

Notes of the Twenty-first Meeting of the Children's Rights Forum

Date: 17 January 2014 (Friday)

Time: 5:30 PM

Venue: Hall, Lai Chi Kok Community Hall
863 Lai Chi Kok Road, Sham Shui Po, Kowloon

Attendance:

Constitutional and Mainland Affairs Bureau

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| 1) Mr Gordon LEUNG, JP
(Chairman) | Deputy Secretary for Constitutional and Mainland Affairs |
| 2) Mr D. C. CHEUNG | Principal Assistant Secretary for Constitutional and Mainland Affairs |
| 3) Mr Michael YAU | Assistant Secretary for Constitutional and Mainland Affairs |
| 4) Miss Bonnie YIM | Assistant Secretary for Constitutional and Mainland Affairs |

Non-government organisations

Representatives

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| 1) Against Child Abuse | Dr Jessica HO
Ms LEE Yu-po |
| 2) Hong Kong Student Aid Society | Mr Alan CHAN |
| 3) Hong Kong Committee on Children's Rights | Dr CHOW Chun-bong
葉麗嫦醫生
Ms Billy WONG |
| 4) Kid's Dream | 陳樂曦同學
孫曉嵐同學
傅明慧同學
劉瑋杰同學
黎致甯同學 |
| 5) Hong Kong Human Rights Monitor | Mr CHONG Yiu-kwong |

- 6) United Nations Children's Fund 馮素霞女士

Voices of Youth

鍾穎峰同學
梁泳琪同學
林可凝同學
嚴文宜同學

Attendance by Invitation:

Discussion Item (I)

- 1) Ms IP Siu-ming Chief Social Work Officer (Family and Child Welfare)²,
Social Welfare Department

Discussion Item (II)

- 1) Professor LEUNG Nai-kong Chairman, Child Fatality Review Panel
- 2) Ms Annisa MA Chief Social Work Officer (Domestic Violence), Social
Welfare Department
- 3) Ms Jackie LAU Senior Social Work Officer (Domestic Violence), Social
Welfare Department
- 4) Mr WONG Kwok-ming Secretary, Child Fatality Review Panel

Discussion Item (III)

- 1) Mr LAM Bing-chun Chief Social Work Officer (Rehabilitation and Medical
Social Services)¹, Social Welfare Department
- 2) Dr Florence LEE Senior Medical and Health Officer (Child Assessment
Service), Department of Health

1. Introduction

- 1.1 The Chairman welcomed representatives of non-government organisations (NGOs) and children representatives to the meeting. He advised that having considered the views expressed by members of the Forum at the last meeting, the Secretariat would arrange for meetings to be held in districts outside Hong Kong Island as far as possible and the current meeting was therefore held at a community hall in Kowloon. He also advised that some of the discussion items were included in the agenda in response to members' suggestions.
- 1.2 The Chairman said that the Administration would endeavour to enhance the co-operation between the Family Council and the Children's Forum. The Children's Forum would relay to the Family Council the views of children on various government policies and initiatives expressed at the Forum, so as to facilitate the Family Council's work in assessing the impact of these policies

and initiatives on family. This would facilitate the collection of views reflecting children's interests in a more systematic manner for reference by bureaux and departments (B/Ds). The Family Council would also invite B/Ds to brief and consult the Council on children-related policies and initiatives being formulated.

2. Discussion Items

(I) Hearing of the Second Report of the Hong Kong Special Administrative Region under the United Nations Convention on the Rights of the Child (Paper No. CRF1/2014)

- 2.1 2.1.1 Mr D. C. CHEUNG briefly introduced the hearing of the United Nations Committee on the Rights of the Child (the UN Committee) on the second report of the Hong Kong Special Administrative Region (HKSAR) under the Convention on the Rights of the Child (CRC) and the UN Committee's concluding observations. In accordance with the CRC, the HKSAR Government submitted its second report to the UN Committee in 2012, setting out the latest situation and progress of work in protecting the rights of children since the submission of the first report in June 2003. Response to the concluding observations of the UN Committee issued after the hearing of the last report in September 2005 was also set out in the report.
- 2.1.2 The hearing of the UN Committee was held in Geneva on 26 and 27 September 2013. A ten-member government delegation led by Mr LAU Kong-wah, the Under Secretary for Constitutional and Mainland Affairs, attended the hearing in Geneva. The UN Committee issued its concluding observations on 9 October 2013, putting forward a number of recommendations in respect of the Hong Kong Government's work in protecting children's rights.
- 2.1.3 The Administration appreciated the UN Committee's goodwill in making those recommendations to the HKSAR Government. Relevant B/Ds of the HKSAR Government would study carefully and consider the Committee's recommendations and would make suitable judgments according to the prevailing circumstances and implement the Committee's feasible and practicable recommendations in the light of Hong Kong's unique circumstances (e.g. recommendations in the concluding observations on children of ethnic minority, children from low-income families and children with special educational needs).
- 2.1.4 It was set out in the recently released 2014 Policy Address that B/Ds would implement a range of measures to promote the well-being of children, such as introduction of a Low-income Work Family Allowance; provision of the Chinese Language Curriculum Second Language Learning Framework for ethnic minority students in primary and secondary schools; extension of the Public Transport Fare Concession Scheme to eligible children with disabilities under the age of 12.
- 2.1.5 Attendees were welcome to maintain communication with the Administration on matters relating to children and work hand in hand

with the Administration to promote the well-being of children.

2.2 Comments and questions on the UN Committee's hearing of the second report of the HKSAR under the CRC and the Committee's concluding observations put forward by attendees' and children's representatives, as well as consolidated responses from government representatives were as follows:

2.2.1 A children representative was pleased to note that the Administration would introduce the Chinese Language Curriculum Second Language Learning Framework as stated in the Policy Address in response to the recommendation of allocating additional resources for children of ethnic minorities in the concluding observations. The representative also enquired about the specific details (such as the design of teaching materials) and arrangements for taking forward the initiative, and asked about the progress of removing the label of the "designated schools" by the Education Bureau (EDB).

2.2.2 Mr D. C. CHEUNG said that the Secretariat of the Forum would invite representatives from the EDB to elaborate on the actual arrangements and progress for taking forward the initiative. Mr CHEUNG explained that the Chinese Language Curriculum Second Language Learning Framework with newly designed teaching materials was a new initiative to facilitate ethnic minority students to have a good grasp of the new senior secondary curriculum. The EDB would also train more teachers to help students who learn Chinese as a second language. The phenomenon of "designated schools" reflected parental choice. The Administration would encourage all schools to enroll more ethnic minority students to remove the label of "designated schools".

(Post-meeting note: The above views would be relayed to the EDB.)

2.2.3 The Chairman said that the pamphlet on support for ethnic minorities in various areas prepared by the Chief Secretary for Administration earlier had set out measures in support of ethnic minorities in learning Chinese and measures assisting ethnic minorities to secure employment. Detailed information might be accessed through the Internet.

2.2.4 An attendee enquired about the co-operation relations between the Children's Forum and the Family Council, and the direction of the Forum. The attendee also enquired about the ways in which the concluding observations were disseminated and public awareness of the concluding observations was enhanced.

2.2.5 Mr D. C. CHEUNG advised that the Administration would enhance the co-operation between the Children's Forum and the Family Council this year, and the co-operation arrangements had been discussed at the Council's meeting in August 2013. The Administration would relay to the Family Council the views of children on various government initiatives expressed at the Forum. This would facilitate the collection of views reflecting children's interests in a more systematic manner for reference of B/Ds. The item of rehabilitation services for pre-school children for the current meeting was included in the agenda at the request of the Family Council to enable the Council to gauge the views

of the Forum before it discussed the same subject in February. The Family Council would also invite B/Ds to brief and consult the Council on children-related policies and initiatives being formulated. On enhancing public awareness of children's rights, a smartphone application would be launched later to provide information on children's rights and the current concluding observations, etc. In addition, the Administration would promote children's rights and enhance public understanding of the CRC through implementing the Children's Rights Education Funding Scheme.

- 2.2.6 A children representative considered that efforts in disseminating the present concluding observations were inadequate. An attendee suggested that apart from dissemination on the web, more platforms should be made available for people from different sectors and children to learn about the present concluding observations, and child-friendly language should be used to promote the concluding observations to children.
- 2.2.7 Mr D. C. CHEUNG advised that in the past year, the Administration had co-operated with the Radio Television Hong Kong (RTHK) to produce a 7-episode 5-minute TV series on children's rights and conduct a school outreach programme, organising activities in many schools and public places to promote children's rights. Promotional activities funded under the Children's Rights Education Funding Scheme were also held in various districts and had attracted 50 000 participants. In addition, the element of children's rights had been embedded in the subject of Liberal Studies, and the related content and concepts of the CRC had been incorporated into the school curriculum to allow students to learn about the concepts and values in relation to children's rights.
- 2.2.8 A children representative asked whether the Administration would follow up on or make response to the present concluding observations. If response was to be made, in what ways would the Administration let the public know about its response. The representative also enquired whether the Administration would further report to the public the development of different initiatives promoting children's rights before the next report was submitted.
- 2.2.9 Mr D. C. CHEUNG explained the workflow for submitting reports to the United Nations (UN), and pointed out that the 2014 Policy Address had set out a range of measures that took care of the well-being of children. As for the development of different initiatives, the Secretariat would invite representatives from relevant government bureaux to the Forum to report on respective issues covered in the concluding observations.
- 2.2.10 The Chairman supplemented that the UN human rights treaty monitoring bodies followed an established cycle and timetable in hearing periodic reports. In submitting the next report to the respective monitoring body according to the timetable, the Administration would give an account of the development of initiatives since the issuance of the previous concluding observations. Recommendations made by the

Committees were directional and State Parties would implement different policies according to prevailing circumstances.

- 2.2.11 The attendees and children representatives pointed out that the UN Committee had repeatedly put forward a number of recommendations and they hoped the Government would implement the Committee's recommendations, strengthening the mechanism for children's participation and stepping up publicity and promotion of children's rights. They also proposed that the Government should consider inviting NGOs to consult the views of children.
- 2.2.12 A children representative expressed that the Children's Forum failed to function exactly in the same way as the commission on children proposed to be set up by the UN Committee, and was ineffective in collecting views of children. The children representative also proposed that the Administration should improve the low attendance rate of Forum meetings and enhance the function of the Forum in consulting children.
- 2.2.13 The Chairman said that specific arrangements and modus operandi of the Forum has been modified in the light of the views of various organisations. Members were welcome to submit further views, if any, to the Secretariat for consideration. He added that the Secretariat had notified all members and related persons when arranging the current meeting.

(II) First Report of Child Fatality Reviews Panel (Paper No. CRF2/2014)

- 2.3 The Chairman invited Professor LEUNG Nai-kong, Chairman of Child Fatality Review Panel (Review Panel), and representatives from the Social Welfare Department (SWD) to briefly introduce the first report.
 - 2.3.1 Professor LEUNG Nai-kong gave a detailed account of the background of setting up the Review Panel, its working mechanism (such as gathering information on child death cases from the Coroner's Court, its confidentiality system, operation and composition). He also advised that in order to promote multi-disciplinary and cross-sectoral co-operation to prevent the occurrence of avoidable child death, a pilot project was launched and a panel was appointed by the SWD to review child fatality cases of natural and non-natural causes occurred in 2006 and 2007.
 - 2.3.2 Professor LEUNG Nai-kong elaborated on the standing Review Panel set up in 2011, findings of the review on child fatality cases occurred in 2008 and 2009 (including figures of child death) and analysed the causes of death, age and background of the deceased as well as the districts in which the cases occurred. Given that the majority of the children who committed suicide had expressed their suicidal thoughts in one way or another before actual attempts, Professor LEUNG Nai-kong called on attendees to keep an eye on children to see if they had suicidal tendency so as to prevent the occurrence of avoidable child death as far as possible.
 - 2.3.3 Professor LEUNG Nai-kong hoped that through the Review Panel's

efforts, life education and life skill training could be enhanced to strengthen the resilience of students, and the message of “depression is curable” could be publicised. In respect of fatal accident cases, the Review Panel had put forth a number of recommendations with a view to preventing fatal traffic accidents and accidents at home. The Review Panel had also made five recommendations to prevent fatal assault to children, including public education to remind parents of their child care responsibility and not to take away lives of their children under any circumstances.

- 2.3.4 Professor LEUNG Nai-kong advised that the Review Panel would approach relevant government departments, schools, NGOs and professional groups to ask them to follow up on the recommendations of the Review Panel.
- 2.4 Comments and questions on the first report of the Review Panel put forward by attendees and children’s representatives, as well as consolidated responses from government representatives were as follows:
- 2.4.1 An attendee opined that the Review Panel did not have adequate power as it was only a panel under the SWD. Besides, the provision of information on cases was voluntary and this would pose restriction on the work of the Review Panel. As such, the attendee proposed that legislation should be introduced to enhance the influence of the Review Panel and its work and the Government should proceed with the legislative process and other preparatory work.
- 2.4.2 Professor LEUNG Nai-kong advised that it was time-consuming to enact legislation given that a long time was required for public discussion and apart from that, supporting data were needed. The Review Panel would therefore continue to review child fatal cases in the existing manner. Professor LEUNG stressed that the Review Panel needed the co-operation of various sectors of the community to take forward the work relating to the well-being of children, introducing legislation was only one of the means.
- 2.4.3 An attendee opined that the Review Panel needed to draw up a set of indicators to assess the effectiveness of promotional work and there was inadequate professionals (such as school social workers) to carry out preventive work.
- 2.4.4 A children representative asked in what ways would the Review Panel follow up on the implementation of its recommendations with related organisations and schools.
- 2.4.5 Professor LEUNG Nai-kong advised that the Review Panel had enquired the related organisations of the details of their specific preventive work and progress of such work, and had requested the organisations to take follow-up actions and give an account of the actions to the Review Panel.
- 2.4.6 A children representative expressed that the public education as recommended by the Review Panel would lead to increased lesson time

and workload, adding a further burden to school children, creating opposite effect. The representative also casted doubt on the effectiveness of seminars and whether the Review Panel was able to analyse the root causes of suicide. Another children representative considered that the Government might advise schools to suggest some ways to prevent child suicide apart from organising seminars.

2.4.7 Professor LEUNG Nai-kong advised that to analyse the causes of child death, the top priority was to collect actual data and detailed information on death cases. The information that the Review Panel got hold of currently was not adequate to analyse the root causes of child suicide. The Review Panel would only be able to grasp the overall suicide trend with the accumulation of cases in future.

2.4.8 Ms Annisa MA supplemented that apart from seeking documents from the Coroner's Court, the Review Panel also acquired relevant information from news reports, school social workers or other service units to have a deeper understanding of the actual circumstances of various cases. Ms MA pointed out that prevention of child death was an issue that the whole community was concerned with, and was not the responsibility of parents, schools or social workers only. The recommendations of the Review Panel had a bearing on those who delivered services to children in different areas and she called on personnel who had contacts with children during their work and related persons to work together to prevent the occurrence of avoidable child death.

2.4.9 A children representative suggested that the report and information papers of the Review Panel should be written in child-friendly language to enable more children to understand the relevant message.

2.4.10 An attendee said that child death incidents were on a rising trend and some parents were of the view that academic pressure on children and social atmosphere were closely correlated. The Review Panel might propose the Government to further interpret the information contained in the report. The attendee also proposed that the Government should conduct a more comprehensive study on mental wellness of children and adjust the existing systems in the light of the findings of the study, so as to tackle at source the problem arising from stress.

2.4.11 An attendee expressed the wish that the Review Panel would include the suggestions of attendees put forward at the current meeting in the report and proposed that the Review Panel should draw the Government's attention to the need for legislation. The attendee also pointed out that the issue of resources should be taken into consideration, and directions be set from wider perspectives, such as to draw reference from the views of the UN and overseas models for setting up a development system to prevent avoidable child death. An attendee pointed out that public monitoring and participation were also important to the review of child death cases.

2.4.12 Professor LEUNG Nai-Kong said that the views of the attendees would

be relayed to the Review Panel for consideration.

(Note: The Chairman left the meeting after the discussion of this agenda item and the meeting was then chaired by Mr D. C. CHEUNG, Principal Assistant Secretary for Constitutional and Mainland Affairs.)

(Post-meeting note: Views and issues contained in paragraphs 2.3 and 2.4 had been relayed to the Family Council and Child Fatality Review Panel for appropriate follow-up actions.)

(III) Rehabilitation Services for Pre-school Children (Paper No. CRF3/2014)

- 2.5 Mr D.C. CHEUNG invited Mr LAM Bing-chun of the SWD and Dr Florence LEE of the Department of Health (D of H) to give an account of government rehabilitation services for pre-school children.
- 2.6 Dr Florence LEE briefly introduced the children assessment service, health centres and student health service of the D of H, and elaborated on the Department's assessment and referral services as well as support services for parents. She advised that efforts had been made by the Administration to deepen the understanding of personnel concerned and parents on children with developmental disorders. Based on the information provided by parents and teachers as well as observations of personnel concerned, the Administration would assess the children's abilities in participating in social life and schools with a standardised assessment tool. In conjunction with various service units and NGOs, the Administration had provided support services for parents and take forward public education, made available information and leaflets targeting children with developmental disorders or their families on the web, and organised Inclusive School Contests jointly with the EDB and RTHK to increase the public's knowledge of children with developmental disorders.
- 2.7 Mr LAM Bing-chun pointed out that pre-school rehabilitation services broadly fall within two domains: First, early identification of children aged between 0 to 6 with disabilities or special educational needs through various programmes. Second, provision of rehabilitation services for children from birth to 6 years old with disabilities or special educational needs. The objectives of the SWD's services were: 1) to provide children with developmental disorders with early intervention to enhance their physical, psychological and social developments; 2) to assist children with developmental disorders to integrate into ordinary schools in future, improving their opportunities for participating in ordinary schools and daily life activities; 3) to help parents of children with developmental disorders to meet the special needs of their children.

Various types of services included: Early Education and Training Centre which provided services for children from birth to 6 years old; Special Child Care Centre, with more paramedical professional support, the Centre provided whole-day training services for children with moderate to severe disabilities; Integrated Programme under which physiotherapists, speech therapists and occupational therapists of the support team would visit various child care centres to provide instructors' training and support to facilitate the children's future integration into the mainstream education.

With enhanced awareness of children's developmental problems in recent years,

parents were able to arrange for early assessment for their children suspected to have special educational needs, leading to longer waiting time for assessment. Starting from December 2011, the Community Care Fund provided training subsidy for children from low-income families and the programme would be regularised in 2014. It was also set out in the Policy Address that 1 471 places for pre-school rehabilitation services would be provided during the term of this Government.

2.8 Views and questions on rehabilitation services for pre-school children put forward by attendees and children representatives, as well as consolidated responses from government representatives were as follows:

2.8.1 A children representative opined that Hong Kong did not have a mechanism which provided specialised support for children with special educational needs, and enquired whether assessment tools in languages other than Chinese, such as English or ethnic minority languages were available.

2.8.2 Dr Florence LEE advised that assessment tools were mostly developed by European countries and the United States, they were thus available in languages including English whereas there were relatively few assessment tools available in local language. Recently, the D of H had developed assessment tools in local language which were used in kindergartens and primary schools through the EDB. Assessment tools for children were a bit out-dated and were being updated by the D of H. As for ethnic minorities, assessment was at present conducted mainly through interpretation, and some of the parents understood the local language. Given the large number of ethnic minority languages and that the languages did not have a standardised benchmark, assessment tools in local language were mainly used at present.

2.8.3 A children representative said that in respect of child care services in Hong Kong, attention should be paid to the following two points: First, at present only one assessment was conducted. Given that there might be a long time gap between the assessment and receiving rehabilitation services, the children concerned might have recovered and no longer needed treatment. The children representative therefore suggested that a further assessment should be conducted before providing rehabilitation services to the children concerned to avoid wastage of resources. Second, resources allocated to children with special educational needs were inadequate. Hong Kong could make reference to overseas practices and put in more resources. In addition, given the heavy workload of Hong Kong's kindergarten teachers, they were unable to attend to children with special educational needs, the children representative therefore suggested that the Government should allocate more resources to support children with special educational needs and their teachers.

2.8.4 Mr LAM Bing-chun thanked children representatives for their views. He pointed out that the Government would actively identify suitable places for setting up Early Education Centres and Special Child Care Centres for NGOs to provide relevant services. In this connection,

places would be reserved in public housing estates under construction for operation of these two types of centres, and with the implementation of the Special Scheme on Privately Owned Sites for Welfare Uses, NGOs would be allowed to expand their services through in-situ reconstruction, thereby shortening the waiting time for pre-school and other rehabilitation services. As professionals such as physiotherapists and occupational therapists were required in many rehabilitation services, there was a need for a long-term plan to train such professionals.

- 2.8.5 Dr Florence LEE advised that children with special educational needs accounted for 5 to 10% of the rising population. Given that the system was initially designed to provide services for children with severe disabilities, there was a need to explore new modes of services through inter-departmental collaboration to provide services for children with special educational needs and to step up public education in the face of changing and increasing demands. As far as manpower was concerned, training of teachers, doctors and therapists would also take some time. Dr LEE printed out that apart from providing additional places for rehabilitation services and identifying more places for NGOs, there was a need to increase manpower at the same time.
- 2.8.6 An attendee pointed out that investment in children was important, and hoped that children would be able to fully attain whole-person development in the golden period (from 0 to 6 years old), and in this connection, inputting resources in initiatives facilitating development of children was of vital importance.
- 2.8.7 An attendee enquired about the actual number of children waiting for rehabilitation services. The attendee also suggested that the Administration should include data such as waiting time in the database, set up a database on children, and set out clearly in the budget the resources designated for children as recommended by the UN Committee, improving the mechanisms that promoted the well-being of children.
- 2.8.8 A children representative pointed out that overseas studies had found that providing support to children with special educational needs was effective in lowering future divorce rate and drug prevalence rate. The children representative suggested that the Administration should review the ratio of Hong Kong's expenditure on children against the Government's revenue and expenditure, and increase resources and manpower with reference to overseas practices.
- 2.8.9 Mr LAM Bing-chun indicated that paramedical professionals were in demand both in the public sector and private sector, and shortage of physiotherapists was particularly acute in the social welfare sector. Competition for manpower between the public and private sectors was keen. It was set out in this year's Policy Address that the Lump Sum Grant Subvention System would be enhanced and additional resources would be provided to assist NGOs in recruiting and retaining paramedical staff more effectively or hire paramedical services.

(Post-meeting note: Views and issues contained in paragraphs 2.6 to 2.8 had been relayed to the Family Council, SWD and D of H for appropriate follow-up actions.)

- 2.9 Mr D. C. CHEUNG indicated that at the last meeting, some attendees had asked to discuss the Sexual Convention Record Check Scheme and having discussed with the Security Bureau, representatives from the Bureau would attend the next meeting to discuss the Scheme with members. Besides, given that the present concluding observations had put forward recommendations on education of children with disabilities, and members had indicated an interest in discussing the education of racial minority children at the current meeting, arrangements would be made with the relevant bureaux to include two of the above subjects as discussion items for the next meeting as far as possible. Arrangements would also be made to discuss at future meetings topics for which the Administration would like to sought children's views.
- 2.10 Mr D. C. CHEUNG thanked attendees and children representatives for attending the meeting, giving their views on various children-related policies.

Constitutional and Mainland Affairs Bureau
February 2014