

Professional Comments

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Panel on Administration of Justice and Legal Services  
Meeting on Tuesday, 28 May 2013, at 4:30 pm  
in Conference Room 1 of the Legislative Council Complex

**IV. Handling of sexual offences cases**

(6:00 pm – 7:25 pm)

**LC Paper No. CB(4)439/12-13(01) (issued on 25 February 2013)**

**Administration's paper on "Protection of Victims of Sexual Offence Cases during Court Proceedings"**

Excellent use of special measures for child victims.

**LC Paper No. CB(4)439/12-13(02) (issued on 25 February 2013)**

**Administration's paper on "Procedures in handling of sexual offence cases and related trainings of the Hong Kong Police Force"**

**Dr. Cheung's Comment:**

This administration paper focuses on the strength of the Hong Kong Police in their goal of treating all sexual offence cases seriously with sensitivity, and on two aims of prosecuting offenders and preventing further abuse. It stresses the use of a video-recorded system involving coordination of services with social workers. It also identifies the importance of training in areas such as "domestic sex violence incidents," "Heterosexual/homosexual relationships," "victim's psychology," and "conflict management," along with other *ad hoc* training opportunities. Their work is highly valued.

It is recommended that:

1. A third aim be included, that is, collaborating with multidisciplinary professionals to enhance service effectiveness.
  - a. Rationale: Although in the third paragraph "the multi-agency and cross-sector approach" is mentioned, this method must come from a third aim that focuses on support received from working with other professionals so that the police can work sensitively with victims in group/team work. For example, this statement may be restated as: "The Police treat all sexual offence cases seriously and with sensitivity, in pursuit of the aims of prosecuting offenders, working with multidisciplinary professionals, and preventing further abuse."
  - b. It is suggested that prosecuting offenders be the primary aim for the police and should be placed first.
2. Clinical psychologists be included in the multidisciplinary team approach.
  - a. Rationale: Hong Kong's current video-recorded system for forensic interviewing vulnerable witnesses involves three major groups of professionals—the police,

- social workers, and clinical psychologists. Clinical psychologists have always served as a major partner in the video-recorded process because of their special skills in handling victims with special needs.
3. The interviewer be a police or a professional in the multidisciplinary team, who is deemed appropriate for the particular interview.
    - a. Rationale: With the use of a multidisciplinary approach, currently the police may not always be the interviewer in current practice when interviewing a vulnerable witness. With this administration paper, it seems to place the entire responsibility of interviewing vulnerable witnesses on the police.
  4. The interviewer be of the same sex (or of a gender based on the victim's choice) trained in dealing with sexual violence victims.
    - a. Rationale: It is not always true that the same sex/gender be the best in all cases, particularly in cases that the alleged perpetrator be of the same sex of the victim.
  5. Training quality be highlighted.
    - a. Rationale: It is important to specify certified training be offered for both frontline police officers and administrative/supervisory staff and officers who are responsible to provide evidence-based training to advance skills in interviewing various types of vulnerable witnesses such as those with specific physical and mental disabilities, very young children, and victims in sex trafficking and internet sex.

**LC Paper No. CB(4)478/12-13(01) (issued on 12 March 2013)**  
**Administration's paper on "Existing measures by Prosecutions Division of Department of Justice in handling victims in sexual offence cases"**

Excellent procedures to safeguard witnesses' rights, privacy and safety.