

立法會
Legislative Council

LC Paper No. CB(2)1133/12-13
(These minutes have been seen
by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

Minutes of meeting
held on Monday, 14 January 2013, at 8:30 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon CHAN Yuen-han, SBS, JP (Chairman)
Hon CHEUNG Kwok-che (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Ronny TONG Ka-wah, SC
Dr Hon LEUNG Ka-lau
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Frankie YICK Chi-ming
Hon CHAN Chi-chuen
Hon CHAN Han-pan
Hon Alice MAK Mei-kuen, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu

Members absent : Hon LEUNG Che-cheung, BBS, MH, JP

Public Officers attending : Item IV

Mr Stephen SUI
Commissioner for Rehabilitation
Labour and Welfare Bureau

Mr Patrick NIP, JP
Director of Social Welfare

Mr LAM Ka-tai
Assistant Director of Social Welfare (Rehabilitation &
Medical Social Services)

Item V

Mrs Alison LAU
Principal Assistant Secretary for Labour and Welfare
(Welfare) 2

Mrs Anna MAK
Deputy Director of Social Welfare (Services)

Mr FUNG Man-chung
Assistant Director of Social Welfare (Family & Child
Welfare)

**Attendance by : Item IV
invitation**

香港區私營院舍聯會

Ms NG Yuet-yee
Vice Chairman

爭取資助院舍聯席

Mr LAM Lai-shing
Vice Convenor

Labour Party

Mr LO Ho-yuen
Representative

Hong Kong Private Hostel for Rehabilitation
Association

Mr PONG Kwok-boon

The Association of Parents of the Severely Mentally Handicapped

Mr POON Shun-kwong

新界東私營復康院舍聯會

Mr TSANG Kim-kwong
Convenor

New People's Party

Dr SHIH Tai-cho
Vice-Chair

Civic Party

Miss Bonnie LEUNG
Chairman of Young Civics

私營院舍社工聯合小組

Mr CHAN Tze-hau
Social Worker

The Hong Kong Joint Council of Parents of the Mentally Handicapped

Mrs YU CHEUNG Pui-lan
ExCo Member

Item V

The Against Elderly Abuse of Hong Kong

Mr Thomas TSANG
Community Officer (Policy & Legal Support Unit)

Hong Kong Association for the Survivors of Women Abuse (Kwan Fook)

Ms CHUNG Bik-mui

群福風雨同路

Ms XU Mei-qiong

Hong Kong Federation of Women's Centres

Ms Eva LEUNG Yee-wah
Centre-in-charge

Christian Family Service Centre Serene Court

Ms YEUNG Oi-shan
Senior Service Manager

Government Social Work Officers Association

Mr James LAM Chi-ming
Secretary

Hong Kong Chinese Civil Servants' Association, Social
Work Officer Grade Branch

Mr Sam LEUNG Kin-hung
Chairman

Against Child Abuse Ltd.

Ms Jessica HO
Director

Labour Party

Mr KWOK Wing-kin
Vice-General Secretary

Association Concerning Sexual Violence Against Women

Ms Linda WONG
Executive Director

Harmony House

Miss WONG Chun-miao

Forthright Caucus

Ms Ah Ping
Member

Ms LIU Ngan-fung
Committee Member

Democratic Alliance for the Betterment and Progress of
Hong Kong

Miss CHEUNG Fan-lan
Deputy Spokesperson of Welfare Services

Hong Kong Family Welfare Society

Ms Stephanie WONG Oi-kau
Social Work Consultant

Rainbow of Hong Kong

Mr Tommy Jai
Spokesperson

Transgender Group

Ms Angel TSANG
Spokesperson

Women Coalition of HKSAR

Ms Waiwai
Committee Member

Rainbow Action

Mr Jimmy SHAM
Spokesperson

Association for Concern for Legal Rights of Victims of
Domestic Violence

Miss NG Wai-ching
Board Member

The Hong Kong Council of Social Service

Mr TANG Chung-wah
Officer

Clerk in attendance : Mr Colin CHUI
Chief Council Secretary (2) 4

Staff in attendance : Ms Catherina YU
Senior Council Secretary (2) 4

Miss Karen LAI
Council Secretary (2) 4

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Confirmation of minutes

[LC Paper No. CB(2)423/12-13]

The minutes of the meeting held on 12 November 2012 were confirmed.

II. Information paper(s) issued since the last meeting

2. Members noted that no paper had been issued since the last meeting.

III. Items for discussion at the next meeting

[LC Paper Nos. CB(2)447/12-13(01) to (02)]

3. Referring to the joint letter from Mr KWOK Wai-keung and himself regarding the non-renewal of the contracts of Social Welfare Department ("SWD")'s non-civil service contract Community Work Organisers (LC Paper No. CB(2)433/12-13(01)), Mr TANG Ka-piu said that as the subject matter required urgent attention, it should be discussed at the next meeting scheduled for 19 February 2013.

4. The Chairman said that she received views from a number of local groups that the number of sexual violence cases had been reduced because

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the Police had classified domestic violence cases into many categories. The Chairman considered it necessary for the Panel to follow up the matter as early as practicable. Mr CHEUNG Kwok-che suggested that the subject of sexual violence should be discussed at the next meeting and the Administration should be requested to provide the relevant statistics to facilitate members' discussion.

5. The Chairman further said that it was necessary for the Panel to understand the current Government's approach to social welfare planning. She suggested that the Panel should be briefed on the Government's medium and long-term social welfare planning at the earliest opportunity. Dr Fernando CHEUNG supported the Chairman's suggestion and proposed that the matter should be discussed at the next meeting.

6. Members agreed that the discussions of the two items, i.e. "Integrated Community-based Services for Offenders" and "Promoting Active Ageing", proposed to be discussed at the next meeting by the Administration should be deferred. Members also agreed that the Panel should discuss, at the next meeting scheduled for 19 February 2013, the following items –

- (a) Non-renewal of contracts of Social Welfare Department's non-civil service contract Community Work Organisers;
- (b) Medium and long-term social welfare planning; and
- (c) Policies on handling problems relating to domestic violence (including sexual violence)

7. The Chairman suggested and members agreed that the Panel would receive views from deputations on the above-mentioned subjects at the next meeting.

Social Enterprise Development Fund ("SEDF")

8. The Chairman informed members that according to the Administration, SEDF had been renamed as Social Innovation and Entrepreneurship Development Fund ("SIEDF") to finance needed initiatives to help tackle social problems. The SIEDF Task Force had been established under the Commission on Poverty ("CoP") and the Chief Secretary for Administration's Office was responsible for the work of CoP including the provision of secretariat services for SIEDF Task Force. The Chairman sought members' view on the Administration's proposal to delete

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the subject of "Social Enterprise Development Fund" from the Panel's list of outstanding items for discussion.

9. Mr CHEUNG Kwok-che said that the Panel should continue to follow up SEDF although it would be overseen by the SIEDF Task Force. The Chairman said that as the Subcommittee on Poverty ("the Subcommittee") formed under the House Committee might discuss matters relating to social enterprises ("SE"), it might not be necessary for both the Panel and the Subcommittee to follow up the matter. Members agreed that SE should be discussed at meetings of the Subcommittee and the subject of "Social Enterprise Development Fund" should be removed from the Panel's list of outstanding items for discussion.

Special meeting

10. The Chairman said that at the Panel meeting on 10 December 2012, members agreed that a special meeting should be held to discuss with the Administration its response to the views and concerns expressed by members and deputations on disability allowance under the Social Security Allowance Scheme. Members agreed to hold the special meeting on 25 February 2013 at 4:30 pm.

IV. Progress on the implementation of the licensing scheme for residential care homes for persons with disabilities and related complementary measures

[LC Paper Nos. CB(2)447/12-13(03) to (05) and CB(2)491/12-13(01)]

11. At the invitation of the Chairman, Director of Social Welfare ("DSW") briefed members on the progress of the implementation of the licensing scheme to regulate residential care homes for persons with disabilities ("RCHDs") by SWD and the related complementary measures.

Oral presentation by deputations

12. A total of 10 deputations presented views on the licensing scheme for RCHDs. Their major concerns are summarized in the **Appendix I**.

The Administration's response to deputations' views

13. In response to the concerns about the validity period of the certificate of exemption ("CoE") for RCHDs, DSW said that CoEs might be issued in order to allow reasonable time for RCHDs to carry out improvement works

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for meeting the licensing requirements and standards. The validity period of CoEs would depend on the extent of and the time required to complete the improvement works. Although the Residential Care Homes (Persons with Disabilities) Ordinance ("the Ordinance") (Cap. 613) provided that the validity period of CoEs should not be more than 36 months, the Administration would usually issue CoEs with one-year validity and renewal of CoEs would only be granted where DSW considered that there were full justifications for allowing a further reasonable period of time for completion of the improvement works.

14. Regarding the provision of subsidy for private RCHDs to undertake improvement works, DSW explained that, under the Financial Assistance Scheme for Private RCHDs ("FAS"), a maximum grant up to 60% of the recognized cost of the improvement works might be allocated to each RCHD on application to SWD. Operators were required to shoulder a certain proportion of the cost so that they would be sufficiently motivated to continue with the operation for a reasonable period. The Licensing Office of Residential Care Homes for Persons with Disabilities ("LORCHD") would provide necessary assistance to facilitate RCHD applicants to carry out the improvement works.

15. On the supply of subsidized residential care places, DSW said that SWD had launched a four-year Pilot Bought Place Scheme for Private RCHDs ("the Pilot BPS") in October 2010 to purchase about 300 places by phases. As at 1 January 2013, a total of 245 places had been purchased under the Pilot BPS. Having regard to the views of stakeholders, provision of rehabilitation services by social workers for RCHD residents had been included as a requirement under BPS. The Administration was conducting a mid-term review of the Pilot BPS and collecting views from stakeholders. Subject to the outcome of the review, improvements to the Pilot BPS would be made as appropriate.

16. As regards the training for staff of RCHDs, DSW said that under the Residential Care Homes (Persons with Disabilities) Regulation, any person who intended to register as a health worker must complete a training course approved by DSW. Approved courses were offered by training institutes and some of them were subsidized by the Employees Retraining Board. In addition to training courses for health workers, SWD had since 2006 commissioned the Hospital Authority to conduct courses under the enrolled nurse training programme for the welfare sector. SWD was fully subsidizing the tuition fees for the whole course, provided that trainees of the enrolled nurse training programme met the requirement of working in

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the welfare sector for a continuous period of no less than two years after satisfactory completion of the training.

17. DSW said that short, medium and long term measures would be adopted to secure suitable sites/premises for the provision of RCHDs. The Administration recognized that persons with different types of disabilities would have different service needs. Given that there were a considerable number of persons with disabilities ("PWDs") residing in private RCHDs, the Administration hoped that through the Pilot BPS, the service quality of private RCHDs would be upgraded and the supply of subsidized residential care places would be increased.

18. DSW further said that to strengthen the support for PWDs, the Administration had launched a pilot scheme to provide a package of home-based care services for persons with severe disabilities who were living in the community and were on the waiting list for subvented residential care services. Currently, such home-based care services were provided in four districts. The Administration would capitalize on the experience obtained in these districts and enhance the services as necessary. Starting from March 2013, the Administration would regularize the transitional residential service, day training and residential respite care services for tetraplegic patients provided by the Transitional Care and Support Centre for Tetraplegic Patients which was in operation on a pilot basis.

19. DSW said that, since the commencement of the Ordinance, two new operators were applying for licences and five private RCHDs had ceased operation for various reasons such as expiry of lease, business restructuring and relocation. Should there be any RCHD indicating a plan to cease operation, the Administration would follow up the cases with a view to minimizing the adverse impact on residents of the RCHDs.

Discussion

Service quality and waitlisting situation of RCHDs

20. Dr Fernando CHEUNG said that although the licensing standards set out in the Code of Practice for Residential Care Homes (Persons with Disabilities) ("Code of Practice") were lower than that of the non-statutory Code of Practice for RCHDs formulated in 2002, many deputations had difficulties in complying with the licensing requirements. Dr CHEUNG added that, as pointed out by the Association of Parents of the Severely Mentally Handicapped in its submission (LC Paper No.

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CB(2)491/12-13(01)), the staff to resident ratio in RCHDs which had participated in the Pilot BPS was 1:8. Dr CHEUNG expressed grave concern about the standard, service quality and supply of RCHDs.

21. Dr Fernando CHEUNG further said that notwithstanding the substandard quality of some private RCHDs, some PWDs with pressing need for residential care services had to reside at these RCHDs because of the exceedingly long waiting time for subvented RCHDs. Under the current policy, PWDs who were applying for subvented RCHDs would be removed from the waiting list if they were admitted to private RCHDs. Dr CHEUNG opined that such an arrangement was unfair and the Administration should allow these applicants to retain their position in the waiting list for subsidized RCHDs.

22. DSW responded that the Administration had solicited views from different stakeholders in drawing up the BPS scheme, with a view to encouraging private RCHDs to upgrade their service standards, increasing the supply of subsidized residential care places and helping the market develop more service options. The service standard set for RCHDs participating in BPS had exceeded the licensing requirements and these RCHDs were required to provide residents occupying non-BPS places with the same level of service as BPS residents so as to benefit more persons with disabilities. On the monitoring of RCHDs, DSW said that a Service Quality Group was set up comprising community members and residents' parents who would conduct unannounced visits to RCHDs and offer feedback on the service.

23. DSW explained that as BPS places were subsidized by the Administration, PWDs who were admitted to such places should withdraw their applications for subvented RCHD places. If these residents found themselves unable to adapt to private RCHDs and had urgent need for residential care services, the Administration would render assistance and make necessary arrangements for them. DSW clarified that only applicants who were admitted to BPS places would be removed from the waiting list for subvented RCHDs. Dr Fernando CHEUNG pointed out that the applicants already admitted to private RCHDs would normally not be considered for priority admission to subvented RCHDs.

24. Dr Fernando CHEUNG said that given the acute waitlisting situation for subvented RCHDs, some elderly parents hoped that their children could start waiting for RCHDs hoping that their children could get admitted to RCHDs when they were unable to take care of their children. However, under the existing assessment mechanism, the Administration would not

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accept the applications unless the parents did not have the ability to take care of their children. In his view, the existing mechanism was deficient and the Administration was shifting the responsibility to private RCHDs in terms of provision of places.

Assistance for operators of private RCHDs

25. Noting that only about 10% of RCHDs had applied for licences, Mr CHEUNG Kwok-che worried that many RCHDs would close down after the expiry date of the grace period. Mr CHEUNG enquired about the contingency measures to be adopted by the Administration to accommodate the affected residents.

26. Mr CHEUNG Kwok-che opined that as some RCHD residents had to use Comprehensive Social Security Assistance ("CSSA") to pay home fees, the Administration should consider providing them with pocket money amounting to \$1,000 to \$1,500 so as to ease their financial burden. The Administration should also assist RCHDs in sustaining their business. In addition to FAS, the Administration could offer low-interest loans to operators of RCHDs and increase bought places from 55%, to, say, 70%, so that they did not have to raise the fees for non-BPS places in order to meet the staffing requirement of BPS.

27. Mr Albert HO and Mr TANG Ka-piu shared the concern about the impact on RCHD residents arising from the closure of RCHDs. Mr HO urged the Administration to strengthen the enforcement of the Code of Practice and purchase more RCHD places. The Administration should step up its support for private RCHDs so that they could continue to operate.

28. DSW responded that of the 78 private RCHDs, 47 had already applied for licences. Eight of them had been issued with licences and 12 had been issued with CoEs. The number of applications had indicated that many RCHDs were prepared to continue with their business. The Administration would evaluate the reasonable time required by RCHDs in complying with the licensing requirements in issuing CoEs and assist RCHDs in carrying out improvement works as necessary. Information on small and medium enterprise funding schemes was also disseminated to operators of private RCHDs.

29. Regarding the arrangement for residents affected by the closure of RCHDs, DSW said that the well-being of RCHD residents was the Administration's primary concern. The Administration had identified the

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RCHDs which might not be able to meet the licensing requirements due to structural problem and hence might have to discontinue operation. SWD's district offices would keep in view the situation of these RCHDs. Given that the occupancy rate of private RCHDs was about 69%, there should be room in the market to absorb the affected residents. The percentage of bought places would also be examined in the mid-term review.

30. In respect of granting pocket money to private RCHD residents, DSW said that a residential care supplement of \$265 per month was introduced in June 2012 for CSSA recipients who occupied non-subsidized residential care places. The supplement would be increased to \$275 starting from 1 February 2013. DSW added that payment rates under CSSA Scheme had been increased by 21% in the past three years.

31. Mr TANG Ka-piu noted with concern that 31 private RCHDs had not applied for licences or CoEs. Mr TANG worried that some of them had to cease operation because of high rental, hence would result in a loss of a substantial number of places. Mr TANG opined that it was important to find out the reasons why these RCHDs did not apply for licences or CoEs so that a contingency plan could be prepared.

32. Assistant Director of Social Welfare (Rehabilitation & Medical Social Services) responded that the Administration had reminded the 31 RCHDs in writing in November 2012 to apply for the licence/CoE. To the Administration's understanding, they were actively preparing for the applications. The 12 RCHDs which had been issued with CoEs were looking for suitable contractors to carry out the required improvement works or preparing application for FAS.

33. DSW supplemented that the Administration did not have information on the number of RCHDs which might cease operation because of tenancy reasons. The Administration had paid visits to the 31 RCHDs and gathered that most of them would be able to comply with the licensing requirements after undergoing the necessary improvement works. The Administration shared the same concern with members and would maintain close contact with the RCHDs concerned in respect of their applications for licences or CoEs.

34. At the request of the Chairman, the Administration undertook to provide the Panel with the number of RCHDs which had not applied for a licence/CoE by the end of the grace period, and the reasons as well as the status of the applications for licence/CoE by RCHDs by the end of the grace period.

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35. In response to the Chairman's enquiry on the subsidy provided to private and subvented RCHDs, DSW said that the purchase price for each BPS place was fixed at \$7,840 and \$7,243 a month for RCHDs in urban areas and the New Territories respectively. Unlike subvented RCHDs located at government premises which were rent-free, private RCHD operators needed to bear rental costs.

Target admission time for RCHDs

36. Mr Albert HO opined that the actions taken by the Administration were not efficacious in meeting PWDs' demand for residential care services. The community at large considered the quality of many private RCHDs and the long waiting queue unacceptable. The Administration should work out a concrete proposal to improve the quality of RCHDs and set a target admission time for RCHDs. There should also be a plan for accommodating residents who were affected by the closure of some RCHDs.

37. Mr TANG Ka-piu and Mr CHAN Han-pan were of the view that a target admission time would facilitate the planning and monitoring of the supply of RCHDs. Mr TANG found it unacceptable that the Administration did not set any target admission time for RCHDs.

38. DSW responded that the Administration attached great importance to the provision of residential care places for PWDs. The Administration would seek Finance Committee's approval of funding proposals for the construction of two RCHDs shortly. The enhancement of community-based support, the launch of new schemes and the regularization of certain pilot schemes had signified that support for PWDs was provided in a strategic direction. As regards making a pledge on the waiting time for RCHDs, DSW said that the Administration recognized the concern about the long waiting time for RCHDs. The Administration would keep in view the waitlisting situation and strive to increase the supply of subsidized residential care places. It would however be difficult to set a target time for admission to RCHDs as the waiting time would be affected by various factors.

39. Regarding Mr CHAN Han-pan's enquiries on the number of new RCHDs and new residential care places to be provided in the next five years, DSW responded that 1 415 additional subsidized residential care places were provided in the past five years and 784 additional places would be provided in the coming two years.

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Manpower planning and supply for the healthcare sector

40. In response to Mr POON Siu-ping's enquiry on manpower planning for RCHDs, DSW said that a variety of training programmes were available for in-service healthcare staff as well as individuals interested in working in the healthcare sector. The Elderly Care Service Industry Training Advisory Committee formed under the Education Bureau would set up a qualifications framework to facilitate the manpower planning and development for the elderly care service sector. RCHD operators participating in BPS must ensure that not less than 50% of the care workers at RCHDs had completed a personal care worker training course recognized by the Government after the service contract had taken effect for six months and onwards. The Steering Committee on Strategic Review on Healthcare Manpower Planning and Professional Development ("the Steering Committee") set up under the Food and Health Bureau would conduct a review on healthcare manpower planning. SWD would liaise closely with the Steering Committee on manpower planning for residential care homes for the elderly and PWDs.

41. Mr CHAN Han-pan said that in view of the serious manpower shortage in the healthcare sector, the Administration should consider increasing the purchase price for private RCHD places so that better remunerations could be offered to attract new entrants. DSW responded that the Administration would keep track of the progress of the Pilot BPS and refine the operational details in the mid-term review. Since a single contract price would have to be maintained throughout the four-year pilot period, the Administration would examine the purchase price in the overall review to be conducted before the completion of the pilot period.

42. In response to Mr CHAN Han-pan's enquiry on the number of persons who were working in RCHDs after completing the relevant training programmes, DSW said that about 80% to 90% of the first few batches of graduates from the enrolled nurse training programme worked in the welfare sector.

43. Given that the manpower supply for RCHDs fell short of demand, Mr Frankie YICK enquired about whether the Administration would consider importation of labour. DSW said that training programmes would be conducted for local workforce and arrangements were in place for importation of labour to alleviate manpower shortage in RCHDs. The Chairman considered it unnecessary to import labour for subvented RCHDs.

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Allocation of more resources to the disadvantaged

44. The Chairman, Mr Albert HO, Mr Frankie YICK and Dr Fernando CHEUNG said that the community had reached the consensus that the Administration should provide the disadvantaged with the necessary support. Given the huge fiscal surplus, Mr Frankie YICK was of the view that the Government should allocate more resources to welfare services. Mr YICK enquired whether the Administration would bid for more funding in the 2013-2014 budget exercise for accelerating the provision of residential care services for PWDs.

45. DSW said that the Administration had been working closely with RCHD operators with a view to helping the market develop more service options through the provision of places by both subvented and private RCHDs. The Administration would secure the resources required for the provision of residential care services for PWDs.

46. In response to the Chairman's enquiry on the resources allocated to support PWDs, DSW said that the Administration would make its best effort to secure necessary funding and resources for the provision of residential care places for PWDs. Community-based support and employment assistance were provided to PWDs through the Lotteries Fund and other assistance schemes. The Administration would launch a new programme under which employers of PWDs would receive a maximum subsidy of \$20,000 for each employee with disabilities for procuring devices for assisting these employees and carrying out workplace modification works. The Administration also provided financial incentive to encourage workplace mentorship for employees with disabilities to facilitate their adaptation to new jobs.

Motion

47. Dr Fernando CHEUNG moved the following motion –

"鑒於殘疾人士院舍輪候期往往超過 8 年，加上私營院舍服務質素參差，本委員會促請政府就院舍服務重新規劃及訂立平均輪候期標準，讓有需要的殘疾人士在合理時間內獲得有質素的院舍照顧。"

48. Mr Frankie YICK said that the Government should commit itself to adding more resources to residential care services for PWDs and suggested that it should be reflected in the motion. The Chairman put the following

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motion which had incorporated Mr YICK's proposal (as underlined below) to vote –

"鑒於殘疾人士院舍輪候期往往超過 8 年，加上私營院舍服務質素參差，本委員會促請政府就院舍服務重新規劃及訂立平均輪候期標準，並承諾增撥資源，讓有需要的殘疾人士在合理時間內獲得有質素的院舍照顧。"

(Translation)

"That, given that persons with disabilities ("PWDs") often have to wait for more than eight years for admission to residential care homes for persons with disabilities ("RCHDs") while services provided by private RCHDs are of varying quality, this Panel urges the Government to make planning afresh for RCHD services and set a standard for the average waiting time, as well as commit itself to allocating more resources, so that PWDs in need receive quality residential care within a reasonable period of time."

49. All members present voted for the motion. The Chairman declared that the motion was carried.

V. Welfare services to support the victims of domestic violence and their families

[LC Paper Nos. CB(2)447/12-13(06) to (09), CB(2)466/12-13(01) to (03) and CB(2)491/12-13(02) to (13)]

50. At the invitation of the Chairman, Deputy Director of Social Welfare (Services) (DDSW(S)) briefed members on the strategies and welfare services to tackle domestic violence and support the victims and their families.

Oral presentation by deputations/individuals

51. A total of 20 deputations/individuals presented views on welfare services to support victims of domestic violence and their families. Their major concerns are summarized in the **Appendix II**.

[To allow sufficient time for discussion, the Chairman extended the meeting for 10 minutes beyond the appointed ending time.]

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Discussions

Housing assistance for victims of domestic violence

52. In response to the concerns about the housing assistance provided to victims of domestic violence, DDSW(S) said that compassionate rehousing aimed at helping those who had genuine, imminent and long-term housing problem which could not be resolved by their own resources. Front-line staff of SWD and concerned non-governmental organizations (NGOs) would assess the situation of the applicants and recommend them to HD within six weeks should they satisfy the eligibility criteria for compassionate rehousing and provide all necessary documents. Longer processing time might be required for complicated cases and SWD, NGOs and HD would give priority to urgent cases.

53. DDSW(S) further said that the number of cases referred to HD for compassionate rehousing in 2009-2010, 2010-2011 and 2011-2012 were 2 727, 2 738 and 2 488 respectively, which had outnumbered the number of flats reserved by HD for the compassionate rehousing in the annual public rental housing allocation plan (i.e. 2 000 flats). The number of referrals reflected that the Administration had endeavoured to help eligible applicants solve their housing problems.

54. Regarding the concern about the inconsistency in handling requests for housing assistance by different SWD district offices, DDSW(S) said that the District Social Welfare Officers ("DSWOs") would serve as gatekeepers and assess the cases carefully before referring them to HD. DSWOs from different districts would share their experience on the cases. A communication mechanism was also established at district level with the participation of representatives from SWD, HD and concerned NGOs to collaborate and exchange views on handling housing request cases.

55. Noting that the utilization rates of the five refuge centres for women and the crisis centres had reached 80% and 90% respectively, Mr LEUNG Yiu-chung expressed concern about the inadequate provision of such places and considered that the Administration should formulate a long term plan to increase the supply of such places to meet future demand.

56. Miss Alice MAK pointed out that there were some ambiguities in classifying a case as domestic incident or domestic violence and the classification would affect the services to be provided to victims. She said that housing was the biggest problem faced by many victims of domestic violence and the Administration had not done adequate to help solve their

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housing problems. Many victims were forced to live with the batterers as the former could not afford other accommodation. As a result, they had to tolerate the batterers' abusive behaviours and suffered a lot psychologically. In her view, SWD should strengthen the support for victims.

57. Mr TANG Ka-piu said that on some occasions, the divorced couples were still living together in a public rental housing unit which could be a high-risk situation for domestic violence. He sought information on the number of such cases. DDSW(S) responded that the Administration did not have the requisite information as not all such cases would be known to SWD. She also explained that irrespective of the cause of the referral, front-line social workers would assess every referral carefully and render appropriate assistance.

Mechanism for reviewing serious cases

58. On the suggestion of setting up a mechanism to review serious injured cases so as to improve the handling of such cases, DDSW(S) said that the Administration had studied overseas experiences and found that such a mechanism was not common as whether a case should be regarded as serious required a lot of discussions. Moreover, protection of personal data of the parties involved in the case was also an area of concern. Nevertheless, SWD would review the handling of serious injured cases and make improvements as necessary.

59. Mr CHAN Han-pan said that since the 2004 Tin Shui Wai family tragedy, the Administration had enhanced the measures in tackling domestic violence which included setting up a standing child fatality review mechanism and allocating additional manpower resources to Family and Child Protective Services Units ("FCPSU"). He enquired whether there was a decrease in the number of domestic violence cases in recent years since the implementation of the enhanced measures. DDSW(S) responded that according to the records in the Central Information System on Spouse/Cohabitant Battering Cases and Sexual Violence Cases ("CISSCBSV"), there was a drop in the number of domestic violence cases.

60. Mr CHAN Han-pan referred to the recent family tragedy in Tai Koo Shing and said that the mother had sought professional assistance before the tragedy happened. He asked whether the Administration would make reference to the tragedy and conduct a comprehensive review in handling domestic violence cases. DDSW(S) said that to the Administration's understanding, the family involved in the tragedy had no record of domestic violence.

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Services and support for victims, children witnessing domestic violence cases and batterers

61. In respect of the concern that some victims who had financial difficulties were unable to apply for Comprehensive Social Security Assistance ("CSSA") because they did not meet the seven-year residence requirement under the CSSA Scheme, DDSW(S) said that the residence requirement helped ensure reasonable allocation of public resources. She pointed out that the Director of Social Welfare ("DSW") had the discretion to waive the residence requirement. DSW would take into account all relevant factors of each case to establish whether there was a genuine hardship for exercising his discretion in this regard.

62. Regarding support for children witnessing domestic violence, DDSW(S) said that although currently there was no structured service programme dedicated for children witnessing domestic violence, front-line staff of SWD including social workers and clinical psychologists would offer assistance to batterers, victims and their children. Clinical psychologists would also provide treatment service to child witnesses when necessary.

63. DDSW(S) further said that besides casework services, SWD also assisted batterers in changing their abusive attitude and behaviour through the Batterer Intervention Programme ("BIP") and the Anti-violence Programme ("AVP"). BIP was a psycho-education programme with 13 sessions and was a component of FCPSU's counselling service. AVP was introduced for batterers who were required by courts under the Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) ("the Ordinance") to participate in the psycho-education programme to change their attitudes and behaviours which led to the granting of the injunction order. In handling domestic violence cases, front-line staff of SWD, FCPSU in particular, would disseminate information on BIP and AVP to the victims. SWD had started providing BIP for women on a trial basis and would continue to develop other treatment models to suit the needs of different batterers. The Administration would also explore the provision of education programme to batterers with fewer sessions. DDSW(S) added that free legal consultation services would be provided to victims through the Victim Support Programme for Victims of Family Violence ("VSP").

64. Dr Fernando CHEUNG said that according to his survey, only less than 10% of the children witnessing domestic violence were followed up

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by clinical psychologists or psychiatrists. He sought information on how many children witnessing domestic violence were followed up by clinical psychologists and psychiatrists.

65. DDSW(S) responded that social workers would provide counselling services to the children who were involved in family violence cases. She pointed out that not all children who were witnesses to domestic violence required counselling services from clinical psychologists or psychiatrists. Miss Alice MAK disagreed with DDSW(S) and said that all children encountered domestic violence would be affected psychologically to a certain extent.

66. Mr CHEUNG Kwok-che said that the psychological problems of children who had witnessed domestic violence might only emerge when they grew up. According to the Harmony House, of the several thousands of children under survey, about half of them required the services of clinical psychologists. Mr CHEUNG suggested that the Administration should seriously consider providing dedicated services for children witnessing domestic violence. Mr CHEUNG also suggested that the Administration should set up a service centre to handle domestic violence involving same sex cohabitants.

67. Mr CHEUNG Kwok-che said that according to the survey conducted by the Hong Kong Council of Social Service, there were about 6 000 spouse battering cases a year but only 84 batterers participated in BIP and the number of batterers participated in AVP was as small as two in three years. He expressed concern about the low utilization of these programmes and requested the Administration to brief members on the reasons at the next meeting. Mr CHEUNG also requested the Administration to provide a breakdown of different types of domestic violence and domestic incidents, the definitions of domestic violence and domestic incident and the criteria for assessing the eligibility for compassionate rehousing and conditional tenancy before the next Panel meeting scheduled for 19 February 2013.

68. Mr Albert HO said that victims of domestic violence had the rights to get assistance and the Administration should commit to providing such assistance. The Administration should consider compiling a list of the victims' rights and its service pledge to the victims. The Administration should also review the manpower resources having regard to the caseload of its staff dealing with domestic violence.

69. Mr TANG Ka-piu said that as Tung Chung was covered by Central,

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Western, Southern and Islands District of SWD, residents of Tung Chung had to go to FCPSU located in Wanchai should they need its services. Given the long travelling distance between Wanchai and Tung Chung, it would not be possible for urgent cases to receive immediate attention and some service users could not afford the expensive transportation costs. He suggested that an FCPSU sub-office should be set up in the new town of Tung Chung to meet the need of the growing population in the district.

70. DDSW(S) said that SWD would provide outreaching services to service users in Tung Chung or make use of other SWD/NGO offices located in Tung Chung to meet service users. As regard setting up a branch office in Tung Chung, the Administration would keep in view the service demand.

Services and support for people with different sexual orientations and the transgender group

71. In response to the view on the service quality of social workers, DDSW(S) said that training programmes on a range of topics on domestic violence were provided to social workers to facilitate them to look at domestic violence cases from multiple perspectives, so that appropriate assistance would be provided to the victims. Front-line staff of SWD had participated in forums and had three meetings with the sexual minority groups in the past two years with a view to better understanding their service needs, thereby improving the service quality and variety. Representatives from non-governmental organizations were also invited to join the discussions.

72. Mr CHAN Chi-chuen said that some homosexual victims of domestic violence had reservations in seeking help from the Administration as they were uncertain about the Administration's attitude towards people with different sexual orientations. Mr CHAN enquired whether the Administration had allocated additional resources to provide proper training for SWD staff to deal with problems of domestic violence faced by people with different sexual orientations. He also sought information on the number and ratio of domestic violence cases involving same sex partners.

73. Mr CHAN Chi-chuen further said that on some occasions, the Administration had refused to provide assistance to transgender victims and victims with different sexual orientations because its front-line staff lacked the required knowledge and skill to handle their problems. Mr CHAN sought information on the number of such cases and how many such

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victims had eventually sought the Administration's help. He also enquired the measures the Administration would adopt to rectify the problems.

74. In response, DDSW(S) said that eight domestic violence cases involving same sex partners were recorded between January 2010 and September 2012. The Administration would not ask the victim's sexual orientation as it was not a factor for determining whether the victims would be provided with the services. Nevertheless, the Administration welcomed the provision of the relevant information by deputations as it would help the Administration make improvements to the services concerned. She added that there was no breakdown on the resources specifically allocated to assist victims of domestic violence of different sexual orientations. Mr LEUNG Yiu-chung suggested that the Administration could consult the victims on whether they agreed to disclose their sexual orientation for statistics and service improvement purposes. DDSW(S) undertook to consider Mr LEUNG's suggestion.

75. Regarding Mr CHAN Chi-chuen's enquiry on the reasons why representatives from groups which were concerned about the rights of homosexuals were not invited to join the Working Group on Combating Violence ("WGCV") and whether the Administration had any plan to invite them to sit on WGCV in future, DDSW(S) said that the Administration had no intention to change the composition of WGCV at this stage. The Administration would exchange views with the relevant concern groups through other channels including experience sharing sessions.

Stepping up law enforcement to reduce domestic violence cases

76. Mr Ronny TONG said that with the enactment of the Ordinance, the Administration should have stepped up the enforcement of the law with a view to substantially reducing the number of domestic violence cases. Mr TONG said that the Administration had adopted a zero tolerance approach to domestic violence but there was only a slight decrease in the number of domestic violence cases since the enactment of the Ordinance. Mr TONG enquired whether the Administration had taken any steps to strengthen law enforcement and adopted a better approach in handling domestic violence since the enactment of the Ordinance.

77. DDSW(S) responded that following the passage of the Domestic Violence (Amendment) Bill 2009, the Administration had included the relevant amendments to the Ordinance in the training programmes. Front-line staff would explain the Ordinance to service users. Under VSP, front-line staff/trained volunteers would accompany the victims to attend

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court hearings and go through the legal proceedings so as to alleviate their fear and helplessness.

78. Principal Assistant Secretary for Labour and Welfare (Welfare)2 (PAS(W)2) supplemented that the Ordinance provided civil protection to victims of domestic violence and allowed them to apply for injunction. After two rounds of amendments to the Ordinance introduced in 2007 and 2009 respectively, the Ordinance now provided protection to victims against molestation by their current and former spouses, current and former cohabitants, whether they be of the same or different sex, and other immediate and extended family members.

79. Mr Ronny TONG opined that simply explaining the Ordinance to service users was inadequate. The Administration should step up law enforcement and prosecution actions against domestic violence.

Classifying domestic violence cases

80. Dr Helena WONG pointed out that the statistics provided by the Administration on domestic violence cases which were tabled at the meeting did not cover all types of domestic violence cases. In her view, the Administration would not be able to prevent domestic violence effectively in the absence of comprehensive information on domestic violence cases. She called on the Administration to include information on domestic violence cases involving ethnic minorities, cross-border families, transgender people and homosexuals in its analysis of domestic violence problems. DDSW(S) responded that the Administration would consider Dr WONG's suggestion and include the relevant information in the CISSCBSV.

81. Noting that the number of newly reported spouse/cohabitant battering cases had dropped drastically from 6 843 cases in 2008 to 1 947 cases between January and September 2012, Dr Helena WONG wondered whether it was the result of classifying domestic violence cases as domestic incidents by the Administration. In her view, the problem boiled down to whether front-line staff including police officers, social workers, etc. had received proper training on distinguishing domestic violence cases from domestic incidents. The Chairman said that the drop in domestic violence cases might be due to the categorization of cases involving domestic violence by the Police.

82. DDSW(S) responded that the definition of domestic violence was in place in the case reporting mechanism. Training programmes relating to

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domestic violence were provided to social workers and concerned professionals. She said that the number and the accuracy of the cases reported relied very much on the information provided by the reporting officers.

83. Dr Fernando CHEUNG said that under the urge of the former Subcommittee on Strategy and Measures to Tackle Family Violence, the Administration had amended the Domestic Violence Ordinance but little improvement in tackling domestic violence had been made since then. Dr CHEUNG was of the view that if a person was under threat, even though a verbal one, it could be a criminal offence, let alone a physical harm. Dr CHEUNG pointed out that there were over 10 000 domestic incidents a year but the number of domestic violence cases continued to drop. According to the statistics provided by the Administration, the number of newly reported spouse/cohabitant battering cases handled by FCPSU a year stood constantly at about 2 000 odd cases in the past five years but the number of newly reported spouse/cohabitant battering cases recorded by the CISSCBSV continued to drop in the same period. He enquired about the reasons for the decrease in domestic violence cases.

84. Dr Fernando CHEUNG said that he had strong view on the new category of "domestic incident". In his view, it was important to have a clear definition of domestic violence as only victims of domestic violence could apply for compassionate rehousing or conditional tenancy. DDSW(S) clarified that compassionate rehousing was not confined to victims of domestic violence. Front-line staff would assess and refer a case to HD if the applicant concerned had imminent, genuine and long-term housing needs which could not be resolved by their own means, irrespective of the nature of the case.

85. Mr Albert HO said that the Tin Shui Wai family tragedy could be avoided if timely and appropriate assistance was provided to the victims. At the inquest of the Tin Shui Wai family tragedy held by the Coroner's Court in 2006, a number of problems were identified in handling the family tragedy by different parties concerned and the Administration was requested to make improvements in various aspects. One of the recommendations was that the Police should use a checklist as an aid to classify a domestic violence case and the classification should not be decided by a front-line police officer but an officer at a higher rank, say an inspector. Mr HO shared the view that there should be clear definitions of domestic violence and domestic incident. He requested representatives from the Police to brief members on the categorization of domestic violence cases and domestic incidents as well as the use of the checklist at

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the next meeting.

86. Mr LEUNG Yiu-chung said that since the Police very often took prosecution action against both the batterers and the victims in handling domestic violence cases, the victims would sometimes choose to drop the case to avoid trouble. He hoped the Police would give an explanation in this regard at the next meeting.

87. The Chairman said that the Panel would discuss the subject on domestic violence again at its next regular meeting scheduled for 19 February 2013. She requested the Administration to give a written response to the views and concerns expressed by members and deputations to facilitate discussion at the next meeting. Representatives from SWD, the Police, HD and the Department of Health should be invited to attend the next meeting to answer members' questions.

Proposal for formation of a subcommittee on strategy and measures to tackle family violence

88. Dr Fernando CHEUNG suggested that a subcommittee should be formed under the Panel to study matters relating to domestic violence. Noting that currently eight subcommittees on policy issues were in operation and that the subcommittee would be put on the waiting list, Dr CHEUNG suggested that the subject of domestic violence should be followed up by the Panel until the subcommittee was activated. Mr CHEUNG Kwok-che suggested that the Panel should discuss the terms of reference, the work plan and the time frame of the subcommittee at its special meeting on 21 January 2013. Dr CHEUNG said that he would put forward proposals in this regard for members' consideration at the special meeting.

VI. Proposal for formation of a subcommittee on retirement protection

[LC Paper No. CB(2)399/12-13(01)]

89. Members noted the joint letter from Mr TANG Ka-piu and Miss Alice MAK suggesting that a Subcommittee on Retirement Protection ("the Subcommittee") should be formed under the Panel to study issues relating to retirement protection [LC Paper No. CB(2)399/12-13(01)]. Mr TANG Ka-piu said that it was necessary to form a subcommittee for following up the recommendations made by the Subcommittee on Retirement Protection formed under the Panel in the Fourth Legislative Council and for the enhancement of the Mandatory Provident Fund ("MPF") system. It was

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also necessary to follow up the issue of whether the Old Age Living Allowance was regarded by the Administration as a form of retirement protection.

90. Dr Fernando CHEUNG and Mr TAM Yiu-chung supported the formation of the Subcommittee. Dr CHEUNG said that MPF was a key component in the retirement protection system and wondered how issues relating to MPF, which straddled the work of the Subcommittee and the Panel on Financial Affairs ("the FA Panel"), should be dealt with. At the request of the Chairman, the Clerk responded that the Subcommittee might invite members of the FA Panel to join the relevant discussion if necessary.

91. Mr TAM Yiu-Chung said that in addition to the review of MPF, the Subcommittee should study retirement protection from a macro perspective. Mr TAM pointed out that given the number of subcommittees on policy issues in operation had reached the maximum number of eight, the Subcommittee would be placed on the waiting list.

92. The Chairman said that having regard to wide public concern about retirement protection, the Panel could explore the possibility of early activation of the Subcommittee.

93. Mr TANG Ka-piu said that in anticipation that fewer bills would normally be introduced into the Council during the first and second legislative sessions, the Secretariat might have the capacity to absorb the work arising from the early activation of the Subcommittee. Members agreed that the approval of the House Committee should be sought for early activation of the Subcommittee.

VII. Any other business

94. There being no other business, the meeting ended at 12:40 pm.

Panel on Welfare Services

Meeting on Monday, 14 January 2013 at 8:30 am

Progress on the implementation of the licensing scheme for residential care homes for persons with disabilities and related complementary measures

Summary of views and concerns expressed by deputations

No.	Name of deputation	Major views and concerns
1.	香港區私營院舍聯會	<ul style="list-style-type: none"> Residents at subvented residential care homes for persons with disabilities ("RCHDs") received double benefits (including subsidized home fees and an allowance of \$1,500 to \$1,800 for their parents). Given that operators of private RCHDs were not financially capable of granting the allowance, the deputation urged the Administration to consider granting the allowance to residents at private RCHDs.
2.	爭取資助院舍聯席	<ul style="list-style-type: none"> The Administration should work out measures to cope with the possible non-compliance with the statutory requirements by those RCHDs (mainly private and self-financing) which had been issued with certificates of exemption ("CoEs") but were not able to complete the improvement works after the 18-month grace period. It should be stipulated in the Code of Practice for RCHDs that operators of private RCHDs were required to set up a working committee with representatives from different stakeholders to monitor service quality and enhance transparency.
3.	Labour Party	<ul style="list-style-type: none"> Residential care home places for persons with disabilities ("PWDs") should mainly be supplied by subvented RCHDs and supplemented by private and self-financing RCHDs. The Administration should not evade its responsibility in the provision of

No.	Name of deputation	Major views and concerns
		<p>residential care homes for PWDs.</p> <ul style="list-style-type: none"> • The service quality of private RCHDs should be enhanced in terms of manpower and training for staff. For example, the requirement that two designated persons should be on duty on night shift for a high care level home should also be applicable to medium and low care level homes; and training courses should not be confined to health workers but should extend to other ranks of staff as well. • Classification of RCHDs should be more specific with a view to catering for the specific needs of persons with severe, medium or mild levels of disabilities; mentally handicapped persons; and ex-mentally ill persons. • After the grace period, a mechanism should be in place at private RCHDs to ensure the service quality, with the participation of parents and PWD associations.
4.	Hong Kong Private Hostel for Rehabilitation Association	<ul style="list-style-type: none"> • Most operators of private RCHDs hesitated to submit applications for CoE or licence due to the following concerns: (a) the costs for the improvement works for meeting statutory licensing requirements in building and fire safety; (b) the sustainability of their business after the 18-month grace period; (c) the long processing time in regard to their applications for land lease and town planning requirements for setting up RCHDs; (d) the soaring rentals; and (e) the requirement that the operators of RCHDs should undertake to renew the tenancy for 24 months in their application for financial assistance regarding the improvement works for their RCHDs. • Though six private RCHDs had joined the Pilot Bought Place Scheme ("BPS") for Private RCHDs, the subsidies offered by the Government could hardly meet their expenses in running the residential care homes.
5.	The Association of Parents of the	<ul style="list-style-type: none"> • There had been severe shortage of manpower at both subvented RCHDs and BPS

No.	Name of deputation	Major views and concerns
	Severely Mentally Handicapped [LC Paper No. CB(2)491/12-13(01)]	<p>homes. The Administration should step up its measures to ensure the service quality of RCHDs.</p> <ul style="list-style-type: none"> • The Government should not shift its responsibility in the provision of RCHD places to private operators. More subvented RCHD places should be provided to shorten the waiting time for residential care homes.
6.	新界東私營復康院舍聯會	<ul style="list-style-type: none"> • Private RCHDs faced more difficulties than subvented RCHDs. These difficulties included the lack of sites for setting up RCHDs, the complexity involved in regard to application for modification of lease conditions, and opposition from local residents against RCHDs for severely mentally handicapped and ex-mentally ill persons. • Casting doubt on the Administration's claim that the average enrolment rate of private RCHDs was 65%, the deputation expressed concern about the well-being of RCHD residents if more private RCHDs would close down. • To provide flexibility for operators of private RCHDs in meeting the licensing requirements, the Administration could consider giving discretion when processing applications for licence or renewal of CoE after the 18-month grace period.
7.	New People's Party [LC Paper No. CB(2)447/12-13(05)]	<ul style="list-style-type: none"> • The New People's Party welcomed the licensing scheme to enhance the service quality of RCHDs but was concerned that the possible closure of private RCHDs would worsen the acute waitlisting situation for residential care homes for PWDs. Complementary measures such as financial assistance, training for staff of RCHDs, and seminars on the licensing requirements should be provided to assist operators in need. • The deputation relayed the views of parent associations that apart from residential care homes, the Administration should address other multifarious needs of PWDs,

No.	Name of deputation	Major views and concerns
		ranging from housing, rehabilitation, home-based personal care services, to delivery of meals. These measures would facilitate the reintegration of PWDs into the community and alleviate the pressing needs for RCHDs.
8.	Civic Party	<ul style="list-style-type: none"> • Given that the Government should support PWDs who were not able to take care of themselves, it should pledge to shorten the waiting time for RCHD places and provide assistance (e.g. financial assistance and loans) to operators of private RCHDs for meeting the statutory licensing requirements. • Other rehabilitation services, community care and support, employment assistance and training programmes should be strengthened to facilitate reintegration of PWDs into the community.
9.	私營院舍社工聯合小組	<ul style="list-style-type: none"> • SWD should continue its collaboration with the welfare sector to improve the service quality of private RCHDs and assist operators of private RCHDs in complying with the statutory requirements of the licensing scheme. • The provision of residential care homes by private RCHDs helped ease the long waiting queue for RCHD places. More publicity on the quality services of private RCHDs should be given. • More subsidies should be provided for private RCHDs to cover their expenses in organizing activities for the interest of residents.
10.	The Hong Kong Joint Council of Parents of the Mentally Handicapped	<ul style="list-style-type: none"> • The deputation was concerned about the service quality of private RCHDs and the latest progress of the implementation of the licensing scheme for RCHDs.

Panel on Welfare Services

Meeting on Monday, 14 January 2013 at 8:30 am

Welfare services to support the victims of domestic violence and their families

Summary of views and concerns expressed by deputations

No.	Name of deputation	Major views and concerns
1.	The Against Elderly Abuse of Hong Kong	<ul style="list-style-type: none"> • Front-line social workers (especially staff of contracted out services) had mistreated some "domestic violence cases" as "domestic disputes", depriving battered women and their children from the assistance and services provided for domestic violence victims. • Some front-line social workers, not familiar with the procedure for compassionate rehousing, failed to render appropriate assistance to domestic violence victims. • The Administration had not taken forward the recommendations by the Subcommittee on Strategy and Measures to Tackle Family Violence set up in the Third Legislative Council ("LegCo"). The Panel on Welfare Services ("WS Panel") should set up a subcommittee to monitor the Government's measures on domestic violence, in particular the referrals for compassionate rehousing, conditional tenancy, and household splitting.
2.	Hong Kong Association for the Survivors of Women Abuse (Kwan Fook) [LC Paper No. CB(2)491/12-13(02)]	<ul style="list-style-type: none"> • Front-line staff of the Social Welfare Department ("SWD") and the Police mistreated domestic violence cases as domestic disputes, depriving the victims from assistance and services such as compassionate re-housing and emotional counselling. The Police should give a clear definition of "domestic violence" vis-a-vis "domestic disputes".

No.	Name of deputation	Major views and concerns
		<ul style="list-style-type: none"> The number of successful referrals for compassionate rehousing and conditional tenancy dropped in the past two years. The deputation sought the Administration's reply on the reasons for the drop of successful cases and the number of cases being rejected.
3.	群福風雨同路	<ul style="list-style-type: none"> The seven-year residence requirement for Comprehensive Social Security Assistance ("CSSA") should be waived for a newly arrived woman battered by her spouse and in need of financial assistance. A maintenance board should be set up to protect the right of divorcees and children, who were eligible for alimony. The Police should provide their front-line staff with clear guidelines on the definition of "domestic violence" vis-a-vis "domestic disputes". The Housing Department ("HD") and SWD should rationalize the workflow in referrals for compassionate rehousing to avoid delay of housing assistance to victims of domestic violence.
4.	Hong Kong Federation of Women's Centres [LC Paper No. CB(2)491/12-13(03)]	<ul style="list-style-type: none"> Front-line staff of the Police and the Integrated Family Service Centres ("IFSCs") had different yardsticks on the criteria for referrals for compassionate rehousing, and the processing time also varied. The related procedures should be reviewed and streamlined to better address the housing needs of domestic violence victims. Psychological and counselling programmes for batterers (including the Batterer Intervention Programme and Anti-violence Programme) should be strengthened. For the latter, the intake rate was very low. A subcommittee on domestic violence should be formed by the WS Panel to monitor the Government in implementing measures to tackle domestic violence.

No.	Name of deputation	Major views and concerns
5.	Christian Family Service Centre Serene Court [LC Paper No. CB(2)491/12-13(04)]	<ul style="list-style-type: none"> • More support including financial assistance, housing needs, medical support, emotional counselling should be offered to women victims of domestic violence and their children. • A set of standardized criteria should be developed for front-line staff of IFSCs and the Family and Child Protection Services Units in regard to referring battered women for compassionate rehousing. Front-line staff of the Police should adopt a standardized definition of "domestic violence" vis-a-vis "domestic disputes". • In view of the limited resources of refuge centres, the Government should coordinate the provision of services by different service units in regard to the special needs of victims such as drug abusers and severe mental patients, or allocate more resources for refuge centres to provide such services.
6.	Government Social Work Officers Association	<ul style="list-style-type: none"> • The Administration should rationalize the referral procedures involving various service units of SWD, the Police and HD with a view to rendering appropriate assistance and support to victims of domestic violence, in particular compassionate rehousing.
7.	Hong Kong Chinese Civil Servants' Association, Social Work Officer Grade Branch [LC Paper No. CB(2)466/12-13(02)]	<ul style="list-style-type: none"> • The staffing establishment of the Family and Child Protective Services Units of SWD remained the same as in the year 2009. The workload of staff was so heavy that 70% of staff said that they could not follow up domestic violence cases thoroughly. • Currently, the administrative work relating to the asset and income assessment for compassionate rehousing was handled by SWD staff who were not familiar with the eligibility criteria for public rental housing. The related work should be handled by HD staff. • Manpower for medical social workers in public hospitals should be strengthened to

No.	Name of deputation	Major views and concerns
		handle child abuse cases.
8.	Against Child Abuse Ltd. [LC Paper No. CB(2)491/12-13(05)]	<ul style="list-style-type: none"> • The statistics on child abuse cases managed by different authorities (including SWD, the Hospital Authority and the Police) varied. The Administration should develop a centralized database to keep track of the statistics and formulate measures to tackle child abuse. • A mechanism should be developed to follow up welfare plans on child victims and their families formulated by social workers and other related professionals at the multi-disciplinary case conference. • Preventive measures, such as the Comprehensive Child Development Service and the head start home visiting programme, should be regularized and strengthened to instill in parents positive family values at an earlier stage. • A mechanism should be developed to review child fatality more effectively with a view to formulating strategies to prevent avoidable child deaths.
9.	Labour Party	<ul style="list-style-type: none"> • The statistics provided by the Police on the drop of domestic violence cases (from 7 278 in 2009 to 2 407 in 2012) could not reflect the reality of domestic violence. More resources should be allocated to enhance the skills and sensitivity of front-line Police staff in defining and handling "domestic violence". • The Administration should review the Domestic and Cohabitation Relationships Violence Ordinance ("DCRVO") (Cap. 189) with a view to clearly defining the term "domestic violence". • A Domestic Violence Court should be set up to simplify the court process and ensure more effective case resolution in domestic violence cases.

No.	Name of deputation	Major views and concerns
		<ul style="list-style-type: none"> • A maintenance board should be set up to assist divorced women to collect maintenance payments and enforce maintenance orders. • The seven-year residence requirement should be waived for the newly arrived women who were victims of domestic violence to apply for CSSA and compassionate rehousing.
10.	Association Concerning Sexual Violence Against Women [LC Paper No. CB(2)491/12-13(06)]	<ul style="list-style-type: none"> • Front-line staff of the Police should have better understanding on "domestic violence" vis-a-vis "domestic disputes" and refer victims of domestic violence to relevant service units for necessary support. • Education programmes, in particular on sexual violence, should be strengthened to raise the awareness of the victims (including ethnic minorities) to seek assistance from government departments and service units. • A centralized mechanism should be set up to oversee the implementation of anti-violence measures. • The WS Panel should set up a subcommittee to monitor the Government's measures on combating domestic violence and sexual violence.
11.	Harmony House [LC Paper No. CB(2)491/12-13(07)]	<ul style="list-style-type: none"> • Victims of domestic violence should be better protected. For instance, the seven-year residence requirements should be waived for victims who were newly arrived women, and medical support should be strengthened for women domestic violence victims holding two way permits. • Support services for ethnic minorities and persons with different sexual orientations should also be strengthened. • Emotional counselling and education services to child witnesses of domestic

No.	Name of deputation	Major views and concerns
		<p>violence should be enhanced.</p> <ul style="list-style-type: none"> • The Anti-violence Programme under DCRVO should be in the form of court-ordered mandatory programme to change the behaviour of abusers.
12.	Forthright Caucus [LC Paper No. CB(2)491/12-13(08)]	<ul style="list-style-type: none"> • From the reflection of a female victim of domestic violence, the deputation urged the Administration to waive the seven-year residence requirement to allow newly arrived women suffered from domestic violence to apply for CSSA. Other support and assistance such as legal aid should also be offered.
13.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> • In view of the outburst of domestic violence and tragedies in the community from time to time, the Administration should review the effectiveness of its measures to combat domestic violence regularly. • Training should be provided to front-line staff (e.g. the Police) to equip them with skills and knowledge in handling domestic violence cases. Different enforcement authorities should enhance their collaboration in referral of cases, case management and crisis intervention. • Additional manpower should be provided for the setting up of service teams specializing in domestic violence cases to alleviate the workload of front-line social workers.
14.	Hong Kong Family Welfare Society [LC Paper No. CB(2)491/12-13(10)]	<ul style="list-style-type: none"> • The Anti-violence Programme should be enhanced by requiring the Court to give order to the abusers direct for mandatory participation in the programme. • Complementary measures should be strengthened to protect the interest of the victims, including counselling services for child witnesses, Visiting Centre, and setting up of Parent Co-ordinator Service.

No.	Name of deputation	Major views and concerns
		<ul style="list-style-type: none"> • Public education programmes should be launched to raise the community awareness of the importance of family harmony and avoidance of violence as a way to deal with family disputes. • The Administration should set up an inter-departmental group to oversee policy formulation and implementation of domestic violence programmes.
15.	Rainbow of Hong Kong	<ul style="list-style-type: none"> • With the extension of protection to cohabitation relationships under DCRVO since January 2010, the awareness of abusive behaviour in the homosexual community had been raised. The mainstream services provided by the Government however had not been enhanced correspondingly to cater for the needs of victims of violence in homosexual relationship, in particular accommodation service in refuge centres. • According to statistics, the rate of seeking help from victims with homosexual orientation had been very low, reflecting that the victims lacked confidence on the public acceptance of their needs. The Administration should offer more training to enhance the knowledge and skills of staff in handling violence cases of people in homosexual relationship. • The WS Panel should re-establish the subcommittee on combating domestic violence to follow up the needs of victims with different sexual orientations.
16.	Transgender Group	<ul style="list-style-type: none"> • A transgender person reflected on the unpleasant experiences with her family and employer after she had gone through a sex reassignment surgery. She expressed disappointment at the lack of support to transgender persons suffered from domestic violence.
17.	Women Coalition of HKSAR [LC Paper No. CB(2)491/12-13(11)]	<ul style="list-style-type: none"> • Homosexual partner abuse was not handled as domestic violence properly by many front-line staff of the Police, IFSCs and other NGOs. As such, many victims with different sexual orientations hesitated in seeking assistance from the mainstream

No.	Name of deputation	Major views and concerns
		welfare services. The Administration should enhance front-line professionals' knowledge and skills in handling domestic violence involving homosexual relationship.
18.	Rainbow Action [LC Paper No. CB(2)491/12-13(12)]	<ul style="list-style-type: none"> • The deputation sought the Administration's reply to the following - <ul style="list-style-type: none"> (a) when members of homosexual organizations would be invited to join the Working Group on Combating Violence under the purview of SWD for mapping out strategies and approaches to address the problem of cohabitant battering and sexual violence; (b) the resources that had been allocated in the past three years for assistance and services to domestic violence victims with homosexual orientation, including training programmes for SWD staff; (c) how many domestic violence victims with homosexual orientation seeking help from SWD in the past three years; and (d) if the Administration had any plan to set up a designated centre to provide services to domestic violence victims with homosexual orientation. • The WS Panel should set up a subcommittee on tackling domestic violence to follow up the needs of homosexual and transgender persons.
19.	Association for Concern for Legal Rights of Victims of Domestic Violence [LC Paper No. CB(2)447/12-13(08)]	<ul style="list-style-type: none"> • Legal aid and related assistance to victims of domestic violence should be strengthened, including the appointment of a Legal Advocate to provide support and protection to victims and witnesses of domestic violence. • Training should be provided to front-line social workers to familiarize them with the eligibility criteria and referral procedures for compassionate rehousing.

No.	Name of deputation	Major views and concerns
		<ul style="list-style-type: none"> • More support should be provided to victims who are ethnic minorities.
20.	The Hong Kong Council of Social Service [LC Paper No. CB(2)491/12-13(13)]	<ul style="list-style-type: none"> • The Batterer Intervention Programme and Anti-violence Programme should be enhanced to require batterers to join the programme mandatorily to change their abusive behaviours. • Guidelines relating to the handling of compassionate rehousing and conditional tenancy were unclear and different authorities adopted different yardsticks in vetting the applications. A set of standardized and objective guidelines should be developed for a fairer assessment.

Council Business Division 2
Legislative Council Secretariat
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