

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 March 2015, at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon Albert HO Chun-yan
Hon CHEUNG Kwok-che
Hon CHAN Chi-chuen
Dr Hon KWOK Ka-ki
Dr Hon Helena WONG Pik-wan
Hon TANG Ka-piu, JP

Member attending : Hon Emily LAU Wai-hing, JP

Members absent : Hon CHAN Yuen-han, SBS, JP (Deputy Chairman)
Hon LEUNG Che-cheung, BBS, MH, JP

Public Officers attending : Item I

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 NG Shu-chung
Senior Housing Manager / Tenancy Management Policy
Housing Department

**Attendance
by invitation**

: Item I

The Association for the Advancement of Feminism

Miss Suzanne WU

Hong Kong Federation of Women's Centres

Ms Eva LEUNG
Centre-in-charge

Rainbow Action

Mr SHAM Tsz-kit
Spokesperson

Rainbow of Hong Kong

Mr Tommy CHEN
Spokesperson

Women Coalition of HKSAR

Miss YEO Wai-wai
Spokesperson

The Democratic Party

Mr YEUNG Ho-yin

The Against Elderly Abuse of Hong Kong

Mr Thomas TSANG
Senior Officer (Policy and Legal Support)

PathFinders

Ms Carmen LAM
Senior Programme Manager

家暴受害人互助小組

Mr YANG Hui-qiang

New Arrival Women League

Ms YEUNG Mei
Executive Director

新來港婦女關注組

Ms FANG Cai-rong
Member

同根婦女政策組

Ms HE Pei-ming
Member

同根同天空

Ms YANG Jing-mei
Member

基層婦女家暴關注組

Ms LI Hoi-ling
Member

Labour Party

Ms Judy NG
Representative

Caritas Family Crisis Support Centre

Mr DONG Xin-jiong
Crisis Care Worker I

Harmony House

Miss CHAN Siu-mui
Shelter Assistant Supervisor (Acting)

The Hong Kong Council of Social Service

Mr TANG Chung-wah
Officer

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

Miss Lulu YEUNG
Clerical Assistant (2) 1

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I. Housing assistance for victims of domestic violence and sexual violence

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

2. The Subcommittee received views from 18 deputations attending the meeting on the housing assistance provided for victims of domestic violence and sexual violence. Their major views and concerns expressed are summarised as follows -

- (a) there was a lack of transparency in the processing of Compassionate Rehousing ("CR") and other housing assistance applications from victims of domestic violence and sexual violence by the Social Welfare Department ("SWD") and the Housing Department ("HD"). The criteria adopted for assessing the applications were inconsistent among various District Social Welfare Offices of SWD. The

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unduly long time taken for processing housing assistance applications had caused stress to individuals or families in crisis and resulted in an extended stay of those who were seeking temporary accommodation at refuge centres, which had already been fully utilised. It was suggested that an independent appeal mechanism should be set up to hear and determine appeals against decisions on housing assistance applications;

- (b) to ensure proper handling of housing assistance applications made by victims of domestic violence and sexual violence, adequate training on the relevant policies and procedures should be provided for both SWD and HD staff concerned. Dedicated and comprehensive training should also be provided for these front-line officers to enhance their sensitivity and skills in handling such applications, in particular cases involving new arrivals, ethnic minorities, sexual minorities (including transgender persons) and foreign domestic helpers;
- (c) given that HD would generally favour the grant of the public housing tenancy to the party having the custody of children (battered wives in most cases) in considering CR and Conditional Tenancy ("CT") cases, and the party who had not been given the custody of any child would be required to leave the public rental housing ("PRH") flat, HD should consider allocating another PRH flat to the successful applicants so as to prevent them from being harassed by their spouses whose housing assistance requests were rejected;
- (d) in view of the recent surges in private housing rentals, the rent allowance under the Comprehensive Social Security Assistance ("CSSA") Scheme could not fully meet the actual rental expenses. The Administration should review the maximum rates of the rent allowance so as to alleviate the financial hardship faced by those victims of domestic violence and sexual violence who were on CSSA but were ineligible for PRH. More resources should be provided to address the long-term housing needs of victims of domestic violence and sexual violence; and

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- (e) the Administration should step up publicity on the housing assistance available for victims of domestic violence with imminent housing needs, particularly new arrivals, ethnic minorities and sexual minorities.

3. In response to the views and concerns of members and deputations, the Administration made the following points -

- (a) in considering whether an application for CR, including the CT Scheme, should be supported, social workers needed to exercise their professional judgment having regard to the individual circumstances of the case, including social and medical grounds, the nature and complexity of the family problems which gave rise to the need for housing assistance as well as the resources and support network available for the applicant. To ensure consistency in assessment yardsticks, social workers of both SWD and subvented non-governmental organisations ("NGOs") would follow the established mechanism and the standardised procedural guidelines when handling such applications. Each CR application would be scrutinised and endorsed by the respective District Social Welfare Officer. SWD organised sharing sessions from time to time on handling of housing assistance cases in collaboration with HD, with a view to rationalising the application procedures for processing applications for CR. The application procedures and eligibility criteria for CR were readily accessible through information leaflets and SWD's webpage;
- (b) SWD on average completed the assessment on a CR application within 40 days after receiving all required documents from the applicant. Upon receipt of SWD's recommendation for a case, HD normally arranged flat allocation to the eligible applicant within two months. It was noteworthy that the actual processing time for CR cases might vary according to different circumstances of each case. Longer time would be taken to process applications with special requests, for example, location preference. Under the co-ordination mechanism between SWD and HD for processing CR applications, due priority would be given to special or urgent cases, such as families facing domestic

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violence or sexual violence. HD would, subject to availability of resources and SWD's recommendations, arrange prompt allocation of PRH flats. To further enhance inter-departmental collaboration and rationalise the procedures for processing housing assistance cases, a Liaison Group at the headquarters level and five Local Liaison Groups at the district level, which comprised representatives of SWD, HD and the relevant NGOs, had been set up and would meet at a half-yearly interval;

- (c) CR was a form of housing assistance to individuals or families (including victims of domestic violence and sexual violence) who had genuine, imminent and long-term housing needs but could not resolve them on their own. Under the current policy, 2 000 flats were reserved under the PRH Allocation Plan every year for CR. The concerned number was only for the planning reference, rather than the upper limit of allocation. As a matter of fact, the actual number of allocation of PRH flats for CR in the past years had been over 2 000 and even reached 2 700, having regard to the housing needs of individual cases;
- (d) various avenues were available for service users to make complaints if they were dissatisfied with the services of individual NGOs. Subvented NGOs were required to put in place, for their subvented service units, a complaint mechanism including policy and procedures as one of the Service Quality Standards required under the Service Performance Monitoring System of SWD. In addition, aggrieved service users could lodge complaints, such as improper use of subventions, management decisions that had a direct impact on service performance and non-compliance with service requirements, with the Lump Sum Grant Independent Complaints Handling Committee. That said, the Administration would give due consideration to the suggestion of establishing an independent appeal mechanism to hear and determine appeals against decisions on housing assistance applications;

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- (e) currently, there are 65 Integrated Family Service Centres ("IFSCs") over the territory, 41 of which were operated by SWD while the remaining 24 were operated by 10 NGOs. IFSCs had all along delivered a spectrum of preventive, supportive and remedial welfare services to families in need, including cross-boundary families and their children who lived in Hong Kong. Moreover, SWD provided funding for the International Social Service Hong Kong Branch ("ISS-HK") to offer cross-boundary and inter-country casework services to assist those, including new arrival women, who had encountered individual and family problems due to geographical separations. ISS-HK had arranged service teams stationing at the Lo Wu Control Point since July 2010 to provide services which included, among others, provision of information about social and support services in Hong Kong and making referrals to appropriate service units for follow up. SWD had also linked up its Departmental Hotline with the New Arrivals Connect Hotline operated by ISS-HK since July 2009. Individuals in need, including new arrival women, might contact social workers of ISS-HK through SWD's hotline for timely assistance and appropriate services;
- (f) relevant training including assessment yardsticks for housing assistance was provided for front-line social workers of both SWD and NGOs. Every year, SWD provided training for around 7 000 social workers and other professionals from various disciplines on subjects relating to domestic violence. To enhance understanding and sensitivity in rendering appropriate assistance to ethnic minorities and people of different sexual orientations, SWD had organised eight dedicated training programmes in the past three years on sexual orientation and related issues, with over 450 participants; and
- (g) SWD had regular meetings with sexual minority groups to keep abreast of the problems of domestic violence and sexual violence they had encountered. A concrete response to the request of inviting representatives of sexual minority groups to join the Working Group on Combating Violence could be provided in May 2015.

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- Admin
4. Members generally shared the concerns raised by deputations attending the meeting and requested the Administration to -
- (a) consider making public the "Guidelines and Procedures for Processing Applications for Compassionate Rehousing and Other Housing Assistance" to facilitate better understanding of the procedures and criteria for handling housing assistance requests from victims of domestic violence;
 - (b) give an account of the reasons for rejecting CR and CT applications in the past five years;
 - (c) consider increasing the number of PRH flats reserved for CR every year under the Government's Public Rental Housing Allocation Plan;
 - (d) provide content details of the eight training courses on sexual orientation and related issues organised by SWD for social workers in the past three years; and
 - (e) consider providing a concrete response to the request for inclusion of representatives from sexual minority groups into the Working Group on Combating Violence at the next meeting of the Subcommittee in April 2015.

II. Any other business

5. The Chairman suggested and members agreed that the Subcommittee would follow up the discussion on shelter service and housing assistance for victims of domestic violence and sexual violence at the next meeting scheduled for 13 April 2015. Members further agreed that deputations would be invited to attend the next meeting.

6. There being no other business, the meeting ended at 4:36 pm.

**Proceedings of meeting of the Subcommittee on Strategy and Measures to
Tackle Domestic Violence and Sexual Violence
held on Monday, 9 March 2015, at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
<i>Agenda item I - Housing assistance for victims of domestic violence and sexual violence</i>			
000000 - 000924	Chairman	Opening remarks	
000925 - 001347	Chairman Miss Suzanne WU, The Association for the Advancement of Feminism	Presentation of views [LC Paper No. CB(2)1026/14-15(01)]	
001348 - 001750	Chairman Ms Eva LEUNG, Hong Kong Federation of Women's Centres	Presentation of views [LC Paper No. CB(2)1026/14-15(02)]	
001751 - 002025	Chairman Mr SHAM Tsz-kit, Rainbow Action	Presentation of views [LC Paper No. CB(2)1026/14-15(03)]	
002026 - 002302	Chairman Mr Tommy CHEN, Rainbow of Hong Kong	Presentation of views [LC Paper No. CB(2)1026/14-15(04)]	
002303 - 002540	Chairman Miss YEO Wai-wai, Women Coalition of HKSAR	Presentation of views [LC Paper No. CB(2)1026/14-15(05)]	
002541 - 002835	Chairman Mr YEUNG Ho-yin, The Democratic Party	Presentation of views	
002836 - 003148	Chairman Mr Thomas TSANG, The Against Elderly Abuse of Hong Kong	Presentation of views	
003149 - 003438	Chairman Ms Carmen LAM, PathFinders	Presentation of views [LC Paper No. CB(2)966/14-15(03)]	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
003439 - 003804	Chairman Mr YANG Hui-qiang, 家暴受害人互助小組	Presentation of views	
003805 - 004223	Chairman Ms YEUNG Mei, New Arrival Women League	Presentation of views	
004224 - 004552	Chairman Ms FANG Cai-rong, 新來港婦女關注組	Presentation of views [LC Paper No. CB(2)1033/14-15(01)]	
004553 - 004934	Chairman Ms HE Pei-ming, 同根婦女政策組	Presentation of views [LC Paper No. CB(2)1033/14-15(02)]	
004935 - 005307	Chairman Ms YANG Jing-mei, 同根同天空	Presentation of views [LC Paper No. CB(2)1033/14-15(03)]	
005308 - 005654	Chairman Ms LI Hoi-ling, 基層婦女家暴關注組	Presentation of views [LC Paper No. CB(2)1033/14-15(04)]	
005655 - 010038	Chairman Ms Judy NG, Labour Party	Presentation of views	
010039 - 010455	Chairman Mr DONG Xin-jiong, Caritas Family Crisis Support Centre	Presentation of views [LC Paper No. CB(2)972/14-15(01)]	
010456 - 010858	Chairman Miss CHAN Siu-mui, Harmony House	Presentation of views [LC Paper No. CB(2)972/14-15(02)]	
010859 - 011437	Chairman Mr TANG Chung-wah, The Hong Kong Council of Social Service	Presentation of views [LC Paper No. CB(2)1026/14-15(06)]	
011438 - 013027	Chairman Admin	The Administration's response to the views and concerns raised by deputations attending the meeting.	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
013028 - 013618	Chairman Dr Helena WONG Admin	<p>Dr Helena WONG's enquiry and the Administration's response regarding the availability of internal procedural guidelines drawn up by the Social Welfare Department ("SWD") and Housing Department ("HD") to handle requests from victims of domestic violence for Compassionate Rehousing ("CR") and other housing assistance.</p> <p>To enhance the transparency of processing housing assistance applications, the Chairman and Dr WONG requested the Administration to make available the relevant procedural guidelines.</p>	Admin
013619 - 014137	Chairman Mr TANG Ka-piu Admin	Mr TANG Ka-piu's view and the Administration's response regarding the suggestion of establishing an independent appeal mechanism to hear and determine appeals against decisions on housing assistance applications.	
014138 - 014735	Chairman Mr CHAN Chi-chuen Admin	<p>Mr CHAN Chi-chuen's concerns and the Administration's response regarding training for social workers on the knowledge and skills in addressing the specific needs of sexual minorities suffering from domestic violence and sexual violence, in particular transgender persons, as well as the procedural guidelines for handling housing assistance requests from sexual minority groups.</p> <p>Mr CHAN requested the Administration to provide content details of the eight training courses organised by SWD in the past three years on sexual orientation and related issues.</p> <p>The Administration's response to Mr CHAN Chi-cheun's enquiry about the inclusion of representatives from sexual minority groups into the Working Group on Combating Violence.</p>	Admin
014736 - 015310	Chairman Mr CHEUNG Kwok-che	Mr CHEUNG Kwok-che expressed support for the suggestion of setting up an independent appeal mechanism for reviewing the decisions on housing assistance applications. He considered that such a mechanism would not only provide a platform for re-assessing objectively the unsuccessful housing assistance applications, but also help identify areas for improvement in the existing procedural guidelines for handling housing assistance requests.	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
		<p>Mr CHEUNG's concern about the processing time of housing assistance applications and his view that eligible applicants for household splitting should be allocated another public rental housing flats in other districts so as to prevent harassment from the batterers.</p>	
015311 - 015846	<p>Chairman Ms Emily LAU Admin</p>	<p>Ms Emily LAU's strong support for the inclusion of representatives from sexual minority groups into the Working Group on Combating Violence</p> <p>Ms LAU's grave concern about and the Administration's response regarding the processing time of housing assistance applications</p>	
015847 - 020135	<p>Chairman</p>	<p>The Chairman advised that in the course of the examination of Estimates of Expenditure 2014-2015, Mr CHEUNG Kwok-che raised a written question on the numbers of CR and Conditional Tenancy ("CT") cases processed (including the number of rejected applications) during the period from 2008 to 2013. Referring to the Administration's reply to the question (Reply Serial No. LWB(WW)0825), the Chairman queried why a drop in the numbers of both CR and CT cases recommended to HD were recorded in 2013 while the numbers of cases of divorce and domestic violence were on the rise in Hong Kong. He requested the Administration to provide information on the reasons for rejecting CR and CT applications processed during the past five years from 2010 to 2014.</p> <p>With the population growth in Hong Kong and the increase in the numbers of cases of divorce and domestic violence, the Chairman considered that the number of public rental housing flats reserved by HD for allocation to eligible CR and CT applicants, which had remained at around 2 000 units per year for a long time, should be adjusted upward.</p> <p>The Chairman requested the Administration to consider providing a concrete response to the request for inclusion of representatives from sexual minority groups into the Working Group on Combating Violence at the next meeting of the Subcommittee scheduled for April 2015.</p>	<p>Admin</p> <p>Admin</p>

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
020136 - 020615	Chairman Ms Emily LAU	Items for discussion and invitation for public views at the next meeting	

Council Business Division 2
Legislative Council Secretariat
2 April 2015