulted in satisfaction of the award, whilst in others, the employees have not pursued enforcement action in the District Court. In those cases, I have checked with the Official Receiver and the Legal Aid Department to see whether or not bankruptcy or company

[THE ATTORNEY GENERAL] Oral answers

liquidation proceedings have been brought against the defaulting employers. As a result, it would appear that all awards made in 1974 were finally satisfied in full. In 1975, in 2 cases employees definitely did not receive severance pay and in 4 cases where there is no further trace after the awards was registered, it is possible that they did not but it is also possible that the parties may have reached the settlement and did not notify the court of this. In 1975 one employer subsequently went bankrupt and the employees received 75% payment of all their claims while in 3 cases again, there is no trace after the registration of the award in the District Court. These may or may not have reached satisfaction.

Weights and Measures Ordinance

8. MISS KO asked: —

Sir, when will Government amend the Weights and Measures Ordinance (enacted in 1885), the Merchandise Marks Ordinance (enacted in 1891) and the Sale of Goods Ordinance (enacted in 1896) in order to reflect modern-day practices?

SECRETARY FOR ECONOMIC SERVICES: —Sir, the Government is in the process of revising all 3 Ordinances. Drafting instructions have already been agreed in respect of the revisions of the Merchandise Marks Ordinance and the Sale of Goods Ordinance. Revision of the Weights and Measures Ordinance is much more complex and the Government is seeking the services of someone who has had experience with weights and measures legislation and with setting up the enforcement agency to back it. When his advice has been received, work on drafting the necessary amendments can start.

DR CHUNG: —In the first two ordinances where drafting instructions have already been agreed, will the Secretary for Economic Services indicate when they would be ready for introduction into this Council.

SECRETARY FOR ECONOMIC SERVICES: —Sir, it is our intention to put them to the present session of this Council, but the drafting is complex and may be we would not succeed in doing so.

MR CHEONG-LEEN: —Sir, would it be necessary and at what stage of the revision process will the Consumer Council be consulted?

SECRETARY FOR ECONOMIC SERVICES: —The Consumer Council will see the legislation in draft.

Hoists and cranes in construction sites

9. MR WONG LAM asked: —

Sir, in view of the recent mishaps caused by the collapse of hoists and cranes in construction sites, does Government consider present control over the use of such equipment effective?

COMMISSIONER FOR LABOUR: —Sir, I understand from Mr WONG Lam that the particular accident which he has in mind was one caused by a pile-driver which, on 14th January, fell from a construction site adjacent to a flyover in Cheung Sha Wan Road and narrowly missed a mini-bus and a double decker bus.

I should explain that neither a hoist nor a crane were concerned in this accident which involved the collapse of a pile-driver which is a "lifting appliance" (as defined in the Construction Sites Safety Regulations). This was the only dangerous pile-driver accident since January 1976.

I am satisfied that in general terms the Construction Sites Safety Regulations provide effective control over equipment used on construction sites. However, as I announced in this Council in my speech on 10th November 1976 these particular regulations are under review. Because this particular accident occurred while the pile-driver was being moved from one place to another on a construction site—and not while pile-driving was taking place—regulation 12 will be examined to see if it is possible to provide a suitable wording to cover the moving of a pile-driver from place to place on a construction site.

However, I must stress that legislation alone cannot prevent accidents arising. What is also needed is good supervision and an awareness on the part of senior management that accident prevention should be a major part of their policies.

Chai Wan Road

10. DR HU asked: —

Sir, (a) has Government any plan to improve the dangerous traffic black spot outside the Salesian Middle School in Chai Wan Road?

(b) if so, when will this improvement be carried out?

DIRECTOR OF PUBLIC WORKS: —Sir, crash barriers have already been erected along the pavements bordering the downhill lane of Chai Wan

[DIRECTOR OF PUBLIC WORKS] Oral answers

Road. Four pedestrian crossings have been provided to facilitate movement across Chai Wan Road and traffic light signals installed at the A Kung Ngam Road junction.

The construction of a footbridge across Chai Wan Road at the west end of the Salesian Middle School has been planned and construction works are expected to be completed before the school term starts in September.

In addition, consideration is being given to increasing the skid resistance of the road surface by using specially developed surfacing materials.

Further significant improvements to this section of roadway, particularly at the junction with Shau Kei Wan Road, are not possible due to the long and steep gradient of Chai Wan Road and other physical limitations in the area.

In the long term, however, traffic volume on this road will be reduced when the Island Eastern Corridor highway is extended through to Chai Wan.

Duplicate Share Certificate

11. MR Q. W. LEE asked: —

Sir, in order to facilitate the issue of a duplicate share certificate where the original is lost, will Government take early steps to implement the recommendation in the Second Report of the Companies Law Revision Committee that section 14 of the Companies (Reconstruction of Records) Ordinance should be incorporated in the Companies Ordinance as part of the general law applicable to all companies?

THE SOLICITOR GENERAL: —Sir, yes. A bill is at present being drafted to give effect to the recommendation referred to.

Siu Lam Hospital

12. DR FANG asked: —

Sir, what is the number of patients admitted into Siu Lam Hospital since it first opened, and the number discharged?

DIRECTOR OF MEDICAL AND HEALTH SERVICES: —Sir, 245 cases have been admitted into the Siu Lam Hospital since its opening in 1972 and the number of cases discharged including deaths is 46.

DR FANG: —Supplementary question, Sir. How long is the waiting list to the Siu Lam Hospital, can something be done to increase the turnover?

DIRECTOR OF MEDICAL AND HEALTH SERVICES: —Sir, the waiting list for Siu Lam Hospital is 319. At the moment, re-assessment of cases are constantly being done, and this may help to increase the turnover. However there are plans for the establishment of 300 additional beds for the severe grade of mentally retarded at the Caritas Medical Centre extension. It should be available for use next year and it is envisaged that with this provision the problem will be significantly alleviated.

Standards Bureau

13. MR CHEN asked: —

Sir, will Government consider establishing a Standards Bureau where standards of all metric units are kept so that the accuracy of measuring instruments can be verified and certified?

SECRETARY FOR ECONOMIC SERVICES: —Sir, section 2 of the Weights and Measures Ordinance already provides that there shall be deposited in the Treasury standard weights and measures as specified in the ordinance and that copies shall be deposited with the Commissioner of Police. The Commissioner's copies are intended for use by the public for reference. As a matter of administrative convenience the Commissioner's copies are now held by the Commissioner of the Preventive Services.

The Weights and Measures Ordinance (as I mentioned a few moments ago in my reply to Miss Ko) is about to be revised.

Among the matters to be considered in this revision are the questions of which standard weights and measures should be maintained by the Government and how a verification and certification machinery appropriate for present day conditions can be established and operated. Standard metric units will certainly be among those maintained.

DR CHUNG: —Arising from the reply given by the Secretary for Economic Services that the Commissioner's copies are intended for use by the public for reference, will the public be able to send in their measuring instruments for the Commissioner of the Preventive Services for verification and certification of their accuracies?

Oral answers

SECRETARY FOR ECONOMIC SERVICES: —Sir, the question does actually refer to the Standards Bureau which we are going to set up for metric units. I think I will prefer to consult my colleague, the Commissioner for Preventive Service and answer this particular question in writing if I may.

(The following written reply was provided subsequently)

The weights and measures at present with the Commissioner are in a generally poor condition. Certainly it is not possible to guarantee that any of them are of the standard of accuracy required so the answer is "no". Some of the weights and measures are suitable for use as testing standards however and are on occasion used as such.

We intend that this unsatisfactory state of affairs should be rectified as soon as possible and are hoping shortly to obtain the help of a United Kingdom expert on weights and measures to advise us on how to bring our weights and measures legislation and practice up to date. If we get him we shall give him the following terms of reference—

- (a) to advise on the scope and provisions of the legislation, with reference to the Drafting Instructions drawn up by the Weights and Measures Working Party;*
- (b) to advise on "progressive" implementation of the legislation;*
- (c) to advise on the need for a Weights and Measures Board or Committee, and if appropriate, its terms of reference and its composition;*
- (d) to advise on the control of "ching", type of Chinese weighing equipment which is open to manipulation, with reference to Singapore's experience;*
- (e) to advise on the organization and staff requirements of the weights and measures enforcement agency;*
- (f) to advise on the training of enforcement officers. In this regard the adviser is expected to study the feasibility of organizing local training, possibly in conjunction with the universities and Hong Kong Polytechnic, and to devise an appropriate training course/programme; and*
- (g) to advise on acquisition of standard weights and measures and verification equipment.*

The expert whose services we expect to obtain has experience in advising other countries on legislation, enforcement, and verification. We can modify his terms of reference in the light of what he finds as he proceeds with his work.

So if we can get the expert's help, I am sure that at last we shall be able to make progress. If we can't, then we shall have to look for someone else.

I am sorry that, at least as far as the present is concerned, I can't give you a more satisfactory answer.

DR CHUNG: —Thank you, Sir. While the Secretary for Economic Services will answer the question in writing, may I give him another question to answer in writing also, Sir? Will the Secretary for Economic Services give this Council in writing the type of measuring instruments which can now be verified and certified by the Commissioner of the Preventive Services?

HIS EXCELLENCY THE PRESIDENT: —I think Dr CHUNG your question should be taken as out of order. Mr Oswald CHEUNG.

MR CHEONG-LEEN: —Sir, in the process of revision, could careful consideration be given as to whether copies should still be deposited with the Commissioner of Police bearing in mind that these ordinances were first drafted in 1891.

HIS EXCELLENCY THE PRESIDENT: —I have called Mr Oswald CHEUNG.

Castle Peak Hospital

14. MR CHEUNG asked: —

Sir, what was the number of patients admitted into Castle Peak Hospital during 1976, and the number discharged?

DIRECTOR OF MEDICAL AND HEALTH SERVICES: —Sir, the total number of patients admitted into the Castle Peak Hospital during 1976 was 3,854. The number of discharges, including deaths in the same period was 3,842.

Castle Peak Hospital—patient load

15. MR CHEUNG asked: —

Sir, (a) how many patients exclusive of out-patients were under treatment in the Castle Peak Hospital at the end of 1976 and

(b) how does this compare with the original and revised capacity of the hospital?

Oral answers

DIRECTOR OF MEDICAL AND HEALTH SERVICES: —Sir, the number of patients exclusive of out-patients who are under treatment in the Castle Peak Hospital at the end of 1976 was 2,119.

The original capacity of Castle Peak Hospital was 1,242 beds and this was revised to the present 1,921.

There is therefore an additional 877 patients to be accommodated when compared with the original capacity of 1,242 beds and this additional number has been reduced to 198 by the revised capacity of 1,921 beds.

Psychiatric beds

16. MR CHEUNG asked: —

Sir, could more psychiatric beds be made available for use in the acute hospitals until such time as the new psychiatric wing of Princess Margaret Hospital is fully operational?

DIRECTOR OF MEDICAL AND HEALTH SERVICES: —Sir, it would not be possible to use beds in the acute hospitals such as the Queen Mary Hospital, Queen Elizabeth Hospital and the general wing of the Princess Margaret Hospital for psychiatric cases as these hospitals are already utilized to their fullest extent.

However, Mr Oswald CHEUNG's point is well taken that some measures should be instituted to alleviate the present overcrowded conditions in the Castle Peak Hospital. To this end, the old Lai Chi Kok Hospital has been renovated to provide 300 beds for psychiatric cases. In addition, more than 100 beds will be made available in the Kowloon Hospital during this year to complement the 67 beds in the existing psychiatric unit of this Hospital. Plans are also under consideration to provide dormitory accommodation for 90 cases at the Castle Peak Hospital itself.

It is considered that the measures described above will alleviate in the short-term the accommodation problem at the Castle Peak Hospital until the new Psychiatric Wing of the Princess Margaret Hospital is fully operational.

MTR Construction

17. MR T. S. LO asked: —

Sir, is Government satisfied with the practices and procedures of the Mass Transit Railway Corporation and its contractors with regard to avoiding damage to public utility installations during construction of the Railway?

DIRECTOR OF PUBLIC WORKS: —Yes, Sir, the Government is satisfied that the arrangements made to protect utility services during construction of the railway system are reasonable.

Well before construction commenced, a Utilities Co-ordinating Group was established, comprising representatives of the Government, the utility companies and the Mass Transit Railway Corporation to organize pre-contract diversions of services wherever possible. The group subsequently prepared General Specification clauses for inclusion in the works contracts which require contractors to take account of the presence of utility services in their methods of working, locate service installations by means of hand-dug trial holes, prepare utility protection programmes and submit for approval by the Corporation full details of their proposals for supporting or diverting the services.

However, despite the careful planning and precautions taken to safeguard service installations, it is inevitable that, with the concentration, complexity and speed of construction works required to develop the railway system in areas with a very high concentration of underground ducts, pipes, cables and drains, some errors will occur resulting in disruption of services. To date only three such disruptions, which could be classified as being of more than a minor nature, have occurred and this, I suggest, reflects favourably on the precautionary measures adopted by the Utilities Co-ordinating Group.

MTR—Consultants fees

18. MR T. S. LO asked: —

Sir, will Government obtain from the Mass Transit Railway Corporation information, to be conveyed to this Council, what fees have been paid to its consultants, and what further fees the Corporation expects to pay up to the completion of the Modified Initial System?

SECRETARY FOR ECONOMIC SERVICES: —Sir, I assume that Mr LO is asking whether the Governor will exercise his powers under section 19 of the Mass Transit Railway Corporation Ordinance to obtain this information from the Corporation.

[SECRETARY FOR ECONOMIC SERVICES] Oral answers

The answer is "yes". But as the information is not yet available to me, I cannot provide it now. But I will pass it in writing to Mr LO, and to any other Member who wishes to have it, as soon as it is available.

MR T. S. LO: —Sir, will the answer to be provided be under any restriction of confidentiality or would it be free from such restriction?

SECRETARY FOR ECONOMIC SERVICES: —Sir, as far as I can tell from my discussion so far with the Chairman of the Mass Transit Corporation, I can see no reason why there should be any security restriction on this information.

(The following written reply was provided subsequently)

The total fees which the Corporation has paid to its Consultants up to the end of its Financial Year ended 31st December 1976 amount to \$142,841,921. This figure includes fees paid by the Provisional Authority prior to the incorporation of the Corporation and also fees paid by Government for the Hong Kong Mass Transit Further Studies in 1970.

An estimate of further fees to be paid to Consultants by the Corporation up to the completion of the Modified Initial System amounts to \$101 million.

Statement**Report of the Third Inland Revenue Ordinance Review Committee**

THE FINANCIAL SECRETARY: —Sir, as I have already informed you in accordance with Standing Order 20(1), I wish to make a statement on the Report of the Third Inland Revenue Ordinance Review Committee which was tabled earlier this afternoon.

The Committee was appointed in February 1976 and commenced work on the 15th of June of that year. It submitted its report to the Acting Governor on 15th December 1976. The report is the product of six months of painstaking work, undertaken at considerable personal inconvenience to the members of the Committee. I would like, Sir, therefore, to take this opportunity to thank them publicly for their service to the community.

The Commissioner of Inland Revenue is now studying the technical aspects of the recommendations of the Committee and will be submitting his appraisal to me in about two months' time. I shall then

chair a small working party which will consider the financial, economic, social and political implications of the Committee's recommendations, taking into account such public comments as may be available to us with a view to formulating policy recommendations for the further consideration of Your Excellency in Council. The working party is likely to spend about four months on its deliberations. Thereafter the drafting of any necessary amendments to the law and the reorganization of departmental procedures would take some considerable time. Although in theory there is no reason why some of the acceptable recommendations could not be implemented sooner than others.

I should add Sir, that additional copies of the Report in both Chinese and English are now being printed and will be on sale to the public very shortly.

Government business

Motion

BANKRUPTCY ORDINANCE

THE SOLICITOR GENERAL moved the following motion: —

That the Bankruptcy (Amendment) Rules 1977, made by the Chief Justice on the 28th January 1977, be approved.

He said: —Sir, the Bankruptcy (Amendment) Ordinance 1976, passed by this Council late last year, amended section 18(1) of the Bankruptcy Ordinance so as to empower the court to dispense with the requirement that a debtor shall make out and submit a statement of affairs. This discretion was desirable because under the previous law if a statement of affairs had not been submitted and the debtor had disappeared, no dividend was legally possible.

In order that the court may be in a proper position to consider the exercise of this discretion in appropriate cases, the Chief Justice has made the Bankruptcy (Amendment) Rules 1977 which are now submitted for the approval of this Council. These rules add a new Bankruptcy Rule 81A which would enable the court, when considering the possibility of an order under section 18(1), to receive a report from the Official Receiver as to the circumstances. The court would also be empowered by the new Rule to give such consequential directions as it sees fit.

Question put and agreed to.

Motion (in Committee)**Supplementary provisions for the quarter ended 30th September 1976**

Council went into Committee, pursuant to Standing Order 58(2), to consider the motion standing in the name of the FINANCIAL SECRETARY.

THE FINANCIAL SECRETARY moved the following motion: —

That this Council approves the supplementary provisions for the quarter ended 30th September 1976 as set out in Paper No 39.

He said: —Sir, the schedule of supplementary provision for the second quarter of the financial year 1976-77, that is for the period 1st July to 30th September 1976, covers a total amount of \$131.9 million. Of this sum, Public Works Non-Recurrent accounts for \$100 million of which \$57.8 million is provision for additional expenditure on existing projects and \$40.3 million for 36 projects recently upgraded to Category A of the Public Works Programme.

Other items worth mentioning include \$15.5 million for the Universities, the Polytechnic, the Urban Council and a number of subvented organizations to assist them towards a salaries revision for their staff, \$2.6 million for an adjustment of the subvention for the Hong Kong Trade Development Council and \$7 million for the payment of ex gratia compensation involved in the clearance of Sheung Shui tanneries.

The supplementary provision covered by the schedule will not result in a net increase of expenditure for the year as offsetting savings have been found under other subheads of expenditure, or by the freezing of funds under Head 50 Miscellaneous Services Subhead 100 Additional Commitments.

The Finance Committee has approved all items in the schedule and the purpose of this motion is simply to seek the covering authority of this Council.

Question put and agreed to.

Council then resumed.

THE FINANCIAL SECRETARY reported that the motion had been agreed to in committee without amendment.

Question agreed by the whole Council pursuant to Standing Order 58(4).

First reading of bills**INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) BILL 1977****TRADE UNIONS (AMENDMENT) BILL 1977**

Bills read the first time and ordered to be set down for second reading pursuant to Standing Order 41(3).

Second reading of bills**INTERPRETATION AND GENERAL CLAUSES (AMENDMENT)
BILL 1977**

THE SECRETARY FOR HOME AFFAIRS moved the second reading of: —"A bill to amend the Interpretation and General Clauses Ordinance."

He said: —Sir, this bill replaces the present standard time and summer time, which are 8 and 9 hours ahead of Greenwich Mean Time by Hong Kong time, which will be 8 hours ahead of GMT, throughout the year, unless this Council decides otherwise, by resolution.

The system of changing the clocks from GMT+8 in the winter to GMT+9 in the summer was introduced in the 1940s. Summer time is at present defined as being from the first Sunday after 15th April until the first Sunday after 15th October.

During the oil crisis summer time, that is to say GMT+9 was introduced on 30th December 1973 instead of in April 1974 as part of our campaign to conserve energy. It was then estimated that the retention of GMT+9 throughout the year would save about 17,000 tons of fuel oil a year. There is a cost I work it out at about \$1.5 a head a day for staying on GMT+8. If any Member is interested I should be glad to let him have a note on this calculation. But I will not trouble Members with it now. This factor itself is not conclusive people do sometimes pay a little bit of what they like.

As a result of what appeared to be favourable public reaction to the measure of having GMT+9 in the winter, a bill to standardize Hong Kong Time at GMT+9 was published in June 1976. Somewhat surprisingly a large body of public and press opinion expressed a preference for GMT+8 throughout the year, rather than GMT+9.

At that time there was no lobby for GMT+8 in the winter and GMT+9 in the summer—the great majority were in favour of a fixed

[THE SECRETARY FOR HOME AFFAIRS] **Interpretation and General Clauses
(Amendment) Bill—second reading**

time throughout the year. Accordingly we decided that since there was a clear preference for a constant time system and much opposition to this being GMT+9 we should adopt GMT+8. This decision, which was announced on 4th August 1976, drew a good deal of editorial praise and no hostile comment.

Some people would of course like an extra hour in the evenings for recreation and leisure activities and their indifference to the loss of an hour's daylight in the mornings when they are asleep. Other people are only too anxious for the sun to set in summer evenings to get some relief from the heat. In the height of summer there is daylight for about 14 hours. In the winter for 12 hours. If we wanted the sun at its zenith at noon over this Council Chamber which lies on a longitude of 114°09'.4E (*laughter*) we should adopt a time of GMT+7 hrs 36 min 38 secs, though even then the sun misbehaves a bit and would be a few minutes out one way or the other most of the time. With GMT+8 hrs we have daylight from about 6.30 a.m. to 6.30 p.m. in December and January and from 5.30 a.m. to 7.30 p.m. in June and July. With GMT+9 the times would be 7.30 in the morning to 7.30 in the evening in winter and 6.30 in the morning to 8.30 in the evening in summer. If the clocks are changed in spring and summer then dawn does not move very far from 6.30 a.m. while dusk occurs at 6.30 p.m. in the winter and 8.30 p.m. in the summer.

The time issue is really a matter of personal preference. No great issues of state, or economy of industry or trade are at stake. We can be as rational or irrational as we please in making our choice. We are accustomed to changing clocks in winter and summer, we have tried summer time in the winter, we are about to try winter time in the summer. After that is over we shall have to try to make up our minds as to what we really like. When we have done so the bill to day will provide that should it be necessary to change the time system a simple resolution in this Council will be sufficient.

*Motion made. That the debate on the second reading of the bill be adjourned—*THE SECRETARY FOR HOME AFFAIRS.

Question put and agreed to.

TRADE UNIONS (AMENDMENT) BILL 1977

THE COMMISSIONER FOR LABOUR moved the second reading of: —"A bill to amend the Trade Unions Ordinance."

He said: —Sir, it would be opportune for me to start by reaffirming that the Government's policy is to encourage the development of a responsible trade union movement. To this end, the provisions of the Trade Unions Ordinance have two main objectives—to protect adequately the interests of members against persons seeking to use trade unions for their own personal gain, and to ensure that trade unions aim at the improvement of the livelihood of Hong Kong's workers and that they do not fall under extraneous influences.

Experience in the administration of the Trade Unions Ordinance has shown that a few provisions may perhaps be regarded as being unduly restrictive. After consultation with the Registrar of Trade Unions, and with the unanimous advice of the Labour Advisory Board, it is considered that certain amendments should be introduced to ease restrictions which may inhibit the employment by unions of competent staff, to remove unworkable and obsolete provisions, and consequent to these amendments to change some inconsistent wording.

Clause 2 of the bill now before Council proposes to replace the term "clerk" in section 2 by "paid staff" to describe more accurately paid full-time union officers.

Clause 3 drops the word "habitually" from the phrase "habitually engaged or employed in a trade, industry or occupation" in section 17(1) to enable more people who would otherwise be debarred by this qualification to join a union. In the same subsection the qualifications of "officer" are separated from those of "member", thereby giving greater flexibility to the choice and appointment of officers. A new subsection dealing only with "officer" will facilitate the engagement by trade unions of full-time officers and so strengthen union administration.

Clause 5 will repeal section 51 which is at present so widely drawn as to be of no value, and unenforceable in relation to the provisions regarding the possession of certain documents originating from outside Hong Kong.

Clause 6 is in the main consequential to clause 3 and provides that an officer of a trade union federation, who is not a voting member of a component trade union of the federation, shall be ordinarily resident in Hong Kong and also be, or have previously been, in a relevant trade, industry or occupation.

Clause 7 effects a minor amendment which will enable persons who are not members of a union to be appointed to the executive, as defined in the principal ordinance and will enable unions to engage full-time paid officers.

Trade Unions (Amendment) Bill—second reading

*Motion made. That the debate on the second reading of the bill be adjourned—*THE COMMISSIONER FOR LABOUR.

Question put and agreed to.

MISCELLANEOUS LICENCES (ABOLITION) BILL 1977**Resumption of debate on second reading (2nd February 1977)**

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

LION ROCK TUNNEL (AMENDMENT) BILL 1977**Resumption of debate on second reading (2nd February 1977)**

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

ROAD TRAFFIC (AMENDMENT) BILL 1977**Resumption of debate on second reading (2nd February 1977)**

Question proposed.

MR CHEUNG: —Sir, a notice of intended prosecution serves the purpose of calling the attention of a driver to the possibility that he may be prosecuted for dangerous driving, careless driving, or speeding. I regard it as only fair that such a notice is served, for a driver would otherwise be hard put to remember where he was driving or whether he was in fact driving at all at a certain place on a certain day and time.

The police, sometimes being unable to finish their enquiries within 14 days required for serving the notice preserve their position, understandably, by sending out such a notice before they have made up their minds to prosecute the driver in question or not.

When this bill was considered by Unofficial Members they noticed that it was proposed to put in a new paragraph (*b*) to the new section 22. A dispensation of the requirement that a notice should not be served where there has been an accident was demurred to and I conveyed Members' wishes to the Attorney General. He rang me back saying he was taken somewhat aback because this paragraph was introduced in accordance with an undertaking given by him to Members in this Council and he caused me therefore to look up the file in this matter and I discovered matters which have not been within my knowledge.

It transpired that a couple of years ago, a complaint was made to UMELCO that a driver who had been involved in an accident with a truck, and had herself reported it to the police, found herself served with such a notice; she was upset, as she regarded the driver of the other truck, who had driven away and not made a report to the police, as being responsible for the accident. She was in fact indignant, that, having done her duty as a good citizen, the police should have turned upon her. They explained it was not so, but felt obliged to keep their options open till all the facts had been investigated.

UMELCO then took up the matter, and urged that the Police should be more selective in serving such notices, to which the then acting Commissioner agreed.

In the course of time, and in an endeavour to find a solution to a problem which irked some drivers, it became known that the law in the United Kingdom would be changed, so as not to require a notice to be served where there has been an accident, and UMELCO was informed it was proposed to change the law into line here. Indeed, an Unofficial Member last May prodded things along with a question in this Council.

Having now been fairly and squarely faced with the question, do we or do we not change the law, we have been obliged to think out the implications. The word "accident", Sir, is a word of wide import, and a driver who is alleged to have committed the offence of dangerous or careless driving, or of speeding, need not, in our view, necessarily become aware of an accident which results from the presence of his vehicle on the road. A pedestrian may jump out of the way of a speeding bus to avoid being hit; his intention is to jump to a place of safety, and normally would do so, but perchance he collides with a fat lady behind him, knocks her into a trench (*laughter*) dug by an

[MR CHEUNG] **Road Traffic (Amendment) Bill—resumption of debate on second reading (2.2.77)**

utility company but not designed to accommodate a lady of such imposing proportions, and he injures her without intending to do so. This would be an accident caused by the alleged speeding, but it would not be one the driver would probably be aware of. Or a driver may run over a cat accidentally, it being quite impossible to run over a cat deliberately; or some fool of a motor cyclist (*laughter*) may try to pass a truck on the near side, and finding himself squeezed, brakes and falls, the truck driver blissfully ignorant of the accident. Honourable members can multiply my examples. It seems to us necessary in all these cases that the driver accused should have prompt notice of any intended prosecution.

All in all, on reflection, we think it better not to have paragraph (*b*) of the new section 22. I am sorry the Attorney General now finds himself being asked to delete a paragraph which Unofficial Members, without perhaps realizing the full consequences, hastened him to put in.

Sir, "The moral is
That man is an ungrateful beast" (*laughter*).

SECRETARY FOR THE ENVIRONMENT: —Sir, I am grateful to Mr CHEUNG for his very clear exposition of the difficulties that could be involved in not giving notice of intended prosecution for the offences concerned should an accident occur. I confirm that I will be moving an amendment in Committee to delete this provision from the bill.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

JUVENILE OFFENDERS (AMENDMENT) BILL 1977

Resumption of debate on second reading (2nd February 1977)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

GUARDIANSHIP OF MINOR BILL 1977**Resumption of debate on second reading (2nd February 1977)**

Question proposed.

MR PETER C. WONG: —Sir, in moving the second reading of the Guardianship of Minors Bill in 1972 the then Acting Attorney General rightly pointed out that in dealing with questions of guardianship, custody and maintenance, the welfare of the minor must always be given the first and paramount consideration. This well-conceived principle is now being further reflected in the bill tabled before us.

I have no doubt that this bill as a whole is a step in the right direction. However, I would like to draw the attention of honourable Members to section 13(1)(b) of the bill. This new provision relates to the power given to the Court to commit the care of minors under 16 to the Director of Social Welfare if there are exceptional circumstances making it impracticable or undesirable for the minor to be entrusted to either of the parents or to any other individual. Committing the care of the minor to the Director of Social Welfare is not to be confused with the making of a supervision order because the former means that the physical control of the minor as well as his upbringing will be vested in the hands of the Director. If this provision is not to become a dead letter of the law, Government must have the ways and means of implementing it. It is therefore pertinent to consider whether adequate facilities will be available to the Director to carry out this new responsibility.

Children likely to become committed to the care of the Director of Social Welfare are those who are neglected or ill-treated by their parents or whose parents cannot provide an adequate home for them. They are not necessarily wayward or problem children but rather victims of broken marriages and homes. What they require therefore is not correctional institutions designed for juvenile delinquents but a suitable environment resembling that of an orderly family which these unfortunate children need for the proper development of their mind and body. At present the only Government-run institution known to me to be anywhere near the mark is the Children Reception Centre. Unfortunately its capacity is limited to 80 children and it would not accept any child who is above the age of 8 years. As it is, the Centre is already over-populated and the possibility of providing further places is fairly remote. So far as voluntary and Government-subsidised institutions are concerned, the vast majority of them cater mainly for problem, retarded or handicapped children and not all of them are

[MR PETER C. WONG] **Guardianship of Minor Bill—resumption of debate on second reading (2.2.77)**

residential. Furthermore, the Director has no direct control over these institutions and is not automatically entitled to place a child in any of them. At any rate, these institutions are not designed for minors contemplated by this bill. If it is the present intention of Government to rely on existing facilities, then, in my view, they are inadequate for the purpose.

In Appendix 3.8 of the Annual Departmental Report for the year 1975-76, the Director of Social Welfare stated that at the end of that year the number of wards of the Director under the Protection of Women and Juvenile Ordinance reached a total of 968. Although the number of children that would require the protection of this new provision during the first few years of its coming into operation cannot be ascertained with any accuracy at this stage, it would be fair to assume that the total is likely to increase progressively.

It is true that before making an order committing the care of a minor to the Director of Social Welfare the Court shall inform the Director beforehand and any representations from the Director will be heard. However, without adequate facilities at the Director's disposal, it is likely that the whole scheme will become a frustrating exercise to both the judiciary and the executive. If through lack of proper facilities, the Director has to send a normal child to institutions where most of the occupants are children with problems of one kind or another, it would be contrary to the spirit of this bill and contrary to the principle that the welfare of the minor must always be given the first and paramount consideration.

In the light of what I have outlined above, I would urge Government to re-examine the problem of the adequacy or inadequacy of suitable facilities for the proper implementation of this new provision.

Sir, with this reservation, I support the bill.

THE SOLICITOR GENERAL: —Sir, I have consulted the Director of Social Welfare regarding Mr WONG's concern that the Director may not have the proper capacity to discharge the responsibility of care which may be given him under clause 13(1)(b).

The Director of Social Welfare considers that adequate facilities are available to cater for children committed to his care under this clause. Because it is only under exceptional circumstances that the court is likely to commit the care of a minor to the Director, it is

anticipated that the number of such cases requiring residential care will be very small. In addition to the Children's Reception Centre referred to by Mr WONG, there are altogether nine subvented voluntary organizations operating 14 residential homes for children in need of care with a total capacity for 1,540. At present, there are about 1,180 children in residence which means that there is still room for some 360 such children. These provisions do not include homes for delinquent or disabled children who are separately provided for in order institutions.

The Director of Social Welfare advises me that there are other facilities, such as foster care and small group homes which are being developed by voluntary organizations with Government subvention. These can also be used to provide special care for such children.

All the children's homes run by voluntary organizations are in close co-operation with the Social Welfare Department and admissions to these homes are in most cases arranged by the Social Welfare Department which also supervises the operation of the homes as well as the individual cases for which the Director has a responsibility.

The Director of Social Welfare will certainly keep a close watch on the situation if and when the proposed legislation is implemented. If the number of cases requiring his care should exceed what has been anticipated, I have no doubt that he will take steps to provide such additional facilities as may be necessary.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) BILL 1977

Resumption of debate on second reading (2nd February 1977)

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

AFFILIATION PROCEEDINGS (AMENDMENT) BILL 1977**Resumption of debate on second reading (2nd February 1977)**

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

SEPARATION AND MAINTENANCE ORDER (AMENDMENT) BILL 1977**Resumption of debate on second reading (2nd February 1977)**

Question proposed.

Question put and agreed to.

Bill read the second time.

Bill committed to a committee of the whole Council pursuant to Standing Order 43(1).

Committee stage of bills

Council went into Committee.

MISCELLANEOUS LICENCES (ABOLITION) BILL 1977

Clauses 1 and 2 were agreed to.

The schedule was agreed to.

LION ROCK TUNNEL (AMENDMENT) BILL 1977

Clauses 1 to 4 were agreed to.

ROAD TRAFFIC (AMENDMENT) BILL 1977

Clauses 1 and 2 were agreed to.

Clause 3

SECRETARY FOR THE ENVIRONMENT: —Sir, I move that Clause 3 be amended as set out in the paper before honourable Members.

*Proposed amendment**Clause*

3 That clause 3 be deleted and replaced by the following—

"Amendment of section 22. 3. Section 22(1) of the principal Ordinance is amended in paragraph (c) by deleting "such period of 14 days" and substituting the following—
"14 days, excluding public holidays, of the commission of the offence"."

The amendment was agreed to.

Clause 3, as amended, was agreed to.

JUVENILE OFFENDERS (AMENDMENT) BILL 1977

Clauses 1 to 3 were agreed to.

GUARDIANSHIP OF MINORS BILL 1977

Clauses 1 to 27 were agreed to.

MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) BILL 1977

Clauses 1 to 21 were agreed to.

AFFILIATION PROCEEDINGS (AMENDMENT) BILL 1977

Clauses 1 to 3 were agreed to.

SEPARATION AND MAINTENANCE ORDER (AMENDMENT) BILL 1977

Clauses 1 to 4 were agreed to.

HONG KONG INDUSTRIAL ESTATES CORPORATION BILL 1977

Clauses 1 to 6 were agreed to.

Clause 7

SECRETARY FOR ECONOMIC SERVICES: —Sir, I move that clause 7 be amended as set out in the paper before Members. The amendment improves the text of clause 7(b) but makes no difference to its provision.

*Proposed amendment**Clause*

Hong Kong Industrial Estates Corporation Bill—second reading

7 That paragraph (d) of subclause (1) be deleted and substituted by the following—

"(d) not more than 4 members, being public officers, appointed by the Governor."

The amendment was agreed to.

Clause 7, as amended, was agreed to.

Clauses 8 to 42 were agreed to.

New clause 33A "Secrecy".

Clause read the first time and ordered to be set down for second reading pursuant to Standing Order 46(6).

SECRETARY FOR ECONOMIC SERVICES: —Sir, in accordance with Standing Order 46(6), I move that new clause 33A as set out in the paper before Members be read a second time. It provides protection for sub-lessees of sites on industrial estates from disclosure of the commercially valuable information which they have furnished to the Corporation.

Before a site can be granted, an applicant will be required to furnish information to the Corporation, some of which he may regard as sensitive or confidential. In addition, sub-lessees will be required by virtue of clause 16 of the bill to allow authorized officers of the Corporation access to their premises; and although authorized officers will not generally be seeking confidential information, they may stumble across it.

It is right, in these circumstances, that the information that does come into the hands of the Corporation should not only be safe, but be seen to be safe, and that appropriate penalties should be provided for those who disclose it.

Question put and agreed to.

Clause read the second time.

SECRETARY FOR ECONOMIC SERVICES: —Sir, I move that new clause 33A be added to the bill.

Proposed addition

New clause 33A. That a new clause 33A be added as follows—

"Secrecy. **33A.** (1) Any person who in the performance or exercise of his functions or powers, or in the course of his employment, under or in connexion with this Ordinance has acquired or has access to any information relating to the affairs of any person, or any manufacturing or commercial secret, or any working process, shall not at any time disclose or make available such information to any other person, otherwise than in the performance or exercise of his functions or powers, or in the course of his employment, or without other lawful excuse.

(2) Any person who contravenes this section commits an offence and is liable to a fine of \$10,000 and to imprisonment for 2 years."

The addition of the new clause 33A was agreed to.

Council then resumed.

Third reading of bills

THE ATTORNEY GENERAL reported that

Miscellaneous Licences (Abolition) Bill 1977

Lion Rock Tunnel (Amendment) Bill 1977

Juvenile Offenders (Amendment) Bill 1977

Guardianship of Minors Bill 1977

Maintenance Orders (Reciprocal Enforcement) Bill 1977

Affiliation Proceedings (Amendment) Bill 1977

Separation and Maintenance Order (Amendment) Bill 1977

had passed through Committee without amendment and that the

Road Traffic (Amendment) Bill 1977

Hong Kong Industrial Estates Corporation Bill 1977

had passed through Committee with amendments and moved the third reading of each of the bills.

Question put on each bill and agreed to.

Bills read the third time and passed.

Unofficial Member's motion**GREEN PAPER—THE FURTHER DEVELOPMENT OF
REHABILITATION SERVICES IN HONG KONG**

DR FANG moved the following motion: —

That this Council takes note of the findings and recommendations in the Programme Plan for Rehabilitation Services as summarized in the Green Paper on the Further Development of Rehabilitation Services in Hong Kong and anticipates that a definitive programme of development of rehabilitation services will be announced in a Government White Paper which will be tabled in this Council in the near future.

He said: —Sir, I rise to move the motion in my name on the Order Paper. Two weeks ago some experts from "Remploy", the company employing over 8,000 disabled workers in the United Kingdom, came through Hong Kong. They were brought to see some of our rehabilitation workshops. When I asked for their comments, I quote "They were good, in fact almost identical with what we had 20 years ago". (*laughter*) It is indeed timely for us to have a real good look at the Further Development of Rehabilitation Services in Hong Kong.

What is contained in the Green Paper is a genuine admission of our deficiencies and an energetic attempt in putting rehabilitation services in the right perspective.

My Unofficial Colleagues and I are convinced of the importance of this Paper with its findings and recommendations. Nine Unofficial Members including myself would wish to comment on the different aspects of the Paper. My Unofficial Colleagues would speak on the Green Paper in some detail during the debate. As I have had a chance to comment on the Green Paper in my speech in the Legislative Council on 27.10.76, I wish to confine myself to a few general issues.

Funding and Financial Implications

In order to achieve integrated development and planning, the funding of rehabilitation services in future must be guaranteed in such a way that it will not be submerged under various departmental budgets. At present rehabilitation services are funded mainly through three major departments, namely Medical and Health, Social Welfare and Education. The priority that rehabilitation services will receive in each department may vary at different times. This affects the pace of

development in both the public sector and also the voluntary agencies subvented through these departments. In order to ensure that proposals in the Green Paper will be carried out, and that overall priorities in the development of rehabilitation services are set in a co-ordinated way, funding for rehabilitation must be under a separate item among the heads of Government expenditure and no longer be so vaguely absorbed into the various departments' budgets. In order to achieve this, perhaps the first step that must be taken is to ensure that priority for funding of all new projects must be decided at the RDCC (Rehabilitation Development Co-ordinating Committee). The ideal situation is to have a separate Vote for Rehabilitation in the Government's budget for social services and for the allocation of financial resources to be monitored by the RDCC on which the voluntary sector and all Government departments concerned including the Finance Branch of the Government Secretariat should be represented.

Capital Expenditure

The total capital expenditure involved over the decade as estimated in the Green Paper is \$75 million. I consider this to be on the low side, because there appears to be an inadequate estimation in the Chapter on Social Welfare Services. It is obvious from the Green Paper that many, if not all, social welfare services are lacking in the provisions and projections of future needs. Services like sheltered workshops, vocational training centres, recreational and residential facilities *etc.* are only listed in terms of planned projects in the Paper without relating to any further projected needs in the future. If projection of needs is properly done, the capital expenditure required should definitely be more than forecast in the Paper.

The picture is more clearly shown in the table on page 63 paragraph 141 of the Green Paper where the capital expenditure for the next decade is made out in tabulated form. One can easily be led to think that there is no plan for expansion after 1981. Moreover, the total capital expenditure for Social Welfare Services is out of proportion comparing with Educational and Medical services even taking into consideration that some of the social welfare facilities will be transferred to the Education Department.

In addition, under the caption of Identification and Assessment Services the total capital expenditure allotted over the decade is only \$1.51 million whereas the establishment of two multi-disciplinary assessment centres one on each side of the harbour would alone cost over \$5 million. These centres involve the provisions for buildings to house a complete range of assessment services, cost of equipment, as

[DR FANG] **Green Paper—The Further Development of Rehabilitation Services in Hong Kong**

well as some accommodation for disabled persons and occasionally, together with their parents, for short periods of "live-in" training and assessment.

Services for the physically handicapped is very sparsely provided in the Green Paper mainly because two standards are used in the estimations, owing to lack of accurate statistics. For the mentally retarded and the mentally ill the provisions are based on prevalence rates or borrowed figures (having no accurate figures of our own). For the physically handicapped the total figure quoted for 1976 as likely to need rehabilitation services is 4,296. This must be inaccurate because the number of physically handicapped on the Social Welfare Department register alone is over 6,600. The figure for the physically handicapped calculated on the basis of prevalence rate should be in the region of 15,000.

In addition, there is no detailed provisions of services for the multiply handicapped whose disabilities involve both the body and the mind and whose needs are understandably more than those required by other forms of disablement. This category includes for example children suffering from cerebral palsy commonly known as spastics. This type of disablement alone is estimated by experts to be at 2 per 1,000 population. In the United Kingdom a spastic child is known to be born every 8 hours of the day.

It is clear from the above that the overall budget should be revised upwards accordingly. In proposing this, Sir, I have taken into consideration financial constraints and competing claims of other services. The financial implications for rehabilitation would be more easily appreciated when we examine them against the Government's total expenditure on services. Taking the present figures quoted in the Green Paper, the average capital expenditure on rehabilitation services for the next ten years is less than 2% of the whole capital expenditure on all social services and only about 0.4% of the total Government capital expenditure. The recurrent expenditure on rehabilitation services for the next three years averages at 4.9% of social services annual recurrent budget or 2.5% of Government overall annual recurrent budget. I shall leave the Financial Secretary to draw his own conclusions.

Co-ordination of Services

There is at present a gross disorganization of services provided by the 3 Government departments concerned with rehabilitation resulting

in the disabled persons and their families being sent round and round in circles causing great hardship, resentment and despair.

There is a lack of co-ordinated planning in providing services which are urgently needed. A striking example is residential housing for the severely mentally retarded children as reported in the news media recently. No Government department at present assumes an overall responsibility.

Furthermore, there is a chaotic situation of subventing voluntary agencies. Projects and programmes for the disabled, be it a school, a training centre, or a residential home, must involve some aspects of education, medical treatment, therapy, care and attention. Voluntary agencies encounter great difficulties in having to approach three separate Government departments for subventions, very often for even simple straightforward requests. The amount of bureaucracy, wastage of time and manpower is disheartening to say the least to the earnest worker in the field.

It is hoped that the establishment of the RDCC and the new Administrative Unit in the Social Services Branch will overcome all these problems and streamline the procedures. The resulting improvement will enable the voluntary agencies, which Government is learning on very heavily in the future development of rehabilitation services to get on with their programme more effectively and the public at large to approach only one Government organization to meet their rehabilitation needs.

Early Identification and Prevention

From the Green Paper the biggest group of disabled children are those who have acquired the disablement either through birth or disease in early childhood. They are also the biggest group in terms of rehabilitation costs if they live through a normal span of life. However, if they can be detected early in childhood and better still in infancy or at birth, many of the disablements can be prevented or minimized to such an extent that it would save a lot of future efforts and expense in rehabilitating them.

Therefore, the introduction of a comprehensive Observation Scheme as suggested in the Green Paper is an excellent plan. Towards this end I wish to propose that provisions should be made to reinforce all neonatal clinics, maternity and child care centres with adequate facilities and trained personnel. In this respect, more use should be made of community nursing and the school medical service.

[DR FANG] **Green Paper—The Further Development of Rehabilitation Services in Hong Kong**

Screening for visual, hearing and speech difficulties should all be started in early childhood, long before school entry, for many of such difficulties can be remedied and minimized at that period of life.

I wish to point out at this juncture that in the more advanced countries IQ tests are no longer used as the method for the classification of different grades of mental retardation. Where such tests are used, countries with different cultural, social and economical backgrounds should have their own standards of "norm"; moreover, one has to take into careful consideration the child's emotional state and other associated problems. If we are using these tests in Hong Kong, I urge that children who have been found to have a low IQ especially after only one single testing should not be branded and permanently classified. Repeated tests should be done and the results should be used preferably as an indicator or guide of what they are capable of doing, and what is best to be done for them.

Work for The Disabled

My final points, Sir, are about work for the disabled.

(a) First of all the disabled should have an opportunity for further education after 9 years of schooling if they show capability of doing so. The disabled because of their disability, will need to be better equipped in knowledge and skill to fend for themselves in open employment. Government should assist in every way possible to provide them with such opportunities, *e.g.* the establishment of some Form IV, V, VI places in special schools and special classes. This should be included in the 10 year plan for rehabilitation services.

(b) In the training of the disabled for employment it is essential that the training is well planned and geared closely to industrial requirements. Some disabled persons because of the severity and nature of the disabilities will need to be placed in sheltered workshops. The expert advice of the Hong Kong Industrial Training Council should be sought in order to improve the present standards. Sheltered workshops should be the place where the disabled people are kept occupied merely for pastime. They should be made productive, despite their limited contributions, by fully utilizing their residual ability. In job placement there must be an overall strategy of opening more job opportunities. One of the ways that deserve consideration is a statutory designation or reservation of certain jobs giving priority to the disabled, jobs such as car park attendant, toll collector, mail sorter,

lift operator, etc. This would create employment opportunities which would otherwise be denied to them.

In closing, Sir, may I say that with adequate financial resources, sound planning, close co-operation and goodwill it is hoped that the further development of rehabilitation services in Hong Kong which affects at least 400,000 of our disabled citizens and their families will be implemented without delay.

MR CHEONG-LEEN: —Sir, a word of commendation is due to the Working Group of the Social Services Branch which began preparing the Programme Plan for Rehabilitation Services in the second half of 1974, and produced the Green Paper which we are debating today.

As over two years have elapsed since the preparation of the Programme Plan some of the projections are out-of-date. We should now be planning for the 10-year period 1977-1987, instead of 1975 to 1985 as mentioned in the Programme Plan. I assume that the Programme Plan will be updated and rolled forward from year to year.

A glaring deficiency in the Green Paper is the acceptance of sizeable shortfalls in educational services for children who are mentally retarded, slow learning or maladjusted. There is today a shortfall of over 18,000 school places for mentally retarded children, and as proposed in the Green Paper the shortfall will be reduced to 9,000 places ten years later. For slow learning children, it will take another 10 years under the Green Paper proposals to reduce the current shortfall of 17,500 places in Special Classes to a shortfall of 7,800 places. As for Resource Classes for Slow Learning children the Green Paper projects a shortfall by 1985-86 of 3,700 primary places and 9,500 secondary places up to Form III, which at that time would still represent a 20% and a 50% shortage of the actual need respectively. In the case of maladjusted children, the Green Paper proposes to reduce the current shortfall of 1,900 places in Special Classes to 800 by 1981-82 but to allow the shortfall to rise to 965 places by 1985-86.

Such glaring deficiency in the Green Paper is unacceptable. In the preparation of the White Paper on Rehabilitation Services, I would urge that the shortfalls in school places for mentally retarded children, slow learning children and maladjusted children be eliminated within a 5-year period and not at an indeterminate date as proposed in the Green Paper.

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I do not believe that it is right for us to allow such shortfalls in education services for our disabled children. We are committed to 9 years of education for all children by 1980, and this commitment should cover mentally retarded, slow learning and maladjusted children as well. Let us abide by such commitment.

As stated in the United Nations Declaration on the Rights of Disabled Persons adopted in 1975, disabled children—

- (a) are entitled to have their special needs taken into consideration at all stages of economic and social planning, and
- (b) have the right, according to their capabilities, to secure and retain employment or to engage in a useful, productive and remunerative occupation.

Therefore, disabled children in Hong Kong should be equipped with the educational tools to become as economically and socially self-reliant as much possible to the extent of their individual capability.

In the long term, rehabilitation of our handicapped children will have a beneficial effect on our society, both economically and socially. For every handicapped child who is denied an education and the opportunity to be integrated into the community, there will be the cumulative costs of a lifetime of care, lost income and social disorientation. But for every dollar spent on rehabilitation, the returns can be multi-fold, as has been found in the United States where it is estimated that for one dollar spent on rehabilitation, returns are between \$17-\$35 to the economy.

I am of the view that top priority has to be given to rehabilitating the young disabled, particularly by providing sufficient educational services for them within the next five years. It will be necessary to embark upon a crash programme of training teachers for the Special Classes which are required. Provision should also be made for Special Classes to accept overage children depending upon circumstances. Of course, much depends upon the establishment of the Registry for the Disabled by 1st April 1978 and the number of disabled children who in actual fact will be found to be needing special educational services.

According to a survey by Rehabilitation International, at least 10% to 15% of the population in any country is significantly physically or mentally handicapped. The Green Paper has taken a conservative

approach and has estimated that the minimum size of the disabled population in Hong Kong which would require rehabilitation services of one kind or another would be about 8% of our population. I think that this is as good a figure as any other for the time being. As the mentally retarded, including adults and children, represent more than two-fifths of this 8% figure, I would like to see that a decision is taken this year to provide suitable educational services for all mentally retarded children within the next five years, and that interim measures be adopted to assist those awaiting placement.

I would now like to draw attention to the largest individual group of disabled; they are the mentally ill, comprising nearly half of the total disabled population. In 1976, there were 168,000 mentally ill persons in need of rehabilitation services of one form or another, and by 1985 the figure will rise to 200,000 persons.

I quote the following sentences from the Programme Plan which are highly relevant:

"Rapid growth of population associated with intense urbanization has given Hong Kong the highest urban density in the world. Because of its peculiar geographical location and physical shape, the choice of accommodation is largely limited to high-rise blocks of flats and resettlement estates for those not living in squatter huts. Unsatisfactory living quarters give rise to much mental stress. In view of this and other adverse factors such as population, scarce public amenities, few open spaces and social disorganization a high prevalence of psychiatric ill-health can be expected."

According to a survey made in 1974, Hong Kong has an even higher prevalence of psychiatric impairment than in New York where the pace of life is hectic and prone to create much mental stress.

The dimensions of the problem concerning rehabilitation services for the mentally ill in Hong Kong are therefore of such a scale that a great deal more investigation and research are required before we can see the light at the end of the tunnel. However it is already obvious that there are serious shortfalls in the number of psychiatric beds planned for in the Green Paper. More than in any other area of rehabilitation services for the disabled, the multi-disciplinary and the team approach is a vital aspect in solving the problems of the mentally ill.

In the treatment and rehabilitation of the mentally ill, there has to be close understanding and co-operation between the families of patients and the professionals concerned.

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The importance cannot be overemphasized of having well-planned educational campaigns among the public on the early identification of disabling conditions and the steps to be taken for early treatment and to prevent escalation of the disability.

As regards the role of the Housing Authority in meeting the housing needs of the disabled, I think this is an area which requires a more thorough study by the Government departments concerned, in view of the paucity of information offered both in the Programme Plan and the Green Paper. Bearing in mind that public housing estates accommodate 2 million people, or 45% of our population, we can visualize the key role of the Housing Authority in providing the housing and re-housing needs of the disabled, as well as the premises for rehabilitation services. This subject deserves to be more fully presented in the White Paper on Rehabilitation Services which is expected to be published later in the year.

There are in Hong Kong many hundreds of severely disabled, whether physically or mentally, adults and children who have been waiting for years to be admitted into specialized hospitals. A good number of them are living in overcrowded conditions in Housing Authority estates, but are not given any priority for overcrowding relief. Families with severely disabled members have to compete with other families with overcrowding problems in the usual way.

The Government which influences the work of the Housing Authority through the Housing Branch and the Housing Department has a responsibility to alleviate the plight of families who have severely disabled members in their midst. I am told that the Government can save at least \$17,000 per annum for every severely disabled person who is waiting to be admitted into a specialized hospital. Why is it that there is no policy to give a measure of priority in respect of overcrowding relief in public housing estates for those families which have a severely disabled member?

I do not suggest that the Housing Department does not to some degree recognize the housing needs of the disabled, but the point I do wish to make is that there is as yet no long-term policy or strategy in providing housing or rehabilitation services for the disabled in the public housing building programme, bearing in mind the large numbers of people who are accommodated in each estate and Government's responsibility to provide comprehensive rehabilitation services.

Therefore, apart from tackling the immediate problem of families with physically or mentally severely disabled members living with them in overcrowded conditions in public housing estates, Government will have to plan for different rehabilitation services in estates which are being built, are in the planning stage, or are to be rebuilt. Such services include half-way houses, day centres, vocational training centres, recreation centres, *etc.*, and it should not be forgotten that each large housing estate is virtually a town in itself.

It goes without saying that all such services should be provided both within as well as outside the public housing estates. However, as Government has a stronger influence on the planning activities of the Housing Authority, it ought not to lose the opportunity to plan well for rehabilitation services in public housing estates, as they could be accommodating over 60% of our population within the next 12 to 15 years.

As to the objective in rehabilitation as enunciated in the Green Paper, I would agree that it is "to provide services for the disabled to enable them to attain the fullest physical, mental and social capability compatible with their disabilities". In my view, it is the responsibility of the community to provide these services for all who need them, not 10 or more years later, but at least in so far as educational services are concerned within the coming five years so as to assist the young disabled to achieve their maximum potential of productivity both for themselves and for the community as a whole.

A final word as to charges for services. If we are to embark upon a more rapid pace in meeting the needs of the handicapped, it is essential to review carefully the scale of charges payable by the families of the handicapped for the special rehabilitation services required.

While the Green Paper makes no mention of this, I think there should be established reasonable scales of charges for those families which can afford to pay, while for the poorest families the services could be nominal or even entirely free of charge. The public would much prefer a larger and more comprehensive scope of rehabilitation services offered at reasonable cost rather than severely limited services which are available at nominal or no charge at all.

MISS KO: —Sir, the publication of the Green Paper on the Further Development of Rehabilitation Services in Hong Kong should be welcomed as this, I hope, will eventually benefit the lives of at least 8% of the population in Hong Kong, representing approximately 350,000 to

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400,000 disabled persons according to conservative estimates. The proposals of the Green Paper will help the disabled become more active and able to make a better contribution to the community both socially and economically.

STAFF TRAINING PROGRAMMES

It appears to me that training programmes for different categories of staff and other personnel involved in the field of rehabilitation should be emphasized in the Green Paper.

Paramedical Staff

Paragraph 108 mentions the shortage of trained paramedical staff in Hong Kong and suggests that the Polytechnic provide training courses. The shortage, already serious in the field of rehabilitation, will become even more obvious when the proposed expansion occurs. No time should be wasted in planning the courses in detail and implementing the relevant plans including the production of the desirable number of qualified workers each year. The need for the local training of occupational and speech therapists has long been recognized in some circles, and such training must be made available without delay.

Social Workers

Social workers cannot be expected to work with the disabled effectively without a knowledge of the special difficulties encountered by them and their families and an ability to effectively communicate with them. Handicapped persons have to overcome many problems not immediately obvious to others, and the universities and training institutes should plan in their curriculum a sufficient coverage of the knowledge and skill necessary for the social worker working with disabled persons. This would entail a carefully planned curriculum covering the necessary knowledge and the problems of the disabled, the psychological Medical and social aspects of disability, the theory and practice of rehabilitation, and the existing provision of such services.

Counsellors

It is also mentioned in paragraph 114 in the Green Paper that counselling is important for the disabled and their families. It appears that such work is to be undertaken by social workers. However, we must understand that counselling the disabled and their families requires highly specialized professional skill not found in the average social

worker. Therefore, if adequate counselling service is to be provided for the disabled, special attention must be paid to the need for more intensive training for the "rehabilitation counsellors" including the fields of medical social work and rehabilitation services. There may not be a need to establish a special category of staff called "rehabilitation counsellors" but the important point is that counselling the disabled needs specially trained personnel.

Instructors

It is recognized that training for instructors who are in day to day contact with the disabled in both sheltered workshops and vocational training centres should receive special attention. Although proficient in their own trade, they should be equipped with sufficient basic knowledge about rehabilitation to effectively carry out their role. There are at present some 80 to 90 instructors for the disabled in both Government and the voluntary sector who can benefit from such training.

Teachers Training

I should also be interested to know if the teacher training course run by the Special Education Section of the Education Department can cope with the vast expansion proposed in the Green Paper. If not, it is important that a proper assessment of the needs for these courses should be made and their future development planned accordingly.

DISABILITY AND INFIRMITY ALLOWANCES SCHEME (DIA)

Leaving the field of staff training I should like to comment on some aspects of the Disability and Infirmity Allowances Scheme.

One of the main criteria of the DIA scheme is being physically injured or blind and being in a position broadly equivalent to a person with hundred percentage loss of earning capacity according to the criteria of the Workmen's Compensation Scheme. Would it be more appropriate to consider the social implications of the particular disability and functional impairment related to the occupation of the disabled person as these would certainly have greater bearing on his livelihood.

Some moderately retarded children are granted DIA but some are not. In practice there are several factors to be considered in measuring the degree of retardation. It is hoped that a satisfactory set of criteria will be drawn up. Perhaps it is time now to investigate whether the existing ways of measurement are suitable for local situation.

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Another significant group of disabled persons are the deaf. It seems that the main reasons for the deaf not being able to receive DIA are firstly that their handicap, however severe, is relatively "invisible", and so is not very disabling in the eyes of other people; and secondly that their handicap is not classified as 100% loss of earning capacity. However, one must not forget that some deaf persons also have great difficulty in finding suitable employment. Whereas some other categories of disabled persons classified as suffering from 100% loss of earning capacity can in fact be employed, for example the blind, and even some paraplegics. Should we look at the deaf as handicapped people with special needs themselves, who are often a burden to their families. It appears to me that the relevant criteria for eligibility need to be re-examined.

At present, the Medical Officer's assessment decides the eligibility of the disabled person for DIA. In the majority of cases, the social worker or the teacher who works with the disabled person will also has an important part to play in contributing to the decision on eligibility. It is hoped that more attention will be given to the views of the latter group in deciding on the eligibility of the person for financial assistance.

SCHOOL SOCIAL WORK SERVICE

The role of the school social workers in special schools and centres for the disabled has become more and more obvious and important. Preventive intervention, crisis intervention, identification of problems, parent education, and the use of community resources are some of the contributions made by a school social worker. Recognition of the importance of this service and plans for its provision should be made in the future.

CODE OF AID

The code of aid for special schools and special classes has been under consideration for a long time. This and the up-to-date and improved manning scale should be treated as matters of urgency as they play a very important part in the quality and future development of these schools and classes.

RECREATION

I would strongly recommend that more voluntary organizations provide activities for disabled persons, preferably in the form of "Physically Handicapped and Abled Bodied" (PHAB) club activities. There is a lack of direction and overall planning for the provision of

recreational facilities in the Green Paper. It is desirable that an overall policy for recreational activities be devised, and that the direction should be a "PHAB" type of activities, integrating the disabled and the able-bodied. Ways to integrate the disabled and the able-bodied will include encouraging the disabled to join the many club group activities presently organized by the community and social service centres. In this respect the problem of access comes into the picture, for without proper access, the physically disabled will find it hard to make use of the various facilities of such centres. Therefore, making public facilities accessible to the disabled will be one of the prerequisite factors for integrating the disabled into society. I understand that a Code of Building Practice on Access for the Disabled to Buildings has already been completed. I hope this Code will be used to ensure better access for the disabled.

Employment Service

In promoting employment for the disabled, it is desirable to give practical help to the employers, apart from a well-organized publicity campaign. If practical assistance were given—perhaps in the form of a subsidy for adaptation of machines for disabled workers or in the form of tax relief as I believe is done in the UK—this would be an incentive to employers and result in the better integration of the handicapped and able-bodied.

VOCATIONAL GUIDANCE, JOB PLACEMENT SERVICES AND INSTITUTIONAL CARE

There is a need for a more detailed and far-sighted plan for vocational guidance and job placement services as these are significant steps in helping the disabled become useful members in our community. Institutional care is also needed for those who are abandoned or cannot join their families for one reason or another. Further consideration and detailed plans for these are needed.

ENCOURAGEMENT FOR ACCEPTANCE OF DISABLED PERSONS

Nurseries, kindergartens, schools, community centres or voluntary agencies should be encouraged to accept disabled children or adults as far as possible. Education on community understanding and better acceptance of the disabled should also be emphasized.

FUNDING

The implementation of the proposals for rehabilitation depends a great deal on the method of funding. In this respect, I agree that a

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separate Vote for Rehabilitation should be provided under Social Services.

Sir, I hope that the Green Paper and the Debate today will lead to a significant, far-sighted and practical White Paper in the near future.

MR T. S. LO: —Sir, I shall limit my comments to those proposals in the Green Paper which deal with the mentally retarded for I have a special interest in their lot, as President of the Hong Kong Association for Mentally Handicapped Children and Youth Ltd. I do not support those proposals as I do not consider that they represent any genuine attempt on Government's part to tackle the problem. My reasons are as follows: —

- (1) Even though financial constraints are said not to have been taken into account in the Green Paper, nonetheless the Working Group recommends that Government should achieve by 1985-86 the miserable and pathetic target of a shortfall of 9,388 school places for the mentally retarded. Why?
- (2) The Working Group does not attempt in the Green Paper to diagnose the annual shortfall of special trained teachers required either for the inadequate expansion programme it recommends for school places or for the proposed 11 day-centres. Without trained staff no expansion programme has any chance of ever getting off the ground but despite this the Working Group makes no recommendation whatsoever as to how to recruit or to train any of the additional teachers required. Why?
- (3) The Working Group implies that certain reshuffling of Government machinery will have to take place before anything can be done, such as the transfer of authority to the Education Department and the setting up of a Central Registry for the Disabled. Why and how long will this take?
- (4) The Working Group has made no attempt to diagnose why we have today a shameful shortfall of 18,236 places for the mentally retarded. This shortfall represents, according to figures in the Green Paper itself, 21.7 times the shortfall for the other disabilities put together. Unless the forces at work in Government which produced this deplorable state of affairs are detected and neutralized there is obviously every chance

that the problem will remain a problem dealt with only on paper, whatever its colour. (*laughter*)

I have nothing more to say than that I consider that the Government should forthwith single out and deal with the neglected plight of the 30,000 odd mentally retarded children and their parents if only to make belated amends for its previous total lack of attention.

MR ALEX WU: —Sir, the Green Paper refers to a population of nearly 370,000 disabled people. This represents a significant 8.4% of our total population. If they were willing to undergo some form of specialized training, with or without financial assistance, they could become capable of useful and productive employment and help to alleviate the shortage of manpower. The ultimate aim, of course, is to restore their personal dignity and economic independence, thus giving them the ability to enjoy life.

Although Mr Francis TIEN is not present today, he and I as Chairman and Vice-Chairman respectively of the Hong Kong Training Council would like to suggest that the mode of training to be provided to achieve this ultimate aim must be geared to the needs and purposes of industry by the provision of special rehabilitation centres.

For such training to be effective, industry must be given a greater voice in the planning of the appropriate curriculum. This could be best achieved through the Committee on Vocational Training of the Hong Kong Training Council and the two training centres of both the Construction Industry Authority and the Clothing Industry Authority in co-ordinating training and employment of disabled persons with the aforementioned centres.

Instructors in these Rehabilitation Centres should be of a sufficiently high quality in order to be able to impart both the skills and knowledge necessary for the successful implementation of such training.

To provide employment for rehabilitated disabled persons would necessitate the creation of a job placement agency as envisaged in paragraph 126 of the Green Paper. This could be achieved by the formation of a special unit either under the Hong Kong Training Council or the Labour Department with suitable backup staff to liaise with industry and other commercial institutions.

This brings us to another point. There is bound to be some reluctance on the part of employers, and this is understandable, to engage disabled persons when other able bodied persons are available.

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In order to induce employers to offer employment to disabled persons, one must be pragmatic. We therefore suggest that Government consider some form of tax relief or subsidy to be given to employers as an incentive.

Furthermore, Government should and no doubt will, as the largest employer in Hong Kong, take the lead in providing employment to rehabilitated disabled persons as an example to us all.

I now wish to refer to four other specific matters which, in my opinion, deserve further consideration than they have received in the programme in its present preliminary form.

Firstly, the Green Paper makes no mention at all of post-secondary educational services for the disabled. And in this it reflects the inadequate provision which has been made up to now. If Government recognizes the importance of educational rehabilitation, it must take into account the many disabled or handicapped students who have the potential to benefit from education at the tertiary level and who can be of value to the community if they were given that opportunity.

Secondly, I note that the proposed rehabilitation programme does make a cursory reference to the need for family counselling. But I believe this demands much greater attention as a specific aspect of rehabilitation. In any society there are forms of disability which bewilder parents and other family members. We are no doubt painfully aware that in Hong Kong there are situations in which additional hardship and suffering is experienced by parents, wives, husbands or relatives due to intricate ties in the Chinese family. Families must be made aware of the rehabilitation services which are or will be available and learn how, with professional guidance, they can lessen their own burdens and advance the process of rehabilitation. Equally important is the fact that we must ensure that when rehabilitation involves treatment or care outside the home, such treatment does not lead to any break in family ties.

Thirdly, and closely associated with the need for family counselling, is the provision of financial assistance to the families of the disabled or handicapped, if this is justified. I cannot stress too strongly that wherever possible rehabilitation should be identified and provided for in the context of the family and that the questions of need and priority should be taken into account. We must eliminate any situation in

which rehabilitation is denied or avoided because the family fears an additional financial burden. If financial need or anxiety is a factor, it must be eliminated. What I wish to emphasize is that we must encourage the maximum exposure of handicap cases at an early stage so that they will not breed further social problems that might become greater financial burdens to the society.

Finally, I hope that the necessity of providing facilities for the handicapped to attend cultural, recreational and sports events will not be overlooked. We must ensure that every disabled person is given the same opportunity to enjoy these facilities as the more able-bodied.

The Green Paper has attracted much useful and constructive comment. To draw attention to these matters is not to condemn the Green Paper as deficient. I would prefer to regard it as an indication that this paper is an excellent example of the way in which the idea of participation in the planning of public policy can take on real meaning. It is a document which provides concrete proof that we are a community that cares.

REV JOYCE M. BENNETT: —Your Excellency I am delighted to have this opportunity to speak in favour of this motion about the Green Paper on THE FURTHER DEVELOPMENT OF REHABILITATION SERVICES IN HONG KONG.

A few weeks ago, I was explaining to some of my Form IV students what the UMELCO *Ad Hoc* Group on this subject was doing. I found I had to use very simple English to explain this word REHABILITATION. I told them it was to help make people useful again. Sir, it is a terrible thing when people feel they are useless and that they are a burden to their families and to society. There have been many such in the past years in Hong Kong: children who did not know how they would be able to support themselves when they grew up; fathers, who had been disabled at work, who despaired of earning an adequate wage to care for their families; mothers, who in desperation chained up and locked in their mentally handicapped and retarded children. Now at last this large group of people should see some glow of hope, some comfort in their sorrow. Do not let us shelve this paper in some convenient pigeon hole. Let us accept it and work at it until all those shortfalls anticipated by 1985 are wiped out. And in case our business men and financiers are concerned at the cost, they need read no further than page 1, where in paragraph 2 of the report we are told "EVERY DOLLAR SPENT ON REHABILITATION, RETURNS ANYWHERE FROM \$17 to \$35 TO THE ECONOMY. IN EUROPE,

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IT HAS BEEN ESTIMATED THAT DISABILITY MAY REDUCE THE ECONOMICALLY ACTIVE PROPORTION OF THE POPULATION FROM ROUGHLY 35% to 28%."

Undoubtedly, there is a tremendous amount of work to be done to implement these proposals and to remedy some of the omissions. The Green Paper is interestingly laid out with its many diagrams to show the developments proposed in the coming years. I would particularly draw your attention to the plans for the next 10 years for educational expansion. These are summarized on page 34: 240 additional school places for the deaf; 75 for the blind, 7,572 for the mentally retarded and educationally sub-normal children, 420 for the maladjusted and 115 for the physically disabled. In addition, special classes in ordinary schools should be increased in the next decade by the following additional places: 180 for the partially hearing, 165 for the partially sighted, 8,760 for the slow learning and 750 for the maladjusted children. These are wonderful suggestions and I applaud and support them, although I deplore the fact that even after providing these places there will still be a shortfall of 9,388 places for the mentally retarded children and 7,792 places for slow-learners. I would respectfully suggest that those who compiled this Green Paper did not dare to contemplate suggesting filling so many places in these next 10 years, because they knew our very real limitation in trained personnel.

Your Excellency, I would like to suggest that the weakness of this Green Paper lies in this respect—the training of personnel is not spelt out clearly. I have searched again and again for any analysis of this problem—the finding of and the training of the dedicated men and women needed to staff these special schools and special places. Make no mistake; teaching these handicapped children is very demanding, so their teachers need special qualifications and training. This whole programme will rest on the quality of the people who will manage and who will run the various institutions spoken of in this Green Paper. In this connection, I include not only schools, but also hospitals, centres and hostels for the many kinds and grades of disabled and handicapped sufferers. I ask you again where in this Paper will you find details of the way in which these people are to be trained?

To prepare for today, I have researched into the present situation in the schools and centres for the deaf, the blind, the mentally retarded and the slow learners. Sir, I find that there is not enough being done now in this respect. I find some slight reference to the supply of

teachers for the slow-learning children in paragraph 55 on page 27. There it is suggested that it will be possible to provide existing teachers with in-service training. We need to examine this very carefully. **BEWARE OF USING REDUNDANT TEACHERS IN THESE CAPACITIES.** Look around the schools which have had to reduce their classes and consider why they lost so many children while the near-by schools did not. **WE MUST FIND THE BEST TEACHERS FOR THESE SPECIAL SCHOOLS AND SPECIAL CLASSES, NOT JUST THOSE DISPLACED FROM THEIR PRESENT JOBS.** Is the Education Department going to ask schools to recommend teachers for specialist training for these new schools and new classes? What programmes do the Colleges of Education have for finding student-teachers who may be willing to enter the field of special education? This must be a long-term policy. I understand at the moment that each trainee-teacher at the Colleges of Education and the Universities' Departments of Education have some general lectures in the psychological development of children with some references being made to those who are disabled or handicapped. Visits to special schools are also arranged. But look more closely into the details of these courses and you will find that there are insufficient lecturers with the necessary qualifications for providing lectures in psychology and the teaching of these handicapped children. Consider seriously how many in Hong Kong have received specialist training in the education of the deaf, the blind, the mentally retarded, the slow learners and the emotionally disturbed children? How many of these are to be found in our Universities and Colleges of Education? Some of our more highly trained Government servants have had to be moved from the Colleges of Education to take posts of special responsibility in our Government secondary schools. This is a detriment to the Colleges, whose staff are forced to attempt a great deal for which they are not trained. We must provide more help for them too in further training, so that they can train the recruits for the schools and school-places planned by this Green Paper.

At the moment, the teachers in our schools for the deaf and for the blind and the schools for the mentally-retarded and slow-learners have to rely on the in-service courses for them run by the Special Section of the Education Department and the Extra-Mural Departments of the Universities. The training of all these teachers must be put on a regular basis and take place in the Colleges of Education. A proper system must be drawn up so that all teachers can have a clearer picture of the openings available to them.

Furthermore, we must no longer permit mere secondary school graduates with perhaps only five subjects at Grade E and above to be

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in charge of mentally retarded children in centres in housing estates. I understand this present bad situation developed because previously these centres were not run by the Education Department, but by the Social Welfare Department. It is good to know that Government is now aware of the weakness of such a system and that it proposes to place all educational work in the hands of the Education Department, where most of us had thought it already belonged. The Education Department must seriously consider and plan for the staffing of these schools and the special classes, whether or not they are, as at present, called centres for the mentally retarded or schools.

It will be clear by now that I consider it imperative to improve the recruitment and training of teachers of all these schools for the handicapped. I have had long association with the HK School for the Deaf and the Victoria Park School for the Deaf, having been at one time their Supervisor. I know that these and other schools have had in the past, and even now their present council members tell me they still have, many problems to face. I look in vain for improvements to the Code of Aid for Special Schools in this Green Paper. It is clear, from several places in it, that the Government plans to continue to rely heavily on the voluntary bodies to run schools for the handicapped. Indeed I looked unsuccessfully in these last weeks for Government-run schools for the handicapped. If we hope for voluntary bodies to undertake this heavy burden on behalf of the Government, we must be more ready to provide them with the necessary tools. I must list some of the problems that face the present schools, because we must answer these problems if we are going to run the schools and special classes envisaged in this Green Paper. It is no use building institutions, like the Siu Lam Hospital was built, and then not being able to operate them because of the lack of staff, equipment and know-how. The schools for the deaf, blind and mentally retarded do not yet know whether they operate on the old Code of Aid for Primary Schools or the new Code of Aid for Primary Schools or on the Code of Aid for Secondary Schools in the case of their secondary classes. Since there is no adequate Code of Aid for these Special Schools, it is not clear what the staffing should be: for instance there is only one technician at the School for the Deaf to take care of all the specialist equipment belonging to the school and the hearing aids of the children. His salary scale and promotion prospects are not yet clarified. I mention this in particular because I was visiting a school in Penang where they had such expensive equipment in their school for the deaf

but it was all broken and couldn't be used and this worries me if we build more institution with specialist equipment. It is well-known that teaching and working in these schools requires extra energy, skill and devotion; classes have to be small. They require better teacher-pupil ratios. Staff will need to spend extra time in counselling and helping their pupils, who become despondent and difficult owing to their slow progress. More staff must be allocated to these schools. The staff have to provide their own specialist teaching aids, text-books and work cards because the text-books available to the ordinary students are unsuitable.

These comments on the present lack of the Code of Aid for special schools, which also affects the promotion structures of the teachers and auxiliary staff and the allowances for school principals brings me to a matter closely connected—resource-staff for the secondary schools helping handicapped students. These are essential in helping to educate in ordinary schools the blind who are academically able. At the moment secondary school blind students with academic ability for education above Form III have been integrated into ordinary grammar schools. These schools were promised resource staff to help with these blind children. Two schools of which I know had one resource person for one day a week in 1972-73, but never since. Indeed we can say that now there are no resource teachers in Hong Kong. Imagine the plight of blind students in the top forms of our schools and the two blind students at the University of Hong Kong where they have to rely on volunteers to read to them and to provide their text-books in braille. The Education Department only provides Chinese text-books in braille, but these blind students are studying in English.

I can think of several other kinds of specialist staff, which need to be increased in HK and for which we should provide local training. Speech therapists are important—at the moment there are only 3 in Hong Kong and 3 others under training in the UK. Imagine how vast is their task when you consider they must work not only amongst 850 deaf children, but also amongst the 18,000 mentally retarded and the physically impaired, whose numbers are not given in the Green Paper. More occupational therapists will also be needed and local training for them is long overdue. I urge that serious consideration be given by the Polytechnic to develop courses in this and other fields necessary for the implementation of this Green Paper. Another lack, only lightly touched upon in the paper, is of psychologists, counsellors and social workers to work amongst these children. Mention is made in paragraphs 72 and 84 of the Green Paper of the great need for these, which need will be accentuated as our industrial, urban society becomes

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even more developed and under even greater stress. Where are these school counsellors being trained in sufficient numbers?

Before concluding I must mention that we shall need to screen our children for defects in sight and hearing at a younger age than envisaged by this Paper. I realize that some screening will take place in the early years of the child, but I think we must tackle the identification of the problems of our children when they are very young. Too often today we hear of children shut up and tied up because the parents do not know how to cope with them. Old ideas die hard and many disabilities are hidden. Our Government plans must include the screening of as many children as possible for deafness at an early age. Deaf children should start preparatory education at 4 years old; we are already subsidizing this. Our new plans must not do less. The protection of the sight of those almost blind and the education of these children must begin in the family. Let us train more para-medical staff for these and other related spheres. Perhaps an extension of the work of the Child Health Clinics and the Community Health Programme being developed by the United Christian Hospital should be considered here.

There is so much of encouragement in the Green Paper and so much more that can be suggested. I can well imagine that some will doubt our financial ability to cope with the vast programme necessary to fulfil these aims. However, I can assure you it will be money well spent in improving the lives of these handicapped members of our society. As they receive help, their families and friends will receive encouragement and an incentive to work harder to further improve the future of those handicapped people for whom they care. The implementation of these proposals will in fact provide a better society for all of us, a society of which our citizens will be proud.

DR HU: —Sir, recently our newspapers have carried pitiful pictures of retarded children left unattended by their parents or elderly persons shivering in the cold. These pictures vividly remind us of a largely forgotten group in our society *i.e.* the disabled and the infirm. Much has been done to relieve the distress of these less fortunate members under the leadership of Your Excellency, but much remains to be done. Therefore the publication of the Green Paper on Rehabilitation Services is particularly welcome. For the first time, a comprehensive look at needs in this field has been systematically undertaken and proposals for action have been recommended.

Great interest in the problems of the disabled has been aroused amongst the voluntary agencies working in this field and the public generally. The voluntary agencies played a significant role in the drafting of the detailed Rehabilitation Plan of which the Green Paper is a summary. Indeed, Sir, the voluntary agencies have urged for more than 10 years the development of just such a comprehensive plan. Documents and reports which they have produced have provided extremely valuable background information to this Plan. In my opinion the first Chapter of the Green Paper does not give sufficient recognition of this contribution. Only in the last paragraph of that Chapter is an acknowledgement found of the "major and pioneering role" played by the voluntary sector.

Nevertheless, I have been assured that the voluntary sector is in substantial agreement with the proposals contained in the Green Paper and will work together with Government in the achievement of the goal of helping the handicapped "to achieve their greatest potential of productivity and enjoyment of life".

There are, however, some matters which need re-emphasizing or strengthening. I now turn my attention to these items.

Need for Adequate Financial Support and Co-ordination of Follow-up Action

The successful implementation of the Green Paper depends upon two key factors: adequate financing and co-ordination of follow-up action to the Plan. At present, rehabilitation services are funded mainly through three Government Departments: Medical and Health, Education and Social Welfare through their respective services and by subventions to related voluntary agencies. Since the rehabilitation component of these departments is relatively small in comparison with their overall programmes, rehabilitation tends to get low priority or the "left overs". For example, the Special Education Section in the Education Department, which is responsible for special schools for the handicapped children or special classes within regular schools, is a minor unit of a huge Department. The same situation is true in the Social Welfare Department; with half the population below 25 years of age, services for children and youth are bound to get the lion's share of the resources. In my view, the only way to safeguard the development and expansion of the much needed rehabilitation services is to set aside a special vote for rehabilitation in the Government's budget for social services. In this way, funds can be designated to meet current provision and planned expansion as set down in the Green Paper.

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Money, alone, however, is not enough. I strongly support the proposal for the establishment of a Rehabilitation Development Co-ordinating Committee. It must be a high-powered, high level committee, which can oversee development, co-ordinate plans both within Government and outside, with the voluntary sector and the public. Its membership should be made up of officials, representatives of voluntary organizations, employers' and employees' associations and the disabled. The Chairman and members should be appointed by your Excellency and should report to you. But the formation of such a Committee is only the first step. It must be backed up by sufficient administrative and supporting staff so that its proposals can receive adequate attention and follow-up. Therefore, I would like to urge that a new unit be set up in the Social Services Branch, headed by a Commissioner for Rehabilitation, similar in rank to the Commissioner for Narcotics.

Public Education

One of the essential duties of the proposed Commissioner for Rehabilitation and the Committee, outlined above, would be the institution of a comprehensive long-term public education programme. Successful rehabilitation, as we all know, depends upon acceptance by the general public of handicapped persons. What I have in mind is not a one-shot publicity blitz but a sustained effort through the media to the man-in-the-street, the curricula of schools, the employer and employee associations, and others to change attitudes of fear, hostility and indifference into acceptance and helpful assistance. The aim of such a programme should be getting to know a handicapped person both as a person and as a friend. I know this is not an easy task; it will require money and manpower, but it is a most necessary one, if the goals of the Green Paper are to be achieved.

The Size and Nature of the Problem

While impressive statistics have been gathered and presented in the Green Paper, we are all aware of the inadequacy of existing data about the numbers and kinds of disabled persons in Hong Kong. Thus, another major responsibility for the Rehabilitation Development Co-ordinating Committee and the Commissioner for Rehabilitation is the setting up of machinery to gather information from all sources on the size and kind of disabled persons in Hong Kong. Much thought would need to go into the ways in which this could be done. The Green Paper suggests By-Census Surveys, a Central Registry, and

Assessment Services but all of these methods are fraught with difficulties. Probably expert technical advice would be needed in order to devise an adequate system which would yield necessary information for planning purposes and at the same time, carefully guard the rights of the disabled and their families.

Need for Legislation

As matters stand at the present time, the proposals in the Green Paper, while desirable and laudable, are only proposals. They can be turned into administrative decisions and concrete services through Government Departments and voluntary agencies. Just as quickly, administrative decisions can be modified or even rescinded; should we not examine the question of legislation? In countries like the United Kingdom, Japan and Australia, rehabilitation programmes are backed up by comprehensive legislation not only to safeguard the rights of the disabled but also to ensure that services such as education, employment, housing and access are available. Sir, I would like to recommend that this Council give further consideration to this need for legislation at an appropriate time.

Priority-Setting

I wish to conclude with reference to the need for setting priorities in the development of services for the disabled. The Green Paper has outlined the shortfalls and the alternatives but has not set any priorities. The Paper makes clear the need for expansion of services for disabled, especially the mentally retarded. Fortunately, the costs of such expansion are not astronomical in money terms. Capital costs at HK\$75 million (excluding HK\$156 million for psychiatric patients) for a ten year period is a miniscule sum compared to \$5,000 million for the MTR. Even recurrent expenditure only increases $1\frac{1}{3}$ times over a ten year period. I wonder if the drafters have been too modest in their estimates—this is frequently the weakness of reports like this. However, surely no one can object to spending such relatively small sums of money over a ten year period to help the forgotten members of our society. Still, we need to get our priorities right. In this respect, the Green Paper seems to be severely lacking. May I therefore propose, Your Excellency, that a group representing both officials and voluntary agencies should carefully review the matter of priorities.

Sir, may I urge the Government to proceed with all possible speed to prepare a White Paper for adoption by this Council. Great expectations about improved services for the disabled have been created in the minds of the general public by the publication of this Green Paper. We dare not disappoint them.

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Sir, with these remarks I support the motion.

REV MCGOVERN: —Sir, praise is due to this Green Paper first for the quality of its content. It is also praiseworthy for the fact that the Government Working Party held frequent consultations with the voluntary rehabilitation agencies which have, to quote the Green Paper, "played a major and pioneering role in the provision of rehabilitation services in Hong Kong". This spirit of co-operation is to be welcomed and I hope it will continue through the revision of this paper, and still further into the rapid implementation of the final plans.

With a view to making this paper even better, my first recommendation is that Government take note of the thoughtful and practical comments made by the Rehabilitation Division of the Hong Kong Council of Social Service. Their comments cover most of the major areas of concern.

I wish to stress one point in particular, namely, the comment made by the Hong Kong Council that "there is a serious lack of planning for adult services in the Green Paper. There is no projection of needs at all for vocational and prevocational training, recreational facilities, residential services and sheltered workshops". I entirely agree that the stress should be on the rehabilitation of the young. They can be more easily trained and can hopefully live a longer life of greater satisfaction to themselves and of greater use to the community. My point is that while stress on the young is a good thing, it should not be at the cost of neglect of training and other services for adults.

A further point on adults is that there would appear to be a dangerous underestimation of numbers. Among other effects this could lead to financial difficulties in the implementation of future plans. The Green Paper acknowledges that reliable statistics on the size of the disabled population are not available. It suggests a conservative estimate of, as has been mentioned, eight per cent. This is in contrast with the findings of Rehabilitation International indicating that at least ten to fifteen per cent of the population of any given country is significantly handicapped. The contrast is even more striking if we were to rely on the 1971 Census figure of 15,000 disabled in Hong Kong. Fifteen thousand comes to about one third of one per cent of our population. The adult portion of that total would be a very small number indeed. So small in fact that one speaker at the Hong Kong Council Seminar on the Green Paper was forced to conclude that

people who meet with traffic or factory accidents are either killed outright or only slightly bruised, and that our orthopaedic surgeons can hardly make a living. (*laughter*) We know it is not true about the accidents because we have statistics to show otherwise.

My suggestion is that paragraph 33 concerning identification services for adults is more important than it appears. It needs strengthening and merits a separate paragraph in the summary of recommendations. In this way a serious underestimation of the number of adult handicapped may be avoided. Such an underestimation would obviously affect adversely plans for other adult services such as training, job placement in open or sheltered workshops, and other connected services.

There is one particular section of the adult handicapped to which I would like to make special reference. In 1975, a year in which there was still considerable unemployment, there were some 30,000 non-fatal accidents reported within the scope of the Workmen's Compensation Ordinance. This is a shocking and disgraceful number. I am aware that the rehabilitation and re-employment of the victims of workplace accidents is an involved question with many problems which make legislation very difficult. It is not for this Council to solve all problems. It is for experts to look at our suggestions and, if possible, to devise ways of incorporating them in suitable legislation. My suggestion, or rather my question is: would it be possible to find some system by which employers, especially in industry, could be persuaded to give greater co-operation in retraining and finding alternative employment for those who have been handicapped in workplace accidents? Some employers have an excellent record in this matter and do much more than they are legally bound to do. But there are many who do not. As the accidents take place in the workplace, it seems fair that the employer might be asked to do more than give the legal cash payment. And the "more" that I suggest need not cost the employer more money because many handicapped can become economically productive. As an employer he is in a better position, perhaps in consultation with other employers, to find suitable work for the victims of industrial accidents. It might even be possible to include this concept somewhere in the Workmen's Compensation Ordinance.

Another point deserves brief mention. There has been some discussion on accommodation or hostels for the handicapped near their place of work. In some cases this might be good and necessary. But I have reservations. The social undesirability of further isolation of the handicapped is a point to which much weight should be given. Some hostels—not I hope dormitories—will be necessary, but individual

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cases should be looked at bearing in mind the severity of the handicap, the distance from work, the human or sub-human condition of their housing. I would give, where possible, preference to providing transport rather than hostels.

MR WONG LAM: —Sir, it is my belief that rehabilitation services for disabled persons can be broadly divided into two parts. One part is to provide direct services, which include medical, educational welfare and others listed in the Green Paper. The other part is to seek ways to improve the public attitude towards disabled persons and increase the concern for and understanding of these persons so that in an environment of warm community care they may have a better opportunity for rehabilitation and may even be able to join the community as productive members.

On the provision of direct services for the disabled the Green Paper has put forward quite a number of suggestions. However, it is rather silent about transport services. This omission may be due to the fact that the problem of providing transport services for the disabled had already been examined in March 1975 in the report by the Working Party formed by the relevant Government departments or that it is being studied by the Access Committee formed by the Hong Kong Council of Social Service and members of the community. As a matter of fact, the problem is a most important one for disabled persons, particularly the blind, the lame and the mentally retarded. I therefore hope that suggestions by the Working Party and the Access Committee can be included in the White Paper at a suitable time as part of a comprehensive rehabilitation scheme. I understand that these two bodies have made quite a number of original suggestions, such as setting up an exclusive minibus service for disabled persons. Important as these suggestions are, they are not so easy to put into practice. For a start, therefore, we should consider more practicable measures such as providing more bus stops in the vicinity of rehabilitation centres or more pedestrian subways for the convenience of disabled persons. It is understood that Government will soon publish the White Paper on Transport which, I hope, would lead to improvements to transport services for the disabled.

As for recreational facilities, the Green Paper has referred to them, but not in particularly concrete terms. I believe that such facilities are no less important than other facilities for the rehabilitation of disabled

persons, whether physically or psychologically. I hope that in this respect, Government can draw up a more detailed and far-sighted plan.

As the Green Paper has pointed out, the primary objective of rehabilitation is to provide services for the disabled so that they can adapt themselves to the community and its economic conditions and become its useful members. However, if the community do not really care for and understand them and continue to keep psychologically away from them, it would seriously reduce the possibility of their resuming their position as working members of the community and would also render rehabilitation services far less effective than they could be. Government has in the past made an effort to promote public understanding and concern for disabled persons, but not enough has been done. I hope that Government will pay more attention to this problem in the future and make every effort to make the public more appreciative of the special strengths and good points of disabled persons and to explain the kinds of difficulties they are confronted with. This should encourage more people to care about them and give them help. It would also make more prospective employers place greater confidence in their working capacity and employ them more readily.

In my view, if we adopt a two-pronged approach to the problem by providing services for disabled persons both directly and indirectly as I have just explained, the rehabilitation plan would be an even more successful one.

SECRETARY FOR SOCIAL SERVICES: —Sir, I am grateful to Dr FANG for the motion he has moved and for the support for this motion. I would like to thank Members for their comments and would also like to take this opportunity to thank those members of the public, the various professional bodies and voluntary organizations which have commented on the Green Paper since its publication last October. I would like to assure all concerned that their views will be taken into consideration by Government in reaching conclusions on the development programme of rehabilitation services for the coming decade and in the preparation of the White Paper.

As the various suggestions made this afternoon together with over 80 submissions on the Green Paper are still being examined, it would not be appropriate for me to say today whether Government accepts these proposals or to describe difficulties arising from their acceptance. I shall therefore only make a few general points.

Sir, the rate of future development of rehabilitation services, like other services, will have to be dependent upon the availability of resources. The fact that Government has published a Green Paper

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and has committed itself to a White Paper shows that Government takes rehabilitation seriously. Consequently, I am confident that services for the disabled will expand substantially both quantitatively and qualitatively during the next ten years, having benefited from a high priority of resource allocations.

I would like to express Government's appreciation of the work being done by the voluntary organizations and of their contribution to the field of rehabilitation. In many areas, it was the voluntary sector which was the pioneer in the provision and development of rehabilitation services for the disabled. Since considerable expansion of services is expected for the coming decade, it is the hope and aim of the Government that the existing work of both public and voluntary sectors should be developed and that co-ordination between the two sectors should be improved so that, with the support of the whole community, the disabled in Hong Kong can be helped to attain their fullest physical, mental and social capability.

As regards the collection of statistics for planning, I agree with Dr FANG and Dr HU that improvement must be made. Planning is one of the necessary management tasks but without timely information in the right form, it is impossible to plan effectively. The Green Paper has made recommendations on how improvement can be made through the design of a management information system which will not only collect the data essential for updating the Rehabilitation Programme Plan but will also enable policy makers to plan more intelligently.

Finally, Sir, I have noted that the speakers this afternoon have generally called for a quicker pace of development so that the shortfalls of services identified in the Green Paper can be met or reduced within a shorter period of time. I should mention that these shortfalls were calculated on the basis of the foreseeable demand and supply of services and having regard to the effect of various constraints on development. Such constraints include the availability of suitable sites, the capacity for the design and construction of new buildings, planning and construction lead times and lead times for staff recruitment and training. However, in the light of the suggestions made this afternoon, Government will re-examine the rates of development of services recommended in the Green Paper in order to assess whether the shortfall of services can be made up more quickly.

DR FANG: —Your Excellency, I wish to say a few words to conclude the debate on the motion before this Council.

My unofficial Colleagues and I are pleased that our views are to be taken into consideration by Government in implementing the development plan of rehabilitation services.

We are equally pleased that Government is to re-examine the rate of development recommended in the Green Paper in order to assess whether the shortfall of services can be made up more quickly. We trust that it will be: and that "quickly" will be the operative word.

Finally, Sir, it is rare that an Unofficial Member has the opportunity of concluding a debate in this Council. (*laughter*) On a public issue of such major importance, it is only fitting that the last word should come from the unofficial side. (*laughter*)

Thank you, Sir.

Question put and agreed to.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT: —Before I adjourn the Council may I wish you all every happiness, health and wealth in the Year of the Snake. In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on Wednesday the 2nd of March.

Adjourned accordingly at twenty minutes past five o'clock.

