

香港兒童權利委員會

THE HONG KONG COMMITTEE ON CHILDREN'S RIGHTS

**Submission to Panel on Welfare Services
Sub-Committee on Strategy and Measures to Tackle Family Violence**

Incidence

Tang (1999) – 1,132 married women **10%** had experienced at least one incident of physical abuse by their husband

Intimate partner abuse during pregnancy July 05 – Apr 06

277 (9.3%) reported that they were abused by their intimate partners

- Emotional abuse - 245 (8.2%)
- Physical or sexual abuse - 76 (2.6%)

Study on child abuse and spouse battering

EKL Chan et al - Household survey - Dec 2003 to Aug 2004

5,565 household enumerated

Response rate of 71%

Spouse battering

Ever	By respondent	By abuser
Physical assault	9.6%	10.8%
Physical injury	3.7%	4.3%
Sexual coercion	6.9%	7.3%
Overall	13.9%	15.1%

Past 12 months	By respondent	By abuser
Physical assault	4.5%	5.5%
Physical injury	2.0%	2.0%
Sexual coercion	3.0%	3.0%
Overall	7.0%	8.0%

Ever physical assault as witnessed by a child

All by father 20.1%

All by mother 23.1%

Children

	Ever	Ever severe	Past year	Severe assault in past year
Physical assault	45%	9%	23%	4%
Psychological aggression	72%		57%	
Neglect	36%		27%	
Non-violent discipline	79.19%		66.59%	

Summary

- 7 women are beaten every day
- 14 children affected by domestic violence on a daily basis

Over 30 studies of the link between these two forms of violence showed a 41% median co-occurrence of child maltreatment and adult domestic violence in families studied.

Impact of DV on women

1. Woman believes she is an inadequate parent
2. Woman loses the respect of some or all children
3. Woman believes man's excuses for abuse and reinforces them with children
4. Woman changes her parenting style in response to abuser's parenting style
5. Woman's capacity to manage is thwarted or overwhelmed
6. Woman may use survival strategies with negative effects
7. Woman's bond to children is compromised
8. Woman gets trapped in competition for children's loyalties

Impact of exposure to domestic violence on children

- 50.5% 表示丈夫曾虐待子女，其中68.5%的子女曾受到身體的虐待，59.3%的子女曾受到精神或心理上的虐待
- **情緒困擾** - 驚爸爸會打傷/死媽媽的佔78.6%，擔心媽媽會受到傷害的佔84.5%，黷爸爸的佔77.4%
- **無助感** - 被訪兒童經常會覺得爸爸唔好，覺得需要幫媽媽 (85.7%)，想救媽媽，有時想還手，打爸爸，但知道不夠打，當時不知可以做些甚麼。
- **自尊心** - 自尊心普遍偏低
- **兒童對處理衝突的態度** - 受家庭暴力影響的兒童會用較強烈及侵略性的方法處理衝突，當兒童黷的時候，接近五成的被訪兒童會啞埋唔出聲，佔48.8%；而選擇同人講的有27.4%；透過大叫、打公仔或擲東西發洩的分別佔19.0%及16.7%；13.1%的兒童會打人。當兒童被其他兒童打時，選擇還手的驟升至35.7%
- **兒童與媽媽的相處情況** - 兒童與媽媽的相處情況良好，然而當他們提及爸爸時，便可能會出現溝通困難

「家庭暴力對被虐婦女及其子女的影響」研究. 陳高凌 2000

Children exposed to adult domestic violence are associated with significantly greater behavioral, emotional, and cognitive functioning problems, as well as adjustment difficulties that continue into young adulthood.

Living with domestic violence can have a profound effect on children and young people including:

- Feelings of fear, vulnerability and high levels of anxiety
- Low self-esteem, a lack of security and self-confidence

- Feelings of guilt, shame and a sense of responsibility for their parent's suffering
- Living arrangements can change suddenly like having to leave home, change schools, leave pets and friends and support networks behind
- Feeling socially isolated from their peers
- Nightmares, sleep disturbances, bed wetting and eating disorders
- Infants may show poor health, disrupted and poor sleeping habits and excessive screaming
- Becoming passive, withdrawn and depressed
- Becoming aggressive or disruptive behaviour
- Truancy and reduced educational attainment at school
- Risking their own safety to protect their parent from abuse

Effects of Witnessing Partner Violence by Developmental Level

	Infants/Toddlers	Preschoolers	School Age	Adolescent
Behavioral	Being fussy	Aggression, behaviour problems	Aggression, conduct problems, disobedience	Dating violence, delinquency, running away
Emotional		Fear and anxiety, sadness, worry about mother, post-traumatic stress disorder, negative affect	Fear and anxiety, depression, low self-esteem, guilt, shame, post-traumatic stress disorder	Depression, suicidality, post-traumatic stress disorder
Physical	Distress, problems sleeping, eating	Highly active, demanding, whiny, clinging, regression		Substance abuse
Cognitive	Inability to understand	Limited understanding, self-blame	More understanding than young children, self-blame, academic problems, pro-violent attitudes	Pro-violent attitudes
Social		Trouble interacting with peers and adults, ambivalent relationship with caregiver	Fewer and lower quality peer relationships	Violent dating relationships

Source: Carlson (2000) Children Exposed to Intimate Partner Violence: Research Findings and Implications for Intervention. *Trauma, Violence & Abuse*, 1(4): 321-342 at 326.

Prosecution policy towards domestic violence

In November 2006, the Prosecutions Division issued its new deal for victims of domestic violence when it published *The Policy for Prosecuting Cases involving Domestic Violence*. This sets benchmarks for prosecutors, and indicates how prosecutors believe that domestic violence victims should be treated, and how their interests are to be protected. The policy reflects a determination to handle all such cases appropriately, and to work within a multi-agency context to promote better arrangements at all levels. The published policy:

- Explains the prosecutor's role

- Considers charging policy
- Examines the role of the victim
- Identifies best practice
- Prioritises victim support
- Promotes appropriate levels of sentence.

It is mainly on sentencing but batterer interventions for perpetrators are still lacking.

Court-mandated batterer intervention programmes (BIPs)

Recommended by HKU group after the Study on Child Abuse and Spouse Battering 2006, but is still not implemented.

Purposes of court-mandated BIPs are to, through counseling and education, help batterers to understand the cause, responsibility and consequences of violence, and to adopt new values, in the hope to prevent future domestic violence.

Court-mandated BIPs carry two important functions: firstly, better inform the public that domestic violence is a crime; secondly, encourage victims to report domestic violence with less serious sentencing.

Studies on BIPs have documented positive impact but all successful programmes must have:-

- Theory-based with conceptual model relevant to local context
- Clear aims and goals with long term follow up
- Family-centred with developmental component: Parent-child relationship
- Service coordination and comprehensive response
- Community based
- Early identification system
- Evidence-based methods
- Staff selection/training – structured and intensive
- Skilled management and programme monitoring
- Sustained and adequate funding

Recommendations 1

Children of families with domestic violence are also at high risk and should also be assessed, counseled and followed up by experienced professionals.

1. Begin with a thorough trauma assessment
2. Look for how a child's problems are manifested
3. Think developmentally
4. Timing is important and interventions should be conducted immediately

Both parents should be given education and training on appropriate parenting skills in addition to sentencing if not on intervention on domestic and marital problems.

Recommend that the making of a child witnessing domestic violence by a perpetrator of domestic violence should be regarded as a form of criminal child abuse.

Recommendations 2 – interventions by supporting parents and family

1. Ending a child's exposure to domestic violence and maltreatment is the single most important way to help children.
2. If required, help the family find a safe place to live, a source of income, and other features of daily living to meet basic needs and create stability.
3. Support women as mothers by fostering good parenting skills and encouraging them to address any personal issues compromising their parenting (e.g., depression).

Do not criticize or speak negatively about the abusive parent

Interventions should ensure safety and respect individual needs and differences

Recommendations 3 – interventions to children

Symptom-specific interventions

Need to address the struggles and difficulties children manifest eg. behavioural or conduct disorder and depression.

Violence-specific interventions

Techniques used with children include individual child centred therapy, child-parent psychotherapy, trauma focused cognitive behavioural therapy, play therapy, healing of the mother/child bond, and many different psycho-educational group programs. Because most children living with woman abuse experience other types of abuse, techniques validated for child abuse may also help.

Supporting parents on

- positive parenting practices such as non-physical discipline
- parent/child communication skills
- parenting skills designed for children who lived with violence
- modelling of constructive problem solving and management of emotions
- issues to work on with mothers and children together
- mapping out expectations for healthy (non-violent) family relationships
- strengthening healthy communication and practicing problem-solving
- establishing safe ways to talk together about the past
- working to heal and move forward as a family
- identifying activities and engaging in family “fun”

Use collaborative approaches

Government and community leaders and its services units, NGOs should join together to establish responses to domestic violence and child maltreatment that offer meaningful help to families, including protections for all victims from physical harm; adequate social and economic supports for families; and access to services that are respectful, culturally relevant, and responsive to the unique strengths and concerns of families.

Simultaneously, the community should hold violent perpetrators responsible for their abusive behavior and provide a variety of legal interventions and social services to stop this violence.

Recommendations 4 – Services commissioning should be headed by Chief Secretary so that all policy bureaux are involved

We need a robust, long term, quality, intensive programme operated by consistent well-trained professionals supported by local researches. We need commitment from Government tackle this very important societal problem.

However, there is

- a shortage of professionals trained to identify risk and support family members who have experienced domestic violence.
- a shortage of services to help children and their families recover from the long term effects of violence
- an urgent need to develop staff training and supervision structures supported by professionals skilled in domestic violence and family work

Actions have to be taken now in the training and commissioning of services.

Summary

- Domestic violence is a major problem in Hong Kong especially to children. A Child Commission should be set up to advocate, coordinate and monitor child protection services administered.
- Stable public funding sources are needed to support comprehensive and coordinated community-based services for battered women and their children, as well as program evaluations and replication of effective interventions.
- Because the majority of children exposed to domestic violence do not have access to services through traditional avenues such as battered women's shelters, new strategies for identifying and serving these children in other venues, such as health care institutions, must be developed.
- Professionals who have regular contact with families and children, including teachers and child care workers, health and mental health care providers, law enforcement officers, child welfare workers, and court personnel, should receive ongoing training on domestic violence and its impact on children.
- Child protective service and domestic violence service organizations must develop clear protocols for intervening with families in which both domestic violence and child maltreatment are present, offering services that provide safety and stability to the child, support to the battered woman, and treatment and sanctions for the batterer.
- Increased and ongoing public support is needed to develop effective prevention programs that address the underlying causes of domestic violence.
- Research is needed that advances the current understanding of the prevalence and effects of childhood exposure to domestic violence, and the impact of resilience and risk factors, so that policy makers and practitioners can design interventions sufficient to address the size, nature, and complexity of the problem.

References

1. Study on Child Abuse and Spouse Battering. Report on findings of Household Survey Department of Social Work and Social Administration, The University of Hong Kong Hong Kong. June 2005
2. Little eyes, little ears : how violence against a mother shapes children as they grow. Alison Cunningham, Linda Baker. 2007
3. Children's Exposure to Domestic Violence Scale, User Manual. 2007, Minnesota Center Against Domestic Violence (MINCAVA), University of Minnesota.
4. Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice Recommendations from The National Council of Juvenile and Family Court Judges Family Violence Department 2003

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