

Legislative Council Panel on Welfare Services

Subcommittee on Strategy and Measures to Tackle Family Violence

Policy to Tackle Family Violence

Introduction

This paper outlines the current Government policy to tackle family violence.

Nature of Family Violence

2. Family violence is a multi-faceted problem. Among different forms of family violence, spouse battering, child abuse and elder abuse are more common. The factors and dynamics associated with family violence are extremely complex. On the one hand, researches have identified that there are some common risk factors amongst those who used violence, such as low self-esteem, lack of empathy, alcohol or drug addiction, a history of abuse and neglect as a child, social isolation etc. On the other hand, there are some common protective factors which may provide a buffer against family violence. These may include education, the ability to manage stress, high level of family cohesion and adaptability, community support and a strong social network etc. Such risk and protective factors do not work on their own. They could be affected by such precipitating factors as family problems or stress, and may result either in creating a coping cycle which would uplift an individual's coping skills, or a cycle of violence.

3. The wide ranging nature of these risk and protective factors, from the individual to societal levels, and the many permutations from which their interactions can create demonstrate that family violence carries many complicated features, with no simple and straightforward preventive or remedial panacea. It is a multi-faceted problem which requires a multi-pronged response to be implemented by the concerted efforts from all relevant parties and from our society.

Policy Objectives

4. The Government does not tolerate family violence. Recognising the nature of family violence, our policy objectives are to -

- (a) prevent family violence as far as practicable

We believe that the problem of family violence should be tackled at source. As explained in paragraph 2 above, family violence is an extremely complex phenomenon with its roots in the interaction of many factors at individual and societal levels. We therefore seek to enhance the protective factors (such as education and community support etc.) and minimize the occurrence of the risk factors (such as lack of empathy, social isolation etc.) to reduce domestic violence as far as feasible. Public education programmes are also carried out to educate the society, particularly those individuals at risks, to condemn family violence and to seek early assistance from professionals where necessary.

- (b) ensure safety and provide support for victims of family violence

The focus is to provide immediate response to violence. Our guiding principle puts safety of victims and children as the first priority. A wide range of services and assistance (including crisis intervention, refuge centres, counselling/clinical psychological treatment, medical treatment, housing assistance etc.) are provided to ensure their safety and provide necessary support to help them tide over the difficult period, lessen trauma associated with violence and live a new life. Legal provision (e.g. injunction order) is also available to provide additional protection for victims.

- (c) stop batterers from committing family violence acts

Different types of services e.g. counselling, group programmes and clinical psychological service, etc. are available to help the batterers stop their violent behaviours. Legislation is also in place to penalise batterers committing family violence involving assaults or other criminal offences, thereby deterring them from further abuses.

Measures

Three-pronged Strategy

5. To achieve the policy objectives, the Government adopts a three pronged approach to tackle family violence, including –

- (a) preventive measures (such as publicity, community education and enhancing social capital);
- (b) supportive services (such as family services, housing assistance, financial assistance and child care services); and
- (c) specialised services and crisis intervention (such as Family and Child Protective Services Units, a Family Crisis Support Centre and refuge centres for women etc).

Details are set out in our submission to the Panel on Welfare Services [Paper No.CB(2) 145/04-05(05)].

Legislation

6. The Domestic Violence Ordinance (Chapter 189) is in place to provide protection to married or cohabitating couples and their children from family violence. For family violence cases which involve assaults or other criminal offences, the offenders would be liable for criminal charges under the Crimes Ordinance (Chapter 200) and the Offences Against the Person Ordinance (Chapter 212). There is other legislation to protect children from neglect and abandonment.

Information System and Research Support

7. Central information systems are in operation to monitor the trends of reported family violence cases. These include the enhanced Central Information System on Battered Spouse and Sexual Violence Cases, the Child Protection Registry and the Central Information System on Elder Abuse Cases.

8. Researches and studies are also conducted on family violence from time to time. For example, the University of Hong Kong has been commissioned to conduct a study to analyse, amongst others, the prevalence rate of child abuse and spouse battering in Hong Kong and elements contributing to effective prevention and intervention. Part one of the study is expected to be available in the coming months. Part two would develop a risk assessment tool and provide training for frontline staff, and is planned for completion within 2005.

Institutional Structure

Interdepartmental and Inter-sector Level

9. The Government recognizes the importance of coordination of the joint efforts of different departments, professionals and non-governmental organisations (NGOs) in preventing and tackling family violence. There are well-established mechanisms to ensure effective collaboration.

10. A Working Group on Combating Violence (WGCV), a dedicated multi-disciplinary committee, is set up since 2001 to provide high-level coordination amongst parties concerned to tackle family and sexual violence. One of its tasks is to map out strategies and approaches in handling the problem, from prevention, service provision to inter-sector collaboration etc. The Working Group is chaired by the Director of Social Welfare and comprises representatives from relevant policy bureaux, departments and NGOs. Similar committee/working groups are established to deal with child abuse, elder abuse and publicity campaigns in a coordinated manner. The terms of reference and the membership lists of these four committee/working groups are set out in Annexes A to D for reference.

11. Major bureaux and departments, amongst others, involved in the planning and implementation of the policy to combat family violence include –

- (a) **Health, Welfare and Food Bureau** – Formulate and review policy and legislation related to family violence in consultation with departments and NGOs concerned.
- (b) **Social Welfare Department** – Major department tasked to tackle family violence through professional crisis intervention, supportive services and preventive education etc.
- (c) **Police** – Law enforcement agency. Their specific roles include protecting victims of family violence and the children involved from attack; preventing the affected persons from further violent attack; taking firm and positive actions against the alleged offenders and investigating any offences that may have been committed; and referring the victims and / or alleged offenders to appropriate Government departments or other NGOs for assistance.
- (d) **Legal Aid Department** – Provide legal aid to victims of family violence subject to their meeting the eligibility criteria. The purpose is to ensure that no one would be denied access to seeking legal justice due to a lack of financial means.
- (e) **Housing Department** – Render housing assistance to victims of family violence where appropriate.
- (f) **Hospital Authority** – Provide medical services to victims of family violence.
- (g) **Home Affairs Department** – Build up and maintain a general community support network that fosters and encourages mutual care and support for members of the community.

District Level

12. The District Coordinating Committee mechanism, led by District Social Welfare Officer (DSWO), is in place to forge cross-sector and multi-disciplinary coordination and cooperation at the district level. There are a total of 13 District Coordinating Committees on Family and Child Welfare comprising representatives from Government departments, local NGOs, community leaders, etc. to co-ordinate service delivery related to family violence particularly child abuse and spouse battering, amongst others, based on the specific needs in each district. Elder abuse, on the other hand, is handled by the District Coordinating Committees on Elderly Services. It is under planning that District Liaison Groups would be convened by the District Social Welfare Offices concerned, with participation of Family and Child Protective Services Units, Integrated Family Service Units, the Police and other relevant organisations as appropriate, to strengthen multi-disciplinary collaboration in handling family violence.

New Initiatives

13. We seek to strengthen support for victims of family violence. We would brief the Panel on Welfare Services of our new initiatives on 20 January 2005 in the context of Policy Agenda.

Way Forward

14. We would review our policy objectives and measures from time to time to meet the changing needs of our society. In particular, we would examine the feasibility and effectiveness of such proposals as reviewing the scope of family violence under the Domestic Violence Ordinance and mandatory treatment programmes for batterers etc., and consult the parties concerned in the process.

Health, Welfare and Food Bureau/
Social Welfare Department
January 2005

Working Group on Combating Violence

Terms of Reference

1. To examine the problem of violence in Hong Kong, with main focus on spouse battering and sexual violence;
2. To map out strategies and approaches in handling the problem, including prevention, public education, publicity and provision of services;
3. To examine the existing procedures and guidelines on handling the problem and recommend improvement measures;
4. To strengthen coordination and cooperation among government departments, non-government organizations and professionals in handling and combating the problem;
5. To coordinate statistics and facilitate research studies; and
6. To form task groups or sub-groups to examine specific issues where necessary.

Membership

Director of Social Welfare (Chairperson)
Representative of Education and Manpower Bureau
Representative of Health, Welfare and Food Bureau
Representative of Security Bureau
Representative of Department of Health
Representative of Department of Justice
Representative of Home Affairs Department
Representative of Hong Kong Police Force
Representative of Hospital Authority
Representative of Housing Department
Representative of Information Services Department
Representative of Legal Aid Department
Representative of Social Welfare Department
Representative of Association Concerning Sexual Violence Against Women
Representative of Caritas – Hong Kong
Representative of Christian Family Service Centre
Representative of Harmony House
Representative of Hong Kong Association for the Survivors of Women Abuse
(Kwan Fook)
Representative of Hong Kong Council of Social Service
Representative of Po Leung Kuk

Committee on Child Abuse

Terms of Reference

1. To examine the child abuse problem in Hong Kong in view of current social circumstances;
2. To map out strategies to address the problem of child abuse including prevention, public education and community participation;
3. To examine ways to facilitate multi-disciplinary collaboration;
4. To formulate new approaches for the handling of child abuse cases;
5. To facilitate and coordinate research studies on child abuse and related subjects; and
6. To monitor the implementation of recommendations.

Membership

Director of Social Welfare (Chairperson)
Representative of Education and Manpower Bureau
Representative of Health, Welfare and Food Bureau
Representative of Department of Health
Representative of Home Affairs Department
Representative of Hong Kong Police Force
Representative of Hospital Authority
Representative of Information Services Department
Representative of Social Welfare Department
Representative of Against Child Abuse
Representative of End Child Sexual Abuse Foundation
Representative of Hong Kong Council of Social Service
Representative of Hong Kong Family Welfare Society
Representative of Hong Kong Psychological Society

Working Group on Elder Abuse

Terms of reference

1. To examine the issue of elder abuse in Hong Kong,
2. To propose strategies, practical measures and action plan to combat the problem of elder abuse; and
3. To draw up a framework to implement the action plan.

Membership

Assistant Director of Social Welfare (Chairperson)
Representative of Health, Welfare and Food Bureau
Representative of Department of Health
Representative of Hong Kong Police Force
Representative of Hospital Authority
Representative of Legal Aid Department
Representative of Social Welfare Department
Representative of Elderly Commission
Representative of Hong Kong Council of Social Service

**Working Group on the Publicity Campaign on
Strengthening Families and Combating Violence**

Terms of Reference

1. To map out strategies and formulate measures to carry out publicity campaign in relation to strengthening families and combating violence; and
2. To monitor the implementation and progress of work of the publicity campaign.

Membership

Assistant Director of Social Welfare (Chairperson)
Representative of Information Services Department
Representative of Social Welfare Department
Representative of Against Child Abuse
Representative of Association Concerning Sexual Violence Against Women
Representative of Caritas
Representative of Harmony House
Representative of Hong Kong Children and Youth Services
Representative of Hong Kong Family Welfare Society