

To : Betty Ma, Clerk to Panel on Welfare Services

Domestic Violence (Amendment) Ordinance

I am a police officer and a mother of two children. I wish to voice my concern on the proposed inclusion of same sex couple into the Domestic Violence (Amendment) Ordinance (DVAO). Frankly, protection should be given to everyone as we are all equal under the law. This is precisely why all persons are protected against physical violence under criminal law.

The way as I see it, is that everyone in intimate relationship should be given the same civil protection as promised to opposite sex couple and immediate relatives under the DVAO. There should be no distinction in the additional civil protection offered. (Despite that I am still not convinced about the effectiveness of such civil protection, as manifested by the small numbers of injunction orders applied under the DVAO or during divorce proceedings.)

The only distinction should be – that the inclusion of same sex couple into the DVAO does not automatically or necessarily equate them to becoming recognisable as family under the Marriage Ordinance or the Probate Ordinance. Neither is the HK community ready to accept same sex marriage at this stage.

Offering protection to same sex couple and recognising them as marriage couple in a family are two distinct concepts that should not be pulled together. Provided that these distinct concepts are clearly spelt out in the law drafting papers and explained to the gay communities, I do not disagree to the proposal. The gay communities should also be told in no uncertain terms that the inclusion of same sex couple should not be considered as a springboard to their future demands for their relationship to be regarded as couple under the Marriage Ordinance. I, like most other citizens in HK, is strongly against same sex marriages.

To avoid grey area or misconception is it possible to add same sex couple as a subsidiary legislation to the current DVAO? Or alternatively can the DVAO be amended to read as "Violence under intimate or family relationship ordinance"?

Yours truly,

NG Suk-fun, Cecilia