

# LCQ1: Prevention and early identification of child abuse cases

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

Question:

Recently, a court case in which a five-year-old girl died of being abused has aroused wide public concern about the issue of child abuse. A child protection organisation pointed out that last year, due to the epidemic, schools suspended classes on a number of occasions and quite a number of parents worked from home or lost their jobs; as such, children and parents spent more time together, resulting in more conflicts between them and an increase in the number of assistance-seeking cases about child abuse. On the other hand, during class suspension periods, some parents were unable to stay home to take care of their young children, resulting in an increase in child neglect cases. Regarding prevention and early identification of child abuse cases, will the Government inform this Council:

(1) whether it will require all school-based social workers, school principals and teachers (especially members of School Crisis Management Teams) to receive more comprehensive training (e.g. a course of a duration of not less than three days) on child protection and identification of child abuse cases, so as to help them identify and intervene in child abuse cases at an early stage;

(2) as currently the epidemic has not been brought under complete control and schools have not fully resumed classes, of the measures put in place to step up child care support for parents or their relatives, so as to reduce child abuse incidents stemming from disciplining children and neglect; and

(3) of the current considerations based on which policies on school-based social workers (including the manpower level) are formulated; whether it will, in the light of the differences between the various types of education institutions (including kindergartens, primary and secondary schools, and special schools) in terms of their nature and location (e.g. families in new towns needing more support), suitably increase the manpower of school-based social workers in the relevant education institutions, so as to help identify child abuse cases at an early stage?

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. Besides, the Government has implemented a number of measures in recent years to enhance the capability of school personnel in early identification of and timely support for suspected victims of child abuse.

In consultation with the Education Bureau (EDB), my reply to the Member's question is as follows:

(1) Front-line professionals (including social workers, teaching professionals, police officers, government counsels, medical professionals and healthcare personnel) play a crucial role in the early identification of suspected victims of child abuse. The Social Welfare Department (SWD) has organised on regular basis talks and skills training courses to strengthen the capability of these professionals in various aspects, such as identifying suspected child abuse cases at an earlier stage, conducting risk assessment, taking child protection actions and providing post-trauma counselling.

In recent years, the EDB has stepped up training for school personnel on identification of child abuse victims including organising annual briefings and seminars jointly with the SWD and the Hong Kong Police Force on handling child abuse cases, with a view to enhancing the capability and skills of principals, teachers and school social workers (SSWs) in handling child abuse cases. Besides, the EDB has also incorporated relevant elements or themes into training courses for school guidance personnel, with a view to enhancing the capability of school personnel holding different positions in early identification, intervention and support for suspected victims of child abuse.

(2) Since the outbreak of Coronavirus Disease 2019, the EDB has been maintaining a close liaison with the school sector. During class suspension or before full resumption of classes, schools are required to remain open for students whose families are not able to take care of them under the circumstances. In addition to keeping contacts with students through telephone calls and online means, SSWs also provide timely counselling to students in need through interviews or visits. The EDB has also reminded schools specifically that SSWs should constantly pay attention to students involved in cases of prolonged absence from schools, families lacking support and suspected or reported child abuse, and that they should handle high-risk cases in accordance with the established procedures.

In addition, to support children and families in need during the pandemic, the After School Care Programme centres for primary school students have since December 2, 2020 provided non-face-to-face services through online media, mobile applications and telephone calls when the centres are not open to the public. These centres are also able to continue to provide face-to-face service to children with special needs.

(3) The EDB has implemented the policy of "one SSW for each school" in primary schools since the 2018/19 school year, under which public sector

primary schools may, having regard to their own circumstances, employ at least one school-based registered graduate social worker with professional qualifications. As for special schools, the EDB has enhanced the provision of SSWs in aided special schools since the 2018/19 school year. Special schools with a capacity of 60 or less are provided with one SSW and subsequently 0.5 SSW for every 30 students so that each special school are provided with one or more SSWs.

The SWD has implemented the policy of "one SSW for each school" in secondary schools since the 2000/01 school year, under which SSW service is provided by non-governmental organisations (NGOs). Additional resources have been deployed since the 2019/20 school year to implement the measure of "two SSWs for each school" in more than 460 secondary schools across the territory. Besides, for early identification of and timely support for pre-primary children and their families with welfare needs, the SWD launched a three-year pilot scheme in the 2018/19 school year to provide SSW service in phases for more than 700 subsidised/aided pre-primary institutions (PPIs) (including aided child care centres (CCCs), kindergartens (KGs) and KG-cum-CCCs) across the territory. The pilot scheme is implemented by social work teams operated by NGOs, with each team having eight social workers providing service for not more than 16 PPIs. The Government has commissioned a university to conduct an evaluation study on the pilot scheme so as to shed light on the way forward of the service.

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## **LCQ11: Creation of time-limited jobs**

Following is a question by the Hon Yiu Si-wing and a written reply by the Secretary for the Civil Service, Mr Patrick Nip, in the Legislative Council today (May 12):

Question:

To relieve the unemployment situation, the Government earmarked \$6.6 billion under the Anti-epidemic Fund last year to create some 30 000 time-limited jobs in the public and private sectors within two years (the Job Creation Scheme). Moreover, the Government has recently created under the Scheme some 2 000 short-term jobs available for application by practitioners of the tourism industry (including tour guides, tour escorts, staff of travel agents, hotel practitioners and drivers of tourist coaches). The appointees will be responsible for providing managerial and administrative support for community vaccination centres starting this month. In this connection, will the Government inform this Council:

(1) of the up-to-date expenditure and the current balance of the Job Creation Scheme;

(2) of the jobs to be created under the Job Creation Scheme currently under study by the Government, as well as the relevant estimated expenditure and number of jobs, with a breakdown by the industry and the rank to which such jobs belong; and

(3) whether it will create under the Job Creation Scheme time-limited jobs with responsibilities for providing managerial and administrative support for individual schemes (such as the scheme under which the Government disburses electronic consumption vouchers to eligible Hong Kong residents), to be available for application by practitioners of those industries hard hit by the epidemic, thereby according priority to such persons in the creation of job opportunities; if so, of the details; if not, the reasons for that?

Reply:

President,

To relieve the unemployment situation due to the epidemic, the Government has earmarked \$6.6 billion under the Anti-epidemic Fund last year to create around 30 000 time-limited jobs in the public and private sectors within two years for people of different skill sets and academic qualifications. In view of the persistently high unemployment rate, the Government announced in the Budget this year to further earmark \$6.6 billion to create an additional 30 000 time-limited jobs. Regarding the question raised by the Hon Yiu Si-wing, our reply is as follows:

(1) Since the launch of the Job Creation Scheme in April last year, around 31 000 jobs have been created, which include around 15 800 jobs in the Government and around 15 600 jobs in the non-governmental sector. Around 22 300 jobs have been filled while the recruitment of the remaining 9 100 jobs is in progress or will commence shortly. Under the Job Creation Scheme, in addition to bearing the salary of the jobs created in various government departments, the Government subsidises part of the cost of the jobs created in the non-government sector. As at end April this year, a total expenditure of \$1,523 million has been incurred for the Scheme. The remaining provision will be used to meet the expenditure involved in the jobs created for the coming year.

(2) and (3) Among the 31 000 jobs created, they include jobs suitable for people of different skill sets and qualifications, such as jobs for technical and non-skilled workers, cleansing and supporting staff, staff providing administrative, executive and clerical support, and staff for carrying out anti-epidemic work related duties. As young people lacking work experience are particularly difficult in finding job opportunities under the prevailing economic situation, many of the jobs under the Job Creation Scheme are created specifically for fresh graduates, or suitable for young people to apply. Around 10 000 jobs belong to this type. Besides, about 40 per cent of the jobs are relatively junior to cater for the need of the grassroots.

As regards the new round of 30 000 time-limited jobs to be created under the additional provision of \$6.6 billion, we will broadly adopt the mode of the previous round of the Job Creation Scheme, with a view to creating jobs

to benefit people of different skill sets and qualifications. Apart from the time-limited jobs created in the Government, relevant government departments are also liaising with the non-governmental organisations or relevant associations under their purview to formulate detailed proposals of creating additional jobs in the non-governmental sector.

We understand that people from certain industries have been particularly affected by the epidemic and are facing the situation of underemployment or even unemployment. Relevant departments will particularly take into account the situation of those industries when formulating detailed proposals of creating time-limited jobs. Starting from May 1, the some 1 700 short-term jobs for practitioners in the travel trade to be responsible for the operation and administrative work at 24 community vaccination centres are those jobs created especially having regard to the underemployment situation of the travel trade and the proposal put forth by the travel trade. Since many practitioners in the travel trade have been engaged in reception and administrative work for many years, we believe that they will be able to take up the relevant work after receiving a short period of training and familiarisation.

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## [LCQ17: Development projects in progress](#)

Following is a question by the Hon Wilson Or and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (May 12):

According to the papers submitted by the Government to the Panel on Development of this Council in January and December 2019 respectively and other published information, the engineering infrastructure works for the Kwu Tung North/Fanling North (KTN/FLN) New Development Areas (NDAs) and the Hung Shui Kiu/Ha Tsuen (HSK/HT) NDA will be completed in 2031 and 2037/2038 respectively. Furthermore, the entire project of Tung Chung New Town Extension (TCNTE) is expected to be completed in 2030. In this connection, will the Government inform this Council:

- (1) of the types of works included in the engineering infrastructure works of the various NDAs;
- (2) whether the sites for public housing development in the various NDAs will be handed over to the Hong Kong Housing Authority (HA) or the Hong Kong Housing Society (HS) only after the completion of the site formation and engineering infrastructure works, and whether the costs of the relevant works are to be borne by the Government; and

(3) of the latest target dates of the following stages of the various development projects set out in the table below: (i) completion of all engineering infrastructure works, (ii) handing over of all public housing sites to the HA/HS, (iii) completion of all public housing construction works, and (iv) the entire planned population having moved into the NDAs (set out in the table below)?

Development projects	Latest target dates			
	(i)	(ii)	(iii)	(iv)
KTN/FLN NDAs				
TCNTE				
HSK/HT NDA				
Yuen Long South Development				
Kam Tin South Public Housing Development				

Reply:

President,

The Government has all along adopted a multi-pronged strategy to boost the supply of land and housing in Hong Kong. At present, the projects of Tung Chung New Town Extension, Kwu Tung North/Fanling North New Development Area (NDA), Hung Shui Kiu/Ha Tsuen NDA, Yuen Long South Development and Kam Tin South Public Housing Development are all being taken forward in full swing.

Regarding the various parts of the question, after consulting the relevant departments, I reply as follows:

(1) The above development projects involve the carrying out of site formation and infrastructure works. Generally speaking, infrastructure works mainly include roads, transport interchanges, drainage, sewerage, waterworks, common utility tunnels, pumping stations, landscaping works, cycle tracks, etc., as well as the environmental mitigation measures and environmental monitoring and audit programmes for these works.

(2) For the public housing parts of the above development projects, the Government will first complete the site formation works in phases, and hand over the formed sites to the Hong Kong Housing Authority (HA) or the Hong Kong Housing Society (HS) as soon as possible for building works. Infrastructure works will be completed in phases in tandem with the public housing development programmes. The expenditures on the site formation works for the public housing developments as well as the associated infrastructure works are covered by the project costs of the above development projects, which will be funded by the Government.

(3) As regards the development projects mentioned in the question, the table

below sets out the estimated year for (i) phased completion of the infrastructure works, (ii) phased handing over of the public housing sites to the HA/HS, (iii) phased completion of the public housing construction works, and (iv) the entire planned population having moved in the public and private housing developments in the relevant area:

Development Projects	Estimated Year			
	(i)	(ii)	(iii) (Note 1)	(iv) (Note 2)
Kwu Tung North/Fanling North NDA	2024-2031	2022-2028	From 2026	2032
Tung Chung New Town Extension	2024-2029	2020-2025	From 2024	2030
Hung Shui Kiu/Ha Tsuen NDA	2025-2038	2020-2034	From 2024 (Dedicated rehousing estate)  From 2030 (Other public housing)	2038
Yuen Long South Development	2028-2038	2024-2034	From 2028	2038
Kam Tin South Public Housing Development (Sites 1, 4a-1 and 6)	2022-2026	2023-2025	From 2026	2029

Note 1: Only the estimated year of completion of the first batch of public housing is given here. However, the public housing developments of each project will be completed in phases, and some of which are still at the early planning stage. The actual completion dates of all the public housing developments are subject to detailed design and will depend on the circumstances of individual sites.

Note 2: The estimated year for the entire planned population (including public and private housing) having moved in is based on the assumption that after the last batch of housing sites is formed, housing construction works can commence immediately, and residents will move in upon completion of the housing units.

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## [LCQ12: Rights and interests of online](#)

# shoppers

Following is a question by the Hon Starry Lee and a written reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the Legislative Council today (May 12):

Question:

In 2018, the business receipts of local online traders from selling of goods, services or information through electronic means amounted to \$491.7 billion, representing an increase of 73 per cent when compared with those in 2012. However, the results of a survey conducted earlier this year by a political party on online shopping traps showed that over 45 per cent of the respondents had unpleasant experiences involving online shopping, most of which were related to the receipt of goods not matching the sale descriptions or being defective. In this connection, will the Government inform this Council:

(1) whether the authorities stepped up law enforcement efforts (e.g. making visits to dubious websites) in the past three years to combat online unfair trade practices; if so, of the details;

(2) whether it will consider amending the legislation to strengthen the regulation of online traders; if so, of the details; if not, the reasons for that;

(3) whether it will, by drawing reference from the practices of the authorities in the United Kingdom and Korea, establish an online shopping dispute resolution mechanism to enable buyers and sellers to settle their disputes by resorting to non-litigation means such as arbitration or mediation, which are relatively simpler, quicker and cheaper; if so, of the details; if not, the reasons for that; and

(4) whether it will consider strengthening the cooperation with the relevant Mainland departments, so as to more effectively follow up the complaints involving cross-boundary online shopping and implement public education initiatives; if so, of the details; if not, the reasons for that?

Reply:

President,

Having consulted the Customs and Excise Department (C&ED) and the Consumer Council (the Council), my reply to the question raised by the Hon Starry Lee is as follows:

(1) C&ED has all along adopted a two-pronged approach in combating unfair trade practices that violate the Trade Descriptions Ordinance (Cap. 362) (TDO) by conducting proactive patrols and follow-up investigations to protect

consumers, regardless of whether the cases involve physical traders or online shopping.

After receiving complaints, C&ED will take corresponding enforcement actions. These include, depending on the circumstances of the reported cases, conducting in-depth investigations through various means, such as test-purchase operation.

In dealing with unfair trade practices related to online shopping, C&ED monitors different types of illegal online activities by using tools for evidence collection and investigation, and initiate follow-up actions and prosecutions where appropriate. If local or overseas websites are found to be conducting illegal activities, C&ED may demand such websites to remove the relevant contents or links. Depending on the circumstances, joint operations with overseas enforcement agencies will also be mounted as and when required.

The number of complaints against unfair trade practices related to online shopping received by C&ED and relevant enforcement statistics in the past three years are as follows:

	2018	2019	2020
Number of complaint cases	1 561	999	3 995
Number of prosecution cases	4	2	5
Number of conviction cases	4	2	5
Number of convictions (company/individual)	5	2	5

If the cases involve offences beyond the jurisdiction of C&ED (such as the offence of fraud), C&ED will also refer such cases to other relevant law enforcement agencies (such as the Police) for immediate follow-up.

(2) The rights of consumers, including online shoppers, are currently protected by various laws in Hong Kong. The Sale of Goods Ordinance (Cap. 26), the Control of Exemption Clauses Ordinance (Cap. 71), the Supply of Services (Implied Terms) Ordinance (Cap. 457) and the Unconscionable Contracts Ordinance (Cap. 458) all regulate contracts related to transactions, for example, by stipulating implied conditions in the contract of sale of goods, including that the goods supplied are of merchantable quality and that a buyer has the right to reject defective goods unless he or she has a reasonable opportunity to examine the goods; a supplier of a service is obliged to carry out the service with reasonable care and skill and within a reasonable time; and the courts are empowered to refuse to enforce, or to revise unconscionable terms in consumer contracts for the sale of goods or supply of services, etc.

In addition, the TDO prohibits unfair trade practices such as "false trade descriptions" (including a false trade description made by whatever means and in whatever form, e.g. paper, verbal and advertisement) and "misleading omissions" (including omitting or hiding material information, or providing material information in a manner that is unclear, unintelligible, ambiguous or untimely), and is applicable to both online and physical traders.

The Government will continue to keep a close watch on the development of online platforms and review the relevant laws as necessary for the protection of consumer rights.

(3) In accordance with the Consumer Council Ordinance (Cap. 216), the statutory functions of the Council include receiving and examining complaints by and giving advice to consumers of goods and services. The Council strives to help consumers protect their rights and in general resolve disputes between consumers and traders through mutually acceptable agreements. The Council is exploring the establishment of an online dispute resolution platform, so as to handle consumer complaints (including those related to online shopping) more efficiently.

(4) In order to strengthen cross-boundary collaboration in consumer redress, the Council has signed Memoranda of Understanding with consumer protection bodies in Macao and 26 mainland provinces and municipalities (including the nine municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area) to establish mutual complaint referral mechanisms.

In addition, the Council reached an agreement with the China Consumers Association (CCA) in November 2019 to strengthen the support to Hong Kong consumers by joining the "Online Shopping Consumer Protection Express Platform" (the Platform) scheme established by the CCA. Under the Platform scheme, if a consumer has a dispute with a participating online trader and seeks assistance from the Council, as long as the conditions prescribed by the scheme are met (i.e. the complaint is between an individual consumer and a trader, the trader under complaint is among the designated online traders of the Platform, and the complainant has given his/her consent to have the case referred to the Platform for processing), the Council will upload the details of the complaint to the data system of the Platform. After that, the participating online trader can directly obtain from the system the details of the relevant complaint and directly contact the complainant to handle the complaint. The Platform will record the follow-up progress and result of the case. The Council can also access the Platform to learn the progress and record the relevant result after the case is closed.

On public education, the Council has been offering consumers alerts and suggestions related to online shopping through various channels. For example, the "CHOICE" Magazine published by the Council has featured articles on online shopping to remind consumers to pay attention to terms and conditions such as goods return and refund arrangements before making purchases online. The Council has also, through interviews with newspapers, radio and TV

stations, reminded consumers some common situations to be aware of, such as the difficulty to seek redress if a dispute arises with online shopping platforms located in other countries or territories, or the relative difficulty to verify the identity of service or product providers for online purchases through social media platforms, etc.

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## **LCQ13: Regional Comprehensive Economic Partnership Agreement**

Following is a question by the Hon Frankie Yick and a written reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the Legislative Council today (May 12):

Question:

The Regional Comprehensive Economic Partnership Agreement (the Agreement), signed by 15 economies last year, is a free trade agreement of the world's largest scale. The total population of such economies accounts for 30 per cent of the world's population and their total Gross Domestic Product (GDP) accounts for one-third of the global GDP. In this connection, will the Government inform this Council:

(1) of (i) the quantity of the cargoes transported to the member economies of the Agreement via Hong Kong as a transit point and, among them, the respective quantities of those that were and were not processed (including unloaded, reloaded and stored) in Hong Kong, and (ii) the respective volumes of trade between Hong Kong and such economies, in each of the past three years (set out by name of economy in a table);

(2) as the Chief Executive indicated in the 2020 Policy Address that the Government would actively strive to make Hong Kong among the first batch of economies joining the Agreement after it took effect, of the latest progress of such work and the timetable for joining the Agreement; and

(3) whether, in order to grasp the business opportunities to be brought about by the Agreement to the trading and logistics industry, the Government will set up a working group and invite relevant organisations (including organisations of the logistics industry) to send representatives to join the group, so as to formulate the relevant measures; if so, of the details (including the organisations to be invited); if not, the reasons for that?

Reply:

President,

Fifteen economies including Mainland China, the ten member states of the

Association of Southeast Asian Nations (ASEAN), Australia, Japan, Korea, and New Zealand signed the Regional Comprehensive Economic Partnership (RCEP) in November last year. It is the largest Free Trade Agreement (FTA) so far in the world, covering about 30 per cent of the world's population and accounting for one-third of the global gross domestic product (GDP). The successful signing and implementation of the RCEP is an important milestone for regional economic integration and will facilitate free and open trade and increase investment in the region, furthering regional economic co-operation.

As the logistics centre and hub in the region, Hong Kong is a close trading partner of the 15 RCEP participating economies, playing an important role in regional merchandise trade transshipment.

In the past three years (2018-2020), the total volume of the transshipment cargo (including port transshipment and air transshipment) transported to and from the 15 RCEP participating economies via Hong Kong amounted to 95.6 million tonnes, 91.48 million tonnes and 93.52 million tonnes respectively (details at Annex 1). The Census and Statistics Department does not have the breakdown on whether the transshipment cargoes have undergone processing in Hong Kong. In the past three years, the total merchandise trade between Hong Kong and the 15 RCEP participating economies amounted to US\$807.9 billion, US\$765.5 billion and US\$772 billion respectively (details at Annex 2).

As a supporter of free and open trade, the Hong Kong Special Administrative Region (HKSAR) Government has been striving to expand its economic and trade network worldwide, actively seeking to forge FTAs and Investment Agreements with other economies, including seeking accession to the RCEP as soon as possible after its entry into force, to assist Hong Kong enterprises in expanding overseas to further Hong Kong's long-term economic development. Joining the RCEP will not only strengthen the economic, trade, and investment ties between Hong Kong and the RCEP participating economies, facilitating Hong Kong's further integration into the regional value chain and hence driving regional economic growth, but will also enable Hong Kong's goods and enterprises to benefit from the relevant measures in the RCEP such as tariff reduction, preferential market access, removal of trade barriers and simplified customs procedures, etc. It will help lower the costs of trading and bring about new business opportunities for Hong Kong's goods and enterprises in expanding their markets in the region, thereby providing a momentous drive to global economic recovery in the post-pandemic era.

As highlighted in the Chief Executive's Policy Address in November last year, Hong Kong, as a major financial and trade centre and a logistics hub of the region, coupled with the FTAs signed with 13 of the RCEP participating economies, i.e. the Mainland and Hong Kong Closer Economic Partnership Arrangement signed with Mainland China, and the respective FTAs signed with the ten member states of ASEAN, Australia and New Zealand, is well placed to join the RCEP. The HKSAR Government has indicated, as early as in 2018, to individual RCEP participating economies at various levels and on various occasions Hong Kong's keen interest in joining the RCEP. In November 2019, when the text-based negotiations were concluded, the Secretary for Commerce and Economic Development (SCED) wrote to individual RCEP participating

economies reiterating Hong Kong's interest to join the RCEP, and received positive responses that Hong Kong may apply for accession in accordance with the relevant provisions after the RCEP enters into force. The SCED wrote again to RCEP participating economies after the RCEP was signed in end-2020 to reiterate Hong Kong's interests in joining RCEP. The SCED is already liaising with trade ministers of a number of RCEP participating economies to commence discussions on Hong Kong's accession, with a view to enabling Hong Kong to join the RCEP as early as possible after its entry into force. The HKSAR Government will make use of various platforms, including the Trade and Industry Advisory Board chaired by the SCED, to brief the trade on opportunities brought about by the RCEP in deepening regional economic and trade co-operation, and to develop facilitative and promotional measures in consultation with relevant industrial organisations, with a view to enabling Hong Kong enterprises to better seize the new business opportunities brought about by the RCEP to Hong Kong.