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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, 9 June 2015, at 10:45 am
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

Member attending : Hon Emily LAU Wai-hing, JP

Member absent : Hon TANG Ka-piu, JP

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

Ms Annisa MA Sau-ching
Assistant Director (Family & Child Welfare) (Acting)
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

Project Touch, the Boys' & Girls' Clubs Association of
Hong Kong

Mr CHAU Chun-yam
Social Worker

Democratic Alliance for the Betterment and Progress of
Hong Kong

Ms CHEUNG Fan-lan
Deputy Spokesperson

The Democratic Party

Miss Joanne LEUNG
Representative

Rainbow Action

Jimmy
Spokesperson

Rainbow of Hong Kong

Tommy Jai
Executive Officer

Women Coalition of HKSAR

YEO Wai-wai
Spokesperson

Individual

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Individual

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Hong Kong Federation of Women's Centres

Ms Eva LEUNG

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Mr LEE Tak-hung
External Vice Chairperson

Individual

Eugene

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

Action

I. Support services for sexual minorities facing domestic violence and sexual violence

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

2. The Subcommittee received views from 11 deputations/individuals attending the meeting. The major views and concerns expressed by deputations/individuals attending the meeting are summarised as follows -

- (a) professional and specific training should be provided for front-line personnel, including social workers and police officers, to enhance their sensitivity in dealing with cases of domestic violence and sexual violence involving people of different sexual orientation and transgenders, so that appropriate support and services could be rendered to them. School social work services should also be strengthened to ensure adequate support and timely assistance to students encountering domestic violence arising from their sexual orientation;
- (b) staff training on sexual orientation should not cover conversion therapy, which might generate a form of discrimination against sexual minorities. It was also inappropriate for social workers to make referral of people with different sexual orientation for conversion therapy, which was considered potentially harmful to the mental health of the persons concerned. The Administration should seek independent professional advice from medical specialties on issues and concerns pertaining to the treatment;
- (c) to tie in with the implementation of the Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) ("the Ordinance"), the Administration should draw up procedural guidelines specifically for handling of abuse cases involving sexual minorities and provision of related support services;

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- (d) it was pointed out that none of the non-governmental organisations ("NGOs") serving victims of domestic violence and sexual violence had pledged to adopt the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation ("the Code of Practice") promulgated by the Constitutional and Mainland Affairs Bureau ("CMAB"), which sought to eliminate discriminatory practices in employment and promote equal employment opportunities among all persons, irrespective of their sexual orientation. There was thus a query as to whether such NGOs, in particular those with religious background, could provide appropriate support services for sexual minorities who were victims of domestic violence or sexual violence;
- (e) the Administration should increase the short-term accommodation places for victims of domestic violence and sexual violence amid the high utilisation rates of the existing refuge centres and crisis support centres. There should be shelter service dedicated to sexual minorities faced with domestic violence to cater for their specific needs and circumstances;
- (f) given the low reporting and help-seeking rates among sexual minorities suffering from domestic violence and sexual violence, the Administration should step up its efforts in publicity and education targeting these victims, with a view to raising their awareness of their rights, protection for them under the law and relevant support services available to them;
- (g) the Central Information System on Spouse/Cohabitant Battering Cases and Sexual Violence Cases ("the Central Information System") should accept data reporting by sexual minority groups, so as to better reflect the actual situation of domestic violence and sexual violence in same-sex cohabitation relationship and facilitate the formulation of specific preventive measures; and
- (h) the Working Group on Combating Violence ("the Working Group") under the Social Welfare Department ("SWD") should include representatives of sexual minority groups so that their concerns could be fully taken into account in

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mapping out strategies to address the problems of domestic violence and sexual violence involving sexual minorities.

3. Members shared the views expressed by the deputations and individuals attending the meeting, and considered it necessary for the Administration to draw up procedural guidelines specifically for handling cases of domestic and sexual violence involving sexual minorities. Having regard to the unique circumstances and needs of sexual minorities, there should be support services dedicated to victims of domestic violence and sexual violence who were sexual minorities. Members also reiterated their strong call for the inclusion of representatives of sexual minority groups in the Working Group, which, in members' view, could facilitate the work of the Working Group.

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

- (a) given the unique circumstances and needs of sexual minorities, SWD had strengthened staff training to enhance front-line social workers' understanding of and sensitivity towards people with different sexual orientation, and improve the working skills required for providing appropriate assistance. Moreover, the Administration had paid due attention to the expertise and background of trainers/speakers when inviting them to conduct staff training programmes relating to sexual orientation-related issues, and would review the content of staff training courses from time to time having regard to the participants' feedback and the latest development of the relevant disciplines;
- (b) the Police treated all domestic conflict reports professionally and with sensitivity, irrespective of the gender and sexual orientation of the victims making the reports. Before the enactment of the Ordinance in 2010, efforts had already been made to enhance front-line police officers' knowledge of the Ordinance and related issues. Training provided for police officers at various stages of their careers had incorporated elements of same-sex relationships and sexual orientation;

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- (c) the existing three sets of guidelines, namely the "Procedural Guide for Handling Intimate Partner Violence Cases", "Procedural Guide for Handling Child Abuse Cases" and "Procedural Guidelines for Handling Adult Sexual Violence Cases" developed by SWD for dealing with different types of violence were applicable to people with different backgrounds and needs, irrespective of their age, gender, race and sexual orientation;
- (d) considering the special circumstances of sexual minorities, appropriate accommodation arrangement would be made by the refuge centres to meet their personal needs during their stay. In view of the current high demand for shelter service, the Administration was exploring with the refuge centres the feasibility of increasing the number of residential places in their existing premises and would actively seek necessary resources to meet the extra manpower and infrastructure requirements for the additional places;
- (e) to enhance sexual minorities' awareness of the support services available to them, various publicity activities were conducted by SWD-subsided organisations at places frequented by sexual minorities to promote the message of prevention of domestic and sexual violence and early help-seeking, and introduce their services. Moreover, a series of promotion and education programmes were organised or jointly organised with sexual minority groups to help sexual minorities prevent and handle domestic violence;
- (f) while the Central Information System did not accept data reporting by individuals or groups at present, staff of any organisations, such as schools and sexual minority groups, coming across cases of intimate partner violence could, with the victims' consent, seek advice from or refer those cases to SWD's service units or other reporting agencies, which included NGOs, the Hospital Authority, the Police, Department of Health and Legal Aid Department. The front-line social workers and professionals of these service units or reporting agencies would conduct professional assessment on the nature of each case before reporting to the Central Information System; and

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- (g) given that the Working Group already comprised 23 members with a balanced representation of the relevant stakeholders, further expansion in the structure and organisation of the Working Group was not advisable for its effective operation and function. That said, the Administration would further enhance communication with sexual minority groups for more in-depth and focused discussions and exchange of views on the issues of domestic/sexual violence and related support services.

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5. The Administration was requested to provide -

- (a) information, including the programme contents and frequency, in respect of the training for police officers on the handling of cases of domestic violence and sexual violence involving sexual minorities;
- (b) relevant training materials, for example, PowerPoint handouts, of the training courses provided by SWD for frontline social workers on issues relating to sexual minorities from 2010-2011 to 2014-2015; and
- (c) information, if available, on the adoption of the Code of Practice promulgated by CMAB amongst service organisations rendering services to victims of domestic and sexual violence who were sexual minorities.

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6. On the membership of the Working Group, the Chairman suggested and members agreed that he should write to the Chief Secretary for Administration again conveying the Subcommittee's strong view on the need to include representatives of sexual minorities in the Working Group, and urging the Administration to consider forming a task group or sub-group under the Working Group to address the problems and specific needs of sexual minorities facing domestic violence and sexual violence.

II. Any other business

7. There being no other business, the meeting ended at 12:50 pm.

**Proceedings of meeting of the Subcommittee on Strategy and Measures to
Tackle Domestic Violence and Sexual Violence
held on Tuesday, 9 June 2015, at 10:45 am
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action Required
<i>Agenda item I - Support services for sexual minorities facing domestic violence and sexual violence</i>			
000000 - 001020	Chairman		
001021 - 001302	Chairman Mr CHAU Chun-yam, Project Touch, the Boys' & Girls' Clubs Association of Hong Kong	Presentation of views	
001303 - 001609	Chairman Ms CHEUNG Fan-lan, Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views	
001610 - 001850	Chairman Miss Joanne LEUNG, The Democratic Party	Presentation of views [LC Paper No. CB(2)1705/14-15(01)]	
001851 - 002219	Chairman Jimmy, Rainbow Action	Presentation of views [LC Paper No. CB(2)1705/14-15(02)]	
002220 - 002501	Chairman Tommy Jai, Rainbow of Hong Kong	Presentation of views [LC Paper No. CB(2)1705/14-15(03)]	
002502 - 002857	Chairman YEO Wai-wai, Women Coalition of HKSAR	Presentation of views [LC Paper No. CB(2)1705/14-15(04)]	
002858 - 003252	Chairman 永	Presentation of views	
003253 - 003529	Chairman 八爪	Presentation of views [LC Paper No. CB(2)1705/14-15(05)]	
003530 - 003929	Chairman Ms Eva LEUNG, Hong Kong Federation of Women's Centres	Presentation of views [LC Paper No. CB(2)1705/14-15(06)]	

Time marker	Speaker(s)	Subject(s)	Action Required
003930 - 004243	Chairman Mr LEE Tak-hung, Action Q	Presentation of views	
004244 - 004513	Chairman Eugene	Presentation of views [LC Paper No. CB(2)1705/14-15(07)]	
004514 - 010519	Chairman Admin	<p>The Administration's response to the views and concerns expressed by deputations at the meeting.</p> <p>The Chairman requested the Police to provide information, including programme contents and frequency, in respect of its training for police officers on handling cases of domestic violence and sexual violence involving sexual minorities.</p>	Admin
010520 - 011319	Chairman Dr Helena WONG Admin	<p>Dr Helena WONG's enquiry and the Administration's response regarding -</p> <p>(a) the procedural guidelines developed and training courses organised by the Social Welfare Department ("SWD") to enhance the sensitivity of front-line personnel in handling cases of domestic violence and sexual violence involving same-sex relationships and transgender issues;</p> <p>(b) the inclusion of representatives from the sexual minority groups in the Working Group on Combating Violence ("the Working Group") under SWD; and</p> <p>(c) referral of people with different orientation for conversion therapy.</p>	
011320 - 011659	Chairman Ms Emily LAU Admin	Ms Emily LAU's strong dissatisfaction with the Administration's refusal to invite representatives of sexual minorities to join the Working Group and the Administration's reiteration of its response.	
011700 - 012218	Chairman Admin	The Chairman enquired about whether other organisations/individuals could observe the meetings of the Working Group and whether the meeting papers, including agendas and minutes, were available to the public.	

Time marker	Speaker(s)	Subject(s)	Action Required
		<p>The Administration advised that while the meetings of the Working Group were not open to the public, the Working Group would, depending on the subject areas to be discussed, invite relevant stakeholders to attend its meetings. Having regard to the concerns of sexual minorities, SWD met with sexual minority groups on a regular basis to exchange views on domestic violence issues involving sexual minorities. The Administration considered the existing arrangement an effective way to keep discussion focused.</p> <p>The Chairman maintained the view that the composition of the Working Group should include representatives of vulnerable groups, such as new arrivals, ethnic minorities and sexual minorities, to ensure that their perspectives could be reflected in formulating recommendations on strategies and measures to tackle the problems of domestic violence and sexual violence encountered by them.</p> <p>The Chairman advised members that as agreed at the last meeting, he had written to the Chief Secretary for Administration ("CS") conveying members' request of inviting representatives of sexual minority groups to join the Working Group. The Administration's reply had been issued to members.</p>	
012219 - 012725	Chairman Mr CHAN Chi-chuen YEO Wai-wai, Women Coalition of HKSAR	Mr CHAN Chi-chuen cautioned that making referrals for conversion therapy, which was regarded by sexual minorities as offensive and discriminatory, would seriously damage the mutual trust between service providers and sexual minorities seeking assistance. Referring to the information provided in the Administration's paper regarding the staff training on sexual minorities-related issues, Mr CHAN considered that the existing training was not adequate to raise the staff's sensitivity in rendering services to sexual minorities faced with domestic violence and sexual violence.	

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		<p>At the invitation of Mr CHAN, YEO Wai-wai of Women Coalition of HKSAR expressed her view that the relevant procedural guidelines developed by SWD for handling cases of domestic violence and sexual violence should remind social workers to maintain a non-discriminatory attitude when rendering services to people with different sexual orientation, especially when considering whether to make conversion therapy referrals.</p>	
<p>012726 - 014559</p>	<p>Chairman Mr CHEUNG Kwok-che Deputy Chairman Admin Mr CHAU Chun-yam, Project Touch, the Boys' & Girls' Clubs Association of Hong Kong</p>	<p>Mr CHEUNG Kwok-che's expression of his strong view that including representatives of sexual minority groups in the Working Group was the most direct and effective way of reflecting and addressing the concerns of sexual minorities.</p> <p>Mr CHEUNG echoed the views of Ms Eva LEUNG of Hong Kong Federation of Women's Centres on the handling of issues relating to conversion therapy, and expressed support for the suggestion of providing dedicated services to sexual minorities facing domestic violence and sexual violence.</p> <p>The Deputy Chairman shared a similar view and saw no reason why representatives of sexual minority groups were not invited to join the Working Group. She considered that the Administration should have more empathy with sexual minorities.</p> <p>The Administration's reiteration of its response to members' request of inviting representatives of sexual minority groups to join the Working Group.</p> <p>At the invitation of the Chairman, Mr CHAU Chun-yam of the Boys' & Girls' Clubs Association of Hong Kong advised that many local and overseas professional bodies were opposed to conversion therapy due to its severe side-effects caused to the mental health of patients. Mr CHAU called for the provision of direct and specific support</p>	

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		services to people with different sexual orientation, who were often reluctant to seek help from mainstream service providers because of social resistance to same-sex relationships.	
014600 - 015335	Chairman Dr Helena WONG Ms Emily LAU Mr CHAN Chi-chuen Mr CHEUNG Kwok-che Deputy Chairman Tommy Jai, Rainbow of Hong Kong	The Chairman suggested and members agreed that he should write to CS again conveying the Subcommittee's strong view on the need to include representatives of sexual minorities in the Working Group, and urging the Administration to consider forming a task group or sub-group under the Working Group to address the problems and specific needs of sexual minorities facing domestic violence and sexual violence.	Clerk & Admin
015336 - 015444	Chairman Dr Helena WONG	Referring to the information provided in the Administration's paper regarding the staff training on issues relating to sexual minorities from 2010-2011 to 2014-2015, Dr Helena WONG requested the Administration to provide relevant training materials, for example, PowerPoint handouts of the training programmes.	Admin
015445 - 020116	Chairman Mr CHAN Chi-chuen Admin	Mr CHAN Chi-chuen's reiteration of his concern about the adequacy of training to raise the sensitivity of front-line personnel in handling abuse cases involving sexual minorities and the Administration's response. Mr CHAN shared the concern of YEO Wai-wai of Women Coalition of HKSAR that none of the non-governmental organisations serving victims of domestic violence and sexual violence had pledged to adopt the Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation ("the Code of Practice") promulgated by the Constitutional and Mainland Affairs Bureau ("CMAB"). At the request of the Chairman, the Administration would provide information, if available, on the adoption of the Code of Practice amongst service providers after the meeting.	Admin

Time marker	Speaker(s)	Subject(s)	Action Required
020117 - 020124	Chairman	Extension of the meeting by five minutes.	
020125 - 020417	Chairman Mr CHEUNG Kwok-che Admin	<p>Mr CHEUNG Kwok-che shared the deputations' views that the Administration should draw up specific procedural guidelines for handling cases of domestic violence and sexual violence involving sexual minorities, including same-sex cohabitation abuse cases. He asked whether the Administration would consider allocating resources to introduce dedicated support services for sexual minorities facing domestic violence and sexual violence on a trial basis.</p> <p>The Administration responded that the existing procedural guidelines adopted for handling different types of violence were applicable to people with different backgrounds and needs, irrespective of their age, gender, race and sexual orientation. Given that the services currently provided by SWD had already covered service users of different sexual orientation, the Administration had to examine carefully whether to provide services specific to a particular group of users who were already served by the existing service units of SWD.</p>	
020418 - 020631	Chairman	Closing remarks	