

LCQ2: Registration and disciplinary matters of social workers

Following is a question by the Hon Leung Che-cheung and a reply by the Secretary for Labour and Welfare, Dr Law Chi-kwong, in the Legislative Council today (May 26):

Question:

In recent years, a number of registered social workers were convicted of the offences of unlawful assembly or assault on police officers, and were sentenced to imprisonment. Some organisations have lodged complaints to the Social Workers Registration Board (the Board), which is responsible for the registration and disciplinary matters of social workers, demanding the Board to cancel the registration of such persons as a social worker. However, the Board has rejected their demand on the grounds that the offences concerned do not constitute professional misconduct. In this connection, will the Government inform this Council:

(1) Whether it knows the number of registered social workers who were convicted of any criminal offence and sentenced to imprisonment in the past three years, with a breakdown by type of offences involved and term of imprisonment; among them, the number of those whose registration as a social worker was subsequently cancelled;

(2) Whether it knows if any of those sentenced to imprisonment mentioned in (1) were at that time members of the Board; if some of them were, whether the Board has cancelled their registration as a social worker; if the Board has not, whether the Government will request the Board to review the relevant decisions and the effectiveness of the work of the Committee on Professional Conduct under it, so as to avoid giving members of the public the perception that the Board harbours its members; and

(3) Whether the Government will review the functions and composition of the Board, and improve the Board's mechanisms for handling complaints against social workers and for disciplining convicted social workers, so as to allay public concern; if so, of the details; if not, the reasons for that?

Reply:

President,

The Social Workers Registration Board is a statutory body established under the Social Workers Registration Ordinance enacted in 1997. The Ordinance stipulates that the Board shall consist of 15 members and serve on a three-year term. Eight of the members shall be registered social workers elected by registered social workers; six members shall be appointed by the Chief Executive, of whom not less than three shall be persons who are neither a registered social worker nor a public officer; and one member shall be the

Director of Social Welfare or his/her representative. The Board is empowered to set and review the qualification standards for the registration of social workers, formulate and approve codes of practice, administer the registration system and handle disciplinary matters. The Board may decide whether persons convicted of criminal offences can be registered as registered social workers. That notwithstanding, if the person concerned is convicted of any serious offences stipulated in Schedule 2 of the Ordinance, including incest, rape, murder, abduction of child or juvenile, etc., the Board shall refuse to register the person concerned unless with the agreement of all members of the Board. For the handling of complaints against registered social workers, the Board shall appoint disciplinary committees to conduct hearings and recommend actions to be taken to the Board, which will make the final decision in respect of the complaint.

My reply to the Member's question is as follows:

(1) and (2) According to the information provided by the Board, from January 2018 to April 2021, a total of seven registered social workers have reported to the Board that they have been convicted of criminal offences with sentences of imprisonment. None of them had his/her name removed from the Register so far, nor were any of them a member of the Board. Of these seven persons, the Board is deliberating on the case of one of them; two persons are awaiting the court's verdict on their appeals; one person did not apply for registration renewal; and the Board decided that the convictions of the remaining three persons would not affect their registration renewal. The offences involved of the seven persons are not listed on Schedule 2 of the Ordinance. The breakdown of the offences and sentences concerned is listed in the Annex.

(3) The Board is a statutory body, and its constitution, powers, functions, registration requirements and disciplinary proceedings have been stipulated in the Ordinance. So long as the Board acts in accordance with the Ordinance on disciplinary control of social workers and related matters, it would not be appropriate for the Government to intervene. In light of the different views in the community on the Board's work, the Government will recommend the Board to consider appropriate measures to enhance its operational transparency and strengthen its communication with stakeholders.