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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, 12 January 2016, at 2:00 pm
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 CHEUNG Kwok-che
Hon Alan LEONG Kah-kit, SC
Hon CHAN Chi-chuen
Dr Hon Helena WONG Pik-wan

Member attending : Hon Emily LAU Wai-hing, JP

Members absent : Hon LEUNG Che-cheung, BBS, MH, JP
Hon TANG Ka-piu, JP

Public Officers attending : Items I and II

Mr Stephen SUI Wai-keung, JP
Under Secretary for Labour and Welfare

Mr FUNG Man-chung
Assistant Director (Family & Child Welfare)
Social Welfare Department

Ms Annisa MA Sau-ching
Chief Social Work Officer (Domestic Violence)
Social Welfare Department

Ms Lilian CHEUNG Jick-man
Chief Social Work Officer (Elderly)
Social Welfare Department

Mr Wyman LEE Wai-man
Chief Superintendent (Crime Support)
(Crime Wing) (Acting)
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

Po Leung Kuk

Ms KONG Lai-chun
Assistant Principal Social Services Secretary

Tung Wah Group of Hospitals CEASE Crisis Centre

Ms Pandora LIU Pui-shan
Supervisor

Item II

Labour Party

Mr MAK Tak-ching
Executive Committee member

New People's Party

Mr TONG Hok-leung
Member

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

Admin

I. Provision of services for batterers of domestic violence

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

2. The Subcommittee received views from two deputations under this agenda item. The major views and concerns expressed by the deputations are summarised as follows -

- (a) acknowledging the effectiveness of the Educational Programme on Stopping Domestic Violence ("EPSDV") in rendering timely and flexible counselling services to batterers, the deputations urged the Administration to provide long-term funding support for the sustainable development of EPSDV, which was currently operated under a two-year renewable service agreement and was subvented according to the attendance rate of each participant; and
- (b) in view of the favourable response to EPSDV, the Administration should consider converting the six-hour and time-limited funding programme into regular service by providing recurrent resources for its full implementation, so that more focused and structured services, including pre- and post-intervention, could be provided for participants.

3. Members shared the deputations' views that more resources should be provided for the operating organisations of counselling programmes for batterers of domestic violence to strengthen their manpower and

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services. Members were also concerned that only a few cases had been referred by the court to attend the Anti-Violence Programme ("AVP"). Members urged the Administration to review the existing counselling services provided for batterers of domestic violence.

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

- (a) EPSDV, a regular subvented service, was operated by non-governmental organisations ("NGOs") since its launch in October 2013. With positive and favourable response received from the participants, the Administration had renewed the service agreement with the operating organisations for a further two years up to October 2017 and had raised the level of subvention, which covered publicity and operating expenses. Having regard to the short duration of EPSDV which was only six hours, the amount of subvention was allocated in accordance with the attendance rate of participants. The Administration would continue to keep under review with the operating organisations on the subvention mode and the scope of service of the programme in light of operational experience;
- (b) as not every batterer would voluntarily participate in the Batterer Intervention Programme ("BIP") which was of longer duration (13 sessions of two-hour group counselling), the Social Welfare Department ("SWD") launched EPSDV in October 2013 to provide another option for those batterers who were in need and willing to receive short-term counselling service. EPSDV sought to equip participants with the basic and practical knowledge and skills in handling anger and resolving conflict with their partners so as to prevent the use of violence. Participants could be referred to BIP for further in-depth intervention. Referral could also be made to appropriate service units for follow-up during or after EPSDV if participants had other welfare needs. SWD would continue to maintain regular communication with the operating organisations, so as to identify areas for further improvement in the counselling services for batterers;

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- (c) while recognising the importance of preparatory efforts and follow-up service for participants of EPSDV, EPSDV formed an integral part of the counselling process. The case social worker would follow through the case, provide and co-ordinate all necessary support for the affected family. Apart from the three specific counselling programmes (i.e. BIP, EPSDV and AVP), other group activities were also organised by SWD, NGOs and other stakeholders according to the needs of various types of domestic violence batterers to supplement casework counselling and assist the batterers in changing their behaviour;
- (d) apart from voluntary counselling programmes, social workers would arrange batterers to participate in AVP required by the court when granting a non-molestation order under the Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) ("DCRVO"). BIP and EPSDV were also in place to complement the court-mandated AVP to meet the counselling needs of different batterers. It was noteworthy that the treatment results for batterers who were mandated to join BIP were less favourable than those who participated on a voluntary basis. Currently, around 80% of the participants of BIP joined the programme voluntarily;
- (e) concerning the small number of cases referred by the court for AVP, the Administration explained that given the different circumstances of individual battering cases involving domestic and cohabitation relationship, victims might not necessarily apply for injunctions under DCRVO. During the past five years, the court had granted 177 injunctions pursuant to DCRVO but they did not necessarily require the respondents to join AVP. Under the existing legislation, the court might make a probation order requiring an abuser convicted of a criminal offence to attend BIP or receive other forms of counselling. SWD would continue its efforts to promote AVP through publicity and training to facilitate better understanding of the programme by the applicants of injunctions, the Judiciary, legal professionals and front-line social workers; and

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- (f) SWD implemented the pilot project of BIP from January 2006 to March 2008. According to the findings of the pilot project, participants who had received group counselling services under the pilot project demonstrated more significant positive changes in the relationship with their partners than those who received casework services only. In this connection, SWD continued to implement BIP as part of the regular services of the Family and Child Protective Services Units upon the completion of the pilot project. To meet the needs of female batterers, SWD started to provide group counselling designed for female batterers from 2010-2011 on a trial basis. After the trial run, SWD would study the way forward for BIP for women.

Admin

5. The Subcommittee requested the Administration to provide relevant statistics showing the effectiveness of BIP in preventing future acts of violence.

II. Support services for victims of elder abuse

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

7. The Subcommittee received views from two deputations under this agenda item. The major views and concerns expressed by the deputations are summarised as follows -

- (a) the need for extra care and financial support by family members had put the elderly in a very vulnerable position of physically and psychological abuse. As the elderly were usually refrained from making known family crisis, unable to resist the batterers and unaware of the avenues for seeking assistance, elder abuse cases remained largely hidden. The Administration should devote more resources to enhance staff training and sensitivity so as to strengthen the capability of the front-line social workers in identifying and addressing elder abuse cases;
- (b) the Administration should increase the number of places of the subsidised residential care homes for the elderly ("RCHEs"), so as to provide more temporary and short-term

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accommodation for the elderly with urgent needs, and ensure that sufficient accommodation and facilities for the elderly were available in each district having regard to the distribution of the elderly population;

- (c) to prevent the recurrence of elder abuse incidents in RCHEs, the Administration should increase the manpower of SWD's Licensing Office of RCHEs so as to step up inspections to RCHEs. The Administration should also enhance the existing accreditation system for RCHEs to ensure their service quality. The proposed scheme on residential care service voucher for the elderly should be introduced to allow the eligible elderly to choose the service provided in the private market according to their own needs, so that the waiting time for subsidised RCHEs could be reduced. The proposed scheme could also encourage private service providers to join the market and provide incentive for them to improve their service quality; and
- (d) additional resources should be allocated to the training of social workers, nurses and health workers in the elderly service sector. The Administration should promote the development of the professionalism of the elderly care service so as to attract more young people to join the sector. It was suggested that the Administration should increase the training quotas for the Navigation Scheme for Young Persons in Care Services ("the Navigation Scheme") to address the severe manpower shortage in the elderly care sector.

8. Members shared the concerns raised by the deputations attending the meeting, particularly in respect of the hidden problem of elder abuse. Members considered that more efforts should be made to facilitate early identification of elder abuse and enhance outreach to victims. To address the pressing need of abused elderly persons for temporary accommodation, members urged the Administration to increase the supply of subsidised RCHE places and respite service.

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

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- (a) the Administration had all along accorded high priority to elderly services. Priority was accorded to further strengthening the monitoring mechanism of RCHEs under the existing legal framework to ensure their service quality. SWD would continue to strengthen the work of the Service Quality Groups on RCHEs, under which community personalities would pay visits to different types of RCHEs, and extend the initiative to all districts;
- (b) SWD issued circulars and guidelines on service quality to RCHEs from time to time. Having regard to the ever-changing service needs, the Administration would maintain close contact with the elderly service sector and in light of feedback and operational experience, review the Code of Practice for RCHEs which set out the principles, procedures, guidelines and standards for the operation, keeping, management or other control of RCHEs;
- (c) the Elderly Commission was commissioned to draw up the Elderly Services Programme Plan. In mapping out the Programme Plan for the medium and long-term development of elderly services, the Elderly Commission would, among others, look into the supply and demand of premises for elderly services and related manpower needs, etc. and the strategic development directions in meeting the needs. The Administration would explore innovative options in the delivery of services such as launching the Pilot Scheme on Community Care Service Voucher for the Elderly and considering the introduction of a voucher scheme on RCHEs;
- (d) the Labour and Welfare Bureau had been implementing a Special Scheme on Privately Owned Sites for Welfare Uses since September 2013 to encourage social welfare organisations for better utilisation of the sites through expansion, redevelopment or new development to provide diversified subvented and self-financing facilities. It was estimated that about 9 000 additional elderly service places and 8 000 additional rehabilitation service places could be provided if all the projects under the scheme were implemented as preliminarily proposed;

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- (e) the Administration had earmarked \$147 million to launch the Navigation Scheme to provide a total of 1 000 places in the coming few years. SWD had selected five NGOs for implementation of the Navigation Scheme, three of which commenced the provision of training in 2015 and the other two would kick off the scheme in 2016;
- (f) to further enhance co-ordination and communication of government departments and organisations in handling elder abuse cases, the Working Group on Elder Abuse formed under SWD was reviewing the Procedural Guidelines for Handling Elder Abuse Cases, which was last revised in August 2006. The review exercise was expected to be completed by the end of 2016;
- (g) while SWD regularly organised various training programmes for front-line professionals and social workers to enhance their knowledge and skills in handling domestic violence cases, including elder abuse cases, continued efforts would be made to raise the staff sensitivity to the needs of victims of elder abuse; and
- (h) the Administration would continue its publicity and educational efforts to raise the public awareness of the need for prevention of elder abuse.

Admin

10. The Subcommittee requested the Administration to provide the number of elder abuse cases identified through the support services provided by SWD for elderly persons, such as home visits and outreaching services conducted by the Family Support Programme.

III. Any other business

11. Members noted that the Subcommittee would follow up with the Administration outstanding issues raised at previous meetings at the next meeting scheduled for 19 January 2016.

12. There being no other business, the meeting ended at 4:23 pm.

Council Business Division 2
Legislative Council Secretariat
3 March 2016

**Proceedings of meeting of the Subcommittee on Strategy and Measures to
Tackle Domestic Violence and Sexual Violence
held on Tuesday, 12 January 2016, at 2:00 pm
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
<i>Agenda item I - Provision of services for batterers of domestic violence</i>			
000000 - 000911	Chairman	Opening remarks	
000912 - 001526	Admin	The Administration's briefing on its paper for agenda item I [LC Paper No. CB(2)599/15-16(01)]	
001527 - 002217	Chairman Ms KONG Lai-chun, Po Leung Kuk ("PLK")	Presentation of views [LC Paper No. CB(2)599/15-16(03)]	
002218 - 002631	Chairman Ms Pandora LIU Pui-shan, Tung Wah Group of Hospitals CEASE Crisis Centre ("CEASE")	Presentation of views [LC Paper No. CB(2)614/15-16(01)]	
002632 - 004549	Chairman Admin	<p>The Chairman's concern and the Administration's response regarding the referral of only five cases by the court under the Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) to participate in the Anti-Violence Programme ("AVP") since its launch in August 2008.</p> <p>The Chairman's question and the Administration's response regarding -</p> <p>(a) whether it would review the existing counselling services for batterers of intimate partner violence, including the Batterer Intervention Programme ("BIP"), the Educational Programme on Stopping Domestic Violence ("EPSDV") and AVP, to examine if they were complementary to each other in meeting the needs of batterers or there was duplication of functions; and</p>	

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		<p>(b) whether it had conducted evaluation of the effectiveness of BIP, EPSDV and AVP in terms of, for example, reduction in the relapse rates of batterers, change in behaviour of batterers participating these programmes and those receiving no treatment at all.</p>	
<p>004550 - 005926</p>	<p>Chairman Mr CHAN Chi-chuen Ms KONG Lai-chun, PLK Ms Pandora LIU Pui-shan, CEASE</p>	<p>While noting that voluntary counselling was proven more effective than mandatory counselling, Mr CHAN Chi-chuen considered it necessary to introduce mandatory treatment or counselling for perpetrators of domestic violence as a fundamental step to prevent further acts of violence.</p> <p>Mr CHAN sought information from the deputations about the operation of EPSDV and whether there was dedicated counselling service for sexual minorities under EPSDV.</p> <p>Ms KONG Lai-chun of PLK advised that the amount of subventions granted to organisations running EPSDV was calculated based on the attendance rate per participant, and no subvention was provided for related support services for pre-programme communication and follow-up services. EPSDV was applicable to adult batterers who were in need of short-term intervention, regardless of their gender, sexual orientation and race, under which the attendance of the six-hour programme could be arranged to meet individual needs of participants. Individual sessions could be arranged for participants with special needs. To enhance staff sensitivity towards participants from sexual minorities and ethnic minorities, PLK had all along maintained close communication with these communities.</p> <p>Ms Pandora LIU of CEASE added that there was no minimum number of participants for the group counselling services under EPSDV, which could be arranged within four weeks upon receipt of application or</p>	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
		<p>referral. Follow-up services, such as mutual help groups, would be offered to participants. However, no government subvention was provided for such services. CEASE was also exploring the provision of customised counselling services for ethnic minorities and sexual minority groups.</p>	
005927 - 010909	<p>Chairman Ms Emily LAU Ms KONG Lai-chun, PLK Ms Pandora LIU Pui-shan, CEASE Admin</p>	<p>Ms Emily LAU took the view that more extensive promotional efforts should be made to ensure effective dissemination of anti-domestic violence message to the public.</p> <p>Ms KONG Lai-chun of PLK appraised SWD's efforts in public education and publicity with an aim to curb domestic violence. Ms Pandora LIU of CEASE considered that more resources should be allocated to youth education on gender issue and prevention of dating violence.</p> <p>The Administration advised that more than \$5 million was allocated every year for public education on anti-domestic violence. Since 2002, SWD had been effectively promoting prevention of domestic violence through various media, including announcements of public interest on television and docu-dramas jointly produced with the Radio Television Hong Kong. From April 2008 up till now, a total of 546 batterers had attended BIP, among which around 80% joined the programme voluntarily. Continued efforts would be made by SWD to bring home more impressive and positive messages to the public.</p> <p>Ms LAU was gravely concerned as to whether the counselling support could reach the batterers of spouse/cohabitant battering cases that went un-reported and were non-criminal. The Chairman pointed out that in light of tight manpower of SWD's Integrated Family Service Centres ("IFSCs"), the case social worker might not be able to give due attention to and</p>	

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		<p>co-ordinate cross-disciplinary intervention in each case of spouse/cohabitant battering. In the circumstances, the preparatory and follow-up services offered by the operating organisations of EPSDV were crucial and beneficial to the participants and their families.</p>	
<p>010910 - 012240</p>	<p>Chairman Mr CHEUNG Kwok-che Ms KONG Lai-chun, PLK Ms Pandora LIU Pui-shan, CEASE Admin</p>	<p>Mr CHEUNG Kwok-che's enquiry and Ms KONG Lai-chun of PLK and Ms Pandora LIU of CEASE's response regarding the amount of extra resources allocated by the organisations operating EPSDV for providing services to the participants before and after the programme.</p> <p>Mr CHEUNG's enquiry and the Administration's response regarding how the six-hour session of EPSDV was determined.</p> <p>Mr CHEUNG criticised that the existing counselling services provided for batterers of domestic violence were delivered in a piecemeal manner. He urged the Administration to review the duration of EPSDV and allocate more subventions to NGOs for providing pre- and post-programme support for the participants.</p> <p>The Administration took note of Mr CHEUNG's concern and would make every effort to bid more resources to enhance the programme if necessary.</p>	
<p>012241 - 013751</p>	<p>Chairman Mr Alan LEONG Admin</p>	<p>Mr Alan LEONG asked about the statistics on the change in the trend of domestic violence cases as a result of the introduction of BIP and AVP since 2008.</p> <p>The Administration advised that the number of newly reported cases of domestic violence (including cases of child abuse, spouse/cohabitant battering and elder abuse) had remained stable in the past few years. The Administration drew members' attention to the fact that domestic violence was a multi-faceted social problem which had to be tackled by various means ranging from</p>	

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		<p>public education to counselling support. The figures might not necessarily reflect the effectiveness of the two programmes. On the other hand, the review findings of the pilot project of BIP suggested that the programme could help prevent future violent acts.</p> <p>Mr LEONG asked whether the Administration had examined why only a few cases had been referred by the court for AVP. The Administration responded that while this was the court's decision, SWD would continue to maintain liaison with the Judiciary and concerned parties to enhance their awareness of AVP and BIP.</p> <p>Pointing out that the average number of participants of BIP and EPSDV each year was only about 70 and 150 respectively, Mr LEONG expressed concern about the small number of participants of these two programmes. Mr LEONG considered it necessary for the Administration to conduct an internal audit to ensure the effectiveness of these programmes. The Administration advised that such evaluation exercise was in the pipeline.</p> <p>The Chairman advised that while the case and group counselling services were considered effective, the number of participants was disproportionate to the number of domestic violence cases. He requested the Administration to provide relevant statistics on the effectiveness of BIP in preventing future violence.</p>	<p>Admin</p>
<i>Agenda item II - Support services for victims of elder abuse</i>			
013752 - 013915	Chairman	Opening remarks	
013916 - 014436	Admin	The Administration's briefing on its paper for agenda item II [LC Paper No. CB(2)599/15-16(02)]	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
014437 - 014844	Chairman Mr MAK Tak-ching, Labour Party	Presentation of views [LC Paper No. CB(2)678/15-16(01)]	
014845 - 015246	Chairman Mr TONG Hok-leung, New People's Party	Presentation of views [LC Paper No. CB(2)678/15-16(02)]	
015247 - 015831	Chairman Deputy Chairman Admin	The Administration's response to the views and concerns raised by the deputations attending the meeting.	
015832 - 020431	Chairman Deputy Chairman Admin	<p>The Deputy Chairman expressed grave concern about the hidden cases of elder abuse. She urged the Administration to take a step forward in tackling the persistent problem of elder abuse.</p> <p>The Administration advised that as most abused elderly persons were reluctant to seek help, IFSCs, Integrated Service Centres, Family and Child Protective Services Units and Psychiatric Medical Social Service Units had implemented the Family Support Programme. Through telephone calls, home visits and other outreaching services, social workers could approach families with members at risk of domestic violence (including suspected elder abuse) and refer them to a host of support services. To enhance the support for elderly persons (including singletons and hidden elderly), the recurrent fund of \$82.5 million was provided for upgrading 51 social centres for the elderly to neighbourhood elderly centres in the 2014-2015 financial year.</p> <p>The Chairman requested the Administration to provide the number of elder abuse cases identified through the support services provided by SWD, such as home visits and outreaching services conducted by the Family Support Programme.</p>	Admin
020432 - 021351	Chairman Ms Emily LAU Admin	Ms Emily LAU expressed grave concern about the inadequate supply of subsidised residential care homes for the elderly ("RCHEs") places. Ms LAU's enquiry and the Administration's response regarding the	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
		<p>Administration's plan for provision of RCHE places.</p> <p>Ms LAU cast doubt about the effectiveness of regular visits to RCHEs conducted by the Service Quality Groups on RCHEs in monitoring the service performance of RCHEs given that such visits were not welcomed by many RCHEs.</p> <p>The Administration clarified that the setting up of the Service Quality Groups was not to replace the inspection performed by SWD's Licensing Office of RCHEs. The Service Quality Groups comprised healthcare professionals, family members/carers and stakeholders in the district. Group members would visit RCHEs and make suggestions on the operation quality. Currently, over 30% of RCHEs had joined the Service Quality Group scheme.</p> <p>Ms LAU asked whether the provision of screen at trial could be arranged for victims of elder abuse. The Administration advised that when a victim gave evidence in courtroom, the court, upon the application of the prosecution, might arrange for a screen to be placed around the victim so that the public or the press would not be able to view or identify the victim during the related proceedings. Ms LAU considered that victims of elder abuse should be well informed of such arrangement and provided with sufficient information on their rights during the court proceedings.</p>	
021352 - 022231	Chairman Admin	<p>The Chairman suggested that the Administration should give due consideration to the proposal of introducing mandatory reporting mechanism so as to facilitate early identification of hidden cases of domestic violence involving vulnerable groups, such as children, elderly, mentally incapacitated persons and people with disabilities. The Administration took note of the Chairman's view and would study the feasibility of such proposal.</p>	

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
		<p>The Chairman also considered that the work of Service Quality Groups could help reduce the likelihood of abuse taking place in RCHEs. He suggested that the Administration should require all RCHEs to join the scheme. In response to the Chairman's enquiry about the composition of Service Quality Groups, the Administration advised that group members included district council members.</p> <p>The Chairman's enquiry and the Administration's response regarding the timeframe for the completion of the review of the Procedural Guidelines for Handling Elder Abuse Cases ("Procedural Guidelines")</p> <p>The Chairman stressed that the Administration should take into account the views of service users when reviewing the Procedural Guidelines. The Administration advised that the Working Group on Elder Abuse ("the Working Group"), which was set up by SWD, comprised representatives from government departments, welfare service sector and academia, represented a wide spectrum of views from relevant stakeholders. The Working Group would closely liaise with the relevant organisations in the review of the Procedural Guidelines. The Chairman's concern would be relayed to the Working Group.</p>	
<i>Agenda item III - Any other business</i>			
022232 - 022449	Chairman Ms Emily LAU Clerk	Date of next meeting and discussion items. Timeframe for preparing the draft report of the Subcommittee.	