

ACA News:

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Hong Kong's 'outdated' child protection system blamed for death of drug abusers' five-year-old son

'There is no information about these children, there is no one in charge,' lawmaker tells Legco panel meeting looking for solutions after boy's tragic death



Lawmaker Dr Fernando Cheung says about 800 children a year are born in Hong Kong to mothers with drug habits, but records are not kept. Photo: Edward Wong

Five-year-old Yeung Chi-wai lived a painful existence before his life was cut short when he ingested seven times the lethal amount of methamphetamine.

Other children could suffer the same fate, lawmakers were told on Saturday, unless the city's child protection system was overhauled and new laws passed.

Old and new bruises and marks on the little boy's face, arms and legs pointed to long-time neglect before he died in 2013, while the coroner's court concluded in March that his death was "unfortunate" before classifying it as "misadventure".

'Hong Kong must tighten its laws to protect children from abuse in any situation'

Chi-wai had Down's syndrome. His mother and her boyfriend were drug abusers who favoured meth.

“The problem is no one has been held responsible or accountable ... not his parents, not the social worker, not the government, no one,” said children's rights advocate and school administrator Angela Lee Nga-kam, who was among the NGOs, social workers, paediatricians and lawyers who spoke at the Legislative Council panel meeting.

Lee said that when she explained the boy's case to her two children, aged 13 and 15, they wanted to know why no one had helped him, why the social workers in charge were not fired or investigated, and why no one had been taken to court.

Chi-wai's case highlighted a child protection system riddled with holes – his plight in fact went through a multidisciplinary case conference (MDCC) at which experts had deemed it necessary to remove him from home a month before his death. In the end he was left with his parents for a number of reasons, one being the lack of places at residential homes at the time.

'Hong Kong government urged to amend guide on handling child abuse in coroner's case involving death of boy who probably ingested Ice'

Lawyers say Hong Kong's laws related to child protection are at least 30 years out of date, with some over a century old, and there is no legal duty to investigate cases of child abuse or assess victims and make necessary provisions. Even the legal definition of “child abuse” is vague. “Our legal system is ignoring our children,” said barrister Azan Aziz Marwah, who specialises in children and family law.

Wanda Hau Yuet-king from Against Child Abuse said MDCC decisions were non-binding and there were no mechanisms to ensure that care plans formulated in meetings were followed through.

'There is no information about these children, there is no one in charge' - Lawmaker Dr Fernando Cheung Chiu-hung

Committee on Children's Rights executive secretary Billy Wong Wai-yuk said services and departments were all compartmentalised – social workers dealing with parents' drug abuse would not necessarily look out for the child.

Lawmaker Dr Fernando Cheung Chiu-hung raised a motion – which was passed – that the government needed to set up an independent investigation into Chi-wai's case, with recommendations on necessary changes to the system and laws to be given within a year. Cheung said about 800 children a year were born to mothers with drug habits, but no figures were kept on these high-risk families.

“There is no information about these children, there is no one in charge,” said Cheung.

Reference:

<http://www.scmp.com/news/hong-kong/law-crime/article/1957855/hong-kongs-outdated-child-protection-system-blamed-death>