

Mapping of Care Policies in Hong Kong & Care Dependency on Domestic Workers

Introduction

It is well-known that Hong Kong has an ageing population, persistently low fertility rate, and a shrinking labour force. The city's care dependency ratio is increasing quickly, standing at 43.8% in 2021¹, and projected to rise to 69.8% in 2049².

This report provides a brief overview of the growing care needs in Hong Kong, the current care infrastructure, the people in the care sector, and examines the situation of domestic workers by applying the ILO 5R Framework for Decent Care Work.

Hong Kong's Growing Care Needs

In 2021, there were 228,994 children under 5³ (**3.09%** of Hong Kong's total population), while the elderly population (aged 65 or above) reached 1,451,514 in number⁴, accounting for **19.58%** of the total population and is expected to rise to **34%** in 2049⁵.

The number of people with disabilities and chronic diseases is also increasing. In 2020, there were some 534,200 people with disabilities⁶, accounting for **7.1%** of the total population, and 1,799,100 people with chronic diseases⁷, representing **24.1%** of the total population, compared with 19.2% in 2013⁸.

Hong Kong's Care Infrastructure

Hong Kong's care infrastructure is generally characterised by the emphasis on the family's care responsibility, shortage and long waiting time of government-subsidised care services, the lagging development of community care services, and a constant shortage of manpower in residential care homes.

Community care services in Hong Kong refer broadly to a spectrum of support services for older people and people with disabilities who reside at home and their caregivers, such as personal care, housekeeping and meal delivery services, rehabilitation, counselling, day respite services and carer support, etc. Service providers are largely non-governmental organisations receiving government funding for the provision of such services.

¹ Census and Statistics Department (C&SD) (2021)

² C&SD (September 2020)

³ C&SD (2021)

⁴ *ibid.*

⁵ C&SD (September 2020)

⁶ C&SD (December 2021)

⁷ *ibid.*

⁸ *ibid.*

Care policies and services for older people with care needs

The key principle underpinning Hong Kong Government's long-term care policy is **"ageing in place as the core, institutional care as back-up"** (居家安老為本, 院舍照顧為後援), which aims to encourage the elderly to age at home, and to reduce institutionalisation rate by strengthening community care services⁹.

Subsidised long-term care services

Long-term care services subsidised by the Government are categorised into 1) community care services (including centre-based and home-based services) and 2) residential care services. Subsidised care services are available to elderly citizens aged 65 or above who are identified as having moderate or severe physical impairments upon screening under the Government's standardised care need assessment mechanism. There is no means test for subsidised long-term care services¹⁰.

Long waiting time for subsidised long-term care services has been a long-standing problem. The growing demand for care services for older people with care needs has persistently outweighed the available subsidised places over the past decades¹¹.

- Subsidised community care services: As of 31 October 2022, 6,127 applicants were being waitlisted, with the average waiting time ranging between 5-6 months¹².
- Subsidised residential care services: As of 30 September 2022, 20,910 persons were being waitlisted for subsidised residential care services; average waiting times were standing at 23 months for nursing home places, and 40 months for subvented/ contract homes¹³.

Subsidised long-term care services are mainly provided by non-governmental organisations with government funding. In 2021, 40% of the places in residential care homes for older people in Hong Kong were government-subsidised¹⁴. On the other hand, provision of community care services has been more heavily reliant on government support, despite public expenditure on community care services being significantly lower than that on residential care services in the past two decades¹⁵. The imbalance in the Government's budget allocation to community and residential care services explains, at least partially, the lagging development of community care services for older people in Hong Kong¹⁶.

Private residential care services

⁹ Elderly Commission (2017)

¹⁰ Audit Commission (2014)

¹¹ Lam, Gigi (2022)

¹² Social Welfare Department (SWD) (2022a)

¹³ SWD (2022b)

¹⁴ Lam, Gigi (2022)

¹⁵ *ibid.*

¹⁶ *ibid.*

Private residential elderly homes accounted for 60% of the total residential care homes in Hong Kong in 2021¹⁷. However, service qualities of private homes vary and are generally perceived to be substandard¹⁸.

Many private homes barely meet the statutory minimum requirements for spacing and staff provision¹⁹. High rentals, shortage of manpower in the care sector, and the lack of regular and timely inspection by the Social Welfare Department are all problems underlying the substandard service quality of private care homes²⁰.

Support for older people residing at home

According to a government survey conducted in 2020²¹, some 204,200 persons with disabilities²², and 248,000 persons with chronic diseases were residing at home and had another person taking care of their day-to-day living; over 80%²³ were living with their carer. Among all persons with disabilities or chronic diseases, 44.5% of the persons with disabilities were aged 70 or above, while 40.0% of those with chronic diseases were aged 70 or above.

With the shortage and slow development of government-subsidised community care services, most elderly people with disabilities or chronic diseases would be relying on their family members or domestic workers to take care of their day-to-day living. In 2019-2020, 11.9% of the households with elderly persons aged 60 or above employed domestic workers²⁴.

Childcare policies and services

Hong Kong has no universal childcare. Government investment on childcare has been consistently low over the past two decades, with public expenditure on pre-primary education services accounting for only 0.26% of the GDP in 2017-2018²⁵.

Childcare policies in Hong Kong focus primarily on supporting children from low-income families²⁶. The government provides financial support for childcare services mainly through subsidies given to

¹⁷ *ibid.*

¹⁸ Leung, L. C. (2020)

¹⁹ Audit Commission (2014)

²⁰ Audit Commission (2014), Leung, L. C. (2020)

²¹ C&SD (December 2021)

²² Note that the figure excludes persons with intellectual disability only as analysis of survey findings pertaining to persons with intellectual disability was separated from the main survey report due to difficulties in data collection, according to the government survey report. It was estimated that some 29,200 persons with intellectual disability were residing in households in 2021, but there was no information on the percentage of persons with intellectual disability who lived with their carer(s) and the identities of the carers. (C&SD, December 2021)

²³ Of the persons with disabilities or chronic diseases residing at home and had another person taking care of their day-to-day living.

²⁴ C&SD (March 2021)

²⁵ Department of Social Work and Social Administration, the University of Hong Kong (2019)

²⁶ *ibid.*

kindergartens and childcare centres run by non-profit organisations. There is a severe shortage of government-subsidised centre-based day-care services, while service hours lack flexibility and do not fully meet the needs of dual-worker families²⁷.

Some volunteer-based community childcare services provided by non-governmental organisations are available, such as the district-based Neighbourhood Support Child Care Project and the Mutual Child Care Centre. However, utilisation rates are low (below 10% in 2015) as volunteer-based community childcare services are generally considered as amateur²⁸.

Most families in Hong Kong rely on childcare services in the private market or unpaid childcare undertaken by family members. According to a survey conducted between 2015-2016, 46.6% of the respondents hired full-time or part-time domestic workers, compared with 35.7% who used private centre-based childcare services, 35.2% who have not used any childcare services, and less than 5% who enrolled in government-subsidised centre-based or volunteer-based community childcare services provided by NGOs²⁹.

Family-friendly workplace policies

Existing family-friendly policies include 14-week paid maternity leave and 5-day paid paternity leave for eligible employees (at the rate of 80% of the employee's usual wage)³⁰, and legal protections against dismissal during pregnancy, breastfeeding discrimination, and discrimination on the basis of sex, pregnancy, marital status, and family status³¹.

Other types of family-friendly policies are generally lacking. Hong Kong has no legislation on standard working hours, nor public policies to enable flexible working hours or arrangements that cater for workers' care responsibilities. As a result, the working population rely heavily on the private market, including employment of domestic workers, and government-subsidised services to attend to family members' care needs, or else become a full-time or part-time unpaid caregiver themselves.

Support for caregivers

Existing policies that provide support for caregivers include living allowance for carers of elderly persons and persons with disabilities, respite care, and the provision of support services such as training, counselling, and peer support groups³². These policies target "informal unpaid carers" and exclude care workers.

²⁷ Xia, Lily & Ma, Joyce L. C. (2019)

²⁸ *ibid.*

²⁹ Leung, L. C. (2020), p. 21

³⁰ Employment Ordinance (Cap. 57), sections 12, 14, 15E and 15I

³¹ See Sex Discrimination Ordinance (Cap. 480) and Family Status Discrimination Ordinance (Cap. 527)

³² The Hong Kong Polytechnic University Consulting Team (2022)

Even for unpaid family caregivers, subsidised respite and related services are inadequate. The living allowance schemes are subject to strict eligibility criteria and limits on the numbers of recipients³³, thus inaccessible to most unpaid caregivers in need of support.

People in the Care Sector

Unpaid family caregivers

In 2020, there were some 389,600 unpaid caregivers in Hong Kong who were providing home care to family members or relatives with disabilities and chronic diseases³⁴; 59.1% did not have a job and 13.7% quitted their job because of their care responsibilities³⁵.

In light of increasing news reports on tragedies involving family caregivers, there are looming public concerns over the plight of unpaid carers, including:

- financial challenges given their inability to remain in the labour market due to lack of flexible working hours;
- inadequate respite services; and
- physical and mental exhaustion due to lack of rest (a quarter of them providing care for over 60 hours per week) and community support³⁶.

Domestic workers

Based on a government survey conducted in 2019-2020, some 355,700 households in Hong Kong were employing domestic workers, accounting for 13.4% of the total number of households³⁷. 92.2% of these households employed migrant domestic workers, while 7.9% hired local domestic workers³⁸. As at the end of 2021, there were a total of 339,451 migrant domestic workers in Hong Kong (mostly from Southeast Asia)³⁹, representing 9.2% of the working population.

Nearly all local domestic workers are hired on a part-time basis⁴⁰, while all migrant domestic workers are full-time given the mandatory live-in requirement. Many families in Hong Kong are dependent on domestic workers to care for their children, the elderly and family members with disabilities. In 2019-2020, 32.5% of households with children aged under 13 (compared with 9.1% of households without children under 13) and 11.9% of households with elderly persons aged 60 or above

³³ *ibid.*

³⁴ C&SD (December 2021), p. 202. The figure refers to the total number of “specific carers” taking care of the day-to-day living of persons with disabilities and persons with chronic diseases in 2020. “Specific carer” in this C&SD report refers to a carer who is a relative or a friend (e.g. spouse, parent, sibling, children/son-in-law/daughter-in-law, etc.) and excludes domestic worker and private nurse/ nursing staff.

³⁵ *ibid.*

³⁶ Legislative Council Secretariat, Information Services Division, Research Office (2020)

³⁷ C&SD (March 2021)

³⁸ *ibid.*

³⁹ HKSAR (2022)

⁴⁰ C&SD (March 2021)

employed domestic workers⁴¹. Among the 452,200 persons with disabilities / chronic diseases who resided at home and were taken care of by another person in 2020, 26.2% were looked after by domestic workers⁴².

Care work that domestic workers perform covers all types of care, both direct and indirect, ranging from housework and buying groceries to personal care, post-natal care and tutoring young children. Many full-time migrant domestic workers and local post-natal carers work long hours. According to a study in 2017, 70.6% of the respondents (who were migrant domestic workers) worked over 13 hours per day⁴³. The weekly total would be approximately 78 hours as live-in domestic workers only have one rest day per week.

In 2019/2020, the median hourly rate of part-time local domestic workers was HK\$82 per hour. Live-in domestic workers in Hong Kong are excluded from the statutory minimum wage protection that applies to other occupations. The median monthly wage of migrant domestic workers in 2019/2020 was HK\$4,500⁴⁴ (i.e. roughly the minimum wage for migrant domestic workers at the relevant time).

Care workers in residential care homes / community care services

In 2022, 35,558 people worked in residential care services⁴⁵, representing around 0.95% of the working population, while the number of care workers (both paid and unpaid) providing community care services is unknown.

Manpower shortage has been serious over the past decade, with high vacancy rates of around 15-20%⁴⁶. Many care home providers (including those receiving subsidies from the government) have had to rely on migrant care workers (mostly from mainland China) to fill the vacancies⁴⁷.

Wages depend on the type of work performed by the care worker. The median monthly salary of workers in residential care home is HK\$14,150 in 2022⁴⁸. Those hired as “support attendants” were reportedly paid HK\$3,000 less per month than personal care workers. The median working hours of care workers in elderly homes was 54 hours per week in 2018⁴⁹.

⁴¹ *ibid.*

⁴² C&SD (December 2021)

⁴³ Research Centre on Migration and Mobility, the Chinese University of Hong Kong (2019)

⁴⁴ C&SD (March 2021)

⁴⁵ C&SD (September 2022)

⁴⁶ HKSAR Press Releases (4 May 2022)

⁴⁷ *ibid.*

⁴⁸ China Labour Bulletin (2022)

⁴⁹ Legislative Council Secretariat, Information Services Division, Research Office (2019)

In the childcare sector, there were a total 1,836 volunteer community caregivers called “community nannies”(社區保姆)in 2018-2019; community nannies generally received HK\$18-23 per hour as allowance⁵⁰.

Situation of Domestic Workers

This section provides a brief overview of the situation of domestic workers in Hong Kong, with analysis guided by the ILO’s 5R Framework for Decent Care Work. Findings include information drawn from existing policies and legislations, as well as sharing by domestic workers in Hong Kong on their lived experience.

Lack of recognition of domestic workers in labour protections and the care agenda

There is nearly no recognition of the care burden borne by domestic workers in Hong Kong’s care-related policies. While new policies and services have been introduced in recent years in view of the needs and increasing number of unpaid family caregivers, the rights and well-being of domestic workers are virtually absent from the Government’s care agenda. On the other hand, the Government is well-aware of Hong Kong’s growing reliance on migrant domestic workers to take care of the ageing population, with its projection that the number of migrant domestic workers will almost double from 327,100 in 2019 to 642,200 in 2069⁵¹.

As reflected in the exclusion of domestic workers from various labour and social protections, one can easily see that Hong Kong lacks recognition of both the care work provided by domestic workers and their needs as human beings rather than resources employed only to meet the city’s care needs.

- The Minimum Wage Ordinance specifically excludes live-in domestic workers⁵².
- Domestic workers are specifically excluded from protections under the Occupational Safety and Health Ordinance⁵³, despite being exposed to various occupational hazards, such as prolonged exposure to cleaning detergents, which may lead to long-term health problems. Yet, there is no labour inspection of any form for domestic work in Hong Kong.
- Sickness protections are generally not available to part-time domestic workers as they cannot meet the legal requirement due to limited working hours with each employer⁵⁴. While full-time domestic workers are entitled to sickness protections, many are not allowed time away from work during sick leave as they work and reside in the employer’s household. Domestic workers, both part-time and full-time, are often not insured for medical care. There is no social insurance in Hong Kong, while employers have no legal obligation to take out medical insurance for employees.

⁵⁰ Young Children’s Development Indicators of Hong Kong, Hong Kong Society for the Protection of Children

⁵¹ C&SD (September 2020)

⁵² Minimum Wage Ordinance (Cap. 608), section 7(3)

⁵³ Occupational Safety and Health Ordinance (Cap. 509), section 3

⁵⁴ In Hong Kong, legal entitlements to employment benefits such as sickness allowance, rest days and paid annual leave are available to workers only if they are employed by the same employer for 4 or more consecutive weeks and work at least 18 hours in each of those weeks. See Employment Ordinance (Cap. 57).

- Migrant domestic workers are denied access to affordable public healthcare services once they are unemployed, despite the absence of legal protection for occupational hazards that could lead to long-term health problems. Many migrant domestic workers have provided care services in Hong Kong for decades. While health issues begin to surface when they near retirement age, they enjoy no medical benefits once they are out of employment, regardless of how long they have worked in Hong Kong.
- The mandatory pension scheme (the Mandatory Provident Fund) also excludes domestic workers but protects other care workers⁵⁵.

Lack of redistribution of care work between households and institutions

The policy emphasis on home care for children, the elderly and people with disabilities, coupled with the underdeveloped community care infrastructure and lack of family-friendly policies, have resulted in heavy dependence on unpaid family carers and domestic workers to attend to the population's care needs. On the other hand, there is a severe shortage of residential care services as evidenced by long waiting times of up to 40 months for subsidised places⁵⁶, while service quality of private homes is largely unsatisfactory given the lack of manpower and insufficient monitoring.

As Hong Kong's growing care burden now falls disproportionately on families, a critical portion of the care burden is outsourced to domestic workers. In 2019-2020, 95.2% of the households employing domestic workers hired one domestic worker; among them 91.9% hired live-in migrant domestic workers⁵⁷. This echoes labour union members' experience that employers tend to shift all care responsibilities of the family to one domestic worker, resulting in exceedingly long working hours and lack of rest.

No reduction: Heavy care burden, long working hours and lack of rest

As discussed above, live-in domestic workers bear a significant portion of Hong Kong's care burden. The heavy burden is reflected in their long working hours, with 70.6% of the respondents in a 2017 survey stating that they worked over 13 hours each day (i.e. 78 hours per week, with only one rest day per week)⁵⁸, compared with 33.6% of workers in elderly homes who worked at least 60 hours a week in 2018⁵⁹.

Live-in domestic workers often work around the clock and are sleep deprived as they reside in their workplace and may need to attend to the children or elderly's care needs after midnight. Many of them also do not enjoy 24 hours of rest on their rest days or holidays. One reason being, in some cases, they are the only person in the household who knows how to attend to the personal care needs of their employer's children or elderly parents/ relatives. This also reflects the need for

⁵⁵ Mandatory Provident Fund Schemes Ordinance (Cap.485), Schedule 1 Part 2

⁵⁶ See footnote 13 above.

⁵⁷ C&SD (March 2021)

⁵⁸ See footnote 43 above.

⁵⁹ Legislative Council Secretariat, Information Services Division, Research Office (2019)

community care support and respite care services not only for unpaid carers, but also domestic workers who are often alone attending to young children or sick / disabled elderly persons.

Lack of reward: no equal pay for equal work, no overtime compensation, no salary increase in recognition of accumulation of skills and experience

As discussed above, live-in domestic workers are excluded from statutory minimum wage protections. While many migrant domestic workers undertake heavy personal care responsibilities in addition to indirect care work such as cleaning and cooking, the majority (94.1%) of them were paid only the minimum wage of around HK\$4,500 in 2019-2020⁶⁰, much less than other care workers who perform care work of the same nature.

Additionally, it is commonplace that migrant domestic workers work on their rest days or holidays without overtime payment. There is also no system or policy to recognise domestic workers' accumulation of skills and experience in Hong Kong.

No representation in policy dialogues on care

According to the Hong Kong Federation of Asian Domestic Workers Unions (FADWU), the Hong Kong Government has never consulted domestic worker unions on care-related policies. While domestic workers enjoy equal rights to form and participate in trade unions, the Government rarely engages unions or civil society groups with domestic workers' representation in policy consultations and shows a general lack of recognition of domestic work as work.

The only occasion where the Government proactively engaged domestic workers was the yearly review of minimum wage for migrant domestic workers. However, the Government never arranged for meetings to be held on Sundays (even though Sunday is the only day off for most migrant domestic workers), nor provided interpretation for workers of other nationalities. Meaningful engagement with policymakers was virtually impossible due to the limited time and large number of groups present in the consultation meeting held only once a year.

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⁶⁰ In 2019-2020, 94.1% of those 327,700 households employing MDWs paid HK\$4,000-4,999 per month; median monthly wage paid to MDWs was HK\$4,500. See C&SD (March 2021).

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