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Summary of research findings and recommendations on sexual violence submitted to the Panel on Welfare Services, Legislative Council in the discussion of the “Services and Support to Victims of Sexual Violence”

Prevalence of sexual violence in Hong Kong

1. Introduction

- 1.1 Sexual violence is a global problem. It happens in different cultures and in many settings of the society, including community, workplace, school, and even home.
- 1.2 The negative impact of sexual violence caused is not confined to the victims; it’s affecting the health of the whole population. Apart from profound reproduction and sexual health problems including unwanted pregnancy and transmission of diseases (e.g., HIV), victims of sexual abuse may experience mental health status comparable to Post Traumatic Stress Disorder (PTSD) and commit suicide later in their lives.
- 1.3 To counter the problem and its potential consequences, we must first understand its scope and seriousness. This paper presents findings of sexual violence based on the local studies conducted by Dr. K.L. Chan.

2. Definition and forms of sexual violence

- 2.1 The terms rape, sexual assault, sexual abuse and sexual violence share similar meanings and they are interchangeably used in reports and documents. According to WHO, sexual violence refers to “any sexual acts, attempts to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work”.²
- 2.2 The types of acts regarded as offending may vary from countries. Basically, they include rape and unwanted sexual contact (disregarding the perpetrator’s relationship with the victim), sexual abuse to individuals incapable of defending (including mentally or physically disabled people, and children), forced

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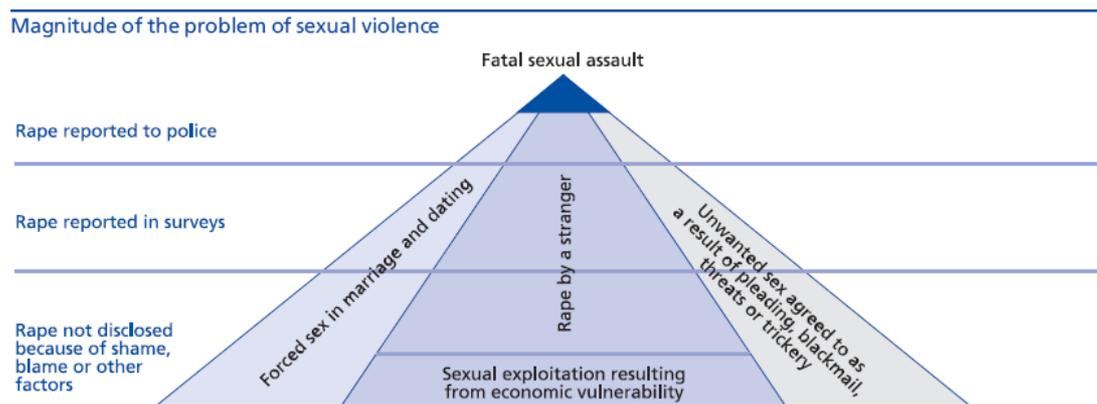
Principal investigator, *Study on Child Abuse and Spouse Battering*. A Consultancy Study Commissioned by the SWD of the HKSAR (2003-05).

² WHO (2002). *World Report on Violence and Health*. Geneva: WHO.

engagement in relationship (including marriage or cohabitation), denial of taking measures for contraception or protection from sexually transmitted diseases, forced abortion, forced prostitution, and acts against the sexual integrity of women.³

3. Prevalence of the problem

- 3.1 In some parts of the world, one in every five women experienced sexual violence in their dating relationship, and up to one-third of women describe their first sexual experience as being forced⁴.
- 3.2 The diversity of findings reported by surveys and criminal reports reflected problems in obtaining accurate figures for the scope of the problem. The problem of underreporting due to multifaceted reasons makes estimation of true prevalence very difficult and the available figures are showing only the “tip of the iceberg”. See Figure 1⁵.



- 3.3 Currently, data of sexual violence is typically come from cases reported to police, incidents revealed by clinical settings and surveys. A substantial amount of victims are still unknown to the system.
- 3.4 While resources are mostly allocated to treat reported cases, a closer look at available survey findings may help the administration to appreciate the urgency in filling the gap between the needs of victims and the existing services available to them.

Sexual violence in spousal relationship

- 3.5 According to a recent household survey on domestic violence conducted by the HKU consultancy team⁶, about 8.9% of women reported that they had

³ Ditto.

⁴ WHO (2003). *Guidelines for Medico- legal Care for Victims of Sexual Violence*. Geneva: WHO.

⁵ P.150, WHO (2002). *World Report on Violence and Health*. Geneva: WHO.

⁶ Chan (2005). *Study on Child Abuse and Spouse Battering: Report on Findings of Household Survey*.

experienced sexual coercion by their partner in their lifetime and 4% said the incident happened in previous year. The Hong Kong figure is particularly worrying when compared to other regions of the world (Table 1).

3.6 The annual prevalence of severe sexual violence⁷ which is equivalent to the spousal or marital rape is 0.35%. Thus, the estimated number of victims suffering from spousal or marital rape is at least 6000 women in a year⁸, a figure that is far more than the number of cases (N=5) being reported to SWD⁹.

Table 1. Percentage of adult women reporting sexual violence victimization by an intimate partner for selected population-based surveys¹⁰.

<u>Country</u>	<u>Population</u>	<u>Year</u>	<u>Sample Size</u>	<u>Attempted or completed forced sex</u>	
				Percentage assaulted in past 12 months	Percentage ever assaulted
China	Hong Kong SAR	2005	2708 ^c	4%	8.9%
Canada	National	1993	12,300		8%
Japan ^a	Yokohama	2000	1,287 ^b	1.3%	6.2%
UK	North London	1993	430	6% ^b	23% ^b
US	National	1996	8000	0.2% ^b	7.7% ^b

^a Preliminary results from the WHO multi-country study on women's health and domestic violence. Geneva, World Health Organization, 2000 (unpublished). Sample size reported is the denominator for the prevalence rate and not the total sample size of the study.

^b Sample group included women who had never been in a relationship and therefore were not at risk of being assaulted by an intimate partner.

^c Sample size reported includes female only. The total sample size of the survey consisted 5,049 adult respondents who were married or cohabitated. About 53.6% were female.

3.7 The huge gap between the number of cases known to the system and the figure revealed by the survey implies that most of the victims did not report the incidents to either police or social services. The existing mechanism in encouraging victims to report is ineffective. Consider the amount of resource now available for sexual violence victims, the existing system will definitely be overloaded if all those unreported cases are to be handled. The government departments have to work out effective measures in deterring such criminal act and treating the potential large number of victims with sufficient resources.

Sexual violence victimization by family members and strangers

[A Consultancy study commissioned by the Social Welfare Department, HKSAR] Hong Kong: Dept. of Social Work & Social Administration, the University of Hong Kong.

⁷ The severe sexual violence is defined by the use of threat or force to have sex.

⁸ Calculation based on 1,750,000 married women according to the 1st quarter 2005 General Household Survey, provided by Census & Statistics Department.

⁹ Figure obtained from the Central Information System of SWD on battered spouse cases in 2003.

¹⁰ Source: World Health Organization (2002). *World Report on Violence and Health*. Except HK data.

3.8 In the same household survey described above, female respondents were asked if they had experienced sexual coercion outside marital relationship. Results indicated that about 1.6% of women had experience sexual harassment in their life. About 0.5% of women had experienced forced sex (including intercourse, anal sex or oral sex) by someone other than their spouse, with 27.3% of the victims reported that the incidents happened at or before age 17 (Table 2). Among the victims of forced sex happened at or before 17, 66.7% of subjects being perpetrated by someone they knew, and about 33.3% of them were forced to have sex by family members. These figures reflected that a vast number of women were sexually abused at a very young age by people they used to know and trust.

Table 2. Prevalence of sexual coercion outside spousal relationships

Sexual coercion incidents	Happened ^a	Happened at or before age 17	Perpetrator of sexual coercion ^b			
			Family members	Relatives or friends	Strangers	Don't know
Forced to touch someone or being touched in a sexual way	1.6%	Yes = 61.8%	23.8%	38.1%	28.6%	9.5%
		No = 38.2%	23.1%	15.4%	15.4%	46.2%
Forced to have sex with someone (including intercourse, anal sex or oral sex)	0.5%	Yes = 27.3%	33.3%	66.7%	0	0
		No = 72.7%	37.5%	12.5%	25%	25%

^a Based on 2708 women being surveyed

^b Based on the number of women who reported the incidents did happened

Child sexual abuse

3.9 While the above figures indicate possible cases of child sexual abuse, parents' reports on incidents happened to their children in the household survey revealed that about 0.3% of their children were sexually harassed (i.e. being forced to touch someone or being touched in a sexual way) and 0.1% of them had been forced to have sex (Total no. of children referred = 2081). Though the percentage may seem to be small, it's actually representing a large number when the whole population is considered. One should also note that the figures are based on the parents' report on known incidents. For covered cases, no figure could represent the seriousness of the problem.

Sexual violence in dating relationship

3.10 According to a recent study on dating violence among local university students conducted by Dr. K.L. Chan¹¹, about 28.3% and 20.9% of the 460 female

¹¹ Data collected by Chan, K. L. of the University of Hong Kong as part of the International Dating Violence Study chaired by Prof. Murray Straus of the Family Research Laboratory, University of New

subjects had experienced sexual coercion¹² by their dating partners in their lifetime and in the past 12 months respectively. The annual prevalence rate of severe sexual coercion experienced by the female subjects is 5.9%.

4. Prevention and intervention

4.1 Coordinated legal and community responses

- 4.1.1 Sexual violence is crime. It requires active arrest and prosecution from the criminal justice system, with the assistance of social services in providing treatment, support and public education.
- 4.1.2 Ending sexual violence requires the coordinated effort from the criminal justice system and the social services. Existing criminal justice system requires a case of sexual violence to be put forward by the victim and prosecution will be taken place only when enough evidence is collected. Sexual violence usually happens in private and it is not uncommon that the victim is the only witness. The attitude of victim then plays an important role in the decision and procedure of prosecution. Support to victims would be extremely important to bring perpetrators to justice.
- 4.1.3 Regarding support to victims, medical checkup, legal aid and other support services offered by SWD and NGOs are available. However, victims will have to seek help or be referred to every of the above mentioned services individually, and most of the time, victims may find lawyers lacking emotional support while social workers lacking the knowledge in legal procedures.
- 4.1.4 In order to minimize further victimization caused by the complicated procedures and maximize victims' incentive to report sexual coercion, the following measures for prevention and intervention are recommended:

An integrated service providing comprehensive care to victims of sexual assault

- 4.1.5 Establishment of an integrative victim support service is needed. By integrating professionals from legal, medical and social arenas into the service, victims will receive more comprehensive support and eliminate the feeling of helplessness after the trauma. As advised by WHO¹³, the service could provide or coordinate a wide range of services, including emergency medical care and medical follow-up, counselling, collecting forensic evidence of assault, legal

Hampshire, US.

¹² It used the same definition and measure of sexual coercion as employed in the study of the household survey in the calculation of the prevalence of sexual violence in spousal/ marital relationship.

¹³ WHO (2002). *World Report on Violence and Health*. Geneva: WHO.

support, and community consultation and education.

Legal reform

4.1.6 Sexual violence always happens at home. Reform of the Domestic Violence Ordinance (Cap 189) should be made to expand the definitions of sexual violence to cover broader range of sexual activities. The scope of provision of the protection should be expanded to include people in stable intimate relationship, despite the marital status and the sexual orientation of the relationship. The HKU consultancy team has made recommendations regarding the reform of DVO (Cap 189)¹⁴.

BIP for sexual abuser

4.1.7 The Batterer Intervention Programme (BIP) for sexual abusers in both mandatory and non-mandatory manners is recommended. To ensure quality of individual programmes, programme evaluation should be conducted regularly to monitor the effectiveness of programmes and make appropriate adjustment if necessary. It is noted that Social Welfare Department is going to launch two pilot programs for BIPs. One size does not fit all. Intervention model specific to sexual violence offender should be developed. The pilot projects should not focus only on the program content, but also the effective elements of the coordinated legal and community responses that makes the programs effective.

4.2 Professional training and public education

Training for health care and social services professionals

4.2.1 It is noted that the administration has been providing training for professionals and has developed guidelines in handling sexual violence cases. However, the *curriculum vitae* of the trainers should be carefully examined. The trainers and responsible training institute should have substantiate experience and research in sexual violence.

4.2.2 Training modules regarding knowledge of the roots of sexual violence and its identification should be incorporated into curriculum of professional training, including medical, legal and social services. Protocol of multidisciplinary intervention and victim support should be developed.

¹⁴ Chan, K. L.; Chiu, M.C. & Chiu, L.S.(2005). Peace at home: Report on the Review of the Social and Legal Measures in the Prevention and Intervention of Domestic Violence in Hong Kong. [A Consultancy Study Commissioned by the SWD of the HKSAR]. Hong Kong: Department of Social Work & Social Administration, the University of Hong Kong.

Public education: Combating rape myths

4.2.3 Public education programmes should be conducted to address rape myths held by both men and women, and to change their attitude towards sexual violence. The mode of delivery may include advertisement of public campaign in public transports and electronic media, and promotion of positive interpersonal relationship in schools.

4.3 Research

4.3.1 Research findings and related practices should be documented to allow professionals and researchers to further elaborate and refine existing studies and practices. In addition, research with objectives to reveal sexual violence statistics, evaluate existing services and investigate help seeking and service utilization attitudes of victims and perpetrators should be encouraged and supported to expand the pool of knowledge on sexual violence.

4.3.2 The effectiveness of the enactment of the ordinance related to marital rape [Section 117(1B), Crimes Ordinance (Cap 200)] in terms of victim protection and offender prosecution should be evaluated. It is also important to study if the public is educated for this criminal act.