

立法會
Legislative Council

LC Paper No. CB(2)3148/05-06
(These minutes have been
seen by the Administration)

Ref: CB2/PL/WS

Panel on Welfare Services

**Minutes of special meeting
held on Monday, 3 July 2006 at 2:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon CHAN Yuen-han, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Dr Hon YEUNG Sum
Hon LI Fung-ying, BBS, JP
Hon Albert CHAN Wai-yip
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
- Members absent** : Hon Bernard CHAN, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
- Members attending** : Hon Ronny TONG Ka-wah, SC
Hon TAM Heung-man
- Public Officers attending** : Ms Hinny LAM
Principal Assistant Secretary for Health, Welfare and
Food (Women)
- Miss Annie KONG
Assistant Secretary for Health, Welfare and Food (Women)

Mrs Anna MAK
Assistant Director of Social Welfare
(Family and Child Welfare)

Ms PANG Kit-ling
Chief Social Work Officer (Domestic Violence)
Social Welfare Department

Dr Daisy DAI
Senior Executive Manager
(Medical Services Development)
Hospital Authority

**Deputations
by invitation**

: The Hong Kong Council of Social Services

Ms Elsa CHIU
Chief Officer, Service Development
(Family and Community)

Hong Kong Women Coalition of Equal Opportunities

Miss CHUNG Yuen-yi
Co-ordinator

Hong Kong Association of Business and Professional
Women

Mrs Moyreen TILBROOK
Convenor, Public Affairs Committee

The University of Hong Kong

Dr Philip S L BEH

The Against Elderly Abuse of Hong Kong

Ms Kennex YUE
Chief Executive Director

Hong Kong Sex Culture Society

Mr Matthew P C MAK
Project Director

Association Concerning Sexual Violence Against Women

Ms Eleanor LAM
Chairperson

Rainlily

Ms NG Wai-ching
Service Co-ordinator

Hong Kong Association for the Survivors of Women
Abuse (Kwan Fook)

Ms LIU Ngan-fung
Chairperson

Harmony House

Ms WONG Fung-ye, Margaret
Executive Director

Hong Kong Social Workers Association

Mr CHUA Hoi-wai

Hong Kong Federation of Women's Centres

Miss TAN Kong-sau
Training Officer

Clerk in attendance : Ms Doris CHAN
Chief Council Secretary (2) 4

Staff in attendance : Mr Chris LAI
Senior Council Secretary (2) 7

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Services for victims of sexual violence

[LC Paper Nos. CB(2)2541/05-06(01), CB(2)2614/05-06(01) to (08) and CB(2)2639/05-06(01) to (03)]

Introduction

The Chairman said that two motions were passed at the Panel meetings of 14 November and 15 December 2005 urging the Administration to fund Rainlily so as to enable it to continue its services upon the expiry of its funding support from the Hong Kong Jockey Club Charities Trust. In response to members' views and concerns, the Administration undertook to conduct a review on the existing services for victims of sexual violence. This meeting was held to discuss the new service model for such victims arising from the Administration's review.

Presentation by the Administration

2. At the invitation of the Chairman, Assistant Director of Social Welfare (Family and Child Welfare) (ADSW(FCW)) briefed members on the review on the existing services for victims of sexual violence and the proposed new service model with the aid of a powerpoint presentation, details of which were set out in the Administration's paper [LC Paper No. CB(2)2541/05-06(01)].

3. The Chairman said that to his knowledge, the Administration had written to over 250 non-governmental organisations (NGOs) operating welfare services on 23 June 2006 to invite them to express interest to operate the proposed new Multi-purpose Crisis Intervention and Support Centre. At the members' request, the invitation letter sent by Social Work Department to the NGOs concerned was tabled at the meeting.

4. ADSW(FCW) responded that the invitation letter to NGOs was only an invitation for indication of intent but not an invitation for tender to operate the new Centre. She said that consultation with stakeholders on the proposed new service model was still continuing. While a policy decision had been made on the direction of service mode for sexual violence cases, the Administration would take into account the views and concerns expressed by members and deputations on the new service model at this meeting. Interested parties were also welcome to give views in the briefing session on 6 July 2006.

5. Principal Assistant Secretary for Health, Welfare and Food (Women) (PAS/HWF(W)) supplemented that apart from the Panel, the Administration had consulted the Social Welfare Advisory Committee (SWAC) on the proposed new service model at its meeting on 26 June 2006. Consultation with the Women's Commission and Working Group on Combating Violence would be conducted in the coming weeks. As the tendering procedures would take time to complete,

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the Administration considered it necessary to hold the briefing session early so that the new Centre would be able to come into operation in January 2007 as planned.

6. The Chairman and Mr LEE Cheuk-yan expressed dissatisfaction that the Administration had commenced the open bidding procedures for operating the new Centre before consultation with the Panel. They pointed out that as the Administration had made a policy decision on the direction of service mode for sexual violence cases, there could hardly be any room for revising the proposed new service model. They urged the Administration to suspend the open bidding procedures and consult the Panel and the relevant stakeholders before proceeding with the recommendations on the new service mode.

Meeting with deputations

7. Representatives from the following organisations presented their views on the services for victims of sexual violence, details of which were set out in their respective submissions –

- (a) Hong Kong Council of Social Services
[LC Paper No. CB(2)2614/05-06(01)];
- (b) Hong Kong Women's Coalition on Equal Opportunities
[LC Paper No. CB(2)2614/05-06(02)];
- (c) Hong Kong Association of Business and Professional Women
[LC Paper No. CB(2)2614/05-06(03)];
- (d) Mr Philip BEH, the University of Hong Kong
[LC Paper No. CB(2)2614/05-06(04)];
- (e) The Against Elderly Abuse of Hong Kong
[LC Paper No. CB(2)2614/05-06(05)];
- (f) Association Concerning Sexual Violence Against Women
[LC Paper No. CB(2)2614/05-06(06)];
- (g) Rainlily
[LC Paper No. CB(2)2614/05-06(07)];
- (h) Harmony House
[LC Paper No. CB(2)2614/05-06(08)];
- (i) Hong Kong Federation of Women's Centres
[LC Paper No. CB(2)2639/05-06(02)]; and

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- (j) Hong Kong Association for the Survivors of Women Abuse (Kwan Fook)
[LC Paper No. CB(2)2639/05-06(03)].

8. Mr Matthew MAK of Hong Kong Sex Culture Society criticised the Administration for not consulting all relevant stakeholders and not giving due regard to the successful experience of Rainlily when drawing up the new service model for victims of sexual violence. He remarked that the 12 service contact points proposed in the Administration's paper would not be able to render the one-stop services currently provided by Rainlily. He said that as multiple service units were involved in the proposed new service model, the new service mode would likely be less efficient in providing assistance to victims of sexual violence.

9. Mr CHUA Hoi-wai of Hong Kong Social Workers Association said that the new service model failed to address the complexity of sexual violence cases. It also showed that the Administration did not give due regard to the "one-stop services" approach adopted by Rainlily. He commented that the Administration's proposal lacked detailed information on the resource and manpower arrangements of the new service model. Mr CHUA suggested to re-arrange the 12 contact points into four large service areas and set up one Centre in each area to enhance the coverage and efficiency of services to victims of sexual violence. This arrangement could also allow social workers to accumulate experience in handling sexual violence crisis.

10. The Chairman said that the one-stop service provided by Rainlily could offer a secure venue for victims of sexual violence to seek help, as they were not required to go to different places for necessary procedures and repeat their painful experience. He expressed dissatisfaction that when drawing up the proposed new service model, the Administration had not given due regard to the proven success of the service model of Rainlily.

The Administration's response

11. PAS/HWF(W) responded that the Administration had critically reviewed the existing mode of service provision and collaboration among departments concerned in providing assistance to victims of sexual violence before coming up with the proposed new service model. She said that the new service model was an enhancement of the existing service mode, with a view to strengthening the collaboration among different disciplines and the synergy among related welfare service units to provide better support to the victims. PAS/HWF(W) pointed out that while due regard had been given to the experience of Rainlily in the review, the Administration considered it inappropriate to make any comments on the services provided by a particular agency.

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12. Regarding the deputations' concerns about the location of the new Centre, PAS/HWF(W) advised that the Administration would keep the location of the new Centre confidential and design the residential units in such a way to safeguard the privacy of victims of sexual violence and ensure security.

13. ADSW(FCW) supplemented that –

- (a) having regard to the “one-stop services” approach adopted by Rainlily, the new service model comprised a 24-hour outreaching service component. Designated social workers would act as case managers to provide and coordinate services for victims of sexual violence. The social workers would accompany the victims to undergo different procedures and make pre-attendance calls to the Accident and Emergency Department (AED) of hospitals and the Police to reduce the need for the victims to repeat their painful experience;
- (b) the new service mode would not result in segregation of services between the day and night shifts. To ensure continuity of service, the same designated social worker would follow through the case until all the necessary procedures had been completed; and
- (c) apart from the new service Centre, victims of sexual violence could choose to stay at the existing refuge centres run by NGOs as temporary accommodation according to their needs and preferences.

14. Senior Executive Manager (Medical Services Development) of the Hospital Authority (HA) said that doctors on duty in AED of HA hospitals would give due attention and care to all needy patients, and victims of sexual violence would be provided with special treatment. The hospitals would contact social workers to provide assistance to the victims as soon as practicable and cooperate with other service units to facilitate the necessary procedures, such as forensic examination. To safeguard the privacy of the victims, an appropriately cordon-off area would be arranged in the hospitals for statement taking by the Police if necessary.

Discussion

15. Mrs Sophie LEUNG considered that more than one proposed new Centre should be set up at strategic locations across the territory in view of increasing demand for services to victims of sexual violence. She pointed out that both the new service model and the service rendered by Rainlily could co-exist, which would provide such victims with more avenues to seek help. Mrs LEUNG

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recommended that the briefing session on 6 July 2006 should be devoted to the stakeholders giving views on the new service model. She also suggested to invite Rainlily to share its successful experience of providing one-stop service to victims of sexual violence in the session.

16. ADSW(FCW) responded that the Administration's current plan was to set up one new Centre in the New Territories West as a pilot project. She clarified that the new Centre was not intended to replace Rainlily, which had been supported by non-government funding sources. As regards the open bidding procedures for operating the new Centre, ADSW(FCW) said that it was generally necessary for the Administration to go through the process of open bidding and to consider different proposals before awarding a service contract to a particular agency.

17. Mr LEE Cheuk-yan expressed dissatisfaction that there was no consultation with the Panel and relevant stakeholders on the new service model in the review of the services for victims of sexual violence. He urged the Administration to suspend the open bidding procedures for operating the new Centre and consult the Panel and relevant stakeholders on the best model of service delivery before launching the new service for the victims of sexual violence.

18. PAS/HWF(W) said that the Administration had consulted the relevant stakeholders, including SWAC, in the review of the existing services for victims of sexual violence before finalising the proposed new service model. She pointed out that the new service model was agreed by the majority of the members attending the meeting of SWAC. Stakeholders were also welcome to give their views on the specific service requirements of new model in the briefing session on 6 July 2006. At the Chairman's request, PAS/HWF(W) undertook to circulate the minutes of the relevant meeting of SWAC for members' reference when it was available.

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19. Referring to paragraph 6 of the Administration's paper, Mr Ronny TONG asked the Administration to explain why it had given regard to the experience of Rainlily in the review of the existing services to victims of sexual violence, but decided not to provide subvention to Rainlily. He expressed dissatisfaction that the Administration had turned a deaf ear to the views and concerns raised by the Panel and stakeholders and disregarded the proven success of Rainlily. Mr TONG urged the Administration to consult the Panel and stakeholders before finalising the new service model.

20. ADSW(FCW) responded that in the review of the existing service mode for victims of sexual violence, due regard had been given to the experience of Rainlily. She said that apart from Rainlily, other relevant stakeholders had been consulted in the review. While the Administration saw merits in the service

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model of Rainlily, there were areas where the service delivery mode could be enhanced and improved. However, Rainlily was primarily located at Kwong Wah Hospital in West Kowloon, whereas the victims of sexual violence might come from different locations of the territory.

21. Ms NG Wai-ching said that contrary to the Administration's comment above, Rainlily had set up two new service points in New Territories West and Kowloon West. She clarified that Rainlily had not been consulted in the Administration's review of the existing services for victims of sexual violence. In fact, Rainlily had requested for participation in the review but to no avail.

22. Regarding members' concerns about the funding for Rainlily, PAS/HWF(W) reiterated that the Administration had stated clearly at the Panel meetings held on the subject that not all social services were funded by the Government. She pointed out that a good number of worthy projects were provided through other funding sources. She said that the proposed new service model was drawn up having regard to wide consultation with stakeholders, which was an enhancement of the existing service mode for victims of sexual violence.

23. Ms TAM Heung-man said that it was unreasonable for the Administration not to consider the service mode of Rainlily in the review and not to provide subvention to Rainlily given its proven success. She invited the representatives of Rainlily to respond to the Administration's allegation on the deficiencies of services provided by Rainlily.

24. Ms NG Wai-ching responded that the Administration's comment on the services provided by Rainlily was unfair, since the Government officials had not paid a visit to Rainlily to gain an in-depth understanding of its services and the users' feedback. She said that Rainlily attached great importance to its service quality. The evaluation study conducted by the Chinese University of Hong Kong (CUHK) had recognised the effectiveness of the services provided by Rainlily. Ms Eleanor LAM supplemented that the Government support was crucial to the development of Rainlily. She remarked that the one-stop services provided by Rainlily had been attested and should be adopted as the core service component in the proposed new service model.

25. Mr Albert HO pointed out that Rainlily had arisen to fill the gap currently not addressed by the existing services to victims of sexual violence. He considered that the Administration should provide regular subvention to Rainlily to show encouragement of innovative services. He urged the Administration to suspend the open bidding procedures for operating the new Centre until the services provided by Rainlily could be sustained. Mr HO commented that the new service model failed to provide genuine one-stop services to victims of sexual violence, which was the most important service component.

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26. PAS/HWF(W) responded that the Administration would consider the pros and cons of different service modes when finalising the new service model for the victims of sexual violence. Mr Albert HO disagreed with the Administration's approach. He pointed out that given its bureaucratic nature, it would be difficult for the Administration to come up with the innovative services provided by Rainlily.

27. The Chairman considered it unreasonable to allow the proven work of Rainlily to stop due to lack of funding, having regard to the effectiveness of its services as testified by relevant stakeholders and the evaluation study conducted by Professor Fanny CHEUNG of CUHK.

28. Ms CHAN Yuen-han drew members' attention to a complaint lodged by the Against Elderly Abuse of Hong Kong that not all NGOs operating welfare services had been invited to express interest to operate the new Centre and the Against Elderly Abuse was one of them. She asked the Administration to explain why it was selective in sending out invitation to NGOs. Ms CHAN considered it unreasonable not to consider the service mode of Rainlily which was found to be effective in meeting the special needs of victims of sexual violence.

Admin

29. PAS/HWF(W) said that the Administration would follow up the complaint lodged by the Against Elderly Abuse after the meeting.

30. Mr LEUNG Kwok-hung remarked that the new service model proposed by the Administration completely disregarded the five years' valuable experience of Rainlily. Noting that the services provided by Rainlily had been widely recognised by stakeholders and professionals, he considered it inappropriate to commence bidding procedures for operating another new Centre.

31. Mr LEE Cheuk-yan proposed the following motion which was supported by all members present at the meeting –

“本委員會對政府閉門造車，就性暴力受害人服務模式未作全面諮詢前便已偷步開展新模式的公開競投程序，表示極度不滿和遺憾。本會並強烈要求政府在作出任何建議前，先廣泛諮詢所有持分者及本委員會，以誠意諮詢態度尋求為性暴力受害人服務的最合適模式。”

(Translation)

“That this Panel expresses its utmost dissatisfaction and regret that the Government has worked behind closed doors and pre-empted the open bidding process for the new service model for victims of sexual violence before full consultation is conducted, and strongly requests the

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Government to widely consult all stakeholders and the Panel before proposing any recommendations, so as to seek sincerely the most suitable model for providing services to victims of sexual violence.”

32. In closing, the Chairman urged the Administration to suspend the open bidding procedures for operating the new Centre and conduct wide consultation with the relevant stakeholders on the proposed new service model for victims of sexual violence.

(Post-meeting note : The Chairman sent a letter to the Administration on 5 July 2006 relaying the passing of the above motion and members’ concerns on the new service model for victims of sexual violence. The Chairman’s letter and the Administration’s written reply were circulated for members’ reference vide LC Paper No. CB(2)2763/05-06 on 18 July 2006.)

33. There being no other business, the meeting ended at 4:30 pm.

Council Business Division 2
Legislative Council Secretariat
4 October 2006