

## LCQ6: Enhancing support for middle-class people

Following is a question by the Hon Lee Chun-keung and a reply by the Secretary for Financial Services and the Treasury, Mr Christopher Hui, in the Legislative Council today (December 6):

Question:

There are views that the middle class has all along "paid large amounts of tax but enjoyed few welfare benefits", which, coupled with the current inflated commodity prices, high global interest rates and persistently high property prices, has increased their expenditure on aspects such as supporting parents, healthcare and children's education, putting them under immense livelihood pressure. In this connection, will the Government inform this Council:

(1) whether it will set up a commission dedicated to the affairs of the middle class to comprehensively review the policies and measures relating to the middle class, and to put forward concrete and comprehensive corresponding strategies in a focused manner, so as to assist middle-class families in alleviating their burdens in life; if so, of the details; if not, the reasons for that;

(2) whether it has considered introducing tax allowance for children's educational expenses to alleviate the burden on the middle class; if so, of the details; if not, the reasons for that; and

(3) as it is learnt that retired middle-class elderly people, especially retired civil servants and professionals, often live solely on their savings and are not eligible to apply for the Government's cash welfare for the elderly other than the Old Age Allowance, or the Old Age Living Allowance which is subject to an asset test, whether the Government has considered enhancing the support for the middle-class elderly people; if so, of the details; if not, the reasons for that?

Reply:

President,

First of all, I would like to express my appreciation to the Hon Lee Chun-keung for raising the question, which allows me to, on behalf of the Government, respond to an issue of public concern – how to support the middle class. Having consulted the Labour and Welfare Bureau and the Civil Service Bureau, we set out a consolidated reply as follows:

As mentioned by the Chief Executive in his 2023 Policy Address, the Government aims to create "a vibrant economy for a caring community", making Hong Kong a better place for different social groups. The Government will

continue to strengthen the economy and improve people's livelihoods through various policy measures, supporting Hong Kong's pursuit of high-quality development and enhancing Hong Kong people's quality of life. All these measures will also benefit the middle class.

"Middle class" is a loosely-defined term with no universal definition. On one hand, the term could generally refer to one's economic background, academic qualification, income or asset level. On the other hand, it may also reflect one's lifestyle and values. Since there is no objective criterion to define middle-class individuals or households, it is difficult to formulate targeted policy measures to meet their specified needs. However, this definitely does not mean that the Government ignores the needs of the middle class. The Government conducts extensive consultations during the preparation of the Policy Address and the Budget. Members of the public may express their opinions through these channels, thus allowing us to fully consider different voices and formulate appropriate measures to respond to the needs of different groups in the society. The consultation exercise for the 2024-25 Budget has just been launched and we are more than willing to listen to suggestions from Members and the general public in this respect.

With regards to supporting the middle-class people, one of the suggestions we often receive is that the Government should reduce the tax burden of the middle-class individuals as much as possible. When considering whether to adjust recurrent tax measures, such as providing new allowance or deduction items, we must carefully examine the impact of such proposals on public finance and whether they are in line with the simple and fair principles of our tax regime, so as to strike a balance between reducing the tax burden of taxpayers and maintaining healthy public finance.

In fact, Hong Kong has all along been maintaining a simple and low tax regime. Regarding salaries tax, the tax liability is calculated based on either the taxpayer's net chargeable income at progressive tax rates or the taxpayer's net total income at the standard tax rate of 15 per cent, whichever is the lower. In other words, our salaries tax rate is capped at only 15 per cent. Compared to other tax jurisdictions, such as Singapore with a highest individual income tax rate of 24 per cent starting from the year of assessment 2024 and the United Kingdom with a highest individual income tax rate of 45 per cent, Hong Kong's salaries tax rate is at a relatively low level globally. Furthermore, Hong Kong also provides generous allowances under salaries tax. In the year of assessment 2021/22, even before the implementation of one-off tax reduction measure, the overall average effective tax rate for salaries taxpayers was only about 8 per cent, which represents a very light tax burden.

To alleviate the burden on taxpayers in supporting their children, the Government has increased the basic child allowance and the additional child allowance for each child born during the year of assessment under salaries tax and tax under personal assessment from \$120,000 to \$130,000 starting from the year of assessment 2023/24, as proposed in the 2023-24 Budget. As regards educational expenses for children, it was announced in the 2019 Policy Address that the provision of the student grant would be regularised starting

from the 2020/21 school year, with secondary day school, primary school and kindergarten students each entitling to an annual grant of \$2,500. In addition to these measures, the Government has over the years also introduced one-off relief measures under the Budgets in a timely manner, such as providing tax concessions to taxpayers under salaries tax and tax under personal assessment, providing rates concession, paying the examination fees for school candidates sitting for the Hong Kong Diploma of Secondary Education Examination, etc. All these measures have helped relieve the tax burden on the middle class and other taxpayers.

Besides, I must point out that the Government implements a non-contributory social security system to provide suitable cash assistance for needy people, comprising the Comprehensive Social Security Assistance Scheme and the Social Security Allowance Scheme (which includes the Old Age Living Allowance, Old Age Allowance and Disability Allowance). Currently, about 1.24 million (or more than 70 per cent of) Hong Kong elderly people aged 65 or above are social security recipients. Most of the cash assistance schemes are means-tested to echo their aims of assisting those persons in need of financial support. Retired civil servants are also eligible for retirement benefits as specified in their terms of appointment. While we understand that Members are concerned about the retired middle-class elderly, the Government also has to balance the needs of different classes and ensure the proper use of public funds when formulating policies.

In any event, the Government highly recognises the important contributions made by the middle-class individuals to the society and understands that many people are concerned about the problems and challenges faced by the middle class. When formulating relevant policies, we will work with relevant policy bureaux to study the relevant issues, carefully consider the views of Members, and continue to assist the middle-class individuals in overcoming difficulties and challenges and making more contributions to the society and economy of Hong Kong. As I mentioned earlier, the consultation exercise for the next financial year's Budget has just begun. We will continue to listen to the views of various sectors of the community.

Thank you, President.

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## [Speech by SJ at plenary session of 13th China-ASEAN Prosecutors-General Conference in Vietnam \(English only\) \(with photos\)](#)

Following is the speech by the Secretary for Justice, Mr Paul Lam, SC,

at the plenary session of the 13th China-ASEAN Prosecutors-General Conference in Vietnam today (December 6):

Mr Chairman, Your Excellencies, distinguished guests, ladies and gentlemen,

I am very honoured to have been invited to attend the 13th China-ASEAN Prosecutors-General Conference as a member of the Chinese delegation and also the head of the delegation of the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China. It gives me great pleasure to address this distinguished audience on the important and timely topic of strengthening international co-operation in the prevention and fight against cybercrimes and transnational crimes.

Before I do so, may I thank Your Excellency Mr Le Minh Tri, Prosecutor General, Supreme People's Procuracy of the Socialist Republic of Vietnam, for the generous hospitality and assistance that have been provided to the Hong Kong delegation since our arrival. I must also congratulate Your Excellency on the arrangements which have been made to ensure the success of this important conference.

The changing face of crime in the 21st century

Technology is advancing at an unprecedented pace. And in recent years we have seen a sharp increase in the number of crimes featuring a technological dimension. In Hong Kong alone, the number of reported cybercrime cases has increased four times over the past six years, from around 5 500 in 2017 to over 22 000 in 2022. The amount of financial loss resulting from such cases has also increased, from around HK\$1,393 million in 2017 to a staggering HK\$3,215 million in 2022.

Apart from inflicting economic loss and causing substantial harm to individuals and businesses, technological or high-tech crimes pose a real and serious threat to national security. The cyberspace presents risks of unauthorised access and organised attacks on national information systems, and may be exploited as a means through which political agendas endangering national security may be pursued.

Technology has enabled crimes to transcend jurisdictional boundaries. A cyber-criminal in one jurisdiction may cause criminal acts to be committed in multiple jurisdictions. Evidence may be stored on computers or electronic devices in jurisdictions other than the one in which the illegal act is committed. In addition, the Internet allows communications to circle the globe instantaneously and often anonymously.

Challenges brought about by transnational technology crimes

In my view, there are four principal challenges brought about by the transnational high-tech crimes.

First, high-tech crimes call into question the adequacy of existing criminal laws in this respect. Existing laws may be inadequate in terms of both the substance and the extraterritorial effect. Offences currently enforced under the existing criminal laws may be inadequate in criminalising

the wide spectrum of cyber-related misconduct. And the existing offences may also lack extraterritorial effect, the enforcement of which would require laws of different jurisdictions to maintain a proper balance between complying with public international law principles and ensuring the effective sanction of transnational crime. The absence of extraterritorial application of existing cybercrime offences are liable to make them ineffective in combatting high-tech crimes which involve a transnational character.

The second challenge brought about by high-tech crimes is that they are very often much more difficult to detect than traditional crimes. Cyber-criminals are very good at using a variety of techniques to avoid detection. Coupled with the ease with which they can hide their identities in the virtual world, law enforcement agencies often face considerable challenges in detecting high-tech crimes and identifying the true criminals. Furthermore, investigations are easily hindered in case where evidence is scattered across multiple jurisdictions, or where there is inadequate or a lack of timely information and intelligence exchange.

Third, cases of transnational technology crimes often involve evidence from overseas witnesses. Therefore, we need to ensure the evidence obtained from overseas jurisdictions will be admissible and acceptable in the court of law. And even where all the necessary evidence has been successfully gathered, witnesses may not be prepared to testify against the defendant, in particular where to do so would necessitate physical attendance in overseas criminal proceedings.

Fourth, high-tech crimes may involve specialised knowledge such as cloud computing, the metaverse, and the Dark Web – areas which are also under constant development and changes. And our investigators and prosecutors may lack sufficient knowledge to catch up with the latest developments in this area in order to handle such cases competently and efficiently.

Building an international co-operative network for effectively fighting transnational technology crimes

In the light of these challenges, closer cross-jurisdictional co-operation between law enforcement and prosecutorial agencies in fighting transnational high-tech crimes is of crucial importance.

I would venture to suggest and highlight four corresponding aspects on which we should focus our joint efforts.

Comprehensive legal frameworks criminalising cyber-related conduct

First, the establishment of a comprehensive legal framework to criminalise cyber-related misconduct. Up-to-date legal framework is an indispensable pre-requisite for successfully fighting technology crimes. We should consider to enact new laws to criminalise cyber-related misconduct and to make appropriate amendments to our existing substantive and procedural laws. Concerted effort should be made to ensure that our laws will have extraterritorial application to cater or tackle cyber offences insofar as necessary.

In this regard, experience sharing among jurisdictions will be beneficial and conducive to the development of a more updated and comprehensive legal framework.

In 2022, the Law Reform Commission of Hong Kong, following a comprehensive study of the laws of seven jurisdictions, recommended an enactment of a piece of bespoke legislation on cybercrime, which will introduce five new offences criminalising conduct such as illegal access to computer programmes and interception of computer systems. To allow for sufficient deterrent effect, a maximum sentence of 14 years' imprisonment is recommended. Extraterritorial application of Hong Kong law on high-tech crimes is proposed in cases where the crime has connections to or has caused serious damage to Hong Kong.

In addition, the Prosecutions Division of the Department of Justice of Hong Kong has recently established the new Technology Crime Sub-Division – a dedicated team of prosecutors who specialise in handling and prosecuting technology crime cases. These prosecutors work closely with cyber and forensic experts and the Police's Cyber Security and Technology Crime Bureau. At present, the prosecutors from the Sub-Division are in the course of reviewing the adequacy and effectiveness of existing laws in combatting high-tech crimes.

#### International co-operation by law enforcement agencies

Second, international co-operation by law enforcement agencies. We must work to strengthen international co-operation among law enforcement agencies of different jurisdictions. Multilateral information sharing and intelligence exchange relating to the identity and whereabouts of suspects, the movement of crime proceeds, trends and patterns of criminal activities, and the operation of criminal groups are of valuable assistance in the detection and investigation of technological crimes, in particular where they have an international dimension. Timely information and intelligence exchange may be achieved by arranging overseas postings of law enforcement officers to other jurisdictions, and making multilateral co-operative arrangements. To this end, insofar as Hong Kong is concerned, existing arrangements are in place for external co-operation with law enforcement agencies, including the Hong Kong Police Force, the Independent Commission Against Corruption, and the Customs and Excise Department.

#### Cross-jurisdictional measures facilitating effective prosecution

Third, cross-jurisdictional measures to facilitate effective prosecution. Efforts should be made to ensure, insofar as possible, the implementation of cross-jurisdictional measures to facilitate effective prosecution. They will include mutual legal co-operation arrangements between jurisdictions, including mutual legal assistance in criminal matters (MLA) and surrender of fugitive offenders.

The importance of MLA regimes in enabling efficient and effective investigations cannot be overemphasised. MLA arrangements are particularly pertinent to cases of transnational high-tech crimes, as they involve

evidence located in more than one jurisdiction. To ensure timely preservation of relevant evidence, jurisdictions should jointly liaise and communicate, as far as possible, to ensure operational efficiency in the rendering of MLA, whether pursuant to formal MLA agreements or informal arrangements between jurisdictions on an ad hoc basis.

In this regard, we must not allow geopolitical considerations to hinder international co-operation. It is most unfortunate that since the enactment of the Law of the People's Republic of China on Safeguarding National Security in the HKSAR, a number of western countries have suspended MLA arrangements with Hong Kong. Such acts are against the common interests of the HKSAR and those other jurisdictions, and will limit our collective capacities to fight transnational crime.

Efforts should also be made to devise specific mechanisms to enable the taking of oral testimony from witnesses located abroad. Such mechanisms are instrumental in cases where witnesses are not prepared to travel overseas to give evidence. For Hong Kong, there is a provision in our criminal procedural law empowering criminal Courts to, in appropriate cases, grant permission for witnesses to give evidence by way of a live television link from a place outside Hong Kong.

#### Robust training and development initiatives

Fourth, robust training and development initiatives. In order to successfully fight transnational high-tech crimes, we must equip ourselves with sufficient knowledge of the subject matters involved.

Joint training programmes on topics related to high-tech crimes, which may be delivered either in person or virtually, or both, would facilitate knowledge and experience exchanges. Insights can also be gained by these activities by exploring how law enforcement and prosecutorial agencies can better organise their institutional structures and daily operations to maximise capacity, resources, and the ability to tackle emerging high-tech crimes.

Regular international conferences and symposiums, such as the present conference, along with meetings and working groups may also be organised.

The Government of the HKSAR is committed to safeguarding the digital world and promoting the prevention of high-tech crimes. In September this year, Hong Kong held the International Symposium on Cyber Policing, bringing together more than 100 leaders of law enforcement agencies from around 40 jurisdictions, as well as academics and experts in digital communications, finance, innovation technology, and cyber security. Looking ahead, the HKSAR will host the 11th Asia and Pacific Regional Conference of the International Association of Prosecutors in November 2024, to discuss pertinent issues relating to the prosecution of technological crimes. I look forward to welcoming you all, and to further exchanging ideas on how we can strengthen our efforts to combat technology crimes on an international level.

#### Concluding remarks

In conclusion, the fight against transnational high-tech crimes is bound to be very challenging. The fight can only be won if governments join hands to take effective measures locally, regionally, and globally, to strengthen co-operation at all levels and among all relevant agencies. As the saying goes, "Alone we can do so little, together we can do so much". On the part of the HKSAR, I am sure and I would undertake that all branches of our Government will continue to promote international co-operation to combat high-tech crimes in all ways possible. We shall ensure that our world, whether physical or virtual, will not become a safe haven for cyber-criminals.

On this note, may I once again congratulate the Supreme People's Procuracy of the Socialist Republic of Vietnam for holding this important conference. My gratitude also goes to all the distinguished speakers for sharing their valuable insights and experience. Thank you very much.



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## [Import of poultry meat and products from Province of Gelderland in Netherlands suspended](#)

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department announced today (December 6) that in view of a notification from the World Organisation for Animal Health (WOAH) about an outbreak of highly pathogenic H5N1 avian influenza in the Province of Gelderland in the Netherlands, the CFS has instructed the trade to suspend the import of poultry meat and products (including poultry eggs) from the area with immediate effect to protect public health in Hong Kong.

A CFS spokesman said that according to the Census and Statistics Department, Hong Kong imported about 50 tonnes of frozen poultry meat from the Netherlands in the first nine months of this year.

â€‹"The CFS has contacted the Dutch authority over the issue and will



closely monitor information issued by the WOH and the relevant authorities on the avian influenza outbreak. Appropriate action will be taken in response to the development of the situation," the spokesman said.

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## LCQ10: Safety of the staircases of pedestrian walkways

Following is a question by the Hon Joephy Chan and a written reply by the Secretary for Housing, Ms Winnie Ho, in the Legislative Council today (December 6):

Question:

Many members of the public have relayed to me that the outdoor temporary footbridge connecting Cheung Hong Commercial Complex No. 1 and Cheung Ching Bus Terminus (the temporary footbridge) has been poorly designed. For instance, the steps are too steep, making it inconvenient for pedestrians to go up and down, and increasing the risk of elderly people losing their footing and tripping. According to my measurement, the width of the treads of the steps and the height of the steps of the temporary footbridge are 250 mm and 170 mm respectively. Although they are in compliance with the standards stipulated in regulation 39 of the Building (Planning) Regulations (Cap. 123F) for the main staircases of buildings, they are not in compliance with the standards stipulated in section 25 of the Third Schedule to the Regulations for external staircases. Moreover, it is learnt that the staircases of many pedestrian walkways in Hong Kong have similar problems. In this connection, will the Government inform this Council:

(1) of the numbers of enquiries, complaints and accident reports relating to the design of the temporary footbridge received by the Government since its commissioning; whether the Government will consider conducting an in-depth investigation into and collecting the views of nearby residents on the usage of the temporary footbridge, as well as appointing professional engineers to conduct site inspections to reassess the temporary footbridge's suitability for use and safety risks, with a view to expeditiously rectifying irregularities; if so, of the details; if not, the reasons for that;

(2) whether it has plans to comprehensively inspect the staircases of all permanent and temporary pedestrian walkways in Hong Kong to ensure that their designs are in compliance with the existing legal standards, and request the relevant government departments and/or contractors to rectify irregularities and/or provide barrier-free access when they are found; if so, of the details; if not, the reasons for that; and

(3) in view of the ageing population in Hong Kong, whether the authorities

will consider reviewing Cap. 123F and the Design Manual: Barrier Free Access 2008 published by the Buildings Department, so as to introduce for staircases used by a relatively large number of elderly people more stringent design standards (e.g. increasing the width of steps and lowering the height of steps), thereby further improving safety and reducing the risks of accidents?

Reply:

President,

The Hong Kong Housing Authority (HA) has all along accorded priority to caring and safety with a view to fostering inclusive estate environments. In consultation with the Transport and Logistics Bureau and the Development Bureau, our reply to the question raised by the Hon Joeey Chan is as follows:

(1) In order to facilitate the public housing development at Cheung Hong Road North Phase 3 (Phase 3) and to maintain a pedestrian connection between Cheung Ching Estate and Cheung Hong Estate during the construction period of Phase 3, the HA has constructed a temporary covered footbridge over the slope adjoining Phase 3 to replace the pedestrian passage connecting the Cheung Hong commercial complex and the bus terminus in Cheung Ching Estate, which will be demolished. Since the opening of the temporary covered footbridge on October 13, 2023, the HA has not received any accident reports in relation to the usage of the staircases of the temporary covered footbridge. The HA has however received enquiries and opinions raised by individual Legislative Council Members, individual members of the District Council concerned, and residents of the estates regarding the design of the staircases.

Although HA's building works and buildings are exempted from the Buildings Ordinance (Cap. 123) (BO), the HA has all along been striving to adhere to the requirements of the BO and its subsidiary regulations, as well as the relevant codes of practices and guidelines promulgated by the Buildings Department (BD) from time to time, including the provisions to facilitate access to and use of barrier-free access facilities in the buildings.

Under the definition of the Building (Planning) Regulations (Cap. 123F), the temporary covered footbridge at Cheung Ching Estate is defined as a temporary building which is exempted from the requirements of the provision of barrier-free access. The width of landing, treads and height of the step risers, and the height and installation of handrails in the temporary covered footbridge are all in compliance with the requirements of the Building (Planning) Regulations (Cap. 123F). Nevertheless, in response to the opinions and suggestions received from the aforementioned stakeholders, the HA has conducted a review on the design and usage of the temporary covered footbridge. Based on the preliminary studies, it was considered that, from technical point of view, there is room for enhancement, including widening the treads and reducing height of the risers. The HA is consolidating the proposed enhancements and will liaise closely with relevant stakeholders on the proposed enhancements, with a view to commencing the works as soon as

possible.

In the meantime, the HA is also proactively reviewing the feasibility for early completion of the shuttle lifts located in the commercial centre of Phase 3. Upon the completion of the works at Phase 3, it is more convenient for residents to reach the bus terminus in Cheung Ching Estate from Cheung Hong Estate via this permanent barrier-free access.

(2) For public footbridges and subways managed by the Transport Department (TD) and the Highways Department (HyD), staircases of such public pedestrian facilities shall be designed in accordance with the relevant guidelines in the Transport Planning and Design Manual of TD. The guidelines stipulate that new staircases should have a tread width of not less than 280 millimetres (mm), a height of not more than 150 mm, and the flight of steps in each section of the staircase should be no more than 12, unless restricted by space or other factors. Before commissioning, these public pedestrian facilities are required to pass the acceptance procedures of TD and HyD to confirm that they have been properly constructed in accordance with the relevant standards applicable at the time. After the facilities have been opened for public use, HyD will conduct regular inspections and arrange for the necessary repairs and maintenance in a timely manner to ensure that they are maintained in good condition for use by pedestrians.

As for the structures on private land, pursuant to the powers under the B0, the BD supervises the planning, design and construction of buildings and associated works on private land to ensure compliance with safety and health standards. The B0 also stipulates building design and construction standards in respect of structural, fire safety and health for this purpose.

In respect of the aforementioned buildings under the regulation of the B0, section 25 of Division 7 of the Third Schedule (concerning design to facilitate persons with a disability) of section 72 of the Building (Planning) Regulations (Cap. 123F) and paragraph 25 of Division 7 of the Design Manual: Barrier-Free Access 2008 (2021 Edition) (Design Manual) stipulate the obligatory design requirements for the required staircases and the main circulation staircases in common areas of a building (including internal and external staircases), such as the width of treads of staircases, height of risers of staircases, etc. If the building plans do not comply with the relevant requirements, the BD will refuse to issue plan approval.

Under the Operation Check Walk scheme, the BD selects 15 commercial buildings (mainly shopping arcades) each year to inspect whether barrier-free access and facilities in the buildings are in compliance with and maintain the specifications of the original plans approved by the BD. If irregularities of barrier-free access and facilities are found, the BD will issue statutory orders under the regulations of the B0 to require the owners concerned to rectify the irregularities.

(3) The BD has all along maintained a technical committee comprising representatives from relevant government bureaux and departments, building professional institutes, the academia and the rehabilitation sector

(including persons with disabilities) to continually review the barrier-free design standards for implementation through statutory requirements or administrative means/recommendations by collecting and listening to the views of the building sector, the rehabilitation sector and relevant stakeholders having regard to the practical experience in the use of the Design Manual, advancement in building design, technology and construction methods, and the latest relevant overseas regulatory controls and standards. For example, taking into account the advice of the technical committee, the BD will revise the recommended design requirements for external staircases in the first quarter of next year to increase the width of treads from 280mm to 300mm and to reduce the height of risers from 160mm to 150mm, so as to make it safer and more convenient to use the staircases.

In face of an ageing population, elderly-friendly building design would be promoted as announced in the Policy Address this year. The Deputy Financial Secretary will co-ordinate with the relevant bureaux to put forward proposals next year for incorporating universal design concepts (i.e. enabling use by the widest range of persons as far as possible) and accessibility (i.e. facilitating mobility) into the Design Manual. The BD will engage a consultant to conduct a comprehensive review of the Design Manual, including its Chapter 6 regarding the design guidelines for the elderly and elderly with frailty, so as to better cater for the needs of the elderly and other people with frailty or impaired mobility.

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## **LCQ19: Mental health of students**

â€‹Following is a question by the Hon Elizabeth Quat and a written reply by the Secretary for Education, Dr Choi Yuk-lin, in the Legislative Council today (December 6):

Question:

It has been reported that from July to October this year, there were a total of 22 suicide deaths or suicide attempts among primary, secondary and university students aged 19 or below in Hong Kong, arousing grave concerns in society about the mental health problems of students. In this connection, will the Government inform this Council:

(1) whether it has compiled statistics on (i) the numbers of suicide deaths or suicide attempts among primary, secondary and university students and, among them, the numbers of those with special educational needs (SEN) or a history of mental health problems in each of the past five school years, and (ii) the number of requests for assistance received by schools from students regarding emotional disturbance and mental stress problems, with a breakdown by type of issues pertaining to the requests for assistance;

(2) of the number of requests for assistance or complaints received from parents of students regarding their children being unable to cope with study pressure and the follow-up actions taken by the authorities in each of the past three years; whether the Government will consider promoting education reform to alleviate students' homework load and examination pressure;

(3) as there are views that even under the existing arrangement of "one school social worker for each school" or "two school social workers for each school", it is still difficult for school social workers to take care of each and every student in need, whether the Government will explore increasing the manpower of student guidance personnel; if so, of the details; if not, the reasons for that;

(4) as there are views pointing out that the existing mental health support measures for students are mainly targeted at primary and secondary students, of the measures the Government has put in place for university students to improve their mental health conditions and provide support for university students in need;

(5) as regards education to help students manage their emotions, of the short and long-term measures the Government has taken to (i) strengthen the resilience of primary, secondary and university students and "positive thinking" education, and encourage students to face up to their emotional problems; (ii) assist schools, teachers and parents in dealing more effectively with students' emotional problems, and enhance the dissemination of information to parents on mental health support for students and parenting; and (iii) support students with SEN or a history of mental health problems; and

(6) as there are views that there is a serious shortage of child and adolescent psychiatric doctors in public hospitals, whether the Government knows the actual number of child and adolescent psychiatric doctors employed and the number of vacancies at present; of the measures in place to increase the number of child and adolescent psychiatric doctors, so that students suffering from emotional disturbance can receive early treatment?

Reply:

President,

The Government attaches great importance to the mental health of young people. We have been assisting schools in adopting the Whole School Approach at three levels, namely "Universal", "Selective" and "Indicated", to promote mental health among students and enhance support for those with mental health needs. Regarding the question raised by the Hon Elizabeth Quat, after consulting the Health Bureau (HHB) and the Social Welfare Department (SWD), the comprehensive reply is as follows:

(1) The Education Bureau (EDB) has been requiring primary and secondary schools to report suspected student suicide cases so that appropriate professional support to the schools concerned can be provided. In the past

five years (i.e., 2018 to 2022), the numbers of suspected fatal student suicide cases reported by all primary and secondary schools in the territory were 14, 23, 21, 25 and 25 respectively, while the number as of November 2023 is 31. It is believed that the upward trend may be affected by the epidemic and the greater challenges students faced after the resumption to normalcy. The EDB does not collect from schools or keep data on attempted student suicide cases or statistics of student with emotional and mental problems seeking assistance. The EDB does not collect from the schools or families concerned on the medical history of the suspected fatal student suicide cases. As for universities, the EDB and the University Grants Committee (UGC) Secretariat do not have relevant figures.

(2) According to EDB's records, in the past three school years (i.e. 2020/21 to 2022/23 school years), there were a total of three complaint cases from parents that are related to academic pressure. Upon receipt of the complaints, the EDB took follow-up actions in accordance with the established complaint handling mechanism. These complaints were about the school-based professional arrangements (such as homework as well as promotion and repetition). In the contact with the schools concerned, the EDB requested the schools to conduct investigation, in order to obtain more details about the school-based measures including communication with the stakeholders and arrangement for learning support. The EDB would provide professional advice and support to the schools to facilitate their continuous improvement and development.

Regarding the number of cases for which parents sought assistance in relation to their children's difficulty in handling academic pressure, the school stakeholders (including parents) would contact EDB officers through different channels from time to time to enquire about various issues or seek assistance, EDB officers would render appropriate support to the enquirers based on the nature and circumstances of each case. The EDB does not collect relevant information on such cases.

The purpose of the implementation of whole-day primary schooling is to enable schools to have more time to arrange tutorial or homework guidance sessions to provide individual guidance for students or to allow them to complete part of their homework at school. Students also have more time and opportunities to interact with teachers and participate in extra-curricular activities. In the meantime, the EDB has all along been concerned about schools' assignment arrangements. We issued clear guidelines, including the Primary Education Curriculum Guide (PECG) (Pilot Version) (2022), the Secondary Education Curriculum Guide (2017) (Booklet 4: Assessment Literacy and School Assessment Policy), EDB Circular No. 18/2015 "Guidelines on Homework and Tests in Schools – No Drilling, Effective Learning", and reiterated that the quality of homework is more important than the quantity through various channels, such as the PECG video series, theme-based articles and comics for parents. Schools should continuously review their school-based assessment and assignment policies, to avoid excessive, meaningless and mechanical drilling and copying tasks, review the quantity and frequency of assessments and assignments, explore other means to replace traditional written assessments, reduce the frequency of dictations, tests and

examinations, or cancel term examinations at certain levels. This will enable students to have sufficient time for rest, play, entertainment and personal growth, develop their personal interests and build up healthy lifestyles.

(3) Regarding guidance and support for students, the EDB provides comprehensive student guidance and support services in primary and secondary schools through the Whole School Approach (WSA) and multi-disciplinary collaboration. This includes early identification and support of students with mental health needs through collaboration among teachers and professionals from different disciplines in schools, such as guidance personnel, school social workers and school-based educational psychologists. The Government continues to allocate resources to enhance guidance services in schools. The EDB has been implementing the policy of "one school social worker for each school" in primary schools. A school may, having regard to its own circumstances, employ at least one school-based registered graduate social worker with professional qualifications. Moreover, the EDB also provides additional resources to subsidise schools to procure consultation service, supervisory or other support services to school social workers. As for secondary schools, the SWD has implemented the measure of "two school social workers for each school", and enhanced the supervisory and administrative support.

Under the WSA, student guidance work is not only the responsibility of individual teachers, school social workers or student guidance personnel, all school personnel should work collaboratively, with the joint efforts of the professionals from different disciplines, to provide students with comprehensive guidance services. The need of guidance and social work services of individual schools varies, schools should, according to students' needs, flexibly deploy grants provided by the Government or pool together other school resources to employ student guidance personnel or procure related services from organisations to strengthen the support for students.

(4) to (5) For the UGC-funded universities, they can flexibly deploy the recurrent grants which are disbursed in the form of block grants to support students in need. Moreover, the UGC has been supporting the universities to promote mental health and positive education. During the COVID-19 pandemic, noting that some university students were affected by increased stress and anxiety due to difficulties in their academic studies and job searches as well as reduced social activities, the UGC allocated a total of \$100 million in two tranches to further support the UGC-funded universities in strengthening various student support services, including psychological counselling and mental health support. In addition, in 2021, the UGC presented the Teams award of the annual UGC Teaching Award to the Joint University Mental-Wellness Project led by the City University of Hong Kong to propagate the concept of positive education. The aforementioned project benefitted over 1 100 staff members and professionals, around 4 000 university students and around 1 500 community individuals during its implementation. Apart from recognising outstanding teaching staff, the award is also conducive to the promotion of positive education at inter-institutional level. With the pandemic gradually subsiding, the UGC also

additionally allocated \$30 million to establish the Whole-person Development Fund at the beginning of this year to support each UGC-funded university to arrange projects to enrich the learning experience of students outside the classroom, thereby promoting whole-person development among the younger generation. The promotion of positive education and psychological well-being is one of the four key areas. Apart from deploying the allocation to conduct different activities and peer support programmes, the universities have also made use of the funding to strengthen the manpower for psychological counselling to meet the additional service demands from students returning to the campus. This initiative will continue to be implemented until June 2025.

As for assisting students with special educational needs (SEN), the UGC has further allocated additional resources to the UGC-funded universities in the 2022-25 triennium by granting a special allocation of \$67.5 million so as to facilitate the universities in improving the learning experience of students with SEN, strengthening the training of faculty and staff, and promoting campus integration, thereby benefitting all students with SEN.

For primary and secondary schools, the EDB has been organising diversified programmes on student growth, adventure-based, team building and problem-solving training, with a view to enhancing students' resilience and developing students' optimistic and proactive attitude in facing challenges with courage. From the 2023/24 school year onwards, the EDB will launch the "Mental Health Literacy" resource packages for students at different learning stages by phases, so as to facilitate the promotion of mental health literacy in class by school personnel, strengthening students' awareness of mental health. Furthermore, the EDB has commissioned an NGO to launch the "Peer Power-Student Gatekeeper Training Programme" which aims to enhance students' understanding of mental health and skills in coping with their stress and emotions, equip them to identify and help their peers in need, and promote positive coping and help-seeking culture in schools. The number of participating schools has increased to 50 in the 2023/24 school year.

On teacher training, the EDB provides teachers with a 60-hour thematic training course targeting students with mental illness, thereby enhancing their ability to early identify and support students with suicide warning signs. Up to the 2023/24 school year, the number of training places has increased to 760. Basic "gatekeeper" training is also provided for newly-joined teachers. In addition, the EDB will provide a series of workshops for teachers, social workers and school guidance personnel in the 2023/24 school year, with the focus on enhancing their related professional knowledge and skills. The EDB provides teachers and student guidance personnel with professional training on an on-going basis, including certificate courses on student guidance and discipline, related seminars and sharing, to facilitate the implementation of guidance work at schools and encourage exchange among the schools.

For parents, apart from organising activities and seminars for parents in collaboration with the Committee on Home-School Co-operation every year, the EDB has been running the territory-wide Positive Parent Campaign, with a view to fostering positive thinking among parents to help children grow up



happily. Besides, the EDB organises "Parent Workshop on Gatekeeper Training" and thematic "gatekeeper" online workshops every year and produces videos, factsheets and pamphlets for parents, and has uploaded them onto the "Mental Health@School" website and "Smart Parent Net" website, providing parents with information related to mental illness and prevention of youth suicide. Besides, the EDB launched the Curriculum Framework on Parent Education (Kindergarten) and the Curriculum Framework on Parent Education (Primary School) in 2021 and 2022 respectively. One of the core strands of the curriculum frameworks is the promotion of healthy, happy and balanced development of children (including whole-person development and mental health). The EDB has started to develop the curriculum framework for parents of secondary school students.

Moreover, we urge schools to launch "Spread the Love, Care and Shine" Campaign in November 2023, advising schools to free up more time and space to care for students. In order to support schools to promote mental health effectively and flexibly, the EDB will be providing the "One-off Grant for Mental Health at School" and "One-off Grant for Mental Health of Parent and Students" to all publicly-funded primary and secondary schools and their Parent-Teacher Association, so as to help them organise related programmes or procure related services or materials for supporting students' mental health.

The promotion of students' mental health requires joint efforts of the education, medical and social welfare sectors. The HHB, in collaboration with the EDB, the Hospital Authority and the SWD, has launched the Student Mental Health Support Scheme. A multi-disciplinary team is formed in each participating school to provide multi-disciplinary support services to students with mental health needs in the schools. In the 2022/23 school year, the number of participating schools has increased to 210. Moreover, in view of recent student suicide cases, the Government has implemented the Three-Tier School-based Emergency Mechanism (Note) through cross-departmental collaboration of the HHB, the EDB and the SWD from December this year to January next year in all secondary schools in Hong Kong, working together with schools, parents and other stakeholders in society to early identify and support students at higher risk.

As for helping schools cater for students with SENs, on top of regular subvention for all ordinary schools, the EDB has also been providing public sector schools with additional resources, including the Learning Support Grant (LSG). Starting from the 2017/18 school year, the LSG covers students with mental illness (MI) so that schools can enhance their support to cater for these students' learning, social, emotional and behavioural needs. Schools may make use of the LSG to employ additional staff to assist teachers in designing learning activities and materials and supporting students in classroom learning activities, or to procure professional support or guidance services, thereby providing behavioural or emotional intervention, social skills training, or to implement school-based teacher training, parent education, etc, to help students with MI adapt to school life. Schools can also make use of the LSG to promote home-school collaboration in taking care of students' growth.

(6) The Hospital Authority (HA) delivers mental health services using an integrated and multi-disciplinary approach with a multi-disciplinary team involving psychiatrists, psychiatric nurses, clinical psychologists, medical social workers and occupational therapists, so as to allow flexible deployment of manpower to cope with service needs and operational requirements. As healthcare professionals of the HA would usually need to provide support for a variety of psychiatric services, the manpower for supporting individual psychiatric services cannot be separately quantified. In 2022-23 (as at 31 March 2023), there are 381 psychiatrists in the HA.

The HA attaches great importance to the manpower situation in public hospitals and has proactively launched a series of measures to attract and retain manpower. The HA also makes use of different channels to actively recruit non-locally trained doctors, including promotion events in various countries and regions, recruiting more eligible non-locally trained doctors through special registration or limited registration to join the public healthcare system of Hong Kong to meet the growing service demand.

To further increase the manpower of local doctors, the Government has further increased the number of medical student places to 590 in the 2022/23 to 2024/25 UGC triennium. Compared with the 320 medical student places in the 2009/10 to 2011/12 triennium, the number has significantly increased by more than 84 per cent. Earlier, the Legislative Council also endorsed the Medical Registration (Amendment) Ordinance 2021 to create new pathways for non-locally trained doctors to practice in Hong Kong. Since the Ordinance came into effect, more than 130 non-locally trained doctors have been recruited by the HA, including psychiatrists.

At the same time, to manage the waiting time of psychiatric specialist outpatient (SOP) clinics, the HA has since mid-2022 introduced the Co-care Service Model in the General Outpatient Clinic Public-Private Partnership Programme, which provides the alternative of receiving private medical services in the community to HA psychiatric SOP patients clinically diagnosed to have stable conditions and suitable to receive primary healthcare services in the community.

Note: The first-tier mechanism is to assist schools early identify students with higher suicide risk or mental health needs, with a view to giving priority to provide timely and appropriate intervention to them. The second-tier mechanism is to organise an "off-campus support network" through cross-departmental, cross-professional and cross-sectoral co-operation to enhance "external support" for schools that have difficulty in deploying manpower to meet the needs of students. For the third-tier mechanism, school principals can refer students with severe mental health needs to the psychiatric specialist services of HA and HA will give priority to those students.