



關注家庭暴力受害人法權會

Association for Concern for Legal Rights of Victims of Domestic Violence

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Clerk to Subcommittee on Strategy and Measures to  
Tackle Domestic Violence and Sexual Violence  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

By email: [kyyeung@legco.gov.hk](mailto:kyyeung@legco.gov.hk)

Dear Sir or Madam:

**Re: Shelter service for Ethnic Minority Victims of  
Domestic Violence and Sexual Violence**

In 2013, the Social Welfare Department recorded a total of 3836 complaints of domestic violence of which 180 (4.7%) pertained to victims of ethnic minority background. Between April and December 2013, the Family and Child Protection Services Unit (FCPSU) recorded a total of 3695 cases of which 125 related to victims of ethnic minority background (3.4%) and 562 pertained to new migrants who had resided in Hong Kong for less than 7 years. The combined figures for new migrants and ethnic minority victims seeking support from the FCPSU account for (687) 18.6% of the total. These numbers, accounting for **nearly one fifth of the total**, are significant enough to warrant urgent action to ensure that the laws, policies and service provision against domestic violence are equally and meaningfully accessible to all victims, regardless of ethnicity, race, immigration status or other status. However, shelters and other support centers are ill-equipped to adequately address the needs of ethnic minority and migrant victims of domestic violence. First, this data likely represents only a tip of the iceberg. Many incidents of violence of varying levels of severity are routinely underreported by victims of ethnic minority background or migrant status for a number of reasons. The primary reason for this is the relatively poor level of awareness of the services and protections available. Whilst there are shelter-based and support-center based services that are open to ethnic minorities, this community of women is still largely unaware of such services, their rights and the nature of the provisions available.

Whilst there are information leaflets available in different languages at the shelters or support centers, if there is no knowledge of the support centers and shelter services, the women who are experiencing



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various forms of violence are not going to go to the service centers or shelters seek help in the first place. The tendency has been for police, healthcare professionals or social workers to refer victims to the centers mostly in cases involving obvious and severe physical violence. There needs to be a more comprehensive and programmatic effort at raising awareness about rights, services and protection under the law that are available for victims of all backgrounds. There is a grave need to ensure that all relevant information about legal protections, services and assistance available is widespread and accessible to these communities of women in languages and media that are comprehensible and user-friendly.

Second, the tendency to underreport domestic violence in general has been documented internationally and has been found to be particularly noticeable in racial minority and immigrant population groups. Factors including cultural and religious value systems that prohibit or inhibit victims' willingness to complain against their family members, issues of honour, social isolation and shame as well as considerations involving children and their safety also influence decisions of ethnic minority victims in relation to help-seeking. This is further compounded by the precarious immigration and financial status of the victims. Victims also fear reprisals from their partner or family members (whether they are in Hong Kong or living in their home countries), fear for their children's safety and fear being separated from them.

As such, there needs to be a critical improvement in the understanding and knowledge of the typical circumstances involving this group of victims, whose combined immigration status and ethnic minority status compound the barriers to help-seeking faced by them. It is imperative that these be fully considered in order to establish suitable frameworks for the reception of complaints, protection against future or repeat violence as well as access to shelter and other victim support services.

Third, research highlights that apart from lack of knowledge of rights and information about available services, access to services is hampered by victims' experiences of discrimination on grounds of race or religion, language barriers, and a lack of cultural competence on the part of service providers, including shelter staff, police, social workers, healthcare providers and other officers. There have been complaints that some service staff, social workers and police officers insist on resolutions and actions that are unsuitable for or unacceptable to ethnic minority women (for example, give evidence in court against abusive partner, separation, divorce, renouncement of religious or cultural values, etc.) in exchange for protection or assistance. For example, it has been found that social workers in the Social Welfare Department are less likely to write a recommendation for urgent housing if ethnic minority women do not file for divorce.



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These problems have impacted the nature and quality of access that ethnic minority women experience at shelters for victims of domestic violence in Hong Kong and the follow up services and help they receive from social workers.

Fourth, one of the most significant areas of concern is the accessibility of shelters for ethnic minority and new migrant women. There is a critical shortage of shelter spaces in general. There are only 260 shelter spaces to accommodate women and children, which is less than 1% of the total number of cases reported. Although the number of ethnic minority victims who have utilized shelter services is generally undocumented, common patterns have emerged regarding shelter usage by ethnic minority women, which highlight the general unsuitability of current shelter spaces, conditions, provisions and support measures for this group of victimized women.

Victims have reported visiting a shelter only to leave a few days later. With nowhere else to go, the women often return to the perpetrator. The primary reasons cited for such departure are: lack of cultural sensitivity, lack of respect for or understanding of their value systems, dietary preferences or discrimination towards them and their children and a lack of appropriate psychosocial support. These criticisms apply to shelter staff, affiliated social workers and also, other shelter users.

There have been instances when there is a pressing need to accommodate a local user, ethnic minority women have reported being turned away on account of lack of suitable resources or if already staying at the shelter, they are asked to vacate the room and leave the shelter on account of lack of space. They are then advised that there is a maximum limit of stay at the shelter, which they have exceeded. The staff would then try to arrange to have the ethnic minority woman relocated to another shelter that may have space. This process has a severe and negative impact on the victims' sense of isolation, development of trust and sense of support they experience. Some victims reported being turned away from the shelter due to lack of space because they came with multiple children, whom the shelters did not have room to accommodate.

Shelter staff have reported challenges posed by space shortages and noted that ethnic minority women pose different burdens. Staff have also raised concerns surrounding a lack of information, knowledge and understanding pertaining to the cultural impediments to help-seeking and the rationale behind ethnic minority women's decisions.

Ethnic minority victims experience conflict with other users of the shelter over cultural and value differences. When ethnic minority women seeking refuge share rooms with local women, there have routinely been reports of conflict or strained relations. As a result, ethnic minority women tend to be



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placed in a separate room, often with other users who are considered to be troublemakers or difficult personalities. This leads to an unpleasant and difficult stay for the ethnic minority woman, who seldom complains to shelter staff about any difficulties or hardships she is experiencing.

Other barriers to integration into the shelter community cited by victims are dietary requirements such as abstinence from pork, beef or meat, or the need for halal food, which were seldom accommodated. The differences in meal preferences often impacted the development of friendships and resulted in disputes in the use of the kitchen at the shelters. In some instances, it meant going hungry, often impacting their health and nourishment. The differences also resulted in isolation from activities at the shelter. These circumstances have an additional debilitating impact on children accompanying ethnic minority women.

Research carried out with social workers working with ethnic minority clients in different service centers around Hong Kong also revealed dangerous levels of ignorance regarding the situational and cultural context of ethnic minority women. This has meant that advice and support for victims have generally failed to suitably address specific concerns and needs of ethnic minority victims. For example, a failure to understand properly the impact of the cultural and religious context on the capacity of the victim to report to the police, access healthcare, share details of the abuse with social workers, contribute to the development of victim safety plans and protect herself against future violence, can grossly undermine efforts to keep ethnic minority women safe in the short-term and to ensure their effective long-term safety. Likewise, the failure to understand the impact of the women's dependence on the abuser in terms of immigration sponsorship and financial resources and how it renders some approaches to service provision ill-suited, gravely affect prospects for keeping the women safe. In fact, insisting on approaches that clash with their understanding of proper conduct based on their value system presents additional stress at an already emotional and stressful time.

Staff have also cited communication difficulties, as have ethnic minority women, despite the availability of interpreters. Social workers have reported difficulty conducting a comprehensive assessment of the situation of the ethnic minority victim due to an ill-informed understanding of the cultural context and background that may impact the psychosocial behavior and responses of ethnic minority women to domestic violence. Moreover, ethnic minority women do not benefit from counseling at the shelters or support centers because of language barriers. The presence of an interpreter does not ameliorate the need for direct counseling one-on-one where there is an uninterrupted exchange to reap the therapeutic effects of such a session. The lack of social workers or counselors of ethnic minority background to help provide requisite support to the women concerned



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critically compound these challenges encountered in addressing the needs of domestic violence victims of ethnic minority background.

Victims have reported they felt isolated in the shelters and did not benefit from group support sessions due to language barriers, a lack of trust towards shelter staff and social workers and a general lack of identification with other victims who they felt did not share their experience of domestic violence and its consequences due to their cultural and religious value system which placed them in a unique predicament. Ethnic minority victims cited loss of hope particularly when they found they lost support of shelter staff and social workers due to their unwillingness to consider divorce or legal separation as an option to deal with the perpetrator.

These circumstances warrant a critical review of the current policies and practices for referrals and the attendant services and support mechanisms available at shelters for this group of victims. These factors signal the urgent need for alternative arrangements for ethnic minority victims of domestic violence to ensure equal access to protection against domestic violence. There need to be efforts to document the number of ethnic minority users of shelter and other services as well as diligent tracking and follow up to better understand why they leave shelters, return to the perpetrators or do not seek further services or help.

It is recommended that a separate shelter be established to cater specifically to the needs of ethnic minority victims of domestic violence. There is clearly a demand for such places as is reflected by the reported numbers and ongoing research has also revealed that there are routinely such cases which shelters presently find very difficult to accommodate for the reasons discussed above.

Such a separate shelter can avoid the problems associated with overcrowding, conflict between different groups of victims on account of cultural and religious differences and furthermore, it can serve as a dedicated and centralized resource center to provide a one-stop service for victims of ethnic minority and migrant background. The value of a one-stop service is crucial for this group due to the high rates of attrition that is commonplace due to lack of trust, fear, the sense of isolation and a lack of comfort going to different service centers to seek support for their plight. A one-stop service solution can ameliorate the likelihood of attrition and facilitate the provision of regular, effective and concrete services to address the distinct needs of this group of victims.

This shelter and resource center ought to be staffed with a dedicated team that is trained in cultural sensitivity so that staff can fully appreciate and understand the distinct nature of the impact of domestic violence on ethnic minority and new migrant women. This requires going beyond the very



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general training that is currently undergone in the name of improving cultural sensitivity. The staff team should develop an understanding of the cultural and value framework that impacts considerations pertaining to help-seeking, reports of violence and the types of solutions that would resonate with the value framework that these women hold to dearly. It is also recommended that the staff team include in-house social workers trained in cultural sensitivity to help develop safety plans that are viable and reflective of the unique situational context of the women and any dependents. It could also have personnel with relevant knowledge, training and background to serve as resource persons to organize and provide group therapy and support to the victims of minority background and to arrange activities for them. This would need to include people who speak some of the more commonly spoken ethnic minority languages in Hong Kong.

The shelter could also develop affiliations with a team of professionals of various backgrounds that could offer professional services and advice to the women on a range of matters impacting their future course of action, including housing, education for their children if they change districts of residence, financial literacy and management, legal advice on immigration or matters arising out of any formal charges being laid and help foster a healthy environment for a sense of community through the development of suitable activities for the women to engage in.

Such a dedicated shelter for ethnic minority and migrant women would serve to address the full range of problems outlined above that currently impact the likelihood of the women seeking assistance and their ability to fully access the services available.

The development of such a service center should not obviate the need for enhanced services and culturally sensitive practices at existing shelters. The generally available shelter spaces may prove preferable to some minority women for a range of reasons. For example, they may not wish for their experience of domestic violence to come to the knowledge of members of their community due to the sense of shame this might bring to their family. They may also fear the consequences this might have on their ability to join cultural and religious activities within their community centers, churches or temples. They may also be concerned about the impact of any rumours or discussion of their plight in the community on their children and the way others treat them. The decision to access a particular shelter should rest with the women concerned based on their own understanding of the conditions and the circumstances unique to them and they should not be forced to accept a compromise.

To that end, existing shelters should begin documenting the number of referrals they receive for housing ethnic minority or migrant women as distinct categories and they should report these figures periodically to various bodies, particularly, to the Social Welfare Department. Shelters and Victim



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Support Units should work together and develop a system of case management conferences where they meet together with other service providers offering services to their clients so that they can map out the different stages of progress on the women's case involving different aspects of service delivery. This should include a discussion with the women's healthcare provider, social worker, police officer, counselor, and lawyer so that comprehensive solutions to the predicament of domestic violence and the disruption it causes to the lives of the women and their children in a range of spheres can be fully addressed.

The shelters also need to develop a practice of ensuring their staff receive regular training on cultural sensitivity to ensure that their services can be adapted to ensure due respect and accommodation of cultural or religious values where these impact the women they are servicing. There should also be some attempt to organize activities to facilitate the development of trust, support and understanding between the residents of the shelter at any given time. Shelters should develop a network of interpreters who can make themselves available at short notice to assist the women and accompany them on their visits to the different service providers. Shelters should consider having part-time ethnic minority resource persons, trained social workers and counselors with the relevant background and training in cultural sensitivity (which should be a formal accreditation requirement) who come when there is an ethnic minority resident at the shelter to attend to any specific needs and to conduct sessions with the women concerned to ensure their concerns are comprehensively addressed and their needs are met.

Minor adjustments on shelter policies that can facilitate a more welcoming environment with minimal cost implications or difficulties should be readily implemented. The most critical of these is the dietary concerns of ethnic minority shelter residents. There should be some attempt to consult with the women regarding their dietary preferences and an attempt made to provide them with adequate nourishment during their stay and in line with their religious commitments.

Freedom from violence and equal protection against repeat or future violence is of utmost importance and should be extended to all women regardless of their background. However, it is critical to appreciate that women of different background have distinct needs and capacities to benefit from the available services. These need to be redesigned to enhance their understanding and knowledge of and accessibility to the resources available so that they can be active agents in their own protection and safety in the future.

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