

LCQ15: Prevention of child abuse

Following is a question by Dr Hon Chiang Lai-wan and a written reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (May 12):

Question:

In recent years, a number of serious incidents of child abuse have occurred in Hong Kong, arousing public concern about the effectiveness of the existing mechanisms for preventing and identifying child abuse cases. On the prevention of child abuse, will the Government inform this Council:

(1) of the following information in each of the past five years and since January this year:

(i) a breakdown of the number of newly reported child abuse cases by the age group to which the abused children belonged and by case category, and
(ii) a breakdown of the number of newly reported child abuse cases by the relationship between the abusers and the abused children and by case category;

(2) of the number of child abuse crime cases received by the Police in each of the past five years and since January this year, with a breakdown by the age group to which the abused children belonged;

(3) of the respective numbers of persons (i) prosecuted and (ii) convicted for child abuse-related offences in each of the past five years and since January this year, as well as the maximum and minimum penalties imposed on those convicted;

(4) whether it will establish a mechanism under which professionals such as teachers and school social workers who are in frequent contact with children are obliged to report suspected child abuse cases to the specified authorities within a specified time period after they have uncovered such cases; if so, of the details; if not, the reasons for that;

(5) of the new measures in place to step up public education on the prevention of child abuse, so that hidden child abuse cases may be uncovered early; and

(6) of the new measures in place to enhance parent education and support for parents, so as to prevent the occurrence of child abuse incidents?

Reply:

President,

At present, there are a number of legislation in place that protect children from harm and abuse. They include the Offences against the Person

Ordinance (Cap. 212), the Crimes Ordinance (Cap. 200), the Prevention of Child Pornography Ordinance (Cap. 579) and the Protection of Children and Juveniles Ordinance (Cap. 213). In particular, the Offences against the Person Ordinance provides that ill-treatment or neglect by those in charge of children is a criminal offence.

In consultation with the Security Bureau (SB) and the Education Bureau (EDB), my reply to various parts of the Member's question is as follows:

(1) The numbers of newly registered child protection cases received by the Social Welfare Department (SWD), broken down by age group of abused children, type of abuse and perpetrator's relationship with abused children in the past five years are set out in Annex 1.

(2) The numbers of child abuse crime cases received by the Police, broken down by age group of abused children in the past five years are set out in Annex 2.

(3) Cases of "physical abuse against children" and "sexual abuse against children" can be prosecuted under various criminal offences. The number of persons prosecuted and convicted under section 26 (which targets specifically the abandoning of children) and section 27 (which targets specifically the ill-treatment and neglect of children) of the Offences against the Person Ordinance (Cap. 212), as well as the sentences for the persons convicted in the past five years are set out in Annex 3. The SB does not maintain statistics of other criminal offences involving child abuse.

(4) The Government has implemented a number of measures in recent years for early identification and appropriate intervention of cases of children suspected or found to be abused. These measures include implementation of the EDB's report mechanism for school absentees, under which kindergartens, primary and secondary schools are required to report students' non-attendance to the EDB on the seventh day of student's continuous absence regardless of the reasons. For suspected child abuse cases, even if the student concerned go to school normally, the school is required to report to the EDB. Besides, the SWD in collaboration with relevant government departments, non-governmental organisations (NGOs) and relevant professionals implemented in April 2020 a new procedural guide, which sets out clear procedures for identification, reporting, immediate protection actions and follow-up for suspected child abuse cases, for use by relevant professionals including social workers, teachers, medical personnel and the Police, with a view to enhancing inter-disciplinary effective collaboration. The EDB has also reviewed and updated relevant guidelines for schools, and has required schools to establish and enhance their internal mechanism, procedures and measures according to the guidelines so as to strengthen schools' ability to prevent, identify, handle and support children suspected or found to be abused.

The Law Reform Commission (LRC) issued in 2019 a consultation paper making proposals of introducing the criminal liability of parents, carers and others when children or vulnerable adults die or are seriously harmed as a result of abuse or neglect while in their care. The person who has a duty of

care would have a duty to protect under the proposed offence. Such duty would also include the duty to report by the professionals in close contact with children, mandatorily imposing of which is widely discussed in the community recently. The Government is preparing to explore the possibilities of legislation and, making reference to the final report to be published by the LRC, will seriously consider the proposals concerned and take appropriate follow-up actions as soon as possible.

(5) To raise public awareness of the importance of family cohesion and prevention of child abuse, as well as to encourage people in need to seek early assistance, the SWD launched a video in 2019-20 on the serious impact of witnessing parental conflict on child development to help the public understand the impact of family conflict on child development and to promote co-parenting amongst separated or divorced parents for the best interests of their children. In 2020-21, in addition to reinforcing the message on "cherish our families, stop domestic violence", the SWD also widely promoted the message that "child abuse is a crime" to remind parents, couples or family members to keep calm and think twice in every conflict and dispute so as to avoid resorting to violence.

Meanwhile, the Government has enhanced the training of front-line professionals to strengthen their capability in the early identification and support of child abuse victims. Since 2018, the EDB has organised annual briefings and seminars jointly with the SWD and the Police to enhance the capability of teachers of kindergartens, secondary and primary schools in the early identification, intervention and support of student victims of child abuse cases. In addition, the EDB has commissioned tertiary institutions to provide Certificate Courses on Student Guidance and Discipline for Teachers of Primary/Secondary Schools which cover modules relating to child abuse, domestic violence, etc.

Since 2019-20, the SWD has organised and subsidised training programmes for front-line professionals (e.g. social workers, teaching professionals, police officers, medical professionals and healthcare personnel) to enhance their capability in the early identification of suspected victims of child abuse and their alertness in handling the cases, including reporting of suspected cases, risk assessment, immediate protection actions, investigation and follow-up services, etc. through multi-disciplinary collaboration. For training courses organised by the EDB, the Hospital Authority (HA), the Department of Health (DH) and NGOs for their front-line personnel, the SWD provides support by deploying staff to speak on the topic of child protection.

(6) The 65 Integrated Family Service Centres (IFSCs) and two Integrated Service Centres (ISCs) of SWD have been providing support services to vulnerable or at-risk families with weakened parenting capabilities through counselling, therapeutic and support groups, and referring the needy families to appropriate community services, etc. In addition, the IFSCs and the ISCs will proactively reach out to families that are unmotivated to seek help. The EDB has also provided a wide range of information via the "Smart Parent Net", a one-stop parent education website, to assist parents in supporting

children's learning at home, establishing a good parent-child relationship and nurturing children's physical and psychological development.

The Comprehensive Child Development Service (CCDS) jointly implemented by the EDB, the DH, the HA and the SWD aims to identify various health and social needs of children (aged 0 to 5) and their families at an early stage so that comprehensive and timely support and services can be provided to them. The CCDS identifies at-risk pregnant women, mothers with postnatal depression, families in need of psychological services (including families at risk of child abuse), and pre-primary children with health, developmental and behavioural problems through various platforms, including the Maternal and Child Health Centres of the DH, the hospitals under the HA and other relevant service units (e.g. the IFSCs, the ISCs and pre-primary institutions). Children and families identified will be referred to health and social service units for follow-up. To enhance inter-disciplinary communication and collaboration, the HA, the DH and the SWD have jointly developed the Parenting Capacity Assessment Framework (for children aged 0 to 36 months) for use by professionals to assess the capacity of parents or carers in childcare and parenting.