

**For discussion  
on 9 March 2015**

**Legislative Council Panel on Welfare Services**

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

**Housing Assistance for Victims of Domestic Violence or Sexual Violence**

**Purpose**

This paper briefs Members on the housing assistance provided by the Social Welfare Department (SWD) and the Housing Department (HD) for victims of domestic violence or sexual violence.

**Housing Assistance for Victims**

2. The Government has all along attached importance to the housing needs of victims of domestic violence or sexual violence, and has formulated policies and procedural guidelines for the provision of appropriate assistance according to the victims' individual circumstances and needs.

*Compassionate Rehousing*

3. Under the current policy, 2 000 flats<sup>1</sup> are reserved in the Government's Public Rental Housing (PRH) Allocation Plan every year for Compassionate Rehousing (CR). SWD and HD accord due priority to processing CR applications by families facing special and urgent situations. Individuals or families who have genuine, urgent and long-term housing needs but do not have the means to resolve them on their own (including victims of domestic violence or sexual violence) may seek SWD's recommendation for housing assistance through CR.

4. In considering whether CR should be recommended (including the Conditional Tenancy (CT) Scheme under CR), social workers will make professional judgment having regard to individual circumstances of the case, including their social and medical needs. The nature and complexity of the family problems which give rise to the need for housing assistance and the resources and support network available to the applicants of individual cases are

---

<sup>1</sup> The concerned number is only for the planning reference, rather than the upper limit of allocation.

different. Hence, social workers need to make professional assessment case by case to determine whether CR should be recommended. In the process, social workers of SWD and non-governmental organisations (NGOs) will follow the established mechanisms and standardised procedural guidelines to assess the situation of each applicant in an objective and professional manner. To ensure consistency in assessment yardsticks, all cases recommended for CR are subject to examination and endorsement by District Social Welfare Officers<sup>2</sup>.

5. Generally speaking, victims of domestic violence or sexual violence who have completed divorce proceedings may apply for CR through SWD's recommendation to HD. HD will vet the cases recommended by SWD and conduct eligibility checks<sup>3</sup>. Flat allocation will then be arranged for eligible applicants.

6. For victims who are PRH tenants or their spouses, tenants are expected to make their own accommodation arrangements after divorce. If an agreement cannot be reached by both parties to the accommodation arrangement, HD will generally favour the grant of PRH tenancy to the party having the custody of children. The party who has not been given custody of any child will be required to leave the PRH flat and in case of difficulties in finding alternative accommodation, he/she may apply for a one-person interim housing unit or public housing as a singleton (and with credit waiting time) if he/she fulfills the eligibility criteria (including the criteria on income and asset limits and non-ownership of domestic property). Where the displacee seems to have social or medical grounds warranting imminent housing needs, HD may refer the case to SWD/NGO service unit for other suitable assistance.

7. If each party has the custody of one child (or more) or the tenancy consists of other relatives, separate housing units may be allocated subject to

---

<sup>2</sup> Applicants have to satisfy the following five conditions:

- (a) be in imminent need of long-term housing assistance;
- (b) have social or medical needs and the granting of CR could help solve their problems or relieve their hardships;
- (c) applicants and their family members must pass the Comprehensive Means Test (CMT) (income and asset limits pitching at public rental housing waiting list level) and the Domestic Property Test (DPT) (i.e. no ownership of private residential property);
- (d) have the ability to pay rent (including rent allowance under the Comprehensive Social Security Assistance Scheme); and
- (e) at the time of allocation, at least half of the family members included in the application must have lived in Hong Kong for seven years and are still living in Hong Kong. All children under the age of 18, (i) regardless of their place of birth and with one of their parents having lived in Hong Kong for seven years; or (ii) with established Hong Kong birth status as permanent residents, are deemed to have fulfilled the seven-year residence rule.

<sup>3</sup> It includes the Comprehensive Means Test (CMT) (income and asset limits pitching at public rental housing waiting list level) and the Domestic Property Test (DPT) (i.e. no ownership of private residential property) and the residence rule.

fulfilling the eligibility criteria (including the criteria on income and asset limits and non-ownership of domestic property) by both parties.

8. The CT Scheme under CR provides PRH for those who need accommodation while awaiting a divorce decree. Regardless of whether victims of domestic violence or sex violence are PRH tenants, HD will complete the vetting and the allocation of PRH flats for these victims as soon as possible after receiving the recommendation of SWD<sup>4</sup>. The victims will be accommodated temporarily in the form of CT until completion of the divorce proceedings, after which they may apply for converting their CT into a normal tenancy.

9. The processing time for CR may vary according to different circumstances of each case. Generally speaking, provided that all necessary documents have been submitted by the applicant, SWD will recommend an eligible case for consideration by HD as soon as practicable. The case social worker will inform the applicant in writing of the application progress and result. Upon receipt of SWD's recommendation for a case, HD will complete eligibility checks and notify an eligible applicant of the flat allocation as soon as practicable.

### *Household Splitting*

10. For PRH tenants in non-spousal relationship who have justifiable grounds deserving sympathetic consideration (e.g. facing domestic violence), they may apply to HD for household splitting in order to prevent deterioration of the problem. Applicants for household splitting, including the main household and the splinter household, are required to meet the income and asset tests and non-ownership of domestic property requirement. If both households pass the test, HD will refer their splitting request to SWD or recognised NGOs for assessment. For any such case recommended by SWD or recognised NGO and approved by HD, the splinter household will be offered a refurbished flat in the New Territories. HD will refer those failing to pass the above-mentioned eligibility tests and having genuine housing need to SWD or NGOs for other appropriate assistance, such as assisting the victims to rent a flat in the private market, providing short-term financial assistance to cover the rental and removal expenses.

---

<sup>4</sup> For victims who are PRH tenants, HD will allocate another PRH flat under CT as soon as possible after receiving the recommendation of SWD.

## **Community Resources and Services for Home Removal of Domestic Violence and Sexual Violence Victims**

11. The case social workers will help the victims apply for suitable community resources and services having regard to their financial situation and needs, so that they can move into the flats as soon as possible to start a new life. Currently, there are a number of organisations and groups in the community which assist people in need by, for instance, providing basic renovation service for families who have been granted CR on grounds of domestic violence, and arranging second-hand furniture and electrical appliances for needy families. If the above community resources, services and other financial assistance are not applicable or not readily available to the victims, the case social workers may apply for charitable/trust funds, including those administered by SWD, on behalf of the victims to cover the removal-related expenses. These charitable/trust funds include Brewin Trust Fund, Li Po Chun Charitable Trust Fund, Tang Shiu Kin and Ho Tim Charitable Fund, and Kwan Fong Trust Fund for the Needy. Victims who have long-term financial needs may apply for the Comprehensive Social Security Assistance through referral by social workers.

### **Conclusion**

12. SWD, through various channels, keeps abreast of the special/complex situations encountered by frontline officers in handling housing assistance cases and takes follow-up actions as appropriate. To further enhance inter-departmental collaboration and streamline the workflow for housing assistance cases, a Liaison Group at the headquarters level and five Local Liaison Groups at the district level were set up between SWD and HD in April and August 2010 respectively. These Groups meet regularly.

### **Advice sought**

13. Members are invited to note the content of this paper.

**Labour and Welfare Bureau  
Social Welfare Department  
Housing Department  
March 2015**