

LC: Speech by SLW on moving second reading of Social Workers Registration (Amendment) Bill 2024

Following is the speech by the Secretary for Labour and Welfare (SLW), Mr Chris Sun, on moving the second reading of the Social Workers Registration (Amendment) Bill 2024 at the Legislative Council today (May 22):

President,

I move the second reading of the Social Workers Registration (Amendment) Bill 2024. The objective of the Bill is to improve the governance of the Social Workers Registration Board to ensure that the Board acts in the public interest and fosters the progressive development of the social work profession.

Registered social workers (RSWs) shoulder great responsibilities. They bear social responsibilities towards the clients with whom they are in frequent contact. As social workers have the trust of their clients and exert on them significant influence, they are more obliged to honour the rule of law as well as consciously safeguard national security, social order and public interest, while performing their duties in a fair and impartial manner to set a good example. The Social Workers Registration Ordinance empowers the Board to handle registration of social workers, disciplinary control and related matters. Apart from being empowered by law to handle registration of social workers and disciplinary matters, the Board, in exercising its public powers, bears responsibilities towards the clients of RSWs and the community as a whole, and has a duty to safeguard national security and act in the public interest.

Noting that the Board's conduct and decisions in recent years have seriously deviated from the spirit of the Ordinance in the areas of social worker registrations, disciplinary control and professional development, the Government considers that there is an urgent need to improve the governance of the Board so that it can more effectively protect the public interest and safeguard national security. In this connection, the Government proposes the following amendments to the Ordinance:

(1) The Bill will expand the membership of the Board for broader and more balanced participation. I wish to stress that upon the Board's reconstitution, RSWs will continue to account for more than half of the seats of the Board with at least 14 RSWs among the 27 members. On the premise of ensuring professional self-regulation, the Government will appoint RSWs of diverse backgrounds and positions to the Board to complement Board members returned by election, so that different voices within the social work profession will be brought into the Board and reflected in its decisions. In addition, appointing more members from other professions and prominent personalities from different sectors of the community will bring in a

broader, more diverse and balanced participation in the Board to provide the checks and balances required for ensuring that the public interest will be safeguarded;

(2) The Bill will enable prompt removal of RSWs convicted of serious offences. Registrations of social workers are renewed annually. Where a social worker has committed a serious offence but his/her registration has not yet expired, his/her case would normally be considered upon the next renewal of his/her registration according to the current practice. Such practice cannot ensure that the interest of clients would be protected and is not in line with the legislative intent. The objective of the new mechanism is to ensure that the Board can promptly deal with cases of registrations by social workers who have committed serious offences. I must emphasise that we have no intention to bar ex-offenders from becoming social workers across the board. Given that social workers shoulder social responsibilities towards clients of disadvantaged groups, we consider that the Board needs to strike a proper balance between the interest of individual applicants for registration and the public interest, by promptly and meticulously processing applications for registration involving serious offences, so as to live up to the expectations of society;

(3) The Bill will lend clarity to the effective date of the Code of Practice for Registered Social Workers and the appointment to the Disciplinary Committee Panel, which will be the date on which the SLW publishes a notice in the Gazette. This will enable the SLW to better perform his gate-keeping role;

(4) The Bill will empower the Board to set continuing professional development (CPD) requirements for the social work profession. The objective of CPD is to ensure that the social work profession can meet the changing service needs of the community and continue to serve the best interest of the needy, while promoting the long-term and sustainable development of the social work profession. I wish to point out that the relevant amendment provisions only empower the Board to set CPD requirements, but do not prescribe an implementation timetable. The content, approach and timetable of the future CPD requirements of RSWs will be devised by the Board, the majority of which will be RSWs. I believe that the Board will strike a balance among factors such as the sector's manpower and workload situation as well as professional development need in taking forward the work on this front in a pragmatic and orderly manner, with a view to promoting the long-term development of the social work profession; and

(5) The Bill will require all members of the Board to take an oath. They must sign an oath before the assumption of office, affirming that they will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China, and return the signed oath within the period specified by the SLW. A person must not take up the office or continue to hold the office as a member of the Board if he/she declines or neglects to take the oath, or if the SLW is satisfied that the person does not genuinely and truthfully take the oath. In addition, the breach of the oath will be a valid ground for the Chief Executive to declare a Board member's office to be vacant.

We briefed the Legislative Council (LegCo) Panel on Welfare Services on May 16, 2024, on the proposal, and Members supported the Bill. I am also pleased to learn that the social welfare sector, the LegCo and various sectors of the community, including some members of the Board, are supportive of our efforts in improving the governance of the Board as soon as possible.

The Government will fully complement the work of the LegCo in scrutinising the Bill, with a view to seeking Members' support and early passage of the Bill, so that the Board will be put back on the right track the soonest possible. President, I so submit.

Thank you, President.