

For Discussion  
on 1 November 2005

**LEGCO PANEL ON WELFARE SERVICES**

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

**Administration's Responses to Recommendations  
made by the Coroner's Court  
in respect of the Death Inquest in the Tin Shui Wai Incident**

**INTRODUCTION**

This paper sets out the Administration's responses to the recommendations made by the Coroner's Court in respect of the death inquest in the Tin Shui Wai incident occurred in April 2004.

**DETAILS**

*The Death Inquest*

2. The Coroner's Court conducted a death inquest between 15 August and 5 September 2005 into the cause of death of four family members in the Tin Shui Wai incident. On 5 September 2005, the Jury returned a conclusion and added recommendations which read as per attached at Annex. There are two general recommendations and 10 specific ones, five for the Police and five for the Social Welfare Department (SWD) and non-government organizations (NGOs).

*Administration's Responses to the Recommendations*

3. The Administration's responses to the recommendations made by the Jury are set out in the ensuing paragraphs.

General recommendations:

- (1) *We agree to the concept of “zero tolerance” in domestic violence and suggest to further study the practical implementation of this concept in our society.*

It has always been the policy of the Government not to tolerate domestic violence, and this has once again been reiterated in the Chief Executive’s 2005/06 Policy Address delivered on 12 October 2005. We accept the concept of “zero tolerance” in domestic violence”. In this connection, protection is provided to victims of domestic violence, in particular women and children, whereas perpetrators of violence will be pursued and brought to justice. The Government adopts a three-pronged approach, i.e. prevention, support and specialised services, to tackle domestic violence. On the other hand, crimes related to domestic violence are treated seriously and the Police will provide prompt and professional response to reports of violent crime. Offenders in violence cases involving assaults or other criminal offences are liable to criminal charges under the law and the prosecuting authorities will take action in accordance with the Statement of Prosecution Policy and Practice. The Government will continue to combat domestic violence with vigour and vigilance.

In dealing with individual cases, due consideration needs to be given to the family context, the manifestation of the behaviour, circumstances leading to the behaviour, and the perception of family members involved, etc. These include, for example, assessing the frequency, severity, consistency, pervasiveness of the abusive behavior, duration of the abusive relationship, intention of the batterer, severity of the impact of the abuse on the victim, etc. Professional assessment and judgment will come to play in deciding what action should be taken having regard to the circumstances of each case.

- (2) *We suggest that education to the public and training to the official parties involved on the topic “domestic violence” should be emphasized.*

The Government shares that strengthening public education and training of frontline officers to arouse their awareness on domestic violence will be conducive to the prevention and early identification of domestic violence. To that end, SWD has since 2002 been launching the annual and territory-wide publicity campaign of “Strengthening Families and Combating Violence”. Sub-themes on prevention of child abuse, spouse battering, elder abuse, sexual violence and suicide are covered. Activities and programmes included slogan and poster competitions, “Resilient Family Ambassadors”, production of Announcement of Public Interest (API) on television and radio channels, advertising anti-violence messages through major transports, mural competition, theme days, production of a variety of publicity materials such as roadside boards, banners, posters, booklets, leaflets, rubbish bins, tissue holders, telephone/calendar cards, calendar, magnetic book marks, table mats, coasters and stickers, as well as launching of district programmes etc. In 2005-06, additional resources have been allocated to further step up publicity, targeting the general public as well as specific groups such as new arrivals, single parents, low income families, couples with large spousal age difference, people with chronic and mental illness etc.

The Chief Executive, in his Policy Address delivered on 12 October 2005, also deems family education very important. The Government will allocate new resources to strengthen and extend family education, and will promote the values, ethics and individual responsibility needed for family harmony through various channels such as media publicity and district activities.

In respect of training, SWD has been providing training to frontline professionals on handling family violence including child abuse, battered spouse, marital counseling, etc on a regular basis. During the years 2003-04 and 2004-05, 49 classes were conducted with more than 2 000 participants. In 2005-06, additional resources have been allocated to training. Apart from the planned 28 classes targeting for more than 3 500 frontline professionals, SWD will introduce

awareness training in the community as a new initiative. In this connection, SWD has commissioned the Hong Kong University Family Institute and Sau Po Centre to conduct a basic training package on domestic violence from November 2005 to January 2006, targeting not only frontline professionals such as policemen, teachers, social workers, medical personnel, staff of the Housing Department etc. but also local leaders such as Mutual Aid Committee members, District Council members and their assistants. The Police will also be invited to take part in the programme to talk on police procedures for handling domestic violence. A total of eight two-day mass seminars on basic awareness of domestic violence will be organised on regional/cluster basis for over 2 000 target participants mentioned above. A CD ROM containing the full contents of the seminar will be produced for further dissemination of the knowledge. With a better awareness about domestic violence amongst community members, we hope this will contribute to early identification of such cases for early intervention.

The Police also shares the key role of training and will continue to strengthen the capabilities in handling domestic violence by training. Frontline officers receive training on domestic violence at various stages of their careers. There are also periodic reviews on the syllabuses and effectiveness of the training. Apart from Force-wide training delivered during training days which aims at equipping officers with the skills and knowledge to handle domestic violence cases, District Training Officer will continue to arrange refresher training in accordance with local training needs and local characteristics. In order to continuously enhance police officers' capability in handling domestic violence, the Police also plans to launch another round of refresher training, making use of a training video. The training video aimed at enhancing officers' knowledge and sensitivity to domestic violence will be shown during training days by the third quarter of 2006. Discussion seminars will continuously be held as part and parcel of the training drive to foster understanding of the problem of domestic violence amongst supervisory officers.

### Recommendations for the Police:

- (1) *Standardised investigation procedure should be set up, e.g. (i) a checklist for questioning; (ii) design a form in term of any media, e.g. electronic format for recording.*
- (2) *For those classified cases (especially emergency cases), front line police officers should have no authority to downgrade the cases before full investigation.*
- (3) *To address that the role of front line policeman should not be to mediate.*
- (4) *More comprehensive training on domestic violence should be provided to the police responsible in districts where the occurrence of domestic violence is of high frequency.*
- (5) *For all cases reported in police station, the duty officer should record the cases. We recommend to set up a monitoring system to ensure the reporting is completely recorded.*

The Police treats the recommendations of the Coroner's Court seriously. Some of the recommendations are in line with existing improvement measures, such as training for police officers. A Working Group has been formed to carefully study the recommendations and how to take them forward. The initial responses to the recommendations are set out below.

The Police will continue to review police procedures in handling cases of domestic violence so as to provide the best services to the victims and their children, and on the handling of the abusers. The Police is considering making available some reference materials to frontline officers on handling domestic violence cases to heighten the investigation capability of domestic violence.

Present procedures already require all cases reported in police station to be recorded. The Working Group is examining ways to strengthen the monitoring system so as to ensure full and proper compliance.

Police's efforts in training of its officers are set out in the response to the second General Recommendation above.

The Working Group established by the Police will continue its study of the recommendations and in the process, will take account of views contained in report on the consultancy study on child abuse and spouse battering commissioned by SWD, the Report of Review Panel on Family Services in Tin Shui Wai and those expressed by LegCo Members or deputations at previous meetings of the Subcommittee on Strategy and Measures to Tackle Family Violence or other forums.

Recommendations for SWD and NGOs:

- (1) *Social workers shall consider to provide their pager numbers to clients so that they can be reached directly in emergency situation.*
- (2) *Improve case transfer/referral process by providing written record of previous interviews and relevant documents.*
- (3) *The participants on multi-disciplinary case conference should review and consider the whole situation and re-classify or re-define the case (if necessary) but not just focused on the suspected case.*
- (4) *SWD should monitor the training of the NGOs provided to the NGO social worker. The training should be aligned with SWD standards.*
- (5) *For NGOs, we recommend to set up a system to ensure all case records should be reviewed by senior staff periodically.*

SWD's responses to the above recommendations, in seriatim, are as follows –

- (1) It is not practical to provide social workers with pagers or mobile phones to respond to emergency calls from their clients. In fact, a 24 hours emergency service is currently available to families facing crisis which we believe the main concern of the coroner is emergency intervention by social workers which does not have to involve the case workers concerned who may, for various reasons, not be available. During office hours, social workers of Family and Child Protective Services Units

(FCPSUs), Integrated Family Service Centres (IFSCs) and Medical Social Service Units (MSSUs) will respond to requests for emergency services such as cases involving child abuse or battered spouses, suicide, psychiatric emergency, etc. and provide immediate outreaching and crisis intervention service as necessary.

To meet with the need for emergency social work support after office hours, SWD has in place two major hotlines operated by the SWD and Caritas – Hong Kong. The SWD Hotline is answered by social workers from 9 a.m. to 10 p.m. from Monday to Saturday and from 1 p.m. to 10 p.m. on Sunday and during public holidays. Outside the above operating hours, callers can press on “0” to connect to the crisis line of the Family Crisis Support Centre (FCSC) operated by the Caritas – Hong Kong which is answered by social workers 24 hours a day. In case outreaching duty by a social worker outside normal office hours is required, the Hotline staff can enlist support from 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 while a total of 18 outreaching visits were conducted from April to August 2005. Besides, the FCSC provides round-the-clock temporary time-out facility with on-site counselling for individuals and families under stress or facing crises and four women refuge centres provide 24-hour shelter service for women and their children facing family crises or affected by domestic violence. Furthermore, the Suicide Crisis Intervention Centre (SCIC) operated by the Samaritan Befrienders Hong Kong also provides round-the-clock outreaching, crisis intervention and intensive counselling to people in crisis situation and at moderate/high suicidal risk.

In 2005-06, additional resources have 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 particularly during night time. Besides, the contact with Wai On Home for Women by residents has also been strengthened through the provision of an additional mobile phone. SWD will continue to review the after office hour 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 the women refuge centres in case their known cases request to leave the refuge centres outside office hours will be explored.

- (2) SWD agrees that social workers should prepare written case summary and provide relevant documents upon transfer of case to another social worker or discipline. In fact, such practice has all along been adopted within the social work profession. For example, for case transfer between SWD IFSCs to NGO IFSCs or vice versa or between NGO IFSCs, the outgoing unit is required to prepare a case summary and attach significant documents/correspondences which warrant special attention of the receiving unit or those requiring follow-up action. These requirements have been clearly set out in the “Guidelines on Interim Arrangements regarding Division of Work and Case Transfer Arising from Formation of IFSC”. For case transfer from FCPSU to NGO IFSCs or vice versa, the outgoing unit is also required to provide essential information including significant family and social history, services rendered, concrete area(s) requiring follow-up action, significant issues, etc. which has been clearly stated in the “Interim Arrangements on the Division of Work between Integrated Family Service Centres and Family and Child Protective Services Unit”. We shall continue to remind all social workers of SWD and NGOs to adhere to such good practice. In case of need, we also encourage smooth transfer of case by way of joint interview with the receiving social worker and direct sharing of information between the outgoing and incoming social workers.

- (3) The “Procedural Guidelines for Handling Battered Spouse Cases” issued in 2004 stipulates that the convener of the multi-disciplinary case conference (MDCC) and professionals participating in the MDCC should focus on risk assessment and welfare for the victim, children and other family members. In assessing the risk and formulating the welfare plan, members of the MDCC should not just focus on the reported abuse incident or the reported victim. The assessment and discussion should be based on a comprehensive and thorough understanding of the family dynamics and family situation. The safety and situation of all the family members should be given sufficient consideration. If necessary, the case should be so defined in order to reflect the nature of the identified problem and areas requiring follow-up. To ensure that conveners and members of the MDCC are fully aware of this, SWD will put more emphasis on this point in the coming training courses. It will also consider modifying the format of the social enquiry report to reflect on this requirement. 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, Hospital Authority, Education and Manpower Bureau and NGOs have been formed to, among other tasks, revisit the definition of child abuse, operation of the MDCC and also post-MDCC collaboration among different parties.
- (4) SWD has attached great importance to the service performance of both SWD and NGOs operating subvented services. A Service Performance Monitoring System (SPMS) has been put in place such that the service performance of both SWD and NGO service units, is assessed, among others, by the same set of Service Quality Standards (SQS) so that more efficient, customer-focused, accountable and output-driven welfare services are provided.

One of the SQSs (i.e. SQS 5 – the service unit/agency implements effective staff recruitment, contracting, development, training, assessment, deployment and disciplinary practices) requires, among others, the service unit/agency to, (i) have an established induction policy and procedures for new staff; (ii) provide on-going supervision of staff, noting that staff supervision responsibility should be specified in the job description of the supervisor; and (iii) have a staff training and development plan, taking into consideration among others, professional requirements. All of these requirements aim at providing opportunities for skills enhancement and development for staff which are essential in providing a quality service for users, notwithstanding the fact that social workers, irrespective of SWD or NGO staff, have to satisfy the Social Workers Registration Board on qualifications before they can be registered as social workers in accordance with the Social Workers Registration Ordinance (Cap. 505).

Apart from NGOs' requirement to provide staff training and development to their staff which has already been subject to SWD's service performance monitoring, SWD will also provide training to NGO staff, particularly about new initiatives on service development and re-engineering, changes in service delivery mode as well as major issues of concern warranting special attention. In the past few years, such training programmes/ sharing sessions include handling domestic violence, suicide / attempted suicide, elder abuse cases and coping with changes arising from the newly re-engineered IFSC model, etc. which have been organised to both SWD and NGO staff. In 2004-2005, about 1 900 NGO participants were involved in these training programmes.

SWD is also aware of the increasing popularity in the e-learning approach and the fact that staff may prefer continuous learning at their own pace. As such, in addition to formal training and development programmes mentioned above

which are open to NGO staff, the e-learning Centre of SWD has also been rolled out to NGOs in April 2005. Learning catalogs relating to various service areas such as handling families in crisis, battered spouse, child abuse, elder abuse, suicide cases, etc. have been included and NGO staff can access to the e-learning Centre of SWD once their agency has made the registration with SWD.

- (5) As mentioned above, NGOs, as required by SQS 5, should have in place a mechanism for supervision and regular performance appraisals of their staff. Essential elements include when and by whom regular staff supervision and appraisal is conducted, identifications of areas for performance improvement, etc. Reviewing case records has been a common social work practice in supervision during which not only information for areas for performance improvement is provided but also needs for on-going training and development of staff being identified. SWD will bring this recommendation to NGOs accordingly, say, through forum such as the Task Group on the Implementation of IFSC, in which all NGOs operating IFSCs/Integrated Services Centres are represented.

Health, Welfare and Food Bureau,  
Social Welfare Department and  
Hong Kong Police Force  
October 2005

**Recommendations of Jury :**

1. We agree to the concept of “zero tolerance” in domestic violence and suggest to further study the practical implementation of this concept in our society.
2. We suggest that educating to the public and the training to the official parties involved on the topic of domestic violence should be emphasised :

Police :

- (1) Standardised investigation procedure should be set up, e.g. (i) a checklist for questioning; (ii) design a form in terms of any media, e.g. electronic format for recording.
- (2) For those classified cases, especially emergency cases, front line police officers should have no authority to downgrade the cases before full investigation.
- (3) To address that the role of front line policemen should not be to mediate.
- (4) More comprehensive training on domestic violence should be provided to the police responsible in districts where the occurrence of domestic violence is of high frequency.
- (5) For all cases reported in police station, the duty officer should record the cases. We recommend to set up a monitoring system to ensure the reporting is completely recorded.

Social Welfare Department NGO :

- (1) Social workers shall consider to provide their pager numbers to clients so that they can be reached directly in emergency situations.
  - (2) Improve case transfer referral process by providing written record of previous interviews and relevant documents.
  - (3) The participants in multi-disciplinary case conferences should review and consider the whole situation and reclassify or redefine the case if necessary but not just focused on the suspected case.
  - (4) The Social Welfare Department should monitor the trainings of NGOs provided to the NGO social worker. The training should be aligned with Social Welfare Department standards.
  - (5) For NGOs we recommend to set up a system to ensure that all case records should be reviewed by senior staff periodically.
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