

立法會
Legislative Council

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Panel on Welfare Services

**Subcommittee on Strategy and Measures to
Tackle Domestic Violence and Sexual Violence**

**Minutes of meeting
held on Monday, 9 February 2015, at 2:00 pm
in Conference Room 1 of the Legislative Council Complex**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon CHAN Yuen-han, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon CHEUNG Kwok-che
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon KWOK Ka-ki
Dr Hon Helena WONG Pik-wan

Members attending : Hon Emily LAU Wai-hing, JP
Hon WONG Yuk-man

Member absent : Hon TANG Ka-piu, JP

Public Officers : Items I and II
attending

Mr Stephen SUI Wai-keung, JP
Under Secretary for Labour and Welfare

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

Ms Annisa MA Sau-ching
Chief Social Work Officer (Domestic Violence)
Social Welfare Department

Mr Matthew Philip James Hemmings
Chief Superintendent (Crime Support)
(Crime Wing)
Hong Kong Police Force

Mr Rodrigo Manual Diaz
Superintendent (Crime Support)
(Crime Wing)
Hong Kong Police Force

Attendance : Item II
by invitation

The Hong Kong Council of Social Service

Mr TANG Chung-wah
Officer

Harmony House

Ms Anne WONG
Shelter Supervisor

Caritas Family Crisis Support Centre

Dr Paulina KWOK Chi-ying
Centre Supervisor

The Against Elderly Abuse of Hong Kong

Mr FOO Wai-lok
Principal Consultant (Policy and Legal Support)

Hong Kong Federation of Women's Centres

Ms Eva LEUNG
Centre-in-charge

Tung Wah Group of Hospitals

Ms LIU Pui-shan
Acting Supervisor of CEASE Crisis Centre

The Forthright Caucus

Ms LI Ting

Rainbow of Hong Kong

Mr Tommy CHEN
Spokesperson

Rainbow Action

Mr SHAM Tsz-kit
Spokesperson

Women Coalition of HKSAR

Miss YEO Wai-wai
Spokesperson

RainLily

Miss Tiffany NG
Centre-in-charge

Labour Party

Miss Judy NG
Representative

Christian Family Service Centre - Serene Court

Ms YEUNG Oi-shan
Senior Service Manager

Civic Party

Miss Bonnie LEUNG Wing-man
Member of the Executive Committee

Po Leung Kuk

Ms KONG Lai-chun
Assistant Principal Social Services Secretary
(Integrated Family Services)

Association for Concern for Legal Rights of Victims
of Domestic Violence

Professor Puja Kapai
Executive Committee Member

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 1

Staff in attendance : Ms Mina CHAN
Council Secretary (2) 1

Ms Kiwi NG
Legislative Assistant (2) 1

Action

I. Definition, identification and assessment of domestic violence and sexual violence

The Subcommittee deliberated (index of proceedings attached at **Annex**).

Action

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2. The Administration was requested to -
 - (a) provide a written response to the issues raised in the letter dated 3 February 2015 from the Subcommittee Chairman to the Administration [LC Paper No. CB(2)781/14-15(03)];
 - (b) give an account of the significant difference in the statistics of domestic violence provided by the Police and the Social Welfare Department ("SWD"), i.e. the numbers of newly reported domestic violence cases received by SWD, domestic conflict reports handled by the Police and cases followed up by SWD upon police referrals during the same period;
 - (c) consider providing a copy of the Emergency Referral Questionnaire, which was an assessment tool adopted by front-line police officers in assessing the high risk factors when handling domestic conflict reports; and
 - (d) convey to the Working Group on Combating Violence the suggestions of collecting data of abuse cases involving same-sex couples from sexual minority groups under the reporting mechanism for domestic and sexual violence cases and of including representatives of sexual minorities in the Working Group.

II. Shelter service for victims of domestic violence and sexual violence

3. The Subcommittee deliberated (index of proceedings attached at **Annex**).
4. The Subcommittee received views from 16 deputations attending the meeting, and noted one written submission from an organisation which had not attended the meeting. The major views and concerns expressed by deputations attending the meeting are summarised as follows -
 - (a) in view of the over-utilisation of the five refuge centres for women and crisis centres, the Administration should consider expanding the service capacity of the existing refuge centres or increasing the provision of short-term

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residential places for victims of domestic violence and sexual violence and their families. Additional resources should also be provided for these refuge centres and crisis centres to enhance the related manpower and support services as well as after-care service for discharged residents;

- (b) as those admitted to a refuge centre might generally stay for two weeks, the extended stay of service users at the refuge shelters had aggravated the problem of inadequate provision of temporary accommodation service. To this end, the departments concerned should speed up the processing of applications for compassionate rehousing / conditional tenancy and household splitting for allocation of public rental housing flats to individuals and families facing domestic violence and enhance the transparency in the procedures for handling these applications, so that residential places in refuge shelters could be released earlier for those in need;
- (c) some deputations pointed out that the scope of services and provision of facilities were inconsistent among different refuge centres. There was a view that the refuge centres should provide their service users with one-stop services (in particular emotional support and temporary child care service for women and their children taking refuge) and after-care service for discharged residents. Staff of these shelters should also exercise flexibility in governing the use of facilities by service users having regard to the undue hardships and specific needs of individual service users;
- (d) dedicated refuge centres should be provided for different groups of victims suffering from domestic or sexual violence, such as the elderly, people with mental health problems, sexual minorities and ethnic minorities, such that specific support services could be provided for these people to cater for their special needs on the one hand and mitigate the problem of over-utilisation of the existing refuge centres for women and crisis centres on the other hand; and
- (e) the Police should step up patrols in the vicinity of refuge centres to prevent those women and their children taking refuge from being harassed by the batterers.

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5. Members shared the concerns raised by deputations attending the meeting and considered it intolerable that victims of domestic or sexual violence and their children were denied admission to refuge centres due to the unavailability of vacant residential places. The Administration should draw up concrete plan and timetable to address the problem.

6. On the views and concerns expressed by members and deputations at the meeting, the Administration made the following response -

- (a) refuge centres were primarily established for serving women and their children who needed temporary shelter because of immediate risk of domestic violence or serious personal or family problems. The Administration was aware that there had been a rise in the utilisation rate of the refuge centres in recent years and some centres were sometimes fully occupied in the past year. It also agreed that for better forward planning, spare space should be provided to cater for unforeseen and imminent service demand. A review would be conducted on the provision of shelter service for victims of domestic violence and sexual violence. Indeed, the Administration had been making active effort to increase the number of residential places in refuge centres and crisis centres through setting up new centres and expanding the service capacity in existing refuge centres in the past few years. In addition, SWD would maintain close communication with the operators of refuge centres and crisis centres for service improvement where required;
- (b) to reduce the need for extended stay of service users at refuge centres, the Administration would examine whether the process in assisting the victims of domestic violence and sexual violence in seeking long-term housing arrangement could be streamlined. This apart, to help families in financial hardship to meet the accommodation expenses, rent allowance was payable to the recipients of the Comprehensive Social Security Assistance ("CSSA") residing in private housing. The maximum rates of the rent allowance ("MRA") granted to CSSA recipients were adjusted upward by 6.7% with effect from 1 February 2015 in accordance with the movement of the Consumer Price Index (A) rent index for private housing. During the past

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three years, MRA had registered a cumulated increase of about 21%. For CSSA recipients living in private housing and on the waiting list for compassionate rehousing, the Director of Social Welfare might exercise discretion to approve a rent allowance higher than the applicable MRA to cover the actual rental;

- (c) refuge centres for women were required to provide basic facilities, which included dormitory, sitting/dining room, pantry/kitchen, toilet, shower and laundry. The use of facilities was subject to the mutual arrangement between individual centres and the service users. In respect of the supporting services provided by refuge centres and crisis centres for their service users, a territory-wide programme, viz. the Victim Support Programme for Victims of Family Violence was launched in 2010, which sought to provide victims of domestic violence with a package of services ranging from information, emotional support, temporary child care support and escort service when undergoing legal proceedings or facing sudden changes in life. Under the programme, service users could, where necessary, seek information on or be accompanied to locate / receive community support services, such as legal aid, accommodation and medical treatment;
- (d) as regards short-term and long-term accommodation needs of specific groups, the Chief Executive announced in his Policy Address in the past two years that the Administration would continue to increase the supply of subsidised residential care places and respite service for persons with disabilities and mental health problems as well as the elderly. The Administration would also increase the number of residential places in small group homes to provide temporary accommodation and emotional support for children who had been abused or affected by domestic violence or other family problems; and
- (e) to ensure the safety of those women and their children taking refuge, the addresses of refuge centres were kept confidential. There was thus a concern that frequent or regular patrols conducted by police officers in the surrounding areas of refuge centres might compromise their confidentiality.

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However, the refuge centres could, if necessary, seek assistance from the local police district management and assessment would be made on whether there was a genuine need to increase the police patrols in a particular area.

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7. The Administration was requested to provide a concrete timetable and plan for increasing the residential places and strengthen the support service of refuge centres for victims of domestic violence and sexual violence.

III. Any other business

8. The Chairman suggested that the Subcommittee should discuss the housing assistance to victims of domestic violence and sexual violence at the next meeting on 9 March 2015, and receive views from deputations on the subject. Members agreed.

9. There being no other business, the meeting ended at 4:33 pm.

Council Business Division 2
Legislative Council Secretariat
20 March 2015

**Proceedings of meeting of the Subcommittee on Strategy and Measures to
Tackle Domestic Violence and Sexual Violence
held on Monday, 9 February 2015, at 2:00 pm
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
<i>Agenda item I - Definition, identification and assessment of domestic violence and sexual violence</i>			
000000 - 000303	Chairman	Opening remarks	
000304 - 001303	Chairman Admin	<p>Briefing by the Administration on its response to the issues raised by members and deputations at the last Subcommittee meeting on 12 January 2015 [LC Paper No. CB(2)781/14-15(04)].</p> <p>The Chairman requested the Administration to provide a written response to the issues raised in his letter dated 3 February 2015 [LC Paper No. CB(2)781/14-15(03)] after the meeting.</p>	Admin
001304 - 001953	Chairman Mr CHAN Chi-chuen Admin	<p>Mr CHAN Chi-chuen pointed out that according to the statistics captured by the Child Protection Registry and the Central Information System on Spouse/Cohabitant Battering Cases and Sexual Violence Cases maintained by the Social Welfare Department ("SWD"), there were only 11 newly reported abuse cases involving same-sex cohabitants from January to September 2014, which was, in his view, far below the actual number of such cases. He asked whether consideration would be given to collecting data of such cases from sexual minority groups under the reporting mechanism for domestic and sexual violence cases, so as to reflect more accurately the problem.</p> <p>The Administration advised that the existing reporting mechanism had already covered cases of spouse/cohabitant battering and sexual violence handled and reported by an extensive range of government departments and non-governmental organisations ("NGOs"). To ensure that precise data of domestic violence cases involving same-sex couples was captured, reporting professionals would assess the nature of each case in accordance with the relevant</p>	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
		<p>procedural guidelines for handling domestic and sexual violence cases. SWD would keep the reporting mechanism under review and consider including any other NGOs as reporting organisations where necessary.</p> <p>Mr CHAN was dissatisfied with the Administration's response and was of the view that the reporting mechanism should capture source data from sexual minority groups.</p> <p>Sharing the views of Mr CHAN, the Chairman considered that the reporting mechanism should collect data from sexual minority groups, and that the reporting criteria for different types of domestic and sexual violence cases should be clearly formulated to facilitate data input by reporting professionals.</p> <p>The Administration advised that SWD set up a task force under the Working Group of Combating Violence ("the Working Group") in 2011 to review the data input form and the reporting mechanism. A revised input form had been introduced since 2013 and data on same-sex partner violence had also been captured under the reporting mechanism. The Administration undertook to relay the views of Mr CHAN to the Working Group for consideration.</p>	<p>Admin</p>
001954 - 002614	Chairman Deputy Chairman Admin	<p>The Chairman and Deputy Chairman urged the Administration to include representatives of sexual minority groups in the Working Group, which was chaired by the Director of Social Welfare and responsible for mapping out strategies to address the problem of spouse/cohabitant battering and sexual violence.</p> <p>The Administration assured members that SWD would maintain close communication with sexual minority groups to identify areas of improvement in the handling of cases of same-sex partner violence, and ensure that views from different sectors of the community would be taken into consideration.</p>	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
002615 - 003827	Chairman Ms Emily LAU Admin	<p>Noting that the number of "domestic violence (miscellaneous)" cases had dropped drastically since the introduction of the "domestic incidents" category under the Police's classification system for domestic conflict reports in 2009, Ms Emily LAU asked whether a comprehensive review would be conducted on the Police's classification system for domestic conflict reports.</p> <p>The Police explained that the intention of creating the "domestic incidents" category was to facilitate early identification and intervention for families with risks of domestic violence. Although the number of domestic violence cases had reduced since the introduction of the "domestic incidents" category, the Police would continue to closely monitor the situation of domestic violence in Hong Kong. While the Police considered the current mechanism for handling domestic and sexual violence cases effective, regular review would be conducted by the Police on the existing protocols for dealing with these cases.</p> <p>The Chairman and Ms LAU sought clarification as to whether only a small number of domestic violence cases had been referred by the Police to SWD for support services. The Administration advised that the number of domestic conflict reports referred by the Police to SWD per annum had remained steady at some 7 000 cases over the past four years, representing about 50% of the total number of domestic conflict reports received by the Police during the year. The Police stressed that they would, subject to the exemptions provided under the Personal Data (Privacy) Ordinance (Cap. 486), refer certain cases considered to be serious in nature to SWD for follow-up without the victim's consent.</p>	
003828 - 004134	Chairman Admin	<p>The Chairman requested the Administration to give an account of the significant difference in the statistics of domestic violence provided by the Police and SWD, i.e. the numbers of newly reported domestic violence cases received by SWD, domestic conflict reports handled by the Police and cases followed up by SWD upon police referrals during the same period.</p>	Admin

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
004135 - 005059	Chairman Dr KWOK Ka-ki Admin	<p>Dr KWOK Ka-ki considered that SWD should take the initiative to review the domestic conflict cases that had not been referred by the Police for follow-up actions, and identify those in need of support services.</p> <p>The Administration advised that SWD received referrals for support services from other government departments, NGOs and hospitals in addition to the Police. Procedural guidelines had been developed by SWD in collaboration with relevant government departments and organisations to ensure proper handling of cases of domestic and sexual violence. A checklist of domestic violence indicators, namely Emergency Referral Questionnaire, had been devised to assist front-line police officers in carrying out risk assessment on domestic conflict reports received. Proper training had been provided for front-line staff in SWD and police officers to enhance their understanding and sensitivity in rendering appropriate services to victims of domestic violence and sexual violence.</p> <p>The Police reiterated that victims of domestic and sexual violence cases would be provided with information on the related support services of various government departments and NGOs. Subject to their consent, arrangement would be made to refer them for appropriate services. However, depending on the seriousness of the case, the Police might make referral to SWD without the victim's consent.</p>	
005100 - 005804	Chairman Mr Albert HO Admin	<p>Mr Albert HO asked whether each case of domestic conflict received by the Police should be better supervised by an officer at a more senior rank, say, Inspector, instead of the rank of Sergeant. The Police considered that Sergeant was an appropriate rank in charge of domestic conflict cases given the experience, professional knowledge and leadership ability possessed by an officer of the Sergeant rank.</p> <p>Mr HO enquired whether there was any assessment tool or checklist put in place by SWD for its front-line staff in handling domestic violence cases with crime elements. The</p>	

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		<p>Administration advised that procedural guidelines had been developed for proper handling of domestic violence cases. For cases of domestic violence involving crime elements, SWD would refer them to the Police for follow-up action and the victim's consent was not required under such circumstances.</p> <p>Mr HO requested the Police to consider providing a copy of the Emergency Referral Questionnaire for members' reference.</p>	Admin
<i>Agenda item II - Shelter service for victims of domestic violence and sexual violence</i>			
005805 - 010241	Chairman Mr TANG Chung-wah, The Hong Kong Council of Social Service	Presentation of views [LC Paper No. CB(2)824/14-15(02)]	
010242 - 010639	Chairman Ms Anne WONG, Harmony House	Presentation of views [LC Paper No. CB(2)806/14-15(01)]	
010640 - 011154	Chairman Dr Paulina KWOK, Caritas Family Crisis Support Centre	Presentation of views [LC Paper No. CB(2)824/14-15(03)]	
011155 - 011444	Chairman Mr FOO Wai-lok, The Against Elderly Abuse of Hong Kong	Presentation of views [LC Paper No. CB(2)824/14-15(04)]	
011445 - 011751	Chairman Ms Eva LEUNG, Hong Kong Federation of Women's Centres	Presentation of views [LC Paper No. CB(2)824/14-15(05)]	
011752 - 012027	Chairman Ms LIU Pui-shan, Tung Wah Group of Hospitals	Presentation of views	
012028 - 012459	Chairman Ms LI Ting, The Forthright Caucus	Presentation of views [LC Paper No. CB(2)824/14-15(06)]	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
012500 - 012734	Chairman Mr Tommy CHEN, Rainbow of Hong Kong	Presentation of views	
012735 - 012911	Chairman Mr SHAM Tsz-kit, Rainbow Action	Presentation of views [LC Paper No. CB(2)824/14-15(07)]	
012912 - 013010	Chairman Miss YEO Wai-wai, Women Coalition of HKSAR	Presentation of views [LC Paper No. CB(2)824/14-15(08)]	
013011 - 013336	Chairman Miss Tiffany NG, RainLily	Presentation of views	
013337 - 013701	Chairman Miss Judy NG, Labour Party	Presentation of views	
013702 - 014043	Chairman Ms YEUNG Oi-shan, Christian Family Service Centre - Serene Court	Presentation of views [LC Paper No. CB(2)824/14-15(09)]	
014044 - 014419	Chairman Miss Bonnie LEUNG, Civic Party	Presentation of views [LC Paper No. CB(2)824/14-15(10)]	
014420 - 014742	Chairman Ms KONG Lai-chun, Po Leung Kuk	Presentation of views [LC Paper No. CB(2)812/14-15(01)]	
014743 - 015114	Chairman Professor Puja Kapai, Association for Concern for Legal Rights of Victims of Domestic Violence	Presentation of views [LC Paper No. CB(2)824/14-15(11)]	
015115 - 020826	Chairman Admin	The Administration's response to the views and concerns expressed by deputations attending the meeting	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
020827 - 021422	Chairman Ms Emily LAU Admin	<p>Ms Emily LAU noted with concern that there were cases where women and their children facing family crisis had been denied admission to refuge centres due to the unavailability of vacant residential places. She considered such circumstances intolerable, and urged the Administration to take immediate steps to increase the supply of temporary residential places for victims of domestic violence and sexual violence. The Chairman asked whether additional provision would be provided to enhance the shelter service for these victims.</p> <p>The Administration responded that a mutual referral mechanism had been established among the five refuge centres for women and the CEASE Crisis Centre ("CEASE") to ensure that no abused victim would be denied to seek immediate assistance. The Administration would closely monitor and review the utilisation of the refuge centres, and make active effort to seek additional resources to improve the shelter service.</p>	
021423 - 021836	Chairman Deputy Chairman Admin	<p>In response to the Deputy Chairman's request for a timetable for the provision of additional resources for shelter service for victims of domestic violence and sexual violence, the Administration advised that it could not provide a concrete timetable at the moment, but would actively seek resources to increase the residential places and manpower of the refuge centres for women. The Deputy Chairman requested the Administration to provide a written response in this regard.</p>	Admin
021837 - 022440	Chairman Dr Helena WONG Admin	<p>In response to Dr Helena WONG's query as to whether the Administration had underestimated the demand for shelter service from victims of domestic violence and sexual violence, the Administration advised that the residential places in the refuge centres for women had been increased from 142 in 2003 to 260 in 2014. In addition, CEASE was also set up in 2010 to provide 80 short-term residential places for individuals and families facing domestic violence or other family crisis as well as for victims of sexual violence.</p>	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
		Dr Helena WONG's view and the Administration's response regarding the scope of service and provision of facilities of the refuge centres for women.	
022441 - 023005	Chairman Dr KWOK Ka-ki Admin	<p>Dr KWOK Ka-ki asked whether the Administration had any concrete plan in the coming two to three years for increasing the resources for shelter service. The Administration reiterated that it would keep the residential places and manpower of refuge centres under review. The Chairman took the view that a concrete implementation plan and timetable should be drawn up in respect of the comprehensive review of shelter service as well as the provision of short-term and long-term housing assistance for the vulnerable groups.</p> <p>Dr KWOK's concern and the Administration's response regarding the Police patrols in the vicinity of refuge centres</p>	
023006 - 023114	Chairman Mr CHAN Chi-chuen	Mr CHAN Chi-chuen reiterated his concerns about the inclusion of representatives of sexual minority groups in the Working Group and the provision of shelter service for sexual minorities facing domestic or sexual violence.	
023115 - 023232	Chairman Ms Emily LAU Dr KWOK Ka-ki	Item for discussion at the next meeting	
<i>Agenda item III - Any other business</i>			
023233 - 023321	Chairman	Closing remarks	