

**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 Tuesday, 12 May 2015, at 4:30 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  
Hon LEUNG Che-cheung, BBS, MH, JP  
Dr Hon KWOK Ka-ki  
Dr Hon Helena WONG Pik-wan  
Hon TANG Ka-piu, JP

**Member attending** : Hon Emily LAU Wai-hing, JP

**Member absent** : Hon CHAN Yuen-han, SBS, JP (Deputy Chairman)

**Public Officers attending** : Item I  
Mr Stephen SUI Wai-keung, JP  
Under Secretary for Labour and Welfare

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

Mr LAM Bing-chun  
Chief Social Work Officer (Rehabilitation &  
Med Social Services) 1  
Social Welfare Department

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

Ms Frances LEE King-hei  
Chief Inspector (Family Conflict and Sexual Violence  
Policy Unit) (Crime Wing)  
Hong Kong Police Force

**Attendance** : Item I  
**by invitation**

Caritas Family Crisis Support Centre

Miss YUEN Suk-wai  
Children Counseling Service Project Officer

Harmony House

Ms Judith NG Yuen-han  
Service Supervisor

Rainbow Action

Jimmy  
Spokesperson

Rainbow of Hong Kong

Tommy Jai  
Executive Officer

Women Coalition of HKSAR

YEO Wai-wai  
Spokesperson

Liberal Party

Ms Rebecca CHEUNG  
Representative

Democratic Alliance for the Betterment and Progress of  
Hong Kong

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Mr LI Ka-leung  
Members of Family Affairs Committee

Labour Party

Mr Steve LO  
Representative

The Democratic Party

Mr Howard LAM

Parents for The Family Association

Mr Howard LAI  
President

Hong Kong Committee on Children's Rights

Mrs Priscilla LUI  
Vice-Chairman

Youth Union

Mr NG Chung-tat  
Member

The Forthright Caucus

Miss LAM Shuk-kwan

**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. Handling of domestic violence and sexual violence cases involving children and young persons**

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

2. The Subcommittee received views from 13 deputations attending the meeting, and noted a written submission from an organisation which had not attended the meeting. The major views and concerns expressed by the deputations attending the meeting are summarised as follows -

- (a) given that witnessing domestic violence could bring severe negative impact on children's emotional and psychological development, the definition of child abuse should cover psychological trauma caused by witnessing domestic violence. The case social workers should carry out independent psychological assessment for the abused children, including those having witnessed domestic violence, to evaluate and determine their welfare needs;
- (b) the Administration should increase the resources and expand the specialised services targeted at high-risk families with a view to facilitating early identification and timely provision of appropriate support services for these families. It was suggested that such services should also be provided at the Maternal and Child Health Centres ("MCHCs") of the Department of Health ("DH");

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- (c) the Integrated Family Service Centres ("IFSCs") of the Social Welfare Department ("SWD") should closely liaise with parent groups to enhance parents' awareness of the support services available for families and children in need. SWD's Family and Child Protective Services Units should proactively approach the non-governmental organisations providing support services for families in crisis, so as to better address the holistic needs of these families;
- (d) collaboration between schools and social workers should be enhanced to facilitate early identification of and intervention for cases of children at risk of being abused. Additional resources and manpower should also be allocated to schools for the provision of parent education, after school care service and student counselling service;
- (e) the Administration should provide additional resources for the refuge and crisis centres to strengthen their support services for children taking refuge, particularly emotional counselling and psychological services. Dedicated shelter service should also be provided for sexual minorities facing domestic violence and sexual violence, in particular the children and adolescents who were expelled from homes after disclosing their sexual orientation to family members;
- (f) SWD should provide proper and adequate training to enhance the sensitivity of the front-line professional staff of different disciplines, including social workers, police officers, teachers and medical personnel, in handling cases of domestic violence and sexual violence involving children and young persons. Specific training should also be provided by SWD to enhance the understanding of the front-line social workers in rendering services to children and adolescents with different sexual orientation;
- (g) SWD should draw up procedural guidelines for handling cases of domestic violence and sexual violence involving children and adolescents with different sexual orientation to ensure that they would not be discriminated when receiving service. Specifically, the Administration should review whether referral of children and adolescents with different

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sexual orientation for conversion therapy would constitute a form of discrimination; and

- (h) the Administration should enhance multi-disciplinary and cross-sectoral collaboration in protecting the well-being of children, particularly those with disabilities who were more vulnerable to all forms of abuse. It was suggested that a Children Commission should be set up to fulfill the obligations under the United Nations Convention on the Rights of the Child, safeguard the well-being of children, and ensure that children's perspectives were fully taken into account in the process of policy formulation.

3. Members shared the concerns raised by the deputations attending the meeting, and called on the Administration to treat children's witnessing of domestic violence, which could lead to serious psychological trauma, as a form of child abuse. Members also considered that specific guidelines should be drawn up for handling cases of domestic violence and child abuse involving children and adolescents with different sexual orientation.

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

- (a) in determining whether a case should be defined as a child abuse case, the responsible professionals would make assessment based on individual circumstances of each case and take into consideration various factors, including the child's age, the act, the consequences of the act on the child, etc., instead of just focusing on the frequency and nature of incident that had occurred. Cases involving children welfare, even though they were not regarded as child abuse, would still be handled with care and appropriate services would be rendered to uphold the best interests of children;
- (b) in following up with individual cases of domestic violence or child abuse, case social workers would conduct a comprehensive assessment on the emotional, psychological and family conditions of the affected/abused children (including those having witnessed domestic violence) and arrange individual or group counselling, and support services for them and their families. Where the need for

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psychological assessment or treatment was indicated, referral for psychological service would be arranged;

- (c) the Labour and Welfare Bureau, Education Bureau, DH, Hospital Authority ("HA"), SWD and non-governmental organisations had been collaborating to provide the Comprehensive Child Development Service ("CCDS"), which aimed at identifying various health and social needs of children aged between zero and five and their families at an early stage and providing the needed services, so as to foster the healthy development of children. Through MCHCs of DH, hospitals under HA and other relevant service units, such as IFSCs, integrated services centres and pre-primary institutions, CCDS identified at-risk pregnant women, mothers with post-natal depression, families with psychosocial needs, and pre-primary children with health, developmental and behavioural problems. Needy children and families identified would be referred to the relevant service units for appropriate health and/or social services;
- (d) to further enhance the early identification of the health and social needs of children and their families, a task group under CCDS had been formed with representatives from DH, HA and SWD. The task group was developing an assessment framework on parenting capacity for CCDS with a view to providing the front-line staff, including social workers and medical personnel, with a common reference which could facilitate their assessment on the capacity of the families in protecting the children from risk and enhancing their developmental experiences, as well as formulating feasible welfare plans for the children. While CCDS aimed to serve children aged between zero and five and their families with specific medical, developmental and social needs, the assessment framework was being developed and implemented by phases for children aged between zero and three. The first phase targeting children aged between zero and 12 months would be introduced on a trial basis in Yuen Long, Tsuen Wan and Kwai Tsing Districts in June 2015;
- (e) to facilitate early identification of and timely provision of appropriate assistance for secondary school students with academic, social or emotional problems, the Administration

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had provided extra funding to create 96 additional school social worker posts in 2011-2012 school year. In the 2014-2015 school year, there were 564 school social worker posts serving secondary schools in the territory. SWD also organised training programmes and activities on child protection through District Social Welfare Offices to strengthen the cross-sectoral collaboration among the front-line social workers and school personnel in tackling the problems of family violence and child abuse. SWD would continue to review school social work services having regard to the service demand;

- (f) additional resources were allocated in 2009 to enhance the capacity and support services of the refuge centres. The operators of refuge and crisis centres were required to provide support services and group programmes for children staying at their centres under their respective Funding and Service Agreements. To assist at-risk families in obtaining child care support, SWD provided day child care services in various districts. To enhance service flexibility, SWD had introduced the Neighbourhood Support Child Care Project which provided services during day time and late evenings on weekdays, weekends and public holidays. The Victim Support Programme for Victims of Family Violence launched by SWD also provided child care support for the victims who were unable to take care of their children temporarily;
- (g) it was pointed out in the Procedural Guide for Handling Intimate Partner Violence Cases drawn up by SWD that children having witnessed domestic violence might be affected by the traumatic experience. Therefore, intervention should not be confined to victims. Social workers and professionals concerned should also ensure the immediate safety of the victims' children, render early assistance and support to them, stay sensitive and alert to their needs. The Administration attached equal importance to the interests of all children, irrespective of age, gender, race and sexual orientation. The relevant procedural guidelines developed by SWD were applicable to service users with different backgrounds and needs (including new arrivals, ethnic minorities and sexual minorities). SWD



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would review and update the guidelines from time to time having regard to the professional advice and the latest developments;

- (h) SWD had organised eight dedicated training programmes in the past three years on sexual orientation and related issues, with over 450 participants from various disciplines. Speakers, including clinical psychologists, psychiatrists and academics, were invited to share their professional knowledge and work experience to enhance the front-line officers' understanding of the problems of domestic violence and sexual violence from different perspectives; and
- (i) to enhance public education on combating domestic violence, SWD had since 2002 launched a publicity campaign on "Strengthening Families and Combating Violence", under which territory-wide and district-based publicity and public education programmes were organised to raise public awareness of the importance of strengthening family solidarity and to encourage early help seeking for prevention of family crisis and domestic violence. SWD had produced jointly with the Radio Television Hong Kong a television docu-drama series entitled "The Moment" to disseminate the message of preventing domestic violence and child abuse. Moreover, SWD produced in 2013-2014 a series of six animation videos to encourage parents to help their children develop resilience against adversities, and to avoid hurting them with corporal punishment and verbal abuse. In 2014-2015, SWD launched a series of publicity programmes to arouse the public awareness of the impact of domestic violence on children. SWD had also promoted public understanding on sexual violence against children through activities organised on online platform. SWD would continue its efforts in the public education on combating domestic violence and sexual violence.

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5. The Administration was requested to provide -

- (a) information, including the subjects, content details, training hours, speakers and number of participants, in respect of the training courses for social workers on sexual orientation and related issues organised by SWD since 2011; and

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- (b) a summary of the reference factors in the "Emergency Referral Questionnaire" and the "Action Checklist" considered by the front-line police officers in making referral of the victims of domestic violence and their children to SWD for appropriate services.

Clerk &  
Admin

6. On the membership of the Working Group on Combating Violence set up by SWD, the Chairman suggested and members agreed that he should write to the Chief Secretary for Administration expressing the Subcommittee's concern about the lack of representatives from the sexual minority groups in the Working Group, and requesting the Administration to re-consider inviting a reasonable number of representatives from sexual minorities to join the Working Group.

## **II. Any other business**

7. Members agreed to discuss and receive views from deputations on support services for sexual minorities facing domestic violence and sexual violence at the next meeting scheduled for 9 June 2015. Members further agreed that issues relating to domestic violence and sexual violence involving foreign domestic helpers would be discussed at the meeting to be held in July 2015.

8. There being no other business, the meeting ended at 6:34 pm.

Council Business Division 2  
Legislative Council Secretariat  
9 June 2015

**Proceedings of meeting of the Subcommittee on Strategy and Measures to  
Tackle Domestic Violence and Sexual Violence  
held on Tuesday, 12 May 2015, at 4:30 pm  
in Conference Room 2 of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s) / Discussion</b>	<b>Action Required</b>
<i>Agenda item I - Handling of domestic violence and sexual violence cases involving children and young persons</i>			
000000 - 000945	Chairman	Opening remarks	
000946 - 001303	Miss YUEN Suk-wai, Caritas Family Crisis Support Centre Chairman	Presentation of views [LC Paper No. CB(2)1444/14-15(01)]	
001304 - 001612	Ms Judith NG Yuen-han, Harmony House	Presentation of views [LC Paper No. CB(2)1431/14-15(01)]	
001613 - 001812	Jimmy, Rainbow Action	Presentation of views [LC Paper No. CB(2)1488/14-15(01)]	
001813 - 002028	Tommy Jai, Rainbow of Hong Kong	Presentation of views [LC Paper No. CB(2)1488/14-15(02)]	
002029 - 002317	YEO Wai-wai, Women Coalition of HKSAR	Presentation of views [LC Paper No. CB(2)1488/14-15(03)]	
002318 - 002653	Ms Rebecca CHEUNG, Liberal Party Chairman	Presentation of views	
002654 - 002931	Mr LI Ka-leung, Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views [LC Paper No. CB(2)1488/14-15(04)]	
002932 - 003238	Mr Steve LO, Labour Party	Presentation of views	
003239 - 003544	Mr Howard LAM, The Democratic Party	Presentation of views	
003545 - 003853	Mr Howard LAI, Parents for The Family Association	Presentation of views [LC Paper No. CB(2)1444/14-15(02)]	
003854 - 004210	Mrs Priscilla LUI, Hong Kong Committee on Children's Right	Presentation of views [LC Paper No. CB(2)1444/14-15(03)]	
004211 - 004523	Mr NG Chung-tat, Youth Union	Presentation of views [LC Paper No. CB(2)1488/14-15(05)]	

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004524 - 004644	Miss LAM Shuk-kwan, The Fortright Caucus	Presentation of views [LC Paper No. CB(2)1488/14-15(06)]	
004645 - 010514	Chairman Admin	<p>The Administration's response to the views and concerns expressed by deputations at the meeting.</p> <p>The Chairman asked about the number of cases involving children having witnessed domestic violence that were treated as child abuse under the Child Protection Registry ("CPR") of the Social Welfare Department ("SWD"). The Administration advised that SWD did not maintain such statistics. Currently, child abuse cases captured by CPR were classified into five categories, namely physical abuse, neglect, sexual abuse, psychological abuse and multiple abuse. CRP also contained the personal particulars of the child concerned and the abusers which included their sexes, ages and relationship, as well as the contributing factors of the abuse.</p> <p>In response to the Chairman's enquiry, the Administration advised that psychological abuse accounted for about 1% to 1.8% of the total number of newly reported child abuse cases in the past three years.</p> <p>The Chairman asked whether the Administration would consider collecting separate data on cases involving children having witnessed domestic violence under CRP. The Administration advised that SWD would review the operation of CRP from time to time, and members' concerns would be taken into consideration in the course of the review.</p>	
010515 - 011157	Chairman Ms Emily LAU Admin Mrs Priscilla LUI, Hong Kong Committee on Children's Rights Tommy Jai, Rainbow of Hong Kong	In response to Ms Emily LAU's enquiry about the Administration's policy for handling child abuse cases involving victims of different sexual orientation, the Administration advised that the relevant procedural guidelines were applicable to people with different backgrounds and needs, irrespective of their sexual orientations. Social workers would	

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		<p>provide appropriate support services and assistance according to the needs, preference and interests of individual victims.</p> <p>At the invitation of Ms LAU, Mrs Priscilla LUI of Hong Kong Committee on Children's Rights elaborated her views that children who witnessed domestic violence had all along remained invisible to the front-line officers. However, witnessing domestic violence could be very traumatic for children and could lead them to a range of emotional, behavioural, academic and social problems. She called on the Administration to treat children witnessing of domestic violence as a form of child abuse.</p> <p>Ms Emily LAU invited Tommy Jai of Rainbow of Hong Kong to elaborate on the concerns of sexual minority groups about referral of children and young persons with different sexual orientation or gender identities for conversion therapy services.</p>	
011158 - 011941	Chairman Mr CHAN Chi-chuen Admin	<p>Mr CHAN Chi-chuen asked whether there were any specific guidelines put in place by the Administration for handling cases of domestic violence and child abuse arising from the disclosure of sexual orientation by the children and adolescents concerned. The Administration reiterated that the existing procedural guides for handling intimate partner violence cases and child abuse cases were applicable to people with different backgrounds and needs, irrespective of their sexual orientations. Social workers would conduct comprehensive assessment on the welfare needs of the victims and, having regard to the actual circumstances of individual cases, provide them with appropriate assistance and services.</p> <p>Mr CHAN pointed out that SWD invited a psychiatrist who believed in conversion therapy to give a talk to social workers in 2011, which aroused grave concerns from</p>	

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		<p>the sexual minority groups. In this regard, he asked whether the current training on sexual orientation provided for social workers covered issues relating to conversion therapy.</p> <p>The Administration clarified that the primary objective of the training on sexual orientation provided to social workers was to enhance their understanding of and sensitivity towards sexual minorities from different perspectives.</p>	
011942 - 012511	Chairman Mr CHEUNG Kwok-che Admin	<p>Mr CHEUNG Kwok-che pointed out that overseas experience showed that conversion therapy could cause serious harm to the mental health of children and adolescents who were struggling with their gender identities. Therefore, the Administration should pay due attention to the background and professional expertise of trainers, including their stance on gender issue when engaging them to conduct programmes on the relevant subject area.</p> <p>Mr CHEUNG asked whether the Administration would consider requiring the reporting agencies to report cases involving children who had witnessed domestic violence to CPR. The Administration responded that it would take into account Mr CHEUNG's suggestion when reviewing the data input form of CPR.</p>	
012512 - 013421	Chairman Admin	<p>The Chairman pointed out that the existing procedural guides for handling intimate partner violence cases and child abuse cases did not cover the violence and abuse encountered by children and adolescents on the grounds of their sexual orientation. He was concerned that some non-governmental organisations ("NGOs") with religious background might discriminate against these children and young persons when providing services for them. He urged the Administration to review the relevant guidelines and take necessary preventive steps. The Administration responded that the Chairman's concerns would be taken</p>	

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		<p>into account when reviewing the relevant guidelines and the service provided by NGOs.</p> <p>The Chairman advised that according to the Administration's reply to his question raised in the examination of the Estimates of Expenditure 2015-2016, of the 13 925 new domestic violence cases (including 3 792 child abuse cases) handled by the Family and Child Protective Services Units ("FCPSUs") of SWD in the past five years, only victims involved in 2 215 domestic violence cases, including 1 596 child abuse cases (i.e. around 16% of the total number of new domestic violence cases handled by FCPSUs) received assessment and treatment at the Clinical Psychology Units of SWD. He queried why only a small number of these children and adolescents were referred for psychological treatment.</p> <p>The Administration explained that not all children who were witnesses to domestic violence required treatment provided by clinical psychologists. Apart from individual counselling, social workers also organised developmental or supportive groups for children who had witnessed domestic violence to help them tide over the difficult period and lessen their trauma associated with witnessing domestic violence. If children with symptoms of psychological or psychiatric problems were identified during the assessment, they would be referred to clinical psychologists or psychiatrists for service or treatment as appropriate.</p> <p>The Chairman further asked whether the assessment records of children having witnessed domestic violence were kept by a central database. The Administration advised that the assessment records of these children were kept in their respective case files.</p>	

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013422 - 014027	Chairman Mr CHEUNG Kwok-che Admin Tommy Jai, Rainbow of Hong Kong	Mr CHEUNG Kwok-che reiterated that it was inappropriate for SWD to include conversion therapy for sexual minorities in staff training programmes. He suggested that the Administration should review the content of the existing staff training courses on sexual orientation with reference to the relevant overseas literature and research. The Administration took note of Mr CHEUNG's views.	
014028 - 014306	Chairman Mr CHAN Chi-chuen Admin	Mr CHAN Chi-chuen considered that the Administration should review the content of training for social workers on sexual orientation-related issues. He requested the Administration to provide information, including subjects, content details, training hours, speakers and the number of participants, in respect of the staff training courses on sexual orientation and related issues organised by SWD since 2011.  Mr CHAN echoed the Chairman's concern about the discrimination encountered by children and adolescents with different sexual orientation in receiving services from social workers.	<b>Admin</b>
014307 - 014804	Chairman Admin	The Chairman shared the views of Mrs Priscilla LUI of Hong Kong Committee on Children's Rights that children were the invisible victims of domestic violence, and considered that the existing support services for needy families had not placed sufficient emphasis on children. To uphold the best interests of children in service provision, the Chairman asked whether the Administration would review the current mode of service delivery and increase resources to enhance the support for children facing domestic violence and abuse, for example, assigning a case social worker to provide follow-up services for the child concerned.  The Administration stressed that children were treated with equal importance in the handling of domestic violence cases. The two respective procedural guides for handling intimate partner violence cases and	



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		<p>child abuse cases would be reviewed from time to time with the input from the social service sector and the relevant government departments. As regards the support services for children facing domestic violence (including those having witnessed domestic violence), the refuge centres for women provided victims and their children with a series of services, including casework counselling and therapeutic/developmental groups. For children taking refuge, the five refuge centres ran therapeutic groups which helped the children address emotions induced by witnessing domestic violence or other family problems. The Administration was reviewing the shelter service, and would continue to seek additional resources to increase the residential places of and enhance the support services provided by refuge centres.</p>	
<p>014805 - 015633</p>	<p>Chairman Admin Ms Emily LAU Mr CHAN Chi-chuen</p>	<p>The Chairman enquired about the Administration's response to the request of including representatives from the sexual minority groups in the Working Group on Combating Violence ("Working Group") set up by SWD, which was raised at previous Subcommittee meetings.</p> <p>The Administration considered that the membership of the Working Group should be maintained to a manageable size for an effective discussion. As a number of sexual minority groups had indicated their interest in joining the Working Group, the membership size would be too large if all of them were invited to join it. Given that the Working Group already comprised representatives from a wide spectrum of disciplines, SWD had no intention to change the composition of the Working Group at the current stage. That said, SWD would continue to meet with different sexual minority groups on a regular basis to exchange views on issues of concern.</p> <p>Ms Emily LAU and Mr CHAN Chi-chuen expressed dissatisfaction with the Administration's refusal to invite</p>	

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		<p>representatives of sexual minorities to join the Working Group.</p> <p>The Chairman suggested and members agreed that he should write to the Chief Secretary for Administration expressing the Subcommittee's concern about the lack of representatives from the sexual minority groups in the Working Group, and requesting the Administration to re-consider inviting a reasonable number of representatives from sexual minorities to join the Working Group.</p> <p>Members also agreed to discuss and receive views from deputations on support services for sexual minorities facing domestic violence and sexual violence at the next meeting scheduled for 9 June 2015.</p>	<p><b>Cerk &amp; Admin</b></p>
015634 - 015744	Ms Emily LAU Chairman	In response to Ms Emily LAU's concern about issues relating to the domestic violence and sexual violence involving foreign domestic helpers, the Chairman advised that the subject matter could be discussed at the meeting of the Subcommittee in July 2015.	
015745 - 020354	Chairman Ms Emily LAU Admin Mr Albert HO	<p>The Chairman advised that as agreed at the last Subcommittee meeting, he had written to the Commissioner for Police requesting the provision of the Police's operational guidelines for handling domestic conflict incidents and family violence reports. It was stated in his reply that the Police's operational guidelines were internal guidelines intended for police officers' reference only and were not to be released to the public.</p> <p>Ms Emily LAU's enquiry and the Police's reiteration of its response regarding making public the operational guidelines for handling domestic conflict incidents and family violence reports.</p> <p>Mr Albert HO pointed out that similar procedure checklists used by the Police in some overseas jurisdictions, for example, London, were made available to the public.</p>	

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s) / Discussion</b>	<b>Action Required</b>
		At the request of the Chairman, the Police agreed to provide a summary of the reference factors in the "Emergency Referral Questionnaire" and the "Action Checklist" considered by the front-line police officers in making referral of the victims and their children to SWD for appropriate services.	<b>Admin</b>
020355 - 020403	Chairman	Closing remarks	

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9 June 2015