

立法會
Legislative Council

LC Paper No. CB(2)3080/03-04
(These minutes have been
seen by the Administration)

Ref : CB2/PS/3/03

Panel on Welfare Services

**Subcommittee to study issues relating to the
strategy and measures to prevent and tackle family violence**

**Minutes of the first meeting
held on Thursday, 24 June 2004 at 4:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Albert CHAN Wai-yip (Chairman)
Hon Cyd HO Sau-lan
Hon LI Fung-ying, JP
Hon Michael MAK Kwok-fung
Hon WONG Sing-chi
- Members absent** : Hon LEE Cheuk-yan
Hon CHAN Yuen-han, JP
Dr Hon LAW Chi-kwong, JP
Hon Frederick FUNG Kin-kee
- Member attending** : Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
- Public Officers attending** : Miss Susie HO, JP
Deputy Secretary for Health, Welfare and Food (Welfare)
- Mr Paul TANG, JP
Director of Social Welfare

Mr FUNG Pak-yan
Assistant Director of Social Welfare (Family and Child Welfare)

Mrs SO WONG Wei-yee
Chief Social Work Officer (Domestic Violence)

Ms PANG Kit-ling
District Social Welfare Officer (Yuen Long) (Atg)

Ms Winnie NG
Principal Assistant Secretary for Security/E

Mr Victor LO
Assistant Commissioner of Police (Crime)

Ms NG Suk-fun, Cecilia
Superintendent (Crime Support)

Mr Cert Quinn LEE
Chief Manager/Management (Support Services) 2

Clerk in attendance : Miss Mary SO
Chief Council Secretary (2) 4

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Ms Amy LEE
Senior Council Secretary (2) 8

I. Election of Chairman

Mr Albert CHAN Wai-yip was elected Chairman of the Subcommittee.

II. Proposed terms of reference and workplan of the Subcommittee
(LC Paper No. CB(2)2899/03-04(01))

2. Members agreed to the proposed terms of reference set out in above paper prepared by the Secretariat. Members further agreed to complete work before 10 July 2004 and submit a report of the Subcommittee to the Panel on Welfare Services on 19 July 2004.

III. Meeting with the Administration
(LC Paper Nos. CB(2)2899/03-04(02) and (03))

3. Ms LI Fung-ying asked the following questions -

- (a) whether the Administration had identified any inadequacies in the existing strategy and measures to prevent and tackle family violence, so as to prevent the recent Tin Shui Wai murder case from recurring; and
- (b) when would the review of the Domestic Violence Ordinance (DVO) be conducted.

4. Director of Social Welfare (DSW) responded that the set up of the three-person Review Panel (the Review Panel) on Family Services in Tin Shui Wai by the Administration was 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 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 any other issues concerning the handling of family cases. Apart from looking into the case, including how it was handled, the Review Panel would also examine any cross-sectoral coordination amongst the Social Welfare Department (SWD), the non-governmental organisations (NGOs), the Police and others etc. The Review Panel was expected to complete its work in September/October 2004. Separately, two investigations were being conducted by the Police. One was the criminal investigation of the homicide. Investigation in this regard had been completed. The investigation file had been submitted to the Coroner who would decide whether a death inquest should be held. On the other hand, the Police had also been conducting its internal enquiry on the handling of the Tin Shui Wai case. The enquiry was in progress.

5. Assistant Director of Social Welfare (Family and Child Welfare) (ADSW) supplemented that apart from setting up the Review Panel, a number of improvement measures to prevent and tackle family violence had been or would

be instituted from April 2004. These measures included -

- (a) SWD had temporarily deployed 12 social workers to the Family and Child Protective Services Units (FCPSUs) since 3 May 2004. Following the re-engineering of family services, further resources would be pooled to establish one more FCPSU to make a total of six specialised teams to provide intervention to battered spouse and child abuse cases in 2005-06;
- (b) the "Procedural Guidelines for Handling Battered Spouse Cases (2004)" had recently been revised to provide guidelines on risk assessment, amongst others, and were implemented since 1 May 2004;
- (c) plan was in hand to update the guidelines stipulated in the "Guidelines for Handling Child Abuse Cases - Revised 1998" in 2004-05;
- (d) SWD had stepped up work with the Police and Hospital Authority on measures to further strengthen coordination;
- (e) SWD had issued reminders to its staff regarding handling of service users with aggressive and violent behaviour, including seeking of police assistance;
- (f) SWD and NGOs concerned were now actively transforming all family services centres (FSCs)/counselling units into integrated family services centres (IFSCs). By the end of 2004-05, there would be 61 IFSCs covering the whole territory. Individual IFSC would have a minimum of 12 social workers apart from a supervisor. The exact number of manpower resources to be accorded to each district/centre would vary, having regard to the population to be served and district needs. SWD was now actively working out the related arrangements (e.g. demarcation of service boundaries, deployment of manpower, etc.) within the Department and with family service operators of NGOs; and
- (g) publicity and community education aiming at enhancing public awareness of the need to strengthen family solidarity, encourage early help-seeking and prevent violence including spouse battering, child abuse, elder abuse and sexual violence would be continued and further stepped up.

6. Responding to Ms LI's second question, Deputy Secretary for Health, Welfare and Food said that whilst waiting for the outcome of part one of the University of Hong Kong's study on child abuse and spouse battering on elements contributing to effective prevention and intervention, amongst others, which would become available in mid 2004, the Administration was simultaneously examining the legislative provisions of the DVO. Key aspects being studied included mandatory counselling, definition of domestic violence, injunction order etc. In this connection, due regard would be given to the views expressed by members at the joint meetings of the Panel on Welfare Services and the Panel on Security held on 26 and 30 April 2004, and the motion debate at the Council meeting on 5 May 2004. The Administration had also met members of the Committee on Child Abuse and the Working Group on Combating Violence and the "關注家庭暴力問題聯席" to listen to their views on the matter.

7. Mr WONG Sing-chi asked the Administration's view on the following proposals put forward by some local experts on family violence -

- (a) the appropriateness of adopting the philosophy of "family integrity" in handling family violence; and
- (b) separating Child Protective Services Unit (CPSU) from FCPSU, in order to clearly separate the investigative functions (to be undertaken by CPSU) and counselling functions (to be provided by NGOs or SWD's clinical psychologists).

8. DSW clarified that SWD did not adopt any single philosophy in handling family violence cases. Each case would be handled having regard to the circumstances of the case. Personal safety of victims and children involved was always the prime concern. DSW further said that separating the investigative and counseling functions of caseworkers might lead to fragmentation. However, DSW pointed out that for cases where the investigating officer was deemed not appropriate to render follow-up counselling, for instance, rejection by the abuser, they might be transferred to another officer of the unit. Also, it was not uncommon for cases to be referred to clinical psychologists for treatment.

9. Ms Cyd HO was of the view that the review committee to be set up by the Administration on cases in which family violence had caused serious injuries or death should also include person(s) who could represent the interests of the victims.

10. DSW responded that in considering whether to set up post-event multi-disciplinary review committees, the main aim was to identify room for improvement in the handling of family violence, rather than to find out who

should be held culpable. Also, such reviews should not interfere with investigation by the Police and/or the Coroner Court. Nevertheless, he agreed to give Ms HO's suggestion in paragraph 9 above further thoughts.

11. At the invitation of the Chairman, Chief Social Work Officer (Domestic Violence) (CSWO) briefed members on the salient features of the "Procedural Guidelines for Handling Battered Spouse Cases (2004)" (the Guide) tabled at the meeting.

12. Ms Cyd HO was of the view no matter how carefully written the above Guide was, victims of family violence would still suffer serious injuries or even death if timely assistance was not provided to them. To her understanding, many victims were forced to return home because no long-term accommodation could be provided to them. The Chairman echoed similar views.

13. CSWO responded that no victim of family violence would be forced to return home. Although these victims could live in refuge centres on temporary basis, different forms of housing assistance, including Compassionate Rehousing, Conditional Tenancy (CT), Splitting of Household and Housing Transfer, were available to assist them to resolve their long-term housing problems. Moreover, charitable trust funds would be released to assist these victims to rent private tenements as appropriate. Chief Manager/Management (Support Services) 2 supplemented that CT and Compassionate Rehousing also applied to the aggrieved party without dependent children who had genuine need for a separate public rental housing unit.

14. Mr WONG Sing-chi asked whether the case manager was responsible to see that the professionals participating in the multi-disciplinary case conference handling the battered spouse case would follow through all the procedures and guidelines stipulated in the Guide.

15. DSW responded that there was no need for the suggestion in paragraph 14 above, as the Guide was developed by representatives of relevant policy bureaux and government departments and the NGOs concerned, which all had a stake and responsibility in seeing that the guidelines and procedures stipulated in the Guide were closely adhered to. Assistant Commissioner of Police (Crime) (ACP) pointed out that the Police guidelines for handling domestic violence, as provided in Annex A to LC Paper No. CB(2)2899/03-04(03), covered a wider scope than Chapter IV of the Guide as the former laid down the police procedures for handling battered spouse cases.

16. Ms Cyd HO was of the view that in order to ensure that timely assistance could be provided to victims of family violence, consideration should be given to

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developing a manual for social workers on the types of resources which were available to assist these victims.

17. ADSW responded that a directory of resources to assist victims of family violence was set out in Chapter X of the Guide.

18. Mr WONG Sing-chi was of the view that the frontline Police officers should ask people who reported domestic violence to a Police Station as to whether they had earlier sought assistance from SWD and/or other NGOs, so as to see whether any follow-up social services should be provided to the victims. In response, ACP said that frontline staff had been reminded to do so. ACP further said that a study was being undertaken to examine the feasibility of enabling the existing computer system to check past police records on persons who had sought police assistance in relation to domestic violence complaints.

19. Mrs. Sophie LEUNG suggested that sharing sessions on handling domestic violence should be regularly organised in districts where family problems were most prevalent, so as to better raise the sensitivity of frontline workers in handling victims of family violence.

20. On closing, the Chairman requested the Administration to provide a paper setting out the existing strategies and measures to prevent and tackle child abuse, elder abuse and spousal abuse, taking into account the views expressed by members at the three joint meetings of the Panel on Welfare Services and the Panel on Security held on 26 and 30 April and 24 May 2004. The Administration agreed.

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Date of next meeting

21. To allow more time for the Administration to prepare the requested information in paragraph 20 above, members agreed to reschedule the date of the next meeting from 28 June 2004 to 5 July 2004.

(Post-meeting note : The next meeting was subsequently changed to 6 July 2004 at 4:30 pm.)

22. There being no other business, the meeting ended at 6:07 pm.

Council Business Division 2
Legislative Council Secretariat
29 July 2004