

PANEL ON WELFARE SERVICES

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

Strategies and Measures in Handling Family Violence

PURPOSE

This paper highlights the Administration's strategies and measures to prevent and tackle family violence; as well as our response to the major recommendations put forward by non-governmental organizations (NGOs) relating to this subject.

BACKGROUND

2. At the Subcommittee meeting of the Panel on Welfare Services held on 24 June 2004, Members requested the Administration to provide a paper on the strategies and measures to prevent and tackle family violence; as well as the response to the major recommendations put forward by NGOs at the joint meeting of Panel on Security and Panel on Welfare Services held on 26 April 2004.

INFORMATION SYSTEM ON FAMILY VIOLENCE

3. At present, statistics on child abuse and battered spouse cases are captured by the Child Protection Registry and the Central Information System on Battered Spouse and Sexual Violence Cases respectively. There were 481 newly reported child abuse cases and 3,298 newly reported battered spouse cases in 2003. The statistics of elder abuse cases are captured by the Central Information System on Elder Abuse Cases which was newly put in place in March 2004. Up to 25 June 2004, 113 elder abuse cases were reported to the System. The details are set out at Annex.

MULTI-DISCIPLINARY COLLABORATION

4. There are well-established mechanisms to ensure effective collaboration among the concerned parties in combating family violence. There are three dedicated multi-disciplinary committees, namely the Committee on Child Abuse, the

Working Group on Combating Violence and the Working Group on Elder Abuse.

5. At the district level, District Coordinating Committees on Family and Child Welfare and District Coordinating Committees on Elderly Services, both chaired by the District Social Welfare Officer concerned with representatives from various local organizations, coordinate service provision relating to child abuse, spouse battering and elder abuse among other tasks.

6. At the operation level, different procedural guidelines, namely Procedures for Handling Child Abuse (revised 1998), Procedural Guidelines for Handling Battered Spouse Cases (revised 2004) and Procedural Guidelines for Handling Elder Abuse Cases (2003) have been developed. The guidelines provide references for various related sectors on the handling of child abuse, spouse battering and elder abuse cases as well as the arrangements of multi-disciplinary case conference.

MULTI-DISCIPLINARY TRAINING

7. The Social Welfare Department (SWD) has continuously conducted different training programmes on handling domestic violence for social workers and other professionals such as police, teachers and medical professionals etc. During the period from April 2003 to March 2004, over 1,000 professionals from various disciplines attended 20 programmes on spouse battering and child abuse conducted by local and overseas trainers. For elder abuse, SWD and the Hong Kong Christian Service, under its two-year Project on Elder Abuse Research and Protocol, provided various training for more than 1,800 professionals and non-professionals (including personal care workers and home helpers) during the period from February 2002 to March 2004.

THREE-PRONGED APPROACH

8. The Government has adopted a three-pronged and cross-sectoral approach in providing a continuum of preventive, supportive and specialized services to prevent family problems and to deal with them when they arise.

Preventive Measures

Publicity and Community Education

9. At central level, a publicity campaign entitled “Strengthening Families and Combating Violence” has been launched since August 2002. The campaign aims 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. Publicity work includes radio programmes, radio and television Announcement of Public Interest, “Resilient Family Ambassadors”,

production of publicity materials such as roadside display boards and banners, leaflets and posters etc.

10. At district level, activities such as seminars, family camps, exhibitions and other family life education activities were also held to echo the central campaign. The two pilot projects on elder abuse launched by Haven of Hope and Caritas also organized a lot of community education programmes relating to the prevention of elder abuse.

Improved Accessibility to Services

11. To facilitate early help seeking, the hotline service of the Family Crisis Support Centre (FCSC) was enhanced in May 2003 such that a total of eight lines (including three warm lines answered by trained volunteers) are available to provide immediate counselling or support to persons in family crisis.

12. Furthermore, the Departmental Hotline Service Unit (DHSU) of SWD has put in place a call transfer system since January 2003. Under the new arrangements, calls to DHSU outside the operating hours can be transferred directly to the 24-hour hotline services of FCSC. Backup support is also made available from SWD's after office hours outreaching teams for child abuse, battered spouse and psychiatric emergency which provide 24-hour outreach and crisis intervention services as and when necessary.

13. To enhance accessibility to services, all integrated family service centres (IFSCs)/family services centres (FSCs) have adopted flexibility in arranging interviews and home visits outside normal office hours. Some of them have also provided regular extended hours service during weekday evenings, Saturday and Sunday. Besides, the medical social services units operated by SWD at six major hospitals with Accident and Emergency Departments have also extended their service hours to 8:00 p.m. (on weekdays) and 3:00 p.m. (on Saturdays) starting from 1 April 2003.

14. To facilitate access/sharing of information among the helping professionals handling family violence cases, a website was developed in June 2003 to promote the services available for the victims of child abuse, spouse battering and sexual violence.

Enhancing Social Capital

15. As a preventive measure to help individuals and families to deal with domestic violence through strengthening their capabilities and support network, the Community Investment and Inclusion Fund (CIIF) has been providing seed funding to support community-initiated projects that seek to, among others, foster better family relationship and encourage the building of networks among families. Cross-sectoral collaboration among the Government, business sector and the Third Sector is encouraged.

16. As a specific example, the Harmony House Limited has just commenced a CIIF project to, among others, assist in the establishment of a supportive network among ex-victims of family violence and families with potential problems in this regard. Four other more general projects aiming at building capability within families and establishing network among families have also been approved.

Supportive Services

Re-engineering of Family Services

17. In view of the proven effectiveness of IFSCs, all existing FSCs / counselling units will be transformed into IFSCs in 2004-05. Each IFSC will comprise three components, namely Family Resource Unit, Family Support Unit and Family Counselling Unit. A continuum of preventive, supportive and remedial services will be provided with regular extended hour services in the evening / Saturday / Sunday. Through this re-engineering exercise, an attempt will be made to achieve an overall territory-wide re-distribution of resources based on a combination of factors including the population to be served, complexity of social problems and district needs etc.

Community Support Services for Elder

18. As a result of the re-engineering of community support services for elders in April 2003, District Elderly Community Centres (DECC) have strengthened their services to vulnerable elders including elder abuse cases. Besides, Neighbourhood Elderly Community Centres, Integrated Home Care Services Teams and Enhanced Home and Community Care Service also include carer support as part and parcel of their service components with a view to prevent elder abuse by relieving the pressure on the carers.

Child Care Services

19. A wide range of day and residential childcare services such as day crèches, day nurseries, extended hour service, occasional child care service, Mutual Help Child Care Centres, after school care programmes, foster services, etc. are available to meet the various child care needs of parents. Additional resources were allocated to expand foster care services from 580 places in 2002 to 745 places (including 45 emergency foster care places) in 2004.

Financial Assistance

20. To assist families or individuals to tide over their immediate financial hardship, financial assistance such as the Comprehensive Social Security Scheme (CSSA) and various charitable/trust funds are arranged for families or individuals in need. For victims of domestic violence who are forced to leave the matrimonial home with their young children, the seven-year-HK-resident rule for application of CSSA may be exempted on an individual case basis.

Housing Assistance

21. To assist victims of family violence to resolve their housing problems, different forms of housing assistances including Compassionate Rehousing, Conditional Tenancy, Splitting of Household and Housing Transfer etc. are arranged for cases with genuine housing need and social/medical ground.

Specialized Services and Crisis Intervention

22. The five regional-based Family and Child protective Services Units (FCPSUs) of SWD manned by experienced social workers are responsible for handling majority of the child abuse and battered spouse cases. In light of the increasing number of family violence cases, SWD is planning to further strengthen the manpower support of the specialised FCPSUs.

23. FSCs/IFSCs of NGOs also handle battered spouse cases. For complicated cases, such as cases involving statutory protection of children, NGOs may transfer cases to FCPSUs for follow-up.

24. A total of 162 places are provided by four refuge centres for women with round-the-clock admission.

25. A variety of services for men, such as men's hotline and batterers' group are also provided by FCPSUs and NGOs operating refuge centres for women.

26. The FCSC of Caritas-Hong Kong, which commenced operation in March 2002, provides a 24-hours time-out facility to help people facing family crisis to manage their emotions and seek positive solutions to their problems. It provides an integrated package of services including a 24-hour hotline (18288), outreaching, crisis intervention and short-term accommodation.

27. In the past three years, Haven of Hope Christian Service and Caritas each launched a pilot project on prevention and handling of elder abuse. To consolidate the knowledge and experience gained and to facilitate the transfer/sharing of experiences to/with other organizations, the two agencies were granted additional allocation from the Lotteries Fund to extend their respective projects for one more year from April 2004 to March 2005.

RESEARCH

28. In view of the rising number of family tragedies, evidence-based research is required for a more in-depth understanding of the problems. During the past two years, three researches related to family violence have been/are being initiated.

29. The Centre for Criminology of the University of Hong Kong (HKU) has

been commissioned to conduct a study on homicide-suicide in Hong Kong in November 2002. The research team has completed the first stage of the study in 2003, with preliminary findings on the profile of homicide-suicide cases in Hong Kong from 1989 to 2003. The second stage of the study, which involves more advanced and qualitative analyses, is in progress. A screening tool for use by frontline social workers will also be developed in the third stage of the study. The project is scheduled to be completed by the end of 2004.

30. HKU has also been commissioned to conduct a study on child abuse and spouse battering in April 2003. Part one of the study on the prevalence rate of child abuse and spouse battering in Hong Kong and elements contributing to effective prevention and intervention will be completed in the second half of 2004. Part two of the study on the development and validation of assessment tools and training to 500 frontline professionals for use of the assessment tools is scheduled to be completed by April 2005.

31. To understand the phenomenon and prevalence of elder abuse in Hong Kong, the Hong Kong Christian Service was commissioned to conduct a research in February 2002, under its two-year Project on Elder Abuse Research and Protocol with the objectives to devise a social definition of elder abuse, investigate the prevalence of elder abuse in Hong Kong and collect data to identify the profile of known elder abuse cases. Findings and recommendations of the research have been reported to the LegCo Panel for Welfare Services.

CONCERNS OF THE NGOs AND THE ADMINISTRATION'S RESPONSES

32. Arising from the Tin Shui Wai family tragedy, a number of NGOs have submitted views to the Joint Meeting of the Panel on Security and Panel on Welfare Services held on 26 April 2004. The Administration's responses to these views were set out in a paper (No. CB(2)2210/03-04(01)) submitted to Members at the Joint Meeting held on 30 April 2004. The gists are highlighted in the paragraphs below.

Policy

To formulate a strategic and long-term "zero tolerance" policy against family violence and put it on policy agenda or CE's Policy Address

33. One of the Administration's key policy directions is to create a caring and just society which celebrates the rich diversity of our community, recognizing that each individual is endowed with different strengths. We aim to create an environment in which all people get every opportunity to develop their potential. Warm, supportive and stable families are what count most in nurturing the healthy development of individuals. We will strengthen family solidarity and foster mutual care and support in the community, so that all individuals are embedded in a network of care, trust, support and reciprocity. This is clearly reflected in the 2003 Policy Agenda.

Welfare Services

To enhance the family services in new towns and allocate more resources to areas where problems of battered spouses and child abuse are serious

34. Through the re-engineering of family services, an attempt is being made to achieve an overall territory-wide re-distribution of resources based on a combination of factors including the population to be served, complexity of social problems and district needs etc. Some resources will also be pooled to strengthen the FCPSUs. On the other hand, through the re-engineering of community support services for elders, DECCs have strengthened their services to vulnerable elders including elder abuse cases.

To review the appropriateness of the philosophy of “family integrity” adopted by SWD in handling family violence cases

35. SWD does not adopt any single philosophy, such as “family integrity”, in handling domestic violence cases. There is neither any policy requiring staff of SWD to provide counselling to couples together. Personal safety of victims and children involved are always the prime concern. The principle is objective assessment and formulation of treatment strategies in line with the professional practice as advocated by different schools of counselling and psychotherapy.

To adopt a set of assessment tool on family violence cases

36. As mentioned in paragraphs 29-30 above, screening/assessment tools will be developed in the two research studies conducted by HKU.

Law and Enforcement

To formulate “pro-arrest” policy for law enforcement agents to arrest, instigate prosecution or counselling etc with reference to the superintendent discretionary scheme or bind-over order

37. The primary concern of the Police in handling domestic violence incidents has always been the protection of the individuals concerned from attack and further violence. The Police will investigate into any offences that may have been committed and will arrest the alleged offender where appropriate. Should there be sufficient evidence against the alleged offender, prosecution will be initiated. Irrespective of whether arrest or prosecution has been initiated, or whether there is consent from the victims or not, the Police will, where appropriate, refer the parties concerned to SWD for providing follow-up support services. Police Superintendents’ Discretion Scheme, applies to juveniles over the age of 10 and under 18, which is not considered an appropriate reference in the present context.

To expedite the legislative proposal to criminalise the act of stalking- to distinguish the stalking acts committed by family members and others

38. The Home Affairs Bureau (HAB) has studied in depth the Law Reform Commission's report on stalking. Some sectors of the community are concerned about the stalking problem and urged for legal measures against such acts. Some have expressed strong reservations on any legislative move that may pose as a threat to freedom of information. However, HAB appreciates that stalking is a problem that needs to be tackled. The Bureau intends to follow up on the proposed legislation, and will go through the necessary process.

39. The proposed legislation targets at harassment in general. It aims to protect victims from harassment, including victims in, or have been in, a close relationship with the perpetrators. Such an approach would provide greater protection to victims in different situations.

To review the Domestic Violence Ordinance (DVO)

40. The study mentioned in paragraph 30 above will, inter alia, identify possible areas of improvement, including those that may involve changes to legislation. The Administration is 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.

Training

To review and strengthen the skills and gender awareness of all frontline staff in handling family violence cases

41. As mentioned in paragraph 7 above, SWD has organized and will continue to organize various training programmes on family violence for workers of different disciplines. Other departments such as the Police, Hospital Authority and Home Affairs Department have also organized/will organize various training for their staff and District Council members.

Multi-disciplinary Collaboration and Training

To review the existing multi-disciplinary coordination mechanism

42. As mentioned in paragraph 4 above, there are the three Working Groups and Committee comprising representatives from relevant Government bureaux, departments and NGOs, to advise on measures to prevent and tackle the problems of child abuse, battered spouse, sexual violence and elder abuse. The co-ordination mechanism is a well-established one and it has been operating effectively. The District Coordinating Committees mentioned in paragraph 5 is a forum to discuss family violence issues and to implement joint project to combat violence at district

level.

43. At present, family violence cases are handled by a number of Government departments and non-government organizations. There is close liaison between parties concerned. As mentioned in paragraph 6, relevant guidelines are available to facilitate multi-disciplinary collaboration in handling child abuse, spouse battering and elder abuse cases. The arrangements of multi-disciplinary case conferences also help to enhance the collaboration among concerned parties.

To set up a death/serious case review committee

44. The Director of Social Welfare is examining the proposal of setting up post-event multi-disciplinary review committees on cases in which family violence has caused serious injuries or deaths for the purpose of identifying improvements in the light of the recent events, and the related technicalities such as when and how such post-event committees should be convened, having regard to relevant considerations, including the need to ensure that the investigation conducted by the Police and any subsequent legal proceedings would not be prejudiced during the process.

Support Services for the New Arrivals

To support NGOs to have access to new arrivals

45. All along, the International Social Service Hong Kong Branch (ISS) provides enquiry and information service at Lo Wu Check Point and at Registration of Persons Office of Immigration Department. In addition to the distribution of service booklets including welfare service information for new arrivals, ISS also obtains personal particulars of new arrivals who consent to receive welfare service and forward the name list to respective District Social Welfare Offices on a monthly basis. The district designated units will follow up these cases by assessing their needs and arranging appropriate services to them.

PROGRESS AFTER THE TIN SHUI WAI FAMILY INCIDENT

46. Since the Tin Shui Wai family incident, the Government has strengthened various measures in combating the problem of family violence. They are set out in the ensuing paragraphs.

Preventive Measures

47. The Publicity Campaign on “Strengthening Families and Combating Violence” will continue in 2004-05. Overall publicity will be conducted at the central level to convey key messages on family cohesion and prevention of domestic violence. The messages will be conveyed through producing different publicity materials, putting messages on public light buses, conducting public education through radio programmes etc. At the district level, district programmes will be

organized to put across the messages locally and to rally local support for our effort.

48. To help disseminate information to new arrivals on the services available to assist their early integration in Hong Kong, the Home Affairs Department has launched a one-hour weekly radio programme on the Putonghua channel of Radio Hong Kong starting from 4 June 2004, targetting new arrivals and their families. The programme, which is broadcast on a pilot basis for six months, covers a wide range of topics including services for new arrivals, marital relationship, child discipline, stress management and the issue of family violence. At the district level, the District Councils of various districts have also planned or introduced different community education projects to promote the importance of harmonious family relationship and prevention of family violence.

Supportive Measures

49. SWD and NGOs concerned are now actively transforming all FSCs into IFSCs through service re-engineering. By the end of 2004-05, there will be 61 IFSCs (40 operated by SWD and 21 by NGOs) covering the whole territory. There will be one supervisor and at least 12 social workers in each centre which serves a population of about 100,000 to 150,000 people. The exact number of manpower resources to be accorded to each district/centre will vary, having regard to the population to be served and district needs.

50. To strengthen the handling of domestic violence cases, SWD has temporarily deployed 12 social workers to FCPSUs since 3 May 2004. Besides, following the re-engineering of family services, further resources will be pooled to establish one more FCPSU to make a total of six specialized teams to provide intense intervention to domestic violence cases in 2005-06.

Multi-disciplinary Collaboration

51. In order to further enhance understanding of battered spouse cases and collaboration among professionals, the related guidelines and procedures have been revised and set out in the "Procedural Guidelines for Handling Battered Spouse Cases (2004)". The revised guidelines have been implemented since 1 May 2004, after a briefing held on 21 April 2004 for about 300 professionals, including social workers, police officers, medical staff and staff of concerned government departments (e.g. Department of Justice, Legal Aid Department and Housing Department, etc.). To tie in with the related service developments in the recent years, the Administration will also update the guidelines stipulated in the "Procedures for Handling Child Abuse Cases-Revised 1998" in 2004-05.

52. To further promote specialized knowledge and skills and develop expertise in handling child abuse cases, SWD, the Police and the Hospital Authority will jointly develop a basic training package on child abuse and conduct joint-training for the frontline professionals involved in child abuse cases. To strengthen multi-disciplinary collaboration at the district level and to enhance service effectiveness, Senior Social Work Officers of FCPSUs will convene meetings in their respective

serving districts to involving the Child Abuse Investigation Unit of the Police and the Medical Co-ordinator on Child Abuse for regular sharing of experiences on the handling of such cases.

53. SWD and the Police are also working closely to enhance communication in handling battered spouse cases. Revised procedures are being developed such that the Police will be informed of SWD's action in those cases referred by the Police to SWD as to whether the client(s) has declined service or cannot be contacted by the social worker for whatever reasons. This will equip the Police with more information when taking necessary action if the case comes to their attention again in the future.

54. To strengthen the sensitivity of frontline police officers and their understanding of domestic violence as well as the latest procedures, the Police are developing a new training package on domestic violence which will be put to use in around July 2004. With the assistance of SWD, victims, batterer and social workers will be arranged to share their experience and feelings in the training video. Importance of risk assessment will also be emphasized. Real case scenarios will also be included to highlight the possibility of child abuse and elder abuse in family violence incidents.

55. Besides strengthening training for the frontline staff, the Hospital Authority has enhanced the referral mechanism of domestic violence cases. These cases are classified as priority cases to be handled by medial social workers. More information on the services provided for the victims has also been provided to the frontline staff.

56. SWD has issued reminders to its staff regarding handling of service users with aggressive and violent behaviour, including seeking of police assistance. Training on handling domestic violence cases will be further strengthened in 2004-05. About 20 such programmes for social workers and other professionals are under planning. Apart from inviting local and overseas trainers to conduct more training programmes, training materials will also be developed for the reference of related professionals who are unable to attend the training programmes.

Research

57. Progress of the respective researches are stated in paragraphs 28-31 above.

Legislation

58. While waiting for the outcome of the HKU's study, we are simultaneously examining the legislative provisions of the DVO and will consider whether the existing legal framework needs to be tightened, and if so how. Key aspects being studied include mandatory counselling, definition of domestic violence, injunction order etc. In this connection, we will take into account the views expressed by members at the Joint Panel meetings held on 26 and 30 April, and the motion debate on 5 May. We have 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.

Review Panel

59. A Review Panel, chaired by Mr Aaron WAN Chi-keung and with Professor Nelson Chow and Dr Sandra Tsang Kit-man as members, has been set up to look into the family services in Tin Shui Wai and identify any improvements that can be made. The Panel has been meeting the related professionals and groups, including frontline staff who handled the Tin Shui Wai case, representatives of SWD, the Police, NGOs and members of District Council. The Panel has also openly invited those interested persons or parties to express their views. The Panel will make a report to the Director of Social Welfare in September/October 2004.

60. The consideration to set up post-event multi-disciplinary review committees is discussed in paragraph 44 above.

Way Forward

61. While ongoing efforts are being made in different areas to combat family violence, we are looking forward to the findings of the HKU's study and the recommendations made by the Review Panel so as to identify areas for further improvements.

**Health, Welfare and Food Bureau / Social Welfare Department
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Newly Reported Child Abuse, Battered Spouse and Elder Abuse Cases***Table 1 - Distribution of Newly Reported Child Abuse Cases in 2002 and 2003***

Types of Abuse \ Year	2002	2003
Physical abuse	292	277
Neglect	17	20
Sexual abuse	179	150
Psychological abuse	11	4
Multiple abuse	21	30
Total	520	481

Table 2 - Distribution of Newly Reported Battered Spouse Cases in 2002 and 2003

Types of Abuse \ Year	2002	2003
Physical abuse	2 641	2 575
Sexual abuse	12	5
Psychological abuse	64	365
Multiple abuse	317	353
Total	3 034	3 298

Table 3 - Distribution of Elder Abuse Cases Reported up to 25 June 2004

Types of Abuse \ Year	2004
Physical abuse	49
Psychological abuse	23
Neglect	4
Financial abuse	2
Abandonment	1
Sexual abuse	0
Multiple abuse	34
Total	113