

**For discussion on
8 December 2004**

LEGISLATIVE COUNCIL PANEL ON WELFARE SERVICES

**Subcommittee on Strategy and Measures
to Tackle Family Violence**

**Follow-up on the Recommendations of
the Review Panel on Family Services in Tin Shui Wai**

PURPOSE

This paper advises Members of the Administration's initial views on the recommendations of the Review Panel on Family Services in Tin Shui Wai (the Review Panel) and how we intend to take these forward.

BACKGROUND

2. The Social Welfare Department (SWD) presented the Report of the Review Panel to the LegCo Panel on Welfare Services on 22 November 2004. The Panel has asked us to provide papers on the followings for discussion by the Subcommittee on Strategy and Measures to Tackle Family Violence -

- (a) details of the Administration's plan to implement the recommendations of the Review Panel;
- (b) details of the proposed amendments to the existing legislation for handling family violence, and reasons for introducing these amendments;
- (c) observations of the Review Panel relating to the Tin Shui Wai Family Tragedy occurred on 11 April 2004; and
- (d) the number and percentage of new arrival women involved in family violence cases in the past three years.

THE ADMINISTRATION'S PLAN TO IMPLEMENT THE RECOMMENDATIONS OF THE REVIEW PANEL

Consultation

3. Since 22 November 2004, the Administration has held meetings with various staff associations of SWD, Government bureaux / departments concerned, the Committee on Child Abuse (CCA) and the Working Group on Combating Violence (WGCV) to brief them on the recommendations of the Report and listen to their views. The Administration will be meeting with the Women's Commission, the Hong Kong Council of Social Service (HKCSS), the Hong Kong Social Workers' Association, the Hong Kong Social Workers' General Union, the Social Welfare Advisory Committee and the Yuen Long District Council in the coming weeks. We will take into consideration the views of Members and the organizations mentioned above in finalizing our implementation plan.

Initial Response and Plan

4. We would like to provide our initial response and implementation plan in the following paragraphs.

Community Building, Inter-bureau and Inter-sector Collaboration and District Support

5. The growth and vibrancy of a new town depend on a number of factors, including the physical environment and provision of supporting facilities / services. The population characteristics of a town may change over time. The actual provision and implementation of such facilities / services are determined by individual departments taking into account local circumstances and available resources. On the other hand, District Offices, together with District Councils, already have a mechanism to discuss district town planning, community development and district

needs, to reflect the views to the relevant departments, and to monitor the provision of facilities and services. District Offices and District Councils would continue to play an active role in this aspect.

6. Regarding the specific case of Tin Shui Wai, the Yuen Long District Office has been working closely with the Yuen Long District Council to reflect local concerns and requests to the concerned Government departments, and strive to improve community facilities and services. There are currently dedicated committees under the Yuen Long District Council responsible for different aspects of community development and affairs. These include the Town Planning and Development Committee; the Social Services, Housing and Publicity Committee; and the Environment Improvement Committee. The Yuen Long District Office will discuss with the Yuen Long District Council if further improvement is required on the basis of the existing arrangements.

7. On issues relating to family violence, WGCV and CCA comprising representatives from different Government bureaux and departments and non-governmental organisations (NGOs) are well-established central mechanisms to promote multi-disciplinary collaboration in preventing and handling child abuse, spouse battering and sexual violence. There is also co-operation among concerned parties at the district / operational level in providing support to families through a variety of services and activities ranging from public education / preventive programmes to supportive and remedial services. Besides, 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. The provision of \$200 million one-off Matching Grant for Social Welfare Services is another initiative of the Administration to promote cross-sectoral collaboration by incentivising the welfare sector to expand their network in seeking and securing corporate participation and encouraging the business sector to show

more social responsibility in helping to create a cohesive, harmonious and caring society.

District Welfare Planning and Coordination

8. With the re-organization of SWD in September 2001, the roles and functions of the District Social Welfare Officer (DSWO) in district planning and coordination have been greatly enhanced. Practices such as district needs assessments and district fora have already been put in place. We are also developing a protocol for the district welfare planning mechanism and a set of social indicators on district welfare needs to facilitate welfare planning. We aim to have these ready for consultation in the first quarter of 2005-06. At the same time, we are also reviewing the District Coordinating Committee mechanism, and to this end, a pilot project is being conducted at Kwun Tong District, namely “Kwun Tong District Welfare Concourse”, involving representatives from various departments, NGOs, local organizations, and service users. The pilot project aims to promote early identification and early intervention to at-risk families or those with the domestic violence problem through cross-sector and multi-disciplinary coordination and cooperation. It is scheduled for completion by the end of 2005.

9. SWD and NGOs have already been collaborating closely to meet district needs. However, the actual deployment of NGO resources needs more deliberation and careful examination. We will look into the feasibility of carrying out the Review Panel’s recommendation by making reference to the experience to be gained from the pilot project mentioned above.

Strengthening Professional Training on Managing Family Violence

10. SWD attaches great importance to in-service and refresher training of staff in the handling of domestic violence. On-going training programmes are conducted for social workers, the Police and other professionals with a view to enhancing skills in

risk assessment, micro-counselling, crisis intervention, group work, batterer treatment, child protection special investigation, clinical supervision, etc. Training has been further strengthened in 2004-05 with some 20 such courses organized/planned to benefit 1 000 participants. Besides training programmes held at the central level, training is also organized at the district level, while e-learning courses are also developed. Moreover, a training package is being developed with the joint effort of SWD, the Police and Medical Co-ordinators on Child Abuse of Hospital Authority (HA) to equip social workers and frontline staff of related disciplines e.g. police, school teachers, medical personnel, child care workers, etc. with the basic knowledge and skills for handling child abuse cases. For pre-service training, SWD will continue to promote the importance of including training on gender issues and skills in handling domestic violence in the training of students in relevant disciplines in tertiary institutes through the Advisory Committee on Social Work Training and Manpower Planning (ACSWTMP) attended by representatives of different universities. The Education and Manpower Bureau (EMB) will also bring to the attention of the tertiary institutes the recommendations of the Review Panel through the University Grants Committee.

11. “Handling of domestic violence” has been included in the basic training programme for recruits (inspectors and police constables) of the Police since 1997. The programmes are subject to regular review and additional components can be considered if necessary. Besides, the Police have since July this year commenced another round of training to heighten officers’ sensitivity in handling domestic violence incidents through real case study and group discussion involving social workers. The importance of risk assessment and referral of parties to SWD or NGOs is also emphasised. The target group of this enhanced training is frontline police officers. With the new training package, Divisional Training Officers can conduct refresher training at their own time. Discussion seminars have also been held as part and parcel of the training drive to foster understanding of the problem of domestic violence amongst divisional supervisory officers. Frontline and supervisory officers will continue to attend courses conducted by overseas professionals, SWD or NGOs.

12. HA, in collaboration with Government departments, professional organizations and NGOs, has been providing ongoing training to staff to strengthen their skill and raise their awareness and ability to recognise and manage family violence incidents.

13. EMB has been organising training courses, district networking meetings, seminars, etc. for teachers and school guidance personnel to raise awareness and understand family violence. EMB will continue to strengthen these training courses to enhance home-school cooperation and links between schools and community services in collaboration with departments and bureaux concerned.

Strengthening Operation of Integrated Family Services Centres (IFSCs)

14. Since April 2004, SWD and NGOs concerned have been transforming all their Family Services Centres / counselling units into IFSCs. The transformation is expected to be completed by end March 2005. To prepare social workers for the transformation and to take up duties in the new model comprising a family resource unit, a family support unit and a family counselling unit, 39 training courses and briefing sessions were organized for over 1 500 SWD / NGO staff during the implementation of the 15 pilot IFSCs in 2002-2004. These training activities aim at mind-set change, multi / advanced skill development, familiarization of screening tools, and orientation to the different types of potential cases and referral procedures, etc. for staff who worked in the 15 pilot IFSCs or other family service settings to better prepare for the full IFSC implementation. In 2004-05, a total of 15 training courses and briefing sessions have been planned for about 1 300 participants. Five of them have already been organized, benefiting over 580 participants. Besides, a task group comprising representatives of SWD / NGO operators and the HKCSS has been set up in May 2004 to monitor progress and iron out operational and other related issues in the transformation process. While it has always been emphasized that the model is a dynamic one, with the need to have good communication among staff and

flexibility in deploying staff among the three different units in meeting changing community needs, SWD will, on the other hand, encourage and assist social workers to develop specialty through continuous training and development.

Strengthening Network to Support Family in the Neighbourhood

15. By adopting the principles of “accessibility”, “early identification”, “integration” and “partnership” under the direction of “child-centred, family-focused and community-based”, IFSCs take a proactive approach to strengthen collaboration and partnership with Government departments, other social welfare programmes, professionals, community organizations, schools, etc., to achieve more efficient and effective use of scarce resources to meet district needs. Based on the district profile and characteristics, attention is accorded to individuals and families of different cultural and social backgrounds including new arrivals, single parents and ethnic minority groups. Special groups, programmes and activities will be organised to cater for their specific needs and problems as appropriate. On top of the mainstream IFSCs, needy families such as new arrivals and single parents are also supported by projects funded under CIIF aiming to build up social capital and enhance the social and economic participation of these families.

16. On the other hand, EMB has always been supporting schools to form networks among parents. Such networks include Parent-Teacher Associations for the purpose of strengthening home-school cooperation. In addition, many schools have been recruiting parents as volunteers to support students through learning activities and interest groups. This would help to enhance communication among parents and development of mutual support. EMB through the Committee for Home-School Cooperation will continue to work closely with schools to enhance home-school co-operation and to support schools in promoting parent education. SWD will also explore the way to work in partnership with concerned stakeholders in the community including family service operators, youth agencies, schools and local organizations, etc., to encourage parents to become counsellors or mentors for others in trouble.

Police Intervention in Handling Domestic Violence Cases

17. The Police take a serious view on domestic violence and welcome the recommendation. Indeed actions have already been taken to enhance training as mentioned in paragraph 11 above. As regards enhancing communication, a new acknowledgement system will be introduced so as to strengthen liaison between frontline officers of SWD and the Police during the case referral process. For enhanced information for frontline officers, the police information system for processing public complaints is being enhanced to enable frontline officers to retrieve previous reports on domestic violence when handling new reports involving the same personalities. The revision process is being actively pursued and a prototype of the system enhancement has already been devised. The Police will constantly seek to improve the handling procedures and continue to work closely with WGCV and NGOs.

Support and Consultative Service to NGOs in Handling Domestic Violence Cases

18. The Family and Child Protective Services Units (FCPSUs) of SWD now provide consultative services to NGOs handling child abuse and battered spouse cases. For complicated cases, such as cases involving statutory protection of children, NGOs may transfer them to FCPSUs for follow up services. Currently, 13 District Coordinating Committees on Family and Child Welfare are in place to coordinate, among other family and child welfare services, service provision relating to family violence to meet the specific needs in each district. To further strengthening district liaison and coordination and to provide better support to NGOs in handling domestic violence, District Liaison Groups will be convened by the District Social Welfare Offices, with the participation of FCPSUs, IFSCs, the Police and other relevant organizations as appropriate in early 2005.

Review on the Guidelines Relating to Child Abuse and Spouse Battering

19. The “Procedures for Handling Child Abuse” which was last revised in 1998 is now under review. A task group comprising members of SWD, Health, Welfare and Food Bureau, HA, EMB and NGOs have been formed and two meetings have been held since September 2004. The review will include revisiting of the definition of child abuse, operation of the Multi-disciplinary Case Conference (MDCC) and post-MDCC collaboration among different parties. It is expected to be completed in 2005-06. On the other hand, the revised “Procedural Guidelines for Handling Battered Spouse Cases”, which were just put to implementation since May 2004, are scheduled for review in mid 2005.

Safety-first Principle

20. SWD always attaches importance to safety in the handling of domestic violence cases. This principle is stipulated in the guidelines in handling battered spouse cases and child abuses cases. Regarding risk assessment, in the two consultancy studies commissioned by SWD (i.e. the study on homicide-suicide and the study on child abuse and spouse battering), a screening tool / risk assessment will be developed for use by frontline workers with training provided by the consultants. The study on homicide-suicide is scheduled for completion by early 2005, while part two of the study on child abuse and spouse battering relating to the development of the assessment tool is expected to be completed in 2005-06.

21. SWD also treats staff safety seriously. A set of ‘Guidelines for Handling Customers with Aggressive or Violent Behaviour’ is in place and is now under review. Staff have been reminded of the Guidelines and measures relating to the safety first principle after the Tin Shui Wai incident. Training courses are also regularly held to enhance sensitivity to safety and equip staff with the skills in handling aggressive or violent behaviours. Classes relating to mental health of social workers and stress management are also available. Moreover, psychological support is provided by our

clinical psychologists for staff who have gone through critical incidents (such as violence at the work-place, incidents involving death of clients, etc.). Depending on the situation and the need of the staff concerned, individual treatment or group intervention programmes called Critical Incident Stress Debriefing (CISD) are provided to staff affected. Currently, such service is provided to staff upon the request of the staff or the supervisors concerned. SWD will put in place a formal Critical Incident Stress Management (CISM) programme for all staff in late 2005 such that staff who have gone through a critical incident at work will automatically be involved in CISD which is expected to reduce compassion fatigue and the development of other negative psychological or psychiatric symptoms following exposure to trauma. In case of need, we can extend such services to NGOs without the provision of clinical psychologists.

Proper Media Coverage of Family Disasters

22. The clinical psychologists of SWD have contributed to the prevention of domestic violence through the Operation Silver Lining project implemented since December 2001. Under this project, the clinical psychologists provide professional advice / perspectives on various mental health issues including those relating to domestic violence and homicide-suicide incidents to educate the public through the mass media. The ultimate goal of the project is to build up the resilience of the public in coping with crises in life by providing them with proper information and helping them to develop the appropriate perspectives with which they can view problems in their lives. Social workers and service users have also been arranged by SWD to attend interviews with the media to promote related services, encourage early help seeking and educate the public to understand the proper ways to manage individual and family problems. We plan to meet relevant media organizations in early 2005 to further enlist their assistance in preventing domestic violence with due respect to the lawful autonomy of the media.

Review of Services of Shelter and FCPSUs

23. SWD will work out a plan for hiving off the Wai On Home for Women for operation and management by a NGO in 2005-06. We will also review the services and facilities of the refuge centres for women together with the operators in early 2005. Regarding FCPSUs, a set of output requirements (number of cases served, counselling hours and groups conducted, etc.) and outcome standards (e.g. percentage of recurrence of child abuse, satisfaction rate of victims of battered spouse cases, etc.) has been in place for service monitoring since April 2003. As FCPSUs and IFSCs are the key units responsible for supporting and protecting children and adults at risk of family violence and their functions are inter-related, SWD is ready to consider a more systematic review of the services one year after all the 61 IFSCs have fully implemented the new service delivery model, i.e. possibly in 2006.

Standing Review Mechanism on Fatal and Serious Cases

24. SWD is considering to develop a mechanism to conduct post-event multi-disciplinary review 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 review should be held, having regard to relevant considerations, including the need to ensure that the investigation conducted by the Police and any subsequent proceedings would not be prejudiced during the process. Making reference to the practice adopted in overseas countries and taking into account the local situations, we hope to work out a proposal for consultation with CCA and WGCV in the first quarter of 2005-06.

Consolidation of Expertise in FCPSUs

25. Under the existing departmental posting policy and principles, postings are normally arranged for Social Work Officer (SWO) grade staff once every three to four years. However, given the highly specialized nature of the services for cases

involving child abuse, spouse battering and child custody disputes, the duration of posting of FCPSU staff may be extended beyond the normal period with the support/endorsement of the management if they are interested in or highly motivated to continue carrying on their specialized services in that setting. Moreover, to retain the professional knowledge, skills and valuable work experience of SWO grade staff in this specialized subject, a specialized pool now comprising nine SWO grade staff who were former FCPSU workers was formed in April 2003. The major tasks of the specialized pool include giving views on the service development and evaluation of the services of FCPSUs, sharing of professional knowledge and experiences with the frontline FCPSU workers through a discussion forum in the e-Learning Centre, assisting to conduct training courses, etc. Regarding the proposed “trainer track” option for staff of FCPSUs, SWD will consider the feasibility of the proposal having regard to its long-term implications on the departmental human resource management policy and the development of the service.

Principles for Assignment of Caseworker and Use of Conjoint Interview

26. To facilitate the supervisors of casework units and social workers to decide when to serve one family with another or more than one workers and when to conduct joint interviews, SWD will set out relevant key principles for their reference based on the experience of FCPSUs and in consultation with concerned parties. Hopefully such reference materials will be available in mid 2005. However, given the unique circumstances of each case, one cannot expect any exhaustive or “one-fits-all” guidelines, and the professional judgement of social workers remains to be important.

Advancement in Information Systems on Battered Spouse and Child Abuse Cases

27. We agree that a shared central database among Government departments will help to enhance inter-sector collaboration in preventing and handling family

violence cases. While steps are being taken by the Police and SWD to strengthen liaison during the case referral process through the introduction of an acknowledgement system (i.e. the Police will be informed if the victim and batterer have declined the intervention of social workers), privacy concerns have to be addressed if there is sharing of further details of the case among more concerned parties.

PROPOSED AMENDMENTS TO THE EXISTING LEGISLATION FOR HANDLING FAMILY VIOLENCE

28. The Domestic Violence Ordinance (DVO) (Chapter 189) provides protection to married or cohabiting couples and their children from domestic violence. For domestic 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). Other legislation is also in place to protect children from neglect and abandonment.

29. SWD has commissioned the University of Hong Kong (HKU) to carry out a study on child abuse and spouse battering. One of the objectives of the study is to examine the effectiveness of legal measures in the protection of victims of child abuse and spouse battering. While waiting for the outcomes of this study, we are simultaneously examining the legislative provisions of the DVO and the proposals put forward by different parties concerned (for example, HKCSS and 關注家庭暴力問題聯席 etc.). Key issues under examination include, but not limited to, scope of the DVO, mandatory counselling for batterers as a sentencing option, definition of domestic violence, duration of the injunction order, application of the protection order for the victims by a third party, etc. We will examine these issues carefully and consider whether, and if so, how the existing legislative framework needs to be changed. The HKU's study would, amongst others, facilitate us to consider the need to amend the DVO. The outcomes of the part one study are expected to be available by end 2004. We will consult relevant parties when the outcome of our review is

available.

30. As regards the suggestion to legislate against stalking, as explained in our previous submission [vide Paper No. CB(2)145/04-05(05)], the Administration has studied the Law Reform Commission (LRC)'s Report on Stalking. The Administration is of the view that the legislative proposals to deal with the stalking problem recommended by LRC should be further considered with care. Other alternatives to deal with the specific problems and issues should also be explored. The Home Affairs Bureau is now re-examining the proposal from the perspective of protection of individuals from interference to their private lives.

OBSERVATIONS OF THE REVIEW PANEL RELATING TO THE TIN SHUI WAI FAMILY TRAGEDY

31. Since a death inquest on the case-in-question may be held, disclosure of the Review Panel's observations at this stage may prejudice the legal proceedings. We will share with Members the Review Panel's observations when the death inquest is concluded.

THE NUMBER AND PERCENTAGE OF NEW ARRIVAL WOMEN INVOLVED IN FAMILY VIOLENCE CASES IN THE PAST THREE YEARS

32. We do not have the statistical breakdown by sex on the years of residence of the victims captured by the Central Information System on Battered Spouse Cases and Sexual Violence Cases (known as the Central Information System on Battered Spouse Cases prior to 2003). The number and percentage of battered spouses (including women and men) known to have resided in Hong Kong for less than three years out of the total number of cases available with known information on the years of residence, are tabled below -

	Year			
	2001	2002	2003	2004 (Jan – Jun)
Less than 1 year	113 (7.1%)	152 (7.6%)	21 (1.2%)	24 (2.4%)
1 to below 2 years	101 (6.4%)	134 (6.7%)	95 (5.4%)	73 (7.3%)
2 to below 3 years	104 (6.5%)	116 (5.8%)	95 (5.4%)	38 (3.8%)
Total no. of battered spouses with known information on years of residence available	1 589	1 994	1 771	1 002

WAY FORWARD

33. The recommendations of the Review Panel serve as very useful reference for the Administration in making continuous improvements in different areas in supporting families and preventing family violence. We will take forward these recommendations with the joint effort of concerned bureaux and departments, and in consultation with Members, relevant advisory / co-ordinating bodies and NGOs. The Review Panel will conduct a further review on the progress made in nine months' time.

Health, Welfare and Food Bureau/Social Welfare Department
December 2004