

# **Update on Child Protection in Hong Kong**

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**Hong Kong Committee on Children's Rights  
28 - 04 - 2018**







**Would my life be different  
had someone come to my  
rescue?**





**Prompt Assessment and  
Intervention saves!**

**Any delay kills or causes Irreversible  
Damages!**





# Update on Child Protection in Hong Kong

- ◆ Characteristics & profile of victims/abusers  
Definition of abuse/neglect & best interests
- ◆ Existing systems & inadequacies
- ◆ Impact on child and society
  
- ◆ Local & Global Actions : some examples
- ◆ Comprehensive Reform & Community participation
- ◆ A Child Commission & a Child Perspective  
An independent, statutory platform for Children?



**Violence is every where in the world  
Violence is impacting children's well being**

**In Hong Kong**

**There is no terrorist attack!**

**No shooting in schools!**

**Yet**

**Violence is found everywhere,**

**in**

**Family, School, Hospital, Institution,**

**Community, Internet,**

**Policy and Practice.**



**Current problems pressing**  
**Recognition lacking**

Hidden problems un-tackled  
Existing systems non-effective

Stakeholders lack support  
Multidisciplinary capacity building  
Weak

Local Reform is long over due!

**Government's hands are full**  
**Children are made to wait**



# Children's rights violation in the news

- ◆ 5 year old Lam Lam suspected abused and murdered by close family members.
- ◆ 6 year old ADHD boy strangled by his desperate grandma.
- ◆ 12 year old girl incapacitated by mother.
- ◆ 15 year old girl who got a modelling job online was brutally killed and raped.
- ◆ 6 year old boy in substance abuse family died of ice (methamphetamine).
- ◆ The boy bullied online felt desperate and killed himself
- ◆ Suicide girl and sister without child registration for years.
- ◆ 1 7 days infant found positive in ice.
- ◆ A man who lost control by shaking and maltreating a young child. The mother failed to stop such abuse acts.
- ◆ 4 year old girl in the care of two carers was admitted in AE.
- ◆ 7 year old girl seriously mal-nourished and upon admission at AE "suspected" already dead.
- ◆ Boy punished by father to cross the road by kneeling.
- ◆ #Me Too : Hidden sexual abuse cases shocked the world, victims came forward after years of nightmare
- ◆ Helper jailed for 3 months for publishing video of naked children in shower.
- ◆ Daughter raped by father for years claimed to have tolerated for filial piety.
- ◆ 16 year old (part-time girlfriend) arrested by police was found previously sexually abused.
- ◆ 7 year old child sexually abused by a 9 year old in residential centre.
- ◆ 小予恩's heart stopped after operation, yet was mistaken for medical device failure.
- ◆ Ethnic minority preschoolers rejected placement as non Chinese speaking.



# Child Protection & Child Rights Violations

- ◆ Survival: suicide, homicide-suicide, assault, road accidents
- ◆ Protection: child abuse & neglect, child witness family violence, child of substance abuse carer, child in institutions, corporal punishment as reasonable chastisement
- ◆ Development: psychological well being ignored, poverty, study stress and undesirable parenting, internet risks, bullying
- ◆ Participation: channels and opportunities lacking



# Pressing needs observed

## Vigorous studies & A Central Data Bank Required

- \* Child Fatality Review Committee Reports
- \* Child Protection Registry
- \* Domestic Violence Registry
- \* Juvenile Crime Records
- \* Substance Abuse Records
- \* Cross border families and cross border pupils
- \* Divorce and Single Parent families
- \* Children in poverty
- \* Internet risks and crime against children
- \* Institutional problems
- \* Others



## **Child Protection Action Taken**

- ◆ **Committee on Child Abuse**
- ◆ **Specialized Child Protection Services**
- ◆ **Handling Guideline of Child Abuse Cases**

## **Child Protection Registry**

- ◆ **Amendments to related Ordinances**
- ◆ **Sentencing guideline on possession of child pornography**
  - ◆ **Child Abuse Training**
  - ◆ **Child Sexual Abuse Management**
  - ◆ **Fatality Review**



# Specialized Teams & Services

<b>SWD</b>	<b>Family &amp; Child Protective Services Unit</b>
<b>Hospital</b>	<b>Medical Coordinator of Child Abuse</b>
<b>Police</b>	<b>Child Protection Policy Unit/ Family conflict &amp; Sexual Violence Policy Unit Child Abuse Investigation Unit</b>
<b>Court</b>	<b>Video recording admissible in court Life television link for vulnerable witnesses</b>
<b>Prosecutors</b>	<b>Guideline &amp; Memorandum of sentencing Child Pornography related cases</b>



# **Under-reporting is due to:**

## **1. Failure to report known situations**





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- 2. Failure to recognize incidents as maltreatment**





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2. Failure to recognize incidents as maltreatment



**We cannot prevent what we do not acknowledge!**



# **Why not reporting**

**Saw no pressing need for professional care  
With suspicion yet don't know  
when & how & to whom**

**The victim/family refused to proceed**

**Attempt to protect**

Victim

Suspected Abuser

Other family member

School/Agency

Caller oneself

**Unsatisfactory past encounter**



# 我行我素，單打獨鬥、各自為症

## WORK WITH EACH OTHER? TRUST EACH OTHER?

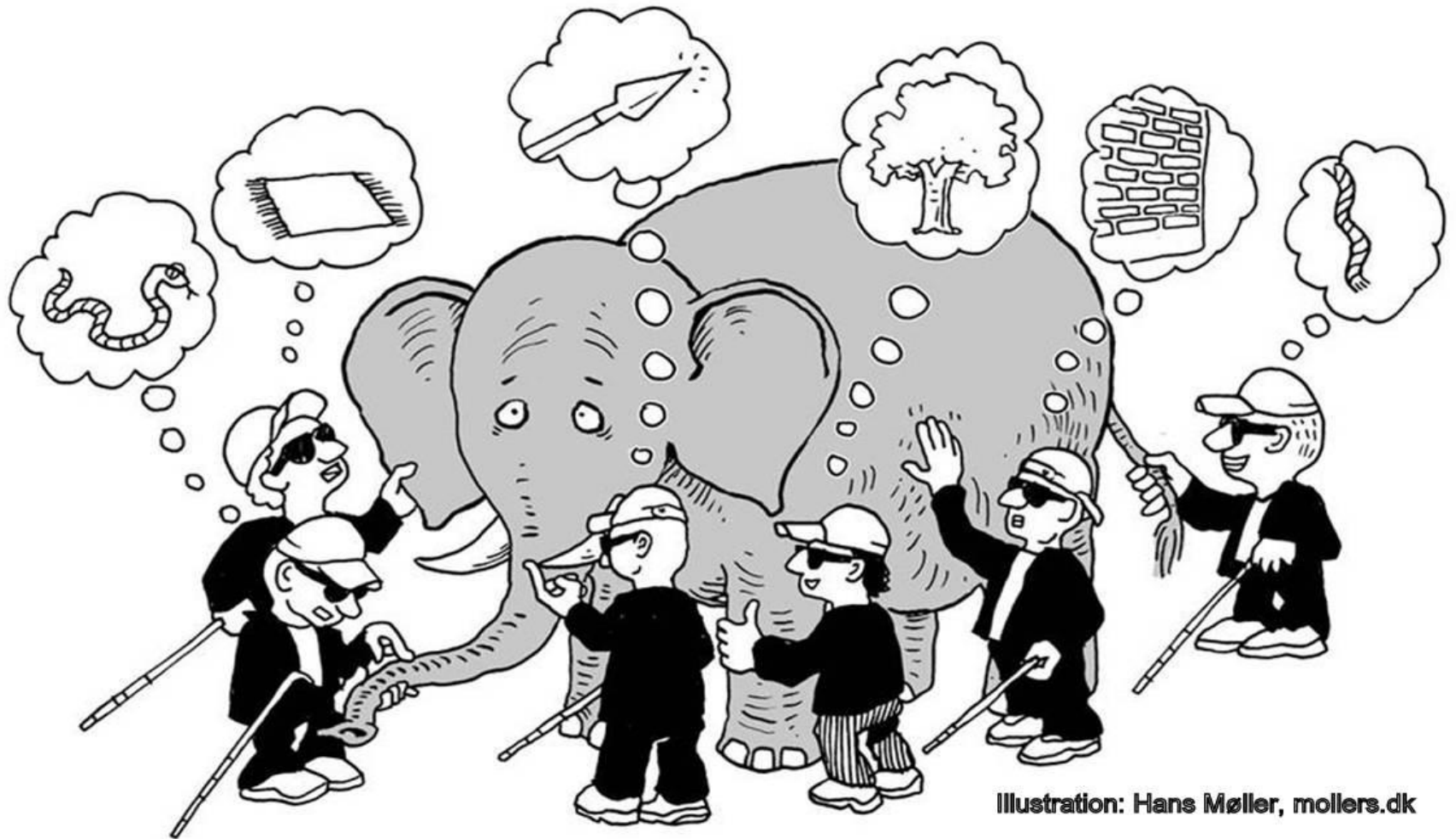


Illustration: Hans Møller, mollers.dk



# Fatality Review

- ◆ Three common errors
  - not recognizing and reporting serious and unstable situations
  - inadequate risk assessment
  - poor inter agency collaboration and coordination.



**From Child Protection to Child's Rights**

**Make a Difference**

**Ensure a Child Perspective in  
Policy, Legislation, Education, Social Systems**

**Impact a Change of Mind Set and Behaviour**

**Trace trend and characteristics**

**Tackle and Prevent**

**the Root problem of Child Rights Violations**

**Central Bank for Child & Family Data**

**Survey & Research to ensure Evidence Base**

**Set Indicators & Measure progress**



# **Effective and non bureaucratic System**

**Progressive Policy and Legislation**

**Proactive definition**

**Comprehensive & enforceable Handling Guideline**

**Passionate and devoted Multidisciplinary personnel**

**With**

**Manpower & Resource support**

**Precise and timely intervention**

**Interdisciplinary Training & Collaboration**

**High standard management & supervisory personnel**

**Stakeholders participation**

**Measurement systems for progress**



# Contributing Factors to Abuse

- ◆ Distorted beliefs and unrealistic expectations
- ◆ Inability to cope with stress and anger
- ◆ Inability to cope with developmental needs or difficulties of child
- ◆ Potent support network inadequate
- ◆ Strategic resource distribution not in place



# Two Major Approaches to Risk Assessment

## ➤ **Clinical judgment:**

- ◆ can be subjective and impressionistic  
(address individual differences)

## ➤ **Actuarial Risk Assessment:**

- ◆ Statistical information to predict reoffending  
demography & history  
(draw reference from generalized characteristics)



# Pre-conditions for Risk Assessment

- Rapport Building
- Safety Comes First
- Consent & Confidentiality



## Concerns raised by Medical Coordinators on Child Abuse of Hospital Authority

- ◆ Need for a structured framework for Risk Assessment
- ◆ Need for better support for child placement
- ◆ Need for a common protocol in handling children under care of substance abusers
- ◆ Need for a system change to retain clinical expertise and avoid frequent change of case worker/ manager
- ◆ Need for the procedural Guide to address new and emerging issues
- ◆ Need for a responsive system with emergency contact and hotline support

19 May 2016



# Risk Assessment

- ◆ UK
  - ◆ Frontline: training program
- ◆ On Risk Assessment of Child Abuse/Neglect
  - For non social work degree holder with working experience



**Ensure a Child Perspective!**  
**Respect the Best Interests of Children!**

**Zero Tolerance of Violence?**  
**Reasonable Chastisement?**

**Sweden Banned Corporal Punishment**  
**1979**

**Action speaks louder than words**

- ◆ **Close the gap for Zero Tolerance of Violence!**
- ◆ **Actualize prevention and improve cure!**



# Legal protection of children with a Child perspective

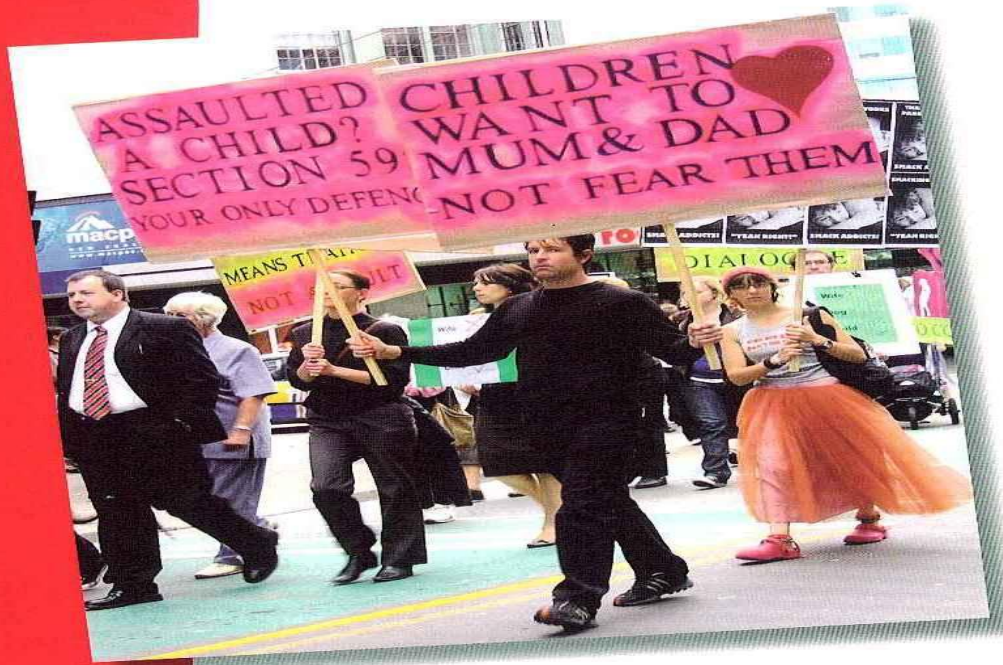
- 1. Sets the baseline in the society, for education and direction.**
- 2. Protects the rights and well being of citizens, especially the under18.**
- 3. Sanctions those who violate the law.**
- 4. Deters future violations.**



# New Zealand's Example

## *Unreasonable Force*

*New Zealand's journey towards  
banning the physical punishment  
of children*



**Save the Children**  
New Zealand

**Beth Wood, Ian Hassall  
and George Hook  
with Robert Ludbrook**



# Banning of corporal punishment

As of May 2017

## Total Ban in all settings

- ◆ **53 States** formed laws to prohibit all corporal punishment of children in all settings, including home.
- ◆ **56 others** made commitment to achieving this law reform.

## Sweden Anti Spanking Law 1979

- ◆ **Outside home setting**
  - ◆ **60 States** Prohibition in alternative care & day care
    - ◆ **131 States** in all schools
    - ◆ **139 States** in all penal institutions
    - ◆ **165 States** as a sentence for crime
- ◆ Global Initiative to End All Corporal Punishment of Children
  - ◆ <https://www.facebook.com/Glencorporalpunishment/>



# Major Studies UN and WHO on Violence

2001	<ul style="list-style-type: none"><li>• UN Study on Violence Against Children</li></ul>
2002	<ul style="list-style-type: none"><li>• WHO, World Report on Violence and Health</li></ul>
2004	<ul style="list-style-type: none"><li>• WHO, The Economic Dimensions of Interpersonal Violence</li></ul>
2005	<ul style="list-style-type: none"><li>• Milestones of a Global Campaign for Violence Prevention, Changing the Face of Violence Prevention</li></ul>
2006	<ul style="list-style-type: none"><li>• Findings on Violence Against Children released by Paulo Pinherio Requesting for a Special Representative for Children Against Violence</li></ul>
2008	<ul style="list-style-type: none"><li>• Preventing Violence and Reducing Its Impact: How development agencies can help</li></ul>



# Impact of Violence on Children

- (1) Externalizing
- (2) Internalizing
- (3) Cognitive & academic
- (4) Social development
- (5) Physical & health



- Aggressive behaviour
- Mean World Syndrome  
Insecure  
Weak in sympathy  
Callous (麻木不仁)



**Cultural Environment Movement**



**Rescue the lost humanity**

85% of respondents found with Post Traumatic Stress Disorder



# Witnessing Domestic Violence is Traumatic

1. Any children involved directly or indirectly
2. Their age and vulnerability
3. Any emotional, behavior, academic, social impacts observed or suspected
4. Any previous conflicts, threats or harm inflicted on spouse, the child, siblings or others
5. Any physical or mental problems
6. Any health care concerns identified
7. Other environmental problems such as financial hardship, crowded living conditions, unemployment



# Overseas examples

**In UK , Fatality and Serious Case Review contributing to**

- ◆ **Law reform : children act 2004**
- ◆ **Set up of children's commission**

**In UK, in 2017, allowing a child's death without intervening is a crime**

**In UK, online raping is a crime,  
there is no need of actual physical contact.**

**In UK, Australian witnessing domestic violence is defined  
as abuse and protected by law**



# Child Sexual Abuse

## Catholic Church

- Hong Kong Catholic
- United States
- Australia :
- Royal Commission on Child Sexual
- Abuse with +400 recommendations,
- Some critical re for the Catholic Church

## SKH Church recent incident 2018

### # Me Too : hidden cases shocked the world

- Paradigm shift, Cultural environment reform

- ◆ *Training*
- ◆ *Public Education*
- ◆ *Protocol*
- ◆ *Law*



# Child Sexual Abuse

## ◆ Ratio of sexual abuse cases

- 1990 2%
- 2016 35% (294 out of total cases 892)

All age group: Age 0-2 (1) Majority 12-17 (205)

- ◆ Criminal Procedure Ordinance amendments
  - Repealing corroborated evidence
  - Video recording of interviews in court
  - Live TV links in courts
  - Magistrate removing wig and gown for children witnesses
  - Increasing maximum sentencing





# **Negative Website Exposure and Internet Crime**



# Prevention of Child Pornography Ordinance



- ◆ Hong Kong amended in 2003

- Production
- Distribution
- Possession
- Virtual Images

- ◆ Countries with legislation

- HK
- Canada
- UK
- Australia



# Psychological Well Being

- 2005 Family Health Service, Department of Health, Child Behavior and Emotion Study
  - 10% - 13% 4-year-old children display behaviour diagnosis of potentially significant psychopathology.
  - 10% -15% preschool children with behavioural problems. (Preschool population : 149,141)



# Psychological Well Being

◆ A recent study re depression  
53% of Secondary school student respondents  
found with depressive symptoms  
12,000 respondents found seriously depressive  
3,000 found with suicidal ideation  
In 2016, 20 such students committed suicide

## WHO data

300 million people under the threat of depression.  
In 2020 Depression will be the second to coronary  
disease to be the major burden in terms of sickness.

In 2005, CU Medical Faculty's study indicated around  
400,000 adults suffering from degrees of depression.



# **Review on Mental Health, May 2013 & A Standing Advisory Committee on Mental Health, in 2017**

**Came up with 40 recommendations in 20 areas.**

**Will start in 2019 to study  
the mental health conditions  
of children & adolescents in Hong Kong.**

25 April 2017 Legco. Welfare Panel on Health Service  
Review on Mental Health  
LC Paper No. CB (2)1220/16-17 (01)



# **Identify children in need**

## **Confront Hidden Harm**





# **Pressing, Massive and on-going of Child rights violations For Vulnerable Groups**

- **under Poverty**
- **Abuse & Neglect**
- **in Domestic Violence**
  - in Institutional Care
  - in Substance abuse
- **Children suffering illness,**
  - with family member/s who is/are ill
- Unruly children in jail and institution
  - **Gender issues**
- **Physically, mentally disabled children**
  - **Cross border families**
  - **Ethnic minority families**



- ◆ **Pressing, Massive and on-going concerns**
  - ◆ **of Child rights violations**

## **For Children in general**

- ◆ Environmental pollution
- ◆ **Unhealthy physical & psychological life style**
  - ◆ **Internet crimes and concerns**
  - ◆ **Ill parenting style & relationship**
- ◆ Excessive stresses & strains from undesirable systems & practices such as the education system, mass media



# Intensive Early Intervention

- ◆ In 2001, a 12 year study of 1000 patients with symptoms such as hallucinations or delusions.
- ◆ Intensive early intervention programs provided to support Hong Kongers suffering from Psychosis in the first 2 years after diagnosis.  
Can cut their suicide rate to 50%

But Hong Kong has 400 shortfall of Psychiatrist with WHO's recommended standard.

Hong Kong Case Manager around 80 patients/Psy.

Overseas progressive countries 10-20 p/p

Children in Hong Kong have to queue up for +1 Yr for diagnosis/treatment



- **Mobilize participation of All parties**
  - Children
  - Families
  - multi-disciplinary professionals,
  - business and religious sectors,
- ◆ **Problem Identification & Prioritization**
  - ◆ **Investigation & Treatment**
  - ◆ **Resolution & Prevention**



# Child Protection

- ◆ **Healthy Start Home Visitation**

- ◆ By an NGO the Against Child Abuse  
(inspired by the Hawaiian Head Start Program)

- ◆ **Comprehensive Child Development Service**

- ◆ **A Policy Initiative 2005**

- ◆ For 0-5 year olds

- ◆ Department of Health, Hospital Authority

- ◆ Social Welfare Department/NGOs

- ◆ Education Bureau





# The Four Components of CCDS

## Early identification and management

- ◆ At-risk pregnant women
- ◆ Mothers with postnatal depression (PND)
- ◆ Children and families with psychosocial needs
  - ◆ Pre-primary children with physical, developmental and behavioural problems



# From Child Protection to Child's Rights Children as the Key Stakeholder

## ◆ **Let the Dolphin Lead Project**

(inspired by the white dolphins in  
the HK waters)

## ◆ **Child Ambassador Program**

◆ (inspired by Speak Truth to Power)

◆ **Child Councillor**

◆ **Kids Dream**

◆ **Child Advocates**



# From Child Protection to Child's Rights

## ◆ It's a Penalty ([itsapenalty.org](http://itsapenalty.org))

- ◆ The Campaign harnesses the power of sport to prevent the abuse, exploitation and trafficking of children globally.
- ◆ Positioning major sporting events as platforms for positive changes.
- ◆ The Ultimate goal is to see child abuse, exploitation and trafficking eradicated by 2030, contributing to the goal of UN Sustainable Development Goals' Target 16.2.



# Levels of Prevention

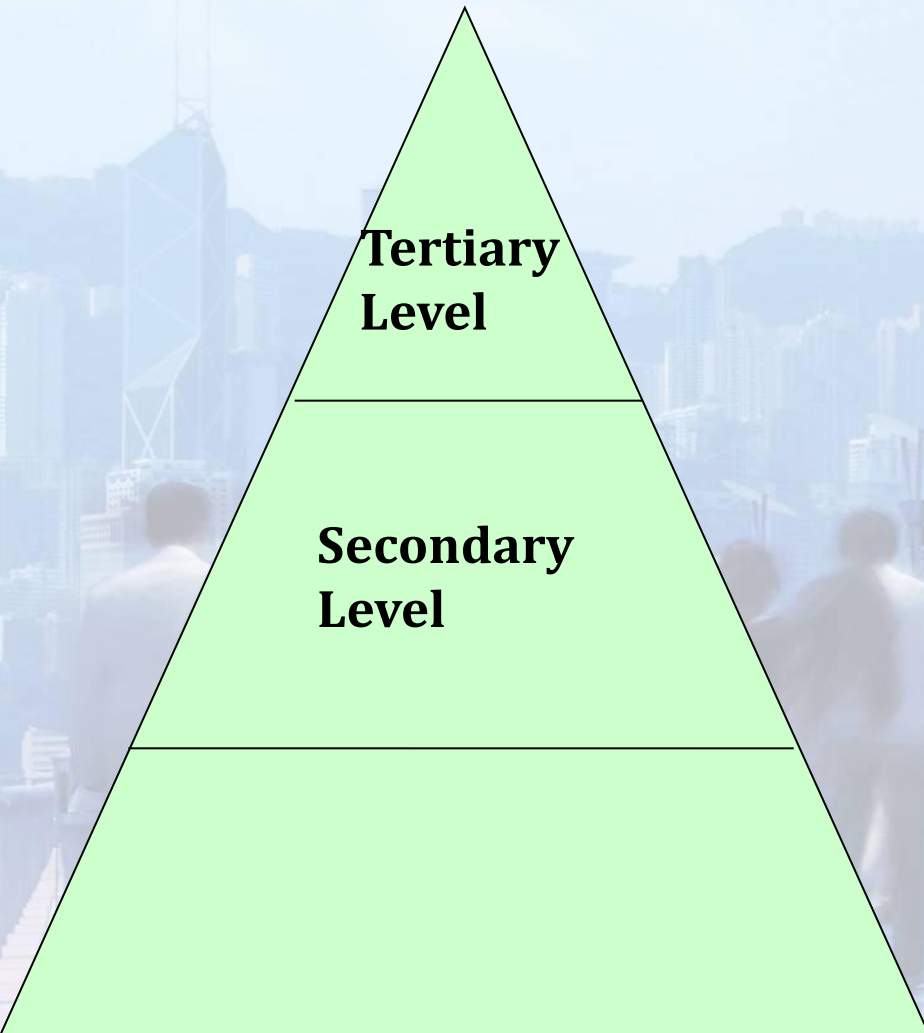


**Tertiary  
Level**

- **Identify and Work with those harmed or adversely affected**
- **A sound, well trained and coordinated protection system**



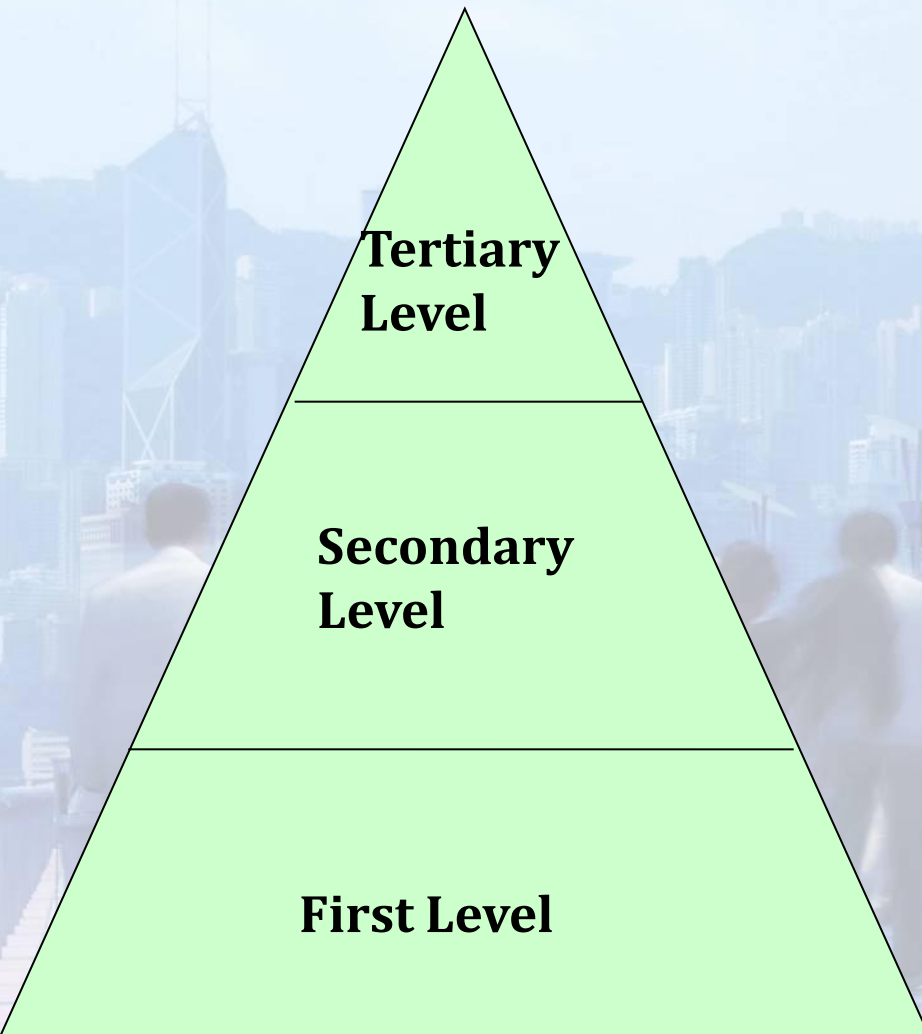
# Levels of Prevention



- **Identify and Work with those harmed or adversely affected**
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- **Identify and work with the At Risk**
- **Early identification by ensuring safety net in place**



# Levels of Prevention



- **Identify and Work with those harmed or adversely affected**
- **A sound, well trained and coordinated protection system**
- **Identify and work with the At Risk**
- **Early identification by ensuring safety net in place**
- **Total Reform – involve everyone in the community**
- **Value, attitude, knowledge and Behavioral Change**



**Rights is innate and not given by anyone**

**Rights must be ensured**

**in**

comprehensive and holistic plan of action to include a  
child's right

- \* in survival
- \* in development
- \* in protection
- \* in participation

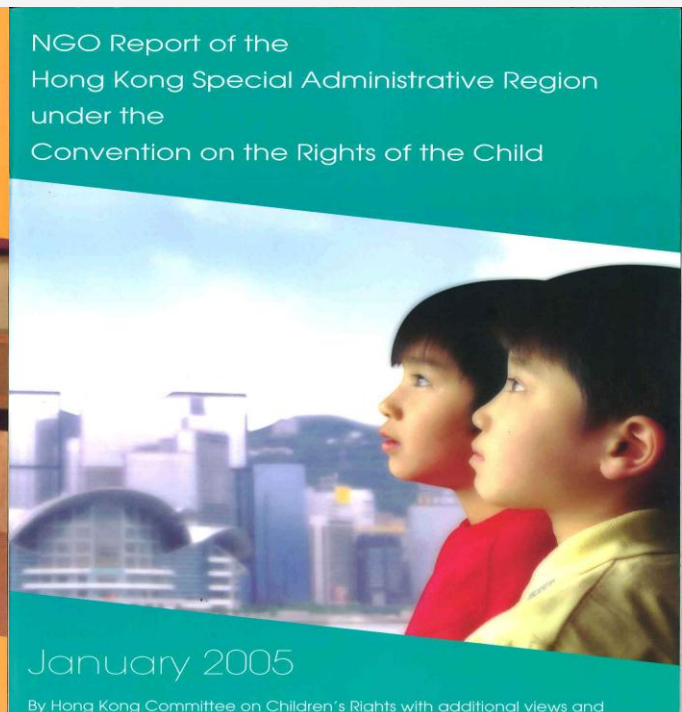
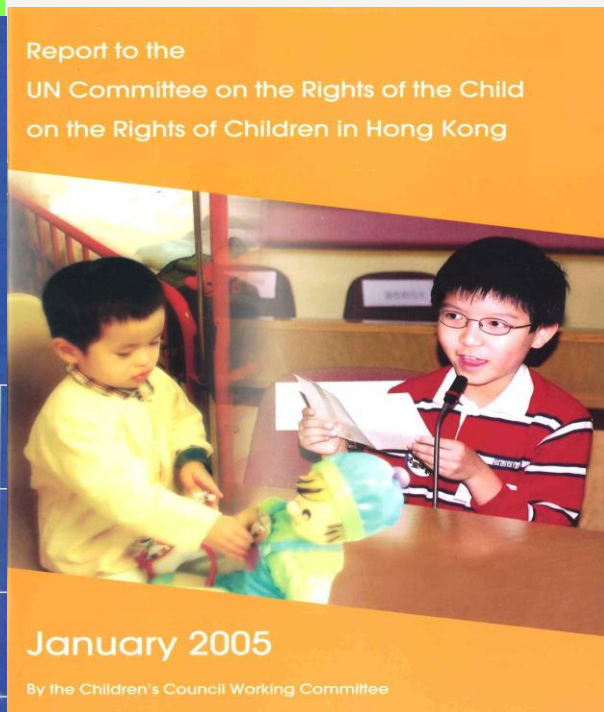
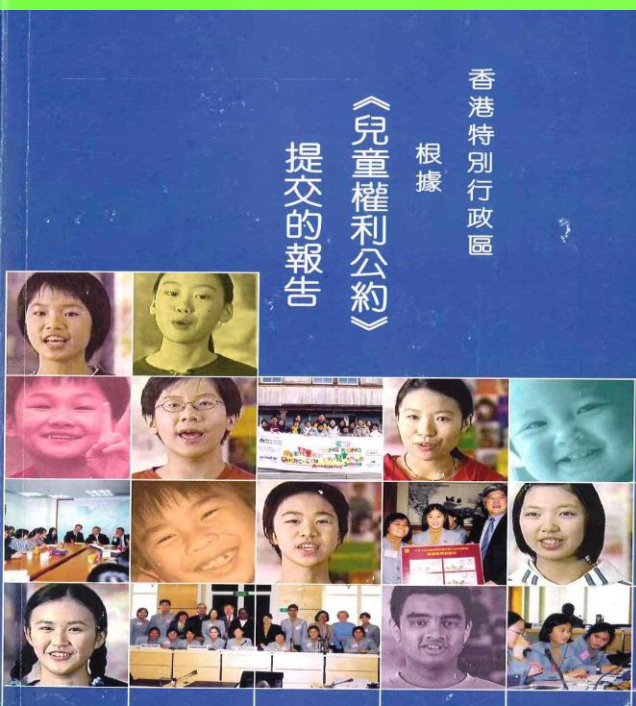
**For the BEST interests of every single Child**



兒童權利公約  
Convention on  
the Rights of the Child

# Three Hong Kong Reports By Government and NGOs, including Children's Report

1996 Report  
1997 supplementary report  
2006 and 2013 Reports





# **United Nations Concluding Observations**

**Acknowledged efforts devoted  
Listed what is missing**

**A Comprehensive Child Policy & Strategy**

**A Defined Strategic Budgetary Line  
for Children**

**A Central Data System on Children**

**An Independent Monitoring  
Children's Commission**



# Children's Commissions & Children's Ombudsmen

**79 +Countries have appointed  
Children's Commission**

30 independent Children's Commission  
49 children's commission  
under the human rights institution

**200+ Jurisdictions  
Have set up Children's Commission**



# Children Commission

- ◆ Norway the first pioneer in 1981 and set up a statutory commission
- ◆ with a Children Commissioner ensuring the sustainability of rights of children.
  - ◆ Children are considered experts of the Commission. ◦
- ◆ Norway? ?  
ACT NO. 5 OF MARCH 6. 1981 RELATING TO  
THE OMBUDSMAN FOR CHILDREN



# Children Commission

- ◆ Australian Human Rights Commission Act 1986 commissioned the set up in 2013, the Australian Children Commission with a legal mandate to protect the rights of children in Australia.

<https://www.humanrights.gov.au/publications/childrens-rights-report-2013/about-national-children-s-commissioner>



**Start Early**

**Spend Quality time with Children**

**Listen to them**

**Think, Plan and Walk with them**

**Guide them**

**Stand up for them**

**Defend them**

**when their rights are violated**





**Strive for the Best Option**  
**for**  
**Children**  
**Don't Settle for Less**





**The time  
to Protect children's best interests  
is Now**



**It is a highly challenging operation.  
The torch is in your hand !**