

**For discussion  
on 8 December 2015**

**Legislative Council Panel on Welfare Services**

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

**Support Services for Victims of Child Abuse Cases**

**Purpose**

This paper briefs Members on various support services for victims of child abuse cases.

**Principles**

2. The Government attaches great importance to the well-being of children (including young persons aged under 18) and firmly believes that every child has a right to protection against harm and abuse. Child protection is an important area of work of the Social Welfare Department (SWD). Adopting a “child-centred, family-focused and community-based” approach in the planning and delivery of services, SWD provides a range of preventive, supportive and remedial welfare services to safeguard the well-being of children.

3. Protecting children from abuse is the collective responsibility of various professionals who may come into contact with children. Effective child protection is built on the close collaboration, mutual trust and care for the well-being of children amongst multi-disciplinary professionals. To uphold the best interests of children and to protect those children suspected or found to be abused, SWD has drawn up the “Procedural Guide for Handling Child Abuse Cases (Revised 2007)” (Procedural Guide) for reference by different professionals, including personnel engaged in social services, health services, education services and law enforcement, and those who are in close contact with children in carrying out the necessary immediate assessments, social enquiries, multi-disciplinary case conferences and follow up welfare plans when encountering suspected cases of child abuse. In addition, SWD has set up the Committee on Child Abuse (CCA), which is responsible for examining the child

abuse problem in Hong Kong having regard to prevailing social circumstances, mapping out strategies to address the problems identified including prevention, public education and community participation, examining ways to facilitate multi-disciplinary collaboration, devising new approaches for the handling of child abuse cases as well as facilitating and coordinating research studies on child abuse and related subjects. CCA is chaired by the Director of Social Welfare and comprises representatives of the Education Bureau (EDB), the Labour and Welfare Bureau (LWB), Department of Health (DH), Hong Kong Police Force (the Police), Hospital Authority (HA) and non-governmental organisations (NGOs).

## **Definition of Child Abuse**

4. According to the Procedural Guide, child abuse is defined as any act of commission or omission that endangers or impairs the physical/psychological health and development of an individual under the age of 18. Such acts are judged on the basis of a combination of community standards and professional expertise. It is committed by individuals, singly or collectively, who by their characteristics (e.g. age, status, knowledge, organisational form) are in a position of differential power that renders a child vulnerable. Child abuse is not limited to a child-parent/guardian situation, but includes anyone who is entrusted with the care and control of a child, e.g. child-minders, relatives, teachers, etc. For child sexual abuse, the acts may also be committed by strangers to the child. The abuse can be in the form of physical abuse, sexual abuse, neglect or psychological abuse. Physical abuse is a physical injury or physical suffering to a child, where there is a definite knowledge, or a reasonable suspicion that the injury has been inflicted non-accidentally. Sexual abuse is the involvement of a child in sexual activity which is unlawful, or to which a child is unable to give informed consent. Neglect is a severe or repeated pattern of lacking of attention to a child's basic needs that endangers or impairs the child's health or development. Psychological abuse is the repeated pattern of behaviour and attitudes towards a child or extreme incident that endangers or impairs the child's emotional or intellectual development. Nevertheless, the definition of child abuse set out in this Procedural Guide is not a legal definition. It aims to provide guidelines to facilitate relevant professionals or personnel to safeguard the well-being of children being abused or at the risk of abuse.

## **Legal Protection**

5. Legislation has been put in place to protect children against abuse. The Offences Against the Person Ordinance (Cap. 212) contains a provision which makes ill-treatment or neglect by those in charge of children an offence, while the Crimes Ordinance (Cap. 200) provides legal protection for children against sexual abuse.

6. In parallel, a number of other ordinances also govern the well-being and protection of children, each with their specific focus. For example, the Child Care Services Ordinance (Cap. 243) stipulates that no person shall administer corporal punishment to a child in a child care centre. The revised Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) has

further enhanced the protection for minors under the age of 18. Under the revised Ordinance, minors affected by domestic abuse may apply for an injunction in their own right by their “next friends” against molestation by their parents or other specified relatives. They are protected irrespective of whether they are residing with the abusers.

7. Where statutory protection is required for a child, social workers of SWD or police officers may apply for a care or protection order under the Protection of Children and Juveniles Ordinance (Cap. 213). The Ordinance empowers the court to grant a supervision order or appoint a legal guardian in respect of a child or juvenile who is in need of care or protection.

### **Early Identification and Support for Children in Need**

#### *Integrated Family Service Centres and Integrated Services Centres*

8. The 65 Integrated Family Service Centres (IFSCs) and 2 Integrated Services Centres (ISCs) over the territory operated by SWD and NGOs provide a spectrum of preventive, supportive and remedial services to strengthen family’s capability in caring for children and offer assistance to improve parenting for those parents who have difficulties in taking care of and disciplining their children.

#### *Family Support Programme*

9. Early identification and intervention can effectively prevent family problems from deteriorating. As some families in need are reluctant to seek help, the IFSCs, ISCs, Family and Child Protective Services Units (FCPSUs), and Psychiatric Medical Social Service Units of SWD have jointly implemented the Family Support Programme. Through telephone calls, home visits and other outreaching services, social workers contact the families with members at the risk of domestic violence (including child abuse) or mental illness and those with problems of social isolation, and refer them to a host of support services. The service units will also recruit and train volunteers, including those with personal experience in overcoming family problems or crises, so that they can contact these families and encourage them to receive appropriate support services with a view to preventing the problems from deteriorating.

## *Comprehensive Child Development Service*

10. The Comprehensive Child Development Service jointly implemented by LWB, EDB, DH, HA and SWD aims to identify, at an early stage, various health and social needs of children (aged 0 to 5) and their families as well as provide the necessary services so as to foster the healthy development of children. It makes use of the Maternal and Child Health Centres of DH, the hospitals of HA and other relevant service units, such as IFSCs, ISCs and pre-primary institutions, to identify at-risk pregnant women, mothers with postnatal depression, families with psychosocial needs, and pre-primary children with health, developmental and behavioural problems. Needy children and families identified will be referred to the appropriate health and/or social services.

### **Handling of Suspected Child Abuse Cases**

11. Any organisation, school, service unit or individual may report a suspected case of child abuse. All such reports will be handled by SWD, relevant government departments and NGOs through multi-disciplinary collaboration in accordance with the Procedural Guide.

12. To reduce the stress on a child victim and the trauma of repeating the account of unpleasant experience, SWD adopts a case manager approach in the intervention process so that the child victim only needs to interact with the case manager for most of the time. After receiving a referral or report of a suspected child abuse case, the social worker of FCPSUs of SWD or case social worker of SWD/NGOs handling the child or the family case will take up the role of case manager to co-ordinate different intervention services provided for the child victim by various parties in a structured manner.

13. In the process of initial assessment or conducting social enquiry, if the child is in need of medical examination or treatment, social workers or other professionals will arrange for the child to visit HA hospitals. To avoid the need for the child to wait at the Accident and Emergency Department, social workers may contact the Medical Co-ordinator on Child Abuse of HA for admitting the child concerned to the ward direct. If there is a need for additional professional advice, social workers or other investigators will also arrange for the child to receive assessment provided by other professionals (such as clinical psychologists, psychiatrists, etc.). In case it is not necessary for the child to stay in the hospital for examination or treatment but social workers or other investigators consider it not suitable for the child to return to his/her home

for the time being, social workers will discuss with the parents concerned to arrange for a suitable place for the child to stay in the interim.

14. The case manager will conduct a detailed social enquiry for the child and the family to assess a list of risk factors. The assessment will also cover the physical, mental and psychosocial conditions of the child and the carer, the abuser's attitude, the growth and developmental needs of the child, the family's ability to take care of the child, parent-child relationship, child care arrangements, the availability of support in the family network, etc.

15. If the case may involve a criminal offence, social workers or other professionals will refer the case to the Police for investigation. Members of the public may also report a suspected child abuse case to the Police. The Police attaches great importance to reports of child abuse. Police officers will handle the cases with professionalism and sensitivity to achieve the dual objectives of protecting the victims from further harm and bringing the perpetrators to justice.

16. A child's best interests and prevention of unnecessary psychological trauma are the priority of police officers in handling reports of suspected child abuse. Upon receipt of a case, police officers will ensure the safety of the child victim and arrange for necessary medical treatment. An appropriate adult will also be arranged to accompany the child when the child assists in police investigation. The police officers handling the case will check whether the family involved has any records of child abuse, domestic violence and missing persons in the "Enhanced Central Domestic Violence Database" so as to assess if the child is at the risk of being abused again. A designated team will be responsible for the investigation and timely referral to relevant organisations for follow-up welfare and support services.

17. Child abuse cases are generally investigated by Criminal Investigation Teams of a police district. For cases which are more serious or of a more complicated nature (e.g. sexual abuse of children by family members or people entrusted with the care of the children concerned, serious physical abuse and organised child abuse), investigation will be jointly conducted by the Police's Child Abuse Investigation Units (CAIUs) under the Regional Crime Units and FCPSUs of SWD. This is to enable more effective planning of actions and better protection for the child victims.

## *Multi-disciplinary Case Conferences and Welfare Plans*

18. To safeguard children's well-being, the Police will refer all suspected child abuse cases to FCPSUs of SWD for formulation of welfare plans for the affected children and their families. Before formulating a long-term welfare plan, the case manager will conduct a detailed social enquiry as mentioned in paragraph 14 above. Upon completion of the social background enquiry, the case manager will normally convene a multi-disciplinary case conference (MDCC) for the professionals concerned to share their professional knowledge, information and concerns. Most importantly, the MDCC will formulate a welfare plan for the abused child and his/her family.

19. If the MDCC considers that the family is temporarily not suitable for taking care of the abused child, the case manager will place the child under the care of his/her relatives as far as possible. Foster care or institutional care will be arranged only if care by relatives is not feasible. Where statutory protection is required for the child, social workers of SWD or police officers may apply for a care or protection order under the Protection of Children and Juveniles Ordinance (Cap. 213). The Court may appoint the Director of Social Welfare as the legal guardian, or commit the child to the care of any person or institution that is willing to undertake the care of the child, or order the child's parent/guardian to enter into recognisance to exercise proper care and guardianship, or place the child under the supervision of a designated person.

20. Social workers of FCPSUs of SWD will arrange for comprehensive follow-up services for child abuse cases. Appropriate services will be provided for the victims as well as their family members, including the abusers. These services, aiming to protect the well-being of the children, include regular visits, counselling services (such as emotion control, parenting skills and parent-child relationship), financial assistance, referral for psychological counselling services, and residential care service.

21. Apart from casework counselling, social workers of FCPSUs of SWD will also provide group counselling and developmental programmes for the affected children and their families to help them overcome the negative impacts of the incidents, enhance personal resilience, build up self-confidence and develop positive attitudes towards interpersonal and family relationships.

22. EDB will provide placement assistance to the abused child under school age upon SWD's request. Professional staff of the schools (including

school social workers, student guidance personnel and school-based educational psychologists) will also work in collaboration with FCPSUs of SWD to help these students solve their adjustment difficulties/family problems. If the abused child encounters learning, emotional or behavioral problems, the school will provide various guidance programmes, such as induction/adjustment programme, peer support scheme, therapeutic group work, etc. and deliver multifarious teaching strategies and counselling services to cater for students' different abilities and aptitudes.

### **Protection Measures for Abused Children**

23. The Evidence Ordinance (Cap. 8) and the Criminal Procedure Ordinance (Cap. 221) were amended in 1995 to provide legal protection for child witnesses giving evidence in court, including permission to use video interview records of child witnesses as evidence in chief and permission for child witnesses<sup>1</sup> to give evidence by way of a live television link. The Police established the Child Protection Policy Unit<sup>2</sup> in 1997 to handle matters pertaining to child protection and domestic violence. These include formulating policies and internal guidelines, assisting the CAIUs of Regional Crime Units and frontline officers in handling and investigating child abuse cases, coordinating relevant training programmes, conducting policy research, and coordinating the work of other government departments and NGOs in respect of criminal investigation and safeguarding the welfare and support of children and their families.

24. To ensure that child victims and other child witnesses are able to assist in investigation in a safe and comfortable environment, the video interviews are conducted in a home-like "Vulnerable Witness Interview Suite". A special room is designated in the suite for conducting forensic examination. This one-stop approach can avoid the need for the child victims to travel and relieve the stress of having to repeat the account of unpleasant experience to different service units. The location of the suite is kept confidential to prevent harassment to the children.

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<sup>1</sup> Victims of sexual abuse aged below 17 or victims of physical abuse aged below 14 are permitted to give evidence in chief by video-recorded interviews.

<sup>2</sup> In response to the changes in social needs, the Child Protection Policy Unit's scope of work has been expanded to cover policy matters in relation to sexual violence, juvenile crime, elder abuse, compensated dating and mentally incapacitated persons. It was renamed Family Conflict and Sexual Violence Policy Unit on 1 October 2014.



25. For a child witness who has to attend court hearings, the Police will apply for court permission for the child by way of a live television link to relieve the stress of facing the defendant(s) in the court. A Support Person to accompany the child witness to testify in court will also be arranged under the Witness Support Programme<sup>3</sup> operated by SWD.

### **Child Protection Registry**

26. The Child Protection Registry is maintained by SWD to collect, consolidate and analyse data of child abuse cases reported by service units such as SWD, NGOs and HA. To understand the problem of child abuse in Hong Kong, the data includes the types of abuse, particulars of the abused child, contributing factors of abuse and the relationship between the abused child and the abuser.

### **Publicity and Public Education**

27. SWD will continue to promote the “Strengthening Families and Combating Violence” publicity campaign, through which territory-wide and district-based publicity and public education programmes are organised to raise public awareness of the importance of family cohesion and prevention of domestic violence as well as to encourage people in need to seek early assistance. In 2013-14, SWD produced a series of six animation videos to encourage parents to help their children develop resilience against adversity, and to avoid hurting them with corporal punishment and verbal abuse. To arouse public awareness of the well-being of those children facing domestic violence, SWD launched a series of television and radio Announcements of Public Interest and displayed posters over the territory in 2014-15 to appeal to the public to protect themselves and their children from becoming victims of domestic violence and to seek early assistance where necessary.

28. SWD has also subvented NGOs in community education for prevention of child abuse. The objectives are to enhance public awareness through a better understanding of different types of child abuse and their impact

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<sup>3</sup> The Witness Support Programme was launched in November 1996. Trained personnel and volunteers of SWD and some NGOs may be invited to act as Support Persons for children or mentally incapacitated persons. The responsibilities of a Support Person are: (a) to explain to the witness the court procedures and the role the witness will play, and help the witness prepare before the trial; (b) to accompany the witness for the pre-trial visit to the court; (c) to accompany the witness to testify in court by a live television link; and (d) to inform the witness of the trial result.

on children, and promote proper child care and discipline skills through enhancing parents/child carers' knowledge and skills in looking after children.

### **Training for Frontline Professionals**

29. SWD regularly organises different training programmes for frontline professionals to enhance their knowledge of handling domestic violence, including child abuse, spouse/cohabitant battering, elderly abuse, sexual violence and suicides, and to strengthen their capabilities in risk assessment, violence prevention and post-trauma counselling.

30. In 2014-15, the Staff Development and Training Section and the District Social Welfare Offices of SWD have organised and subsidised a total of 145 training programmes for frontline professionals (e.g. social workers, educators, police officers and healthcare personnel), which were attended by about 7 100 participants. SWD also deploys staff to provide training in child protection in the courses for frontline service personnel organised by EDB, HA, DH and other NGOs.

31. To equip frontline staff with adequate skills and knowledge to handle child abuse cases, the Police College and its Detective Training Centre have included "child abuse crimes" in the regular foundation training for recruit police constables and probationary inspectors as well as the detective training courses. The topics cover the legal knowledge, professional knowledge, procedures, victim psychology and professional sensitivity for handling child abuse cases.

32. Moreover, the Police and SWD jointly organise the "Training on Video-recorded Interview with Child and Mentally Incapacitated Witnesses" on a regular basis for their officers as well as the Department of Justice, DH and NGOs. Apart from investigation techniques, the training programme also includes lectures given by experts such as paediatricians, forensic pathologists and psychologists to enhance the officers' skills in handling abuse cases involving children and mentally incapacitated persons.

### **Advice Sought**

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

**Labour and Welfare Bureau  
Education Bureau  
Hong Kong Police Force  
Social Welfare Department  
Department of Health  
Hospital Authority**

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