

16 January 2009

Attention: Panel for Welfare Services, LEGCO

Dear Sir/Madam,

I am writing to express my concern for the proposed amendment to cover 'same sex couples' in the 'Domestic Violence Ordinance' (DVO) as a working mother with two kids.

I am aware that some supporters of the amendment base their argument on human rights and Article 25 of the Basic Law. They argue that the inclusion of 'cohabiting same sex couples' does not have any implication for the issue of same sex marriage or legal rights of such couples. It seems to me that what is controversial is not whether we should protect people with different sexual orientation from violence, which I totally agree as a member of this human society. The bone of contention actually lies in the definition of the word 'domestic' and the translation of this word as '家庭'. The suggested amendment will definitely lead to a general perception that same sex partners living in the same household could be interpreted as familial relationship, a de facto 'family'.

I believe that the majority of HKSAR citizens take the word 'family' as referring to the basic unit of a society consisting of a man and a woman, as well as their children, if any, in a marital relationship. I am not a legal professional, but I think this is a generally accepted view. We parents teach our kids this concept of family as natural human beings because this is something in our blood and in our conscience. Do you not if you have kids? I accept the reality that there are people who have different sexual orientation, some are homosexual, bi-sexual and even asexual. We should not discriminate them. This is the same when we consider people born with different sexes, temperaments, inabilities, intelligence, etc. But there are social boundaries that we should accept too. For instance, we do not accept a man entering a female toilet or vice versa. People who do not have physical disabilities are not permitted to join the Olympic Games for the Physically Disabled. This is not a matter of discrimination, but rather demarcation for the benefit of achieving certain purposes and protecting certain groups of people. Therefore, if the term 'same sex couples' does not constitute the law for 'family' and 'familial relationships' in the HKSAR Government and is not generally considered to be equivalent to 'family' or 'familial relationship' by the citizens, we should not include it in any ordinances that bear the term 'family' (家庭). Again this is not a matter of discrimination, but rather demarcation for the purpose of maintaining the integrity of the laws of HKSAR.

Let me emphasize again that we should protect HKSAR citizens from violence of any kind. I also recognize that violence is more common among 'same sex couples' than among 'family'. Why don't we retitling the ordinance by replacing the word 'domestic' AND '家庭' by more relevant words? I trust that the Legislative Councillors should have the wisdom to work this out for the benefits of all the citizens in HKSAR.

Should you wish to contact me, please call . Thank you for your attention.

Yours sincerely,

CHU Fung Mei