

CHAPTER 12

FOLLOW UP SERVICE

REGISTRATION AT THE CHILD PROTECTION REGISTRY

- 12.1 The social worker who conducts social enquiry into the child abuse incident should send the particulars of the child to the Child Protection Registry (CPR) for registration in accordance with the recommendation of the Multi-disciplinary Case Conference (MDCC) on child abuse (see Appendix VI for information on CPR).

CARE PROCEEDINGS

- 12.2 If the child is assessed to be in need of statutory protection during the MDCC, application for provision under Section 34(1) / Section 34E(1) / Section 34F(1) / Section 35(1) / Section 44(1) / Section 45(A) of the Protection of Children and Juveniles Ordinance (PCJO), Cap 213 should be made by the responsible social worker of SWD. For new cases, Family and Child Protective Services Unit (FCPSU) will take up the care proceedings and provide follow up service. For known cases of IFSC / Probation Office / Medical Social Services Unit / Adoption Unit / Tuen Mun Children and Juvenile Home, the social worker of the concerned unit will take up the responsibility for the care proceedings and refer the case to FCPSU for follow-up service after the Care or Protection Order is granted. For known cases of MSSUs, the medical social worker will focus on the patient's rehabilitation and act as a coordinator between the medical and allied health professionals and social workers of FCPSUs. For known cases of Family and Child Protective Services Unit / High Court Probation Office, the social worker of the unit concerned will take up the care proceedings and provide follow-up service.
- 12.3 Relevant information, e.g. medical / psychological report, social enquiry report and conclusions of the MDCC, should be compiled for the information of the Magistrate at the Juvenile Court.
- 12.4 Article 37(d) of the United Nations Convention on the Rights of the Child states that, among others, "Every child deprived of his/her liberty shall have the right to prompt access to legal and other appropriate assistance". To this end, the Duty Lawyer Service (DLS) has been commissioned to run the Legal Representation Scheme (the Scheme) for children or juveniles involved in care or protection proceedings. The Scheme will provide legal assistance to any child or juvenile in need of care or protection and who is :
- (a) deprived of his/her liberty and detained in a gazetted place of refuge under Section 34E of the PCJO, Cap 213; or
 - (b) taken to the Juvenile Court directly by the Police for the application of

Care or Protection Order, without any period of detention at a gazetted place of refuge before court hearing; or

- (c) likely to be detained in a gazetted place of refuge on the recommendation of a social worker of SWD.

12.5 A placement in a small group home / foster home / children's home, etc., if needed, should be secured as soon as possible.

12.6 Parties providing follow up service to the child and his/her family should share information on the significant development of the case (e.g. when the order is made, terms of the order, placement of child, etc.).

DOMESTIC VIOLENCE INJUNCTION ORDER

12.7 Under the Domestic Violence Ordinance (DVO), Cap 189, where a party to a marriage makes an application to the District Court or the Court of First Instance, the Court may grant an injunction which either :

- (a) restrains the other party to a marriage from using violence against the applicant or a child living with the applicant; or
- (b) excludes the other party from the matrimonial home or from a specified part of the matrimonial home or from a specified area.

VOLUNTARY CARE

12.8 If the case is assessed to be a child abuse case but considered not in need of invoking PCJO or DVO as decided by the MDCC, voluntary care should be provided. The key social worker appointed by the MDCC should follow up the case as follows:

- (a) if out-of-home care for a child is necessary and agreed by parent(s) / guardian(s), suitable placement in a small group home / foster home / children's home, etc. should be secured as soon as possible;
- (b) voluntary supervision should be rendered to the child and his/her family;
- (c) parties providing follow-up services to the child and his/her family should share information on the significant development of the case (e.g. placement of child, etc.);
- (d) continued services should be provided to the child and his/her family, as required.

FOLLOW UP ACTION AFTER CARE PROCEEDINGS / CASE CONFERENCE

12.9 Depending on the terms of the Care or Protection Order and recommendations of the MDCC, the key social worker will continue to provide counselling and appropriate assistance to the child and his/her family. Other rehabilitative service including therapeutic treatment should be arranged as necessary. Home visits and personal contacts with the child and his/her family should continue to be made as frequently as required. The key social worker should, where applicable, also work closely with staff of the residential home where the child is placed.

FAMILY REUNION

12.10 The following areas have to be observed in considering the re-union of the child with his/her family:

- (a) Positive parent / child / siblings relationship is necessary before a child is returned to the family.
- (b) The reaction of parties concerned must be carefully monitored and studied.
- (c) Reunion should be tried out in stages : more visits by parent(s) / siblings to the child, the child staying with parent(s) overnight, on weekends, etc. Where applicable, before actual return of the child to the family, opinion from the clinical psychologist / child psychiatrist may be sought.
- (d) Regular visits and contacts by the social worker should be maintained even if initial reaction from the parties concerned is satisfactory after the return of the child.
- (e) Consultation with the officers-in-charge / supervisor and other parties involved or related to the family should be maintained throughout.
- (f) Parties which are still actively involved should be informed on the discharge / amendment / expiry of Care or Protection Order / reunion of child to family.

PERMANENCY PLAN FOR THE CHILD

12.11 Continued attention must also be given to a child receiving out-of-home care, especially for those cases where reunion with the family is not advisable. A permanency plan for the child is required for those children living away from home.

