

Neglect of the neglected: Hong Kong boy's death exposes a child protection system riddled with holes

An outdated legal system and overstretched social workers means vulnerable youngsters living with parents on drugs are failing to receive the help they need



The odds were stacked against Yeung Chi-wai right from the start of his short life.

Born with Down's syndrome, two of his three siblings also had mental disabilities and his mother and her boyfriend were habitual users of the drug crystal methamphetamine, also known as Ice.

The boy was brought to the Social Welfare Department's attention when his teachers noticed multiple wounds on his body and his frequent absences.

It was decided at a case conference that Chi-wai, five, ought to be removed from his home, but he would remain with his mother until a special needs shelter was available.

Hong Kong's 'outdated' child protection system blamed for death of drug abusers' five-year-old son

It was only weeks later in 2013 that the boy, who had a mental age of 18 months, died, poisoned by direct ingestion of crystal methamphetamine.

The coroner's court ruled in March this year that Yeung's death was "misadventure", with the coroner urging the government to amend its guide for handling child abuse.

Yeung's case has highlighted flaws in the system when it comes to protecting children at risk and sparked a special meeting at the Legislative Council last weekend, where experts pointed out that the city's child protection system was riddled with holes.

Against Child Abuse director Jessica Ho Oi-chu, who has worked with abused children for years, says the system that activates child protection in cases of suspected abuse is archaic and non-mandatory and often left up to the social worker in charge of an individual case to decide whether it's necessary.

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

And in Hong Kong, exposing young children to drugs is not considered child neglect nor abuse – unless the child ingests it, or obvious physical harm is seen on the child, she adds.

When dealing with instances where children might be at risk, Ho says the problems starts from stretched resources given to social workers in the community, which could deter them from activating the child protection system. The risk assessment system itself is not legally binding, which also neuters its effectiveness.

The system is also a complicated one and social workers in the city have big caseloads.

These case social workers reach out to families spread across the city through the Integrated Family Services Centres (IFSC), either government-operated or fully government-subsidized but NGO-operated.

'If you're dealing with a drug abuser, they tend to miss appointments, hide from you and refuse to let you into their homes' – An Experienced Social Worker

An experienced social worker with an IFSC, who does not want to be named, says each social worker easily has 60 to 70 active cases on their hands.

They are the first contact point for anyone in community dealing with "family related" issues such as parenting, housing and financial difficulties, mental health, family relationships, marital problems, stress management and more.

"Child abuse and neglect cases do not come by every day, but we do see them. When we come across one of these cases, we usually hand it to the more experienced social workers to deal with them because these cases are very complicated," the social worker says.

When there is strong evidence that there could be child abuse, a social worker needs to set up a Multi-Disciplinary Case Conference on Child Abuse (MDCC), inviting government social workers, school representatives, doctors and other personnel deemed relevant to the child's case to the meeting in order to decide whether or not to remove a child from home and to formulate a follow-up plan.

NGOs have repeatedly asked for more resources for family services, but the social worker complains that the situation has not changed much.

Crisis of care for Hong Kong's most vulnerable with shelters for abused children full to the brim

NGOs are often reluctant to criticise the government over it, as funding is fully dependent on the administration, the social worker adds.

The social worker admits that calling an MDCC is a lot of work – the case worker has to contact all persons involved, set up a time and place for the meeting, notify and explain procedures to the family, as well as deal with the child's well-being.

Explaining that parents who abuse drugs does not justify an immediate removal of the child or immediate call for an MDCC, the social worker says the “top priority is to keep the family together”, and that removing a child is not seen as the best option.

He adds that it is also extremely tough to keep tabs on these families.

“If you're dealing with a drug abuser, they tend to miss appointments, hide from you and refuse to let you into their homes,” he explains. “If you give them the impression you want to take their kid away, you basically will lose access to the family completely.”

Committee on Children's Rights executive secretary Billy Wong Wai-yuk says children like Chi-wai are voiceless and often face “hidden harms” – the impact of being neglected due to parental addictions, which is usually hard to detect.

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

Wong says better coordination is needed among different sectors to safeguard the well-being of children at risk of “hidden harm”.

There were 874 child abuse cases in 2015, according to the Social Welfare Department. But the government has no statistics on how many drug users have children, nor any statistics on how many abused children have parents who use drugs.

There are, however, at least nine known cases that went to court or are currently in court involving young children who were harmed or had died, with circumstances similar to Chi-wai's and with carers who use drugs.

Wong says another aspect which compounds problems when tackling cases of abuse or neglect is cultural, with deep-rooted thinking in Hong Kong society that children are an “extension” or “property” of their parents, which means children's rights sometimes get swept to the side.

“Hong Kong is rather traditional when it comes to how it sees children. Even frontline social workers sometimes hold the view that keeping the family together should be the biggest aim,” Wong says.

“I'm not saying that children should be taken away from their parents at every small incident, but just that in Hong Kong's situation, we tend to forget the child's perspective and don't act in the child's best interest.”

Ho echoes this, saying social workers often let young children stay with their drug-dependent mothers as a “carrot” to encourage them get to rid of their addiction, without looking into how this might put the child in danger.



Child neglect is common among families where parents are habitual drug users, says retired pediatrician Dr Chow Chun-bong, who for years worked at Princess Margaret Hospital in Kwai Chung and coordinated with NGOs on programmes targeting drug abusers and their children.

“Most of these parents [on drugs] commit child neglect,” he says. “But it’s difficult to find hard evidence and also difficult to catch, because they hide from you.”

Chow says parents – even if they are drug abusers – seldom set out to harm their children, but with their addictions they often unknowingly pass on their stress and trauma.

Their ability to care for their children is also lowered greatly while under the influence of drugs, which is why drug abuse should be taken into account when assessing child abuse and neglect cases, Chow says.

The physical signs with children range from malnutrition, drug poisoning to marks all over their bodies, which could be due to abuse but also carelessness.

‘Children pick up habits and expressions from their parents. They copy and learn from their mum’ – Dr Chow Chun Bong

The effects on children go beyond the physical too, and Chow warns of serious emotional and behavioural issues, on top of the dangers of immediate or direct physical harm.

Chow recalls a mother who had at least four children, and three had extremely problematic behaviour. The children were fathered by different men, some had been expelled from school for fighting or other problems.

“Children pick up habits and expressions from their parents. They copy and learn from their mum,” he says.

The mother, who was hooked on methadone, was not very willing to get help until she got pregnant again, when she went to Chow and asked for help in getting an abortion.

She was not willing to sign off her children because each child brought in welfare money, and she needed the money for her habit.

“That’s the problem right now. We have the MDCC which looks at obvious physical child abuse, but so many of these cases we don’t assess,” says Chow. “We neglect the neglected.”

Chow helped found the Comprehensive Child Development Service for high-risk pregnancies in Kowloon West in 2005, a cross-disciplinary collaboration between medical, education and social work fields targeting neglected children.

About 800 children are born to mothers with drug habits every year, but there is no system to trace them.

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

He says NGOs or social workers working in drug issues only deal with drug issues, as the children are “not part of their jurisdiction”. This compartmentalisation is confirmed by the senior social worker.

“The IFSC social workers aren’t trained specifically to deal with this issue and it doesn’t work,”

Chow says, stressing that specially trained personnel are needed to handle these cases, which involves medical issues on drug dependencies, as well as psychological and emotional issues on the children’s side.

When it comes to addressing flaws in the system, experts suggest a number of initiatives.

Wong advocates criminalisation of exposing drugs to children, and to have that written in as a type of child neglect liable for prosecution.

Ho calls for the MDCC to be made a binding order to strengthen its powers, and also for a mechanism to follow up on care plans. She also says there should be a way to review cases.

Chow says there should be more cross-department support, so the children will not fall through the cracks. What authorities in the field emphasise is that Chi-wai’s case is not isolated.

“It is not a singular case,” Wong says. “How his case was handled will affect other future cases.”

Reference:

<http://www.scmp.com/news/hong-kong/education-community/article/1959473/neglect-neglected-hong-kong-boys-death-exposes>