

Family Council
Minutes of 52nd Meeting held on 20 December 2022

Date: 20 December 2022 (Tuesday)

Time: 10:00 a.m. – 12:00 p.m.

Venue: Conference Room 6, G/F., Central Government Offices, Tamar

Attendance

Chairman

Ms PANG, Melissa Kaye

Ex-officio Members

Ms CHAN Yuen-han, Chairperson of the Women's Commission

Non-official Members

Ms CHAN Suk-mei, May

Prof. CHEN Yu-hai, Eric

Mr CHEUNG Pok-man, Boris

Ms CHEUNG Wang-yim, Lavender, Deputy Convenor, Sub-committee on
the Promotion of Family Core Values and Family Education

Mr FONG Yick-jin, Eugene

Ms YIP Yun-wan, Amarantha, Convenor, Sub-committee on the Promotion
of Family Core Values and Family Education

Official Members

Ms Shirley LAM, Permanent Secretary for Home and Youth Affairs
(attending on behalf of Secretary for Home and Youth Affairs)

Mr David LEUNG, Deputy Secretary for Labour and Welfare (Welfare)1
(attending on behalf of Secretary for Labour and Welfare)

Ms Teresa CHAN, Deputy Secretary for Education (4)
(attending on behalf of Secretary for Education)

Secretary

Miss Mandy WONG, Principal Assistant Secretary for Home and Youth
Affairs (Home Affairs)1

In Attendance

Mr Nick AU YEUNG, Deputy Secretary for Home and Youth Affairs
(Home Affairs)

Ms Adia LAM, Chief Executive Officer (Home Affairs)(1)1

(For agenda item 3)

Mr KOK Che-leung, Deputy Director of Social Welfare (Services), Social
Welfare Department (SWD)

Ms Wendy CHAU, Assistant Director (Family and Child Welfare), SWD

(For agenda item 4)

Prof. Paul YIP, Principal Investigator of the Research Team / Chair
Professor of Population Health, Department of Social Work and Social
Administration, The University of Hong Kong

Dr Sandra TSANG, Co-Investigator of the Research Team / Associate
Professor, Department of Social Work and Social Administration, The
University of Hong Kong

Ms Lianne TAI, Co-Investigator of the Research Team / Registered Social
Worker and Accredited Family Mediator, 2010

Mr Bowie WOO, Project Associate, Hong Kong Jockey Club Centre for
Suicide Research and Prevention

Absent with apologies

Dr LI Kwok-tung, Donald, Chairperson of the Elderly Commission

Mr LEUNG Yuk-wai, Kenneth, Vice-Chairman of the Youth Development
Commission

Mr CHAN Kwan-yeung, Arnold

Ms CHEUNG Lai-chu

Dr LAM Chi-yan, Kay, Convenor, Sub-committee on Family Support

Prof. Albert LEE

Mr LUK Hua, Warren

Ms PUN Siu-fung, Cindy

Mr WONG Bing-kin, Solomon

Mrs WONG NG Kit-wah, Cecilia

Mr YOUNG Chit-on, Jeremy

Welcome Remarks

The Chairman welcomed all to the 52nd meeting of the Family
Council (the Council).

**Item 1 – Confirmation of Minutes of the 51st Meeting of the Family
Council**

2. The minutes of the 51st meeting were confirmed without
amendment.

Item 2 – Matters Arising from the Previous Meeting

3. The Chairman noted that the Council Secretariat had circulated a
progress report to Members for information, and invited Chief Executive

Officer (Home Affairs)(1)1 (CEO(HA)(1)1) to brief Members on the report. In respect of the application of the Family Impact Assessment (FIA) checklist, CEO(HA)(1)1 reported that the FIA had been applied to 927 Legislative Council briefs as at 30 November 2022. Besides, the research team of the Family Survey 2021 was in the course of refining the survey reports having regard to the comments made by the Sub-committee on Family Support (Support Sub-committee) at its last meeting on 29 November 2022. It was expected that the finalised survey reports would be available in January 2023 tentatively.

4. As regards the Scheme on Thematic Sponsorship to Support Family-related Initiatives (the Scheme), CEO(HA)(1)1 reported that a new round of the Scheme was launched on 17 October 2022 with nine applications received as at the application deadline of 2 December 2022. The applications were being vetted and an Assessment Panel meeting would be held to consider the applications. CEO(HA)(1)1 also informed the meeting that as at 30 November 2022, the Council's Facebook page had attracted over 30 303 "likes" and the average number of "Reaction", "Comments" and "Sharing" per post was about 332. For the collaboration with the Radio Television Hong Kong (RTHK), the weekly children's radio drama entitled 「畢得鳥劇場 Season III」 produced by RTHK was premiered on 23 October 2022. Archive of the first five episodes of the radio drama was available on the thematic website.

5. In respect of the "Further Study on the Phenomenon of Divorce in Hong Kong" (the Divorce Study), CEO(HA)(1)1 reported that the sixth Working Group (WG) meeting was held on 27 October 2022 to deliberate on the revised draft final report. Taking into account the comments given by the WG Members as well as those of relevant government bureaux/departments (B/Ds), the research team submitted the revised final report on 24 November 2022. The research team would brief the Council on the key findings and recommendations of the Divorce Study under agenda item 4 of this meeting.

Item 3 – Chief Executive’s 2022 Policy Address: Family-related Policy Initiatives of the Labour and Welfare Bureau (Paper FC 15/2022)

6. The Chairman invited Mr KOK Che-leung of SWD to brief Members on the various new or on-going family-related initiatives as announced by the Chief Executive in his 2022 Policy Address. The salient points of the briefing were summarised as follows –

- (a) the Strive and Rise Programme was launched through tripartite collaboration among the Government, the business sector and the community to help underprivileged junior secondary students rise above intergenerational poverty;
- (b) in respect of child protection, the Government would (i) take forward at full steam the setting up of a mandatory reporting mechanism for child abuse cases; and (ii) improve service quality, service regulation and monitoring, as well as service planning and provision of residential child care services in a holistic manner;
- (c) on elderly services, the new initiatives to be implemented by end-2027 included (i) setting up 16 new neighbourhood elderly centres; (ii) providing an additional 900 subsidised day care service places for the elderly; (iii) providing an additional 6 200 subsidised residential care places; and (iv) expanding the services of elderly centres in the fourth quarter of 2023, as well as (v) subsidising an additional 1 700 or more students to enroll in nurse training programme from 2023-24 to 2027-28 academic years; and
- (d) as regards support for the disadvantaged, the Government would implement new initiatives which included (i) enhancing support for carers of elderly persons and of persons with disabilities; (ii) increasing the number of District Support Centre for Persons with Disabilities to 21 in 2022-23;

(iii) setting up two new integrated community rehabilitation centres for providing integrated daycare and home care services for persons with severe disabilities.

7. Members' views and questions were summarised as follows –

- (a) a Member supported the Government's new welfare initiatives and suggested that better employment packages, such as higher salary and good career prospect could be offered to attract more people to join the health care service industry;
- (b) a Member reckoned that development of students from grassroots families might be hindered due to lack of resources. It would be helpful if arrangement could be made for university students to share their experience and path of development with these students;
- (c) a Member commented that collaboration among B/Ds was important in dealing with those social welfare related issues in the society. More resources could be deployed to locate those "hidden" elderly who required support and assistance, such as through the District Services and Community Care Teams (Care Teams); and
- (d) a Member was of the view that the Government should enhance its effort to promote and educate the public about the importance of supporting and caring for the elderly persons. Training could also be provided to care workers making them more committed to serving in the social welfare sector.

8. The Chairman thanked Mr Kok for the briefing, and supported those new and on-going welfare initiatives announced by the Government. Mr Kok also thanked Members for their comments and added that the Government had been making much effort to improve the working

environment, career advancement, etc. of care workers in Hong Kong. Mr Kok said that the Government would continue to strengthen collaboration with different sectors of the community, plan for and deliver suitable social welfare services.

9. With regard to the Care Teams, Ms Shirley LAM said that the Home and Youth Affairs Bureau would announce details of the setting up of the Care Teams which aimed to consolidate community resources and forces to support the Government's district work and strengthen district networks. As Care Teams would organise caring activities such as visiting the needy, SWD would be contacted to follow up on cases which required support and assistance.

Item 4 – Further Study on the Phenomenon of Divorce in Hong Kong (Paper FC 16/2022)

10. The Council commissioned a research team led by Prof. Paul YIP of The University of Hong Kong to conduct the Divorce Study in June 2018. Following the WG meeting held on 27 October 2022, the research team submitted the revised Final Report on 24 November 2022. Before the briefing by the research team on the Divorce Study, the Chairman invited Miss Mandy WONG, the Secretary of the Council, to share with Members the key findings of the Family Survey 2021 which captured the most recent trend in marriage, divorce and having children in Hong Kong, as summarised below –

- (a) a notable decreasing trend on the number of marriages was observed from 2011 to 2020;
- (b) there had been an increasing tendency toward marriage postponement or non-marriage in both genders;

- (c) people tended to have more positive attitudes toward singlehood, cohabitation and divorce;
- (d) a decreasing trend on the number of births was observed from 2011 to 2020; and
- (e) the intention to have children was weakening.

11. The Chairman invited Prof. Paul YIP, Dr Sandra TSANG, Ms Lianne TAI and Mr Bowie WOO of the research team to brief Members on the key findings and recommendations of the Divorce Study. The salient points of the presentation were summarised as follows –

Key findings

- (a) couples with lower educational attainment and shorter duration of marriage were more likely to separate, and divorce risk peaked at 2-10 years of marriage;
- (b) based on the Thematic Household Survey (THS) No. 61 in 2016, only 16.1% of divorcees applied for maintenance orders and among these 34 300 ever divorced/separated persons who would receive maintenance, 40.5% or around 13 900 persons, reported that they had not received the maintenance payment in full;
- (c) about 87% of divorcees whose maintenance orders were not fulfilled did not take legal actions;
- (d) the Judgment Summons (JS) which was the most commonly used procedure, was considered to be time-consuming, cost inefficient and hazardous to the mental health of the recipients;
- (e) a range of quality social services were being provided to divorced population during and after divorce;

Major recommendations

- (f) to promote responsible divorce decisions and improve existing divorce-related services;
- (g) to improve compliance of maintenance payment by introducing new administrative and policy measures to deter defaults, including suspending passport and driving licenses, transferring debtor's information to credit reference agencies, deducting government benefits and tax refunds, etc.;
- (h) to establish a Family Responsibility Office (FRO) to facilitate implementation of the Maintenance Assurance Scheme (MAS) and the Interim Support Plan (ISP); and
- (i) to set up an Integrated Database System (IDS) to collect divorce-related data.

12. To facilitate discussion, the Chairman invited Miss Mandy Wong to brief Members on the comments of the WG and those of relevant B/Ds as summarised below –

WG

- (a) SWD had already set up five Specialised Co-parenting Support Centres across the territory to provide one-stop child-focused co-parenting support services for divorced parents and their children. The co-operation of SWD and the Legal Aid Department had also been strengthened in the processing of legal aid applications to recover default of maintenance and streamlining the existing referral procedures so that recipients of the Comprehensive Social Security Assistance could receive timely financial assistance upon referral;

- (b) a number of new measure to cope with the divorce-related issues in recent years had yet been featured in the Final Report, and the need for setting up a new FRO was considered not apparent;
- (c) as legal cost of applying for JS was high and might touch upon issues about human rights, most legal practitioners did not prefer using JS for settling the issue of default of maintenance;
- (d) the research team might consider grouping their recommendations into short-term, medium-term and long-term measures;

Relevant B/Ds

- (e) the Final Report had not presented comprehensive figures, including the number of divorce cases with maintenance orders issued each year, and proportion of cases in default of maintenance payments and the amounts involved, for making a thorough analysis on the divorce landscape and maintenance default;
- (f) the Final Report was not able to tell if the problem of “maintenance default” was getting worse or better, and if so, the scale of it;
- (g) the recommended new administrative and policy measures such as suspension of driving licenses and passports involved interference or restriction of individual freedom and caused concerns on privacy. It was controversial in nature and doubtful if legally feasible. At the same time, it would certainly raise the question as to whether such means were proportionate to the scale of the problem;

- (h) regarding the suggestion that a levy should be imposed on newly married for financing an interim maintenance payment to payees facing financial hardship, it might be difficult to argue from a local sociocultural perspective. It could be interpreted as an ill omen for the start of a happy and long-lasting marriage and might not be welcomed by the public;
- (i) on FRO, it appeared that it might have overlapped functions with the non-governmental organisations, relevant B/Ds and even the court;
- (j) most of the overseas maintenance assurance schemes quoted in the Final Report were not without problems. It was commonly seen that there were large amount of arrears, few cases handled over long processing time, management hiccups, high administrative costs, etc.; and
- (k) regarding the family proceedings, a host of measures had been undertaken to enhance the efficiency of the Family Court, such as introduction of new Practice Directions for providing procedural guidance to enhance efficiency of the Family Court, launching a new Pilot Scheme on Mediation, greater use of remote hearings in the Family Court, etc. Additional measures were in the pipeline, including the introduction of the Family Procedure Bill.

13. Miss Mandy Wong supplemented that the Government would step up efforts to promote responsible marriage decision and provide useful information on divorce and relevant legal knowledge as suggested by the research team. Besides, the Bureau would liaise with various parties to gather more relevant data. The Government would continue to monitor the divorce situation in Hong Kong and keep in view the need of stepping up efforts in various aspects.

14. Members' views and questions were summarised as follows –
- (a) a Member commented that it was important to take note of the evolving family structures in society with decreasing number of marriages and unwillingness to give births, when contemplating any measures to address maintenance payments. He also inquired about the availability of information on children who were victims of divorced families (e.g. age profile and the related psychological impact) so that timely assistance could be provided to these children;
 - (b) a Member stated that while the number of maintenance default cases appeared to be not high in Hong Kong, marital education and promotion of parental responsibility should be enhanced. She also considered it worthwhile to collect more divorce-related data and strengthen cross B/D collaborations;
 - (c) a Member suggested that the Family Court to consider further streamlining the procedures of handling divorce cases by means such as increasing manpower resources and setting performance pledges for handling divorce cases;
 - (d) a Member opined that consideration could be given to integrate the pre-marital education and parent education to promote responsible marriage; and
 - (e) a Member reckoned that public views could be collected to assess if the measures recommended in the Divorce Study had public support.

15. The Chairman thanked the research team for the presentation and Members for their comments. She agreed that a divorce-related database would facilitate sharing of information and collaboration among B/Ds. In concluding members' views, she said the Council noted the controversies

involved concerning the recommendations of the research team. There were concerns about some recommended measures like suspension of passports, sharing of personal information across B/Ds, deduction of tax refund, etc. which would be perceived as draconian and would arouse grave public concerns over the rights of individuals and privacy. There were also doubts about the legal practicality. Experience of maintenance assurance schemes in other jurisdictions had suggested different problems. The Council noted that the Government might not be able to adopt those recommendations as proposed by the research team, and understood that these recommendations would need careful consideration. The Government was suggested to continue its effort in collecting more divorce-related data with a view to addressing the problem of default maintenance payments.

16. In response, Ms Lianne Tai indicated that she understood the concerns about the infringement into one's rights and privacy. However, she hoped that more could be done to enhance parental responsibility. Dr Sandra Tsang hoped that the Divorce Study would serve as a basis for the Government to take further steps to deal with divorce-related issues and helping those suffering from a broken marriage. Prof. Paul Yip pointed out that a database with comprehensive divorce-related information would help keep track of the situation of divorce in Hong Kong. He hoped that the Government would assist those who suffered in divorces.

17. The Chairman said the Council would like to express gratitude and appreciation to the research team in conducting the Divorce Study, especially the additional hard work in overcoming the difficulties of the field work during the COVID-19. With reference to the findings and recommendations of the Divorce Study, the Divorce Study could serve as a good start for exploring ways to improve the existing measures/services having regard to the views of different stakeholders.

Item 5 – Progress of Work of the Sub-committees under the Family Council (Paper FC 17/2022)

18. The Chairman invited Ms Amarantha YIP, Convenor of the Sub-committee on the Promotion of Family Core Values and Family Education (Promotion Sub-committee) to report the work of the Promotion Sub-committee. Ms Yip reported that Spring-Time Experimental Theatre Limited was engaged for production of the roving drama series. The title of the drama was “愛畢氏家庭” which was about how Nicky BUT, the 12-year-old elder brother of the But’s Family coped with the newly-bought smart home system “AI 畢家索” under different daily life scenarios. Interactive session with the audience (i.e. secondary one to three students) would be included to allow the audience to have better understanding of the messages behind the drama performances. The premiere of the roving drama series was tentatively scheduled for 18 February 2023 (p.m.) at an assembly hall of a local secondary school. Following the premiere, a school tour with around 40-60 drama performances would be staged in different secondary schools across the territory from February to July 2023.

19. To raise the awareness of employers of the importance of family core values and to foster a pro-family culture and environment, the Council would launch a new annual publicity campaign to promote the wider adoption of family-friendly employment practices in the community. This new publicity campaign would include production of a series of short promotional videos and the first episode would be released in March 2023. As regards the 2023-24 Publicity Plan, the theme of “Marital Happiness and Harmony” would be adopted and would be promoted through the collaboration with RTHK, production of family education package, etc. A tram free ride day would also be arranged on 14 May 2023 (Sunday) to celebrate the 2023 International Day of Families which fell on 15 May 2023 and to further boost the publicity of the Council on its 15th anniversary.

(Action: Promotion Sub-committee)

20. The Chairman invited CEO(HA)(1)1 to report on the work progress of the Support Sub-committee. CEO(HA)(1)1 reported that apart from providing comments on the draft survey reports of the Family Survey 2021 at its last meeting on 29 December 2022, the Support Sub-committee noted, through the presentations made by a sponsored organisation under the Thematic Sponsorship Scheme to Support Family-related Initiatives, namely International Social Service Hong Kong Branch that the project was successfully completed in February 2022 with very positive responses. The Support Sub-committee considered that the workshops on emotion identification and emotion management proved to be successful in raising the emotional awareness and improve the emotion management skills of parents and children of new arrival families who had stayed in Hong Kong for five years or less.

(Action: Support Sub-committee)

Item 6 – Any Other Business

21. There being no other business, the meeting was adjourned at 12:00 p.m. The next meeting would be held on 16 March 2023 (Thursday) tentatively.

Family Council Secretariat
March 2023