

(Translation)

13 September 2006

Clerk to the Subcommittee
on Strategy and Measures to Tackle
Domestic Violence
(Attn: Ms Mary SO)
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Ms So,

Panel on Welfare Services

**Subcommittee on Strategy and Measures to Tackle Family Violence
(The Subcommittee) Meeting on 20 September**

Thank you for your letter of 31 August 2006, inviting the Administration's attendance at the 20 September meeting of the Subcommittee. I enclose the attendance list.

On the first discussion item, I enclose as requested an information paper prepared by the Police on improvement measures in combating domestic violence.

For the second discussion item, on the Administration's review of the Domestic Violence Ordinance (DVO), Members may wish to refer to the paper we submitted earlier, i.e. LC Paper No. CB(2)2132/05-06(01), as the basis for continued discussion at the coming Subcommittee meeting. Members have discussed the Administration's preliminary proposals for amendments at the Subcommittee meetings held on 23 May and 15 June 2006.

As foreshadowed in our earlier statement to the Subcommittee, during the last couple of months, we have consulted various advisory groups and stakeholders, including the Women's Commission, the Working Group on Combating Violence, the Committee on Child Abuse, and the Social Welfare Advisory Committee, on our proposed amendments to the DVO.

In late August 2006, we briefed the representatives of the District Fight Crime Committees from across the territory on the Administration's measures to combat domestic violence. Parties consulted generally welcome our proposed amendments to the DVO. They appreciate the improvement measures introduced by the Police, and the continuum of preventive, supportive and specialized services provided by Social Welfare Department (SWD) to victims of domestic violence and families in need.

A common consensus is that prevention is more important. The Administration is urged to launch more focused public education and publicity efforts to ensure that the messages could reach out to those most in need. In this connection, the SWD is preparing an information kit for victims of domestic violence, to elaborate in more general terms on the legal protection and remedies available under the law and the range of services provided by the SWD and other departments. The information kit will be ready for public dissemination by early 2007.

Further to the above, on the proposal discussed by the Subcommittee to extend the scope of the DVO to cover parent/adult child and parent/adult child-in-law relationships, these have very serious and wide-ranging implications, not only just a matter of law and enforcement but rather it raises a series of fundamental questions as family values and how to deal with relationship when problem arises. Resorting to the law is not necessarily the only way or the best way to resolve some family disputes. We have reservation in this regard. Also, discussion is continuing with the Judiciary Administrator and the Department of Justice

on the proposal discussed by the Subcommittee regarding the establishment of a specialist domestic violence court. The SWD is also monitoring closely progress of the two-year pilot project of batterer intervention programme.

As regards the Subcommittee Chairman's request for the Administration to set up a dedicated working group to review the DVO, as we have explained at the meeting held on 15 June 2006, there are established channels for the Administration to collect and consults views of the stakeholders and the general public on issues of public concern. We have proceeded with consultation on our proposed amendments to the DVO in accordance with these channels, and do not see the need for a separate working group to be set up for such purpose.

The above serves to update the Subcommittee on progress made by the Administration since the June meeting pertaining to our review of the DVO. We aim to consult the LegCo Panel on Welfare Services on our final package of proposed legislative amendments within the coming Legislative session.

Yours sincerely,

(Hanny Lam)
for Secretary for Health, Welfare and Food

Encl.