

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1055/15-16  
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by the Administration)

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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, 19 January 2016, at 2:30 pm  
in Conference Room 3 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 CHAN Chi-chuen  
Hon LEUNG Che-cheung, BBS, MH, JP

**Members absent** : Hon Alan LEONG Kah-kit, SC  
Dr Hon Helena WONG Pik-wan  
Hon TANG Ka-piu, JP

**Public Officers attending** : Item I

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

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

**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

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Admin

**I. Administration's response to issues raised by members at previous meetings**

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

Admin

2. The Subcommittee requested the Administration to -

- (a) write to subvented non-governmental organisations appealing to their support in adopting the "Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation" promulgated by the Constitutional and Mainland Affairs Bureau;
- (b) revisit its response in paragraphs 17 to 22 of its paper (LC Paper No. CB(2)673/15-16(01)) having regard to members' views; and
- (c) provide further information on the major reasons for not recommending applications for Compassionate Rehousing (including Conditional Tenancy) in recent years.

Action

3. The Chairman suggested and members agreed that the Subcommittee should write to the Equal Opportunities Commission requesting it to consider organising seminars regarding the provision of conversion therapy to people with different orientation, in particular those who were victims of domestic violence and sexual violence, to facilitate the stakeholders to have an in-depth exchange of views on the matter.

**II. Any other business**

4. The Chairman advised that the Subcommittee would conclude its work and a report on its deliberations would be prepared and circulated to members for consideration before its submission to the Panel on Welfare Services.

5. The Chairman suggested and members agreed that the approval of the House Committee be sought for priority allocation of a debate slot to the Chairman of the Subcommittee under Rule 14A(h) of the House Rules for moving a motion for debate on the Subcommittee's report at a Council meeting.

6. There being no other business, the meeting ended at 4:27 pm.

Council Business Division 2  
Legislative Council Secretariat  
10 March 2016

**Proceedings of meeting of the Subcommittee on Strategy and Measures to  
Tackle Domestic Violence and Sexual Violence  
held on Tuesday, 19 January 2016, at 2:30 pm  
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s) / Discussion	Action Required
<i>Agenda item I - Administration's response to issues raised by members at previous meetings</i>			
000000 - 000807	Chairman	<p>Opening remarks</p> <p>Members agreed that the Subcommittee's draft report would be circulated for consideration.</p> <p>Proposal of seeking approval of the House Committee for priority allocation of a debate slot under Rule 14A(h) of the House Rules for moving a motion for debate on the Subcommittee's report at a Council meeting</p>	
000808 - 001358	Chairman Admin	<p>The Administration's briefing on paragraph 2 of its paper (LC Paper No. CB(2)673/15-16(01)).</p> <p>In response to the Chairman's enquiry about the number of the additional residential places and corresponding manpower to be provided for refuge centres for women, the Administration advised that detailed information would be announced in the 2016-2017 Budget in February 2016.</p>	
001359 - 003002	Chairman Mr CHAN Chi-chuen Admin	<p>Mr CHAN Chi-chuen was disappointed with the Administration's response in paragraphs 17 to 22 of its paper regarding support services for sexual minorities facing domestic violence and sexual violence. He expressed grave dissatisfaction that no progress had been made in this regard, particularly with respect to the adoption of the "Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation" ("the Code of Practice") by subvented non-governmental organisations ("NGOs").</p> <p>In response, the Administration made the following points -</p> <p>(a) regular meetings were conducted between the relevant government bureaux and</p>	

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		<p>departments (including the Labour and Welfare Bureau, the Social Welfare Department ("SWD") and the Police) and sexual minority groups to exchange views on issues of mutual concern. The Administration considered the existing communication platform an effective way to keep discussion focused;</p> <p>(b) while the Central Information System on Spouse/Cohabitant Battering Cases and Sexual Violence Cases ("the Central Information System") administered by SWD did not accept data reporting by individuals or groups at the moment, staff of any organisations, such as sexual minority groups, which had come across cases of intimate partner violence could, with the victims' consent, seek advice from or refer those cases to SWD's service units or other reporting agencies, which included the Hospital Authority ("HA"), the Police, Department of Health and Legal Aid Department. The reporting agencies would report the cases to the Central Information System as appropriate; and</p> <p>(c) more promotional and publicity efforts would be made by the Constitutional and Mainland Affairs Bureau ("CMAB") to appeal for support from more organisations for the adoption of the Code of Practice.</p> <p>Sharing Mr CHAN's concern, the Chairman asked whether the Administration would require those NGOs receiving government subventions to pledge to adopt the Code of Practice.</p> <p>The Administration responded that while SWD-subsented NGOs had autonomy in management, they were required to ensure that their subsented services met all the requirements under the Funding and Service Agreement. Besides, CMAB would step up its efforts in introducing and promoting the Code of Practice to the social welfare sector.</p>	

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		<p>Mr Chan pointed out that many NGOs remained passive in handling issues involving sexual minorities. He cast doubt about the effectiveness of publicity alone in encouraging these NGOs to adopt the Code of Practice.</p> <p>The Chairman suggested that SWD should write to the subvented NGOs appealing for their support in adopting the Code of Practice. The Administration responded that SWD would follow up the matter with CMAB.</p>	<p><b>Admin</b></p>
003003 - 003434	<p>Chairman Mr CHEUNG Kwok-che Admin</p>	<p>Mr CHEUNG Kwok-che expressed regret at the Administration's response in paragraphs 17 to 22 of its paper. He considered that the sexual minority groups should be allowed to have direct dialogue with the Working Group on Combating Violence ("the Working Group") on a regular basis. While he understood the considerations for the Administration's refusal to disclose the full minutes of meetings of the Working Group, he was of the view that brief notes setting out the main deliberations of the Working Group should be at least made public.</p> <p>The Administration undertook to relay Mr CHEUNG's views to the Working Group for consideration.</p>	
003435 - 003909	<p>Chairman Deputy Chairman</p>	<p>The Deputy Chairman was dissatisfied with the Administration's response in paragraphs 17 to 22 of its paper, as it failed to address the concerns expressed by members and deputations from sexual minority groups in previous meetings of the Subcommittee.</p> <p>Echoing the Deputy Chairman's view, the Chairman remarked that the Subcommittee expressed grave dissatisfaction with the Administration's response in paragraphs 17 to 22 of its paper. He requested the Administration to revisit this part of the response having regard to members' views.</p>	<p><b>Admin</b></p>
003910 - 004002	<p>Chairman Admin</p>	<p>The Administration's briefing on paragraph 3 of its paper</p>	

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004003 - 004937	Chairman Admin Mr CHEUNG Kwok-che	<p>The Administration's briefing on paragraph 4 of its paper</p> <p>Mr CHEUNG Kwok-che pointed out that front-line social workers considered the Guidelines and Procedures for Processing Application for Compassionate Rehousing and Other Housing Assistance ("the Guidelines") unclear. He suggested that a task group should be formed in each district to handle Compassionate Rehousing ("CR") applications to ensure consistent assessment standards.</p> <p>The Administration responded that the procedural guidelines drawn up by SWD for handling CR cases sought to enable front-line social workers to comprehend the multi-faceted circumstances of applicants and their family members, so as to assess whether the individuals or families concerned had sufficient social and/or medical grounds for making recommendation to the Housing Department for CR.</p> <p>The Administration further advised that each CR case would be subject to the review and endorsement by the District Social Welfare Officers to ensure consistency in the assessment yardsticks. If the applicants were aggrieved with the CR assessment results, they could appeal to the officer-in-charge or supervisor of the responsible service units, or the District Social Welfare Officers of the respective districts.</p> <p>With respect to Mr CHEUNG's suggestion of setting up a task group in each district for handling CR applications, the Administration advised that similar arrangement was made by some NGOs. The Administration would make reference to their experience and follow up the matter with the Committee on Integrated Family Service Centres ("IFSCs"), which comprised representatives from, among others, NGOs operating IFSCs and the Hong Kong Council of Social Service ("HKCSS").</p>	

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004938 - 005719	Chairman Admin	<p>The Chairman expressed regret at the Administration's refusal to make public the Guidelines. He asked whether the Guidelines could be provided for members' reference.</p> <p>The Administration explained that the Guidelines, which set out procedures for handling CR and other housing assistance cases, were drawn up for internal reference only. In view of members' concerns, SWD decided to enrich the contents of the related service leaflet and existing website by including therein more comprehensively relevant information in the eligibility criteria of CR contained in the Guidelines for reference by members of the public.</p> <p>In response to the Chairman, the Administration advised that the revised version of service leaflet had been prepared by SWD with input from the parties concerned, including NGOs and related stakeholders, and would be considered at the meetings of the Committee on IFSCs and Liaison Group on Issues relating to Housing Assistance Cases in end January and early February 2016 respectively. It was expected that the enriched version of the webpage and leaflet would be available for the public in April 2016.</p> <p>Given the increasing number of domestic violence cases, the Chairman queried why the number of CR cases recommended by SWD, in particular the number of conditional tenancy ("CT") cases, had been decreasing considerably in the past five years. He considered it necessary for the Administration to review seriously the handling procedures for CR and CT cases.</p> <p>The Chairman requested the Administration to provide further information on the major reasons for not recommending CR (including CT) applications in recent years.</p>	<b>Admin</b>
005720 - 011247	Chairman Deputy Chairman Admin	<p>The Administration's briefing on paragraph 41 of its paper</p> <p>The Deputy Chairman considered that the Administration's response failed to address members' concerns about the provision of</p>	



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		<p>temporary accommodation for victims of elder abuse. She expressed dissatisfaction that most elderly people with urgent or temporary housing need were not provided with prompt assistance by SWD.</p> <p>The Administration advised that the Multi-purpose Crisis Intervention and Support Centre ("CEASE Crisis Centre") and the Family Crisis Support Centre provided multifarious services for individuals/families in crisis or in distress (including victims of suspected elder abuse and their family members). Besides, emergency placements and residential respite service were available at some subsidised residential care homes for the elderly ("RCHEs") and nursing homes to offer temporary or short-term accommodation for elderly people with urgent care needs (including victims of elder abuse cases).</p> <p>The Administration added that as announced in the 2016 Policy Address, the Government would deploy resources in the years starting from 2016-2017 through the Community Investment and Inclusion Fund to support projects which aimed at building mutual help networks among residents of public housing estates in various districts to strengthen the care and support for elderly singletons and elderly couples. It was expected that such measure could enhance the services for identifying and supporting hidden elders. Besides, new contract RCHEs were required to provide designated residential respite places and reserve vacant places for providing casual residential respite services.</p> <p>The Deputy Chairman considered that in addition to providing accommodation, due attention should be given to creating a supportive environment for elderly people who sought assistance. The Chairman shared the view, and considered that there should be dedicated shelter service for abused elderly people given the limited number of places available at crisis support centres and subvented RCHEs. The Administration took note of members' views and would relay members' concerns to the relevant</p>	

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		service branch of SWD in order to identify areas for further improvement.	
011248 - 012714	Chairman Admin Mr CHEUNG Kwok-che	<p>The Administration's briefing on paragraphs 5 to 16 of its paper</p> <p>Mr CHEUNG Kwok-che asked how the review of the operation of SWD's Child Protection Registry ("CPR") would be conducted.</p> <p>The Administration advised that the review exercise would be conducted by a task group which comprised representatives from the relevant service units of SWD, the Police, HA, HKCSS and other relevant NGOs. The task group would commence its work in February 2016, which was expected to be completed in mid 2017. The enhanced CRP would come into operation tentatively in 2018.</p> <p>Mr CHEUNG suggested that the task group should gauge the views of front-line personnel handling child abuse cases during the review.</p> <p>In view of recent media reports about abuse of children with special needs by their carers, Mr CHEUNG called on the Administration to step up efforts at district level to enhance front-line staff's understanding of the legislation pertaining to equal opportunity and privacy, as well as the penalty for such acts. Besides, the Administration should raise parents' awareness of their rights and complaint avenues when encountering abuse cases involving children and young persons with disabilities or special needs.</p> <p>Mr CHEUNG also pointed out that the 16 District Support Centres for Persons with Disabilities failed to cater for the special needs of people with visual impairment as well as speech and language impairment. He considered that the support services provided by these Centres should include knowledge of self-protection against domestic violence and sexual violence.</p> <p>The Administration took note of Mr CHEUNG's concerns and assured members that further effort would be made to identify areas for improvement</p>	

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		<p>in the support services for children and adolescents with disabilities or special needs.</p>	
<p>012715 - 013627</p>	<p>Chairman Admin Mr CHEUNG Kwok-che</p>	<p>The Chairman enquired about the timetable for promulgating the Police's revised guidelines for handling cases involving persons with disabilities or persons with special needs, including mentally incapacitated persons ("MIPs"). Mr CHEUNG Kwok-che called for early introduction of the revised guidelines in order to safeguard the interests of people with disabilities or special needs.</p> <p>The Police advised that while concrete timetable was not yet available, the responsible working group, led by the Assistant Commissioner of Police (Support), had been working in full gear for reviewing the policies for handling cases involving MIPs and the guidelines of investigation. The Police agreed that, in handling cases involving MIPs, it was paramount that their rights should be safeguarded in a professional manner. As such, the Police had all along striven to enhance police officers' professional sensitivity and capability in handling cases involving MIPs.</p> <p>The Chairman urged the Police to gauge the views of the relevant stakeholders in the preparation of the revised guidelines. The Police advised that its Family Conflict and Sexual Violence Policy Unit had maintained close communication with family members of people with special needs. The working group would also consider stepping up collaboration with professionals of other departments as well as other stakeholders in the realm of training.</p>	
<p>013628 - 014100</p>	<p>Chairman Admin</p>	<p>The Administration's briefing on paragraphs 23 and 24 of its paper</p> <p>The Chairman noted with grave concern that among some 5 000 applications from foreign domestic helpers ("FDHs") for change of employers after pre-mature termination of contract for various reasons, there were not more than 20 cases involving FDHs who had been abused or exploited by their ex-employers.</p>	

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		<p>Given that there were more than 300 000 FDHs in Hong Kong, the Chairman considered that such figure was on the low side and failed to reflect the actual circumstances of abused FDHs. He urged the Administration to review its policy for the protection and welfare of FDHs. In his view, more resources should be provided for NGOs serving FDHs so that they could enhance their support services dedicated for FDHs, particularly those who had been abused by their employers and those who had suffered from sexual violence.</p>	
014101 - 014726	Chairman Admin	<p>The Administration's briefing on paragraphs 25 to 36 of its paper</p> <p>The Chairman advised that he and Ms Emily LAU had earlier conveyed to HA the Subcommittee's view that interpretation services should be provided for ethnic minorities ("EMs") as soon as when they sought treatment at HA hospitals.</p> <p>The Chairman called on the Administration to exercise greater flexibility in the provision of resources for refuge centres so as to enable them to better meet the specific cultural, religious and dietary needs of EM service users.</p> <p>The Chairman advised that according to HA, it would continue to provide the existing operating NGO with suitable venue for the provision of one-stop services for victims of sexual violence.</p>	
014727 - 014921	Chairman Admin	<p>The Administration's briefing on paragraphs 37 and 38 of its paper</p> <p>The Administration advised that HA agreed to identify some suitable places in public hospitals with accident and emergency services for the provision of one-stop services for victims of sexual violence, and thanked the Chairman and Ms Emily LAU for their assistance in the matter. SWD and the Police would follow up the matter with HA.</p> <p>The Chairman pointed out that both CEASE Crisis Centre and RainLily provided support services for victims of sexual violence, but they</p>	

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		adopted different modes of operation. The Chairman suggested that the Administration should conduct a review on the future development of the respective modes of service to ensure optimal use of limited resources.	
014922 - 015027	Chairman Admin	The Administration's briefing on paragraphs 39 and 40 of its paper	
015028 - 015614	Chairman Mr CHEUNG Kwok-che Admin Deputy Chairman	<p>Referring to paragraph 21 of the Administration's paper, Mr CHEUNG Kwok-che reiterated his view that the Administration should conduct a study or seminars, with input from overseas experts, on conversion therapy, so as to enable the social welfare sector to have a better understanding of the subject.</p> <p>The Administration responded that SWD took note of Mr CHEUNG's concerns and would strive to balance different parties' interests when organising training programmes.</p> <p>The Deputy Chairman supported Mr CHEUNG's view, and urged the Administration to further consider his suggestion.</p> <p>The Chairman suggested and members agreed that the Subcommittee should write to the Equal Opportunities Commission requesting it to consider organising seminars regarding the provision of conversion therapy to people with different orientation, in particular those who were victims of domestic violence and sexual violence, to facilitate the stakeholders to have an in-depth exchange of views on the matter.</p>	
<i>Agenda item II - Any other business</i>			
015615 - 015747	Chairman	Closing remarks	