

立法會

Legislative Council

LC Paper No.CB(2)1142/17-18(06)

Ref : CB2/PL/WS

Panel on Welfare Services

Updated background brief prepared by Legislative Council Secretariat for the meeting on 9 April 2018

Strategies and measures to tackle domestic violence and support families at-risk

Purpose

This paper gives an account of the past discussions of the Council and relevant committees on the strategies and measures to tackle domestic violence and support families at-risk.

Background

2 According to the Administration, a multi-discipline model has been adopted to coordinate the joint efforts of different departments, professionals and non-governmental organizations ("NGOs"), in preventing and tackling domestic violence. The Committee on Child Abuse ("CCA") and the Working Group on Combating Violence ("WGCV"), chaired by the Director of Social Welfare and comprise representatives from the Police, the Education Bureau ("EDB"), the Hospital Authority ("HA") and NGOs, etc., have been set up to map out strategies to tackle the problems of child abuse, spouse/cohabitant battering and sexual violence in Hong Kong. With the advice of CCA and WGCV, the Social Welfare Department ("SWD") has drawn up two sets of procedural guidelines namely the "Procedural Guide for Handling Child Abuse Cases" and the "Procedural Guidelines for Handling Intimate Partner Violence Cases" to facilitate frontline professionals in handling cases of child abuse and spouse/cohabitant battering in a professional and effective manner. These guidelines will be updated on a need basis.

3 The Administration has also adopted a three-pronged approach (i.e. specialized services and crisis intervention, support services and preventive measures) to combat domestic violence and strengthen support for families

in need. SWD has set up 11 Family and Child Protective Services Units ("FCPSUs") which specialize in providing one-stop support services for victims of domestic violence and their families. Besides, the Victim Support Programme for Victims of Family Violence, which is run by an NGO with SWD's funding, provides the victims with enhanced support services including legal aid service, accommodation, treatment and childcare support.

4 SWD also assists batterers in changing their abusive attitude and behaviour through the Batterer Intervention Programme ("BIP") and the Anti-violence Programme ("AVP"). BIP is a psycho-education programme with 13 sessions and is a component of counseling service of FCPSUs. AVP is introduced for batterers who are required by courts under the Domestic and Cohabitation Relationships Violence Ordinance (Cap. 189) ("the Ordinance") to participate in the psycho-education programme to change their attitudes and behaviours which lead to the granting of the injunction order. SWD has started providing BIP for women on a trial basis and will continue to develop other treatment models to suit the needs of different batterers.

Members' deliberations

Handling domestic violence

5 Some Members considered that assistance and services should be offered to cater for the special needs of individuals of different sexual orientations and ethnic minorities suffering from domestic violence. Moreover, training should be provided for frontline staff of relevant government departments to enhance their skills and sensitivity in handling domestic violence cases. These Members also suggested that specialized services and shelters should be provided for these individuals. The Administration advised that frontline staff in SWD and NGOs had been provided with a wide range of training programmes regularly to enhance their knowledge and skills in handling domestic and sexual violence cases, including cases with victims of different sexual orientations, ethnic minorities and new arrivals.

6 Some Members enquired whether the Administration had taken any steps to strengthen law enforcement and adopted a better approach in handling domestic violence since the enactment of the Ordinance. The Administration advised that SWD's frontline staff would explain the Ordinance to service users. The Ordinance provided civil protection to victims of domestic violence and allowed them to apply for injunction. After two rounds of amendments to the Ordinance introduced in 2007 and

2009 respectively, the Ordinance now provided protection for victims against molestation by their current and former spouses, current and former cohabitants, whether they be of the same or different sex, and other immediate and extended family members. Some Members criticized that simply explaining the Ordinance to service users was inadequate and the Administration should step up law enforcement and prosecution actions against domestic violence.

7 Some Members took that view that many abusers of child abuse cases, who were usually parents or adults, did not know how to seek assistance or want their cases to be disclosed. Hence, frontline professionals (e.g. school personnel, social workers and healthcare personnel) played an important role in early identification of child abuse cases. These Members considered that schools should play a more active role in identifying the symptoms of child abuse, understanding the child's conditions and following up the case with a view to facilitating the handling of child abuse cases. The Administration should enhance its support and education to schools (e.g. enhancing their crisis awareness in relation to child abuse), with a view to protecting abused children and preventing child abuse. Sufficient social work service should be provided for primary schools and kindergartens, such as implementing a policy of "one school, one social worker" for each kindergarten.

8 According to the Administration, EDB attached great importance to the well-being and safety of children in schools, and had all along reminded schools of the need for early identification and provision of support to students in need through various channels. SWD and EDB had maintained close communication to explore how to provide social work service in primary schools and kindergartens. The need for social work service for kindergartens would also be considered in the light of the progress in implementation of the new kindergarten education policy. Given that there were different types of funding modes for student guidance service in primary schools, the Administration had to communicate with various stakeholders before implementing a policy of "one school, one social worker". Resources would be sought with a view to implementing relevant initiatives in the 2018-2019 school year at the earliest after the way forward for school social work service had been decided.

9 Some Members opined that the Administration should initiate a review of the relevant legislation on child abuse immediately. In addition, the Administration should conduct public consultation on establishing a mandatory reporting mechanism of child abuse cases, with a view to exploring the way forward for enacting relevant legislation. The Administration advised that the relevant legal issues required an in-depth

examination given the complexity of the issue.

10 Expressing concern that the existing mechanism of handling child abuse cases was dysfunctional, some Members asked whether SWD would take measures to improve the existing mechanism. The Administration advised that different training programmes could be organized for frontline professionals to enhance their sensitivity in handling possible child abuse cases. The Administration would also take into account issues relating to the interface among government departments, support and resources in making improvements to the existing mechanism.

11 Some Members opined that handling of child abuse cases should involve collaboration among various government departments. Even with full implementation of the policy on "one school, one social worker", schools could not bear all the responsibilities given the complexity of child abuse cases. Instead, the Administration should be committed to resolving the problem of child abuse and establish a cross-bureaux centre to involve relevant government bureaux/departments and stakeholders, e.g. teachers, parents, students and neighbours, in handling child abuse cases. The centre could also provide support services for families which sought assistance or might have a higher risk of child abuse (e.g. families with a history of domestic violence). Training programmes should be separately provided for police officers and teachers, with a view to enhancing police officers' handling of legal issues related to child abuse as well as strengthening teachers' ability to identify and report child abuse cases.

Services and support for victims of domestic violence and their family members as well as batterers

12 Some Members took the view that many family tragedies could be avoided if timely housing assistance was provided to victims of domestic violence. According to the Administration, the Conditional Tenancy Scheme under the Compassionate Rehousing Scheme was extended to cover battered spouses who were divorced and had no offspring or dependent children. In addition, SWD had revised the guidelines for processing applications for Compassionate Rehousing in 2002 to allow more flexibility in helping the needy. The referral mechanism between SWD and the Housing Department ("HD") in handling applications for splitting of household and house transfer for needy public rental housing tenants, including those who suffered from family problems or domestic violence, had also been streamlined to speed up the application process.

13 Expressing concern about the inadequate provision of places in refuge centres for women ("refuge centres") and crisis centres, some Members considered that the Administration should formulate a long-term

plan to increase the supply of such places to meet future demand. At the special Finance Committee meetings in April 2016 to examine the Estimates of Expenditure 2016-2017, a written question was asked on the supply of places in and the number of waitlistees for refuge centres and crisis centres. According to the Administration, as at end-February 2016, a total of 260 residential places were provided by the five refuge centres and 80 residential places were provided by the Multi-purpose Crisis Intervention and Support Centre. SWD would provide a total of 40 additional residential places in refuge centres and the Family Crisis Support Centre in 2016-2017. As these centres had exercised flexibility in admission and set up a mutual referral mechanism with a view to meeting the service demand, they did not have a waiting list.

14 In response to some Members' enquiry about support for children witnessing domestic violence, the Administration advised that although currently there was no structured service programme dedicated for children witnessing domestic violence, SWD's frontline staff including social workers and clinical psychologists would offer assistance to batterers, victims and their children. Clinical psychologists would also provide treatment service to child witnesses when necessary. Some Members were concerned that the psychological problems of children witnessing domestic violence might only emerge when they grew up. These Members suggested that the Administration should seriously consider providing dedicated services for children witnessing domestic violence.

Support measures for high-risk families and early intervention

15 Some Members expressed concern about the inadequate support services in place for high-risk families, especially on counseling services and early intervention measures to prevent family tragedies. These Members were also concerned about the ineffectiveness of early identification of families at-risk. In their view, social workers should station at pre-primary institutions as well as Maternal and Child Health Centres ("MCHCs") for providing early intervention and timely support for families at-risk.

16 According to the Administration, the territory-wide Integrated Family Service Centres ("IFSCs") provided needy individuals and families, such as single-parent and newly arrived families, with a spectrum of preventive, supportive and remedial services. Support groups were formed in the district to provide needy families with mutual support from peers. In addition, child care services under the Neighbourhood Support Child Care Project had since October 2011 been regularized and extended to all 18 districts to provide needy families with flexible and enhanced child care services during late evenings, weekends and public holidays.

Territory-wide and district-based publicity and public education programmes would continue to be organized to arouse public awareness on the importance of family solidarity and encourage those in need to seek early assistance.

17 As regards early intervention, the Administration advised that the Labour and Welfare Bureau, EDB, SWD, Department of Health and HA had collaborated to provide Comprehensive Child Development Service ("CCDS") to identify and meet various health and social needs of children (aged 0 to five) and their families at an early stage so as to foster healthy development of children. Under CCDS, social workers would provide proactive outreach service and visit persons in need at MCHCs to assist at-risk pregnant women, mothers with postnatal depression, families with psychosocial needs and children with developmental and behavioural problems. CCDS also made use of other services units, such as IFSCs and pre-primary institutions, to identify needy children and families. Needy children and families would be referred to the appropriate health and/or social services for follow-up. The Administration stressed that it would maintain close collaboration and enhance the interface among government departments, welfare services units, schools, etc., to facilitate early identification and referral of cases.

18 Some Members took the view that the IFSC service mode was ineffective in addressing domestic violence. The Administration advised that additional resources and manpower had been allocated to enhance the related support services for victims of domestic violence and families in need. The Family Council would meet with the concerned government bureaux and departments to discuss further enhancement of family support services. The Administration would review the effectiveness of family support services, particularly the IFSC service mode.

Classifying and defining domestic violence

19 Some Members wondered whether the mechanism of classifying domestic violence was effective in reflecting the nature of domestic violence cases and whether frontline staff including police officers, social workers, etc. had received proper training on distinguishing domestic violence cases from domestic incidents. Members were of the view that the Administration would not be able to prevent domestic violence effectively in the absence of comprehensive information on domestic violence cases, including those involving ethnic minorities, cross-border families, transgender groups and homosexuals, in its analysis of domestic violence problems.

20 The Administration advised that training programmes relating to domestic violence were provided for social workers and concerned professionals. Under the current classification of domestic conflict reports which took effect from 2009, there were three main categories, namely "domestic violence (crime)",¹ "domestic violence (miscellaneous)"² and "domestic incidents".³ The purpose of this classification was to more accurately reflect the nature of domestic violence cases and deploy appropriate resources to handle the cases and assist the victims. Cases would be referred to SWD for follow-up if necessary. The cases were recorded in the Enhanced Central Domestic Violence Database so as to fully reflect the overall situation of domestic conflict. The Police had formulated a set of policies and procedures for effective handling of domestic violence cases, with a view to reducing domestic violence and strengthening protection for victims. The Police also had clear professional guidelines for the classification and handling of such cases. Irrespective of the classification of a case, police officers would handle and investigate it professionally with sympathy and understanding, as well as in a professional, fair and impartial manner. Upon receipt of a domestic conflict report, the Police would deploy an officer of the rank of Sergeant or above to the scene to oversee the case in person, so as to ensure that it was properly handled.

Relevant papers

21 A list of the relevant papers on the Legislative Council website is in the **Appendix**.

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29 March 2018

¹ "Domestic violence (crime)" cases refer to criminal cases involving violence that occur between persons having marital or intimate partner relationships, including murder, manslaughter, wounding, serious assault, rape, indecent assault, criminal intimidation, criminal damage and possession of offensive weapons, etc.

² "Domestic violence (miscellaneous)" cases refer to cases involving common assault and a breach of the peace that occur between persons having marital or intimate partner relationships.

³ "Domestic incidents" refer to any family-related incidents not involving violence or a breach of the peace that occur between persons having marital or intimate partner relationships, such as disputes, nuisance, annoyance or conflicts, etc.

Relevant papers on strategies and measures to tackle domestic violence and support families at-risk

Committee	Date of meeting	Paper
Panel on Welfare Services	22 October 2009 (Item I)	Agenda Minutes
	10 July 2012 (Item IV)	Agenda Minutes
Legislative Council	9 January 2013	Written question (No. 14) on "Support for victims of domestic violence"
Panel on Welfare Services	14 January 2013 (Item V)	Agenda Minutes
	19 February 2013 (Item VI)	Agenda Minutes
Legislative Council	5 June 2013	Official Record of Proceedings Pages 145-281
Panel on Welfare Services	30 June 2014 (Item II)	Agenda Minutes
Finance Committee	8 April 2016	The Administration's replies to members' written questions in examining the Estimates of Expenditure 2016-2017 Page 585
Subcommittee on Subcommittee on Strategy and Measures to Tackle Domestic Violence and Sexual Violence	-	Report

Committee	Date of meeting	Paper
Legislative Council	22 March 2017	Written question (No. 14) on "Handling of domestic violence cases"
Panel on Welfare Services	19 January 2018 (Item I)	Agenda

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