

2006 – 2008

第三份報告

Third Report

保護 Protection

同情 Compassion

公正 Fairness

獨立 Independence

尊重 Respect

方便 Accessibility



願景 Vision

監護委員會的願景是透過監護令保護精神上無行為能力的成年人，促進他們的福利和利益。

The vision of the Guardianship Board is to promote the welfare, interests and protection of mentally incapacitated adults through guardianship.

使命 Mission

為了實現這個願景，監護委員會承諾實踐下列使命：

1. 為了支援、保護及倡導精神上無行為能力成年人的最佳利益，委任監護人：
 - i. 協助管理他們的財務；
 - ii. 確保他們得到所需的服務及醫療；
 - iii. 保護他們免被虐待、榨取金錢和疏忽照顧；
 - iv. 提升照顧素質。
2. 協助解決親屬與服務提供者之間，就精神上無行為成年人的最佳利益問題而產生的爭執。
3. 經常檢討有關監護令的法例，以促進精神上無行為成年人的最佳利益。

To manifest its vision, the Guardianship Board commits to the following mission:

1. To support, protect and advocate the best interests of mentally incapacitated adults by empowering guardians to: -
 - i. facilitate the management of their finances;
 - ii. ensure that their needs for services and medical treatment are met;
 - iii. protect them against abuse, exploitation and neglect;
 - iv. enhance their quality of care.
2. To facilitate the resolution of disputes with relatives and service providers, concerning the best interests of mentally incapacitated adults.
3. To keep the guardianship legislation under continuous review so that it promotes the best interests of mentally incapacitated adults.

核心價值 Values

監護委員會持守下列的核心價值：

保護 同情 公正
獨立 尊重 方便

The Guardianship Board commits to the following values:

*Protection Compassion Fairness
Independence Respect Accessibility*

目 錄

監護委員會
GUARDIANSHIP BOARD

1. 主席獻詞	4
2. 報告	
- 工作	8
- 命令理由	9
- 成效分析	10
- 複雜個案	11
- 個案及主要統計	12
- 服務期望：調合功能的工具	18
- 系統的調整	20
- 新文件樣本	21
- 醫療報告表格	21
- 高等法院第II部(產業受託監管人)命令內含常規披露條款	22
- 主要資訊科技發展：上載委員會裁決於官方網頁	23
- 委員會委員的進修發展	24
- 上訴	24
- 投訴	25
3. 委員會委員	27
4. 秘書處	
- 網頁	31
- 委員會第二份報告	32
- 香港監護會議暨成立十週年紀念	32
- 研討會	33
- 小冊子	36
- 公眾查詢	37

本報告亦已上載於委員會網頁www.adultguardianship.org.hk。

CONTENTS

1. Message from the Chairperson.....	4
2. The Report	
- The Work.....	8
- Reasons for order.....	9
- Outcome analysis.....	10
- Complicated cases.....	11
- Overall caseload & major statistics.....	12
- Service expectations: the tools of alignment.....	18
- System adjustments.....	20
- New templates.....	21
- Format of medical report.....	21
- Standard disclosure clause in Part II (Committee) Order of High Court	22
- Major IT development: upload of decisions onto official website.....	23
- Members' development.....	24
- Appeals.....	24
- Complaints.....	25
3. Board Members.....	27
4. The Secretariat	
- The website.....	31
- 2nd Report of the Board.....	32
- Hong Kong Guardianship Conference cum 10th Anniversary.....	32
- Public seminars.....	33
- The leaflets.....	36
- Public enquiries.....	37

This report is also available on the Board's website at www.adultguardianship.org.hk.

主席獻詞

本報告涵蓋監護委員會二零零六年至二零零八年共三年的工作情況。

執筆之際，委員會剛剛舉辦了香港特別行政區的首次監護會議，這活動也標誌了委員會成立十週年的里程碑。全賴各協辦機構及持份者積極參與策劃及推動，委員會始能善用僅有的資源，成功於二零零九年一月九日在香港理工大學舉辦該會議。會議當天計有五百五十位代表出席，包括社工、律師、護理專職人員、專科醫生、大學學者、香港律師會代表、社會福利處代表、相關政府部門代表及數位司法機構的法官。委員會感謝澳洲新南威爾斯省監護審裁處主席Diane Robinson女士作主題演講。委員會深信該為期一天的會議能令各界更深入了解監護系統的概念及實務操作。

一如過往數年，二零零六年至二零零八年度的個案量正如預期一樣，穩定地增長。透過各委員的積極投入及參與，在過去的三年內，委員會有效地循著《精神健康條例》第一百三十六章第IVB部份的既定法定框架，順暢地履行其核心職責，總共完成了一千六百一十五個聆訊。在此必須一提的，乃是若缺乏眾多持份者的全面支持及協作，委員會的工作必定難以在過往順利地執行。故此，本人藉此機會，謹向各位認同委員會使命及核心價值的持份者，包括各位委員會委員、勞工及福利局、社會福利署(尤其是社會福利署的監護事宜辦事處)、法定代表律師辦事處、醫院管理局、香港各大銀行及強制性公積金計劃管理局，致以萬二分之謝忱。



趙宗義律師

監護委員會主席

Message from the Chairperson

This report presents the works of the Guardianship Board for the period from 2006 to 2008.

At the time of writing up, the Board has just celebrated its Tenth Anniversary by hosting the first Guardianship Conference in Hong Kong SAR. At a very low cost and with keen collaboration of co-organizers, the conference was successfully held on 9 January 2009 at Hong Kong Polytechnic University. The event was well attended by over 550 delegates from

the medical and health sector, social work sector, legal profession, academia, various government departments and members of the Judiciary. The Board is particularly privileged to have invited Ms Diane Robinson, the President of the Guardianship Tribunal of New South Wales, Australia, as our keynote speaker. It is believed that the one-day conference has, among others, further publicly promoted the concept and practice of guardianship in the territory.

Like the previous years covered by the Second Report, the caseload of 2006 to 2008 is consistently rising and the steady trend is well monitored. During the past three years, with the strenuous efforts of Board Members, the Board held a total of 1,615 hearings. The Board has been able to discharge its core business in accordance with the legal framework as set out in Part IVB of Mental Health Ordinance, Chapter 136, Laws of Hong Kong. However, the works of the Board would not have been carried out smoothly without the full support and collaboration of many others. It is therefore apt for me to express my sincere gratitude to all those who share the values and mission of guardianship, including but not limited to our Board members, the Labour and Welfare Bureau, the Social Welfare Department and particularly its Guardianship Office, the Hospital Authority, the Official Solicitor's Office, all banks in Hong Kong and the Mandatory Provident Fund Schemes Authority.



A handwritten signature in black ink, appearing to read 'Charles CHIU Chung-yee'.

Charles CHIU Chung-yee
Chairperson of Guardianship Board

報告

The Report

保護 Protection

同情 Compassion

公正 Fairness

獨立 Independence

尊重 Respect

方便 Accessibility

工作 THE WORK

本港的法定成年人監護系統及相關的精神行為能力法律，均以《精神健康條例》第一百三十六章第IVB部份及其附表為依歸，有關成人監護系統，其相關的法規，更有若干附屬法例適用，包括《精神健康(監護)規例》（附屬法例D）及《精神健康監護委員會規則》（附屬法例E），委員會的主要功能乃是依據第59O(3)條的既定準則審裁各個監護申請。簡單來說，委員會必須在批出監護令前，就以下準則考慮當事人的實況：-

1. 其精神紊亂/弱智程度，足以將其本人收容監護；
2. 其缺損程度，已限制其本人作出合理決定；
3. 其面對之問題，非以監護令不能解決；及
4. 為其福利，應收容監護。

Hong Kong's mental capacity law and statutory adult guardianship scheme are mainly set out in Part IVB of the Mental Health Ordinance, Cap. 136. In respect of adult guardianship, there are other subsidiary instruments which include the Schedule to Cap. 136, the Mental Health Guardianship Board Rules and the Mental Health (Guardianship) Regulations. The core function of the Board is to adjudge upon a guardianship application in strict accordance with the four legal criteria as stated in s.59O(3), Mental Health Ordinance. In simple terms, the merits of an application must be assessed on the following criteria: -

1. the subject is suffering from a mental disorder or mental handicap of a nature or degree which warrants his or her reception into guardianship;
2. he or she is limited by such disorder or handicap to make reasonable decisions;
3. there is no other less restrictive or intrusive means to solve the problem facing him or her; and
4. overall, it is in his or her interests of welfare to grant the Guardianship Order.

命令理由

REASONS FOR ORDER

收容監護的目的是希望透過委任一位監護人以伸延當事人的基本人權的行使。有趣的地方是，在理論的層面上，當事人的人權其實必須首先被剝奪及由一位代理人一即監護人代為行使。在這嚴肅的面紗背後，法律卻要求所有監護令的相關聆訊，必須以最少的手續及法律上的細節及形式進行。因此，為切合這屬乎彈性的原則，法律賦予委員會若干權力，可就著每個個案的特性，全權決定該個案的聆訊程序，與及，委員會可不受證據規則所約束，亦可以就其認為合適的方式悉察任何事宜。但是，在具彈性的前題下，為履行自然公正原則及正當的法律程序原則，法例嚴格規定委員會必須於聆訊結束的七天內，作出書面的監護令理由，內容必須清楚列出裁決的原因(參高等法院案件HCMP 1327/2007(於二零零七年九月二十日頒出))。委員會及各委員已對該判案書作出深入的研究。

Guardianship is aimed at extending the subject-person's basic human rights by appointing a legal guardian. However, in achieving this purpose, theoretically, the person's fundamental rights would first need to be deprived of. Behind the solemn and serious notion of guardianship, the law requires expressly that all guardianship hearings should be conducted with as little legal formalities or technicalities as possible. To chime with the characteristics of informalities and flexibilities, the Board is permitted to be his own master in designing the type of hearing procedure that best suited the nature of the particular case before it. Further, the Board can inform itself of any matters and is not bound by the established rules of evidence. Against this flexible backdrop, however, there are very strict legal requirements on due process; which means the Board is bound to adhere to rules of natural justice and to produce written Reasons for Order within 7 days after conclusion of a hearing. The High Court of Hong Kong SAR has delivered a ruling that Reasons for Order of the Board must expressly and clearly set out grounds for decision. Since the appeal decision of HCMP 1327/2007 (delivered on 20 September 2007), the Board has intensively shared with all its members, who are volunteers, on the principle of reasons writing as enshrined in the court judgment.

成效分析

OUTCOME ANALYSIS

於二零零七年及二零零八年，委員會就監護個案分別進行了一項非正式的研究，該兩年的結果大部份相約，約百分之九十的監護個案中，監護人及個案社工的表現達滿意程度。另外，約百分之六表現卓越，及只有約百分之四表現存有改善空間。這表示著，於每十四個覆核監護個案中，只有一個監護人或個案社工的表現在某程度上不符合理想。從數字上看，滿意度是處於高水平的，這有賴委員會的主要持份者-社會福利署的公職人員有效地分別以個案社工及官方監護人身份處理個案。

On the outcome analysis of guardianship cases, a randomized study was conducted respectively in years 2007 and 2008. It is found that in both years, the outcome profiles are largely similar. Around 90% cases are found to be satisfactorily performed by the guardian and case social worker. About 6% cases are found to have outstanding performance and yet 4% cases show rooms for improvement. In other words, the Board notes that about 1 out of 14 review cases has unsatisfactory performance by the guardian or case social workers in some ways. Looking at the figures in general, the outcomes of guardianship cases have achieved a rather high level of performance. The credits should go to the Board's key collaborator, namely, the Social Welfare Department, whose officers act both as the case social workers and the delegated public guardians.

複雜個案

COMPLICATED CASES

於過往三年，複雜的虐待及家庭爭拗個案的數目有上升趨勢，該現象對委員會所衍生的最大挑戰就是引致簡單個案的輪候時間被拖長。同時，委員會秘書處在過往十年的規模一直保持不變，但相對工作量就因此明顯上升。為處理這項挑戰，委員會主席決定在這類型個案的相關社會背景調查報告存檔後，親自負責監控及管理。同時，為令秘書處同事可以有效處理及管理個案，委員會制定了「個案管理內部指引」，亦會定期更新該指引的內容。

Worth noting, there is rising number of complicated abuse and family conflict cases in the past three years. The challenge to the Board generated by this phenomenon is that it causes longer waiting time for simple cases. Also, because the Secretariat remains small in these ten years, the workload is thus increased rather substantially. To deal with the challenge, the Chairperson has assumed early control and management of complicated cases as soon as the social enquiry report is made available. Towards better case handling and management by Secretariat staff, the Board has been developing an "Internal Case Management Guide" with regular updates.

年份 Year	複雜個案數目 Complicated cases
2006	8
2007	9
2008	25

個案及主要統計

OVERALL CASELOAD & MAJOR STATISTICS

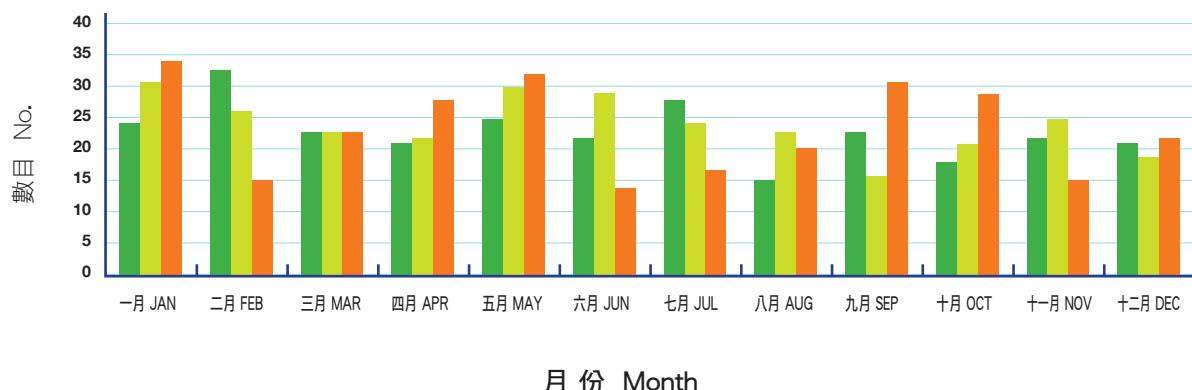
於這三年（二零零六年一月至二零零八年十二月）的個案數目是平均及穩定地增長，每年數目如下：-

These three years (January 2006 – December 2008) saw a pattern of consistent and steady rise of caseloads; figures for each year are as below: -

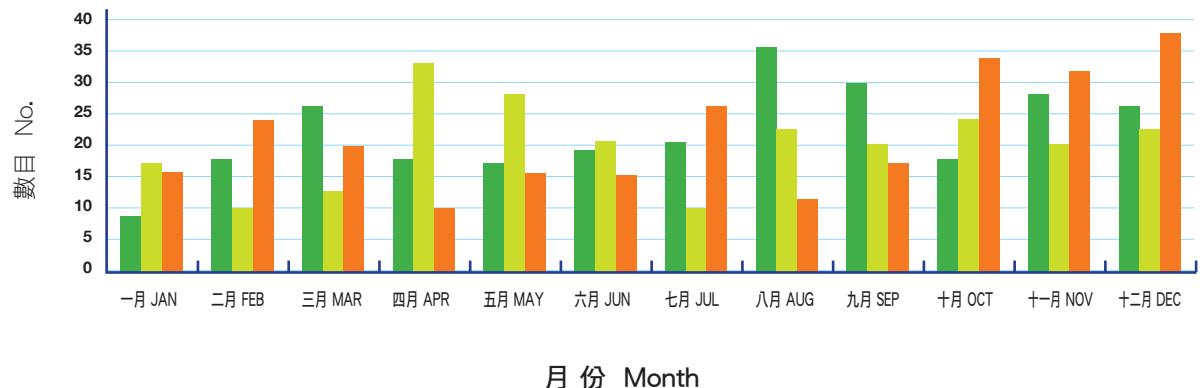
類 別 Type	2006	2007	2008	個案數字 (每年平均數) No. of case (average per year)
新申請 Fresh applications	275	278	280	277.7
新申請聆訊 Hearings of fresh applications	265	242	259	255.3
覆核聆訊 Hearings of review applications	277	287	265	276.3
緊急申請聆訊 Hearings of emergency applications	6	6	8	6.7
指示聆訊 Hearings for directions	0	0	0	0

Normal Guardianship Applications
一般監護令申請

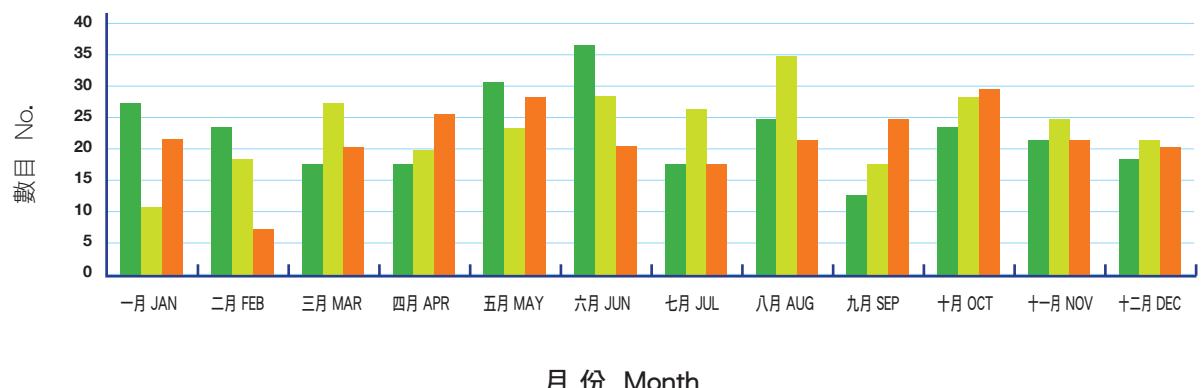
■ 2006 ■ 2007 ■ 2008

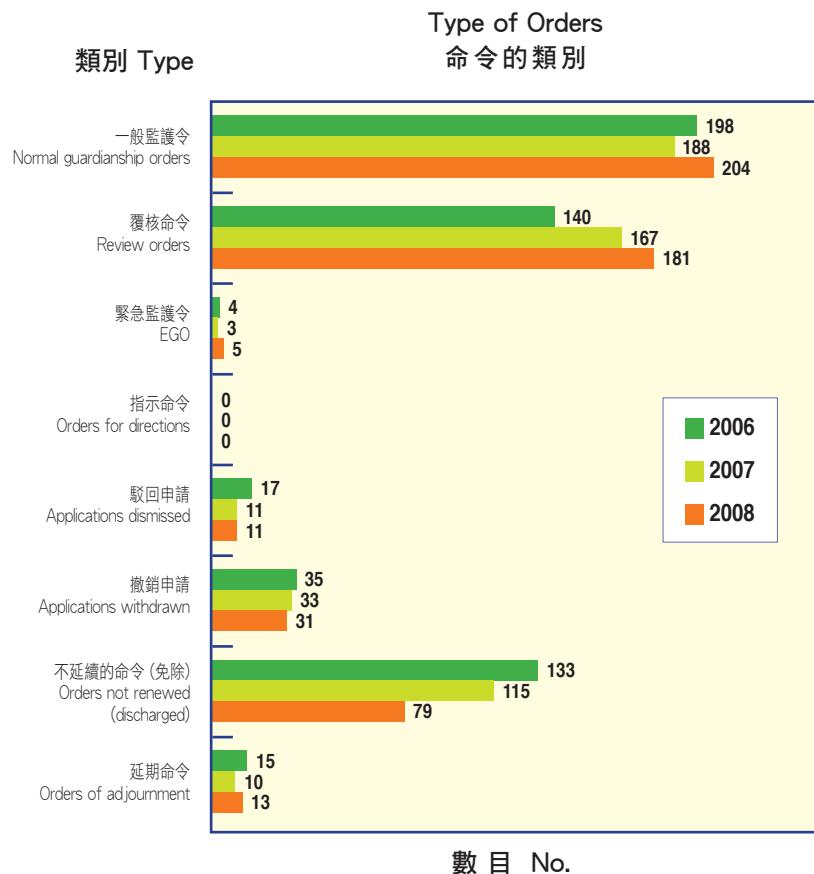


Hearings for Normal Guardianship Applications
一般監護令聆訊



Hearings for Review of Guardianship Orders
覆核聆訊





數目 No.

Application for power of consent to treatment
為取得同意治療權力而提出申請的個案



Emergency Guardianship Order (EGO) Applications

緊急監護令申請

8



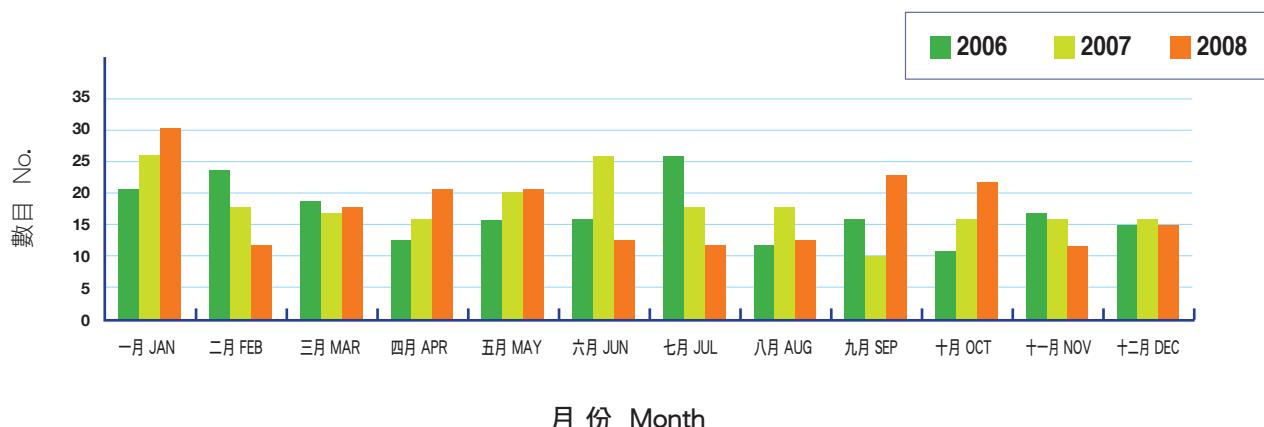
年齡分佈 Age distribution

長者個案申請數字 : **2006** : 206宗 (75%)

No. of applications on elderly **2007** : 217宗 (67%)

2008 : 212宗 (76%)

Trend of cases on elderly (Age above 60 years old) in normal guardianship and EGOs
有關長者個案的趨勢 (年齡於六十歲以上) 一般及緊急監護令申請



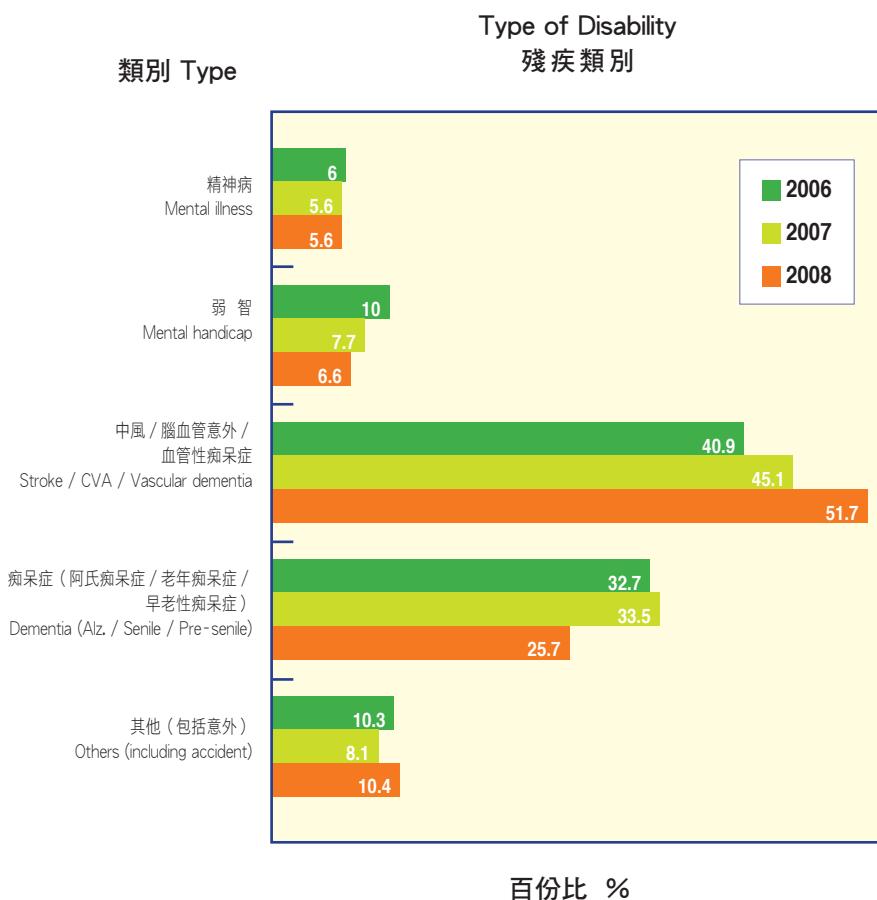
殘疾類別 (一般及緊急申請) Distribution of Disability (Normal & EGO)

監護令申請數字：
No. of applications

2006年： 281宗

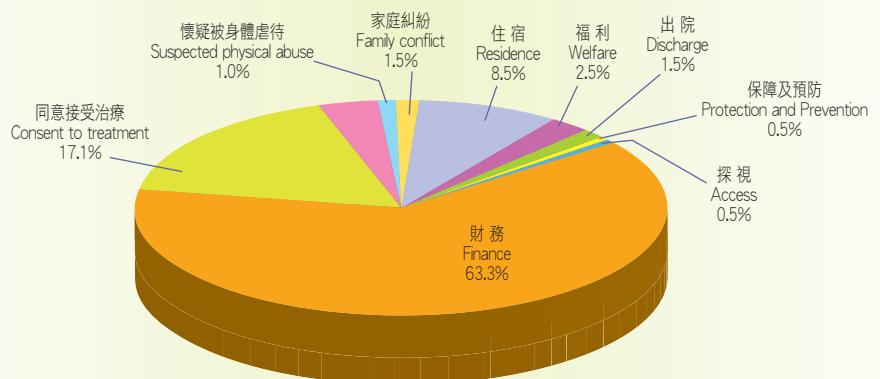
2007年： 284宗

2008年： 288宗

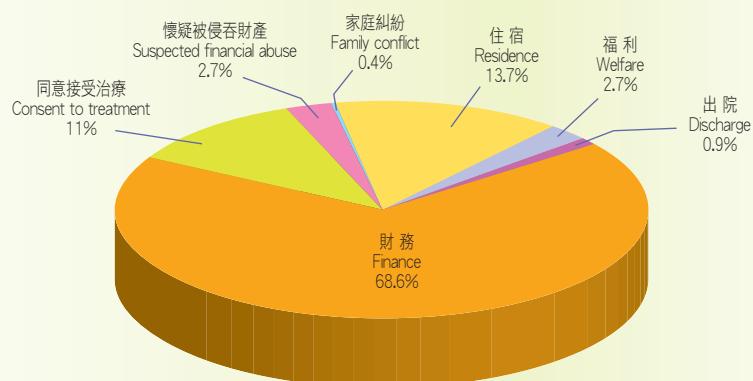


申請原因的分析 Analysis of reasons of applications

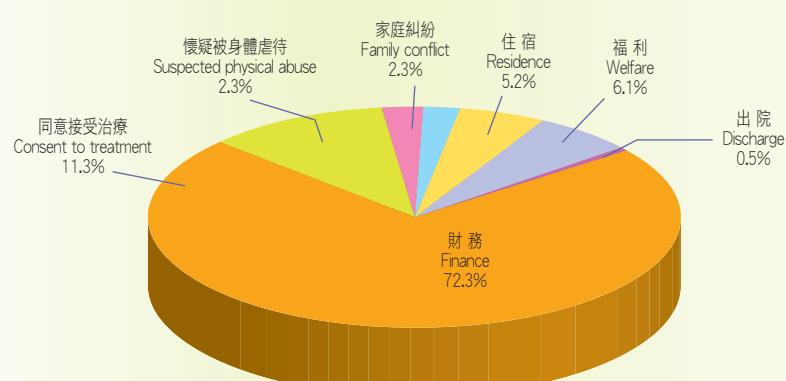
Reasons for normal guardianship applications in 2006
2006年申請一般監護令的原因



Reasons for normal guardianship applications in 2007
2007年申請一般監護令的原因



Reasons for normal guardianship applications in 2008
2008年申請一般監護令的原因



服務期望：調合功能的工具

SERVICE EXPECTATIONS: THE TOOLS OF ALIGNMENT

雖然委員會是類司法審裁機構，但它並沒具有強制執行其命令的法定權力。委員會的命令原為促進及保障當事人的最佳利益，在某程度上主要靠賴社會福利署社工負責執行。依據法例，每個個案的相關社會背景調查報告乃是委員會所採納的主要證據，用以協助決定每份申請的實況，所以對委員會來說，社工的高質素表現尤其重要。委員會對社工抱有高服務水平的殷切素求是基於三大原因：第一，監護的法定制度是要求委員會促進當事人的最佳利益。第二，高等法院對有關的法律要求持嚴正意見。第三，法定制度要求委員會對個案的處理要快速、有成效及高效率。

在上述範疇的推動下，彼此就服務標準的期望及溝通對監護制度的成功尤其重要。委員會主席有見及此，會積極及持續協助加強前線社工對監護法律、實務操作及其他有關事宜的知識。同時，為達致該目標而曾經於主要工作系統上作出必要的調整。

因著委員會主席及社會福利署監護事宜辦事處均相信由於署方的社工會常規地接受調職，故此，在未來數年，上述各項持續改善的方向及措施，是仍然有必要維持的。

為達致彼此的期望，良好的溝通及增強前線社工的監護系統知識，與及理順工作關係，於本報告涵蓋的期間，委員會主席曾參予以下的研討會及作出若干系統上的調整：

1. 於二零零六年十月二十日在委員會秘書處舉辦小組研討會，該形式能促進討論的氣氛；

The Board is a quasi-judicial tribunal but does not have an enforcement jurisdiction. The order of the Board, for the purpose of promoting and protecting the best interests of subject persons, is carried out by, and in fact mainly depended upon, the social workers of the Social Welfare Department. Seamless service is thus becoming a vital target. Besides, for every new case, the Board is required by law to find the social enquiry report as the major evidence upon which the merits of an application is determined. Quality works of government social workers is therefore of vital importance to the Board. The Board holds fast to a high standard of case workers on three grounds. First, the statutory scheme of guardianship requires the Board to promote the best interests of the subject persons. Secondly, the High Court holds a very stringent view towards the legal requirements upon the Board. Thirdly, the statutory scheme requires the Board to move fast, effectively and efficiently.

Against these dynamics, closer mutual communication on service standards and expectations is very important to bring about the success of the guardianship system. The Chairperson thought it very important that not only communication on mutual expectation should be strengthened, but also the enhancement in the knowledge of guardianship law, practices and related issues of the frontline social workers should be fostered on a continuous basis. Towards this goal, major system adjustments are essential and complementary.

The areas outlined for improvement will continue in years ahead because among others, the Chairperson and the Guardianship Office of Social Welfare Department both recognize that the routine career postings of social workers within the Department posed such a necessity.

To tally mutual expectations, for better communications and for enhancing the professional knowledge of frontline social workers and with the view for smooth working relationship, the following training sessions or opportunities, new initiatives and system adjustments were undertaken or initiated by the Chairperson during the period under report:-

1. Small Group Seminar at Guardianship Board office on 20 October 2006. This format facilitates productive discussions;

2. 於二零零七年一月二十六日及十月二十六日分別為社會福利署社工舉行週年研討會；
3. 於二零零七年二月二十九日及二零零八年六月十三日在社會福利署分區/地區辦事處舉行中型分享會，該分享會的形式十分成功，因為促使大家有較深層次的討論；
4. 委員會與社會福利署的監護事宜辦事處於各分享會後，會把關注的事項製成「常見問題」集。有關的「常見問題」集會上載於社會福利署的內聯網，以供同事參考。
5. 於聆訊後，與個別個案社工作技巧交流分享。
6. 於聆訊後，以書面表揚個案社工及報告擬備人的優良表現，以示正面鼓勵，及起示範作用。
7. 首屆優秀社會工作者選舉(二零零七年一月廿六日)。其目的是藉此公開認同及表揚優秀的社會福利署社工的正面工作態度及希望他們的工作表現成為同事的模範。
8. 二零零八的委員會秘書處投放大部份資源於策劃二零零九年一月九日的首次監護會議，當中六百個座位之中，約一百一十個是預留給社會福利署社工(第二屆的優秀社會工作者選舉亦於當天頒發獎座)。

定期之溝通與聯繫

9. 委員會的《每月通訊》均由秘書處傳閱給社會福利署的監護事宜辦事處，以其獲得有關監護個案的最新資訊，及能把較重要的資訊轉發給前線社工。
10. 定期及緊密地與社會福利署的監護事宜辦事處進行各樣的會議（二零零六年一月二十七日、二零零七年七月二十五日、二零零八年四月十八日及二零零八年十月十日）。

2. Two annual briefings solely reserved for social workers of Social Welfare Department on 26 January 2007 and 26 October 2007;
3. Medium size sharing at district/regional office of Social Welfare Department on 29 February 2007 and 13 June 2008. This format proved to be very successful because it enables in-depth discussions;
4. FAQs on topics of mutual concern are developed jointly with Guardianship Office of Social Welfare Department after each of the above presentations and sharing sessions. The FAQs have been posted up onto the intranet of Social Welfare Department for future reference of social workers;
5. Sharings with individual case social workers after hearings finalized;
6. Written appreciation to case social workers and report makers after hearings to encourage and sustain continual good performance;
7. The first Awards of Outstanding Social Workers presentation held on 26 January 2007. The purpose of this award is mainly to recognize and appreciate great efforts of outstanding social workers and, more importantly, to reinforce and encourage positive work attitudes and demonstrate good examples;
8. During 2008, major staff resources is deployed for organizing the Guardianship Conference on 9 January 2009. For this particular conference, around 110 out of 600 seats were reserved for social workers of Social Welfare Department. The second Awards of Outstanding Social Workers also took place at this Conference;

Regular communication & liaison

9. Monthly Bulletins are circulated to the Guardianship Office of Social Welfare Department for the purpose of updating the current issues of guardianship cases. The Guardianship Office of Social Welfare Department uses to disseminate important messages to their frontline social workers on receipt of the bulletin for the month;
10. Regular and frequent liaison meetings and other meetings with the Guardianship Office of Social Welfare Department (27 January 2006, 25 July 2007, 18 April 2008 and 10 October 2008);

系統的調整

SYSTEM ADJUSTMENTS

於聆訊實務上，現確立聆訊前兩輪書面查詢的方法。

為取得不可或缺的資料及確保可迅速處理聆訊，委員會主席成功地建立了這項系統。

該系統首先由秘書處職員於聆訊前十四天向報告擬備人(即個案社工)提出常規性的書面查詢，及要求提供尚欠的資料或對某事項的解說。

之後，若有需要，約於聆訊前七天，由主席(或主持聆訊成員)作出第二輪的書面查詢，以提出更切合個案特點的具體性問題或要求一些特別文件存檔。有關的系統調整已於二零零八年初推行至今，結果顯示這不只能夠提高聆訊效率，並且能十分有效地防止聆訊中可能發生的敏感議題或不調和情況。這系統大大促進了整個聆訊制度的改善。

The system of two-tier requisitions in advance of hearing date

To obtain necessary information and to ensure speedy disposition of hearings, the Chairperson has successfully developed this particular system.

The system requires, firstly, the Secretariat staff to raise standard written requisitions 14 days before hearing to report makers (i.e. case social workers) requesting for particular information or clarifications.

Secondly, the Chairperson (or the panel chair) will raise, if needed, the second round of requisitions for more specific matters or production of documents in about 7 days before the hearing. The result of this system, after the trial run for 8 months since early 2008, is proved to be very encouraging not only because it will ensure a speedy hearing, but also avoid almost all emotive issues or disharmonious encounters that might otherwise occur during hearings. This is remarked as a great advancement in the operation system.

新文件樣本

NEW TEMPLATES

社會福利署監護事宜辦事處於委員會提供意見及支持下發出了兩款新文件樣本。首先是改進了社會背景調查報告及最新社會背景調查報告的樣本，內容包含更多重要分題在內，以符合委員會的最新期望及要求。該等新樣本已於二零零六年十一月二十六日開始使用。

第二款樣本是一款創新的表格。它是一個綜合性表格，用以記錄及評估家人或友人於聆訊前曾替當事人代支的每個款項，以便委員會審批退回代支款項。

這兩項有用的工具大大提高了聆訊的效率及避免了可產生的誤解。

With inputs and support of the Board, two very significant new templates were developed by the Guardianship Office of Social Welfare Department. The first of these is the revised report template(s) of social enquiry reports and progress reports. These new templates cover various heads of important details and embody the latest expectations and requirements of the Board. The new report templates have been put into use on 26 November 2006.

The second template is a new invention. It is a comprehensive table covering an assessment for each item of previous expenses of the subject paid by family members or friends who now seek to be reimbursed under an authorization from the Board. These two new tools greatly enhance the efficiency of the hearing process and avoid any possible misunderstanding between.

醫療報告表格

FORMAT OF MEDICAL REPORTS

為獲得更準確的醫學證供，用於監護程序的全部醫療報告表格會定期更新及改進。最後的更新日期為二零零六年四月三日及二零零八年五月七日。這些表格可於委員會的官方網頁下載。

To elucidate accurate forensic evidence, all forms of medical reports to be used in guardianship proceedings are regularly updated and modified. The latest version dates are 3 April 2006 and 7 May 2008 and such forms can be downloaded from the Board's official website.

第II部(產業受託監管人)命令 內含常規披露條款

STANDARD DISCLOSURE CLAUSE IN PART II (COMMITTEE) ORDER OF HIGH COURT

於二零零七年十一月三日高等法院法官、委員會主席、社會福利署代表及法定代表律師代表舉行了一個重要的會議，該會議的目的是希望把有關精神上無行為能力的人仕的需要作跨部門的討論，而委員會期望日後能將披露財務資料條款常規地納入於將來頒出的產業受託監管人命令內，以便委員會及社會福利署能得到當事人的最新財務資料。自該會議後，法定代表律師妥善地提供協助及把當事人的財務資料轉交給委員會及社會福利署，這大大協助了委員會作出個案覆核。委員會察悉第一個披露條款於二零零七年十二月二十一日出現於一個產業受託監管人命令內。此舉，同樣有助社會福利署的報告擬備人的工作。

The High Court, the Board, Social Welfare Department and the Official Solicitors Office had a joint meeting held on 3 November 2007 where it was canvassed (among other things) that a standard disclosure order should best be embodied in all future Committee orders in order to facilitate financial information disclosure to the Board and Social Welfare Department in guardianship cases. Since the meeting, the Official Solicitor has been very helpful and facilitative in releasing financial data of the subject person in specified form which greatly assists the Board in reviewing cases. The first standard disclosure order was seen embodied in a Committee Order dated 21 December 2007. It is also observed that the preparatory works of report writers of Social Welfare Department are greatly facilitated.

主要資訊科技發展：

上載委員會裁決於官方網頁

MAJOR IT DEVELOPMENT: UPLOAD OF DECISIONS ONTO OFFICIAL WEBSITE

為提高公眾人士對委員會新近裁決的掌握及最終成為公眾參考資料庫，委員會主席於委員會的官方網頁創新加入「監護委員會的裁決」一欄。這做法促使我們與國外的經驗同步。自二零零八年三月一日至十二月三十一日止，秘書處已上載了十個裁決於網頁內。委員會主席會繼續編制合適及具普遍重要性的個案予以上載。

To keep the public abreast of current issues and as an essential tool of reference in the longer run, the Chairperson initiated a new page in the Board's official website known as "Guardianship Board Decisions". This measure is aligned with overseas experience. Since 1 March 2008 and up to 31 December 2008, the Secretariat uploaded 10 Decisions of the Board to the website. The Chairperson will continue to edit suitable cases of general importance and upload them to this site.

委員的進修發展 MEMBERS' DEVELOPMENT



因各委員須妥善地履行他們的職責，掌握現行的法定準則、要求及監護知識對各委員均為重要。為達致該目的，秘書處曾為各委員舉辦研討會及分享講座，及發放《每月通訊》。自二零零三年至今，主席已發出七十期的《每月通訊》及於二零零六年五月十六日及二零零八年一月二十六日舉辦了兩個監護資訊分享講座。

It is equally important to keep Board members informed of the current standards, procedural requirements and guardianship knowledge in order that they may discharge their duties adequately. This is done through workshops and sharings and, more importantly, by sending to them "monthly bulletins". By the end of year 2008, 70 "monthly bulletins" were written by the Chairperson since February 2003 and two information sharing sessions were held for members respectively on 16 May 2006 and 26 January 2008.

上訴 APPEALS

秘書處得悉有二宗個案的有關人士向高等法院申請上訴。

1. 檔案HCMP1327/2007 — 詳情請閱本報告內“工作”一欄內的“命令理由”的內文。
2. 檔案HCMP953/2008 — 結果待定。

1. HCMP 1327/2007 - Please see "Reasons for Order" under "The Work".
2. HCMP 953/2008 - Result pending.



投訴 COMPLAINTS

在此報告期內，秘書處共收到五宗投訴。

由於複雜/家庭衝突的個案增加，投訴的數目亦自然地相應增多，但相比其他國家的投訴情況及本地聆訊個案的數目，畢竟是一個小數目(5宗個案/1,615個聆訊)，過往三年，共錄得五個投訴，其中四宗是投訴主席及一宗是投訴主持聆訊的律師成員。有關投訴詳列如下：

1. 2006年6月 一位證人因出現極不合理的行為，被命令離開聆訊室，但他不滿而作出口頭投訴。
2. 2006年10月 及 2007年4月 一位女兒投訴她不能探望母親(即當事人)。她亦投訴委員會委任社會福利署署長為監護人的決定。
3. 2007年4月 一位養女(亦是施虐者)投訴當事人的銀行戶口被凍結。
4. 2007年7月 於緊急監護令批出後，一幫施虐者提出投訴。
5. 2008年 1月及3月 申請人(即兒子)因被命令於聆訊中途離開聆訊室，而作出投訴。

經委員會調查後，證實以上的投訴並不成立。除了首宗投訴外，其他均屬複雜的家庭糾紛個案。因個案的性質轉移，委員會在將來並不可能避免接到各類型投訴。因糾紛類個案漸漸增多，相應地投訴的數字會有上升趨勢，聆訊各方常具有向委員會發洩其忿怒、挫敗、不滿或報復(尤其當聆訊的另一方同意委任社會福利署署長為監護人)的心態，因委員會或被視為偏袒某一方。

然而，主席及委員在聆訊進行時特別留意及避免不必要的投訴，因這將會間接地增加了委員會的工作量。再者，主席亦會值著每個機會透過《每月通訊》把接到的投訴細節知會其他委員，以提高他們對這些敏感情況的警覺。

Due to rising number of complicated / conflict cases, it is natural that the number of complaints has risen. Encouragingly though, the complaints lodged are negligibly small in number (5/1,615) [four complaints were laid against the Chairperson and a complaint was against a Panel A member], when compared internationally and in terms of the volume of cases heard. The complaints are fully listed below:-

- | | |
|------------------------|--|
| 1. JUN 2006 | Verbal complaint by a witness on being ordered to leave the hearing room due to grossly inappropriate behaviour. |
| 2. OCT 2006 & APL 2007 | A daughter complaining for not being allowed to gain access to her mother, the subject. She also complained against the decision of the Board to appoint Director of Social Welfare as the legal guardian. |
| 3. APL 2007 | An adopted daughter (an abuser herself) complained on freezing of bank accounts of the subject. |
| 4. JUL 2007 | Complaint lodged by a camp of abusers, after an Emergency Guardianship Order was granted. |
| 5. JAN & MAR 2008 | Complaint by the applicant-son on being ordered to leave at the middle of the hearing. |

The above complaints were duly investigated and all were found unsubstantiated. Except the first complaint, which was a verbal one, all other four were related to complicated family conflict cases. Given the nature of the core business of the Board, it is unlikely that the Board will be free from complaints in future. In fact and on the contrary, the number will naturally rise due to, as common in conflict cases, the psychology of venting anger, frustration, grievance or revenge against the Board, which is very often perceived to have sided with a party (e.g. particularly where that party agrees to appoint the Director of Social Welfare as the legal guardian.)

Nevertheless, the Chairperson and the members are extremely cautious during sittings to avoid attracting unnecessary complaints against the Board, which in turn will generate unnecessary workloads. Further, the Chairperson also seeks every opportunity to disclose to members in the "monthly bulletins" of complaints received, so that the members will heed to those sensitive situations.

委員會委員

Board Members

保護 Protection

同情 Compassion

公正 Fairness

獨立 Independence

尊重 Respect

方便 Accessibility

委員會委員

BOARD MEMBERS

主席 趙宗義律師

以下委員會委員在此報告期內受委任:

A組委員

大律師/律師

1. 陳家樂太平紳士
2. 徐伯鳴律師
3. 洪惠貞律師
4. 關德康律師
5. 邵信發律師
6. 姚定國律師 (任期由二零零七年二月一日開始)
7. 梁偉強大律師 (任期由二零零七年二月一日開始)
8. 李樹旭大律師 (任期由二零零八年二月一日開始)
9. 簡錦輝律師 (任期至二零零八年一月三十一日)
10. 許宗盛太平紳士 (任期至二零零七年一月三十一日)
11. 鄭建偉律師 (任期至二零零七年一月三十一日)

B組委員

註冊醫生

1. 陳漢威醫生
2. 陳華發醫生
3. 戴樂群醫生
4. 孔志航醫生
5. 郭偉明醫生
6. 梁萬福醫生
7. 林煒醫生
8. 勞振威醫生
9. 沈孝欣醫生
10. 蔡定國太平紳士
11. 姚玉筠醫生

Chairperson Mr Charles CHIU Chung-yee

The Members of the Board during the years under report are set out below: -

Panel A Members

Barristers and Solicitors

1. Mr Walter CHAN Kar-lok, S.B.S., JP
2. Mr Norman CHUI Pak-ming
3. Ms Christina HUNG Wai-ching
4. Mr Thomas KWAN Tak-hong
5. Mr SHAW Shun-fat
6. Mr IU Ting-kwok (Appointed on 1 February 2007)
7. Mr Richard LEUNG Wai-keung (Appointed on 1 February 2007)
8. Mr Andrew LI Shu-yuk (Appointed on 1 February 2008)
9. Dr David KAN Kam-fai (Expired on 31 January 2008)
10. Mr Herman HUI Chung-shing, JP, MH (Expired on 31 January 2007)
11. Mr Joseph KUN Kin-wai (Expired on 31 January 2007)

Panel B Members

Registered Medical Practitioners

1. Dr Felix CHAN Hon-wai
2. Dr CHAN Wah-fat
3. Dr David DAI Lok-kwan
4. Dr Rommel HUNG Chi-hong
5. Dr Henry KWOK Wai-ming
6. Dr Edward LEUNG Man-fuk
7. Dr LIN Wei
8. Dr LO Chun-wai
9. Dr Karen SHUM Hau-yan
10. Dr Peter TSOI Ting-kwok, JP
11. Dr YIU Yuk-kwan

12.陳偉智醫生	(任期由二零零八年二月一日開始)	12. Dr CHAN Wai-chi	(Appointed on 1 February 2008)
13.方榮志醫生	(任期由二零零八年二月一日開始)	13. Dr FONG Wing-chi	(Appointed on 1 February 2008)
14.林美玲醫生	(任期由二零零八年二月一日開始)	14. Dr May LAM Mei-ling	(Appointed on 1 February 2008)
15.雷永昌醫生	(任期由二零零八年二月一日開始)	15. Dr Victor LUI Wing-cheong	(Appointed on 1 February 2008)
16.區結成醫生	(任期至二零零八年一月三十一日)	16. Dr Derrick AU Kit-sing	(Expired on 31 January 2008)
17.劉國光醫生	(任期至二零零八年一月三十一日)	17. Dr Dominic LAU Kwok-kwong	(Expired on 31 January 2008)
18.余達明醫生	(任期至二零零八年一月三十一日)	18. Dr Paul SHEA Tat-ming	(Expired on 31 January 2008)
19.王穎珊醫生	(任期至二零零八年一月三十一日)	19. Dr Josephine Grace WONG Wing-san	(Expired on 31 January 2008)

臨床心理學家

1. 馮淑敏博士
2. 繆李金碧女士
3. 梁莊麗雅博士
4. 黃熾榮博士

職業治療師

1. 李萍英博士

社會工作者

1. 陳佩儀女士
 2. 程志剛先生
 3. 郭烈東先生
 4. 馬錦華先生
 5. 蘇國安先生
 6. 曾福怡女士
 7. 錢黃碧君女士
 8. 周淑琼女士
 9. 周賢明先生
 - 10.張危美玉女士
 - 11.馮啟民先生
 - 12.李秀霞女士
- (任期由二零零八年二月一日開始)
- (任期由二零零八年二月一日開始)
- (任期由二零零八年二月一日開始)
- (任期由二零零八年二月一日開始)
- (任期由二零零八年二月一日開始)

Clinical Psychologists

1. Dr Amy FUNG Shuk-man
2. Mrs Peggy Roberta MIU LEE
3. Dr Anita LEUNG CHONG Ngai-ngor
4. Dr WONG Chee-wing

Occupational therapist

1. Dr Eria LI Ping-ying

Social Workers

1. Ms CHAN Pui-yi
2. Mr CHING Chi-kong
3. Mr KWOK Lit-tung
4. Mr Timothy MA Kam-wah
5. Mr Christopher SO Kwok-on
6. Ms Connie TSANG Fook-yee
7. Mrs Teresa TSIEN WONG Bik-kwan
8. Ms Kitty CHAU Shuk-king (Appointed on 1 February 2008)
9. Mr Francis CHAU Yin-ming, MH (Appointed on 1 February 2008)
10. Mrs Marian CHEUNG NGAI Mei-yuk (Appointed on 1 February 2008)
11. Mr David FUNG Kai-man (Appointed on 1 February 2008)
12. Ms Elsa LEE Sau-ha (Appointed on 1 February 2008)

13. 吴家雯女士	(任期由二零零八年二月一日开始)	13. Ms Carmen NG Ka-man	(Appointed on 1 February 2008)
14. 袁漢林先生	(任期由二零零八年二月一日开始)	14. Mr Joseph YUEN Hon-lam	(Appointed on 1 February 2008)
15. 楊美玲女士	(任期由二零零八年二月一日开始)	15. Ms YUENG Mee-ling	(Appointed on 1 February 2008)
16. 簡佩霞女士	(任期至二零零八年一月三十一日)	16. Ms Christina KAN Pui-har	(Expired on 31 January 2008)
17. 藍宇喬女士	(任期至二零零八年一月三十一日)	17. Ms Rita LAM Yu-kuu	(Expired on 31 January 2008)
18. 李翠華女士	(任期至二零零八年一月三十一日)	18. Ms Teresa LEE Chui-wah	(Expired on 31 January 2008)
19. 羅德明女士	(任期至二零零八年一月三十一日)	19. Ms Helen LO Tak-ming	(Expired on 31 January 2008)
20. 黃羨琰女士	(任期至二零零八年一月三十一日)	20. Ms Rebecca WONG Sim-yim	(Expired on 31 January 2008)
21. 黃耀明女士	(任期至二零零八年一月三十一日)	21. Ms Anita WONG Yiu-ming	(Expired on 31 January 2008)
22. 楊澤心女士	(任期至二零零八年一月三十一日)	22. Ms YEOH Chak-sum	(Expired on 31 January 2008)
23. 徐成君先生	(已故)	23. Mr CHUI Sing-kwan	(Deceased)

C組委員

1. 朱慧心女士	
2. 劉美瑛女士	
3. 何鑑如先生	
4. 何永芳女士	
5. 鄭張鈺儀女士	
6. 唐許嬪嬌女士	
7. 黃李思敏女士	
8. 江馬玉琴女士	(任期由二零零八年二月一日開始)
9. 梁綺萍女士	(任期由二零零八年二月一日開始)
10. 盧鄭玉珍女士	(任期由二零零八年二月一日開始)
11. 石蘇群英女士	(辭任)
12. 史陳尚欣女士	(辭任)
13. 潘觀蓮女士	(任期至二零零八年一月三十一日)
14. 何雪珍女士	(任期至二零零八年一月三十一日)
15. 楊黃永和女士	(任期至二零零八年一月三十一日)

注: 若委員姓名後沒有列出其履任或離任日期, 則其任期乃由二零零五年二月一日起。

Panel C Member

1. Ms Betty CHU Wai-sum	
2. Mrs FURNISS LAU Mei-ying	
3. Mr Stephen HO Kam-yu	
4. Ms Sally HO Wing-fong	
5. Mrs Margaret KWONG CHEUNG Yuk-yee	
6. Mrs Heidi TONG HUI Sim-kiu	
7. Mrs Almond WONG LEE Sze-mun	
8. Mrs KONG MA Yuk-kum	(Appointed on 1 February 2008)
9. Ms Nora LEUNG Yee-ping	(Appointed on 1 February 2008)
10. Mrs LO CHENG Yuk-chun	(Appointed on 1 February 2008)
11. Mrs Delana SHEK SO Kwan-ying	(Resigned)
12. Mrs Sonja SHIH CHAN Seung-yan	(Resigned)
13. Ms PUN Kun-lin	(Expired on 31 January 2008)
14. Mrs Christine TSE HO Suet-chun	(Expired on 31 January 2008)
15. Mrs Annie YEOH WONG Wing-wo	(Expired on 31 January 2008)

Remarks: For those members without an appointment date or expiration date specified, their appointments have started since 1 February 2005.

秘書處

The Secretariat

保護 Protection

同情 Compassion

公正 Fairness

獨立 Independence

尊重 Respect

方便 Accessibility

秘書處

THE SECRETARIAT

秘書處首長	： 趙宗義律師	Head of the Secretariat	： Mr Charles CHIU Chung-yee
委員會秘書	： 林雪貞小姐	Secretary to the Board	： Ms Shera LAM Suet-ching
主席之私人秘書	： 李碧嬪小姐	Personal Secretary to the Chairperson	： Ms Angel LEE Pik-sim
助理委員會秘書	： 馮翠珊小姐	Assistant Secretary to the Board	： Miss Katie FUNG Chui-shan
助理文員	： 許洁小姐	Clerical Assistant	： Ms HUI Kit

秘書處的規模在過去十年並沒有改變。秘書處的工作十分繁重及多元化，主要包括：每天的行政工作、如一般審裁處的登記處去處理個案及安排聆訊、宣傳有關監護知識、回答所有來自聆訊一方、公眾、政府社工及專業人士的查詢。

The Secretariat remains of a small size in these ten years. The very heavy and varied workload of it includes day-to-day administrative duties, processing cases for hearing like a tribunal registry, promoting knowledge of guardianship, answering and receiving all types of enquiries from parties, the public, government social workers and professionals.

網頁

THE WEBSITE

秘書處持續地把最新的資訊上載至官方網頁。自二零零八年三月一日起，秘書處把新的一页——“監護委員會的裁決”附加上網頁內。

Secretariat spent much time to update the information in the official website. The work is getting heavier upon launch of new page of “Guardianship Board Decisions” since 1 March 2008.

委員會第二份報告

2ND REPORT OF THE BOARD

於二零零六年的首三個季度，秘書處投放了大量時間於準備及審閱委員會第二份報告(中、英雙語)。儘管預備的工作繁多，但委員會仍然認為撰備該報告是具價值的，因為這是與主要持份者的溝通橋樑，及成為本地於監護法律的重要刊物。

Much time was devoted in the first three quarters of 2006 to the in-house preparation and proof-reading of the Second Report (in both English and Chinese languages) of the Board. Despite heavy routine duties, the effort is worth spending because the report is not only an essential tool of communication with all key stakeholders, but also an important contribution to local literature in guardianship.

香港監護會議暨成立十週年紀念

HONG KONG GUARDIANSHIP CONFERENCE CUM 10TH ANNIVERSARY



秘書處於二零零八年花了很多的時候籌備該會議，會議於二零零九年一月九日成功地舉行了。

Secretariat spent much time in 2008 for the preparatory works of the Conference which was successfully held on 9 January 2009.



研討會

PUBLIC SEMINARS

日期 Date

項 目 Description

二零零六年（由主席主講） Year 2006 (by Chairperson)

1.	3月3日 3 MAR	醫院管理局：「法定監護人的醫療權力-最新情況」研討會 （出席：148名醫護員工） Hospital Authority: Forum on "Medical Powers of a Legal Guardian – an update" (Participants: 148 medical staff)
2.	3月11日 11 MAR	監護委員會小組座談會 （出席：25名自願機構社工） Guardianship Board Small Group Seminar (Participants: 25 NGOs social workers)
3.	4月8日 8 APL	監護委員會小組座談會 （出席：25名自願機構社工） Guardianship Board Small Group Seminar (Participants: 25 NGOs social workers)
4.	5月27日 27 MAY	監護委員會小組座談會 （出席：25名醫院及自願機構社工） Guardianship Board Small Group Seminar (Participants: 25 Schedule II hospitals & NGOs social workers)
5.	6月13日 13 JUN	香港弱智人士家長聯會：「如何支援照顧者面對老化問題」研討會 （出席：320名智障人士家屬及社工） Hong Kong Joint Council of Parents of the Mentally Handicapped Seminar (Participants: 320 parents and social workers)
6.	6月24日 24 JUN	監護委員會小組座談會 （出席：25名自願機構社工） Guardianship Board Small Group Seminar (Participants: 25 NGOs social workers)
7.	8月10日 10 AUG	威爾斯親王醫院內科及藥物治療科：「監護令：用得合宜」研討會 （出席：70名醫護人員） Department of Medicine & Therapeutics, Prince of Wales Hospital: "Guardianship: A power not to be misappropriated" seminar (Participants: 70 medical staff)
8.	8月12日 12 AUG	監護委員會小組座談會 （出席：23名自願機構社工） Guardianship Board Small Group Seminar (Participants: 23 NGOs social workers)
9.	9月19日 19 SEP	基督教靈實協會：「預前指示-運用及關注事宜」講座 （出席：50名醫護人員及社工） Haven of Hope Christian Service: "Advance Health Directive – Applications and Concerns" Seminar (Participants: 50 medical staff and social workers)
10.	9月29日 29 SEP	基督教靈實協會：「長期服務設施的臨終前照顧」會議 （出席：超過100名專業人仕） Haven of Hope Christian Service: "End-of-life Care in Long-term Care Setting" Conference (Participants: over 100 professionals)
11.	11月1日 1 NOV	香港大學社會工作及社會行政學系梁顯利培訓計劃：「監護委員會的角色」課堂 (出席：30名社工、護士、物理治療師及職業治療師) Lecture to Department of Social Work and Social Administration, HKU: Henry G Leong Programme "Advance practice in Elderly Care – The role of Guardianship Board" (Participants: 30 social workers, nurses, physiotherapists and occupational therapists)
12.	11月25日 25 NOV	第14屆老年學會周年會議：「照顧質素-監護權展望」 （出席：300名專業人仕） Hong Kong Association of Gerontology Fourteenth Annual Congress of Gerontology: "Quality of Care – A Guardianship Perspective" (Participants: 300 professionals)
13.	12月12日 12 DEC	第五屆衛生與精神健康社會工作國際會議：「法例保障被侵吞財產的精神上無行為能力的老人人」 (出席：約120名人仕) 5th International Conference on Social Work in Health and Mental Health: "Legal protection / Financial Abuse for mentally incapacitated Older Persons" (Participants: around 120 persons)

日期 Date

項 目 Description

二零零六年（由委員會秘書主講） Year 2006 (by Secretary to the Board)

1.	2月6日 6 FEB	社會福利署：「安老院舍內長者免被侵吞財產」座談會（出席：103人，包括院長、管理人員、經理、護士、社工、護理人員、福利員及其他） Social Welfare Department: Seminars on "Prevention of Elder Financial Abuse in Residential Care Settings" (Participants: 103 delegates (including superintendents, supervisors, managers, nurses, social workers, health workers, welfare workers and others))
2.	2月10日 10 FEB	香港耆康老人福利會：「監護令」講座（出席：40-50名安老服務社工） The Hong Kong Society for the Aged: "Guardianship" seminar (Participants: 40-50 social workers of Elderly services)
3.	3月7日 7 MAR	社會福利署：「安老院舍內長者免被侵吞財產」座談會（出席：91人，包括院長、管理人員、經理、護士、社工、護理人員、福利員及其他） Social Welfare Department: Seminars on "Prevention of Elder Financial Abuse in Residential Care Settings" (Participants: 91 delegates including superintendents, supervisors, managers, nurses, social workers, health workers, welfare workers and others)
4.	4月10日 10 APR	香港基督教女青年會：「監護令」講座（出席：30名個案員工及中心主任） Hong Kong Young Women's Christian Association: "Guardianship" seminar (Participants: 30 case workers and centre staff)
5.	5月30日 30 MAY	循道衛理楊震社會服務處：「監護權」講座（出席：60名智障人士家屬及復康服務同工） Yang Memorial Methodist Social Service: "Guardianship" seminar (Participants: 60 parents and rehabilitation staff)
6.	8月22日 22 AUG	香港社會工作人員協會：「有關精神上無行為能力的人的監護令管理事宜」講座（出席：30名社工） Hong Kong Social Workers Association: "Managing Issue of Guardianship with mentally incapacitated persons" seminar (Participants: 30 social workers)
7.	9月6日 6 SEP	仁濟醫院家居訓練及支援服務：「殘疾人士之監護權」講座（出席：40-50名照顧者及復康服務同工） Yan Chai Hospital Home-based Training and Support Service: "Guardianship" seminar (Participants: 40-50 carers and rehabilitation staff)
8.	10月6日 6 OCT	明愛家居訓練及支援服務：「監護權面面觀」講座（出席：50名智障人士家屬及單位職員） Caritas Home-based Training and Support Service: "Guardianship" seminar (Participants: 50 parents and staff)
9.	12月12日 12 DEC	香港弱智人士家長聯會：「如何支援照顧者面對老化問題」研討會（出席：70-80名人仕） The Hong Kong Joint Council of Parents of the Mentally Handicapped: "Guardianship" seminar (Participants: 70-80 persons)

二零零七年（由主席主講） Year 2007 (by Chairperson)

1.	1月12日 12 JAN	由Prof Appelbaum, M.D.主講：「醫學實踐的精神能力」工作坊（出席：70名醫學專業人仕）(於問答環節與王穎珊醫生一起回答問題) Workshop on "Mental Competence in Medical Practice" by Prof. Appelbaum, M.D. (Participants: 70 medical professionals (only Q&A session together with Dr Josephine WONG))
2.	3月9日 9 MAR	2007年世界華人老齡化及痴呆症學術研討會：「倫理及醫療法律事宜-監護令」（出席：100名人仕） World Congress on Ageing and Dementia in Chinese Communities 2007: "Ethical & medico-legal issues – Guardianship" (Participants: around 100 persons)
3.	3月9日 9 MAR	2007年世界華人老齡化及痴呆症學術研討會：「精神行為能力評估及處理財務事宜」（出席：11名律師） World Congress on Ageing and Dementia in Chinese Communities 2007: "Capacity test and finance management" (Participants: 11 lawyers)

4.	9月22日 22 SEP	亞洲創傷心理研究學會 - 「臨終旅程的照顧」研討會：「法律上的準備」（出席：100名心理學家及社工） Asian Society for Traumatic Stress Studies: Seminar on "Care for the End-of-life Journey – To be legally prepared" (Participants: 100 clinical psychologists and social workers)
5.	11月14日 14 NOV	香港理工大學康復治療科學系 - 「監護委員會的工作」（出席：40名職業治療碩士學生） Lecture to Community commitments and support issues – employment skills, community experiences and social opportunities (Participants: 40 Polytechnic University MSc students)
6.	12月14日 14 DEC	香港社會服務聯會：未雨綢繆 — 如何為長者晚期生活作預備研討會及工作坊「預前指示及持久授權書的應用」（出席：100名自願機構員工） Hong Kong Council of Social Services: Seminar on "Advance Directive & Enduring Powers of Attorney" (Participants: around 100 staff of NGOs)

二零零七年（由委員會秘書主講） Year 2007 (by Secretary to the Board)

1.	3月14日 14 MAR	香港唐氏綜合症協會：「如何保障子女的未來生活」研討會（出席：53名家屬） The Hong Kong Down Syndrome Association seminar (Participants: 53 parents)
2.	6月13日 13 June	香港大學社會工作及社會行政學系梁顯利培訓計劃：「監護委員會的角色」課堂（出席：30名社工、護士、醫護人員） Lecture to Department of Social Work and Social Administration, Hong Kong University Henry G Leong Programme (Participants: 30 social workers, nurses, medical doctors and allied health personnel)
3.	7月6日 6 July	醫院管理局新界東醫院聯網：「醫療同意及監護」研討會（出席：30-40名護士） New Territories East Cluster of Hospital Authority — "Consent & Guardianship" seminar (Participants: 30-40 nurses)

二零零八年（由主席主講） Year 2008 (by Chairperson)

1.	10月30日 30 OCT	香港大學社會工作及社會行政學系梁顯利培訓計劃：「監護委員會的角色」課堂（出席：26名自願機構及醫院管理局社工、護士、物理治療師及職業治療師） Lecture to Hong Kong University Henry G Leong Programme: for Enhanced Training & Research on Holistic Care and Elderly (Participants: 26 NGOs and Hospital Authority social workers, nurses, physiotherapists and occupational therapists)
2.	12月15日 15 DEC	香港精神科醫學院及皇家精神科醫學院(英國)首次聯辦國際會議：「監護法律與精神科證據」（出席：80名精神科醫生） Talk on "Forensic Evidence in Guardianship" to First Joint International Conference of the Hong Kong College of Psychiatrists and Royal College of Psychiatrists (UK) (Participants: 80 psychiatrists)

二零零八年（由委員會秘書主講） Year 2008 (by Secretary to the Board)

1.	5月15日 15 MAY	匡智家居訓練及支援服務：「智障人士的監護權與保險」講座（出席：200名家屬及教職員） Hong Chi Home-based Training and Support Service: "Guardianship" seminar (Participants: 200 parents and staff)
2.	7月11日 11 July	基督教懷智服務處：「認識香港的成年人監護權和監護委員會服務」講座（出席：40名社工及管理人員） Wai Ji Christian Service: "Guardianship" seminar (Participants: 40 social worker and staff)
3.	9月19日 19 SEP	明愛樂務綜合職業訓練中心：「介紹監護委員會的工作及申請及行使「監護權」的問題」講座（出席：70-80名家長） Caritas Lok Mo Integrated Vocational Training Centre: "Guardianship" (Participants: 70-80 parents)

小冊子 THE LEAFLETS

委員會印製了十三款有關監護的小冊子，為提供有關監護事宜的資訊及發展，委員會會在不同時段更新小冊子(共十三款)的內容。

1. 我們的工作
2. 申請監護令的程序
3. 申請監護令的流程表
4. 填寫監護令申請表格指引
5. 監護令聆訊程序
6. 非官方監護人權責簡介
7. 申請覆核監護令的程序
8. 申請監護指示的程序
9. 緊急監護聆訊的流程表
10. 緊急監護令 — 保護被虐待的精神上無行為能力的成年人
11. 申請緊急監護令的流程表
12. 同意進行醫療及牙科治療
13. Guide to doctors / dentists - Consent to Medical and Dental Treatment of mentally incapacitated person ("MIP") - in the context of Part IVB & Part IVC, Mental Health Ordinance (Cap. 136)

(供醫生及牙醫參考 - 只提供英文版本)

So far, the Board produced 13 leaflets covering various areas of guardianship. In order to bring information of the Board and the developments of guardianship practice up to date, the leaflets have been revised from time to time at different periods.

- 1 Our Work
- 2 Application Procedure for a Guardianship Order
- 3 Flow chart for a normal guardianship application
- 4 This Guide helps you to fill out the application form for guardianship
- 5 Hearing Process for Guardianship
- 6 Abbreviated Guide for Private Guardian
- 7 Application Procedure for Review of a Guardianship Order
- 8 Application Procedure for Directions of guardianship
- 9 Flow chart for URGENT guardianship hearing
- 10 Emergency Guardianship Order - Protecting abused mentally incapacitated adults
- 11 Flow chart for emergency guardianship application
- 12 Consent to Medical and Dental Treatment
- 13 Guide to doctors / dentists - Consent to Medical and Dental Treatment of mentally incapacitated person ("MIP") - in the context of Part IVB & Part IVC, Mental Health Ordinance (Cap. 136)

(English version only)



公眾查詢

PUBLIC ENQUIRIES

於過去三年，公眾人士致電及親臨秘書處諮詢的數量一直保持於高位。

The number of public enquiries through telephone calls or in-person are consistently high during the last three years.

年份 Year	諮詢次數 No. of enquiries
2006	751
2007	668
2008	650





監護委員會版權聲明

© 版權屬監護委員會所有2009。

本刊物任何部份未經委員會書面同意及授權，不得翻印。

2009年12月

Copyright notice of the Guardianship Board

© Copyright of the Hong Kong Guardianship Board 2009.

Reproduction of any part is allowed only with written permission from the Guardianship Board.

December 2009



九龍尖沙咀漢口道28號亞太中心807室

Unit 807, Hong Kong Pacific Centre, 28 Hankow Road, Tsimshatsui, Kowloon

電話 Tel no: (852) 2369 1999

電郵 E mail: gboffice@netvigator.com

傳真 Fax no: (852) 2739 7171

網址 Website: www.adultguardianship.org.hk