

PANEL ON SECURITY AND PANEL ON WELFARE SERVICES

Review Panel on Family Services in Tin Shui Wai

Purpose

This paper provides the Administration's response to Members' views in relation to the Review Panel on Family Services in Tin Shui Wai (the Review Panel).

Background

2. At the joint meeting of the Panel on Security and Panel on Welfare Services held on 30 April 2004, Members raised the following two issues in respect of the Review Panel -

- (a) expanding the terms of reference of the review panel to review the handling by the Administration, including the Police, and non-governmental organizations (NGOs) of the assistance sought by Madam JIN prior to her death in the evening of 11 April 2004. In so doing, membership of the review panel should be suitably increased, say, to five members; and
- (b) establishing a commission of inquiry comprising representatives from different disciplines concerned to inquire into the handling by the Administration, including the Police, and NGOs of the assistance sought by Mdm JIN prior to her death in the evening of 11 April 2004 and the overall strategy and measures to prevent and tackle domestic violence, amongst others.

Administration's Response

3. After careful consideration, the Administration's response to the above two issues are set out as follows, seriatim –

- (a) The terms of reference of the Review Panel are to review the provision and service delivery process of family services in Tin Shui Wai in the light of the case in question; to recommend to the Director of Social Welfare (DSW) measures to strengthen the effectiveness, co-ordination and other aspects concerning service provision and delivery of family services in Tin Shui Wai; and to recommend to DSW any other issues concerning the handling of family cases. As such, the Review Panel would inevitably look into the case, including how it was handled, and examine any cross-sectoral coordination issues. The existing terms of reference are wide enough to address the concerns raised.

The existing set-up of the Panel, comprising three members: one layman with experience in welfare matters, one social work academic, one clinical psychologist, each having knowledge in the welfare field, is considered appropriate. The Panel will also seek views from interested parties.

Separately, two investigations are being conducted by the Police in light of the recent occurrence of the above-said Tin Shui Wai family incident. One was the criminal investigation of the homicide. Investigation in this regard has been completed. The investigation file has been submitted to the Coroner who will decide whether a death inquest should be held. On the other hand, the Police have also been conducting a separate enquiry on the ways the incidents related to the victimised family in the Tin Shui Wai murder had been handled. The enquiry is in progress. The investigators will take into account the decision made by the Coroner before arriving at their findings.

- (b) As mentioned in (a) above, the Review Panel would look into how the case was handled, including cross-sectoral coordination among the Social Welfare Department (SWD), NGOs, the Police and others etc. Setting up a commission of inquiry would likely overlap the work of the Review Panel.

Regarding the overall strategies and measures to prevent and tackle domestic violence, the two cross-sectoral committees, namely Committee on Child Abuse and Working Group on Combating Violence, which are already operating under the auspices of SWD, will continue to seek improvement measures

to tackle and prevent child abuse, spouse battering and sexual violence.

Members may wish to note that at the Bureau level, we are examining the proposals to amend the Domestic Violence Ordinance as put forward by the relevant parties. We will consider whether, and if so how, the existing legislative framework needs to be improved. While proceeding with the legislative review, we would also be keeping a close watch over the recommendations to be made by the Review Panel and would seek early implementation of measures as appropriate to enhance our system.

Conclusion

4. Members are invited to note the Administration's response in paragraph 3 above.

Health, Welfare and Food Bureau/Social Welfare Department
May 2004