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Panel on Welfare Services

Subcommittee on Strategy and Measures to Tackle Family Violence

**Minutes of the 7th meeting
held on Tuesday, 1 November 2005 at 2:30 pm
in the Chamber of the Legislative Council Building**

Members present : Hon CHAN Yuen-han, JP (Chairman)
Hon LEE Cheuk-yan
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Dr Hon Fernando CHEUNG Chiu-hung

Members absent : Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung

Members attending : Hon Albert HO Chun-yan
Hon Audrey EU Yuet-mee, SC, JP

Public Officers attending : Items II and III

Miss Dora FU
Principal Assistant Secretary for Health, Welfare and Food
(Women)

Mr Paul TANG, JP
Director of Social Welfare

Mr FUNG Pak-yan
Assistant Director of Social Welfare
(Family and Child Welfare)

Mr LAU Sik-tim
Chief Superintendent (Crime Support) (Crime Wing)
Hong Kong Police Force

Ms Irene HO
Superintendent of Police (Crime Support)
Hong Kong Police Force

Ms WONG Siu-hing
Chief Inspector of Police (Child Protection Policy Unit)
(Crime Support)
Hong Kong Police Force

**Deputations
by invitation**

: Item II

Medical Coordinators on Child Abuse, Hospital Authority

Dr Anselm C W LEE
Senior Medical Officer
Department of Paediatrics and Adolescent Medicine
Tuen Mun Hospital

Dr Anita M C TSANG
Senior Medical Officer
Department of Paediatrics and Adolescent Medicine
Queen Mary Hospital

The Society of Rehabilitation & Crime Prevention, Hong Kong

Mr Reuben WOO
Business Director - Planning & Development

Mr FUNG Cheung-tim
Planning & Development Manager

Against Child Abuse

Ms Jessica HO
Agency Supervisor

Mrs Priscilla LUI
Director

Hong Kong College of Paediatricians

Dr Patricia IP
Council Member

Government Social Work Officer Association

Mr HO Kin-chung
Chairman

Ms LEE Kam-yung
Vice-Chairman

Harmony House

Ms Margaret WONG
Executive Director

Women Coalition of Equal Opportunity (Anti-domestic
Violence Programme)

Ms CHUNG Yuen-yi
Co-ordinator

Hong Kong Committee on Children's Rights

Dr CHOW Chun-bong
Chairperson

Christian Family Service Centre

Ms NG Kwok-tung
Senior Programme Director (Family and Community)

Caritas - Hong Kong

Ms WONG Lai-ping
Centre Supervisor

Ms KWOK Chi-ying
Centre Supervisor

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

Ms LIU Ngan-fung
Chairman

The Hong Kong Council of Social Service

Ms Jane TSUEI
Business Director (Service Development)

Association Concerning Sexual Violence Against Women

Miss NG Wai-ching
Service Co-ordinator

Society for Community Organization and Concern Group on
the Rights of New Immigrant Women

Miss SZE Lai-shan
Community Organizer

Hong Kong Social Workers Association

Ms Lilian LAW Suk-kwan
Director

Clerk in attendance : Miss Mary SO
Senior Council Secretary (2) 8

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Ms Maisie LAM
Council Secretary (2) 2

Miss Maggie CHIU
Legislative Assistant (2) 4

Action

I. Election of Chairman and Deputy Chairman

Members agreed that there was no need to re-elect Chairman of the Subcommittee.

II. Recommendations of the Coroner's Court on the Tin Shui Wai family tragedy occurred in April 2004

(LC Paper Nos. CB(2)209/05-06(01) to (07) and CB(2)240/05-06(01) to (03))

2. At the invitation of the Chairman, Assistant Director of Social Welfare (Family and Child Welfare) (ADSW(FCW)) briefed members on the Administration's paper (LC Paper No. CB(2)209/05-06(01)) detailing the Administration and the Police's responses to the recommendations made by the Coroner's Court in respect of the death inquest in the Tin Shui Wai (TSW) incident occurred in April 2004. There were two general recommendations and 10 specific ones, five for the Police and five for the Social Welfare Department (SWD) and non-government organisations (NGOs). The Administration and the Police accepted all of the recommendations, but the Administration considered it not practical to provide every social worker with pager or mobile phone to respond directly to emergency calls from his/her clients.

Views of deputations

Medical Coordinators on Child Abuse of the Hospital Authority
(LC Paper No. CB(2)209/05-06(02))

3. Dr Anselm LEE and Dr Anita TSANG presented the views of the Medical Coordinators on Child Abuse (MCCA) as set out in its submission. In particular, MCCA recommended the following to better safeguard the rights of children who were the most helpless victims in family violence -

- (a) establishing an independent body with statutory powers to monitor, promote and protect the rights of children, whose tasks should

include conducting post-event multi-disciplinary review on fatal or serious injury child abuse cases with a view to identifying improvement measures for prevention and intervention;

- (b) educating the public and frontline professionals, such as policemen, teachers, social workers and medical personnel, that children have the same rights as adults, as well as the negative long-term effects of child abuse on the emotional and behavioural outcomes of the maltreated children; and
- (c) training frontline professionals managing child abuse and neglect cases to be advocates of children's rights and health.

Society of Rehabilitation & Crime Prevention
(LC Paper No. CB(2)209/05-06(03))

4. Mr Reuben WOO and Mr FUNG Cheung-tim presented the views of the Society of Rehabilitation & Crime Prevention as detailed in its submission. Notably, the Society considered that -

- (a) apart from strengthening actions to bring perpetrators of family violence to justice, the Administration should not neglect the need to provide continued care to the victims, in particular providing treatment and counselling to the perpetrators who were themselves also victims of family violence;
- (b) frontline police officers should be highly vigilant when handling reported domestic incidence cases, to avoid downgrading the cases lightly. In view of the difficulty in differentiating family dispute and family violence, a notification mechanism between frontline police officers and social workers should be established so that the latter could take part in the assessment of the reported cases;
- (c) the recommendation of the Coroner's Court for social workers to provide their pager or mobile phone numbers to clients so that they could be reached directly in emergency situation was worthy of support. The Society had been giving pager or mobile phone numbers of their social workers to clients; and
- (d) apart from social workers who specialised in handling family violence cases, other frontline social workers should also receive basic training on family violence so that they could render timely assistance and intervention in settings, such as schools, youth and

neighbourhood centres.

*Hong Kong College of Paediatricians
(LC Paper No. CB(2)209/05-06(05))*

5. Dr Patricia IP presented the views of the Hong Kong College of Paediatricians as detailed in its submission. In general, the College supported the recommendations of the Coroner's Court, but was of the view that these recommendations were mainly targetted at the response to a battered spouse seeking help, with little attention paid to the two child victims. In the light of this, the College proposed the following -

- (a) as a start, SWD should expeditiously establish a child fatality review mechanism. It was essential that all child fatality reviews be systematically conducted by an independent multi-disciplinary and multi-sectoral team, and not by a few selected members on an ad hoc basis;
- (b) as the extent of the problem of child abuse in Hong Kong was far serious than what was reported as revealed by a recent study on child abuse and spouse battering conducted by the University of Hong Kong (HKU), there was a need to work on all levels of prevention outlined below -

Universal prevention

- (i) setting up a child commission to promote and protect the rights, interests and well-being of children;
- (ii) exploring with the Mainland authorities on equipping parents, who would soon emigrate to Hong Kong, with positive parenting skills, as these new arrival parents might not be able to benefit from the Integrated Child Health and Development Programme run by the Maternal and Child Health Centres of the Department of Health;
- (iii) banning corporal punishment of children in the family, in addition to schools and other settings;

Selective prevention

- (iv) including child protection in the curriculum of professional training;

- (v) increasing resources to reach out to those families at risk who were not forthcoming in seeking help; and

Indicated prevention

- (vi) providing incentive to retain experienced social workers, as rapid turnover of caseworkers confused families and lessen their urge to seek help when required.

Against Child Abuse
(LC Paper No. CB(2)209/05-06(04))

6. Mrs Priscilla LUI presented the views of Against Child Abuse as detailed in its submission. Notably, Against Child Abuse hoped that consideration could be given to the setting up of a Child Commission and a Family Commission to ensure that the needs and perspectives of children and families were incorporated in the policy making within the Government, for without which it would be very difficult, if not possible, to fully realise “zero tolerance” in family violence. Against Child Abuse was supportive of the recommendations of the Coroner’s Court, but was concerned that some of them might not be able to achieve the desired effect or were very difficult to implement. For instance, requiring duty officer in police station to record all reported cases would only be useful if these cases could be retrieved quickly later on, and it was questionable whether social workers could cope with round-the-clock emergency requests for their service given their already very heavy workload.

7. Ms Jessica HO supplemented that the Police should clearly define what cases should be classified as family violence and family dispute cases. As families having disputes meant that they already had problems, the Police should also refer these cases to SWD or NGOs concerned for follow-up. Noting the Administration’s plan to improve the manpower of family services in districts with high prevalence of family problems, Ms HO sought clarification on whether it was merely a re-deployment of manpower of family services from other districts with comparatively lower prevalence of such problems.

Government Social Work Officer Association
(LC Paper No. CB(2)209/05-06(06))

8. Mr HO Kin-chung and Ms LEE Kam-yung presented the views of the Government Social Work Officer Association as detailed in its submission. In particular, the Association made the following points -

- (a) given the complicated causes of family violence, one individual tragedy, i.e. the TSW incident, should not be used to conclude that past efforts made by social workers in preventing and combating family violence were in vain. Many family tragedies had been avoided through the efforts of social workers;
- (b) supported the recommendations of the Coroner's Court, but hoped that due regard could be given to the pressure faced by social workers of Family and Child Protective Services Units (FCPSUs) and Integrated Family Service Centres (IFSCs) of SWD and their limitations in handling family violence; and
- (c) there was a need to strengthen the coordination among the Police, SWD, NGOs and community groups in handling family violence, as the problem could not be solved by social workers alone.

Harmony House

(LC Paper No. CB(2)209/05-06(07))

9. Ms Margaret WONG highlighted the following views detailed in the submission of the Harmony House -

- (a) as family dispute could lead to family violence if left unattended, the Police should refer family dispute cases to appropriate NGOs for follow-up so that timely intervention and assistance could be provided to the families concerned;
- (b) to minimise the pressure faced by the victims for bringing legal charges against their perpetrators and to protect the victims against retaliation by their perpetrators, the Police should put the perpetrators under arrest, instigate prosecution or recommend counselling etc. as long as there were evidence and statements pertaining to family violence;
- (c) frontline professionals should accord priority to safeguarding the personal safety of victims and children involved over the need to maintain family unity in handling family violence;
- (d) district family crisis management teams should be set up to strengthen the concerted efforts of social workers and police officers in combating family violence and family dispute. As a start, priority should be given to the setting up of these teams in districts with high incidence of family violence;

- (e) court-issued mandatory counselling order for the perpetrators should be expeditiously implemented; and
- (f) individual set of benchmarks for measuring the effectiveness of the actions in combating family violence should be developed for each district according to its own population characteristics.

Women Coalition of Equal Opportunity (Anti-domestic Violence Programme)
(LC Paper No. CB(2)240/05-06(01))

10. Ms CHUNG Yuen-yi presented the views of the Women Coalition of Equal Opportunity as detailed in its submission. The Women Coalition's specific responses to the recommendations of the Coroner's Court were as follows -

- (a) to better fully implement the concept of "zero tolerance" in family violence -
 - (i) a multi-sectoral central mechanism for tackling family violence should be created under the Chief Secretary for Administration (CS);
 - (ii) dedicated multi-disciplinary teams comprising social workers, healthcare workers, police officers, lawyers and prosecutors, etc. for handling family violence should be set up in each district throughout the territory to provide timely intervention; and
 - (iii) needs and perspectives of women should be incorporated in policy making within the Government;
- (b) there was a need to criminalise the offences under the Domestic Violence Ordinance (Cap. 189) (DVO) to increase the deterrent effect of the legislation;
- (c) training on the topic of family violence for frontline professionals should include enhancing their sensitivity towards gender issue;
- (d) expressed support for the five recommendations for the Police -
 - (i) standardised investigation procedure should be set up;
 - (ii) frontline police officers should not have the authority to

downgrade classified case, particularly emergency ones, before full investigation;

- (iii) the role of frontline police officers should not be to mediate;
 - (iv) more comprehensive training on family violence should be provided to the police responsible in districts where the occurrence of family violence was of high frequency; and
 - (v) duty officer in police station should record all reported cases. A monitoring system should be set up to ensure the reporting was completely recorded;
- (e) a 24-hour hotline should be set up to meet with the need for emergency assistance; and
- (f) a monitoring system should be set up to oversee the full implementation of the “Procedural Guidelines for Handling Battered Spouse Cases” by frontline staff.

Hong Kong Committee on Children’s Rights

11. Dr CHOW Chun-bong expressed support for the recommendations of the Coroner’s Court, but was disappointed that no mention was made on ways to protect the interests and well-being of children involved in family violence. To that end, Dr CHOW urged the Administration to set down targets and pledges for different departments to meet in combating child abuse. Dr CHOW pointed out that as revealed by the consultancy study on child abuse and spouse battering conducted by HKU, the actual number of child abuse cases far exceeded the reported number. Dr CHOW further urged the Administration to set up an independent child commission to safeguard the interests and well-being of children.

Christian Family Service Centre

12. Ms NG Kwok-tung presented the views of Christian Family Service Centre on the recommendations of the Coroner’s Court as detailed in its submission tabled at the meeting. Specifically, the Centre made the following points -

- (a) in order to fully realise the “zero tolerance” policy against family violence, it was necessary for the Administration to develop work plan and set performance indicators/targets and pledges for different departments;

- (b) apart from implementing the five recommendations for the Police, the Police should consider the setting up of dedicated teams to handle family violence cases;
- (c) under exceptional circumstances, consideration should be given to deploying social workers from different NGOs to provide support and assistance to different victims of family violence in a family;
- (d) the implementation of the pilot batterer intervention programmes (BIPs), under which treatment would be provided to batterers joining the programmes on voluntary basis and batterers put on probation under the arrangement of probation officers, should not be confined to one or two districts; and
- (e) concurred with the views of the Hong Kong Council of Social Service (HKCSS) highlighted in paragraph 15 below.

Caritas - Hong Kong
(LC Paper No. CB(2)240/05-06(02))

13. Ms KWOK Chi-ying and Ms WONG Lai-ping highlighted the following views of Caritas as detailed in its submission -

- (a) to fully realise the implementation of “zero tolerance” policy against family violence, the Administration should incorporate such policy in the development of the blueprint for social welfare policies, expeditiously amend the DVO to provide more effective protection to the victims, set up a domestic violence court; and escalate the existing central mechanism for handling family violence under the purview of CS and enhance its roles and functions;
- (b) adequate resources should be set aside by the Administration on strengthening public education and training of frontline officers to arouse their awareness on family violence. Moreover, each district should have a team to carry out preventive work against family violence;
- (c) there was a need to have in place 24-hour crisis intervention services for victims of family violence;
- (d) the Administration should utilise the existing District Coordinating Committee mechanism, led by District Social Welfare Officer of

SWD, to review the case referral process so that appropriate follow-up actions could be provided to the recipients; and

- (e) actions should be taken by the Administration to address the manpower shortage of NGOs providing family services.

Hong Kong Association for the Survivors of Women Abuse (Kwan Fook)
(LC Paper No. CB(2)285/05-06(03))

14. Ms LIU Ngan-fung introduced the submission from Kwan Fook tabled at the meeting. A summary of Kwan Fook's responses to the recommendations of the Coroner's Court was as follows -

- (a) to fully realise the implementation of "zero tolerance" policy against family violence, the Administration should educate the public on gender equality, escalate the existing central mechanism for handling family violence under the purview of CS and enhance its roles and functions, and expeditiously amend the DVO, including criminalising domestic violence acts;
- (b) in view of the complex nature of family violence, a multi-disciplinary team comprising police officers, social workers and prosecutors, etc. should be set up to gather evidence on-site upon recipient of any domestic incident case and provide immediate assistance to the victims;
- (c) apart from providing more comprehensive training on family violence to frontline police officers stationed in districts where the occurrence of family violence was of high frequency, more efforts should be made to join forces with local groups to combat the problem. Advising the management office of a building with high frequency of family dispute or family violence to be vigilant of the problem so that timely intervention could be carried out was a case in point;
- (d) apart from recording all cases reported in police station, frontline police officers should immediately refer victims of family violence to appropriate Government departments or other NGOs for assistance;
- (e) a 24-hour hotline should be set up by the Administration to provide help to victims of family violence as well as people at risk of being battered by their family members. At present, the SWD hotline only operated from 9 am to 10 pm from Monday to Saturday and

from 1 pm to 10 pm on Sunday and during public holidays. Outside the above operating hours, calls would be connected to the crisis line of the Family Crisis Support Centre (FCSC) operated by Caritas - Hong Kong. Although the aforesaid crisis line was answered by social workers 24 hours a day, it was questionable how an NGO hotline could effectively cope with the demand for emergency services from the whole community;

- (f) not only should participants in multi-disciplinary case conferences review and consider the whole situation and reclassify or redefine the case if necessary, the same approach should be adopted by individual caseworkers with their clients to ensure the latter's needs were aptly met;
- (g) family violence cases should best be followed up by social workers of FCPSUs. If IFSCs also wished to follow up such cases, their social workers should first undergo more comprehensive training on family violence and other support measures and monitoring system must first be put in place;
- (h) a court dedicated to the handling of family violence cases should be set up; and
- (i) an independent fatality review standing committee with multi-disciplinary representation should be set up without further delay.

HKCSS

(LC Paper No. CB(2)285/05-06(02))

15. Ms Jane TSUEI presented the views of HKCSS as detailed in its submission tabled at the meeting. In particular, the Administration was urged to implement the following -

- (a) make family violence a criminal offence and batterers to undergo counselling mandatory;
- (b) formulate comprehensive work plan on implementing the policy of "zero tolerance" against family violence;
- (c) enhance the roles and functions of the central mechanism for handling family violence, as well as setting up a system to review its progress of work;

- (d) amend the DVO and other related legislation to better combat family violence;
- (e) establish a domestic violence court;
- (f) provide support to witnesses and victims when they went to court;
- (g) set up an independent fatality and serious injury review standing committee;
- (h) establish fund to finance projects aimed at preventing family violence;
- (i) allocate additional resources for each family service unit to hire two senior practitioners to alleviate the heavy workload of frontline staff and to hire more supervisor(s) to improve the existing ratio between supervisor and frontline staff;
- (j) review the operation of the multi-disciplinary case conferences, to ensure the formulation and implementation of appropriate welfare plan for the victim;
- (k) provide 24-hour crisis support service with the involvement of Police; and
- (l) set up teams to carry out preventive work against family violence in Yuen Long, Tuen Mun, Eastern, Kwun Tong and Kwai Tsing districts where family violence was of high frequency.

(As the Chairman had to leave early, Dr Fernando CHEUNG took over the chair at this juncture)

*Association Concerning Sexual Violence Against Women
(LC Paper No. CB(2)285/05-06(04))*

16. Miss NG Wai-ching highlighted the following views of the Association Concerning Sexual Violence Against Women as detailed in its submission tabled at the meeting -

- (a) people assigned to train frontline professionals on handling family violence should be well-versed in the topic and knowledgeable about gender issue;

- (b) frontline police officers and social workers should forge closer ties, so as to better safeguard the safety of the victims and the children involved;
- (c) a 24-hour hotline and response team should be set up to handle family violence cases; and
- (d) the Administration and the Legislative Council should give more attention to the interests and well-being of children who were the most helpless victims in family violence.

Society for Community Organization and Concern Group on the Rights of New Immigrant Women
(LC Paper No. CB(2)240/05-06(03))

17. Miss SZE Lai-shan presented the views of Society for Community Organization (SOCO) and Concern Group on the Rights of New Immigrant Women as detailed in their joint submission. In particular, SOCO and the Concern Group proposed the following -

- (a) SWD should implement the recommendations of the Coroner's Court;
- (b) the Administration should formulate employment policy for elementary workers and strengthen employee protection;
- (c) the Administration should establish statutory minimum wage and maximum working hours;
- (d) services to help new arrivals to integrate into the new environment should be reinstated;
- (e) the DVO should be amended to make batterers undergo counselling mandatory;
- (f) discrimination of new arrivals should be incorporated in the proposed anti-racial discrimination bill;
- (g) the seven-year residence requirement for eligibility for public housing and Comprehensive Social Security Assistance should be removed; and

- (h) SWD should improve the existing childcare service to enable new arrival women to find employment and move towards self-reliance.

Hong Kong Social Workers Association
(LC Paper No. CB(2)285/05-06(01))

18. Ms Lilian LAW presented the views of Hong Kong Social Workers Association (HKSWA) as detailed in its submission tabled at the meeting. In particular, HKSWA proposed the following -

- (a) a revamped central mechanism for handling family violence, to be chaired by CS, should be tasked with the responsibility on implementing the “zero tolerance” policy against family violence;
- (b) a fatality or serious injury review standing committee should be formed to review fatal or serious injury family violence case with a view to identifying areas for improvement; and
- (c) a fund should be set up to support initiatives on preventing family violence.

Ms LAW further said that since the occurrence of the TSW incident in April 2004, social workers had worked hard to fill any service gaps and rectify deficiencies in the multi-sectoral coordination on combating family violence.

Discussion

19. Dr Fernando CHEUNG expressed concern about the lack of new measures to prevent and combat family violence, with the exception of launching a pilot BIP, which demonstrated that the Administration did not admit there were failings in the existing arrangements on handling family violence. Dr CHEUNG hoped that the Administration would learn its lesson from the TSW tragedy, and take heed of the views expressed by the deputations.

20. Mr LEE Cheuk-yan expressed disappointment about the lack of concrete workplan to implement the “zero tolerance” policy against family violence, and urged the Administration to expeditiously come up with such. Mr LEE further asked the Administration to give reason(s) why it did not accept the recommendation of the Coroner’s Court for social workers to provide their pager numbers to clients so that they could be reached directly in emergency situation. Mr LEE also sought clarification from the Police on whether; and if so, how the training of police officers would address the recommendation of the Coroner’s Court that the role of the Police should not be to mediate.

21. Director of Social Welfare (DSW) responded as follows -

- (a) lessons had been learnt from the TSW incident, as evidenced by the various improvement measures taken to prevent and combat family violence since the occurrence of the incident. In the Administration's view, focus should now be put on taking forward the recommendations of the Coroner's Court;
- (b) it had always been the policy of the Government not to tolerate family violence. Although it was not realistic to expect family violence could be completely stamped out, every effort would be made to provide prompt assistance and support to the victims and to bring perpetrators to justice if there was sufficient evidence;
- (c) the most effective way to combat family violence was to tackle the problem through education and training. To that end, steps had been and would continue to be taken to nurture an anti-violence culture through education, including educating the younger generation about gender equality and to provide training to frontline professionals as well as community groups in districts;
- (d) it was not practical to provide every social worker with pager or mobile phone to respond directly to emergency calls from his/her clients, as the case workers concerned might not be available all the time for various reasons, such as coming down with illness, away from Hong Kong or engaged in other duties. This, however, did not mean that there was at present no emergency intervention by social workers. In fact, a 24-hour emergency service was currently available to families facing crisis. During office hours, social workers of FCPSUs, IFSCs and Medical Social Service Units (MSSUs) would respond to requests for emergency services and provide immediate outreaching and crisis intervention service as necessary. After office hours, two hotlines operated by SWD and Caritas - Hong Kong supported by SWD's duty social workers on the respective Child Abuse/Battered Spouse or Psychiatric Emergency duty roster had been put in place to meet with the need for emergency social work support; and
- (e) SWD did not adopt any single philosophy, such as "family integration", in handling domestic violence cases. There was neither any policy requiring staff of SWD to only provide counselling to couples together. Personal safety of victims and

children involved was always the prime concern. The principle was objective assessment and formulation of treatment strategies in line with the professional practice based on individual case circumstances.

22. Chief Superintendent (Crime Support) assured members that the Police would arrest the perpetrators when evidence of a crime was established. The Police would only mediate when it was a domestic incident where there was no evidence to suggest a crime had occurred, having regard to the fact that the Police had the duty to preserve public order under section 10(a) of the Police Force Ordinance (Cap. 232).

23. Mr LEE Cheuk-yan remarked that if the Administration could not even agree to the recommendation of providing pager or mobile phone numbers of social workers to clients so that the latter could get immediate help outside office hours, the sincerity of the Administration in fully implementing the “zero tolerance” policy against family violence was put in doubt. Mr LEE pointed out that the situation of frontline professionals providing their pager or mobile phone numbers to clients was not new, as had been done by doctors. Mr LEE further said that if providing pager or mobile phone numbers of social workers to clients would greatly increase the work pressure of these frontline staff, consideration could be given to allocating more resources to improve the manpower situation. Dr Fernando CHEUNG echoed similar views.

24. DSW considered that the two hotlines operated by SWD and Caritas – Hong Kong supported by SWD’s duty social workers on the respective Child Abuse/Battered Spouse or Psychiatric Emergency duty roster, together with the “999” hotline operated by the Police, could address the main concern of the coroner that there should be emergency intervention by social workers after office hours. Despite such, SWD would continue to review the after office hours emergency service to strengthen service provision and emergency contact as necessary. The possibility of developing a mechanism for contact with caseworkers outside office hours by staff of women refuge centres in case their known cases request to leave the refuge centres outside office hour would be explored.

25. ADSW(FCW) supplemented that in case outreaching duty by a social worker outside normal office hours was required, the hotline staff of SWD or FCSC of Caritas – Hong Kong could enlist support from the duty social workers of SWD on the respective Child Abuse, Battered Spouse or Psychiatric Emergency duty roster. In 2004-05, a total of 56 outreaching visits were conducted by the social workers on the above duty rosters after office hours. Besides, the FCSC provided round-the-clock temporary time-out facility with on-site counselling for

individuals under stress or facing crisis and four women refuge centres provided 24-hour shelter service for women and their children facing family crises or affected by family violence. To promote the service users' accessibility to services, all IFSCs provided regular extended hours service during some weekday evenings and Saturday and they also adopted flexibility in arranging interviews and home visits outside normal office hours. The MSSUs operated by SWD at six major hospitals with Accident and Emergency Departments had also extended their service hours to 8:00 p.m. (on weekdays) and 3:00 p.m. (on Saturdays) starting from 1 April 2003. ADSW(FCW) also advised that in 2005-06, additional resources had been allocated to strengthen the social work support to the women refuge centres after office hours, and to improve the manpower to answer the hotline of FCSC of Caritas – Hong Kong particularly during night time. Apart from these, the contact with Wai On Home for Women by residents had also been strengthened through the provision of an additional mobile phone.

26. Mr Albert HO urged the following -

- (a) the Police should draw reference from the practice of the Scotland Yard and the Metropolitan Police of the United Kingdom on developing a checklist for questioning in handling domestic incident cases;
- (b) SWD should also develop a checklist for use by frontline social workers to assess the risk faced by individuals in family crisis;
- (c) at the very least, frontline social workers of FCPSUs should be provided with pagers or mobile phones to respond to emergency calls from their clients as the cases they handled were all high-risk ones;
- (d) the Police should ensure that all frontline police officers had adequate skills and knowledge in identifying domestic violence cases; and
- (e) the Administration should expeditiously come up with a timetable for implementing the recommendations of the sub-committee of the Law Reform Commission on family dispute resolution process as well as access and custody.

27. Chief Superintendent (Crime Support) responded that a Working Group, chaired by him, had been formed to carefully study the recommendations of the Coroner's Court, including training for police officers, and how to take them forward. Every effort had been and would continue to be made to strengthen the capabilities of the frontline police officers in handling family violence by training.

Chief Superintendent (Crime Support) further said that the Working Group had met with NGOs concerned to exchange views on the development of a checklist for questioning for use by frontline police officers, based on the questionnaires used by the Scotland Yard and the Metropolitan Police of the United Kingdom in handling family violence cases. The Working Group was presently drafting the checklist, which was expected to be completed in one to two months' time. At the request of Dr Fernando CHEUNG, Chief Superintendent (Crime Support) agreed to provide a copy of the finalised checklist to the Subcommittee when it became available.

28. On developing a checklist for use by frontline social workers to assess the risk faced by individuals in family crisis, DSW advised that part II of the HKU's study on child abuse and spouse battering was on the development of an assessment tool for frontline social workers to identify high risk cases. As to providing every frontline social workers of FCPSUs with pagers or mobile phones to respond to emergency calls from their clients directly, DSW reiterated that the existing 24-hour emergency service as elaborated above could already provide emergency intervention by social workers. Nevertheless, SWD would continue to review the after office hour emergency service to strengthen service provision and emergency contact as necessary.

29. Ms LI Fung-ying made the following points -

- (a) to merely rely on training and do nothing to improve the manpower of family services would not help to improve the handling of family violence cases;
- (b) the roles, functions, and operation of the existing central mechanism for handling family violence should be revamped to strengthen multi-disciplinary collaboration in combating family violence; and
- (c) there was a need to put in place a notification mechanism between frontline police and social workers in handling family violence cases.

30. Mrs Sophie LEUNG said that according to her observation, frontline professionals, police officers in particular, had greatly heightened their awareness of family violence following the TSW incident. Mrs LEUNG hoped that the public could show more support and understanding to the efforts made by frontline staff in carrying out the daunting task of combating family violence. Mrs LEUNG was of the view that to impose upon frontline staff to do a certain task to combat family violence would not be conducive to the promotion of a harmonious society. In her view, successful implementation of the "zero tolerance" policy against family violence could only be realised if all parties

concerned carried out the policy from their hearts.

31. DSW responded that additional resources had been allocated to increase the number of social workers of FCPSUs and IFSCs in 2005-06. New resources would also be allocated to tackle family problems, as announced by the Chief Executive (CE) in his 2005-06 Policy Address delivered on 12 October 2005, although the exact amount was yet to be known. As resources were finite, there was a limit to the number of social workers which could be increased to tackle family violence. Hence, it was of paramount importance to equip social workers with the skills and knowledge in dealing with family violence. It should however be pointed out that given the multi-faceted nature of the problem, family violence could only be effectively tackled by collaboration among all parties involved. To that end, training on the topic of family violence had been and would continue to be provided to related professionals such as teachers, lawyers and social workers providing services to individuals and families facing crisis or family violence. DSW further said that it had always been the policy of the Government not to tolerate family violence, and this had been made clear by the former as well as the current CE in their respective Policy Addresses. Major bureaux and departments, such as the Housing Department and the Home Affairs Department, apart from the Health, Welfare and Food Bureau, SWD and the Police, were involved in the planning and implementation of the policy to combat family violence. Regarding the restructuring of the existing central mechanism for coordinating the handling family violence, DSW said that a review was underway.

32. On the collaboration between frontline police officers and social workers providing services to individuals facing family crisis or in family violence, ADSW(FCW) said that work in this regard had been strengthened as evidenced by the increase in the number of referrals made by the Police to SWD for follow-up actions. To monitor the progress of these cases, a reply mechanism was established under which social workers would inform the Police if the individuals concerned failed to show up or refused to receive assistance. This would enable the Police to take a different approach if the same individuals came to seek help again in future. ADSW(FCW) further said that in order to strengthen multi-disciplinary collaboration in handling family violence, District Liaison Groups, convened by the District Social Welfare Offices concerned, with participation of FCPSUs, IFSCs, the Police and other relevant organisations, had been formed early this year.

33. Mrs Sophie LEUNG urged the Administration to strengthen collaboration with NGOs in tackling family violence. It was important to recognise and share the good practice of SWD and NGOs, and the Women's Commission would be happy to take part in this regard.

Action

34. In closing, Dr Fernando CHEUNG said that there was much room for improvement in preventing and combating family violence in areas such as legislation and law enforcement. It was particularly disappointing that the Administration as yet did not come up with any concrete plan to implement the “zero tolerance” policy against family violence, such as the development of an annual workplan and the setting of performance indicators. Due to time constraint, the Subcommittee would follow up all the issues/concerned raised in future meetings. Dr CHEUNG further reminded members that the next meeting of the Subcommittee would be held on 3 November 2005 to listen to the Administration’s preliminary responses to the recommendations of the HKU’s study on child abuse and spouse battering and to consider the way forward.

35. There being no other business, the meeting ended at 4:45 pm.

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