

**For discussion on
11 March 2002**

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Paper for Legislative Council Panel on Welfare Services

Strategy and Measures to Prevent and Tackle Family Violence

Purpose

This paper informs Members of the existing strategy and measures in place to prevent and tackle family violence, and addresses the concerns raised by the Harmony House in its position paper “Zero Tolerance of Family Violence” (Annex 1). Members may wish to refer to an earlier Panel paper on “New Initiatives to Strengthen Support for Families” (LC Paper No. CB(2)587/01-02(06)).

Background

2. The rapid demographic, social and economic changes in Hong Kong have undermined family solidarity and resulted in an increasing incidence of marital breakdown, divorce, single parenthood and rising number of social pathological incidents such as family violence. The number of divorces increased from 10,492 in 1997 to 13,488 in 2001. The number of newly reported child abuse cases increased from 381 in 1997 to 535 in 2001. The number of newly reported battered spouse cases increased from 1,009 in 1998 to 2,433 in 2001.

3. In light of the rising trend of family problems, the Social Welfare Department (SWD) has adopted a three-pronged approach to strengthen support for families and to provide more responsive and targeted assistance. Under this approach, existing services are reviewed, re-engineered and re-focused while new initiatives are introduced to fill service gaps identified. A summary of the strategy and individual initiatives are set out in Annex 2.

Multi-disciplinary Collaboration

4. The Government recognizes the importance of joint and co-ordinated efforts of different Government departments, non-governmental organizations, professionals and the community at large in preventing and combating family violence. All along a multi-disciplinary and cross-sectoral approach has been adopted in the prevention and handling of this problem. There are well-established mechanisms to ensure effective collaboration among the concerned parties.

5. The Committee on Child Abuse (CCA) and the Working Group on Combating Violence (WGCV) are convened by SWD, chaired respectively by the Director and the Deputy Director of Social Welfare. Membership is drawn from other Government bureaux and departments as appropriate (e.g. Health and Welfare Bureau, Security Bureau, Department of Justice, the Hong Kong Police Force, Department of Health, Education Department, etc.), non-governmental organizations (e.g. Hospital Authority) and related professionals (e.g. clinical psychologists and tertiary training institutes etc.). These bodies are responsible for advising on strategies and measures to address the problems of child abuse, spouse battering and sexual violence. The 13 District Co-ordinating Committees on Family and Child Welfare, which are chaired by the District Social Welfare Officers and attended by representatives from local non-governmental organizations, district offices of various Government departments, community leaders and other interested parties, also co-ordinate, among other family and child welfare services, service provision relating to family violence at the district level to meet the specific needs in each district.

6. To enhance common understanding of family violence and ensure smooth co-operation among different professionals, multi-disciplinary training programmes are provided and guidelines on the handling of child abuse cases and battered spouse cases are in place. Besides, multi-disciplinary case conferences on suspected child abuse cases are held to formulate appropriate welfare plans for the children. Social workers of the Family and Child Protective Services Units of SWD and the Police also conduct joint investigation of suspected child abuse cases involving sexual or serious physical abuse that fall within the Charter of the Child Abuse Investigation Unit of the Police.

Preventive Service

7. As prevention is always better than cure, a variety of preventive programmes delivered through family life education (FLE) programmes and publicity campaigns are conducted throughout the year on a territory-wide or district basis. Some of these programmes are provided for the general public while others target groups such as people soon to be married, parents and at-risk families. The programmes aim at enhancing family functioning, strengthening family relationships by equipping individuals with the knowledge and skills required in coping with changing roles and demands in life, and promoting public awareness of the problem of child abuse and spouse battering. Apart from public education through publicity in the mass media, publication of leaflets and posters, and provision of relevant information in the FLE website, educational programmes and/or supportive groups/mutual help groups with FLE content are conducted in maternal and child health centres, child care centres, children and youth centres, school social work service units etc. Five Family Education Units were set up in early 2000 on a two-year basis to assist families identified as having problems.

8. In 2001, the themes of FLE and prevention of child abuse were “Strengthening Family Solidarity to Face Challenge” and ‘Good Parenting Good Children’ respectively. Regarding the prevention of spouse battering, a radio programme and a series of television and radio Announcements of Public Interest and two leaflets on ‘Stop domestic violence – be a responsible man’ and ‘Seek early assistance, stop domestic violence’ were produced. The publicity campaign ‘Empowering Families to Face Challenges’ launched in December 2001 also helps to promote public awareness of the need to prevent family tragedies. Apart from the radio and television audience, over 200,000 participants took part in over 5,000 preventive activities in 2001.

9. To ensure that families at risk are identified for early intervention and support, SWD took the initiative in 2001 to form the Family Support and Networking Teams, refocus the Group Work Units of SWD in community centres into Family Support and Resource Centres, and transform Family Service Centres to become Integrated Family Service Centres. These new initiatives will help promote accessibility of support services to family

members at risk. Please refer to Annex 2 for details.

Remedial Service

Specialized Services

10. The five regional-based Family and Child Protective Services Units (FCPSUs) of SWD manned by experienced social workers are responsible for handling the majority of child abuse and battered spouse cases. The FCPSUs adopt a co-ordinated and proactive approach in protecting and assisting victims of abuse and their families with a package of services listed below:

- (a) Outreaching to cases which may require immediate assessment of at-risk situation and urgent intervention;
- (b) Treatment of victims and batterers through individual counseling and group activities;
- (c) Statutory care or protection for abused children who are made subjects of Care or Protection Orders under the Protection of Children and Juveniles Ordinance;
- (d) Arrangement of other assistance e.g. residential placement, compassionate rehousing, financial assistance, medical care and legal assistance, etc. and
- (e) Child custody services including preparation of social investigation report and access arrangements as required by the Court for cases having filed for divorce.

11. SWD's Clinical Psychology Units provide individual clinical treatment and conduct treatment groups for victims with common clinical symptoms and treatment needs.

12. Social workers of some non-governmental organizations also offer welfare assistance to families with domestic violence problems.

Residential Services

13. Residential care such as foster care and small group home placements for children and refuges for battered women are available for abused victims who are in immediate danger or subject to a high risk of family violence. After admission to the residential placements which can provide them with a safe and caring environment, the abused victims can be helped to overcome the trauma of abuse. Long-term welfare plans for the abused are worked out.

14. The establishment of the Family Crisis Support Centre, the fourth refuge centre for women and the Suicidal Crisis Centre will provide further support to individuals or families in crisis. In addition, SWD has taken the initiative to discuss with the Housing Department about extending the Conditional Tenancy Scheme to cover victims of domestic violence seeking divorce who have no offspring or who bring along no dependent children when leaving the matrimonial home so as to solve their housing problem. The revised arrangements were put in place in November 2001.

The Harmony House's Concerns

To mobilize joint effort of the whole community to prevent family violence

15. As mentioned in paragraph 4 above, the Government believes that the efforts and concerns of the entire community are essential to the prevention of family violence. Besides setting up mechanisms to ensure effective cross-sectoral collaboration among Government departments, professionals and non-governmental organizations, considerable publicity efforts have been made to promote community awareness of the problem. Indeed, we believe that increased awareness and concern is one of the factors leading to more reports of abuse cases in recent years.

To increase resources for handling family problems

Resources

16. Currently, some \$1.7 billion is spent every year on family and child welfare services by the SWD. We need to ensure that existing resources are used optimally to assist those most in need. The initiatives to support families such as the setting up of the Integrated Family Service Centres, the Family Support and Resource Centres and the Family Support Networking Teams have largely been introduced through the more effective use of existing resources and enhancing productivity. Additional Government resources have been secured in recent resource allocation exercises to implement other new initiatives, including the Single Parent Centres, Post-migration Centres, Family Crisis Support Centre, the new refuge centre for women, and the increase of manpower for the FCPSUs¹ as well as for mounting major publicity campaigns². These are supplemented by Lotteries Fund (LF) grants and funding from the Hong Kong Jockey Club Charities Trust (HKJCCT) for experimental projects from time to time. For example, a LF grant of \$10.6 million was recently approved for the Samaritan Befrienders to set up the Suicidal Crisis Centre, and grants of \$5.2 million and \$6.1 million have been allocated by the HKJCCT to the Samaritan Befrienders and the Association Concerning Sexual Violence Against Women to set up the Suicide Prevention Education and Resource Centre and the Crisis Centre Against Sexual Violence respectively. Funding has also been provided for the training of social workers and related professionals involved in the handling of domestic violence. These training efforts will be strengthened in 2002-03.

Hotline

17. Apart from SWD's hotline and helpline service, the subvented 24-hour hotline 18288 (向晴熱線) which is manned by the Family Crisis

¹ Since establishment in April 2000, social work staff including supervisory posts in the 5 FCPSUs has increased from 33 to 62 by end 2001 and 17 additional posts including 3 SSWOs will be created before end March 2002.

² In 2001-02, an amount of \$0.96 million is allocated for mounting the campaign "empowering families to face challenges". Besides, around \$1.6 million is deployed from the FLE Publicity Campaign for organizing publicity activities including TV programmes to echo the theme. For 2002-03, a capital commitment of \$1.9 million has been earmarked for enhancing public education on child abuse prevention and strengthening families.

Support Centre of the Caritas - Hong Kong has been in operation since November 2001 to provide intervention to individuals and families. SWD also provides a 24-hour outreach service to carry out immediate investigation and crisis intervention to suspected child abuse and battered spouse cases upon referral by the Police to District Social Welfare Officers.

Service for abusers

18. The services of the FCPSUs and SWD's Clinical Psychology Units include treatment for abusers. The subvented non-governmental organizations which handle child abuse or battered spouse cases also provide services for abusers. In addition, SWD has provided rent and rate subsidy for Harmony House to operate a Community Education and Resource Centre where the office for providing service for abusers is accommodated.

Follow-up service for victims discharged from refuge centres

19. The FCPSUs provide a wide range of one-stop services and support to help battered spouses develop the confidence, knowledge and skills required for dealing with their family problems and living safely with dignity in the community, after they leave the refuge centres. Adequate services such as employment-related training and assistance at the five subvented Single Parent Centres as well as compassionate rehousing and child care services are available to assist victims to re-integrate into the community. Nevertheless, a number of abused women chose to reunite with their spouses due to various reasons e.g. the abused women's attitude towards marriage and feeling about their spouses, etc.

Preventive service

20. As indicated in paragraphs 7-8 and Footnote 2 on page 6 above, different types of education programmes and publicity campaigns are organized every year to promote harmonious family relationships. The figure \$90,000 mentioned by the Harmony House in its paper only refers to the funding allocated to specific public campaign/education activities recommended by the former Working Group on Battered Spouses³. It only

³ The Working Group on Battered Spouses has been amalgamated with the Working Group on Sexual Violence to form the Working Group on Combating Violence.

reflects a small portion of the total funding spent on publicity and public education relating to the prevention of domestic violence.

The Police to take more initiatives to handle family violence

21. Training is provided to police officers at various stages of their career to prepare them for handling domestic violence cases compassionately and professionally. The Police have taken various initiatives to strengthen training in domestic violence e.g. by including the tactics on dealing with domestic violence in the basic training programmes for probationary inspectors and recruit police constables since 1997, developing a new training package to enhance police officers' awareness of the problem of domestic violence in early 2001, etc. Furthermore, SWD and NGOs concerned, including the Harmony House, have been invited by the Police to attend the formation training days to share their experience on the handling of domestic violence cases with front-line police officers since August 1997. Regular training on the subject will continue to be arranged.

22. All police officers are regularly reminded to take a serious view of domestic violence problems and not to treat them merely as internal disputes within a family. The Police handle all reports of domestic violence with empathy, compassion and impartiality according to the procedures laid down in the Force Procedure Manual.

23. The Police operate within the ambit of the law and will respond to a domestic violence incident as a potential crime with the dual goals of victim safety and offender accountability. The police officers will conduct an investigation according to established police procedures and initiate a criminal prosecution or apply for a binding over order in court, if there is sufficient evidence to prove the offence. Only if there is insufficient evidence to support the alleged offence and the victim does not wish to pursue the matter further and no child is abused, the Police will then serve a Domestic Incident Notice (Pol. 915) on the offender with the consent of the victim. It notifies the offender that an allegation has been made and that the victim does not wish the allegation to be investigated. It also draws the offender's attention to the legislation that she/he may contravene if the actions are repeated. In every case, the police officer will serve a Family Support Service Information Card (Pol. 917) to both the victim and the offender. The Card contains useful

telephone numbers and addresses of organizations offering family services. If the victim/offender consents, the Police will directly refer the case to SWD so that appropriate and timely services can be provided to them.

24. In normal circumstances, if no consent on referral is given by the victim or abuser, the Police will have to respect the rights of the victim or abuser although they will try their best to persuade them to receive professional assistance. However, depending on the circumstances of the case, the Police may avail themselves of the exemption provisions under the Personal Data (Privacy) Ordinance (Cap. 486)⁴. The Police are now re-visiting the referral requirements and the relevant guidelines will be updated on completion of the review. In addition, a system of 'follow-up visit' has been introduced since September 2001 to ensure that victims and their children are not subject to further violence. In case the victim does not move to a safe place or a shelter or give consent for a referral to SWD or NGO, the Divisional Commander will assess the case and decide whether follow-up visits are required.

Legal concerns

25. Mandatory treatment for abusers is a sentencing alternative to imprisonment in some countries. Yet the effectiveness of mandatory treatment depends very much on the motivation of abusers. In Hong Kong, mandatory treatment of the abusers is available if the abusers are put under the supervision of probation officers. Probation officers are social workers and some of the social workers of the FCPSUs are gazetted probation officers who are equipped with the knowledge and skills to provide appropriate treatment to abusers. In 2001, 19 abusers were supervised by social workers of the FCPSUs under a probation order.

26. In addition to FCPSU social workers, there are two teams of social workers in SWD specializing in handling child custody issues who are responsible for preparing social investigation reports on child custody and making access arrangements to safeguard the welfare of children as required by the Court. In May 2000, the Judiciary launched a 3-year pilot scheme on family mediation to help separating/divorcing couples reach their own mutually

⁴ Section 58 of Cap. 486 provides that personal data held for the purposes of, inter alia, the prevention or detection of crime; and the apprehension, prosecution or detention of offenders; are exempt from the provisions of data protection principles 3 (use of data) and 6 (access to data).

acceptable agreement regarding the on-going arrangements for their children and/or resolution of financial matters. The Legal Aid Department also provides legal representation to eligible applicants who have reasonable grounds for taking or defending divorce proceedings and related matters so that they are not prevented from doing so because of lack of means.

27. The Sub-committee on Guardianship and Custody of the Law Reform Commission in its 1998 consultation paper proposed to move towards a concept of parental responsibility rather than guardianship, except that the concept of guardianship would be retained in respect of a third party's responsibilities for a child after the death of a parent. The Sub-committee also put forward a number of further recommendations⁵. The overall effect of the recommendations in the Sub-committee's consultation paper would be to encourage a less divisive approach to custody, with the contact parent⁶ maintaining a share of parental responsibility. The Sub-committee will finalise its proposals on custody, having regard to the outcome of the consultation exercise and recent overseas developments in this area.

28. An inter-departmental working group chaired by the Home Affairs Bureau (HAB) would study the recommendations made by the Law Reform Commission on stalking which include, inter alia, the need to review the Domestic Violence Ordinance.

29. On prosecution policy, under Article 63 of the Basic Law, the Department of Justice controls criminal prosecutions, free from any interference. Prosecutions are undertaken in the public interest, not in the interest of the victim. The wishes of the victim will be taken into account. Difficulties may arise if the victim is unwilling to be a witness and the only

⁵ The Sub-committee recommended the repeal of provisions dealing with custody orders, to be replaced primarily with "residence orders". The child would reside with the parent in whose favour a residence order was made, and that parent would have responsibility for the day-to-day care and best interests of the child. A "contact order" could be made in favour of the other parent, regulating the arrangements for maintaining personal relations and direct contact with the child. The contact parent would have the right to act independently for the day-to-day care of the child when he is exercising contact with the child. The Sub-committee further recommended that the court should be able to make "specific issues orders" (which would give directions for the purpose of determining a specific question) and "prohibited steps orders" (which would prohibit a parent from taking a step specified in the order without the consent of the court). Adopting the approach of the Children Act 1989 in England, both parents would retain parental responsibility even if a residence order had been made in favour of one of them, and there would be no provision for parental responsibility to be removed.

⁶ See Footnote 5 above.

witness is the victim. The co-operation of the victim is therefore necessary in initiating prosecution in family violence cases.

To educate parents to avoid using violence to solve their problems

30. The Education Department (ED) has formed a Steering Committee on Parent Education, chaired by the Director of Education and with members from different sectors of the community, to formulate and implement the Parent Education Initiative, to enable parents to better grasp parenting skills and knowledge, so as to provide a suitable environment and proper guidance to facilitate the healthy development of their children. Through the production of parent education reference materials, organization of parent education activities, organization of courses to train more parent educators as well as promotion of parent education through various media (e.g. internet and radio stations) and large-scale promotional activities, the Initiative aims to equip parents with positive, non-coercive child management skills and coping skills, strengthen parent-child communication and prevent family violence. Furthermore, under the steer of the Public Education Sub-committee of the Committee on Child Abuse, the Student Guidance Section of ED collaborated with SWD, Information Services Department (ISD), non-government organizations (NGOs) and Cable TV in the production of a TV series on child abuse, which was broadcast from October 2000 to January 2001 with the aim of publicizing and educating the general public on good parenting.

31. ED organises courses, talks and workshops on a regular basis to equip teachers with basic guidance skills and the skills to detect and handle students' problems, so that action can be taken at an early stage. Specifically, to enhance schools' awareness in identification of children at risk and child abuse cases and the procedures in handling child abuse cases, a briefing session for kindergarten, primary and secondary schools was held on 1 December 2001.

32. In addition, the Understanding the Adolescent Project (UAP) has been implemented in secondary schools since 2001-02 and will be extended to all secondary schools by phases over a three-year period, while a similar project has also been started in primary schools in 2001-02 on a pilot basis. The UAP aims at early identification of the developmental needs of young people for timely intervention with appropriate primary preventive programmes.

The primary preventive programmes, run by non-governmental organizations, focus on building the resilience of young people to face life's challenges through strengthening their competence, belongingness and optimism. At the same time, training is provided to parents for improving their parenting skills and parent-child communication gearing towards the ultimate goal of providing a positive family environment for the healthy growth of young people.

Neighbours to offer assistance to families with problem of family violence

33. As a result of the public education and campaigns conducted in recent years, there have been increasing reports of domestic violence cases from different sources. Besides, a wide range of talks, volunteer programmes and community care support network groups are organized by Single Parent Centres and Family Support and Resource Centres, etc. to promote the concept of community care and to encourage neighbours to offer assistance to families with problems. A \$300 million Community Investment and Inclusion Fund will be set up to promote community participation in supporting individuals and families, especially vulnerable groups. Continuous support from the community to help the families in trouble is definitely needed to combat the problem of family violence.

34. As part of the community building initiatives, the HAB and Home Affairs Department foster community spirit in neighbourhood by encouraging public participation in community building activities.

Employers to take the initiative to help employees involved in family violence

35. Employer's assistance can start with good communication between himself/herself and the employee concerned. While in principle an employer should respect privacy in the employee's personal and family life, in situations where an employee needs help from an employer to accommodate at work his/her specific needs, the willingness of both parties to communicate will help find the means of assistance.

Medical Support

36. Accident and Emergency Departments (AEDs) of hospitals are the most common entry points for victims of family violence to the health care

system. The Hospital Authority (HA) has developed clinical guidelines for AEDs and Departments of Paediatrics on the management of domestic violence and child abuse to facilitate clinicians to take a holistic approach to care for victims. Apart from touching on the medical treatment of these patients, the guidelines aim to help health care workers to recognize the problems, and the various assistance which can be offered by HA, other government departments and non-governmental organizations. In managing child abuse cases, a Paediatrician is appointed as the medical coordinator in every HA Paediatric Unit to coordinate the multi-disciplinary efforts in helping the child and his family.

37. Education seminars are organized for HA staff working in various disciplines and specialties. Handling of family violence is also an important element in the structural training of nurses and doctors working in AEDs.

38. On the preventive side, HA's general outpatient clinics and integrated clinics are also important venues for early recognition, support and referral of high-risk families in collaboration with nurses, social workers, allied health professionals and outside community agencies. Training in family therapy is an important feature in HA's family medicine vocational training program for doctors and nurses.

39. Clinics under the Department of Health follow a standard procedure for handling suspected child abuse or other abuse cases. Moreover, the Maternal and Child Health Centres and Women Health Centres provide a non-stigmatized access point for women seeking support. Primary health care personnel are on the look out for persons in need of help. Staff are made aware of the importance and impact of family violence through seminars, resource materials and relevant training. Information on community resources is provided in the venues. Where appropriate, victims of family violence would be referred to social workers, clinical psychologists, and appropriate agencies for advice, shelter, support and legal services.

Way Forward

40. The Government attaches great importance to preserving and strengthening the proper functioning of families. While we will continue to strengthen support for families in crisis by ensuring the effectiveness of existing services and implementation of various initiatives, the success of eliminating family violence depends very much on the concerted efforts of all in the community.

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Harmony House – Position Paper 21/1/2002 (Translation)

Zero Tolerance of Family Violence

The recent fatal tragedy that shattered a family in Tsz Wan Shan has hit the headlines of many newspapers. Such tragedies are in fact nothing new to the people of Hong Kong. With the seemingly endless recurrence of family tragedies, one cannot help asking actually who should be held responsible for these cases. To this, Harmony House holds the following views:

Mobilizing the collective efforts of the whole community to prevent family violence and stop putting the blame on individuals

Under the current economic downturn, job-cuts and lay-offs have almost become everyday news in Hong Kong, putting individuals under tremendous stress. In the tragedy mentioned above, the community seemed to have pointed an accusing finger at the hot-tempered father with a disposition to violence, who was completely at a loss when not granted the custody of his children. It is understandable that we felt distressed about the incident and denounced the father for killing his own children relentlessly and selfishly. But we need to reflect on whether we really can do no more than saying that “there is nothing we can do about it” and allow such family tragedies to recur endlessly. As a social service agency specializing in tackling family problems, we are fully aware of the seriousness and complexity of the issue. We understand that family violence cannot be effectively resolved by the sole efforts of individuals and social service groups. To root out the problem, we need to take a multi-disciplinary approach by pooling forces from different social sectors (including social service groups, the Police, legal professionals, teachers and principals) and non-professionals (including parents, students, neighbours and employers).

Stepping up actions to combat family violence through allocation of additional resources to welfare services

To help individuals and families to deal with family violence, the Social Welfare Department (SWD) set up five Family and Child Protective Services Units and five Family Education Units last year as well as a centre for temporary retreat serving both males and females this year. However, these services are far from adequate to cope with the complex problem. Firstly, the

24-hour hotline counselling service is still insufficient. As a voluntary agency with limited resources, Harmony House can still manage to run a crisis hotline manned by our staff round the clock, with a view to giving instant counselling for those with family problems. For the similar service provided by SWD, the hotline is manned only up to 10:00 p.m. and beyond that only voicemail service is provided. By comparison, one wonders whose frontline services are giving greater help to families in crisis?

Secondly, counselling for abusers is absolutely essential if we are to tackle the problem of family violence headon. In Hong Kong, the provision of such a service is in its initial stage and it is progressing at a rather slow pace. Harmony House is beginning to deliver the service to abusers but funding only comes from the Hong Kong Jockey Club Charities Trust but not a penny from SWD. We can hardly strengthen our service with such scant support.

Thirdly, the abused will face their turning point in life after their discharge from refuge centres. At that juncture, they are in dire need of various support to start a new life, such as housing, Comprehensive Social Security Assistance (CSSA) and vocational retraining. Unfortunately, SWD has neither attached importance nor accorded high priority to the follow-up services. It offers no assistance to abused women and problem families to re-integrate them into the community and thus leave some of the abused women no choice but to go back to the abusers. This has increased the risk of the recurrence of family violence. After all, adequate follow-up work can forestall the recurrence of family violence.

Fourthly, the importance of preventive and educational work is overlooked. At present social workers tend to follow up and handle the family violence cases only after problems have emerged. It is very shortsighted to adopt such a stop-gap and piecemeal approach. Furthermore, a mere funding of \$90,000 from the Government each year for community education and activities organized by individual voluntary agencies can hardly bring about preventive effects. To redress the problem, SWD should enhance its cooperation with voluntary agencies, increase the resources and give prompt attention to family problems.

The Police to be more proactive in handling family violence

Compared with the past, the police has shown improvement in their skills when intervening in family violence cases. There are at least some training for frontline policemen so that they can understand the seriousness and consequence of these cases. Yet, it will be even better if such training can be provided regularly on a half-yearly or yearly basis to update their knowledge and help them become well-equipped to handle new situations and crises.

However, what is worrying is the attitude taken by frontline policemen when they handle family violence. Different policemen may take different approaches in their intervention action and they fail to give adequate protection to the abused or prevent violence. They tend to take a tolerant attitude with as little intervention as possible in order to cover up family violence. Nevertheless, as a trainer, we noted that individual police districts have done a better job than some others. (Harmony House has already commended openly the policemen attached to Tuen Mun District.) However, some policemen still have forgotten to distribute some basic information on service agencies, such as PO1.917, or Family Violence Advice Card PO1.915, which serves to bring home the message that abusers have to pay for what they have done. This tolerant attitude and the lack of supervision over enforcement actions will only aggravate family violence.

As reported by frontline policemen, they want to help the victims but their hands are bound by the system. For example, our Crisis Intervention Team on Family Violence has planned to work with Tuen Mun police district to prevent recurrence of such cases by approaching and helping the victims of family violence. However, to our disappointment, law enforcement officer are restricted by the Personal Data (Privacy) Ordinance and cannot refer the cases to social workers for follow-up. An opportunity to approach victims is thus slipped by. Is this a progressive move or a regressive move?

The above minor problem reveals a large loophole in the system: family violence is not treated as a public matter. It must be pointed out that overlooking the consequence of family violence can affect personal safety and indeed the safety of the community at large. Given such a loophole, there are however neither policies nor measures to help frontline policemen to take effective enforcement actions and combat family violence. In comparison,

western countries such as the USA and Canada have taken a more down-to-earth approach to handle family violence. Appropriate policies and measures are in place on both the judicial and law enforcement fronts for handling all family violence cases, serious or trivial. In these countries, the Government acts as the prosecutor, and will call the victims to testify no matter whether they are willing or not. At the end of the day, the final judgement will be left to judges who are specialized in such cases. This will pose no additional pressure on victims and enforcement officers. It seems that Hong Kong has to strive hard to hold its own with, say, Manhattan.

The judicial system

The fatal tragedy of family violence in question points to a twin problem of family violence and a dispute over child custody. As such, we cannot help asking whether our law is tolerating violence when it comes to family violence cases.

Lack of counselling and re-education for abusers

For drug addicts, there are both voluntary and compulsory drug treatment programmes to help them kick the habit. For abusers in family violence, however, they are usually given the sentence of detention, bail, monetary penalty, imprisonment, probation or community service order to pay for the price of using violence. Yet, to “punish” them, judges do not have the choice of referring the abusers to voluntary or compulsory counselling programmes. In view of the stringent resources now available, “probation service” could have achieved its rehabilitation effects. Unfortunately, the probation officers of SWD are too busy with their work. Worse still, they lack training in “crisis management” and “rehabilitation of abusers”. Therefore it is envisaged social workers of SWD cannot achieve much even if they are required to provide such services. As Harmony House and other non-governmental organizations are providing counselling services for abusers, we suggest judges consider referring abusers to these counselling services.

On the other hand, according to our experienced frontline staff it is common for divorced couples to fight for custody of their children born of the wedlock. Unfortunately, at present both the legal resources and the time social workers at their disposal to help their clients understand the meaning of child custody and supervision order are scant. Their clients might come from lower class and may be of other nationalities. The social workers might have

failed to use subcultural language to communicate with them and are not patient and caring enough to help them tide over hard times. Consequently, some abusers have resorted to destructive means to shatter their own family. This is deplorable.

In order to improve the situation, it is advisable for the Government or to be precise the Legal Aid Department to regularly organize for the divorced persons one or two sessions of talks on divorce procedures, child custody and the settlement of their properties. This can alleviate the agitation of the clients. Also they need not seek frequent advice of lawyers and social workers for clarification of the relevant procedures.

Finally, we believe that it is time to review the Family Violence Ordinance that has been in force for more than a decade, if the changing needs of victims of family violence are to be met. In a nutshell, victims as defined under the law should not be restricted to spouses and children, but also include family members regardless of whether or not living under the same roof, in view of the increasing cases of the abuse of spouses, children and elders. Moreover, procedures should be streamlined to facilitate victims receiving CSSA in their application for injunction order. The validity period of the injunction order should also be extended as appropriate to protect the victims.

People-oriented education to make the younger generation understand that they should not resort to violence in solving their problems

Education workers, principals and teachers alike should not turn a blind eye to family violence. Education is more than passing on knowledge in skills and techniques. Its objective is to nurture people so that they will become pillars of society. Would the community really like to nurture a person who can only master professional skills and techniques but remains incapable of handling his or her emotions or stress and resorts to violence or suicide in face of difficulties?

On the other hand, in recent years the Government has strongly advocated parent education and the Education Department has allocated funds for organizing parent education programmes. Efforts in this area are commendable. We must understand that continuous changes in family will put parents under great pressure. Parent education therefore is necessary and it can also tie in with activities promoting, for instance, gender equality and harmony in families.

Helping neighbours in need to seek assistance

Many people take a hands-off attitude towards family violence. They hold the view that outsiders should not interfere in other families' domestic fight. However, will you just turn a blind eye to the fact that your neighbour is actually battering his or her spouse and children? Is this a neighbourhood relation that you are looking for? To prevent family violence, the public should be encouraged to lend a helping hand to their neighbours, otherwise it is we who connive at violence. We hope the public will not point an accusing finger at others too readily but encourage the people in need to seek assistance from the professionals. This can reduce the adverse effects family violence will bring about to undermine harmonious neighbourhood and communal relationship.

Employers to take prompt actions and assist employees suffering from family violence

In such a money-oriented society as Hong Kong, it is very difficult to expect employers to give assistance to employees. However, to offer assistance to employees who suffer from family violence is not costly and even has the advantages of enhancing employees' loyalty, building a good corporate image and raising overall productivity. Assistance in the form of allowing problem employees to work flexible hours and swap workplaces when necessary or referring them to social service organizations will suffice to help them. Employers' support and cooperation are essential in the prevention of family violence.

Conclusion

The recent tragedy has sparked off heated discussion in various sectors in the community. We feel saddened. But we should ask ourselves: should we tolerate in silence the endless recurrence of family violence? Putting the blame on any individuals or organizations is not a positive response. A more proactive approach is to mobilize collective efforts in the community and show our intolerance of family violence with concrete actions.

Social Welfare Department's New Initiatives to Strengthen Support for Families

A Three-pronged Strategy

In view of the rising trend of family problems and the need to render more responsive and targeted assistance, the Social Welfare Department (SWD) has adopted a three-pronged approach to strengthen support for families:

- at the primary level, strengthening preventive work through large-scale public education and more targeted family education and early identification of families at risk through outreaching efforts;
- at the secondary level, transforming the conventional Family Services Centres into Integrated Family Services Centres providing a full range of resource, support and counseling services; and
- at the tertiary level, establishing specialized service units to provide crisis intervention.

The main initiatives in recent years are described in the paragraphs below.

Details of Initiatives

Enhancing Publicity and Public Education

2. A series of publicity campaigns to promote positive values towards life, strengthen family functions and enhance people's resilience in coping with stress for prevention of abuse and violence have already been in place through various mechanisms in different levels. Spearheaded by the Education Department, parenting education has been stepped up to promote parent-child relationship. In addition to existing network of Family Life Education Units, SWD has set up five Family Education Units in early 2000 on a two-year basis to assist families identified as having problems.

“Empowering Families to Face Challenges”

3. The latest publicity event, “Empowering Families to Face Challenges” campaign, was launched in December 2001. This includes a series of radio and TV programmes from December 2001 to July 2002.

“Strengthening Families and Protecting Children against Abuse and Violence”

4. We have also secured \$1.9 million to conduct another major publicity campaign, featuring special TV programmes, TV Announcement of Public Interest and other publicity materials on “Strengthening Families and Protecting Children against Abuse and Violence” in 2002.

Operational Silver Lining

5. Since December 2001, a team of experienced clinical psychologists of SWD has started to respond to mass media concerning any inquiry on the mental health problem and other issues affecting the psychological health of the public. This also helps to serve as a kind of preventive measures to assist the public to establish healthy mentality.

Family Support Networking Team

6. Under the 2000 Policy Address initiative, 14 Family Support Networking Teams have been set up in each of SWD’s 13 districts (plus an additional one in Tseung Kwan O). These teams provide outreach and networking services to vulnerable families proactively for early identification of problems and timely intervention.

Integrated Family Services Centres

7. A comprehensive review on Family Services was completed in 2001. In April 2002, 15 pilot projects will be implemented to set up Integrated Family Services Centres (IFSC) in selected districts. The IFSCs, consisting of Family Resource Unit, Family Support Unit and Family Counseling Unit, will provide a continuum of preventive, supportive and remedial services to meet the changing needs of the families. This is a cost-neutral transformation

process to ensure that our family services are meeting changing family needs.

Family Support and Resource Centre

8. In anticipation of the family service transformation, SWD has already refocused its 19 Group Work Units in Community Centres and Estate Community Centres into Family Support and Resource Centres to provide resources and support services to vulnerable families since January 2002. They will also serve as the base for the above-mentioned Family Support Networking Teams.

Family “Help-line”

9. A Family Help-line was set up in April 2000 (2343 2255 press “7”). Through this Family Help-line, immediate counseling and assistance are provided to families and persons in need so as to minimize the occurrence of family problems arising from inappropriate management of family issues.

Single Parent Centres

10. Five Single Parent Centres were set up in February 2001. These Centres assist single parents to overcome problems arising from single parenthood, build up a social network of support and mutual help, and improve their capability for employment and self-reliance.

Post-migration Centres

11. Since early 2001, four additional Post-migration Centres have been set up and the staffing and service provision of the existing four centres have been strengthened to assist new arrivals from the Mainland to integrate into the local community, reduce their adjustment problem, enhance their social functioning and self-sufficiency, and to enable early intervention to needy new arrival families.

Family and Child Protective Services Units

12. To ensure that difficult and complex family violence cases are dealt with in an efficient and effective manner, SWD has expanded the three Child

Protective Services Units specializing in handling child abuse problem into five Family and Child Protective Services Units since April 2000. These Units are staffed by experienced social workers and provide a package of “one stop” service to victims of child abuse, spouse battering and their family members. Intensive casework and group work treatment for victims, batterers and their family members are rendered by the social workers. Apart from supervisory posts, a total of 28 social workers were added to these Units since their set up, and another 14 social workers will be provided to these Units before end March 2002 to further strengthen the manpower. Supervisory support at the Senior Social Work Officer level will also be strengthened.

Family Crisis Support Centre

13. To strengthen support to families in crisis with the specific objective of preventing family tragedies, SWD has set up the first of its kind Family Crisis Support Centre. The Centre intends to provide a time-out facility in helping people under extreme stress or facing crisis to manage their emotions and seek positive solution to family problems. The Centre operates 24-hours a day and provide an integrated package of services including a 24-hour hotline 18288 (向晴熱線), outreach and prompt intervention to individual and families and short-term overnight accommodation. Non-premises-tied services, i.e. hotline and counseling, have commenced operation since November 2001. The centre-based services, with accommodation for up to 40 places in family and single rooms, will be brought into operation in March 2002. Unlike existing refuge, this Centre is designed to also serve men. Caritas-Hong Kong has been selected to operate the Centre.

Additional Refuge Centre for Women

14. There are three existing refuge centres for women (one operated by SWD and the other two by NGOs) with a total capacity of 120. These refuge centres provide protection and short-term accommodation to women and their children against violence during an acute period. An additional refuge centre for women with a capacity for 40 women and children will commence operation by phases, starting from March 2002.

Suicidal Crisis Centre

15. A grant of \$10.6 million from the Lotteries Fund has been allocated to the Samaritan Befrienders Hong Kong in October 2001 to set up a Suicidal Crisis Centre on a 3-year pilot basis to supplement its existing hotline service. The Centre will provide round-the-clock outreaching service and crisis intervention/intensive counseling to those who are in crisis situation and at high suicidal risk. The Centre will also build up networks with related services and agencies that are in contact with those having suicidal intent or attempts. The centre-based service is expected to commence by the middle of the year.

Specialized and Co-ordinated Effort in Combating Violence

16. As part of SWD's re-organisation, a Chief Social Work Officer (Domestic Violence) post was created in September 2001. A team headed by this Chief Social Work Officer is tasked to co-ordinate and handle specialized services relating to child abuse, elder abuse, sexual violence and spouse battering.

Social Welfare Department
March 2002