

## Family Council

### Minutes of 19<sup>th</sup> Meeting held on 15 August 2013

Date: 15 August 2013 (Thursday)  
Time: 2:30 p.m.  
Venue: Room 4, G/F, Central Government Offices,  
2 Tim Mei Avenue, Tamar, Hong Kong

#### Attendance

##### Chairman

Prof SHEK Tan-lei, Daniel

##### Official Members

Mr TSANG Tak-sing, Secretary for Home Affairs

Ms Lydia LAM, Deputy Secretary for Labour and Welfare  
(Welfare)1(Acting) (*attended on behalf of Secretary for Labour and  
Welfare*)

Ms Michelle LI, Deputy Secretary for Education (1) (*attended on behalf  
of Secretary for Education*)

Prof WONG Chack-kie, Member (2)/Central Policy Unit (CPU)  
(*attended on behalf of Head/CPU*)

##### Ex officio Members

Mr CHAN Chun-bun, Bunny, Chairperson of the Commission on Youth

Prof CHAN Cheung-ming, Alfred, Chairperson of the Elderly  
Commission

Mrs LAU KUN Lai-kuen, Stella, Chairperson of the Women's  
Commission

Non-official Members

Mrs CHU YEUNG Pak-yu, Patricia

Dr KOONG May-kay, Maggie

Ms LAW Suk-kwan, Lilian

Mr LEE Luen-fai

Dr LI Sau-hung, Eddy

Ms LOO Shirley Marie Therese

Miss TANG Pui-yee, Phoebe

Dr TSUI Luen-on, Gordon

Ms WONG Pik-kiu, Peggy

Miss WONG Siu-ling, Gabriella

Ms YAU Oi-yuen, Irene

Mr YIU Tze-leung, Ivan

Secretary

Ms Jessica CHENG, Principal Assistant Secretary for Home Affairs  
(Civic Affairs) 2 (Acting)

In attendance

Ms Gracie FOO, Deputy Secretary for Home Affairs (1)

Dr Florence FONG, Senior Researcher (5)/CPU

Absent with apologies

Prof AU Kit-fong, Terry

Prof LAM Tai-hing

For agenda item 2

Mr D C CHEUNG, Principal Assistant Secretary (Constitutional and  
Mainland Affairs)5, Constitutional and Mainland Affairs Bureau

For agenda item 3

Mr Byron NG, Deputy Commissioner for Labour (Labour  
Administration), Labour Department

Mr Raymond HO, Chief Labour Officer (Working Hours Policy),

Labour Department

Mr Desmond HOU, Principal Economist, Economic Analysis and Business Facilitation Unit, Financial Secretary's Office

For agenda item 4

Miss Mandy WONG, Principal Assistant Secretary for Security (Narcotics) 2, Security Bureau

Miss Sandy LI, Assistant Secretary (Narcotics) 6, Security Bureau

### **Welcome Remarks**

The Chairman welcomed all to the 19<sup>th</sup> meeting of the Family Council (the Council).

### **Item 1 – Confirmation of Minutes of the 18<sup>th</sup> meeting of the Family Council**

2. The minutes of the 18<sup>th</sup> meeting were confirmed with the following amendments to paragraph 11 (d) –

“noting that limited resources were devoted to provision for pre-primary education (accounted for 0.14% of Gross Domestic Product (GDP) in 2012-13) when compared with that of the Organisation for Economic Co-operation and Development countries (1% of GDP) and limited number of Creche Centres in the territory, the Government should proactively review the provision of childcare services to strengthen supporting facilities before consideration was given to encourage childbirth. Besides, it was observed that the statutory provision of maternity leave (10 weeks) was one of the lowest in developed countries”

## **Item 2 – Matters Arising from Last Meeting**

3. At the last Council meeting held on 23 May 2013, the Chairman briefed Members on the discussion with Dr Hon Fernando Cheung and representatives of the Alliance for Children’s Commission on 17 April 2013 regarding children-related issues. Principal Assistant Secretary (Constitutional and Mainland Affairs)<sup>5</sup> (PAS(CMA)<sup>5</sup>) of the Constitutional and Mainland Affairs Bureau (CMAB) was invited to brief Members on the Administration’s position and latest development.

4. Upon the Chairman’s invitation, PAS(CMA)<sup>5</sup> reported the Administration’s effort in promoting children’s rights and well-being which included doubling the resources/projects for the Children’s Rights Education Funding Scheme, launching of the Announcement in the Public Interest, co-organising school outreach programmes with RTHK and the production of TV 5-minuter series. Amongst others, the Children’s Rights Forum (CRF) was established in 2005 to provide a platform for non-governmental organisations (NGOs), children and the Government to exchange views on children-related issues. To step up its work, the following initiatives were introduced from 2013 onwards –

- (a) meetings of the CRF were proposed to be held on a quarterly basis;
- (b) the Secretariat of CRF would arrange meetings to be held at schools, outdoor parks and districts with more children population;
- (c) CRF had deliberated children-related issues in the past few meetings, including “Air Quality in Hong Kong”, “Primary One Allocation and Transport Arrangement for Cross-Boundary Students” and “Centre of Excellence in Paediatrics”. Effort was shown in engaging ethnic minorities and disabled children in the Forum meeting. CRF also planned to discuss the First Report of the Child Fatality Review Panel at its next meeting; and

- (d) co-operation would be strengthened between CRF and the Council, so that the two bodies could play a more active role in advising Bureaux/departments (B/Ds) on their policies' impact on children.

5. In response, Members made the following comments which were summarized as follows –

- (a) it was pleased to note that CRF had taken a proactive step in further strengthening its work to collect views from relevant stakeholders and children on children-related issues. This notwithstanding, setting up a dedicated mechanism was desirable, be it either a Children's Commission or a sub-committee on children-related issues under the Council, as protection of children's well being and rights should be better taken care of from a holistic perspective;
- (b) from time to time, different sectors of the community had expressed views and concerns on the promotion of children's well-being and rights to the Government through CRF and other channels. However, their views and concerns had not been properly and sufficiently followed up in a co-ordinated manner;
- (c) though assessment of family implications had been made a mandatory requirement for all policies with effect from April 2013, children's views as well as their perspectives were not sufficiently represented. The Government should explore how best their views could be taken into account in the policy-making process;
- (d) the issue of children's rights should be placed in a proper context and needed to be handled with caution. In deliberating children-related issues, the rights of children

had to be viewed against that of the parents and the state, with a view to striking a balance between rights and responsibilities among children, parents and the state. The Preamble of the Convention on the Rights of the Child (CRC)<sup>1</sup> provided some useful food for thoughts and reflections. Taking these into account, the appropriate context in discussing children policies should, as far as possible, be on the protection, development and well-being of children in the family environment;

- (e) Chinese culture emphasized the importance of fulfillment of responsibilities not only to families but also to the community. As Hong Kong was predominantly a Chinese society, children-related issues should best be understood in the context of the Chinese traditions and culture; and
- (f) recognizing the complexity of the issues involved, a holistic approach should be adopted and the Council was considered an appropriate platform to deliberate children-related issues from the family perspective. The Government should also take the opportunity to examine whether there was a need to develop comprehensive children policies, with plan of action.

6. The Chairman thanked Members for their comments and made the following concluding remarks –

- (a) taking the role and functions of the Council into account, locus of the Council in discussing children's policies was reaffirmed. It would continue to serve as a platform for B/Ds to examine, from family perspective, policies and programmes designed for different age and gender sectors (including children);

---

<sup>1</sup>The Preamble of the CRC stipulated that “...convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community” and that “recognising that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding”.

(b) with a view to enhancing CRF's functions, it was recommended for CRF to further collaborate with other relevant stakeholders and children on a sustainable basis; and

(c) it was pleased to note that co-operation between the Council and CRF would be further strengthened. B/Ds would be invited to brief and consult the Council on major children policies and initiatives as part of the family impact assessment process. Regarding the proposal of setting up a dedicated sub-committee on children-related issues under the Council, the Council Secretariat would examine the feasibility and desirability in due course, as appropriate.

7. Members noted the discussion.

(Action: The Council Secretariat)

**Item 3 – A Briefing on the Policy Study on Standard Working Hours (Paper FC 11/2013)**

8. The Chairman invited Deputy Commissioner for Labour (Labour Administration) to take Members through the powerpoint presentation on the policy study on standard working hours (SWH). In gist, the presentation covered the following major areas –

- (a) background leading to the policy study on SWH;
- (b) experience in other places;
- (c) working hours situation in Hong Kong and impact assessments on labour cost and employee's income;
- (d) issues to be considered in contemplating SWH; and
- (e) the way forward.

9. Members expressed their views on the presentation, which were summarized as follows –

- (a) noting the present low unemployment rate in Hong Kong, introduction of SWH might have impact on productivity as well as labour supply, hence the Government should holistically consider other relevant issues such as importation of workers and extension of retirement age;
- (b) on one hand, implementation of SWH would probably lead to better work-life balance, but on the other hand, it might also bring reduced income in view of the possible reduction of working hours and fragmentation of employment. In this regard, the Government should critically evaluate its impact to family as well as to the community in the context of changes in employees' income and labour shortage;
- (c) should an SWH policy be adopted, the potential impact on small and medium enterprises in different trades needed to be critically assessed, given the high compliance cost incurred by labour-related legislation;
- (d) implementation of SWH might affect labour flexibility and weaken Hong Kong's competitive edge as a global business centre. In view of these possible drawbacks, the Government should consider whether establishing a comprehensive SWH regime by legislative means was the best way forward, having regard to the overall interests of Hong Kong. Other viable options (e.g. mutual agreements on working hours and payment for overtime work through employment contracts) should be explored; and
- (e) a working hours policy might serve different objectives, such as better work-life balance, occupational safety and



health and fair compensation for overtime. Adoption of different objectives would lead to very different regime designs. It was therefore important for the community to reach a consensus on working hours issues before a decision was made on the regime design.

10. The Chairman thanked LD for its presentation and Members for their comments. He also took the opportunity to reiterate the concern of the Council on the possible impact to family arising from a working hours policy. LD was invited to keep the Council informed of the latest development and was welcome to brief the Council again, as and when necessary.

#### **Item 4 – Community-based Drug Testing: Public Consultation (Paper FC 11/2013)**

11. Upon invitation of the Chairman, Principal Assistant Secretary (Narcotics) 2 (PAS(N)2) of the Security Bureau showed a 10-minute video which illustrated the latest challenges brought about by the hidden drug abuse. She also took Members through the powerpoint presentation. The salient points made by PAS(N)2 were set out as follows –

- (a) a public consultation exercise on the community-based drug testing scheme (CDT) to be led by the Action Committee Against Narcotics (ACAN) would be conducted later this year;
- (b) the objective of CDT was to facilitate early identification of drug abusers for referring them to social workers or medical professionals for assistance in a timely manner. It was not meant to facilitate prosecution; and
- (c) given the complexities and sensitivities involved, the Government and ACAN would adopt an open stance on

the CDT and public consensus would be the pre-requisite of pursuing CDT.

12. The Chairman thanked PAS(N)2 for her presentation. In the light of the presentation, Members made the following comments –

- (a) efforts on the anti-drug campaign were bearing fruits and demonstrated the resolve of the community in tackling the drug problem. Sustained efforts should be made to keep up the momentum, particularly on the battle against youth drug abuse. To assist parents in ascertaining whether their children had taken drugs as early as possible, consideration could be given to make the test-kit available for them;
- (b) despite signs of improvements, feedback from NGOs pointed out that it was getting more and more difficult in identifying those who abused drugs as psychotropic substances were taken in an inconspicuous manner and there were no obvious withdrawal symptoms. Early identification was therefore of paramount importance. To make CDT more receptive to the public, ACAN should consider the consultation and public relations strategies carefully. Focus should be placed on the benefits in helping the drug abusers identified under CDT to quit drugs and stay clear of drugs. It should be explained that CDT was not meant to seek out those who had committed for punishment;
- (c) to ensure that the consultation exercise was able to achieve its objectives, the Government should engage relevant stakeholders, such as social workers, parent-teacher associations, etc. as early as possible. Their involvement and engagements were important to ensure success of the consultation exercise;
- (d) the Government should consider thoroughly the implementation details of CDT, such as its impact on

parent-child relationship and the venues in conducting the drug testing, etc. As entertainment venues, such as upstairs bars, were more likely to be taken for drug abuse, it was considered appropriate to apply CDT in these premises;

(e) notwithstanding the concerns on infringement of human rights and civil liberties, there was still a strong case to pursue CDT for the lawful purposes of investigation and prevention of crime and protection of public health;

(f) parent education should be stepped up, and relevant bureaux could consider ways to, for example, enhance cross-generational communication and sharing of experiences amongst different families and stakeholders. This would provide more support for parents, families and the youth, and help instill positive values amongst families and strengthen their resolve to say no to drugs. From the successful experience of the “Elderly Academy”, the Government might consider exploring the possibility of utilizing this platform for enhancing cross-generational communication; and

(g) in view of the sensitive issues on human rights and civil liberties, some form of resistance was expected from the community. The Security Bureau might wish to seek views of the Privacy Commissioner for Personal Data in advance.

13. The Chairman thanked Members for their comments and concluded that the Council was supportive to anti-drug campaign and considered that the CDT was worth pursuing and the Government should continue to step up the campaign in a sustainable manner.

## **Item 5 – Progress of Work of the Sub-committees (Paper FC 13/2013)**

14. The Chairman invited the Convenors of the two Sub-committees to report work progress.

15. Regarding the work progress on the promotion of family core values and family education, Ms Shirley LOO reported that the Council had made good efforts in preparing the launching of the “2013/14 Family-Friendly Employers Award Scheme”. The Council would continue its advocacy work in a sustainable manner.

16. On the Sub-committee on Family Support, Mrs Patricia CHU reported that the Sub-committee had monitored the progress of “Family Survey 2013” and gave advice on the application of family perspectives involved in “Reclamation Outside the Victoria Harbour and Rock Cavern/Underground Space Development” and preparation of statutory town plans.

17. The meeting noted the progress reports made by the Convenors of the two Subcommittees.

## **Item 6 – Any Other Business**

18. The Chairman informed the meeting that Paper FC 14/2013 on “Family Perspective in Policy-making Process: Consultation Mechanism and Arrangements” had been circulated to Members for comments. Members had deliberated the consultation mechanism and agreed with the approach as set out in the paper.

19. There being no other business, the meeting was adjourned at 5:00 p.m.

**Family Council Secretariat  
November 2013**