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

**Background brief prepared by Legislative Council Secretariat
for the meeting on 9 June 2015**

**Support services for sexual minorities facing
domestic violence and sexual violence**

Purpose

This paper provides background information and summarises the past discussions by various Legislative Council ("LegCo") committees on support services for sexual minorities facing domestic violence and sexual violence since the Fourth LegCo.

Background

2. Currently, any acts of violence are liable to criminal sanctions under the Offences Against the Person Ordinance (Cap. 212) and the Crimes Ordinance (Cap. 200), irrespective of the relationship between the abuser and the victim. Persons in same-sex cohabitation relationship are afforded the same level of protection as those in heterosexual cohabitation relationship under the existing criminal legislative framework.

3. The Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) ("DCRVO"), which provides civil remedies to victims of domestic violence and offers victims of domestic violence relief from molestation, is also applicable to persons in same-sex cohabitation relationships.

Members' deliberations

Provision of shelter service

4. Members had all along called for dedicated support services for sexual minorities suffering from domestic violence and sexual violence, in particular the provision of temporary accommodation at refuge centres.

5. The Administration advised that the Social Welfare Department ("SWD") would assist all individuals and families in need by providing appropriate services regardless of their gender, sexual orientation, race or religion. While the services currently provided by SWD had already covered service users of different sexual orientation, continuous efforts would be made to enhance the support for sexual minorities facing domestic violence or sexual violence. Notably, the Victim Support Programme for Victims of Family Violence had since July 2013 been further enhanced to provide strengthened support for victims of domestic violence involving ethnic or sexual minorities.

6. According to the Administration, same-sex cohabitants or transgender victims might seek temporary accommodation and support service from the CEASE Crisis Centre run by the Tung Wah Group of Hospitals ("CEASE"), while refuge centres for women provided short-term accommodation for women (including women abused by same-sex cohabitants). Considering the special circumstances of the sexual minorities, the refuge and crisis centres would make appropriate arrangements to meet their personal needs during their stay. The centres would also organise sharing sessions to enhance the understanding of the needs of sexual minorities and foster mutual acceptance among residents.

7. The Administration further advised that additional provision had been earmarked in 2015-2016 for increasing the number of residential places in small group homes to provide temporary accommodation and emotional support for children and young people who had been abused or affected by domestic violence or other family problems. At the meeting of the Subcommittee on Strategy and Measures to Tackle Domestic Violence and Sexual Violence ("the Subcommittee") on 13 April 2015, members were advised that the Administration would conduct a comprehensive review on the provision of shelter service to cater for the needs of different user groups.

Training for frontline personnel

8. Members expressed concern about whether appropriate and adequate training was provided for front-line personnel, in particular police officers and social workers, on the handling of cases involving same-sex relationships and transgendered issues, with a view to enhancing their sensitivity, professional knowledge and skills in handling such cases.

9. The Administration advised that the Police handled domestic violence cases involving same-sex couples with the same professionalism and high degree of sensitivity as it did with other domestic and sexual violence cases, regardless of the gender and sexual orientation of the persons involved. Before the enactment of DCRVO in 2010, efforts had already been made to enhance front-line police officers' knowledge about DCRVO and related issues. The Police would continue to enhance the training of front-line police officers in handling domestic violence cases involving same-sex couples and transgendered issues. As for frontline social workers, SWD had strengthened staff training to enhance understanding of and sensitivity towards sexual minorities and improve the working skills required for providing appropriate assistance. In 2013-2014, SWD arranged relevant training programmes for about 7 000 social workers and other professionals, such as police officers and medical personnel, as well as three training courses on sexual orientation and related issues.

Publicity and public education

10. Pointing out that the reporting and help-seeking rates were low among sexual minorities facing domestic violence or sexual violence, members were concerned about the publicity and educational resources provided by the Administration to encourage these victims to seek assistance. There was a view that the Administration should step up efforts in promoting the concepts of gender equality.

11. The Administration advised that SWD had sought to enhance public understanding of domestic violence through different channels, including District Liaison Groups on Family Violence, District Co-ordinating Committees on Family and Child Welfare Services, talks and district activities, and help victims of domestic violence (including same-sex cohabitants) understand their rights, protection for them under the law and relevant support services.

12. The Administration further advised that SWD had made use of different publicity means such as videos, posters and pamphlets to urge

those who had encountered domestic violence to seek early assistance. A website of "Support for Victims of Child Abuse, Spouse/Cohabitant Battering and Sexual Violence" had been developed to provide the public with information on relevant services. On various service pamphlets and website, SWD had highlighted that all victims of domestic violence, regardless of gender, sexual orientation and race, could obtain the services provided by SWD or its subvented organisations. It also enhanced public understanding of the scope of DCRVO and the relevant support services through different channels such as talks and district activities.

Working Group on Combating Violence

13. There was a view that representatives from sexual minorities should be invited to join the Working Group on Combating Violence, which was chaired by the Director of Social Welfare and responsible for mapping out strategies to address the problem of spouse battering and sexual violence. Members were advised that SWD met regularly with representatives of the sexual minority groups to gain a better understanding of domestic violence faced by sexual minorities, and exchange views on how the relevant departments and service units could address their needs in a more effective manner. It had no plan to change the composition of the Working Group.

14. At the Subcommittee meeting on 12 May 2015, members agreed that the Chairman of the Subcommittee should write to the Chief Secretary for Administration conveying the Subcommittee's strong request of inviting representatives of sexual minority groups to join the Working Group to better understand the problems and specific needs of sexual minorities facing domestic violence and sexual violence.

Relevant papers

15. A list of the relevant papers on the LegCo website is in the **Appendix**.

**Relevant papers on support services for
sexual minorities facing domestic violence and sexual violence**

| Committee | Date of meeting | Paper |
|---|------------------------------|---|
| Bills Committee on Domestic Violence (Amendment) Bill 2009 | -- | Report |
| Legislative Council | 6 June 2012 | Written question (No.14) on "Support services for same-sex cohabitants" |
| Panel on Welfare Services | 30 June 2014 (Item II) | Agenda Minutes |
| Subcommittee on Strategy and Measures to Tackle Domestic Violence and Sexual Violence | 12 January 2015 (Item II) | Agenda Minutes |
| | 9 February 2015 (Item II) | Agenda Minutes |
| | 9 March 2015 (Item I) | Agenda Minutes |
| | 13 April 2015 (Item II) | Agenda Minutes |
| | 12 May 2015 (Item I) | Agenda |