

**立法會**  
***Legislative Council***

LC Paper No. CB(2)380/14-15(01)

Ref : CB2/PS/5/12

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

**Background brief prepared by Legislative Council Secretariat  
for the meeting on 3 December 2014**

**Purpose**

This paper gives an account of the past discussions of the Council and relevant committees on the strategies and measures to tackle domestic violence and support families at-risk.

**Background**

2. According to the Administration, a multi-discipline model has been adopted to coordinate the joint efforts of different departments, professionals and non-governmental organizations ("NGOs"), in preventing and tackling domestic violence. The Administration has also adopted a three-pronged approach i.e. specialized services and crisis intervention, support services, and preventive measures to combat domestic violence and strengthen support for families.

**Members' deliberations**

Handling domestic violence

3. According to the Administration, the Committee on Child Abuse ("CCA") and the Working Group on Combating Violence ("WGCV") chaired by the Director of Social Welfare and comprised representatives from the Police, Education Bureau ("EDB"), Hospital Authority ("HA") and NGOs, etc. had been set up to map out strategies to tackle the problems of child abuse, spouse/cohabitant battering and sexual violence in Hong Kong.

With the advice of CCA and WGCV, Social Welfare Department ("SWD") had drawn up two sets of procedural guidelines namely the "Procedural Guide for Handling Child Abuse Cases" and the "Procedural Guidelines for Handling Intimate Partner Violence Cases" to facilitate front-line professionals in handling cases of child abuse and spouse/cohabitant battering in a professional and effective manner. These guidelines would be updated on a need basis. In respect of Members' concerns about collaboration between the Police and SWD in combating domestic violence at the front-line operational level, the Administration advised that a referral mechanism for domestic violence cases between the Police and SWD had been established so that the Police could refer domestic violence cases to SWD promptly for crisis intervention, counseling and other assistance. In handling urgent and high-risk domestic violence cases, the Police could also seek social workers' professional advice and assistance, or refer urgent cases to social workers through a 24-hour direct referral line. If necessary, the social workers might, together with the Police, provide appropriate outreach service at any time (including late night) to handle crisis situations.

4. Members considered that assistance and services should be offered to cater for the special needs of victims of different sexual orientations and ethnic minorities suffering from domestic violence. Moreover, training should be provided for front-line staff of relevant government departments to enhance their skills and sensitivity in handling such cases. Some Members called on the Administration to consider providing specialized services and shelters for sexual minorities suffering from domestic violence. The Administration advised that front-line staff in SWD and NGOs had been provided with a wide range of training programmes regularly to enhance their knowledge and skills in handling domestic and sexual violence cases, including cases with victims of different sexual orientations, ethnic minorities and new arrivals. In addition, the shelter service provided by the five refuge centres for women and the crisis centres was considered sufficient and capable to cater for the needs of persons with different sexual orientations suffering from domestic violence. Hence, the Administration did not see the need to provide specialized family support services for sexual minorities.

5. Members enquired whether the Administration had taken any steps to strengthen law enforcement and adopted a better approach in handling domestic violence since the enactment of the Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) ("the Ordinance"). The Administration advised that front-line staff of SWD would explain the Ordinance to service users. The Ordinance provided civil protection to victims of domestic violence and allowed them to apply for injunction.

After two rounds of amendments to the Ordinance introduced in 2007 and 2009 respectively, the Ordinance now provided protection for victims against molestation by their current and former spouses, current and former cohabitants, whether they be of the same or different sex, and other immediate and extended family members. Members criticized that simply explaining the Ordinance to service users was inadequate and the Administration should step up law enforcement and prosecution actions against domestic violence.

Services and support for victims of and children witnessing domestic violence as well as batterers

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6. For the victims of domestic violence, Members were advised that SWD had set up 11 Family and Child Protective Services Units ("FCPSUs") specializing in providing one-stop support services for victims of child abuse and spouse/cohabitant battering and their families. Besides, the Victim Support Programme for Victims of Family Violence, which was run by an NGO with SWD's funding, provided the victims with enhanced support services including legal aid service, accommodation, treatment and childcare support.

7. Members pointed out that many family tragedies could be avoided if timely housing assistance was provided to victims of domestic violence. According to the Administration, the Conditional Tenancy Scheme under the Compassionate Rehousing Scheme was extended to cover battered spouses who were divorced and had no offspring or dependent children. In addition, SWD had revised the guidelines for processing applications for Compassionate Rehousing in 2002 to allow more flexibility in helping the needy. The referral mechanism between SWD and the Housing Department ("HD") in handling applications for splitting of household and house transfer for needy public rental housing tenants, including those who suffered from family problems or domestic violence, had also been streamlined to speed up the application process.

8. Members considered that the Administration should do more to help victims of domestic violence to solve their housing problems. The Administration advised that the number of referrals for compassionate rehousing by SWD in 2009-2010, 2010-2011 and 2011-2012 were 2 727, 2 738 and 2 488 respectively which had outnumbered the number of flats set aside by HD in 2012-2013 for the compassionate rehousing category (i.e. 2 000 flats). The number of referrals reflected that the Administration had endeavoured to help the eligible victims solve their housing problems.

9. Noting that the utilization rate of the five refuge centres for women and of the crisis centres had reached 80% and 90% respectively, Members expressed concern about the inadequate provision of such places and considered that the Administration should formulate a long-term plan to increase the supply of such places to meet future demand. According to the Administration, there was no occasion that all places of the five refuge centres were fully occupied at the same time in 2012-2013. In addition, the Family Crisis Support Centre and the Multi-purpose Crisis Intervention and Support Centre provided a total of 120 places of short-term accommodation to individuals and families in crisis or distress.

10. Regarding support for children witnessing domestic violence, the Administration advised that although currently there was no structured service programme dedicated for children witnessing domestic violence, front-line staff of SWD including social workers and clinical psychologists would offer assistance to batterers, victims and their children. Clinical psychologists would also provide treatment service to child witnesses when necessary. Members expressed concern that the psychological problems of children witnessing domestic violence might only emerge when they grew up. They suggested that the Administration should seriously consider providing dedicated services for children witnessing domestic violence.

11. As to the services for batterers, the Administration advised that besides casework services, SWD also assisted batterers in changing their abusive attitude and behaviour through the Batterer Intervention Programme ("BIP") and the Anti-violence Programme ("AVP"). BIP was a psycho-education programme with 13 sessions and was a component of counseling service of FCPSUs. AVP was introduced for batterers who were required by courts under the Ordinance to participate in the psycho-education programme to change their attitudes and behaviours which led to the granting of the injunction order. SWD had started providing BIP for women on trial basis and would continue to develop other treatment models to suit the needs of different batterers. Members were concerned about the low utilization of BIP and AVP. According to the survey conducted by the Hong Kong Council of Social Service, there were about 6 000 spouse battering cases a year but only 84 batterers participated in BIP and the number of batterers participated in AVP was as small as two in three years.

#### Classifying and defining domestic violence

12. Members noted that the number of newly reported spouse/cohabitant battering cases had dropped drastically from 6 843 cases in 2008 to 1 974

cases between January and September 2012. They expressed concern about whether front-line staff including police officers, social workers, etc. had received proper training on distinguishing domestic violence cases from domestic incidents. They wondered whether there was a change of classification of domestic violence cases adopted by the Police or the previous classification mechanism was not effective in reflecting the nature of domestic violence cases. Members were of the view that the Administration would not be able to prevent domestic violence effectively in the absence of comprehensive information on domestic violence cases, including those involving the ethnic minorities, cross-border families, transgender groups and homosexuals, in its analysis of domestic violence problems.

13. The Administration advised that training programmes relating to domestic violence were provided for social workers and concerned professionals. Under the current classification of domestic conflict reports effective from 2009, there were three main categories, namely "domestic incidents", "domestic violence (miscellaneous)" and "domestic violence (crime)". The purpose of this classification was to more accurately reflect the nature of domestic violence cases and deploy appropriate resources to handle the cases and victims involved and, if necessary, cases would be referred to SWD for follow-up. The cases were recorded in the Enhanced Central Domestic Violence Database so as to fully reflect the overall situation of domestic conflict.

14. Members considered that the classification of domestic violence cases should not be decided by a front-line police officer but an officer at a higher rank, say an inspector. The Administration advised that the Police had provided training for the front-line and supervisory officers so that they could classify the cases appropriately according to the situation. An officer of the rank of Sergeant or above must attend the scene of every domestic conflict case to supervise and to ensure that the case was properly handled and classified. Supervisory officers were required to review the cases to ensure appropriate classification of these cases.

#### Support measures for high-risk families and early intervention

15. Members expressed concern about the support services in place for high-risk families, especially on counseling services and early intervention measures to prevent family tragedies. They were also concerned about the effectiveness of early identification of families at-risk. In their view, social workers should station at pre-primary institutions as well as Maternal and Child Health Centres ("MCHCs") for providing early intervention and

timely support for families at-risk.

16. According to the Administration, the territory-wide Integrated Family Service Centres ("IFSCs") provided needy individuals and families, such as single-parent and newly arrived families, with a spectrum of preventive, supportive and remedial services. Support groups were formed in the district to provide needy families with mutual support from peers. In addition, child care services under the Neighbourhood Support Child Care Project had since October 2011 been regularized and extended to all 18 districts to provide needy families with flexible and enhanced child care services during late evenings, weekends and public holidays. Territory-wide and district-based publicity and public education programmes would continue to be organized to arouse public awareness on the importance of family solidarity and encourage those in need to seek early assistance.

17. As regards early intervention, the Administration advised that the Labour and Welfare Bureau, EDB, SWD, Department of Health and HA had collaborated to provide Comprehensive Child Development Service ("CCDS") to identify and meet various health and social needs of children (aged 0 to five) and their families at an early stage so as to foster healthy development of children. Under CCDS, social workers would provide proactive outreach service and visit persons in need at MCHCs to assist at-risk pregnant women, mothers with postnatal expression, and families with psychosocial needs and children with developmental and behavioural problems. CCDS also made use of other services units, such as IFSCs and pre-primary institutions, to identify needy children and families, and who would be referred to the appropriate health and/or social services for follow-up. The Administration stressed that it would maintain close collaboration and enhance the interface among government departments, welfare services units, schools, etc., to facilitate early identification and referral of cases.

18. Some Members considered the pilot scheme on Housing Advisory and Service Team ("HAST"), which was launched during 2008-2012, effective to help new tenants settle in public rental housing ("PRH") estates and develop a stronger sense of belonging among existing tenants. In response to Members' request for the Administration to put more efforts in fostering community building in new PRH estates and their concerns about the ineffectiveness of IFSCs, the Administration undertook to take account of Members' views in reviewing the effectiveness of family support services, particularly the pilot scheme on HAST and the IFSC service mode.

19. Members considered that domestic violence highly correlated with mental health problems and more efforts should be put in fostering community building and implementing early intervention measures in newly developed districts to prevent family tragedies. The Administration advised that SWD provided mental health support services for discharged mental patients, persons with suspected mental health problems and their families/carers through the Integrated Community Centres for Mental Wellness ("ICCMWs") across the territory. An established referral mechanism had also been in place at HA's psychiatric specialist out-patient clinics to accept cases referred by ICCMWs through registered medical practitioners or community psychiatric services of HA. On average, ICCMWs provided services to 12 000 people every year. SWD would keep in view the operation of ICCMWs.

#### Motion passed by the Council

20. At its meeting on 5 June 2013, the Council passed a motion urging the Administration to, among other things, assess the gravity of domestic violence in Hong Kong, review the modes of professional services for handling and supporting families at-risk, and allocate additional resources to enhance the relevant social welfare services so as to provide families at-risk with highly efficient, timely and targeted services.

#### Appointment of a subcommittee under the Panel on Welfare Services

21. The Panel on Welfare Services has agreed to appoint a subcommittee to study matters relating to domestic violence. The subcommittee would focus on studying issues relating to the strategy and measures to tackle domestic violence, following up the coordination of work between government departments in respect of domestic violence and putting forward recommendations on strategies and measures in handling domestic violence.

#### **Relevant papers**

22. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

**Relevant papers on strategies and measures to tackle domestic violence and support families at-risk**

<b>Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Panel on Welfare Services and Panel on Security	30 April 2004 (Item II)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	24 May 2004 (Item III)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Welfare Services	8 January 2007 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Subcommittee on Strategy and Measures to Tackle Family Violence	-	<a href="#">Report</a>
Panel on Welfare Services	22 October 2009 (Item I)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	10 July 2012 (Item IV)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Legislative Council	9 January 2013	<a href="#">Written question (No.14) on "Support for victims of domestic violence"</a>
Panel on Welfare Services	14 January 2013 (Item V)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	21 January 2013 (Item II)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	19 February 2013 (Item VI)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Legislative Council	5 June 2013	<a href="#">Official Record of Proceedings</a> <a href="#">Pages 145-281</a>  <a href="#">Progress Report</a>



<b>Committee</b>	<b>Date of meeting</b>	<b>Paper</b>
Panel on Welfare Services	30 June 2014 (Item II)	<a href="#">Agenda</a> <a href="#">Minutes</a>

Council Business Division 2  
Legislative Council Secretariat  
2 December 2014