

**Panel on Security and  
Panel on Welfare Services**

**Police Guidelines for Handling Family Violence and Related Matters**

**Purpose**

This paper outlines Police guidelines for handling domestic violence, for receiving complaints etc. in response to points (b) to (d) of the letter of 21 April 2004 from the Clerk to the Panel.

**Police guidelines for handling domestic violence**

2. The Police have drawn up guidelines for the handling of domestic violence. In the police context, "domestic violence" refers to any incident involving an assault, or breach of peace between parties who could generally be described as married or having a family relationship. The types of person involved include co-habitants, lovers and others who are separated or divorced.

Roles and Responsibilities

3. The guidelines stipulate the role and responsibilities of police officers attending scene of domestic violence incidents. Such roles and responsibilities include:

- (a) protecting the victim and his/her children from attack;
- (b) ensuring that they are not subject to any risk of further violence ;
- (c) taking firm and positive action against the alleged offender and investigating any offences that may have been committed; and
- (d) referring the victim and/or alleged offender to appropriate Government departments or other Non-Governmental Organizations (NGOs) for assistance.

## Procedures

4. The guidelines set out procedures on necessary actions that should be taken by the Command and Control Centre, Report Room staff, officers attending the scene and Crime Investigation officers. These include:

- (a) the way that the victim and the alleged offender should be interviewed;
- (b) details of the necessary arrest action when evidence of a crime is established;
- (c) in the event of insufficient evidence to support the allegation, a Domestic Incident Notice should be served on the alleged offender to advise him/her that contravention of the Offences Against the Person Ordinance and the Crimes Ordinance may result in imprisonment;
- (d) a bilingual Family Support Service Information Card, which contains a list of agencies providing family support services, should be served on the victim;
- (e) the victim should be briefed on the process of criminal investigation and court proceedings;
- (f) the victim should be briefed on the availability of refuge centres for victimized persons, counseling hotlines, and the conditions under which referrals would be made to the Social Welfare Department (SWD) with or without the consent of the victimized parties;
- (g) details on the necessary follow up actions to be taken by the Police; and
- (h) factual information about Domestic Violence Injunction Order.

## Training

5. The subject of domestic violence forms part of the basic training of police officers. A training package has been developed for frontline officers on the handling of domestic violence during their training days. "Victim psychology" is one of the topics included in the package. In the past two

years, over 11,000 frontline police officers had received such training, and further training will be organized later this year.

6. Seminars on domestic violence organized by either the Police or NGOs, are also arranged for frontline officers from time to time. The most recent one was conducted by overseas experts in February 2004.

#### Aide-Memoire Card

7. A pocket-size Aide Memoire Card on Handling Domestic Violence Cases, which provides a quick reference on the procedures outlined in the foregoing paragraphs, has been issued to frontline officers. The need to handle all domestic violence incidents with sympathy and impartiality is stressed. This card was last revised in June 2003.

#### Guidelines for Child Abuse and Elder Abuse

8. The Police Force also maintain separate guidelines on the handling of child abuse and elder abuse.

#### **Police Guidelines for Receiving and Responding to Complaints Registered at Police Stations**

9. Upon receipt of a report made to a police station by a member of the public, the police officer concerned shall record the report in the Police Communal Information System without delay. There are separate procedures and guidelines for handling different types of complaints, such as crime, traffic, etc.

10. Reports are generally classified into crime (e.g. homicide and theft) and non-crime reports (e.g. noise nuisance and sick person, etc). For those non-crime reports that cannot be easily classified by nature of the complaint, they may be classified as "Request for Police Assistance". Appropriate action will be taken in response to the report.

#### **The Tin Shui Wai Incident**

11. The Police are deeply concerned at and saddened by the Tin Shui Wai case. An active investigation into the homicide case is being conducted. Since the homicide, the Police have reminded all officers of the need of handling domestic violence cases with care. The Police will examine the

existing police procedures for handling domestic violence cases in consultation with other related agencies with a view to identifying any areas that require improvement.

**Hong Kong Police Force**  
**April 2004**

**Panel on Welfare Services and Panel on Security**  
**Joint meeting on 26.4.2004**

**Response to questions raised by Hon CHAN Yuen-han**

**Q1** *The number of cases served by the Family and Child Protective Services Units (FCPSUs) by types of cases for the past three years, departmental expenditure and evaluation of service effectiveness.*

A1. FCPSUs, set up in 2000, are responsible for handling child abuse and battered spouse cases. Upon restructuring through amalgamation with the former Child Custody Services Units on 25 March 2002, FCPSUs have been taking up child custody cases in addition to child abuse and battered spouse cases. The number of cases served by FCPSUs in the past three years are as follows:

**Table 1: Number of cases served by FCPSUs**

Year Type of cases	2001/2002 (4/01- 3/02)	2002/2003 (4/02 – 3/03)	2003/2004 (4/03- 2/04)
No. of child abuse cases served	1693	1618	1612
No. of battered spouse cases served	2663	3848	4191
No. of child custody cases served	N.A.	873	751
No. of cases involving other nature (e.g. cases involving both spouse battering and child abuse).	N.A.	247	318
<b>Total No. of cases served</b>	<b>4356</b>	<b>6586</b>	<b>6872</b> <i>(for 11 months)</i>

**Table 2: Expenditure of FCPSUs**

Year	2001/2002 (Actual)	2002/2003 (Actual)	2003/2004 (Estimate)
Expenditure	\$58.44 M	\$97.4M	\$94.3M

Prior to the restructuring of FCPSUs in March 2002, the performance of FCPSUs was monitored according to the required output standards (e.g. number of cases served, counseling hours and groups conducted, etc.) Following the restructuring, the output requirements have been revised to include those activities relating to child custody cases. Although it is difficult to measure the effectiveness of social work intervention which is affected by many factors, we have tried to develop a set of outcome standards (e.g. percentage of recurrence of child abuse, satisfaction rate of

victims of battered spouse cases etc.) for service monitoring. The revised standards have been adopted with effect from April 2003.

***Q2 What are the criteria for referring abused cases to FCPSUs?***

A2. Child abuse cases and battered spouse cases are brought to the attention of FCPSUs through direct approach by the victims and/or their family members, referrals from the Police, medical professionals, hotlines, different departments or non-governmental organizations (NGOs), schools and the general public etc. FSCs/IFSCs of NGOs also handle domestic violence cases. However, FSCs/IFSCs of NGOs may transfer the battered spouse cases and child abuse cases of more complicated nature (e.g. cases requiring statutory protection of the children and involving mentally incapacitated person, etc.) to FCPSUs. FCPSUs also provide consultation to NGOs on handling battered spouse cases and child abuse cases if required.

More concrete guidelines on the transfer of battered spouse cases are provided in the 'Procedural Guidelines for Handling Battered Spouse Cases (2004)' (Guidelines) which will be implemented starting from 1 May 2004. It is set out in the Guidelines that cases being handled by NGOs and falling into the following categories may be referred to FCPSUs for follow-up:

- ◆ the case involves statutory arrangement for the children,
- ◆ the case requires involvement of different government departments or disciplines (e.g. hospital, the Police etc.) for urgent and coordinated action to handle crisis intervention; or
- ◆ the case involves high risk of violence (e.g. homicide-suicide, the batterer being highly aggressive and grossly unmotivated).

***Q3 In SWD, what are the procedures of handling battered spouse cases, including arrangement of counseling for batterers, and when and under what circumstances will the victim be arranged to meet the batterer?***

A3. Social workers of SWD will provide appropriate services based on the assessment of the needs of individual cases. The services include outreaching, social investigation, statutory protection of children, counseling, group work service, and referrals (for psychological service, legal aid, residential service) etc. In handling battered spouse cases, the safety of the victim and other family members especially children is the paramount concern of social workers.

Since treatment of batterers is very important for stopping family violence and most of the batterers in spouse battering cases are men, services for male batterers have been strengthened in recent years. Apart from individual counseling, groups are also organized for batterers with the joint effort of clinical psychologists. During the past year, FCPSUs have conducted 10 such groups for about 100 participants.

While the victim may meet the batterer at his/her own free will, social

workers will only arrange joint interviews with the victim and batterer with the consent of both parties and based on the needs of individual cases, taking into consideration the safety of the victim.

***Q5 The number of Police referrals to SWD without the consent of the victim/alleged offenders.***

- A5. During the year of 2003, 91 cases were referred by Police to FCPSUs of SWD without the consent of victims/alleged offenders. Most of these cases were battered spouse cases, with a small portion involving other types of family disputes, such as in-law conflicts and conflicts between parents and their adult children, etc.

***Q7 Any training on domestic violence provided to frontline workers during the past year? What was the number and content of the training programmes? Who are the trainers?***

- A7. To enhance the skills and knowledge on handling domestic violence and multi-disciplinary collaboration in combating violence, SWD has continuously conducted different training programmes for social workers as well as other professionals, such as the Police, teachers and medical professionals etc. The programmes cover various topics including intervention on child abuse and spouse battering cases, risk and safety assessment, treatment for perpetrators, victims and children witnessing domestic violence, and the understanding of domestic violence from different perspectives. In 2003-04, over 1 000 professionals including social workers, the Police, clinical psychologists, medical practitioners, teaching personnels and legal practitioners etc., attended a total of 20 training programmes conducted in the form of induction courses, seminars and workshops. The trainers include local academics from the tertiary institutions, overseas experts and experienced professionals from different disciplines (e.g. clinical psychologist). Victims of battered spouse cases were also invited to share their experience to enhance the frontline workers' sensitivity to their feelings and needs.

Social Welfare Department

April 2004

**The Administration's Response to  
Questions No. 4 to 7 in the Fax from  
Clerk to Panel on Welfare Services dated 23 April 2004**

**Q4 What are the details of Hong Kong Police Force's guidelines on handling domestic violence?**

A4 Please refer to paragraphs 2 to 4 of LC Paper No. CB(2)2131/03-04(03), entitled "Police Procedures for Handling Family Violence and Related Matters".

**Q5 In the past year, how many cases of domestic violence and abuse cases did the Police handle? How many ended up in prosecution or were referred to Social Welfare Department (SWD) for follow up without the consent of the victims?**

A5 In 2003, the Police had made 1 617 referrals to SWD. Amongst these referrals, 91 were made without the consent of the victims. There is no readily available breakdown of the number of prosecutions against the alleged abusers which were made without the consent of the victims.

**Q6 There is no definition of "domestic violence" in the Police's manuals. What criteria should frontline officers follow in order to differentiate "domestic violence" and "family dispute"?**

A6 The Police have clear guidelines on the definition and handling of "domestic violence". "Domestic violence" is defined as "any incident involving an assault, or breach of the peace between parties who could generally be described as married or having a family relationship". Parties having a family relationship include co-habitants, lovers, and spouses who are separated or divorced.



**Q7 Have SWD and Hong Kong Police Force provided any training on the handling of domestic violence for their frontline officers? How many courses were arranged last year and what were the contents? Were any organizations invited to arrange workshops for the officers?**

A7 Please refer to paragraphs 5 to 7 of LC Paper No. CB(2)2131/03-04(03), entitled "Police Procedures for Handling Family Violence".

**Hong Kong Police Force  
April 2004**