

Christian Family Service Centre

**Paper on Centralized Mechanism for Handling Family Violence
Submitted to
Subcommittee on Strategy and Measures to Tackle Family Violence
Panel on Welfare Services, Legislative Council
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Starting from 1990, when we ran a self-help group for women in abusive relationships, and then in 1996, we operated the third refuge centre for women (the Serene Court), our Agency has been deeply concerned with the family violence problem in Hong Kong. Since 1999, we have also been investigating into the problem by researches and surveys so as to find out the effective means to stop family violence. Our Agency is in full support of the viewpoints put up by the Hong Kong Council of Social Service. In addition, we would like to highlight the following suggestions with regard to the centralized mechanism to tackle family violence:

I. The Importance of a Centralized Mechanism:

We believe that if we are to combat violence effectively and to truly support and help the victims, the government needs to strengthen the centralized mechanism. The centralized mechanism is very important as it has the following objectives:

1. to evaluate the present policy and working guidelines, and to evaluate its implementation and effectiveness.
2. to monitor the implementation of policy, guidelines and measures, and to propose areas for improvement or to make concrete amendment.
3. to examine and recommend amendment for the policy and its related working guidelines.
4. to delineate policy objectives and strategies for combating violence.
5. to co-ordinate the work of governmental departments and organizations, promote cross-sector and multi-disciplinary cooperation, and boost the synergy of these co-operations.

II. The Limits and Difficulties of the Present Mechanism:

As indicated by some government information, the Working Group on Combating Violence formed in 2001 is an effective mechanism in working against family violence. We would like to point out the difficulties of this present mechanism: -

1. The present mechanism of the Working Group is more on reporting and sharing of information and experience.
2. One of the tasks of the Working Group is to develop working guidelines. But the reality was: the frontline officers/workers in the service units in different districts in the territory may not know these guidelines so they may not act in accordance to the guidelines.
3. The government has spent more resources on publicity but the impact is limited. For instance, in public education/publicity, we have been proposing using more advertisement and mass media, focusing on women's reluctance to seek help and their traditional beliefs, and communicating to them direct, simple and lucid messages, e.g. "you have the right to protect your own safety", "violence at home is an offence, stop it." Our service users also proposed to set up "a Time-out Centre for Batterers" so that the women and children need not move to refuges. The SWD accepted this view and eventually a family crisis support centre was established, with one of the purpose of admitting batterers for cooling down. Yet, this service turns out under utilized and the refuges continued to bear the full load of helping the victims or the batterers.
4. Similarly, in helping families facing violence, we need to have adequate supportive social and medical services, e.g. services for alcoholics/gamblers, services for mental ill patients, batterers counseling services and probation services. But through out these years, despite the deterioration of family violence problem, the effectiveness of these services in term of quantity and quality have never been monitored, evaluated or improved. As for the strong and aggressive means of law enforcement and judiciary, the government has been avoiding or implementing partially. One of the example is the mandatory counseling service for batterers. The government always claimed that they already had similar measures and yet, in reality, we had very few batterers receiving "Probation Orders" or "Mandatory Batterers Treatment Programmes". Without a very clear and forceful intervention from the judiciary and law enforcers, the batterers continue battering and the victims dare not "disturb" the police and hence choose not to report the crime, or misunderstand that it means imprisonment for the husbands if they report to police and thus they continue to

tolerate violence.

III. Our Expectation towards the new Centralized Mechanism:

Looking the way ahead, we sincerely hope that we would have a committed centralized mechanism with clear roles and functions, heading towards the following goals in stopping family violence:

1. To clear the misunderstanding of the public, service providers and law enforcers on the nature of family violence –

Family violence is a crime which originates from one's want to control another person, the violence will only become more and more severe to the extent that it seriously hurts one's physical, psychological and spiritual health. It also creates tragic impacts on other disadvantage group, say, the children, who may suffer from irreversible harm. Thus, no matter what are the causes or factors of the violence, society has to stop the abuse by maneuvering each and every possible means. Family violence is also a social problem. It requires of intervention from the legislature, judiciary and the law enforcers.

2. To lay down a policy on "stopping family violence" with clear rationale, objectives and strategies:--

The government must be determined to have the mission in ending all family violence. It needs to have very clear policy objectives and strategies and with measures which is discreetly implemented and are closely monitored and carefully evaluated.

3. Prioritize all policy objectives and goals, allocating resources and evaluate its effectiveness regularly. Periodically review and revise relating guidelines and service objectives –

Here, we think that in the next two years, the policy objective should be "to stop the behaviour of the perpetrators of family violence". Priority work tasks include: implementing mandatory counseling for batterers; enforce and improve the procedures for arrest and prosecution; special attention should go to the possible loopholes in law enforcement, or those measures which really go against the spirit of "Zero-tolerance –Combating Domestic Violence Policy". For instance, police do not arrest or investigate into the suspect of an offence, but instead only issue the "Domestic Incident Notice". This act really may become a gesture of approval of violence at home, not treating family violence as an

offence.

4. Concern to the harm and need of children witnessing family violence:--

In family violence, the children are the group least capable of protecting themselves and are most helpless. They are torn between the conflicting parents. But learning that family violence is a taboo, they reveal the matter to nobody. Thus, they are least capable and least motivated to seek help. At the same time, law enforcers and professionals always treat the battered spouses or the perpetrators first. The negative impacts on children and the wellbeing of children come to their attention only when the problems become serious and overt enough. We need to strengthen children support/counseling services and to amend the related procedural guidelines accordingly with more emphasis on measures safeguarding child protection and child welfare. It is really high time we genuinely implement the International Convention for Children.

5. Strengthening and Planning the Public Education Strategy:

Referring to the findings of researches and surveys completed by our Agency, and with reference to the experience of our frontline staff, we believe that to resolve the problem of family violence, the essence is to correct the traditional and conservative family beliefs espoused by victims and to promote the beliefs of “Respect to Human Right”, “Gender Equality” and “Rule of Law”. We need to employ effective means like television and other audio/visual mass media in our publicity so that the right beliefs can be promote to citizens in a simple, clear and lucid manner, thereby preventing and stopping violence. These messages can be:

- (a) Fisting breaks up your family; it is also an offence;
- (b) Beating son, daughter, wife or husband? It is illegal. Don't break the law. Go and seek help;
- (c) You can always protect your own safety – at home or in the street. Don't tolerate any type of family violence. Police can help.
- (d) Family is a haven, if we love and respect one another. Verbal threat, bodily harm or sexual violence at home will hurt family relations – and it is an offence.