

聯合國《兒童權利公約》 在香港的實施情況

The Implementation of the
United Nations Convention on the Rights
of the Child in Hong Kong



政制及內地事務局
Constitutional and Mainland Affairs Bureau

目錄

CONTENT

前言 Preface

I. 一般推行措施
General Measures of Implementation

II. “兒童”的定義
Definition of “The Child”

III. 一般原則
General Principles

IV. 公民權利及自由
Civil Rights and Freedoms

V. 家庭環境及家庭以外的照顧
Family Environment and Alternative Care

VI. 基本健康和福利
Basic Health and Welfare

VII. 教育、休閒及文化活動
Education, Leisure and Cultural Activities

VIII. 特別保護措施
Special Protection Measures

小遊戲 Little Games

頁數
Page

2

4

8

1

0

1

4

1

8

2

6

3

4

4

2

5

0

前言

聯合國大會於1989年通過《兒童權利公約》(下稱“《公約》”),確保兒童享有基本人權,包括生存權、全面發展他們生理和心理上的潛能的權利、受到保護以免影響發展的權利,以及於家庭、文化和社交生活的參與權。

《公約》於1994年在香港實施,香港特別行政區(下稱“香港特區”)成立後,《公約》的條文繼續適用於香港。

香港特區須根據《公約》向聯合國提交報告,香港的報告是中國就《公約》提交的報告的一部分。

這本小冊子以兒童容易理解的方式,介紹香港特區根據《公約》提交的第二次報告的內容[#]。報告原文可參閱以下網頁:

http://www.cmab.gov.hk/tc/issues/child_report2.htm

政府在草擬報告時,曾徵詢公眾意見,包括兒童權利論壇成員、立法會及非政府機構的意見。所收到的意見及建議經考慮後,連同有關回應納入報告內。

希望公眾,特別是兒童,藉這本小冊子,能對《公約》及其在香港的實施情況有更深的認識。





Preface

In 1989, the United Nations General Assembly enacted the Convention on the Rights of the Child (the Convention) to safeguard the basic human rights of children, which include the right to life; the right to development of their full physical and mental potential; the right to protection from influences that are harmful to their development; and the right to participation in family, cultural and social life.

The Convention was applied to Hong Kong in 1994, and continues to apply after the establishment of the Hong Kong Special Administrative Region (the HKSAR).

The HKSAR has to submit reports under the Convention to the United Nations. These reports are submitted as part of China's report.

This booklet presents the Second Report of the HKSAR under the Convention in a child-friendly manner[#]. The original text of the Report is available at the following website:

http://www.cmab.gov.hk/en/issues/child_report2.htm

We have consulted the public during its drafting, including members of the Children's Rights Forum, Legislative Council and non-governmental organisations. We have considered the relevant comments and suggestions, and have incorporated them together with the respective responses in the Report.

We hope that, through this booklet, the public and in particular children will have a better understanding of the Convention and its application in Hong Kong.

[#] 小冊子內的數據已經更新。

Information contained therein has been updated.

I. 一般推行措施 (《公約》第4、42及44條)

GENERAL MEASURES OF IMPLEMENTATION (Articles 4, 42 and 44 of the Convention)

根據《公約》第3條，任何關於兒童的事情，應以兒童的最大利益為首要考慮。

Under Article 3 of the Convention, the best interests of the child shall be a primary consideration in matters relating to children.

協調和監察

政府在制訂政策時，兒童的最大利益是必要的考慮因素。不同政策局及部門會作出協調，確保兒童的利益獲得充分考慮。

聯合國兒童權利委員會（下稱“委員會”）建議設立監察兒童權利事宜的機構。政府透過全面的保障人權機制，包括獨立的司法機構、完善的法律制度，以及平等機會委員會（下稱“平機會”）等法定機構推進此工作。政府的政策及措施，亦受立法會、傳媒及市民密切監察。

Co-ordination and monitoring

The best interests of the child are necessary considerations in Government's policy-making. Different bureaux and departments will co-ordinate to ensure adequate consideration is given to the interests of children.

The United Nations Committee on the Rights of the Child (the Committee) recommended establishment of an institution to monitor children's rights issues. The Government makes use of the extensive mechanism for the protection of human rights. It includes an independent judiciary, a sound legal system and independent statutory bodies such as the Equal Opportunities Commission (EOC). Government policies are also closely monitored by the Legislative Council, the media and the public.



你知道嗎？平機會是一個法定機構，負責監察《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》及《種族歧視條例》的實施情況。

Do you know? EOC is a statutory body responsible for overseeing the implementation of the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the Race Discrimination Ordinance.



平機會網頁 Website of EOC: <http://www.eoc.org.hk>

與兒童及非政府機構的合作

政府透過不同渠道與非政府機構合作，包括資助“兒童議會計劃”及舉辦“兒童權利教育活動資助計劃”，以推廣《公約》，加深公眾對《公約》的認識，並實踐兒童所發表的意見受到尊重的權利。

兒童權利論壇亦讓兒童代表和關注兒童權利的非政府機構與政府交換意見。

Engagement with children and non-governmental organisations (NGOs)

The Government co-operates with NGOs through different channels, including sponsoring the “Children’s Council Project” and organising the “Children’s Rights Education Funding Scheme”, so as to promote public awareness of the Convention and give practical effect to the rights of children to have their views respected.

The Children’s Rights Forum enables children representatives and NGOs concerned with children’s rights to exchange views with the Government.

? 你認識“兒童議會”嗎？政府歷年資助的兒童議會計劃已招募了超過300位兒童當兒童議員。他們曾親身體驗議員的工作，並就各個有關兒童的議題發表意見呢！

Do you know “Children’s Council”? More than 300 children have been recruited to become Child Councillors in the Government’s Children’s Council Project over the years. They have experienced the work as a councillor and shared their views on various issues relating to children.

👉 兒童議會網頁：
Website of the Children’s Council:
<http://www.childrencouncil.org.hk>



收集數據

政府統計處進行人口普查及各項研究，搜集兒童及其他年齡人士的數據及特徵，協助政府制訂政策及措施。另外，政府各政策局及部門也就其負責的範疇，備有相關的兒童統計數據。

Data collection

To assist the Government in formulating policies and measures, the Census and Statistics Department collects data and characteristics of children and people of other ages through the population censuses and various studies. Government bureaux and departments also keep relevant statistical information of children that are relating to their areas of responsibilities.



各項關乎兒童課題的主要數據及資料，包括人口、學校的師生比例已上載到以下網站。快登入看看：
http://www.cmab.gov.hk/tc/issues/child_statistics.htm

Various child-related statistics and information such as population and student-teacher ratio have been uploaded to the following website. Check it out for more information:
http://www.cmab.gov.hk/en/issues/child_statistics.htm

推廣《公約》和兒童權利

政府透過不同途徑，包括電視廣告及漫畫小冊子，宣揚《公約》和尊重兒童權利的信息。

Promotion of the Convention and children's rights

The Government promotes the Convention and respect of children's rights through different means, including television advertisement and comic booklet.



香港特區根據《公約》提交的報告

報告已上載政府網頁，你亦可到各區民政事務處諮詢服務中心索取報告的印文本。

Report of HKSAR under this Convention

The Report has been uploaded to the Government Webpage. Copies of the Report are also available at the Public Enquiry Services Centres of District Offices.



你知道嗎？根據《公約》，締約國每五年向委員會提交一次報告，提供《公約》在所屬國家實施情況的資料。

Do you know? Under the Convention, State Parties submit reports to the Committee every five years, to provide information on the implementation of the Convention in their respective countries.

II. “兒童”的定義 (《公約》第1條)

DEFINITION OF “THE CHILD”

(Article 1 of the Convention)

根據《公約》第1條，兒童是18歲以下的人士。

Under Article 1 of the Convention, a child is a person below the age of 18.

? 你知道嗎？在2011年，18歲以下的男性及女性分別佔香港總人口的8.5%和7.9%。

Do You Know? In 2011, males and females aged below 18 accounted for 8.5% and 7.9% of the population in Hong Kong respectively.

有不少範疇以18歲以下的人士為“兒童”的法定定義。例如：法例禁止向未滿18歲人士出售或供應酒精飲品、煙草和不雅物品；禁止他們進入馬場、投注站和麻雀館；以及禁止利用他們製作色情物品。

因應個別原因，在某些範疇，“兒童”的定義有所不同，例如：締結婚姻的最低年齡為16歲；須負刑事責任的最低年齡為10歲。



In many areas, the legal definition of a child is a person under the age of 18. For example, the law prohibits the sale or supply of intoxicating liquor, tobacco products and indecent articles to persons under the age of 18 years, prohibits their entry to racecourses, off-course betting centres and mahjong parlours; and prohibits using them in the production of pornography.

For respective reasons, a different definition of “the child” is adopted in some areas. For example, the minimum age of marriage is 16 years and the minimum age of criminal responsibility is 10 years.



III. 一般原則 (《公約》第2、3、6及12條) GENERAL PRINCIPLES (Articles 2, 3, 6 and 12 of the Convention)

根據《公約》第2條，每一兒童，無分身分、性別、背景，都可享受《公約》內的權利。

Under Article 2 of the Convention, each child, whatever his or her identity, sex and background, has all the rights in the Convention.

立法禁止歧視

政府回應了委員會的建議，制訂《種族歧視條例》，並在2009年7月予以全面實施。條例訂明種族歧視、騷擾及中傷是不合法的。平機會負責消除性別、殘疾、家庭崗位及種族歧視，並透過宣傳及公眾教育，促進人人享有平等機會。

Legislation against discrimination

In response to the recommendation of the Committee, the Race Discrimination Ordinance was enacted, and came into full operation in July 2009. According to the Ordinance, discrimination, harassment and vilification on the ground of race are unlawful. The EOC is responsible for the elimination of discrimination on grounds of sex, disability, family status and race and the promotion of equal opportunities through publicity and public education.



❓ 你知道嗎？ 某些稱呼可能會令某種族的人感到受冒犯或無禮對待。使用這些稱呼可能會構成《種族歧視條例》下的“種族騷擾”。

Do You Know? People of certain races may find it offensive or impolite if you call them by certain names. Calling them by such names may amount to “racial harassment” under the Race Discrimination Ordinance.

政府資助非政府機構營辦四個少數族裔人士支援服務中心，提供語文課程及其他支援服務，促進少數族裔人士及其兒童融入社區。

The Government has sponsored NGOs to establish four support service centres for ethnic minorities, which provide language courses and other support services, to promote integration of ethnic minorities and their children into the community.



根據《公約》第3條，任何關於兒童的事情，應以兒童的最大利益為首要考慮。

Under Article 3 of the Convention, the best interests of the child shall be a primary consideration in matters relating to children.

兒童的最大利益，無論在任何立法建議、政策決定，或在社會福利、教育等方面都是十分重要的因素。法院在合適情況下，亦會考慮《公約》的有關規定。

The best interests of the child are very important in legislative proposals and policy decisions as well as in areas such as social welfare and education. The Convention will be taken into account in the courts where appropriate.

根據《公約》第6條，每個兒童均有生存及發展的權利。

Under Article 6 of the Convention, every child has the right to life and development.

政府於2011年完成了一項為期三年的檢討兒童死亡個案先導計劃，在同年成立了檢討兒童死亡個案的常設機制，以改善保護兒童措施和兒童福利服務，以及預防同類個案發生。

After the completion of a 3-year Project on Child Fatality Review in 2011, the Government set up a standing child fatality review mechanism in the same year to improve child protection and child welfare services and to prevent similar cases.

❓ 你知道嗎？政府已於2011年5月成立一個常設及獨立的兒童死亡個案檢討委員會，檢討目的在於改善現行保護兒童及兒童福利服務的制度，以及促進跨界別、跨專業的合作，以預防可避免的兒童死亡事件。

Do you know? The standing and independent Child Fatality Review Panel was set up in May 2011. The review aims to improve the current child protection and child welfare service systems and to promote inter-sectoral and inter-disciplinary collaboration for preventing avoidable child deaths.

根據《公約》第12條，有主見能力兒童所發表的意見應獲得適當尊重。

Under Article 12 of the Convention, the views of the child, who is capable of forming his or her own views, shall be duly respected.

政府透過不同渠道，討論影響兒童的政策或措施的制訂及實施，例如在制訂新高中課程時，以焦點小組訪談方式收集學生的意見。在懷疑虐待兒童的個案中，兒童亦參與福利計劃的制訂和推行。

The Government discusses the formulation and implementation of policies and measures affecting children through various channels. For example, in the formulation of New Senior Secondary Curriculum, students' views were collected through focus groups. In suspected child abuse cases, children were involved in the formulation and implementation of welfare plans.

 **想知道過往兒童權利論壇曾經討論什麼與兒童有關的議題嗎？快登入這個網址看看吧：**

http://www.cmab.gov.hk/tc/issues/child_forum.htm

Check out this website to find out the past discussion topics on children related issues at the Children's Rights Forum:

http://www.cmab.gov.hk/en/issues/child_forum.htm



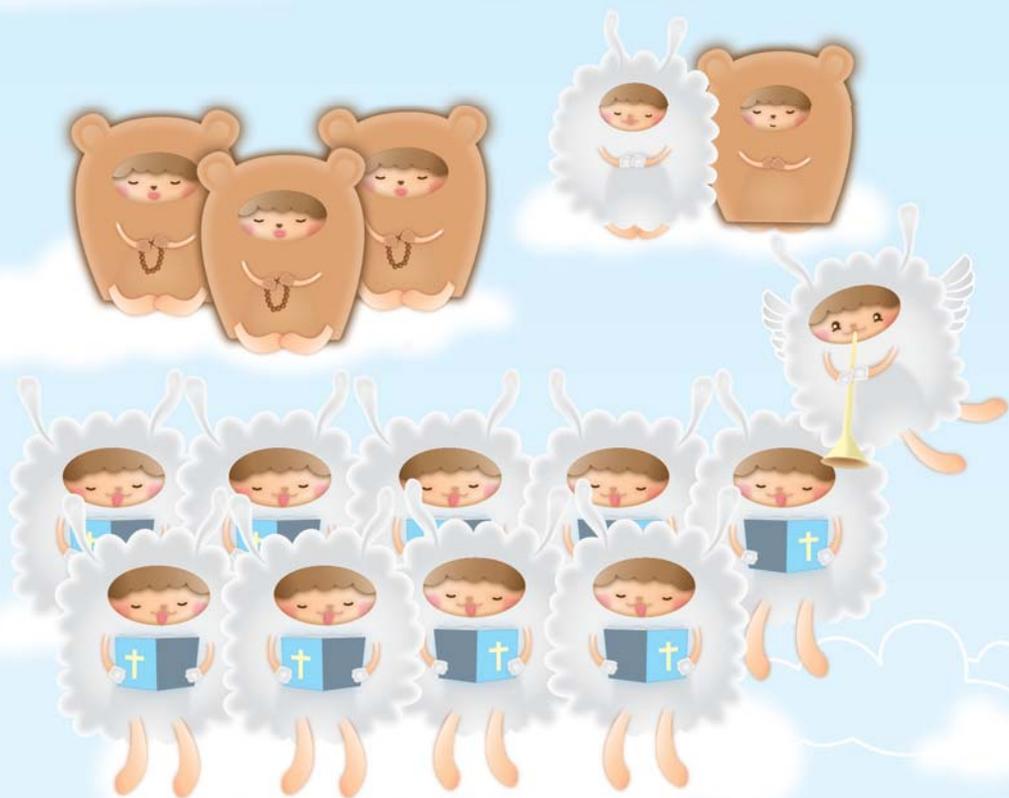
IV. 公民權利及自由 (《公約》第7、8、13至17及37(a)條)

CIVIL RIGHTS AND FREEDOMS

(Articles 7, 8, 13 to 17 and 37(a) of the Convention)

兒童享有言論、思想、信念、宗教信仰、結社及集會自由的權利受《基本法》和《香港人權法案條例》保障。

法例禁止在學校和幼兒中心等地方施行體罰。委員會關注未有明確禁止在家中施行體罰的法例。事實上，超過16歲而又對任何不足16歲的兒童負有管養責任的人士對該兒童施行暴力，在現行法例下均屬違法。政府會繼續向家長宣傳保護兒童的重要性，以及管教子女的技巧。





Children's right to freedoms of speech, thought, conscience, religious belief, association and assembly are protected under the Basic Law and the Hong Kong Bill of Rights Ordinance.

Corporal punishment is prohibited by law in schools and childcare centres. The Committee was concerned that there is no explicit prohibition by law regarding corporal punishment within the family. As a matter of fact, it is unlawful for a person aged above 16 who has custody of any child under 16 to assault the child. The Government will continue to promote to parents the importance of child protection and parenting skills.

 你知道在《基本法》和《香港人權法案條例》下，個人權利還受到什麼保障嗎？快登入這兩個網址看看：

- <http://www.basiclaw.gov.hk/tc/index/>
- <http://www.hkii.org/hk/legis/ch/ord/383/index.html/>

Do you know what rights of individuals are protected under the Basic Law and the Hong Kong Bill of Rights Ordinance? Check out these websites for more information:

- <http://www.basiclaw.gov.hk/en/index/>
- <http://www.hkii.org/hk/legis/en/ord/383/>

接觸適當的資訊

兒童有權獲得有益的資訊，免費電視節目的服務提供者每日須播放最少兩小時的兒童節目。此外，政府製作以學校課程為本的教育電視節目，在電視及網上播放。

政府在公眾地方設置可使用互聯網的電腦，並推出多項措施，例如向合資格低收入家庭的在學兒童發放上網費津貼，並推出上網學習支援計劃協助購置價格相宜的電腦和上網服務，以及提供培訓與使用上的支援，支持他們上網學習。政府亦舉辦不同活動，推廣安全正確使用互聯網的信息。

政府透過電影分級制，保護18歲以下兒童免於接觸不良影片。

Getting appropriate information

Children have the right to get information which promotes their well-being. Free television programme service providers are required to broadcast a minimum of two hours of children's programmes daily. In addition, the Government produces curriculum-based educational television programmes for broadcast through television and Internet.

The Government has facilitated computer / Internet access in public areas and launched various measures to support school-age children from low income families to undertake web-based learning, such as granting subsidy on Internet access charges to eligible families and implementing the Internet Learning Support Programme to help them acquire affordable computer equipment and Internet access service, as well as to provide them with training and user support. The Government has also organised various activities to promote the proper attitude of using the Internet.

The film classification system protects young people under the age of 18 years from exposure to films which might be harmful to them.



考考你：你知道電影分多少個級別及每一級的規定嗎？18歲以下兒童不可觀看的屬哪一個級別的电影？

Quiz Time! Do you know how many categories are films classified into and the requirement for each category? Films of which category cannot be viewed by children under the age of 18?



在香港公映上埠的电影的評級如下：
Film Classification System in Hong Kong:

第I級影片

- 適合任何年齡人士觀看
- Category I**
- Approved for exhibition to persons of any age



第IIA級影片

- 兒童不宜
- Category IIA**
- Not suitable for children



第IIB級影片

- 青少年及兒童不宜
- Category IIB**
- Not suitable for young persons and children



第III級影片

- 只准18歲或以上人士觀看
- Category III**
- Approved for exhibition only to persons who have attained the age of 18 years



18歲以下兒童不可觀看被評為第III級的电影片。
(第IIA及IIB級屬勸諭性質，但第III級电影片的年齡限制則會嚴格依法執行)
Children under the age of 18 cannot watch films classified as Category III.
Categories IIA and IIB are advisory in nature, but the age restriction for Category III films is strictly and legally enforced)

V. 家庭環境及家庭以外的照顧

(《公約》第5、9至11、18(1)及18(2)、19至21、25、27(4)及39條)

FAMILY ENVIRONMENT AND ALTERNATIVE CARE

(Articles 5, 9 to 11, 18(1) and 18(2), 19 to 21, 25, 27(4) and 39 of the Convention)

根據《公約》第19條，兒童在受照料時，不得受忽視或虐待。

Under Article 19 of the Convention, the child shall be protected from being neglected or mistreated by anyone who looks after him/her.

保障兒童免遭虐待

法例保障了兒童免遭虐待，在2008年修訂的《家庭暴力條例》，(條例已由2010年1月起進一步修訂為《家庭及同居關係暴力條例》)，讓兒童可透過其起訴監護人向法院申請強制令，使他們免受其父母或親屬的騷擾。

政府設有專責單位，由具經驗的社工為被虐待的兒童及其家人提供輔導和轉介等服務。政府亦為有關的專業人員提供有關保護曾受虐或懷疑受虐兒童的指引及訓練。

政府亦與非政府機構合作，向施虐者提供輔導和治療，協助他們改變態度和行為。

政府透過教育及宣傳活動，讓兒童學會保護自己免受虐待，以及提高公眾對預防家庭暴力的意識。政府亦向在管教子女方面有困難的家庭提供針對性的支援服務，以預防家庭破裂或虐兒問題。

有建議成立專責處理家庭暴力的法庭。政府自2008年10月起實施新措施，以加快處理合適的家庭暴力個案。

Protecting children from abuse

The law protects children from abuse. With the amendments to the Domestic Violence Ordinance in 2008 (the Ordinance has been further amended as the Domestic and Cohabitation Relationships Violence Ordinance since January 2010), a child may apply for an injunction order through his/her next friend against harassment by his/her parents or relatives.

The Government has established specialised units with experienced social workers to provide counselling and referral services to the victims of child abuse and their families. The Government also provides guidance and training to concerned professionals on providing protection to children who have been, or suspected to have been abused.

The Government also collaborates with NGOs in providing counselling services and special treatments for batterers to help them change their attitude and behavior.

The Government arranges education and publicity activities to help children learn how to protect themselves against abuse and enhance public awareness on the prevention of domestic violence. The Government also provides targeted support services to families with difficulties in guiding and supervising their children, with a view to preventing family breakdown or child abuse.

There were suggestions to set up a specialised domestic violence court. Since October 2008, a new measure has been put in place for faster processing of suitable domestic violence cases.

 **小貼士：**如果你懷疑有兒童受到虐待，可以致電各區社會福利署保護家庭及兒童服務課（社會福利署熱線電話：2343 2255）。你也可以告知你熟悉的專業人士，例如老師、輔導主任及社工，或向警方求助。

Tips for You: If you suspect that a child has been abused, you can call the Family and Child Protective Services Units of Social Welfare Department (Social Welfare Department Hotline: 2343 2255). You can also approach professionals you are familiar with, such as teachers, student guidance teachers and social workers, or call the police for assistance.



家長輔導和責任

照顧兒童是父母的基本責任。政府提倡及推廣家庭核心價值，即“愛與關懷”、“責任與尊重”及“溝通與和諧”。

政府致力推廣家庭生活教育，包括於綜合家庭服務中心、綜合服務中心、綜合青少年服務中心、醫院、母嬰健康院及學校舉辦不同類型的活動，讓父母或準父母掌握身為家長所需的知識及技巧。

法例保障兒童免被疏忽照顧及虐待。為協助家長照顧兒童，政府資助非政府機構提供託兒及照顧服務，亦引入較具彈性的斬新服務，包括招募社區居民及訓練社區保姆照顧兒童、延長服務時間等。



Parental guidance and responsibilities

The primary responsibility for providing adequate care to children rests with their parents. The Government promotes the family core values, which are “Love and Care”, “Respect and Responsibility”, and “Communication and Harmony”.

The Government strives to promote family life education through organising programmes in various integrated family service centres, integrated services centres, integrated children and youth services centres, hospitals, Maternal and Child Health Centres and schools to equip parents and parents-to-be with the necessary knowledge and skills as parents.

The law protects children from neglect and abuse. To assist parents in taking care of their children, the Government provides subvention to NGOs to provide various kinds of child care services. New child care services which are more flexible have been launched, including the recruitment and training of community child-carers and extension of service hours.



根據《公約》第9及第10條，在符合兒童最大利益的情況下，兒童有權與父母同住。

Under Articles 9 and 10 of the Convention, the child has the right to live with his or her parents, unless this is contrary to the child's best interests.

與父母分離的兒童的利益受法律保障，他們會獲得輔導和監護等服務。我們正研究就兒童監護權及管養權的改革建議，以進一步保障兒童的最佳利益。

就父母其中一方單獨管養孩子的申請，社工會以兒童的福利為首要考慮，並向法庭提交調查報告，協助法庭、父母及有關孩子就管養、探視和監護安排作出適當決定。

若育有年幼子女的母親被判處監禁，懲教署可准許子女跟隨她生活，直至三歲為止。若干女子懲教設施設有親子中心，容許未成年子女與母親每日有半天見面的時間。

The interests of the child in cases of separation of parents are protected under law. These children will receive counselling and guardianship services. The Government is studying the reform proposals on guardianship and custody of children, so as to enhance the protection of the best interests of children.

Regarding the arrangement of sole custody of the child by either parent, social workers will take the child's welfare into prime consideration and provide investigation reports to the court with a view to assisting the court, the parents and the children to arrive at an appropriate decision regarding the custody, access and guardianship of the children.

If mothers taking care of infants are imprisoned, the Correctional Services Department may permit their children to live with them, until reaching the age of three. Certain female correctional facilities are equipped with parent-child centres, where minor children can meet their mothers for half a day every day.



新來港定居兒童及跨境家庭兒童

政府編製了《新來港定居人士服務指南》，並與非政府機構舉辦各項地區活動及計劃，包括語文及適應課程、分享小組及熱線服務，以協助新來港定居人士早日融入社會及教育制度。

社會福利署資助一間非政府機構提供跨境及國際個案工作服務，目的是協助個人及家庭處理因香港特區與中國其他地區/其他國家分隔而產生的問題。

Newly arrived children and children from cross-boundary families

To facilitate early integration of new arrivals into the local community and education system, the Government has published a Handbook on Services for New Arrivals and collaborated with various NGOs for organising activities and programmes at district level. They include familiarisation courses, experience sharing and hotline services.

Social Welfare Department commissioned an NGO to provide cross-boundary and inter-country casework service. The objective of the service is to help individuals and families handle and solve problems arising from geographical separation between Hong Kong and other Mainland territories / countries.



想想看：假如你是新來港定居的兒童，你希望遇到下列哪些情況呢？



Think About It: If you were a newly arrived child, what kind of situation do you want yourself in?

- 與其他兒童融洽相處
Getting along well with other children
- 由於不太懂得廣東話，因此不敢外出
Staying at home because you don't speak Cantonese well
- 擔心不認識本地情況
Worrying about inadequate understanding of local situation
- 可以繼續自己的文化習俗
Being able to maintain your own cultural traditions
- 可以參加社區中心舉辦的課程
Being able to join programmes organised by community centres

你如何能夠出一分力，幫助新來港定居的兒童融入社會？

How can you help newly arrived children integrate into the community?



追討子女贍養費

政府已推行各種措施，處理贍養費受款人所遇到的困難，包括扣起贍養費支付人的入息，以追索兒童的贍養費。

Recovery of child maintenance

The Government has enhanced the enforcement of measures to tackle the difficulties faced by the recipients of maintenance, including the deduction of income of child maintenance payers to recover the child maintenance.

❓ 你知道嗎？ 贍養費一般指在父母離異後，由其中一方(支付人)給予另一方(受款人)，用作供養子女生活及教育的款項。贍養費支付人可以是父親或母親。

Do You Know? Maintenance generally refers to payments made by one party (payer) to the other party (recipient) for the financial care and education needs of children after the parents have divorced. The child maintenance payer can be either a father or a mother.

根據《公約》第21條，收養兒童的事宜應以兒童的最大利益為首要考慮，並按適當的法律程序作出安排。

Under Article 21 of the Convention, for matters concerning adoption of child, the best interests of the child should be the first concern. Arrangements should be made according to applicable law and procedures.

法例規定，法庭在發出領養令前，必須顧及受領養兒童的年齡及理解能力，並考慮他們的意願及意見。如知悉受領養兒童親生父母的下落，政府會為他們提供輔導，協助他們為子女制訂最妥善的福利計劃。

Under the law, due consideration would be given to the wishes and opinions of children to be adopted, having regard to their age and understanding, before the court makes an adoption order. In cases where the birth parent(s) is(are) known, the children would be given counselling to help them formulate the best welfare plan for the child.

VI. 基本健康和福利

(《公約》第6、18(3)、23、24、26及27(1)-27(3)條)

BASIC HEALTH AND WELFARE
(Articles 6, 18(3), 23, 24, 26 and 27(1) to 27(3)
of the Convention)



根據《公約》第6條，每個兒童均有生存及發展的權利。

Under Article 6 of the Convention, every child has the right to life and development.

在過去20年，香港的嬰兒死亡率持續下降，於2011年為0.12%。

The infant mortality rate in Hong Kong has declined steadily over the past 20 years to 0.12% in 2011.



你知道嗎？香港嬰兒死亡率可媲美其他已發展的經濟體系。

Do You Know? The infant mortality rate in Hong Kong compares favourably with other developed countries.

政府鼓勵母親以母乳餵哺嬰兒。除了推行公眾教育外，政府在政府及公共樓宇設立方便餵哺母乳的設施。

就兒童道路安全方面的措施，政府加強教育兒童在使用道路時的安全，亦重視校巴及學校私家巴士的安全，如規定接載幼稚園或小學學生時必須提供保姆跟車、要求裝設保護式的座椅等。

The Government encourages mothers to breastfeed their infants. Apart from public education, the Government has installed breastfeeding-friendly facilities in government and public buildings.

Regarding measures on road safety for children, education on road safety among children has been enhanced. The Government also attaches great importance to the safety of school buses and school private light buses, including ensuring the presence of child-minders on school buses with kindergarten or primary school pupils and the installation of protective seats.



根據《公約》第23條，殘疾兒童有接受特別照顧和援助的權利，使他們可自立及積極參與社會。

Under Article 23 of the Convention, a child with disability has the right to special care and help, so that he or she can live an independent life and participate in the community actively.

《殘疾人權利公約》適用於香港，確保殘疾兒童在與其他兒童平等的基礎上，充分享有一切人權和基本自由。政府會繼續透過公眾教育，推廣《殘疾人權利公約》，加強市民對各類殘疾的認識和接納。

政府透過各項預防、識別、評估服務和訓練，為有需要的殘疾兒童及其家人提供支援。政府着重及早識別，以防止輕微的障礙演變成嚴重或永久的殘疾，亦為殘疾及患病兒童提供額外援助，例如社區生活補助金及交通補助金等。



政府會適時檢討無障礙通道的現有指引，並繼續改善政府建築物及設施的無障礙通道，以及鼓勵改善公共交通設施，以提供方便殘疾人士使用的通道和設施，締造無障礙生活環境。

The Convention on the Rights of Persons with Disabilities (CRPD) is applicable to Hong Kong, ensuring that children with disabilities can fully enjoy all human rights and fundamental freedoms on an equal basis with other children. Through public education, the Government will continue to promote the CRPD and to deepen the public's knowledge and acceptance of different disabilities.

Through various prevention, identification, assessment services and training, the Government provides support to children with disabilities and their families where necessary. The Government emphasises on early identification and the prevention of a mild impairment from becoming a serious or permanent disability and also provides extra assistance including community living supplement and transport supplement to children with disabilities or who suffer from illnesses.

The Government will review the existing guidelines on barrier free access at suitable intervals and continue to upgrade the barrier free access of Government premises and facilities, as well as to encourage improvements in public transport facilities in order to provide barrier free access and facilities to persons with disabilities.



考考你！你知道健康飲食的原則嗎？

Quiz Time! Do you know the principles of healthy eating?



吃最少

脂肪、油、鹽、及糖類

Eat Less

Fat, oil, salts and sweets



吃適量

牛奶、奶類產品、
芝士類、瘦肉、
家禽類、魚類、
豆類及蛋類

Eat Moderately

Milk, dairy products,
cheese, meat, poultry, fish,
dry beans and eggs



吃多些

水果類及蔬菜、
瓜類

Eat More

Fruits and
vegetables



吃最多

穀類、麵包、
飯、粉及麵

Eat Most

Grains and
cereals, bread,
rice and noodles



每天應喝6至8杯流質飲品，如開水、清茶和清湯。

You should drink 6–8 glasses of fluid (water, tea and soup, etc.) every day.

除了依照上述“健康飲食金字塔”的原則均衡飲食外，我們亦需注意飲食要定時和定量啊！

Besides following the above "Food Pyramid" to pick your food for a balanced diet, we should also take our meals regularly and in adequate amounts.

資料來源：衛生署中央健康教育組健康地帶網站

Source of information: Health Zone Website, Central Health Education Unit, Department of Health



青少年保健方面，政府透過學生健康服務，提供全面的健康推廣及疾病預防服務，促進和保持中小學生的身心健康。政府亦開展了青少年健康服務計劃，促進青少年的心理及身體健康。健康護理教育則着重培育學生尊重他人、責任感和承擔精神等價值觀，協助他們在面對青春期的挑戰時作出正確的價值判斷。

性健康和生殖健康教育是學校課程的重要一環。性教育在新高中課程中會進一步加強，在通識教育科等其他學科亦有探討相關課題。另外，政府為懷孕的青少年提供輔導、轉介及跟進服務。

政府推行各項計劃，包括為15至25歲、初次出現偶發性精神病的青少年而設的“思覺失調”服務計劃，以及早識別和治療患有精神病的年輕人，並在有需要時為有情緒問題的兒童及青少年提供外展服務。

政府與不同界別緊密合作，透過一系列預防、支援和補救計劃和服務，提升年青人的抗逆能力，以預防青少年自殺。

就青少年吸煙及酗酒問題，法例禁止向兒童售賣煙草產品，亦禁止領有牌照的處所准許兒童飲用令人醺醉的酒類。政府透過宣傳及教育，在青少年之間培養無煙文化，並教導市民吸煙及酗酒的風險和害處。

就受愛滋病毒感染的兒童，政府的政策是他們不會在學校或使用設施時受到隔離。在預防兒童感染愛滋病毒方面，透過產前愛滋病毒抗體普及測試以防止母嬰傳染，是政府的首要工作。

！ 想想看：你上一次到學生健康服務中心接受了什麼服務呢？
Think About It: What service did you receive when you visited the Student Health Service Centre last time?





Regarding adolescent health issues, the Student Health Service provides a comprehensive range of promotional and preventive services to promote the physical and psychosocial health of primary and secondary students. The Government has also introduced the Adolescent Health Programme to promote psychosocial as well as physical health of adolescents. Health care education nurtures values including respect for others, responsibility and commitment in students so that they can exercise proper value judgment when they come across the challenges of adolescence.

Sex health and reproductive health education are important components of the school curriculum. Sex Education is further enhanced in the New Senior Secondary Curriculum. Other examples, such as Liberal Studies, also address related issues. Furthermore, the Government provides counselling, referral and follow-up services to pregnant teenagers.

The Government has launched various campaigns, including Early Assessment and Detection of Young Persons with Psychosis Programme which targets at young people aged between 15 and 25 with first episode psychosis, for the early detection and treatment of young people with psychotic illnesses and providing outreach service for children and adolescents with emotional problems when necessary.

To combat youth suicide, the Government provides a range of preventive, supportive and remedial programmes and services in collaboration with various sectors, strengthening young people's ability to cope with crisis.

On the problems relating to tobacco smoking and alcohol consumption by young people, the law prohibits the sale of tobacco products to children, and prohibits children from drinking any intoxicating liquor on any licensed premises. Through publicity and educational programmes, the Government cultivates a smoke-free culture among youngsters and educates the public on the hazards and harms of tobacco and the misuse of alcohol.

For children infected with HIV, the Government's policy is that they will not be quarantined at school or when using facilities. The prevention of mother-to-baby infection through Universal Antenatal HIV Testing is the Government's primary task in this respect.



根據《公約》第26及27條，兒童應獲得社會保障，並享有足以促進其身心、精神、道德和社會發展的生活水平。

Under Articles 26 and 27 of the Convention, the child shall benefit from social security and enjoy a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

政府訂立多項指標，以審視香港貧窮問題，及了解社會上不同組別人士，(包括兒童)的需要，以制訂幫助有需要人士的政策。為減少跨代貧窮的情況，政府在2008年成立了3億元的兒童發展基金，為弱勢社群的兒童提供更多長遠的個人發展機會，並鼓勵他們養成建立資產的習慣。

政府繼續透過綜合社會保障援助(下稱“綜援”)計劃提供安全網，協助家庭(包括兒童成員)應付基本生活需要。綜援計劃因應兒童的特別需要，提供學費、就學開支、膳食、往返學校的交通費、公開考試費等津貼，並向單親家長及家庭照顧者提供更高的綜援標準金額，亦向單親家庭提供補助金。18歲以下的香港居民申請綜援時可獲豁免符合居港的規定。

政府致力減少居住環境欠佳的住戶數目，並透過安排有需要的住戶入住公共租住房屋，改善他們的生活環境。

 想知道更多有關兒童發展基金的詳情嗎？快登入以下網址：
Want to know more about the CDF? Check out this website
for detailed information:
<http://www.cdf.gov.hk/>

The Government has established a number of indicators for monitoring the poverty situation in Hong Kong and understanding the needs of different groups of people, including children, to implement policies in aid of the needy. In 2008, the Government set up the \$300 million Child Development Fund (CDF) to provide children from a disadvantaged background with more longer-term personal development opportunities and encourage these children to develop an asset-building habit with a view to reducing poverty across generations.

The Government continues to provide a safety net to help families (including their children) meet basic needs through the Comprehensive Social Security Assistance (CSSA) Scheme. Catering for special needs of children, the CSSA Scheme provides special grants for school fees, school related expenses, meals, fare to and from schools, public examination fees, etc, as well as higher standard rates to single parents and family carers. A monthly supplement is payable to single parent families. Hong Kong residents aged below 18 are exempted from the residence requirements in CSSA applications.

The Government is committed to reducing the number of inadequately housed households and improving their living environment by providing Public Rental Housing to households in need.



VII. 教育、休閒及文化活動 (《公約》第28、29及31條)

EDUCATION, LEISURE AND CULTURAL ACTIVITIES

(Articles 28, 29 and 31 of the Convention)

根據《公約》第28及29條，兒童有受教育的權利，以充分發展其個性、才智和身心能力，培養對人權、他人及自然環境的尊重及責任感。

Under Articles 28 and 29 of the Convention, the child has the right to education, in order to develop his or her personality, talents and abilities to the fullest, develop respect for human rights, respect for others, respect for the natural environment and a sense of responsibility.

學前教育方面，除了對幼稚園的支援外，政府自2007-08學年開始推行“學前教育學券計劃”，向符合資格的幼稚園學童的家長提供學費資助。公營小學已由2009-10學年起，在條件許可的情況下，分階段實施小班教學，並逐年推展至2014-15學年涵蓋小一至小六所有班級，以在小班的環境下優化教與學。

政府由2008-09學年起把免費及普及基礎教育推展至公營中學的高中教育。高中及高等教育的新高中學制由2009-10學年起推行，由三年初中基礎教育，三年高中和四年的大學課程組成。政府在2010-11學年落實微調中學教學語言，學校可因應學生的學習能力和學校情況，採用適合的教學語言安排，以進一步提升學生的英語能力。

On pre-primary education, besides providing support to kindergartens, the Government has introduced the Pre-primary Education Voucher Scheme since the 2007–08 school year to provide fee subsidy to parents of eligible kindergarten students. In addition, small class teaching has, where circumstances permit, been implemented in public sector primary schools by phases starting from Primary 1 in the 2009–10 school year and extending progressively to cover Primary 1 to Primary 6 by the 2014–15 school year to improve the quality of teaching and learning in a small class environment.

Starting from the 2008–09 school year, free and universal basic education has been extended to include senior secondary education provided by public sector secondary schools. The New Senior Secondary academic structure for secondary education and higher education has been implemented from the 2009–10 school year. On top of the three-year junior secondary level of basic education, the new academic structure comprises a three-year school curriculum at senior secondary level and a four-year undergraduate programme at university level. From the 2010–11 school year, the Government has implemented the fine-tuning of medium of instruction for secondary schools. Schools adopt suitable medium of instruction arrangements having regard to their students' ability as well as school circumstances so as to further enhance students' English proficiency.





職業教育和訓練方面，職業訓練局是提供職業教育和培訓的主要機構，並通過其轄下機構如香港專業教育學院、香港知專設計學院、旅遊服務業培訓發展中心、中華廚藝學院、海事訓練學院、卓越培訓發展中心、青年學院、匯縱專業發展中心及展亮技能發展中心等提供課程。

委員會就中學輟學率、校園欺凌和學校制度的競爭性的問題表示關注。政府要求學校須在學生缺課的第七天作出申報，不論缺課原因、年齡和班級，讓有關各方可以及時介入和提供合適的支援。

政府對校園欺凌採取零容忍政策。除了提供中、小學學生輔導人員/學校社工外，也將“校園欺凌”列為教師訓育及輔導課程的必修單元，以增進他們對此問題的認識和處理技巧。同時，政府為學生推行多項計劃與跟進活動，以宣揚尊重與關愛的校園文化。

政府同意兒童在學校應有更多時間參與課外活動以及在家中，有更多餘暇。為減少教育制度的競爭性，政府取消了小學的學能測驗，並把學生升中派位組別由五個減至三個。政府並透過全方位學習，減輕以成績為本的壓力。

On vocational education and training, the Vocational Training Council (VTC) is the main provider of vocational education and training. The VTC provides programmes through its member institutes such as the Hong Kong Institute of Vocational Education, Hong Kong Design Institute, Hospitality Industry Training and Development Centre, Chinese Cuisine Training Institute,



Maritime Services Training Institute, Pro-Act Training and Development Centres, Youth College, Integrated Vocational Development Centre and Shine Skills Centre.

The Committee expressed concerns about the dropout rate in secondary schools, school bullying and competition in education system. The Government requests schools to report on the seventh continuous day of absence of any student, regardless of the reasons of absence, age or class, to ensure the relevant parties can provide timely intervention and appropriate support.

The Government adopts a zero tolerance policy on school bullying. Besides providing school guidance personnel / school social workers in primary and secondary schools, “school bullying” is a core topic in the training courses for guidance and discipline teachers to enhance their knowledge and skills on the issue. A number of projects and follow-up activities are also organised for students so as to promote a respectful and caring culture at school.

The Government agrees that children should have more time to participate in extra-curricular activities at school and should have more leisure time at home. The Government abolished the Academic Aptitude Test in primary school and reduced students’ bandings for allocation of Secondary 1 places from five to three so as to reduce the competitiveness of the education system. The result-oriented pressure is lessened through life-wide learning.



小貼士：假如你在校園內目睹同學被欺凌，應立即通知老師或學校社工。

Tips For You: If you see your schoolmates being bullied at school, you should immediately report to teachers or school social worker.



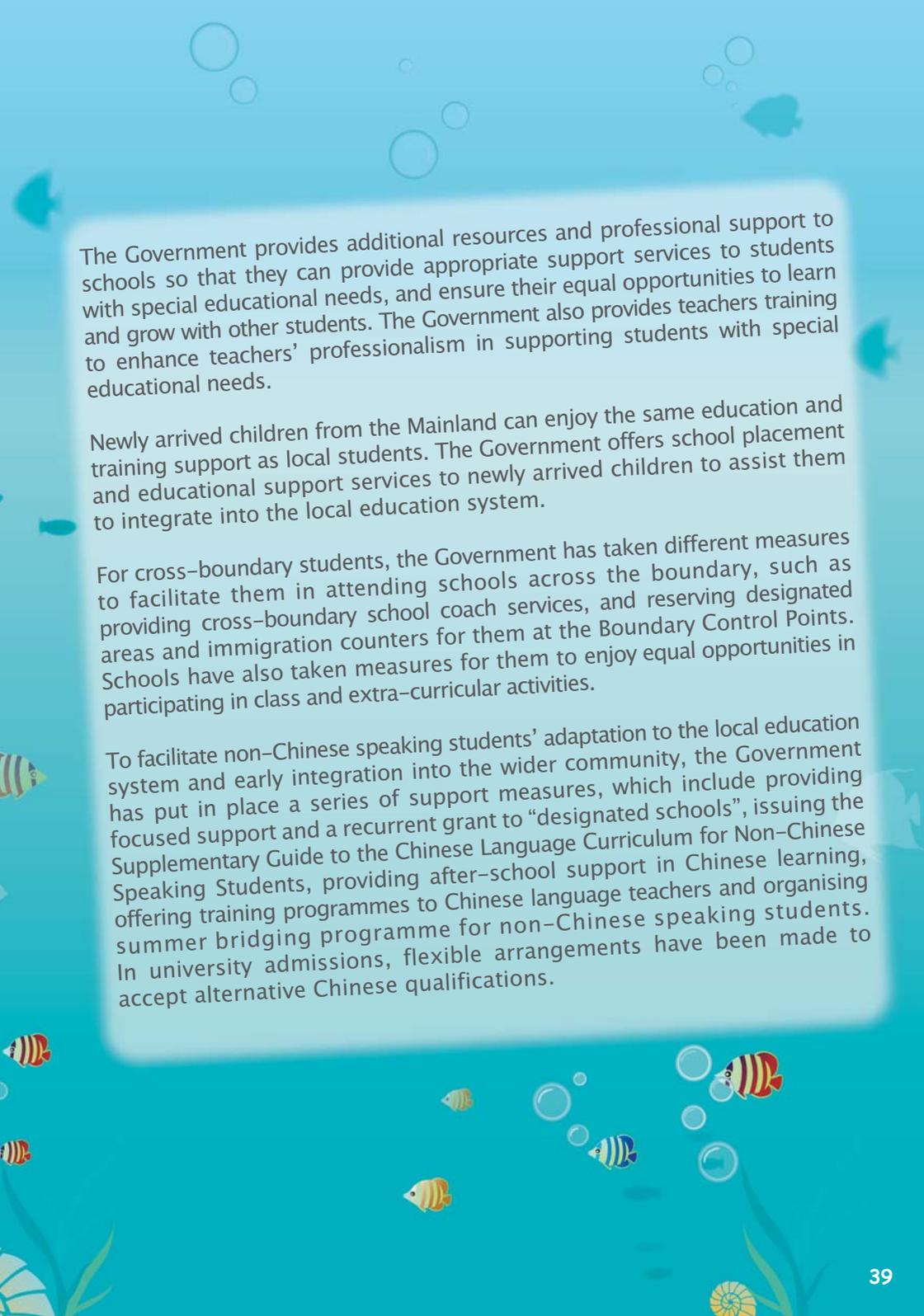


政府為學校提供額外資源及專業支援，讓學校為有特殊教育需要的學生提供適切的支援，確保他們享有平等的機會，與其他同學一起學習和成長。此外，政府亦為學校提供教師培訓，以提升教師照顧有特殊教育需要學生的專業能力。

內地新來港定居兒童與本地兒童享有同樣的就學及訓練機會。政府為他們提供學位安排及教育支援服務，幫助他們融入本地的教育體系。

政府採取多項措施協助跨境學童上學，包括提供跨境校巴服務，以及於邊境管制站設立學童專區專櫃等。學校亦作出安排，讓這些學童有平等機會參與課堂及課外活動。

為協助非華語學生適應本地教育體系和盡早融入社群，政府推行了一系列支援措施，包括向“指定學校”提供集中支援及經常津貼、制訂《中國語文課程補充指引（非華語學生）》、提供課後中文學習支援、為中文教師開辦培訓課程及為非華語學生舉辦暑期銜接課程，以及在大學招生時作出彈性安排，接受申請人其他中國語文科資歷。



The Government provides additional resources and professional support to schools so that they can provide appropriate support services to students with special educational needs, and ensure their equal opportunities to learn and grow with other students. The Government also provides teachers training to enhance teachers' professionalism in supporting students with special educational needs.

Newly arrived children from the Mainland can enjoy the same education and training support as local students. The Government offers school placement and educational support services to newly arrived children to assist them to integrate into the local education system.

For cross-boundary students, the Government has taken different measures to facilitate them in attending schools across the boundary, such as providing cross-boundary school coach services, and reserving designated areas and immigration counters for them at the Boundary Control Points. Schools have also taken measures for them to enjoy equal opportunities in participating in class and extra-curricular activities.

To facilitate non-Chinese speaking students' adaptation to the local education system and early integration into the wider community, the Government has put in place a series of support measures, which include providing focused support and a recurrent grant to "designated schools", issuing the Supplementary Guide to the Chinese Language Curriculum for Non-Chinese Speaking Students, providing after-school support in Chinese learning, offering training programmes to Chinese language teachers and organising summer bridging programme for non-Chinese speaking students. In university admissions, flexible arrangements have been made to accept alternative Chinese qualifications.

根據《公約》第31條，兒童有權享受閒暇、遊戲及文化藝術活動。

Under Article 31 of the Convention, the child has the right to leisure and play, and to join cultural and artistic activities.

政府十分重視兒童的全人發展，並舉辦不同的藝術、體育、文化和課外活動供兒童參與。政府亦提供購票優惠，以及舉辦教育活動和工作坊，以培養兒童的創意及欣賞藝術的能力。計劃中的西九文化區更將為兒童和青年人提供創意學習活動，配合現有的兒童探知館、博物館教育角和青年廣場，以促進兒童的個性、才智和能力發展。

在博物館服務方面，現時香港有14所公共博物館，涵蓋歷史、藝術、民俗、科學和天文等，其中香港歷史博物館、香港科學館及香港太空館的展覽，更深受兒童和學生歡迎。

The Government attaches great importance to the whole-person development of children, and organises programmes in arts, sports, culture as well as extra-curricular activities for their participation. The Government also provides concessionary tickets, and organises educational programmes and workshops to boost children's creativity and ability in arts appreciation. The West Kowloon Cultural District under planning will provide creative learning activities for children and young people, which will complement the existing Children's Discovery Gallery, educational corners in museums, and the Youth Square to promote the development of children's personalities, talents and abilities.

Regarding museum services, there are now 14 public museums in Hong Kong, covering areas such as history, art, folk culture, science and astronomy, etc. The exhibitions at the Hong Kong Museum of History, Hong Kong Science Museum and Hong Kong Space Museum are most welcome by children and students.



小貼士：七所康樂及文化事務署的收費博物館（香港文化博物館、香港藝術館、香港歷史博物館、香港海防博物館、香港科學館、香港太空館展覽廳及孫中山紀念館）逢星期三^{是免費入場的！}

Tips For You: Admission is free on Wednesday at seven fee-charging museums (Hong Kong Heritage Museum, Hong Kong Museum of Art, Hong Kong Museum of History, Hong Kong Museum of Coastal Defence, Hong Kong Science Museum, the Exhibitions Halls of Hong Kong Space Museum and the Dr Sun Yat-sen Museum) of the Leisure and Cultural Services Department.

體育方面，政府為兒童舉辦體育訓練班、體育比賽和運動會，並為參加康樂體育活動和租訂設施的兒童提供半價優惠，鼓勵兒童勤做運動。政府又推行“學校體育推廣計劃”，為學生提供更多參與機會及鼓勵他們積極參與體育運動。

圖書館服務方面，現時全港67間固定公共圖書館均設有兒童圖書館，照顧兒童的閱讀需要。此外，香港公共圖書館的10間流動圖書館亦提供兒童讀物以供借閱。圖書館還透過故事坊、兒童及親子閱讀計劃、書籍展覽、主題書日、專題講座，以及與學界合辦大型閱讀推廣活動，鼓勵兒童從小培養良好的閱讀習慣。

在兒童遊樂設施方面，除了香港中央圖書館的玩具圖書館、香港文化博物館的兒童探知館及茶具文物館的遊戲室外，政府亦提供約680個戶外兒童遊樂場及約30個室內兒童遊戲室，這些設施深受兒童歡迎。此外，政府亦積極開拓一些傷健同樂的兒童遊樂設施。

On sports, the Government organises various sports training courses, competitions and games for children. Children can enjoy half-rate in the fee for enrolment in leisure activities and hire of leisure facilities, which would encourage them to exercise regularly. The Government also organises the “School Sports Programme” to offer more opportunities for and to encourage their active involvement in sports activities.

Regarding library services, there is a children’s library in each of the 67 static libraries to meet children’s reading needs. The 10 mobile libraries of Hong Kong Public Libraries also offer reading materials for children for home reading. The libraries also organise story telling sessions, parent child reading programmes, book exhibitions, thematic resources guides and subject talks, and co-organise large scale reading activities with the education sector to cultivate good reading habits among children at an early age.

As for children’s play facilities, in addition to a Toy Library in the Hong Kong Central Library, a Children’s Discovery Gallery in the Hong Kong Heritage Museum and a children’s game room in the Museum of Tea Ware, the Government also provides about 680 outdoor children’s playgrounds and about 30 indoor children’s play rooms, all of which are well-received by children. The Government is also actively developing children’s play facilities that are disability-friendly.



VIII. 特別保護措施

(《公約》第22、30、32至36、37(b)至37(d)、38、39及40條)

SPECIAL PROTECTION MEASURES

(Articles 22, 30, 32 to 36, 37(b) to 37(d), 38, 39 and 40 of the Convention)

根據《公約》第22、38及39條，兒童難民，以及被忽視、剝削、凌辱虐待或受武裝衝突之害的兒童，應得到適當的保護和援助，使他們身心得以康復，並和家庭團聚。

Under Articles 22, 38 and 39 of the Convention, refugee child and a child who has been neglected, exploited, abused or affected by war shall receive proper protection and help to promote his or her physical and psychological recovery and to join his or her family.

在香港提出難民身分申請的人士在留港期間，如未能應付基本需要，政府會按個別情況為他們提供實物援助（例如食物及衣服）。沒有人陪同的未成年人會獲提供由合資格人員監管的住宿。

不具有在香港逗留權利的兒童會被遣送離境。這些兒童如不可能在短期內被遣送離境，政府會按個別情況考慮他們入學的要求。

有關販運人口和拐帶兒童等活動屬刑事罪行。多年來，在香港發現的販運人口個案甚少。儘管如此，政府會繼續防止和打擊這些非法活動。

The Government offers, on a case-by-case basis, in-kind assistance (such as food and clothing) to people claiming refugee status in Hong Kong who cannot meet their basic needs during their presence in Hong Kong. For unaccompanied minors, accommodation with supervision by qualified workers is provided.

Children with no right to remain in Hong Kong are subject to removal. Where removal is unlikely in the short term, request to allow them to attend school will be considered on a case-by-case basis.

Activities such as trafficking in persons and abduction of children are criminal offences. Over the years, cases of trafficking in persons are rare in Hong Kong. Nevertheless, the Government will continue to prevent and combat these illegal activities.



根據《公約》第30條，社會上屬於少數族裔的兒童，享有自己的文化、宗教及使用自己的語言的權利。

Under Article 30 of the Convention, a child belonging to an ethnic minority has the right to enjoy his or her own culture and religion and to use his or her own language.

政府已推行各項計劃，以協助少數族裔人士（包括兒童）融入社會，同時保留其文化特色。有關活動及服務包括四間少數族裔人士支援服務中心、語文課程、功課補習班、以少數族裔語言廣播的電台節目及融和獎學金。

The Government has launched various initiatives to assist integration of the ethnic minorities (including children) into the community, while preserving their cultural characteristics. Such activities and services include four support service centres for ethnic minorities, language training programmes, tutorial classes, radio programmes in ethnic minority languages and the Harmony Scholarship.



想想看：你認識少數族裔的朋友嗎？你對他們的文化及宗教認識有多少？

Think about it: Do you have any ethnic minority friends? How much do you know about their culture and religion?

根據《公約》第32至35條，兒童有權受到保護，遠離毒品，並免遭拐賣、經濟和性剝削。

Under Articles 32 to 35 of the Convention, the child has the right to be protected from harmful drugs, sales or trafficking as well as economic and sexual exploitation.

本港有各項法例及措施規管最低僱用年齡、兒童及青年的工作時間和僱傭條件、僱員的權益和福利，以及職業安全和健康，保障兒童免受經濟剝削。

政府以“五管齊下”策略處理兒童及青少年毒品問題，包括預防教育及宣傳、戒毒治療及康復服務、立法和執法、對外合作和研究。

教育及宣傳活動包括以“不可一、不可再”及“企硬！唔take嘢”兩項主題的全港運動，向市民，特別是年青人，發放禁毒資訊，並提高大眾對毒品禍害的認識。

政府亦加強支援學校，為青少年吸毒者提供更多適切的治療康復服務，以及加強本地執法和堵截毒品流入。政府在大埔區推行了自願性的校園驗毒試行計劃，並已於2011-12學年起推行含測檢元素的“健康校園計劃”。計劃是一項全方位的禁毒教育項目，旨在加強學生遠離毒品的決心、培養正面的價值觀，從而促進無毒校園文化。計劃顧及了包括私隱、人權和兒童與父母及教師的關係等因素。

There are laws and measures regulating minimum ages for employment, working hours and conditions of children and young persons, employees' rights and benefits, and occupational safety and health. Under these laws and measures, children are well protected from economic exploitation.

The Government tackles the youth drug abuse problem with a five-pronged strategy which covers preventive education and publicity, treatment and rehabilitation; legislation and law enforcement; external co-operation and research.

The education and publicity efforts include a territory-wide campaign with two themes “Not now, Not ever”, and “Stand Firm! Knock Drugs Out” to disseminate anti-drug messages to the public, especially young people, and to raise the understanding among the public of the harmful effects of drugs.

The Government has also enhanced the support to schools, provided more treatment and rehabilitation services for young drug abusers, intensified law enforcement efforts locally and intercepted the smuggling of drugs into the territory. The Government has successfully launched a voluntary school drug testing trial scheme in Tai Po District and implemented in the 2011-12 school year the Healthy School Programme with a drug testing component (HSP(DT)). The HSP(DT) is a holistic initiative aiming to enhance students' resilience to stay away from drugs and cultivate their positive values, thereby fostering a drug-free culture on campus. The programme has taken into account factors including privacy, human rights, and children's relationship with parents and teachers.





想想看：下列為在2011年18歲以下被呈報吸毒的青少年的吸毒原因。你如何關懷身邊的朋友，並向他們宣揚“向毒品說不”的信息呢？

Think About It: The following is a list of reasons of taking drugs reported in 2011 by teenagers below the age of 18 who abused drugs. How can you show your care for your friends around you and promote the message of “say no to drugs” to them?

 **原因 Reasons**

 **比率 Percentage**

● 受到同輩朋友影響/想和同輩朋友打成一片 Peer Pressure	66.2%
● 解悶/情緒低落/焦慮 Boredom/Depression/Anxiety	40.8%
● 出於好奇 Curiosity	38.8%
● 尋求快感或官能上的滿足 Instant Gratification	28.7%
● 避免因中斷吸食而感到不適 Addiction	11.2%



法例保護兒童免受利用參與賣淫或性旅遊活動，或製作兒童色情物品。最近，法庭頒布指引，加重干犯與兒童色情物品有關罪行的刑罰，以加強法律的阻嚇力。警方會繼續採取行動，打擊非法賣淫活動，包括進行網上巡邏，打擊利用互聯網安排賣淫活動。

政府已於2011年12月推行有關設立性罪行定罪紀錄查核行政機制，讓僱主在聘用他人從事與兒童或精神上無行為能力人士有關的工作時，得以查核準僱員是否有任何指明列表中的性罪行的刑事定罪紀錄。

The law protects children from involving in prostitution or sex tourism, or production of child pornographic materials. Recently, the Court has provided guidelines to increase the penalties of offences in relation to child pornographic materials so as to enhance the deterrent effect. The Police will continue to take actions against illegal prostitution activities including cyber patrol to combat the arrangement of such activities on the Internet.

In December 2011, the Government implemented the Sexual Conviction Record Check scheme which is administrative in nature. It enables employers of persons undertaking child or mentally incapacitated persons-related work to check whether their prospective employees have any criminal conviction records against a specified list of sexual offences.



根據《公約》第37及40條，不得非法拘捕兒童或任意剝削兒童的自由。兒童觸犯法律時，不得判以死刑或無期徒刑。被指控觸犯刑法的兒童，人權和基本自由應獲得尊重。被剝奪自由的兒童應受到人道待遇，並有權與家人保持聯繫和迅速獲得法律及其他適當援助。

Under Articles 37 and 40 of the Convention, the child shall not be arrested illegally and his or her freedom shall not be taken away without any reasons. A child who breaks the law shall not be sentenced to death or life imprisonment. A child accused of having infringed the penal law shall be treated with respect for his or her human rights and basic freedoms. A child under detention shall be treated with humanity and shall have the right to stay in contact with his or her family. The child shall receive legal and other proper help promptly.

政府為觸犯法例的兒童提供特別保障。干犯殺人罪以外罪行的兒童及少年人（未滿16歲的人），均在少年法庭接受聆訊。

法例規定只有在必要時才對少年罪犯採取剝奪自由的懲罰。對於年齡在18歲以下且所涉罪行屬輕微的少年罪犯，可以刑事檢控以外的警司警誡計劃懲處。在這計劃下，警方對接受警誡的少年犯人進行定期督導探訪，令他們知道所犯罪行為的嚴重性。另外，感化院舍以社會工作方式執行法庭對少年罪犯作出的指示，為他們提供符合健康及人道尊嚴規定的感化服務，協助年輕罪犯改過自新。



政府把未滿21歲的在囚人士與成年在囚人士分開囚禁。此外，就訓練及寢室等安排，我們亦盡量將14至17歲及18至20歲兩個年齡組別的青少年在囚人士分隔開。

政府已在2003年修訂法例，將刑事責任的最低年齡由7歲提高至10歲，而現時10至14歲的少年人被推定沒有能力干犯刑事罪行。政府認為已為兒童提供足夠保障。

The Government offers special protection to children who broke the law. Trials of crimes committed by children and juveniles (under the age of 16) are heard in the Juvenile Court, with the exception of homicide.

Under the law, imprisonment of young offenders is only used as a last resort. The Police Superintendents' Discretion Scheme has been an alternative to criminal prosecution in respect of young offenders who are below the age of 18 years and who are involved in relatively minor offences. Supervisory visits are paid regularly to young offenders under the Scheme in order to let them realise the serious nature of their criminal conducts. Correctional homes use social work approaches to implement the Court's directives in providing services for the young offenders and ensure that services meet all the requirements of health and human dignity, assisting the rehabilitation of young offenders.

The Government separates offenders aged below 21 years from adult offenders during detention. Furthermore, young inmates aged 14 to 17 are separated from those aged 18 to 20 as far as possible in respect of the arrangements for training and dormitories.

An amendment to law was passed in 2003 to raise the minimum age of criminal responsibility from 7 to 10 years of age. Children between the age of 10 and 14 are presumed to be incapable of committing criminal offences. The Government considers that there are already sufficient protections for children.

 **你知道嗎？**現時法例規定10歲以下的兒童是不能被裁定干犯任何罪行。普通法也推定10歲至14歲的兒童是無能力犯罪的，除非控方能將這項推定推翻。推翻這項推定的方法是必須在無合理疑點下證明案發之時，涉案兒童不但是有意圖犯罪，且清楚知道他或她的作為不僅是頑皮或惡作劇，而是嚴重不當的行為。這項推定名為“可推翻的無能力犯罪推定”。

Do You Know? The law currently provides that no child under the age of 10 can be guilty of an offence. The common law also presumes that a child between the ages of 10 and 14 is incapable of committing a crime, unless this presumption is rebutted by the prosecution on proof beyond reasonable doubt that, at the time of the offence, not only was there actus reus with mens rea, the child was well aware that his or her act was seriously wrong, and not merely naughty or mischievous. This is known as “the rebuttable presumption of doli incapax”.



迷宮

The Maze



你可以幫助小羊逃離黑暗，和爸爸媽媽在開心快樂的草原上會合嗎？
Can you help the sheep escape from the darkness and unite with his parents?



找我看

你可以從以下兩幅圖中找出10個不同之處嗎？

Can you find 10 differences between the 2 pictures?



答案



找我看 你能找出隱藏在圖畫中的所有**答案**嗎?
Can you find out all the **hidden**
answers in the picture?

Q1

根據《公約》第1條，兒童是**(a)**歲以下人士。
Under Article 1 of the Convention, a child is a person below the age of **(a)**.

Q2

《公約》自**(b)**年起適用於香港。
The Convention has been applicable to Hong Kong since **(b)**.

Q3

兒童不可觀看被評為第**(c)**級的影片。
Children cannot watch films classified as Category **(c)**.

Q4

香港的嬰兒死亡率持續下降，於2011年為**(d)**%。
The infant mortality rate in Hong Kong has declined steadily to **(d)**% in 2011.

Q5

在**(e)**年政府成立了3億元的兒童發展基金，為弱勢社群的兒童提供更多長遠的個人發展機會。
In **(e)**, the Government set up the \$300 million Child Development Fund to provide children from a disadvantaged background with more longer-term personal development opportunities.

Q6

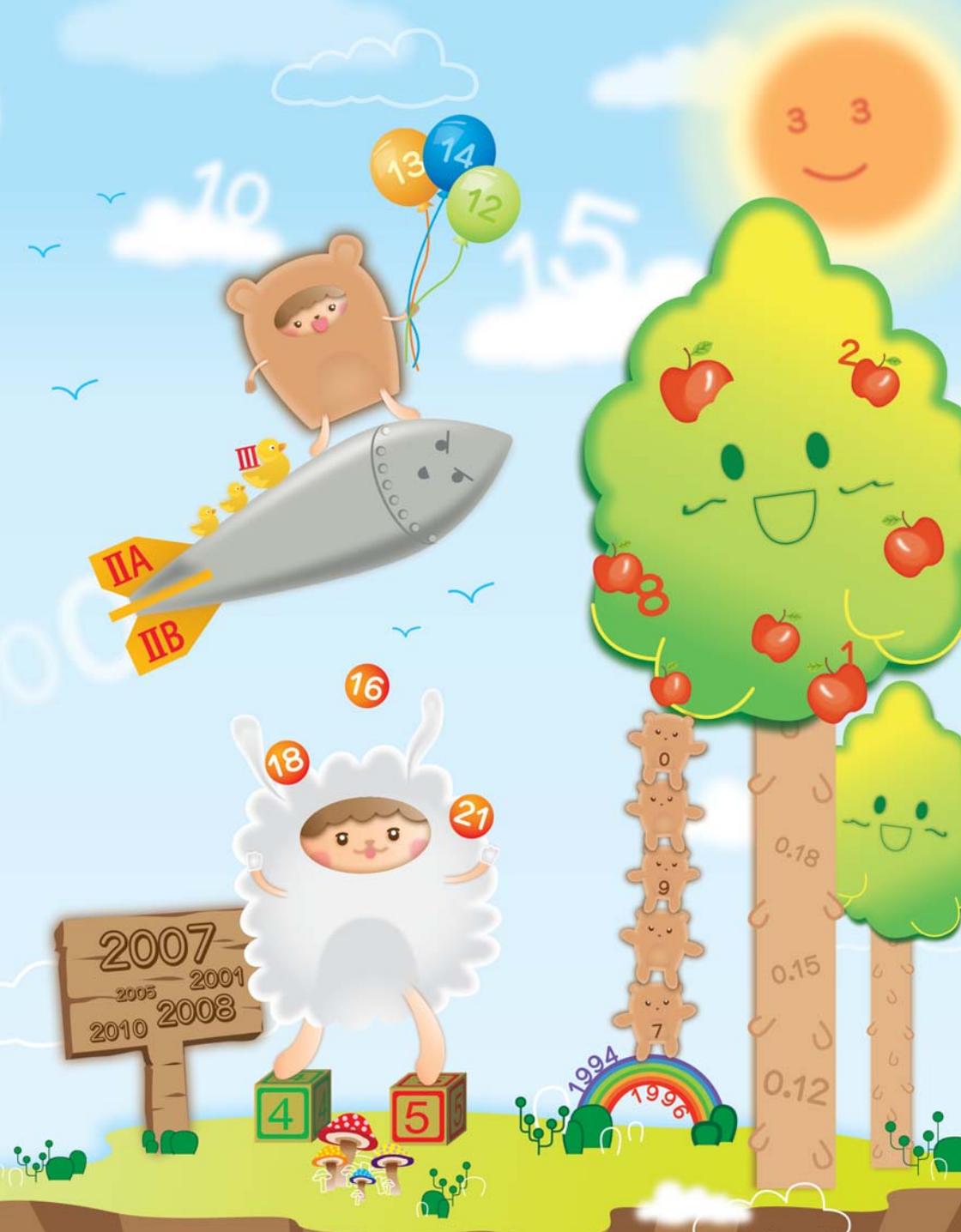
新高中學制由2009-10學年起推行，由3年初中基礎教育，**(f)**年高中及**(g)**年大學課程組成。
The New Senior Secondary Curriculum, which includes a 3-year junior secondary level of basic education, a **(f)**-year school curriculum at senior secondary level and a **(g)**-year undergraduate programme at university, has been implemented from the 2009-10 school year.

Q7

香港現時有**(h)**所公共博物館，其中**(i)**所收費博物館逢星期三是免費入場的。
There are now **(h)** public museums in Hong Kong. Among these, admission is free on Wednesday at **(i)** fee-charging museums.

Q8

政府在2003年修訂條例，刑事責任的最低年齡由7歲提高至**(j)**歲。
An amendment to law was passed in 2003 to raise the minimum age of criminal responsibility from 7 to **(j)** years of age.



Answer: (a) 18 (b) 1994 (c) III (d) 0.12 (e) 2008 (f) 3 (g) 4 (h) 14 (i) 7 (j) 10

