

**The Women’s Commission Report — Women’s Safety in Hong Kong: Eliminating Domestic Violence  
Government’s Responses and Follow-ups to Recommendations of the Women’s Commission (WoC)**

	<b>WoC’s Recommendation</b>	<b>Government’s Response and Follow-up</b>
<b>1.</b>	<b>Law reform</b>	
#1.1	<p><b>Extending the scope of “protected persons” to cover former spouses or cohabitants</b></p> <p>It is recommended that the scope of “protected persons” to whom a non-molestation order is available under the Domestic Violence Ordinance (DVO) be extended to include former spouse and ex-cohabitants.</p>	<p>The Government is conducting a review on the DVO and preliminarily agrees to extend the scope of DVO to cover former spouses or ex-cohabitants.</p>
#1.2	<p><b>Exploring extension of scope of “protected persons”</b></p> <p>It is recommended that, in the longer term, it should be explored whether to include the following persons, listed in order of descending priority, in the scope of “protected persons”:</p> <ul style="list-style-type: none"> <li>- Persons of the in-law relationship (such as parents-in-law and children-in-law).</li> <li>- Persons living in the same household, otherwise than merely by reason of one of them being the other’s employee, tenant, lodger or boarder.</li> </ul>	<p>The Government will consider, in the longer term, the feasibility of extending the scope of DVO to cover parents/adult children and persons of the in-law relationship (such as parents-in-law and adult-children-in-law).</p> <p>As regards the proposal to extend the coverage of DVO to include other persons living in the same household, we consider that the interactions among family members outside marriage or cohabitation are different from those inside marriage or cohabitation. As such, we do not see a strong case at the present stage to extend the scope of DVO to cover other persons living in the same household. That said, we would like to stress that under the existing legislation, batterers committing any acts of violence such as assaults will, regardless of the relationship between the batterers and victims, be liable to criminal charges.</p>

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#1.3	<p><b>Extending power of arrest to cover violence in a form other than actual bodily harm through attachment of power of arrest to non-molestation order</b></p> <p>It is recommended that the key words “has caused actual bodily harm to” be replaced by “has used or threatened violence against”. This will make available the power of arrest in situations where violence is even only threatened as well as where there is psychological harm to the victim.</p>	<p>Under the existing section 5(1) of DVO, if the court is satisfied that the respondent (i.e. the batterer) has caused actual bodily harm to the applicant or to the relevant child, it may attach a power of arrest to the order when granting an order or at any time during which the injunction order is in force. In order to render better protection to victims of domestic violence, prevent further abuses, as well as to enhance deterrence on batterer, we will consider amending relevant provisions to the effect that the court is enabled to attach a power of arrest to the injunction order if it reasonably believes that there is likelihood the respondent will cause physical harm to the applicant or to the relevant child.</p>
#1.4	<p><b>Taking forward the proposed anti-stalking legislation</b></p> <p>It is recommended that the Government take forward the proposed anti-stalking legislation to cover the non-physical aspects of domestic violence.</p>	<p>The Home Affairs Bureau is now studying the proposed anti-stalking legislation.</p>
#1.5-1.6	<p><b>The courts to refer batterers to Batterer Intervention Programmes (BIPs). Enhancing promotion of BIPs</b></p> <ul style="list-style-type: none"> <li>- It is recommended that the courts refer batterers to BIPs.</li> <li>- It is recommended that the Social Welfare Department (SWD) enhance promotion of BIPs to the targeted audiences and conduct evaluation of its effectiveness with a view to developing a long-term, sustainable programme.</li> </ul>	<p>Since March 2006, SWD and the Hong Kong Family Welfare Society (HKFWS) under full subsidy by SWD have launched two 2-year pilot projects of BIP. Under the pilot projects, treatment will be provided to batterers joining the programmes on a voluntary basis and batterers put on probation. Upon completion of the pilot projects, there will be an evaluation with a view to identifying effective treatment modalities for batterers of different backgrounds. The experience drawn from these projects will provide useful reference for defining the goals, contents and standards of BIPs. SWD is also in the process of establishing an advisory group to provide advice on and assist in the evaluation of the pilot projects.</p> <p>To promote the relevant services and encourage more referrals, SWD and</p>

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		<p>the HKFWS have conducted briefings to different stakeholders at both central and district levels. Upon completion of the first phase of the trial run in mid-2006, the SWD will arrange experience-sharing sessions with judges and law enforcement agencies to encourage court referrals of batterers to the BIPs.</p>
<b>2.</b>	<b>Services</b>	
#2.1	<p><b>Combating transgenerational transmission through BIPs</b></p> <ul style="list-style-type: none"> <li>- It is recommended that all stakeholders working with domestic violence in Hong Kong learn about transgenerational transmission and how to stop it. As much emphasis must be placed on identifying and providing properly-developed services for potential, and actual, batterers as providing services for victims.</li> <li>- It is recommended that SWD consider how to address needs of children witnessing domestic violence, developing programmes for them, and their families, in order to break the cycle of violence.</li> </ul>	<p>Social workers of the Family and Child Protective Services Units (FCPSUs) and Integrated Family Service Centres (IFSCs) appreciate the need to combat transgenerational transmission of violence. The FCPSUs of SWD have all along provided and arranged necessary services, including counselling, statutory protection, residential child care service, psychological assessment and treatment for abused children according to their needs. Apart from individual casework and clinical psychological services, the FCPSUs, in collaboration with clinical psychologists, have developed various handbooks for running group programmes for victims, children and batterers. Continuous effort will be made to enhance the programme content.</p> <p>Commencing from 2005-06, SWD has allocated additional resources to the refuge centres for women to strengthen support services for women and children admitted to the centres to help them cope with the trauma. In 2006-07, SWD will develop new information kit to enhance the victims' and children's understanding of the problems of domestic violence, their rights as well as the services available. The kit will include information leaflet, VCD as well as cartoons for the children.</p>

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#2.2	<p><b>BIPs be given due attention</b></p> <p>It is recommended that effective BIPs be instituted in Hong Kong, with reference to overseas experience.</p>	<p>As mentioned in the response to items #1.5-1.6 above, SWD is conducting two 2-year pilot projects of BIP and is the process of setting up an advisory group to provide advice on and evaluation of the pilot projects. SWD agrees that overseas experience will complement our effort in promoting BIP and has therefore planned to invite overseas experts to join the advisory group of the BIP pilot projects.</p> <p>In developing the programme content and evaluation framework, SWD has made reference to experience in the USA, UK, Taiwan and Singapore.</p>
#2.3	<p><b>After-care and support for victims</b></p> <p>It is recommended that SWD monitor situations of victims leaving women's shelters in order to provide support and timely intervention.</p>	<p>At present, after-care services will be provided by the refuge centres to battered women discharged from refuge centres through various means, including telephone contact, home visit, peer support groups, etc. The refuge centre concerned will also provide a brief discharge report to the follow-up service units for reference, so as to ensure that the needs of the battered women will be taken care of. SWD will arrange Experience sharing forums in 2006-07 to enhance collaboration among services units.</p>
<b>3.</b>	<b>Publicity</b>	
#3	<p><b>Changing attitudes and disseminating information</b></p> <p>It is recommended that all stakeholders align efforts to promote awareness, change community attitudes, give information regarding legal avenues and services available, and encourage early identification of abuse.</p>	<p>We agree that prevention is always better than cure and joint efforts in public education will be crucial in the prevention of domestic violence. To that end, SWD has been launching the territory-wide publicity campaign of "Strengthening Families and Combating Violence" since 2002. Sub-themes on prevention of child abuse, spouse battering, elder abuse, sexual violence and suicide are covered. Besides, the Chief Executive, in his Policy Address delivered in October 2005, also stressed the importance of family education. The Government will allocate new resources to strengthen and extend family education, and will promote the values, ethics and individual responsibility required for building</p>

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		<p>harmonious families through various channels such as media publicity and district activities.</p> <p>Moreover, in 2006-07, SWD will develop an information kit to help victims of domestic violence understand their rights, the protection afforded by law and the support services rendered by the Government, and encourage them to seek help as early as possible. SWD will also provide training for frontline staff and volunteers to familiarise them with the information kit, so that they can provide advice and better support to victims.</p>
<b>4.</b>	<b>Professional knowledge-sharing, documentation and research</b>	
#4.1	<p><b>Sharing professional knowledge and good practices</b></p> <p>It is recommended that a platform for sharing professional knowledge and good practices be established.</p>	<p>There are already a number of cross-sectoral frameworks available for professionals to share their professional knowledge and experience. At the central level, there are the Working Group on Combating Violence and Committee on Child Abuse, under which special task groups have been set up, with members from different professional sectors, to deal with specific issues. At the district level, the District Co-ordinating Committees and District Liaison Groups of SWD will capitalise on their professional knowledge and experience to deal with the problem.</p> <p>Besides, SWD has been providing training to frontline professionals (including social professionals/counsellors of the NGOs, police officers, education workers, student counsellors, health care professionals, child care and elderly care personnels) on the handling of family violence problems, including child abuse, battered spouse cases, marital counselling, etc on a regular basis. In addition to these on-going training courses, SWD has commissioned the Family Institute of the Hong Kong University and Sau Po Centre on Ageing to conduct a territory-wide</p>

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		<p>Training Programme on Understanding of Family Violence. These training sessions were conducted from 26 November 2005 to 26 January 2006 in eight districts, including Tai Po, Tuen Mun, Kwun Tong, Wan Chai, Yuen Long, Tsuen Wan, Sha Tin and Yau Ma Tei. They were well received and a total of 2 420 participants attended. The Police have also assisted in providing training on the handling procedures and the multi-disciplinary collaboration approach. A CD-ROM covering the full proceeding of the seminar has been produced for further dissemination.</p> <p>In 2006-07, SWD will continue to provide training on core themes on domestic violence including child abuse, battered spouse, elder abuse and sexual violence, etc. In addition to the 25 training courses being planned at the central level, additional training courses will be developed in all districts according to local needs.</p>
#4.2	<p><b>Strengthening methods of investigation by the Police</b></p> <p>It is recommended that the Police strengthen the existing investigation process through using a re-designed aide-mémoire card/a checklist.</p>	<p>To enhance frontline police officers' professionalism in tackling domestic violence and ensure a standardised investigation process, the Police have designed an Action Checklist. The Checklist provide guidance on the necessary and proper actions for handling domestic violence cases for the frontline officers.</p> <p>Moreover, to strengthen Police's response to domestic violence reports, an Emergency Referral Questionnaire will be introduced. It is designed as an assessment tool to guide officers to identify high risk factors of the family in need by going through a series of simple but crucial questions. The assessment will help the frontline officer to decide on whether immediate crisis management is required, e.g. to remove the victim and his/her children to a refuge centre or to call in the SWD officers to provide crisis intervention service.</p>

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		<p>The Checklist and Questionnaire together with other improvement measures will be introduced within this year. At the meeting of the Subcommittee on Strategy and Measures to Tackle Family Violence under the LegCo Panel on Welfare Services on 28 March 2006, the Police have already updated the Subcommittee on the measures being planned and more details can be found in LegCo Paper LB(2)1439/05-06(01).</p>
#4.3	<p><b>Collecting evidence for the courts</b></p> <p>It is recommended that stakeholders produce a booklet on the importance of domestic violence evidence gathering, to educate professionals, stakeholders, concerned individuals and particularly victims.</p>	<p>The conduct of investigation into whether any criminal offences have been committed in domestic violence cases, the collection of evidence, the making of arrest and the institution of prosecution are highly professional tasks. The Police will provide professional training and guidelines for their officers, enabling them to respond swiftly and professionally to any reported cases of domestic violence. As criminal investigation and collection of evidence are highly professional in nature, it is not advisable for untrained professionals or other people providing victim support to handle the evidence or give advice on evidence collection. It will suffice the purpose for them to report to the Police as soon as possible and keep the scene intact as far as practicable. Such message can be included in the information kit/leaflets for the victims of domestic violence, and in the various procedural guidelines for different professions involved in such cases for reference. Where necessary, the Police may provide professional advice in the development of such guidelines.</p>
#4.4	<p><b>Research and database sharing</b></p> <p>It is recommended that a system be established to facilitate and share research and database information about domestic violence.</p>	<p>At present, SWD maintains three information systems, namely the Child Protection Registry (CPR), the Central Information System on Battered Spouse Cases and Sexual Violence Cases (CISBS&amp;SV) and the Central Information System on Elder Abuse (CISEA) to capture statistics on the different types of violence cases. The statistics are regularly reported to the Committee On Child Abuse (CCA), the Working Group on Combating Violence (WGCV) and the Working Group on Elder Abuse (WGEA) and also uploaded on SWD's webpage for public access. To further enhance</p>

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		<p>the existing information systems on the reporting of child abuse and battered spouse cases, the WGCV and CCA have planned to conduct a review of the systems in their 2007-09 work plans.</p> <p>In addition, SWD has from time to time commissioned universities or other experts to conduct research study . In the past three years, a number of researches related to family violence have been initiated by SWD, including the study on homicide-suicide in Hong Kong commissioned to the Centre for Criminology of the University of Hong Kong (HKU) in November 2002 and the study on child abuse and spouse battering commissioned to HKU in April 2003 (the second part of which is still underway). The published reports have been uploaded onto SWD's webpage for reference by relevant professionals and the public.</p>
<b>5.</b>	<b>Hospitals, Health and Medical Sectors</b>	
#5.1	<p><b>Health care professional training</b></p> <p>It is recommended that domestic violence be emphasized prominently in the curriculum for health care professional training.</p>	<p>As mentioned in the response to item #4.1 above, SWD has been providing training to frontline professionals (including social workers/counsellors of the NGOs, police officers, education professionals, student counsellors, health care personnels, childcare and elderly care personnels) on the handling of family violence cases on a regular basis.</p> <p>The Hospital Authority (HA) has also been providing on-going training programmes for the frontline officers. Internal guidelines on the handling of spouse battering, sexual violence and child abuse cases are available and staff can have access to them through HA's intranet. Training on the handling of family and sexual violence cases is also included in the core training programmes for specialist paediatricians and physicians and nurses working in emergency units.</p>

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#5.2	<p><b>Continuous in-service training</b></p> <p>It is recommended that HA, the Department of Health and the Fire Services Department conduct regular in-service training on domestic violence for all relevant medical personnel who deal with patients, both in primary care and emergency contexts (e.g. staff doctors and ambulance personnel).</p>	See above.
#5.3	<p><b>Content of training</b></p> <p>It is recommended that HA, Department of Health, and relevant health care professionals put in place good practices for attending to victims of domestic violence such as:</p> <ul style="list-style-type: none"> <li>- early recognition of victims of domestic violence, and collecting forensic evidence</li> <li>- giving advice and empathetic care to all victims of domestic violence</li> <li>- referring all victims to expert service providers</li> </ul>	See above.
<b>6</b>	<b>Gender mainstreaming and gender-related training</b>	
#6	<b>WoC Gender Mainstreaming Checklist</b>	The Government supports the notion of taking women's needs and perspectives into account when formulating and implementing policies,

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	It is recommended that the Government apply the WoC Gender Mainstreaming Checklist to all aspects of its work on domestic violence and promote gender-related training to their officers.	<p>programmes and legislation. It has adopted the Gender Mainstreaming Checklist recommended and developed by WoC as an assessment tool. The Checklist has been applied to 19 policy areas or programmes by the Government.</p> <p>We have applied the Gender Mainstreaming Checklist in our review of the domestic violence policy and DVO, by taking into account women's needs and perspectives.</p>
<b>7.</b>	<b>Early Identification and Intervention</b>	
#7	<p><b>Early Identification of Abuse</b></p> <p>It is recommended that all stakeholders and the community have a responsibility in early identification of abuse.</p>	<p>We fully agree that all stakeholders and the community should share the responsibility in early identification of abuse cases. To enhance the awareness of the stakeholders and the community to facilitate early identification of abuse cases and to encourage them to contribute on their part, SWD has launched various public education, publicity and training programmes, as detailed in items #3 and #4.1 above.</p> <p>To strengthen an integrated community-based child and family service model and to facilitate early identification of the needs of children and their families so that appropriate services can be provided in a timely manner, the Maternal and Child Health Centres of the Department of Health, Hospital Authority, Education and Manpower Bureau, SWD and NGOs cooperate to provide health, education and social services in a coordinated manner. The pilot Comprehensive Child Development Service (CCDS) (0-5 years) was launched in Sham Shui Po in July 2005 and extended to Tin Shui Wai, Tuen Mun and Tseung Kwan O in January 2006. The CCDS will be further extended to the other districts in Hong Kong by phases.</p>

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		<p>In addition, in 2006-07, the Government has allocated an additional recurrent funding of about \$22 million (annual provision is \$30 million) to launch a Family Support Programme in the IFSCs/Integrated Services Centres, FCPSUs and Psychiatric Medical Social Services Units to step up efforts to reach out to families in need but unwilling to seek help, so as to facilitate early identification of their problems. SWD is now discussing with the relevant service agencies on the scope and details of the Programme, including funding and staff arrangements.</p>
<b>8.</b>	<b>Community networking</b>	
#8.1	<p><b>Building community support</b></p> <ul style="list-style-type: none"> <li>- It is recommended that better use of community resources be made, for example, training and developing volunteers to support professional social workers and help victims integrate more fully into the community. These initiatives include self-help, mutual support, and peer counselling.</li> <li>- It is recommended that a community support network be developed to better support victims and their children.</li> </ul>	<p>We fully agree that harmonious family is the cornerstone of a harmonious society and volunteers are invaluable social assets. FCPSUs and IFSCs of SWD collaborate with service users in promoting the notion of mutual help and support, as well as providing services to the needy in the community. Moreover, as mentioned in item #3, the Government has allocated additional resources in 2006-07 to strengthen and extend family education to promote the values, ethics and individual responsibility needed for the building harmonious families.</p> <p>The Family Support Programme mentioned in item #7 above aims to serve families which are in need of services but unwilling to seek help. SWD will recruit volunteers, including those who have gone through similar problems or crisis before, to contact these families and form a network of community care and mutual support.</p> <p>In addition, the Government has set up various community funds, such as the Community Investment and Inclusion Fund and the Partnership Fund for the Disadvantaged, to help individuals and families in need in the</p>

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		<p>community to build up their personal capacity and social capital.</p> <p>The Housing Department has also amended the Policy Brief on Conditional Tenancy Scheme to state that victims of domestic violence who are in need of separate housing may approach respective Estate Office to seek help.</p>
#8.2	<p><b>District networking</b></p> <p>It is recommended that the Home Affairs Department:</p> <ul style="list-style-type: none"> <li>- work closely with SWD and the Housing Department to develop programmes to help early identification of domestic violence cases at the district level.</li> <li>- incorporate the topic of domestic violence and prevention in the district fight crime programmes and activities.</li> <li>- work closely with SWD and women's groups to help empower women to seek assistance and help mobilise male and female volunteers to raise community awareness and strengthen support.</li> </ul>	<p>The Home Affairs Department (HAD) has attached great importance to community building and community support. Through close coordination between its district offices and the district councils, district groups as well as relevant government departments, HAD has been building up district support networks and fostering harmonious communities for better prevention of domestic violence. The relevant issues are always discussed at the District Fight Crime Committees, and relevant publicity activities are frequently held.</p> <p>SWD also places much emphasis on building district networks and social capital. To build up and strengthen community support, a pilot project entitled Welfare Concourse was implemented by SWD in Kwun Tong district from July 2004 to December 2005. The project provided a platform for cross-sectoral collaboration on the planning and coordination of welfare services to combat domestic violence. The pilot project was proved to be effective and SWD will extend the good practice to other districts by phases.</p>

Health, Welfare and Food Bureau

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