

Women's Commission

**“Protecting Children from Maltreatment – Procedural Guide
for Multi-disciplinary Co-operation (Revised 2020)”**

Purpose

This paper briefs Members on the background and major amendments of the “Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation”.

Background

2. The Social Welfare Department (SWD), in collaboration with relevant government departments, non-governmental organisations (NGOs) and professionals, set up a co-operation mechanism on handling child abuse cases in 1980s and subsequently drew up the “Procedural Guide for Handling Child Abuse Cases” for reference by different professionals, including personnel engaged in social services, health services, educational services and law enforcement, and those who work closely with children, in taking necessary actions for suspected child abuse cases. The “Procedural Guide for Handling Child Abuse Cases” were revised in 1993, 1998, 2007 and 2015. The latest revision was completed in December 2019 and the “Procedural Guide for Handling Child Abuse Cases” was retitled as “Protecting Children from Maltreatment – Procedural Guide for Multi-disciplinary Co-operation” (“Procedural Guide”).

3. Given the changing societal and family environments, the problem of child abuse has become more complicated and become a concern of the public. Stakeholders from various sectors therefore consider it necessary to provide a clearer guidance and reference to frontline personnel for early identification of families with risk of child maltreatment, stronger multi-disciplinary collaboration in handling and following up on children being abused / different types of

suspected abuse with a view to safeguarding the safety and best interests of the children. Under the auspices of the Committee on Child Abuse¹ (CCA), SWD formed a task group in November 2016 to review the Procedural Guide. Members include representatives from various government bureaux/departments and other organisations including the Labour and Welfare Bureau, Education Bureau, Department of Health, Hong Kong Police Force, Hospital Authority, The Hong Kong Council of Social Service and NGOs under relevant service settings.

4. The key purposes of the review is to:

- (a) help various professionals keep a more consistent view on the definition and scope of child abuse;
- (b) provide references for frontline personnel so as to facilitate their identification of families with higher risk of child abuse;
- (c) provide a clearer guide for frontline personnel to handle and follow up cases of different types of suspected child abuse;
- (d) enhance the co-operation among the child concerned, his/her family and professionals in order to formulate and implement the follow-up plans; and
- (e) define the roles and responsibilities of professionals from different disciplines in handling suspected child abuse/child abuse cases in facilitating and enhancing their co-operation.

5. From November 2016 to December 2019, the task group had conducted the following tasks :

- (a) From December 2016 to April 2017, consultation had been conducted with various stakeholders on the definition of child abuse and handling approaches. Apart from consulting various professional sectors, meetings were held with children, parents (including parents with children of special education needs) and sexual minority groups to collect opinions from the potential service users.

¹ Committee on Child Abuse comprises of representatives from various professions and related government bureaux/departments and convened by the Director of Social Welfare.

- (b) Six focus groups had been formed for reviewing the following aspects :
- (i) definition of child abuse and handling approaches;
 - (ii) identification of possible child abuse and risk assessment;
 - (iii) social investigation;
 - (iv) handling child abuse cases with parents abusing drugs;
 - (v) Multi-disciplinary case conference and follow-up plan; and
 - (vi) roles of the education sector on handling suspected child abuse/child abuse cases.
- (c) Members had also helped collect views from the different service sectors, including the medical professionals, the Police, clinical psychologists, social service sectors, etc.
- (d) Views from disciplines that might encounter/handle suspected child abuse/child abuse cases were sought.
- (e) During the consultation period, SWD held four consultation sessions to introduce the major proposed amendments and collect comments. There were altogether 766 participants. Besides, the task group members had helped arrange five meetings with the related service sectors, including education services (twice), medical service, service for ethnic minorities and drug rehabilitation service, to discuss the matters pertaining to the specific sector.
- (f) After comments from various disciplines were collected, the task group proposed necessary amendments and submitted the revised version to CCA for consideration and endorsement.

6. Members of the CCA endorsed the revised Procedural Guide at its meeting on 20 December 2019. The Chinese and English versions of the “Procedural Guide” were uploaded to the SWD homepage² on 17 January 2020 and 30 March 2020 respectively and have been put into implementation since

² https://www.swd.gov.hk/tc/index/site_pubsvc/page_family/sub_fcwprocedure/id_1447/ and https://www.swd.gov.hk/en/index/site_pubsvc/page_family/sub_fcwprocedure/id_1447/

1 April 2020. SWD conducted briefings on the “Procedural Guide” to personnel of the Family and Child Protective Services Units of SWD and education services respectively in January 2020. SWD uploaded a PowerPoint file for introducing the “Procedural Guide” onto SWD homepage in mid-March for reference by related personnel. Related training programmes will be arranged.

Major Amendments

7. The “Procedural Guide” covers a series of handling procedures, reference materials and roles of different disciplines. To facilitate the related personnel to make reference to the necessary information, the “Procedural Guide” is divided into two parts :

- (a) Core procedures: explain the steps and focuses of the handling procedures and the content is for all personnel who may have access to the children suspected of being harmed/maltreated, have a duty to handle/investigate suspected child maltreatment case, and are involved in following up child protection cases (personnel); and
- (b) Annexes: details of practical information, handling skills, roles and points to note for relevant sectors in relation to the core procedures for reference by different disciplines.

8. In summary, the “Procedural Guide” puts more emphasis on and puts in practice the following principles :

- (a) safeguarding the best interests and protecting physical and psychological safety of the children is the paramount consideration;
- (b) to render early support to families with higher possibility of child maltreatment in order to prevent children from being harmed;
- (c) to facilitate higher level of participation of the child and family members in the course of case handling and to mobilise the family resources for protecting the child’s physical and psychological safety; and

- (d) different disciplines should work together and trust each other in the course of supporting families and case handling.

Outline of the major amendments of the “Procedural Guide” is listed in the Annex.

Advice Sought

- 9. Members are invited to note the content of this paper.

Social Welfare Department
May 2020

**Outline of the Major Amendments in the
“Protecting Children from Maltreatment - Procedural Guide for
Multi-disciplinary Co-operation (Revised 2020)”**

Areas	Major Amendments
Title	Rename “Procedural Guide for Handling Child Abuse Cases” to “Protecting Children from Maltreatment - Procedural Guide for Multi-disciplinary Co-operation” (the “Procedural Guide”) so as to emphasise child protection and multi-disciplinary co-operation.
Aim, Beliefs and Principles	<p>(1) Point out that reference has been made to the “Declaration of the Rights of the Child” and “Convention on the Rights of the Child” of the United Nations for the handling procedures and points to note in the “Procedural Guide”.</p> <p>(2) Focus is laid on “Safeguarding children’s physical and psychological safety”. Three-level strategy in safeguarding child safety is added, especially with emphasis on early identification and support rendered to families with higher possibility of child maltreatment, so as to prevent child maltreatment.</p>
Definition and Types of Child Maltreatment	<p>(1) Under the broad sense of “child maltreatment”, the scope of definition in the “Procedural Guide” has been listed out clearly. Case scenarios which have attracted public concern are also added under different types of maltreatment.</p> <p>(2) Point out the need for personnel to explain to the children and their family members specifically and clearly their concerns by using languages and methods which are comprehensible. Considering that the children and their family members might have different understandings of the definition as well as the scope of the term “maltreatment” adopted in the “Procedural Guide”, personnel should point out the concern being whether the child requires protection and the impacts of</p>

Areas	Major Amendments
	<p>the incident on the child but not whether the behaviour constitutes to “child maltreatment”. Personnel may, depending on the impacts of the incident on the child, consider using the term “harm” instead of “maltreatment”.</p> <p>(3) Add “Frequently Asked Questions” for responsible personnel to consider whether an incident will be defined as a suspected child maltreatment or child maltreatment.</p>
Case Identification	<p>Enrich the part on “Possible Indicators of Child Maltreatment”, e.g. adding the possible behavioural/emotional indicators of infants/pre-school children being maltreated, the physical/environmental indicators relating to drug abuse of the carers, forced marriages disclosed by children of ethnic minorities, etc.</p>
Reporting, Initial Assessment and Immediate Child Protection Actions	<p>(1) Clearly list out the handling procedures, including the “reporting” mechanism, the units responsible for receiving reports and conducting initial assessment and the scope of initial assessment. The role of Family and Child Protective Services Unit has been strengthened at every stage of the handling process.</p> <p>(2) Replace the term “refer” with “report” so as to specifically indicate that this is one of the steps in handling suspected child maltreatment cases, which is different from a general service referral. The meaning of “consult”, “report” and “refer” has also be clearly defined.</p>
Risk Assessment and Decision Making on Protecting the Safety of Children	<p>Clearly indicate the functions of risk assessment and the timing for doing so, the related decision making on child safety and its guiding principles, and to provide more detailed reference materials for making the assessment.</p>
Child Protection	<p>(1) Rename “social investigation” conducted by social workers to “child protection investigation” in order to</p>

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Investigation	<p>differentiate the purpose of the investigation for child protection from that for other purposes.</p> <p>(2) Stress that before recommending entrusting the care of the child to a carer, assessment on the carer's capacity and suitability in child care must be made.</p> <p>(3) Add points to note relating to the arrangement of residential child care services, and to remind responsible personnel to consider the permanency plan at the same time.</p>
Medical Examination	Add appropriate physical examination(s) and toxicology test(s) in the process of medical investigation for children who may have been affected by dangerous drugs.
Criminal Investigation	<p>(1) Replace "joint investigation" which is conducted by designated teams for specific types of cases with "criminal investigation" in order to cover investigations of all criminal cases relating to child maltreatment.</p> <p>(2) List out the details on process in which related personnel needs to be involved or on contents they should be aware of in the course of criminal investigation, e.g. strategy planning before the video-recorded interview (VRI), arrangement of an appropriate adult for witnessing the VRI and the immediate case assessment after the VRI.</p>
Multi-disciplinary Case Conference on Protection of Child with Suspected Maltreatment (MDCC)	<p>(1) Emphasise the focus of MDCC rests on protecting the child's safety.</p> <p>(2) Replace "welfare plan" with "follow-up plan" as the follow-up areas cover not only the welfare matters, and point out that safety plan is one of the items in the follow-up plan. Considerations on whether parent(s) with drug/alcohol abuse problem is/are able to take care of the child(ren) have also been strengthened.</p> <p>(3) A "core group", besides a key social worker, can be appointed, on individual case merits, to follow up a child protection case so as to strengthen the multi-disciplinary</p>

Areas	Major Amendments
	co-operation. The core group comprises personnel who have significant roles in following up the case.
Follow-up Services on Child Protection Cases	<p>(1) Emphahsise the need for a holistic consideration of the family circumstances, close co-operation among follow-up personnel and a continuous risk assessment when following up the case.</p> <p>(2) For cases with residential child care service arranged, enrich the considerations of and arrangement for family reunion, especially for cases with parent(s)/carer(s) abusing drugs. Emphasis has also been made on the formulation and implementation of permanency plan, including the option of adoption, as early as possible.</p>
Handling of Child Maltreatment Allegations against Staff, carers and volunteers of organisations	<p>(1) Point out that organisations should, based on the content of the “Procedural Guide”, draw up their child protection policies, measures and handling procedures for prevention of and proper handling of any suspected child maltreatment incident aiming to safeguarding the safety and interests of children.</p> <p>(2) Point out that if the caseworker of the child/family serves the same unit as that of the alleged perpetrator(s), it is not appropriate for the social worker of that service unit to conduct the child protection investigation.</p> <p>(3) Emphasise that the organisation should not reach any private agreement of compromise with the alleged perpetrator.</p> <p>(4) Point out that the organisation concerned should adopt suitable administrative measures to suspend any contact with or care for the child and other children (if applicable) by the staff/carers/volunteer involved, so as to facilitate investigation and prevent the child(ren) from harm.</p>