

立法會
Legislative Council

LC Paper No. CB(2)2002/08-09
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

**Minutes of special meeting
held on Friday, 23 January 2009, at 3:00 pm
in the Chamber of the Legislative Council Building**

Members present : Hon Albert CHAN Wai-yip (Chairman)
Hon CHEUNG Kwok-che (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Ronny TONG Ka-wah, SC
Hon Paul CHAN Mo-po, MH, JP
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS

Members absent : Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon Frederick FUNG Kin-kee, SBS, JP

Member attending : Dr Hon Priscilla LEUNG Mei-fun

Public Officers attending : Mr Matthew CHEUNG, GBS, JP
Secretary for Labour and Welfare

Miss Hinny LAM
Principal Assistant Secretary for Labour and Welfare (Welfare) 2

Ms Zandra MOK
Political Assistant to Secretary for Labour and Welfare

Ms Winnie LEUNG
Assistant Secretary for Labour and Welfare (Welfare) 2A

Mrs Anna MAK
Assistant Director of Social Welfare
(Family and Child Welfare)

**Deputations/
individuals
by invitation**

: Session 1

Blessed Minority Christian Fellowship

Mr Anthony MAN Ho-fung
Representative, External Affairs Division

The Hong Kong Catholic Marriage Advisory Council

Mr Peter HO
Executive Director

Democratic Party Women Committee

Ms LEUNG Suk-ching
Chairperson

天平文化教育發展基金

Mr Robert CHAN
Chairman

幼兒教育關注組

Miss CHOW Ka-yee
Convenor

Professional Youth Forum

Mr LAU Chi-hung

童心社

Ms CHEUNG Sau-kuen
Secretary

康體專業關注健康家庭同盟

Miss HO Shuk-chong
Executive Assistant

Hong Kong Women's Coalition on Equal Opportunities

Ms LAM Ying-hing
Representative

Hong Kong Women Christian Council

Miss Sharon LOH
Executive Secretary

蕙欣(聯盟)

Mr LUO Tao

New Hope for Middle Class Forum

Miss Myra SIU
Convenor

Student Christian Movement of Hong Kong

Mr YUNG Ka-chun
President

North Point Social Concern Network

Miss CHIU Sau-wah
Representative

UFIRE

Miss LUI Wai-laam
Ministry Secretary

Youth Christian Association

Mr Renwill YANG
Member

Hong Kong Society for Politics and Policy

Mr LEE Yiu-keung
Chairman

Hong Kong Federation of Women's Centres

Ms FONG Man-ying
Director

Hong Kong Youth and Students Federation

Mr Rock LI Cheuk-yin
Chairman

價值核心行動組

Mr Terry CHAN Sai-hung
Secretary

Hong Kong Youth Support Group

Mr LAI Sin-yum
Chairman

Education Convergence, Education Foundation

Mr WONG Chung-man
Administrative Assistant

Association for Concern for Legal Rights of Victims of
Domestic Violence

Ms NG Wai-ching
Chairperson

Thinking Academy

Mr Howard LAI
Spokesman

Hong Kong Baby and Children Products Industrial and
Commercial Association

Mr Danny YUEN Man-ho
Chairman

灣仔家長關注子女成長會

Ms CHENG Yu-yee

屯門家長關注子女教育協會

Mr WONG Chi-tak

新界東家長關注子女成長聯會

梁晚霞女士

葵涌家長關注子女成長小組

黃翠娜女士

關注孩子同盟

Ms Catherine YEUNG
Chairman

Pistuo Charis Limited

Mr Danny LO Shing-yuen
Volunteer-worker

Lawyers Christian Fellowship

Mr Steven YIP
Solicitor

Grapes Group

Mr Stephen LIN
Group Leader

For My Colours

Mr CHAN Wang-hong
Spokesman

彩虹之家

Mr CHAN Sun-wo
Administrative Assistant

Health Fitness Professionals Union

Mr LEE Boon-li
Chairman

Social Righteousness Association

Mr Derek LAM Hui
Executive Member

The Church of Living Stones (Kowloon)

Mr YEUNG Chung-mau
Pastor

Male Violent Concern Group

Mr John LOK
Technology

新一代家長會

Ms WONG Mei-ching
Parents' Association Representative

Hong Kong Youth Assistant for the Underprivileged
Association

Miss Rolie NGAI Kwan-lok
Member

油尖旺家長網絡

Ms NG Kwai-kuen
Convenor

反對居所暴力大聯盟

Mr CHOW Wang-ngai
Spokesman

Session 2

Mr LIU Man-kwong

Mr LEUNG Chung-fai

Mr CHOI Hong-ming

Ms Eugenia STONE Yuk-king

Mr CHOI Wai

Ms Esther CHAU

Mr Simon NG

Mr WONG Wai-leung

Mr Philip CHUN Man-tack

Miss Candy LOK Ka-yan

Miss CHAU Pui-kei

Mr David HUI Wai-koon

Miss WONG Chu-yee

Mr Andrew HUNG Tsz-wan

Mr WONG Ho-put

Miss Cindy PANG Hau-ling

Miss LAW Ching-man

Mr CHEUNG Kwok-chun

Miss Linna YU

Ms Stella HUI Wai-han

Mr Leo KWAN

Ms Ariel WONG

Ms CHIU Kit-ching

Miss TAN Po-chu

Mr CHAN Hon-yuen

Mr NGAI Lap-yin

Mr LO Wing-chuen

Ms CHU Fung-mei

Mr WONG Chi-cheung

Mr Tony LAU

Mrs Elsa CALDWELL

Ms LEUNG Wai-ming

Ms Ming YEUNG

Mr LAW Wai-kwong

Mr YEUNG Yuk-ming

Mr KWOK Man-chun

Mr CHING Man-wai

Ms CHAN Yin-fan

Mr LOUIE Wai-hang

Mr WONG Chi-shing

Ms Abby SHEK

Mr Raymond CHAN

Miss LAI Oi-yan

Mr LAW Tan-sing

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 4

Staff in attendance : Mr YICK Wing-kin
Assistant Legal Adviser 8

Miss Florence WONG
Senior Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 4

Miss Lulu YEUNG
Clerical Assistant (2) 3

Action

I. Proposed amendments to the Domestic Violence Ordinance

[LC Paper Nos. LS33/08-09, CB(2)2289/07-08, CB(2)341/08-09(03) to (04), CB(2)559/08-09(01), CB(2)703/08-09(01) to (12), CB(2)713/08-09(01) to (58), CB(2)721/08-09(01), CB(2)722/08-09(01) to (16) and CB(2)750/08-09(01) to (88)]

The Chairman welcomed the deputations and individuals to the meeting. He said that the Panel had received views from some 60 deputations on the proposed amendments to the Domestic Violence Ordinance (Cap. 189) (DVO) at the special meeting held on 10 January 2009. Owing to the grave concerns on the subject, the Panel agreed to hold another meeting to further receive views from deputations and individuals on the proposed amendments to DVO.

Oral presentations by deputations

2. At the invitation of the Chairman, 43 deputations and 44 individuals presented their views on the proposed amendments to DVO in sessions one and two respectively. A summary of the views is in the **Appendix**.

3. Secretary for Labour and Welfare (SLW) thanked members and deputations for their comments on the Administration's proposal. He said that views might differ on the means but the end of protecting same-sex cohabitants was shared by all parties. The Administration would carefully and thoroughly consider the views and proceed with the drafting of the legislative proposal in consultation with the Department of Justice with a view to extending the scope of DVO to include persons in same-sex cohabitation in the distinct and unique context of domestic violence and spelling out its policy stance clearly.

Action

4. Noting that there was misconception among the public on the proposed amendments to DVO, SLW said that DVO aimed to provide additional civil remedies for the victims of domestic violence on top of the current criminal legislative framework, and it was tailored to deal with acts of molestation which occurred between individuals in a specific relationship, irrespective of whether they were living together. SLW reiterated that the Administration attached great importance to traditional family values and it remained the Administration's established and clear policy not to recognise same-sex relationship as a matter of legal status. When the drafting of the legislative proposal was ready, the Administration would revert to the Legislative Council (LegCo).

5. In summing up, the Chairman thanked the deputations and individuals for attending the meeting and giving views on the proposed amendments to DVO. The Chairman envisaged that when the legislative proposal was introduced into LegCo, a Bills Committee would be formed to study it in detail. The relevant Bills Committee would consider whether it was necessary to invite public views on the legislative proposal.

II. Any other business

6. There being no other business, the meeting ended at 6:25 pm.

Council Business Division 2
Legislative Council Secretariat
24 June 2009

Panel on Welfare Services

Special meeting on Friday, 23 January 2009

Proposed Amendments to the Domestic Violence Ordinance (Cap. 189)

Summary of views of deputations and individuals

No.	Name of deputation/individual	Major views and concerns
Session one		
1.	Blessed Minority Christian Fellowship	<ul style="list-style-type: none"> ● although same-sex cohabitants were a minority group in the community, it considered that they should be given the protection from threats of violence acts. It <u>urged</u> the Administration to expeditiously introduce the legislative proposal to extend the coverage of protection to same-sex cohabitants under the Domestic Violence Ordinance (DVO) in the light of its undertaking in the Third Legislative Council (LegCo) ● <u>considered</u> that the proposed amendments to DVO were only applicable to the distinct and unique context of domestic violence and would not affect the interpretation of the Marriage Ordinance (MO)
2.	The Hong Kong Catholic Marriage Advisory Council [LC Paper No. CB(2)703/08-09(01)]	<ul style="list-style-type: none"> ● <u>agreed</u> that additional civil protection from threats of domestic violence acts should be provided for same-sex cohabitants, but it was discriminatory against other persons living together. Therefore, it <u>considered</u> that the coverage of protection should also be extended to all persons living under the same roof ● <u>opposed</u> the inclusion of same-sex cohabitants under DVO as it would pave the way for seeking judicial review to give legal recognition of same-sex marriage ● <u>suggested</u> that the title of DVO should be renamed as 《家居暴力條例》 so as to extend the scope to include persons living together
3.	Democratic Party Women Committee [LC Paper No. CB(2)750/08-09(01)]	<ul style="list-style-type: none"> ● <u>supported</u> the provision of additional civil protection to same-sex cohabitants which enabled the victim to be temporarily segregated from the abuser and freed from molestation under the protection of an injunction order

No.	Name of deputation/individual	Major views and concerns
		<ul style="list-style-type: none"> • <u>suggested</u> that DVO should be renamed as 《家居暴力條例》or 《家庭及家居暴力條例》to reflect accurately its scope of coverage, given that the scope had already been extended to cover persons in other immediate and extended familial relationships
4.	天平文化教育發展基金	<ul style="list-style-type: none"> • <u>opined</u> that since its enactment in 1986, DVO was applicable only to a party to a marriage within the meaning of the Marriage Ordinance (Cap. 181) (MO), and a party to a cohabitation relationship between a man and a woman as in a marriage. The legislative intent of the 2007 was to extend the scope of DVO to include former spouses and former cohabitants of opposite sex. This explained the Administration's policy not to recognise same-sex relationship as a matter of legal status. Against this background, it <u>urged</u> the Administration not to make any change to the policy stance unless a consensus or a majority view was reached by society, and to conduct wide public consultation on the proposed amendments to DVO
5.	幼兒教育關注組	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would distort the concepts of family and marriage, and hamper the development of children • <u>suggested</u> extending the protection for victims of domestic violence to all people living under the same roof
6.	Professional Youth Forum [LC Paper No. CB(2)750/08-09(02)]	<ul style="list-style-type: none"> • <u>opined</u> that the title of DVO should be renamed as 《居所暴力條例》 so as to expedite the legislative process and extend its coverage to abused elders living under the same roof as they were not capable of sounding out their needs
7.	童心社 [LC Paper No. CB(2)750/08-09(03)]	<ul style="list-style-type: none"> • <u>strongly requested</u> the Administration to provide a definition of "family" • <u>suggested</u> enacting a separate ordinance to provide civil remedies to same-sex cohabitants under threats of violence acts in view of their specific relationship • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO in the light of the concern that the proposal would lead to the legal recognition of same-sex relationship. It <u>urged</u> the Administration not to proceed with the proposal

No.	Name of deputation/individual	Major views and concerns
8.	康體專業關注健康家庭同盟	<ul style="list-style-type: none"> ● <u>opposed</u> the proposed amendments to DVO as it would have adverse impacts on the development of children and confuse their understanding on the concept of familial relationship ● <u>suggested</u> DVO be renamed as 《同住暴力條例》 to extend its coverage to all persons living together, including same-sex cohabitants, so as to ensure parity of treatment for violence incidents
9.	Hong Kong Women Christian Council [LC Paper No. CB(2)750/08-09(05)]	<ul style="list-style-type: none"> ● <u>pointed out</u> that the scope of DVO had already extended to cover former spouses, former heterosexual cohabitation and other immediate and extended familial relationship, i.e. it was not confined to the spousal relationship as specified in MO ● <u>objected</u> to renaming the title of DVO or to further extend the scope of the legislative proposal as put forward by some deputations as it would unduly delay the legislative process. It <u>urged</u> the Administration to introduce the legislative proposal as soon as possible
10.	董欣(聯盟) [LC Paper No. CB(2)703/08-09(02)]	<ul style="list-style-type: none"> ● <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it might give rise to the recognition of same-sex marriage ● <u>suggested</u> introducing a separate ordinance entitled as 《住屋或家居暴力條例》 to protect to all persons living together
11.	New Hope for Middle Class Forum	<ul style="list-style-type: none"> ● <u>considered</u> that the inclusion of same-sex cohabitants under the scope of DVO would complicate the social problems ● <u>opined</u> that the meaning of "domestic" under DVO referred to persons in familial relationships constituted from a marriage as specified in MO. Against this background, the scope of DVO should not be extended to cover same-sex cohabitants ● <u>suggested</u> to introduce a separate ordinance entitled as 《同住人士暴力條例》 or 《居所暴力條例》 to protect all persons living together from domestic violence acts
12.	Student Christian Movement of Hong Kong [LC Paper No. CB(2)750/08-09(06)]	<ul style="list-style-type: none"> ● <u>supported</u> the proposed amendments to DVO to extend its coverage to same-sex cohabitants in the light of the United Nations Conventions on human rights and the views of the Equal

No.	Name of deputation/individual	Major views and concerns
		<p>Opportunities Commission (EOC) that the validity of excluding persons in same-sex cohabitation from the protection of DVO needed careful examination</p> <ul style="list-style-type: none"> • <u>considered</u> that the proposed amendments would not result in the recognition of same-sex marriage or same-sex relationship, as no change was proposed to the definition of marriage • <u>considered it unnecessary</u> to change the title of DVO
13.	North Point Social Concern Network	<ul style="list-style-type: none"> • <u>opined</u> that the civil remedies provided under DVO should be extended to all persons living together such as elders and lodgers living under the same roof • <u>supported</u> the suggestion of renaming the title of DVO to read as 《居所暴力條例》 or 《家庭及同居暴力條例》, as this would be the quickest way to give effect to the legislative proposal and reflect accurately its scope of coverage • <u>urged</u> the Administration to set up a specialised domestic violence court and a maintenance board expeditiously
14.	UFIRE	<ul style="list-style-type: none"> • <u>opined</u> that all people living under the same roof (such as student hostels, residential care homes for the elderly, homes for children and bedspace apartments) should also be protected from violence acts • <u>suggested</u> that DVO should be renamed as 《居所暴力條例》 in the light of the grave concern about the concept of family
15.	Youth Christian Association [LC Paper No. CB(2)750/08-09(43)]	<ul style="list-style-type: none"> • <u>opined</u> that civil protection should also be provided to all persons living together as the co-dependent relationships might render the victims reluctant to seek redress under the criminal legislative framework • <u>suggested</u> that DVO be renamed as 《家庭及居所暴力條例》 and the term "matrimonial home" be revised as "matrimonial and domestic home" so as to extend the scope to include all persons living under the same roof

No.	Name of deputation/individual	Major views and concerns
		<ul style="list-style-type: none"> • <u>urged</u> the Government to bring the arrears of maintenance under the criminal legislative framework and require abusers to receive mandatory counselling services
16.	Hong Kong Society for Politics and Policy	<ul style="list-style-type: none"> • <u>suggested</u> that the title of DVO be changed to read as 《居所暴力條例》 to bring all persons living together, including same-sex cohabitants, under the scope of the legislation
17.	Hong Kong Federation of Women's Centres	<ul style="list-style-type: none"> • <u>supported</u> the Administration's proposed amendments and <u>urged</u> the Administration to introduce the legislative proposal expeditiously to honour its undertaking and protect same-sex cohabitants from molestation • <u>opined</u> that as pointed out by EOC, DVO constituted unlawful discrimination against the victims on the ground of sexual orientation. Same protection should be provided to persons in cohabitation relationships, irrespective of their sexual orientation
18.	Hong Kong Youth and Students Federation [LC Paper No. CB(2)703/08-09(03)]	<ul style="list-style-type: none"> • <u>supported</u> the proposed amendments to DVO to extend its scope to cover same-sex cohabitants • <u>disagreed</u> that the proposed amendments would turn a green light to recognise same-sex marriage as the scope of DVO had already extended to non-spousal relationship. Overseas experience showed that the introduction of similar legislation had not resulted in the recognition of same-sex relationship • <u>appealed</u> to the public to respect persons of different sexual orientation and not to discriminate against them from being protected under DVO
19.	價值核心行動組 [LC Paper No. CB(2)750/08-09(44)]	<ul style="list-style-type: none"> • <u>urged</u> the Administration to study carefully the core values of family and state clearly the meaning of family and marriage before introducing the proposed amendments • <u>suggested</u> introducing a separate ordinance to provide comprehensive civil remedies for the victims of domestic violence, i.e. all persons living together including same-sex cohabitants
20.	Hong Kong Youth Support Group	<ul style="list-style-type: none"> • <u>expressed concern</u> that the proposed amendments to DVO could lead to the recognition of same-sex marriage and the implications would have on other existing legislation

No.	Name of deputation/individual	Major views and concerns
21.	Education Convergence, Education Foundation [LC Paper No. CB(2)703/08-09(04)]	<ul style="list-style-type: none"> ● <u>opposed</u> the proposal to include same-sex cohabitants under DVO, although they agreed that all victims of domestic violence should be protected ● <u>considered</u> that the traditional values of family and morality of the society should be upheld ● <u>suggested</u> to effect the proposed amendments by introducing a separate ordinance entitled as 《同住暴力條例》, to which over 1 300 individuals and 13 welfare and education organisations had signified their support for the proposal
22.	Association for Concern for Legal Rights of Victims of Domestic Violence [LC Paper No. CB(2)750/08-09(07)]	<ul style="list-style-type: none"> ● <u>welcomed</u> the proposal to extend the scope of DVO to same-sex cohabitants ● with reference to the Australian experience, the scope of the Domestic and Family Violence Protection Act 1989 of Queensland was extended to cover persons in intimate relationships including same-sex cohabitants in 2002, it had not led to the recognition of same-sex marriage. In view of this, it <u>considered</u> that the proposed amendments to DVO would have no implication on the Government's stance of not recognising same-sex marriage
23.	Thinking Academy [LC Paper Nos. CB(2)703/08-09(05) and CB(2)750/08-09(08)]	<ul style="list-style-type: none"> ● <u>urged</u> the Administration to conduct wide public consultation before introducing the proposed amendments to DVO, as the proposal might lead to successful legal challenges for the recognition of same-sex marriage ● <u>suggested</u> enacting a separate ordinance entitled as 《居所暴力條例》(Residential Violence Ordinance) to address the violence acts among persons living together, irrespective of their relationships
24.	Hong Kong Baby and Children Products Industrial and Commercial Association	<ul style="list-style-type: none"> ● <u>considered</u> that the Chinese rendition of "domestic" under DVO could not fully reflect the scope of the Ordinance that it was not confined to "family", but violence acts occurred in a domestic setting ● <u>suggested</u> renaming DVO as 《同住暴力條例》 or 《居所暴力條例》 to extend its coverage to all persons living together to protect them from violence acts
25.	灣仔家長關注子女成長會	<ul style="list-style-type: none"> ● <u>opined</u> that the definition of marriage as an union of one man and one woman should be upheld, and the Government should provide a clear definition of "family" so that a clear concept of

No.	Name of deputation/individual	Major views and concerns
		<p>family could be conveyed to the next generation</p> <ul style="list-style-type: none"> • <u>urged</u> the Administration to introduce legislation to protect all people from violence acts
26.	屯門家長關注子女教育協會	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would undermine the interpretation of marriage as an union of one man and one woman, and the morality of society
27.	新界東家長關注子女成長聯會	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would cause ambiguity in the interpretation of family and lead to legal challenges by those pushing for recognition of same-sex marriage
28.	葵涌家長關注子女成長小組	<ul style="list-style-type: none"> • <u>strongly opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would cause confusion about the meaning of family • <u>suggested</u> that DVO should be renamed as 《居所暴力條例》 such that protection could be extended to same-sex cohabitants
29.	關注孩子同盟	<ul style="list-style-type: none"> • <u>strongly opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would pave the way for recognising same-sex marriage and lead to successful legal challenges for the purpose; and • <u>suggested</u> that DVO should be renamed as 《同居暴力條例》 to provide same protection to all persons living together, including same-sex cohabitants, elders, lodgers and domestic helpers
30.	Pisteuo Charis Limited [LC Paper No. CB(2)721/08-09(01)]	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as this would undermine the traditional values on family and marriage • <u>expressed concern</u> that the proposal could pave the way for seeking judicial review and lead to recognition of same-sex marriage • <u>supported</u> the suggestions of renaming the Ordinance to 《家居暴力條例》 or 《家庭及居所暴力條例》, or giving effect to the proposal by introducing another ordinance entitled as 《居

No.	Name of deputation/individual	Major views and concerns
		所暴力條例》 to extend the scope to cover all persons living under the same roof
31.	Lawyers Christian Fellowship	<ul style="list-style-type: none"> ● <u>suggested</u> that DVO should be renamed as 《家庭及同居暴力條例》 so that it would not cause ambiguity in the meaning of family ● <u>expressed concern</u> that the proposed amendments would equate same-sex relationship as marriage, which was departed from the mainstream views on the matter
32.	Grapes Group	<ul style="list-style-type: none"> ● <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would cause ambiguity in the meaning of family and marriage. Moreover, the legislative proposal was contradictory to section 3 and 3A of DVO and the Government's stance of not recognising same-sex relationship ● <u>suggested</u> that the Chinese title of the Ordinance should be renamed as 《居所暴力條例》
33.	For My Colours	<ul style="list-style-type: none"> ● <u>requested</u> the Administration to expedite the legislative process to extend the coverage of protection to same-sex cohabitants under DVO in the light of its undertaking in the Third LegCo ● <u>considered</u> that the proposed amendments to DVO would not affect the interpretation of MO and <u>appealed</u> the public to stop further arguments on the title of the Ordinance and support the early enactment of the legislative proposal
34.	彩虹之家	<ul style="list-style-type: none"> ● <u>opposed</u> extending the scope of DVO to cover same-sex cohabitants in the light of its far-reaching implications on the society, in particular undermining the concepts of family and marriage. The proposal also departed from the intent of the Ordinance to provide civil protection to family members ● <u>considered</u> that the Administration should introduce a separate ordinance to protect all persons living under the same roof from acts of domestic violence
35.	Health Fitness Professionals Union [LC Paper No. CB(2)750/08-09(50)]	<ul style="list-style-type: none"> ● given that all persons living together, including same-sex cohabitants, were subject to the same criminal legislative framework against violence acts, it <u>opposed</u> extending the coverage of

No.	Name of deputation/individual	Major views and concerns
		<p>DVO to same-sex cohabitants exclusively as it was discriminatory against other persons living together. In the absence of clear meaning of intimate relationship, it was <u>concerned</u> that such exclusive arrangement might pave the way for recognising same-sex relationship</p> <ul style="list-style-type: none"> • <u>suggested</u> renaming DVO as 《同住暴力條例》(Cohabitants Violence Ordinance) to extend its scope to all cohabitants
36.	The Church of Living Stones (Kowloon)	<ul style="list-style-type: none"> • <u>objected</u> to the legislative proposal as this would undermine the concepts of family and marriage • <u>suggested</u> renaming the Chinese title of DVO as 《同住暴力條例》 to extend its scope to cover to all persons living together, including the elders, and deleting the phrase "as it applies to marriage" from Section 2 of DVO to ensure that the proposal would not lead to the recognition of same-sex marriage
37.	Male Violent Concern Group [LC Paper No. CB(2)703/08-09(07)]	<ul style="list-style-type: none"> • <u>objected</u> the proposal as it considered that all persons living under the same roof, not limited to same-sex cohabitants, should be protected from domestic violence acts in the light of the upward trend of domestic violence cases. With reference to the Domestic Violence Act in Australia and US, the legislation covered all acts of domestic violence occurred in dwelling places. It <u>urged</u> the Administration to extend the scope of DVO to cover all persons living together, regardless of whether they were in intimate relationships
38.	新一代家長會	<ul style="list-style-type: none"> • while it was not discriminatory against same-sex cohabitants, it considered that the proposal would undermine the traditional family values and the concept of marriage • <u>suggested</u> renaming DVO 《家庭及同居暴力條例》 and state clearly that same-sex cohabitation was not within the meaning of Section 2 of DVO
39.	Hong Kong Youth Assistant for the Underprivileged Association [LC Paper No. CB(2)703/08-09(08)]	<ul style="list-style-type: none"> • <u>opined</u> that the discussion should focus on enhancing legal protection to victims of domestic violence, instead of the moral issues and concepts of family and marriage • <u>urged</u> the Government to set up a domestic violence court and require the abusers to receive compulsory counselling service

No.	Name of deputation/individual	Major views and concerns
40.	油尖旺家長網絡 [LC Paper No. CB(2)750/08-09(09)]	<ul style="list-style-type: none"> • <u>considered</u> that elders, lodgers, children and women who lived together should also be protected from acts of domestic violence and <u>suggested</u> that DVO be renamed as 《同住暴力條例》 to extend its coverage to all persons living under the same roof. It was also in line with the Administration's stance of not recognising same-sex marriage
41.	反對居所暴力大聯盟 [LC Paper No. CB(2)750/08-09(10)]	<ul style="list-style-type: none"> • <u>opposed</u> extending the scope of DVO to same-sex cohabitants which constituted discrimination against other persons living together • <u>requested</u> the Government to introduce an ordinance entitled 《居所暴力條例》 to provide protection against acts of violence in a domestic setting to persons living under the same roof, including elders and close friends
42.	Hong Kong Women's Coalition on Equal Opportunities [LC Paper No. CB(2)750/08-09(04)]	<ul style="list-style-type: none"> • <u>supported</u> the proposed amendments to extend the scope of coverage under DVO to same-sex cohabitants on the ground that they should enjoy the same rights as heterosexual cohabitants • as the intent of the Ordinance was to protect the victims from violence acts by their intimate partners, the Government should expedite the legislative process in the light of its undertaking in the Third LegCo • <u>disagreed</u> with the counterproposal of renaming DVO to 《居所暴力條例》 as the scope of DVO had already extended to cover former spouses, former heterosexual cohabitants and extended familiar relationship, the living together requirement was not applicable
43.	Social Righteousness Association	<ul style="list-style-type: none"> • <u>opposed</u> the proposed amendments to DVO since extending the scope of DVO to same-sex cohabitants exclusively was unfair to other persons living under the same roof such as the elders living together • <u>supported</u> the suggestion of renaming DVO as 《家居暴力條例》 or 《同住暴力條例》 as it could extend the protection to all persons living together
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44.	Mr LIU Man-kwong	<ul style="list-style-type: none"> • <u>considered</u> that DVO served to cover spouses or heterosexual cohabitants when it was first enacted in 1986, the intent was not to cover same-sex cohabitants

No.	Name of deputation/individual	Major views and concerns
		<ul style="list-style-type: none"> ● <u>suggested</u> that the Chinese title of DVO should be renamed as 《居所暴力條例》 to provide additional civil remedies for all persons living under the same roof, including same-sex cohabitants and elders who lived together <u>or</u> no change should be made to the scope of DVO ● <u>expressed dissatisfaction</u> that the Administration had not conducted extensive public consultation on the proposed amendments to DVO
45.	Mr LEUNG Chung-fai	<ul style="list-style-type: none"> ● <u>agreed</u> that all people, including same-sex cohabitants, should be protected from molestation but at the same time the traditional family core values should be upheld ● <u>suggested</u> renaming DVO as 《家庭和同居暴力條例》 or 《居所暴力條例》 and deleting the reference to "as it applies to marriage" from Section 2 of DVO
46.	Mr CHOI Hong-ming	<ul style="list-style-type: none"> ● <u>expressed dissatisfaction</u> that the Administration had not conducted wide public consultation on the proposed amendments to DVO ● <u>cautioned</u> that the proposed amendments to DVO would undermine the concept of marriage and have adverse impact on the next generation ● <u>suggested</u> that the title of DVO be renamed as 《居所暴力條例》
47.	Ms Eugenia STONE Yuk-king	<ul style="list-style-type: none"> ● <u>expressed concern</u> about the growth of the younger generation and worried that the proposed amendments to DVO would undermine the concept and value of family ● <u>supported</u> renaming DVO as 《居所暴力條例》 or 《家居暴力條例》 to include those persons who were currently not covered by the Ordinance
48.	Mr CHOI Wai	<ul style="list-style-type: none"> ● <u>opposed</u> the proposed amendments to DVO as it would undermine the traditional values on family and the legal meaning of marriage, and therefore <u>suggested</u> renaming DVO as 《同住暴力條例》 to broaden its scope of coverage to all persons living together

No.	Name of deputation/individual	Major views and concerns
49.	Ms Esther CHAU	<ul style="list-style-type: none"> • <u>considered</u> that the proposed amendments to DVO might challenge the traditional family values and confuse the concept of marriage, and <u>expressed concern</u> how to instil correct moral values to the younger generation after the enactment of the legislative proposal • <u>disagreed</u> extending the scope of coverage under DVO only to same-sex cohabitants and <u>suggested</u> that DVO be renamed as 《居所暴力條例》 to broaden its scope of coverage to all persons living together
50.	Mr Simon NG	<ul style="list-style-type: none"> • <u>considered</u> that the traditional concept of family should be upheld and <u>regarded</u> that the inclusion of same-sex cohabitants under the coverage of DVO would undermine the traditional concept of marriage • <u>suggested</u> renaming the title of DVO or introducing another ordinance to provide protection to same-sex cohabitants and other persons living together
51.	Mr WONG Wai-leung	<ul style="list-style-type: none"> • <u>urged</u> the Administration to give a definition of "intimate relationship" in the legislative proposal • <u>concerned</u> that the proposed amendments would lead to the recognition of same-sex marriage
52.	Mr Philip CHUN Man-tack [LC Paper No. CB(2)750/08-09(12)]	<ul style="list-style-type: none"> • <u>opined</u> that the title of DVO should be amended to give effect to the proposed amendments and uphold the concept of family • although the Administration had clearly stated its stance of not recognising same-sex relationship, he remained <u>concerned</u> that the proposed amendments might lead to successful legal challenge and pave the way for recognising same-sex marriage
53.	Miss Candy LOK Ka-yan [LC Paper No. CB(2)750/08-09(13)]	<ul style="list-style-type: none"> • while agreeing to provide additional civil remedies for same-sex cohabitants, she <u>expressed concern</u> that the elders had been marginalized and their needs were always neglected. Therefore, the scope of protection should be further extended to other persons living together, in particular the elderly
54.	Miss CHAU Pui-kei	<ul style="list-style-type: none"> • <u>objected</u> the proposal to provide additional civil protection to same-sex cohabitants only as this was contradictory to the Government's stance of not recognising same sex relationship

No.	Name of deputation/individual	Major views and concerns
		<ul style="list-style-type: none"> • <u>suggested</u> that the scope of DVO should be further extended to cover all persons living together and DVO be renamed as 《家庭及同住暴力條例》 to fully reflect its content
55.	Mr David HUI Wai-koon	<ul style="list-style-type: none"> • <u>expressed concern</u> about the risks arising from the proposed amendments to DVO as it might lead to successful legal challenges for recognition of same-sex relationship • violence incidents among elderly living together would also escalate to life threatening situation. He saw no reason why the elderly were not covered under DVO and he <u>suggested</u> that the Ordinance be renamed as 《同住暴力條例》
56.	Miss WONG Chu-yee [LC Paper No. CB(2)750/08-09(14)]	<ul style="list-style-type: none"> • <u>opposed</u> the proposed amendments to DVO as it would imply that same-sex relationship was regarded as familial relationship. The title of the Ordinance could be renamed as 《反暴力條例》 to sever its linkage with family • in view that the proposed amendments to DVO would create confusion about the concept of family, she <u>suggested</u> introducing another ordinance to protect all persons living together, including those who had no familial or sexual relationship from acts of domestic violence
57.	Mr Andrew HUNG Tsz-wan [LC Paper No. CB(2)703/08-09(09)]	<ul style="list-style-type: none"> • <u>opposed</u> the proposed amendments to DVO as it would confuse the concept of family • <u>expressed concern</u> that the proposed amendments would pave the way for seeking judicial review to give legal recognition of same-sex marriage • <u>supported</u> the proposal to rename the Ordinance and extend its coverage to all persons living together to provide an additional relief to the victims who might not wish to resort to the criminal legislative framework
58.	Mr WONG Ho-put	<ul style="list-style-type: none"> • <u>expressed concern</u> that the risk factors arising from intimate relationships in the context of domestic violence were also applicable to persons living together, and therefore <u>suggested</u> extending the scope of coverage under DVO to all persons living under the same roof, especially the elders who lived together

No.	Name of deputation/individual	Major views and concerns
59.	Miss Cindy PANG Hau-ling	<ul style="list-style-type: none"> • <u>expressed concern</u> that the proposed amendments to DVO might distort the concepts of family and marriage, and posed difficulties to parents to teach their children on these unclear concepts • <u>suggested</u> renaming DVO as 《同住暴力保護條例》 to extend its scope of coverage to all persons living together
60.	Miss LAW Ching-man [LC Paper No. CB(2)750/08-09(15)]	<ul style="list-style-type: none"> • <u>considered</u> that the Administration was selective in proposing the amendments to DVO and giving exclusive privilege to same-sex cohabitants, which was not fair to other persons who lived together • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO. The proposal should be extended to include elders who lived together and domestic helpers
61.	Mr CHEUNG Kwok-chun [LC Paper No. CB(2)750/08-09(16)]	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants in DVO as it would violate other legislation, such as MO, and <u>considered</u> that same-sex cohabitants were already protected from violence acts under the existing criminal legislative framework
62.	Miss Linna YU	<ul style="list-style-type: none"> • <u>held the view</u> that the additional civil remedies should be provided for victims of domestic violence, irrespective of whether they were opposite-sex cohabitants and same-sex cohabitants • <u>opined</u> that the proposed amendments to DVO would have no impact on individuals' sexual orientation and <u>considered it unnecessary</u> to rename the title of the Ordinance
63.	Ms Stella HUI Wai-han	<ul style="list-style-type: none"> • as violence incidents among persons who lived together with close relationship other than sexual or familial relationships would also escalate to life threatening situation, she <u>supported</u> the counter-proposal of extending the scope of DVO to include all persons living under the same roof
64.	Mr Leo KWAN	<ul style="list-style-type: none"> • although the Administration had stated its stance of not recognising same-sex relationship, it could not guarantee that the proposed amendments to DVO would not affect the traditional values and family concepts. Hence, the proposed amendments should not give rise to ambiguity in the interpretation of these concepts

No.	Name of deputation/individual	Major views and concerns
		<ul style="list-style-type: none"> • <u>urged</u> the Government to consider extending the scope of DVO to elders who lived together and domestic helpers, and set up a domestic violence court expeditiously
65.	Ms Ariel WONG	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of homosexual cohabitants under the coverage of DVO as it would confuse the concepts of family and marriage • <u>considered</u> that the existing criminal legislative framework had provided adequate protection to all people who were facing violence acts and harassment • <u>suggested</u> that the title of DVO be renamed as the Residential Violence Ordinance
66.	Ms CHIU Kit-ching	<ul style="list-style-type: none"> • <u>disagreed</u> that same-sex relationship was regarded as familial relationship and <u>considered</u> that the proposed amendments to DVO would confuse the concepts of family and marriage • <u>suggested</u> that the title of DVO be renamed as 《居所暴力條例》
67.	Miss TAN Po-chu [LC Paper No. CB(2)703/08-09(10)]	<ul style="list-style-type: none"> • while <u>agreeing</u> that same-sex cohabitants should be provided with protection against molestation, she <u>opposed</u> the inclusion of same-sex cohabitants under DVO as it would confuse the concepts of family and marriage • <u>considered</u> that the scope of DVO should be further extended to include all persons living under the same roof, and therefore she <u>supported</u> the counter-proposal of renaming DVO to 《居所暴力條例》 to extend its coverage to all persons living under the same roof
68.	Mr CHAN Hon-yuen [LC Paper No. CB(2)750/08-09(33)]	<ul style="list-style-type: none"> • <u>urged</u> the Government to expedite the legislative process to enhance protection to same-sex cohabitants against molestation, regardless of their status and sexual orientation. To remove ambiguity in the concept of family, he <u>suggested</u> that the title of DVO be renamed to 《居所暴力條例》
69.	Mr NGAI Lap-yin [LC Paper No. CB(2)750/08-09(37)]	<ul style="list-style-type: none"> • <u>expressed concern</u> about the impact of the proposed amendments to DVO on the concepts of family and morality of society

No.	Name of deputation/individual	Major views and concerns
		<ul style="list-style-type: none"> • <u>urged</u> the Government to attach due importance to family values and moral standards, and <u>cautioned</u> that the legislative proposal would cause adverse impact on the younger generation
70.	Mr LO Wing-chuen	<ul style="list-style-type: none"> • <u>questioned</u> whether the Government had considered the social implications of the proposed amendments to DVO • <u>urged</u> the Government to widely engage the public before introducing a legislative proposal of wide public concern
71.	Ms CHU Fung-mei [LC Paper Nos. CB(2)703/08-09(11) and CB(2)750/08-09(34)]	<ul style="list-style-type: none"> • <u>opined</u> that same-sex relationship was not within the meaning of "family" which was constituted from marriage between opposite sex. The proposed amendments would lead to ambiguity in the concept of family and legal challenges against the family and marriage-related legislation • <u>suggested</u> either excluding same-sex cohabitants from DVO or renaming its title to avoid inconsistencies, ambiguity and future lawsuits
72.	Mr WONG Chi-cheung [LC Paper No. CB(2)750/08-09(35)]	<ul style="list-style-type: none"> • <u>considered</u> that the criminal legislative framework provided sufficient protection to all Hong Kong citizens. There was no need to include same-sex cohabitants under the coverage of DVO • <u>expressed concern</u> that the inclusion of same-sex cohabitants under the coverage of DVO might confuse the concepts of spousal and familial relationships, and move a step forward to the recognition of same-sex relationship. This would undermine the morality and stability of the society • <u>considered</u> that it would be irresponsible to introduce the legislative proposal before the society had reached a consensus on the subject
73.	Mr Tony LAU	<ul style="list-style-type: none"> • <u>considered</u> that the coverage under DVO included spousal and heterosexual cohabitation relationships as well as persons in familial relationship constituted from marriage. Same-sex relationship was beyond the intent and scope of DVO

No.	Name of deputation/individual	Major views and concerns
		<ul style="list-style-type: none"> • <u>suggested</u> renaming DVO or introducing another ordinance to provide protection to same-sex cohabitants from acts of domestic violence
74.	Mrs Elsa CALDWELL	<ul style="list-style-type: none"> • <u>considered</u> that the proposed amendments to DVO was not equivalent to the recognition of same-sex marriage and the discussion had lost its focus • <u>appealed to</u> the public to be sympathetic with domestic violence victims who suffered from molestation and to support the proposed amendments to DVO to extend its scope of protection to more people
75.	Ms LEUNG Wai-ming [LC Paper No. CB(2)703/08-09(12)]	<ul style="list-style-type: none"> • <u>considered</u> that the drafting of the legislative proposal should reflect accurately the intent and applicability • <u>expressed reservation</u> about the applicability of the term "as in a marriage" in DVO to same-sex cohabitation • <u>supported</u> the counter-proposal of renaming the title DVO as 《家居暴力條例》 or 《居所暴力條例》
76.	Ms Ming YEUNG [LC Paper No. CB(2)750/08-09(17)]	<ul style="list-style-type: none"> • <u>supported</u> the proposed amendments to DVO and <u>urged</u> the Government to introduce the legislative proposal expeditiously as lives might be at stake • <u>considered it unnecessary</u> to rename the title of DVO to extend its scope to cover all persons living together having regard to the fact that live-in requirement was not a consideration factor for enacting DVO
77.	Mr LAW Wai-kwong	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants under the scope of DVO as same-sex relationship was immoral • <u>supported</u> the counter-proposal of renaming DVO as 《居所暴力條例》

No.	Name of deputation/individual	Major views and concerns
78.	Mr YEUNG Yuk-ming	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would confuse the concept of family taking into consideration its far-reaching implications on the social and moral values • <u>supported</u> the counter-proposal of renaming DVO as 《居所暴力條例》 to extend its coverage to all persons living together since they had established close relationship
79.	Mr KWOK Man-chun	<ul style="list-style-type: none"> • <u>supported</u> that same-sex cohabitants should be provided with additional civil protection from threats of domestic violence acts and the relevant legislative proposal should be introduced as soon as possible • <u>urged</u> the Government to rename the Ordinance as 《家居暴力條例》, set up a specialised domestic violence court and require the abusers to receive compulsory counselling services
80.	Mr CHING Man-wai	<ul style="list-style-type: none"> • <u>opposed</u> the inclusion of same-sex cohabitants under the coverage of DVO as it would confuse and distort the traditional concept and interpretation of marriage
81.	Ms CHAN Yin-fan [LC Paper No. CB(2)750/08-09(18)]	<ul style="list-style-type: none"> • <u>commented</u> that notwithstanding the far-reaching implications of the proposed amendments on the society, the proposal was put forward without wide public consultation • <u>suggested</u> renaming DVO as 《居所暴力條例》 with a view to extending its scope to all persons living together and were in close relationship from the human rights perspective
82.	Mr LOUIE Wai-hang	<ul style="list-style-type: none"> • <u>expressed reservation</u> with the Administration's explanation the proposed amendments to DVO would not undermine the concepts of family and marriage • <u>suggested</u> that the scope of DVO should be extended to cover all persons living under the same roof as these persons were also subject to threat of domestic violence acts
83.	Mr WONG Chi-shing [LC Paper No. CB(2)750/08-09(19)]	<ul style="list-style-type: none"> • <u>considered</u> that to ensure parity of treatment, the scope of DVO should be extended to all persons living together, including same-sex cohabitants

		<ul style="list-style-type: none"> • <u>suggested</u> renaming the title of DVO to 《居所暴力條例》 with a view to extending its scope to include all persons living under the same roof
84.	Ms Abby SHEK	<ul style="list-style-type: none"> • <u>considered</u> that the proposed amendments to DVO had aroused public concern that the amendments might lead to legal challenge for the recognition of same-sex marriage. To this end, she <u>suggested</u> the Administration to refine the wording, among others, to rename the title DVO as 《居所暴力條例》
85.	Mr Raymond CHAN [LC Paper No. CB(2)750/08-09(36)]	<ul style="list-style-type: none"> • <u>considered</u> that the Administration should enact legislation to combat any forms of domestic violence but the scope of DVO should be extended to include all persons, including elders, who live together
86.	Miss LAI Oi-yan	<ul style="list-style-type: none"> • <u>considered</u> that the proposed amendments to DVO might encourage same-sex relationship and affect the interpretation of family and marriage. The Administration should first amend the definition of marriage in MO before taking forward the proposed amendments to DVO • <u>expressed concern</u> that homosexual relationship might have adverse impacts on the society such as the spread of AIDS and HIV diseases among persons of homosexuality
87.	Mr LAW Tan-sing [LC Paper No. CB(2)750/08-09(20)]	<ul style="list-style-type: none"> • <u>considered</u> that the meaning of "family", "domestic" and "family members" should be clearly defined in the legislative proposal • <u>opined</u> that if it was proposed to extend the scope of DVO to cover same-sex cohabitants, the title of the Ordinance should be refined so as to uphold the traditional value on family