

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1504/17-18

(These minutes have been  
seen by the Administration)

Ref : CB2/PL/WS

**Panel on Welfare Services**

**Minutes of meeting**  
**held on Monday, 9 April 2018, at 10:00 am**  
**in Conference Room 3 of the Legislative Council Complex**

- Members present** : Hon SHIU Ka-chun (Chairman)  
Hon KWONG Chun-yu (Deputy Chairman)  
Hon LEUNG Yiu-chung  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon CHAN Chi-chuen  
Hon LEUNG Che-cheung, SBS, MH, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Hon POON Siu-ping, BBS, MH  
Hon Alvin YEUNG  
Hon Andrew WAN Siu-kin  
Hon CHU Hoi-dick  
Dr Hon Junius HO Kwan-yiu, JP  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Dr Hon Pierre CHAN  
Hon LUK Chung-hung
- Members absent** : Hon Michael TIEN Puk-sun, BBS, JP  
Dr Hon Helena WONG Pik-wan
- Members attending** : Hon WU Chi-wai, MH  
Dr Hon Elizabeth QUAT, BBS, JP

**Public Officers** : Items III & IV  
**attending**

Mr Caspar TSUI, JP  
Under Secretary for Labour and Welfare  
Labour and Welfare Bureau

Item III

Ms Michelle LAM  
Assistant Director (Social Security)  
Social Welfare Department

Ms Mandy CHAN  
Chief Social Security Officer (Social Security)<sup>4</sup>  
Social Welfare Department

Ms Teresa CHEUNG  
Principal Executive Officer (Working Family  
Allowance Office)  
Working Family Allowance Office

Ms TONG Kit-man  
Senior Deputy Controller  
Student Finance Office

Mr Raymond HO  
Assistant Commissioner (Development)  
Labour Department

Items IV & V

Ms PANG Kit-ling  
Assistant Director (Family and Child Welfare)  
Social Welfare Department

Item IV

Mrs CHANG LAM Sook-yee  
Chief Social Work Officer (Domestic Violence)  
Social Welfare Department

Mr YAU Siu-kei  
Chief Superintendent of Police (Crime Support)  
(Crime Wing)  
Hong Kong Police Force

Ms Kitty WONG Sau-ling  
Chief Inspector of Police (Family Conflict and  
Sexual Violence Policy Unit) (Crime Wing)  
Hong Kong Police Force

Item V

Ms Mabel SIU Kin-heung  
Chief Social Work Officer (Family and Child  
Welfare)<sup>1</sup>  
Social Welfare Department

Mr Howard YAM, JP  
Assistant Director (3)  
Home Affairs Department

**Attendance  
by invitation**

: Item V

The Society for Community Organization

Mr NG Wai-tung  
社區組織幹事

Mr CHAN Chung-yin  
社區組織幹事

Mr WONG Kwun-wing  
研究員

**Clerk in  
attendance**

: Mr Colin CHUI  
Chief Council Secretary (2) 4

**Staff in  
attendance**

: Ms Catherina YU  
Senior Council Secretary (2) 4

Miss Alison HUI  
Legislative Assistant (2) 4

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Action

**I. Information paper(s) issued since the last meeting**

[LC Paper Nos. CB(2)1054/17-18(01), CB(2)1082/17-18(01) and CB(2)1107/17-18(01)]

Members noted that the following papers had been issued since the last meeting:

- (a) an information paper provided by the Administration on the adjustment in fees for subvented welfare services in 2018-2019 (LC Paper No. CB(2)1054/17-18(01));
- (b) a letter dated 19 March 2018 from Dr KWOK Ka-ki requesting the Panel to hold a joint meeting with the Panel on Health Services ("HS Panel") at the earliest possible time to discuss mental health of children and adolescents (LC Paper No. CB(2) 1082/17-18(01)); and
- (c) a letter dated 22 March 2018 from Mr LUK Chung-hung requesting the Panel to hold a joint meeting with the Panel on Education ("ED Panel") and the HS Panel at the earliest possible time to discuss mental health of children and support measures for their carers (LC Paper No. CB(2)1107/17-18(01)).

Regarding items (b) and (c) above, the Chairman said that a joint meeting of the Panel, the HS Panel and the ED Panel would be held on 23 April 2018 to discuss mental health of children and adolescents which covered, inter alia, support measures for carers of children.

**II. Items for discussion at the next meeting**

[LC Paper Nos. CB(2)1142/17-18(01) to (02)]

2. Members agreed to discuss at the next meeting scheduled for 14 May 2018 the following items:

- (a) Preliminary framework of a Special Needs Trust; and

- (b) Review of the enhancement of the Lump Sum Grant Subvention System.

The Chairman suggested that deputations should be invited to give views on item (b) above. Members agreed.

**III. Providing extra allowance to recipients of social security, Low-income Working Family Allowance and Work Incentive Transport Subsidy; and one-off grant to students in need of support learning**

[LC Paper Nos. CB(2)1142/17-18(03) to (04)]

3. At the invitation of the Chairman, Under Secretary for Labour and Welfare ("USLW") briefed members on the Administration's initiatives to provide one-off extra allowance to recipients of social security payments, Working Family Allowance ("WFA") and Work Incentive Transport Subsidy ("one-off extra allowance"); to provide one-off "top up" payment arising from the Caring and Sharing Scheme ("the Scheme"); and to provide a one-off grant to financially needy students ("one-off grant").

Disbursement of payments

4. Mr POON Siu-ping said that given that the 2018-2019 Budget had proposed to waive rates for four quarters of 2018-2019, special allowances should also be provided for people who did not own any property or had to pay rent. Noting that the Social Welfare Department ("SWD") planned to disburse the one-off grant to eligible students starting from August 2018, he enquired about the reasons why the Student Finance Office ("SFO") of the Working Family and Student Financial Assistance Agency ("WFSFAA") could only disburse the one-off grant starting from October 2018. Mr POON Siu-ping and Mr LEUNG Yiu-chung asked when the one-off extra allowances and the one-off "top up" payment arising from the the Scheme would be disbursed.

5. USLW responded that subject to the passage of the Appropriation Bill 2018 ("the Appropriation Bill") and the amendments to the Appropriation Bill regarding funding for implementing the Scheme, SWD, WFSFAA and the Labour Department would make necessary adjustments to their computer systems to implement the payments of the one-off extra allowance and one-off "top up" payment. It was expected that the payments would be disbursed a month after the passage of the Appropriation Bill at the earliest. Regarding the disbursement of the

one-off grant to eligible students by SWD, Assistant Director (Social Security) ("AD(Social Security)") said that as SWD already had information on eligible students who were on Comprehensive Social Security Assistance ("CSSA"), the one-off grant would be disbursed to these students starting from around August 2018. Senior Deputy Controller (Student Finance Office) said that SFO would have to enhance its computer system and conduct testing in order to disburse the one-off grant to around 300 000 eligible students from primary to post-secondary levels. Furthermore, SFO would need to conduct a data matching exercise and verify the status of the students concerned with the Education Bureau ("EDB") and tertiary institutions to confirm their eligibility for the one-off grant. As the relevant information would only be available after the new school year commenced in September 2018, SFO would disburse the one-off grant to eligible students starting from October 2018.

6. In response to Mr CHAN Chi-chuen's enquiry about the cut-off date for applying for the one-off extra allowances, Principal Executive Officer (Working Family Allowance Office) ("PEO(WFAO)") responded that recipients of the Low-income Working Family Allowance ("LIFA") (which had been renamed as WFA on 1 April 2018)/WFA whose applications were made in the Applicable Period (i.e. from the first day of the month in which the Appropriation Bill was passed to the date of passage of the Appropriation Bill ("Passage Date"); and the six calendar months before that month) and eventually approved would be eligible for the one-off extra allowance. The one-off extra allowance was expected to be disbursed a month after the passage of the Appropriation Bill at the earliest. AD(Social Security) said that persons who submitted their applications for CSSA/Old Age Allowance ("OAA")/Old Age Living Allowance ("OALA") on the Passage Date would be eligible for the one-off extra allowances if their applications were approved and the date of eligibility was on the Passage Date.

7. Mr LEUNG Che-cheung enquired whether elderly persons who were eligible for OAA/OALA on the date of announcing the provision of the one-off extra allowance ("Announcement Date") and applied for OAA/OALA after the Announcement Date would be eligible for the one-off extra allowance for OAA/OALA. USLW responded that those who were eligible and applied for OAA/OALA on the Passage Date would be eligible for the one-off extra allowance. Mr CHAN Chi-chuen enquired whether the Administration would withhold the one-off extra allowance payable to an OAA/OALA recipient who passed away before the allowance was disbursed. AD(Social Security) responded that should the deceased elderly person be eligible for social security payment on the

Passage Date, upon receipt of a notification of claim against the estate, SWD would arrange the one-off extra allowance to be disbursed under the deceased's estate.

8. Mr LUK Chung-hung said that given that the Passage Date would be affected by various factors, using it as the cut-off date to determine the eligibility for the one-off extra allowance might render some people who were eligible for the one-off extra allowance become ineligible. Furthermore, some CSSA recipients might consider remaining in the CSSA net until after they had received the one-off extra allowance even if they were able to leave the CSSA net earlier. He suggested that people who were on CSSA between the Announcement Date and the Passage Date should be eligible for the one-off extra allowance. As for WFA recipients, the cut-off date should be six months before the Announcement Date. USLW responded that using the Passage Date as the cut-off date was in line with the arrangements made in previous financial years for provision of one-off extra allowances to recipients of social security payments. Adjustments to the computer systems would also be simpler if the Passage Date was used as the cut-off date.

9. Dr Fernando CHEUNG enquired whether recipients of CSSA, OAA, OALA, Disability Allowance ("DA") and the one-off grant were required to apply for the one-off "top up" payment. USLW responded that the one-off "top up" payment did not apply to the one-off grant. Recipients of social security payments who were eligible for the one-off "top up" payment (i.e. recipients of OAA (including the Guangdong Scheme and the Fujian Scheme), recipients of Normal DA and certain categories of CSSA recipients) were not required to make separate application. In response to the Chairman's enquiry, USLW said that the one-off extra allowance and one-off grant would not be counted towards the household income of the recipients. Neither would these payments be counted as the recipients' asset within 24 months from the date of receipt of the payment.

10. Expressing concern that the Working Family Allowance Office ("WFAO") of WFSFAA might not be able to cope with the workload arising from the implementation of the improvement measures under the LIFA/WFA Scheme and payment of one-off extra allowance to recipients of LIFA/WFA, the Chairman asked whether WFAO would recruit temporary staff to handle LIFA/WFA applications. PEO(WFAO) responded that currently WFAO had around 500 staff members. WFAO staff had become proficient in processing LIFA/WFA applications and with applicants getting more acquainted with the application procedures, the degree of completeness of the application forms submitted by the

applicants had improved. The processing time of LIFA/WFA applications could therefore be shortened. WFAO was of the view that its manpower could cope with the current workload and did not have any plan to engage additional manpower at this stage.

11. Pointing out that the one-off extra allowance were disbursed several months after the Announcement Dates in previous financial years, Mr LEUNG Che-cheung urged the Administration to revamp its computer systems and set up a super computer so as to speed up the disbursement of the one-off extra allowance and the allowance under the Scheme. USLW responded that as tailored adjustments to the computer system would be required for the Scheme and the adjustments could only commence after the Passage Date, it would take some time before the payments could be disbursed.

#### Implementation arrangements for the Caring and Sharing Scheme

12. Mr CHAN Chi-chuen said that while CSSA recipients would be provided with the one-off extra allowance, many people who preferred to work rather than receiving CSSA could not benefit from the relevant measures. In his view, the relevant measures and the Scheme had worsened polarization in the community. He said that the People Power considered that the Administration should provide all Hong Kong people with \$10,000 as this would be the most straightforward and efficient approach. The administrative cost incurred would also be lower than that of the Scheme. Sharing the view that the provision of the one-off extra allowance and the payment under the Scheme had polarized the society, Mr LEUNG Yiu-chung called on the Administration to improve the Scheme. USLW responded that the Scheme was implemented to enhance the measures announced in the 2018-2019 Budget to share the fruits of economic success with the community. The Administration would keep in view the public's view on the Scheme. In response to Mr WU Chi-wai's enquiry about whether WFSFAA would coordinate the administrative work of the Scheme, PEO(WFAO) said that WFAO would be responsible for implementing the Scheme and the implementation details were being discussed.

13. Given that tax payers' information was readily available in the Inland Revenue Department ("IRD")'s computer system, Mr WU Chi-wai asked whether WFAO would consider making use of the information maintained in IRD's computer system for processing applications under the Scheme and to work out the difference between the payment under the Scheme and the amount of salaries tax concession received in order to



reduce the administrative costs. PEO(WFAO) responded that the Administration was in the course of discussing the implementation arrangements and was mindful of the need to minimize the administrative costs as far as practicable.

14. Mrs Regina IP enquired whether short-term staff would be employed for implementing the one-off extra allowance and the Scheme and, if so, whether the Administration would consider hiring some retired SWD staff. She also asked about the costs involved in adjusting the computer systems and recruiting such staff. USLW responded that as the data of recipients of social security payments was already in the SWD's computer system, no additional administrative costs and manpower were required for implementing the one-off extra allowance and the one-off "top up" payment. The Administration would study whether additional manpower would be required for implementing the Scheme having regard to the detailed arrangements.

Admin

15. In response to Mr WU Chi-wai's enquiry about when the Administration would provide information on the implementation arrangements for and the administrative costs incurred in the Scheme, USLW said that the relevant details would be announced as early as practicable, hopefully before the special meetings of the Finance Committee ("FC") to examine the Estimates of Expenditure 2018-2019 ("special FC meetings"). He noted the Chairman's request for making the relevant details available to members before the resumption of the Second Reading debate on the Appropriation Bill in Council.

*(Post-meeting note: The detailed implementation arrangements and estimated costs of the Scheme had been set out in the note for FC vide FCRI(2018-19)2 which was issued by the Administration on 20 April 2018.)*

16. Dr Fernando CHEUNG opined that recipients of the living allowance for low-income carers of persons with disabilities or living allowance for carers of the elderly persons from low income families should also benefit from the Scheme. As SWD already had the information on the recipients of these living allowances, the Chairman and Dr Fernando CHEUNG said that the carers concerned should not be required to apply for the Scheme so as to save administrative costs. USLW responded that recipients of the aforesaid living allowances who met the eligibility criteria were required to apply for the Scheme in order to benefit from it. In response to Mr LEUNG Yiu-chung's enquiry about the implementation of the enhancements to the LIFA Scheme, USLW said

that the improvement measures were implemented on 1 April 2018. WFA recipients meeting the eligibility criteria for the Scheme might also apply for the payment under the Scheme.

#### Workload of Social Security Assistants

17. Mr LUK Chung-hung said that the workload of Senior Social Security Assistants ("SSSAs") and Social Security Assistants ("SSAs") was heavy and to relieve the workload of SSSA, SSA were required to take up some of the work of SSSA. He was concerned about whether there was sufficient manpower to implement the one-off extra allowance smoothly. AD(Social Security) responded that additional manpower was not required for implementing the one-off extra allowance. SWD would review its work arrangements as and when necessary in order to enhance efficiency and avoid overlapping of tasks. SWD would keep in view the workload and work pressure of the staff concerned in the course of work re-engineering. Subject to the passage of the Appropriation Bill, additional full-time staff would be provided for handling the work in relation to the implementation of Higher OALA. Around 50 temporary project assistants (who were all retired social security staff of SWD) had been recruited to assist in handling enquiries and related duties of the implementation of the Higher OALA starting from April 2018. Pointing out that the workload of SSA had all along been an area of concern, the Chairman hoped that the Administration would pay attention to the subject matter.

#### **IV. Policy to deal with domestic violence**

[LC Paper Nos. CB(2)1142/17-18(05) to (06) and CB(2)1839/16-17(01) ]

18. At the invitation of the Chairman, USLW briefed members on the current policies on tackling domestic violence and various support services for those exposed to domestic violence.

#### Analysis and statistics on domestic violence cases

19. Mr LUK Chung-hung said that sufficient counselling time, say, tens of hours, should be provided for a victim of domestic violence and his/her family so that the SWD staff concerned could have a thorough understanding of their needs and offer them appropriate assistance. He enquired about the average service duration for a domestic violence case, whether the duration and scope of such services had been improved and

whether the Administration had any plan to increase the duration of counselling services for domestic violence cases. Assistant Director (Family and Child Welfare) ("AD(Family and Child Welfare)") responded that frontline social workers were required to adhere to the relevant guidelines in providing counselling services and would closely monitor the cases. The duration of case follow-up depended on individual case situation and many cases had been handled by the Family and Child Protective Services Units ("FCPSUs") for years if the situation in the families was not stable. The responsible social worker of FCPSU would follow a case for another six to nine months even if the situation was stabilized and would only close the case after careful examination. Cases might be referred to relevant service units having regard to the service needs of the victims or the families concerned. SWD did not have information on the duration of counselling services for victims of domestic violence and their family members.

20. Mr LUK Chung-hung asked about the number of frontline social workers responsible for providing subsidized support services for victims of domestic violence and their families, and whether the number of these social workers had increased since 2004. The Chairman also enquired about the caseload of the Integrated Family Service Centres ("IFSCs") operated by SWD. AD(Family and Child Welfare) responded that there were a total of 118 frontline social workers in FCPSUs. The caseload per frontline social worker had substantially reduced and each frontline social worker handled an average of 27 cases. The caseload of IFSCs was also reducing and the majority of the cases handled by IFSCs were not domestic violence cases. SWD had subsidized non-government organizations ("NGOs") to operate five refuge centres and NGOs were also engaged in providing support services for victims and their families such as hotlines services, the Educational Programme on Stopping Domestic Violence ("EPSDV"), etc. This apart, IFSCs also provided counselling services for divorcing/divorced families which might expose to domestic violence.

*(Post-meeting note: The Administration advised that the 118 frontline social workers were at the rank of Social Work Officer mainly handling child abuse and child custody dispute cases. There were another 49 social workers at the rank of Assistant Social Work Officer handling spouse/cohabitant battering cases.)*

21. The Chairman said that according to a study conducted by the Hong Kong Council of Social Service ("HKCSS"), a school social worker spent an average of 19 hours and 33 hours respectively in handling an ordinary

case and a case involving student who had an inclination to commit suicide. In his view, SWD should also be able to provide statistics on domestic violence cases including the duration of counselling services. The Administration should study whether family services should be reviewed as well as whether there were changes in the causes of domestic violence and in the caseload of FCPSUs, etc.

Admin

22. Dr Fernando CHEUNG and Mr LUK Chung-hung expressed disappointment about the Administration's non-provision of an analysis on domestic violence cases in its paper (LC Paper No. CB(2)1142/17-18(05)). They were of the view that in the absence of an in-depth analysis of the number and nature of the cases, the reasons for domestic violence, etc., the problem of domestic violence could not be addressed at root. In this connection, they requested the Administration to conduct an analysis on domestic violence cases and provide information on the number and nature of the cases, the reasons for domestic violence, the average service hours per case, the changes in the caseload of frontline social workers and the actions the Administration would take to tackle domestic violence.

#### Mandatory reporting mechanism for child abuse cases

23. Dr Fernando CHEUNG said that an early reporting mechanism for child abuse cases ("mandatory reporting mechanism") should be established so that the relevant government departments such as SWD and the Police could act promptly and take necessary actions to prevent recurrence of such cases. He enquired whether the Administration would set up such a mechanism. USLW responded that the Subcommittee on Children's Rights formed under the House Committee of the Legislative Council had also discussed the issue of mandatory reporting mechanism. In the light of the diverse views on the definition of child abuse, consensus on the definition should first be reached. The Commission on Children to be set up might also consider the issue of child abuse and other children-related issues such as children development and protection, studies on children-related matters, collaboration among relevant government departments and follow up actions to be taken by the Administration on services to children. On the other hand, the Administration was reviewing the Procedural Guide for Handling Child Abuse Cases ("the Procedural Guide") to enhance the handling procedures and collaboration among professionals, and some of the enhanced procedures could be implemented in the interim as needed. The Administration would also study how sharing of information on child abuse cases among government departments could be strengthened, with

due consideration to the privacy of the families and children concerned to prevent them from further harm. The Chairman asked whether the Administration would conduct a public consultation exercise or form focus groups to forge consensus on the definition of child abuse. USLW responded that a task group had been formed to review the Procedural Guide and the subject matter would be discussed in the task group.

24. In response to the Deputy Chairman's enquiry about the progress of the reporting mechanism for students' non-attendance cases, USLW said that the Education Bureau ("EDB") was studying the subject matter. AD(Family and Child Welfare) supplemented that kindergartens were now required to report to EDB on students' absence for seven consecutive school days (instead of 30 consecutive school days) without reasons or under doubtful circumstances. School personnel had become more alert and some cases with the absence period less than seven days were referred to FCPSUs for initial assessment/follow up. The Deputy Chairman said that some students who were suspected to be abused might only be absent from school for one or two days and the school personnel might not report it to the Police at an early stage. He urged SWD to be more proactive in providing support for schools in handling these cases. USLW said that child abuse cases should be immediately referred to FCPSUs which would reach out/follow up the cases without delay. USLW remarked that various government departments and sectors such as schools, the healthcare sector, the community and neighbours should collaborate and assist in identifying indicators of child abuse. It was therefore important to strengthen the training for frontline personnel in identifying and handling suspected child abuse cases, promote prevention of child abuse in the community and make timely referral of child abuse cases.

#### Categorization of domestic violence cases

25. The Deputy Chairman enquired about the 2017 statistics on the three categories of domestic violence cases, namely "domestic violence (crime)", "domestic violence (miscellaneous)" and "domestic incidents". Chief Superintendent of Police (Crime Support) ("CSP(CS)) responded that the number of cases categorized under "domestic violence (crime)", "domestic violence (miscellaneous)" and "domestic incidents" were 1 394, 449 and 10 642 respectively. When compared with 2016, the total number of cases under the three categories in 2017 had dropped by some 800 cases.

26. The Deputy Chairman worried that some cases which were classified as "domestic incidents" might not be referred to FCPSUs. He was also concerned that the classification of domestic violence by the Police might

not accurately reflect the nature of the cases, rendering some domestic violence cases not being followed up actively. USLW responded that the Police would refer "domestic incidents" to SWD if necessary which would follow up such cases.

Admin

27. Dr Fernando CHEUNG said that the majority of domestic violence cases (around 85%) handled by the Police were categorized as "domestic incidents" and there was no clear information on whether the Police had successfully referred domestic violence cases to relevant service units, whether repeated "domestic incidents" had become domestic violence cases, and the number of cases which had been re-categorized, etc. In this connection, he requested the Administration to provide the number of domestic violence cases which had been re-categorized by the Police and details of the re-categorization. The Chairman also enquired about details of the categorization of domestic violence and whether the Police would review and re-categorize domestic violence cases.

28. CSP(CS) responded that the current classification of domestic conflict reports took effect from 2009. Broadly speaking, "domestic violence (crime)" cases referred to cases with elements of crime and "domestic violence (miscellaneous)" cases referred to cases involving common assault. Cases under these two categories were followed up either by the crime investigation teams or uniformed police officers. "Domestic incidents" referred to any family-related incidents involving non-criminal cases such as disputes, nuisance, annoyance or conflicts, etc. The Police would classify the cases during investigation and the cases were recorded in the Enhanced Central Domestic Violence Database ("the Database"). In the event that another domestic conflict case was reported on the same family, the overall situation of the domestic conflict which was previously recorded in the Database would help the Police assess the case and provide necessary assistance for the family concerned such as referring the case to relevant service units.

29. In response to the Chairman's enquiry about whether regular training was provided for police officers to enhance their alertness to domestic violence, CSP(CS) said that the Police attached great importance to domestic violence and would ensure that police officers had the confidence in handling domestic violence. To enhance the police officers' professional sensitivity to domestic violence, elements of domestic violence had been included in the training programmes for trainees and the crime investigation teams. These training programmes were also provided for police officers on regular training days. Seminars were organized to allow police officers to share with relevant sectors and stakeholders issues

relating to professional sensitivity to domestic violence. Opining that it was essential to engage welfare organizations and victims of domestic violence in the training of police officers, the Chairman hoped that the Police would continue to organize such seminars.

30. Mr LEUNG Yiu-chung said that he had handled a domestic violence case in which the police officer had advised the victim during interrogation that the Police would also charge the victim if the batterer was to be prosecuted. Taking the view that the handling of the case was improper, he urged the Police to improve the conduct of police officers handling domestic violence cases. CSP(CS) responded that in dealing with suspected domestic violence cases, the Police attached great importance to professional sensitivity of police officers handling such cases. The attitude and decision of the victim(s) towards such cases to a large extent affected the Police's risk assessment and judgment on the nature of these cases. The Police would adhere to the guidelines in handling domestic violence cases and continue to enhance frontline personnel's professional sensitivity and attitude through training. Referring to the case cited by Mr LEUNG Yiu-chung, the Chairman asked whether it was the usual practice of the Police to charge both the victims and the abusers of domestic violence cases. CSP(CS) responded that it was not the case. The Police would decide how to handle such cases according to their nature and the evidence available and might seek the advice of the Department of Justice if necessary. The Chairman said that the Police should take note of Mr LEUNG Yiu-chung's concern about the handling of domestic violence cases.

#### Support for families at risk, victims of domestic violence and their families

31. Mr LEUNG Yiu-chung said that in order to prevent domestic violence, the Administration should analyze the causes and take the necessary precautions. SWD should conduct home visits on a regular basis to families at risk. USLW responded that to strengthen support services for families at risk and prevent domestic violence, home visits, counselling and outreaching services would be strengthened. It was proposed in the 2018-2019 Budget that additional manpower resources would be provided for IFSCs and FCPSUs. The Administration would continue to review the referral of child abuse cases among different government departments and the follow-up work and make improvements if necessary. In response to the Chairman's request for details of the additional resources allocated to IFSCs and FCPSUs, USLW said that the required information would be available when the work distribution of

relevant service units had been finalized.

32. Dr Fernando CHEUNG said that under the Comprehensive Child Development Services, nurses of the Maternal and Child Health Centres ("MCHCs") of the Department of Health ("DH") would assess whether the children had the risks of being abused or neglected. However, the nurses were unable to take actions or refer the cases to SWD even if such risks were identified unless the parents were cooperative. He urged the Administration to proactively reach out to the families at risk and strengthen its home visit services. AD(Family and Child Welfare) responded that case social workers would follow up the cases referred by MCHCs. Home visits would also be paid to the families concerned to better understand their needs. According to SWD's statistics, abusers of child abuse cases were mainly parents. As such, support for parents who had difficulty in parenting or caring for children would be strengthened. Dr Fernando CHEUNG requested the Administration to provide information on (a) the number of cases referred by MCHCs to SWD; (b) the number of home visits conducted by case social workers to these families concerned; (c) the number of cases in which case social workers were able to get in touch with the parents concerned for follow up and the background of these cases. USLW undertook to provide the required information.

Admin

33. Mr LUK Chung-hung said that the Administration might not be able to take any actions if the victims or batterers refused to receive counselling or relevant services. He considered that the Administration should improve the existing mechanism to address the problem. AD(Family and Child Welfare) responded that SWD would follow up serious or high-risk domestic violence cases even though the families concerned refused to receive the Administration's services. SWD would attempt to intervene in these families via other channels, e.g. through other services provided for them. The social workers would keep in view whether there were signs of domestic violence in these families and enlist the Police's assistance if necessary.

#### Counselling services for batterers

34. Given that only 559 male batterers and 124 female batterers had attended the Batterer Intervention Programme ("BIP") from April 2008 to December 2017, Mr POON Siu-ping opined that the participation rate of BIP was low when compared with the total number of domestic violence cases. He asked whether the low participation rate was due to insufficient manpower for implementing BIP and whether the Administration would



review BIP. AD(Family and Child Welfare) responded that BIP comprised of 13 two-hour sessions and some participants might not be able to attend BIP continuously because of work. To provide another service alternative for batterers, the Administration had provided EPSDV which was a six-hour educational programme. EPSDV was delivered in a more flexible format and participants could receive further in-depth intervention after completing the EPSDV. Additional manpower and resources would be provided in the 2018-2019 financial year to enhance the provision of EPSDV.

35. Noting that only five batterers (up to December 2017) had participated in the Anti-Violence Programme ("AVP") since its implementation in August 2008, the Chairman enquired about the reasons for the low rate of participation of AVP. AD(Family and Child Welfare) responded that in granting a non-molestation order under the Domestic and Cohabitation Relationships Violence Ordinance ("the Ordinance") (Cap. 189), the court might require the respondents to attend AVP and the non-molestation orders should be applied by the victims. As there was only a small number of applications for such orders, the number of cases referred to AVP by the court was also small. In the light of the situation, the Administration had re-allocated the resources for AVP to provide EPSDV so as to cover batterers whose attendance of such programmes were not mandated by the court. Dr Fernando CHEUNG said that unlike other educational programmes, batterers' attendance in AVP was mandated by the court. As such, stepping up other educational programmes would not help boosting participation in AVP.

36. The Chairman and Dr Fernando CHEUNG said that the small number of applications for non-molestation orders boiled down to the difficulty in obtaining legal aid by the victims of domestic violence for making such applications. Dr Fernando CHEUNG said that the application procedures for non-molestation orders in Hong Kong were complicated and the victims had to rely on the assistance of lawyers to file the applications. In some overseas places, the victims could apply for such orders in police stations or through NGOs by completing a simple application form. They were not required to engage lawyers during the application process. He urged the Administration to review the application procedures for such orders critically. AD(Family and Child Welfare) responded that the Family Court was in the course of setting up a working group to review the application procedures for such orders.

37. Dr Elizabeth QUAT said that the Administration should study in depth family problems which might lead to domestic violence so that

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preventive measures could be stepped up. The Democratic Alliance for the Betterment and Progress of Hong Kong had suggested that regular home visits should be paid to families which were prone to domestic violence with a view to preventing domestic violence. She was concerned about whether educational programmes for abusers were adequate and whether counselling services provided for children who had been abused were effective. AD(Family and Child Welfare) responded that making regular home visits to families at risk had all along been a work direction of SWD. The Family Support Programme ("FSP") was implemented to early identify and intervene in families which were prone to domestic violence. Ex-service users who had experienced domestic violence were recruited to become volunteers of FSP to encourage these families to seek help earlier, if necessary. IFSCs and relevant service units would enhance their concerns of the problems of families in need with a view to preventing domestic violence. In the 2018-2019 financial year, SWD would provide additional resources to enhance EPSDV which provided, inter alia, support for children witnessing or exposed to domestic violence. At Dr Elizabeth QUAT's request, AD(Family and Child Welfare) undertook to provide the existing number of volunteers of FSP and the target number of children to be served by the enhanced EPSDV.

### Psychological abuse

38. The Chairman said that during a seminar on domestic violence policies organized by HKCSS ("the Seminar"), some participants expressed concern that psychological abuse was not clearly defined in the context of domestic violence. According to the Procedural Guide for Handling Intimate Partner Violence Cases (Revised 2011) issued by SWD, psychological abuse was defined as "recurrent aversive or coercive acts, intended to produce emotional harm or threat of harm". However, psychological abuse was not defined in the Ordinance. While the court might grant non-molestation order under the Ordinance, there was no clear definition of molesting behaviour. As such, it would be up to the relevant government departments to interpret molesting behaviour and whether the behaviour would constitute psychological abuse. In his view, this was a deficiency in tackling domestic violence and cohabitation relationship violence. He further said that the number of psychological abuse cases only accounted for 0.7% and 13.4% respectively of the child abuse cases and spouse/cohabitant battering cases recorded by SWD. The small proportion of such cases might be a result of misclassification of the cases because there was no clear definition of psychological abuse. Many participants of the Seminar were concerned whether a definition of psychological abuse would be provided in the context of domestic

violence.

39. AD(Family and Child Welfare) responded that according to SWD's statistics, psychological abuse cases involving intimate partners or spouse accounted for around 13% of the total number of domestic violence cases. Around 8% domestic violence cases were multiple abuse cases which might also involve psychological abuse. The Administration attached great importance to psychological abuse and would strengthen training and guidelines for frontline staff to differentiate psychological abuse from other types of abuse. The Chairman said that although statistically around 13% of domestic violence cases were psychological abuse cases, the actual number of psychological abuse cases was a lot more.

#### Domestic violence cases in Yuen Long District

40. Mr POON Siu-ping said that according to SWD's statistics in 2017, Yuen Long District had the largest number of newly reported child abuse cases and spouse/co-habitant battering cases. In this connection, he asked whether targeted measures to combat domestic violence would be adopted for districts with a large number of domestic violence cases and whether specific services would be provided for families in need in these districts. AD(Family and Child Welfare) responded that SWD had set up FCPSUs across the territory as specialized units to provide a coordinated package of one-stop service for victims of domestic violence and their families. Individual FCPSUs would draw up a work plan (e.g. strengthening training to professionals and stepping up public education in the district) every year having regard to the nature and the number of domestic violence cases in their districts.

41. The Chairman enquired about the actions SWD had taken to address domestic violence in Yuen Long District and whether domestic violence was the main concern of the Yuen Long District Welfare Services Planning and Coordinating Committee in 2016-2017/2017-2018. AD(Family and Child Welfare) responded that since 2004, Yuen Long District had all along been a priority district as far as tackling domestic violence was concerned. The manpower deployed to FCPSU of Yuen Long District was the most substantial among all FCPSUs. SWD had also collaborated with the Police and some NGOs to launch different programmes in Yuen Long District to tackle domestic violence and take necessary follow up actions. Mr POON Siu-ping said that the number of child abuse cases in Yuen Long District in 2017 was 104, vis-à-vis 13 cases in Wan Chai District. The Administration should formulate policies and provide manpower for taking specific measures to address the

problem of domestic violence for districts with a large number of domestic violence cases.

**V. Welfare support for the homeless (particularly those staying overnight in 24-hour fast food restaurants)**  
[LC Paper Nos. CB(2)1142/17-18(07) to (08)]

42. At the invitation of the Chairman, AD(Family and Child Welfare) briefed members on the social welfare support services for street sleepers provided by the SWD.

43. The Chairman said that the Society for Community Organization ("SOCO") had been invited to give views on welfare support for the homeless (particularly those staying overnight in 24-hour fast food restaurants). At the invitation of the Chairman, Mr CHAN Chung-yin, Mr WONG Kwun-wing and Mr NG Wai-tung from SOCO expressed their views which were summarized in the **Appendix**.

The Administration's response to the views of SOCO

44. Responding to the views expressed by SOCO, AD(Family and Child Welfare) made the following points:

- (a) the number of street sleepers registered in SWD's Street Sleepers Registry ("SSR") included people staying in 24-hour fast food restaurants who were assessed by social workers as street sleepers. SWD did not maintain separate statistics on those who stayed overnight in 24-hour fast food restaurants;
- (b) updating the SSR's information and data by SWD's service units and NGOs specialized in serving street sleepers on a monthly basis was a more systematic approach to capture the most updated information on street sleepers. SWD would continue to adopt this approach to update SSR and welcome SOCO's continuous input in this regard;
- (c) there were a total of 31 hostel places for female street sleepers rather than five places as mentioned in the study on the homeless who stayed overnight in 24-hour fast food restaurants conducted by SOCO ("the SOCO's study") (LC Paper No. CB(2)1169/17-18(01)). The Administration had specified in the service agreements with the NGOs which

operated urban hostels for single persons that street sleepers were among the target groups of the urban hostels;

- (d) the NGOs operating self-financing hostel places were at liberty to set the duration of stay for their hostel places. Case workers of street sleepers would closely review their conditions and consider extending their stay in hostels having regard to the needs of individual cases; and
- (e) all government departments concerned had been in close collaboration to assist street sleepers. Street sleepers in need could use the various medical and mental health services under the Hospital Authority or DH. SWD would follow up welfare needs of street sleepers.

## Discussion

### *Accommodation needs of street sleepers*

45. Dr Fernando CHEUNG and Mr LEUNG Yiu-chung said that the Administration had not analyzed the reasons why the number of street sleepers had increased and why some street sleepers had reverted to street sleeping. Failing this, the problem of street sleeping could not be resolved. Mr LEUNG Yiu-chung said that according to the SOCO's study, some of the reasons for street sleeping were: (a) single persons had to wait for a long time for public rental housing ("PRH") under the existing allocation mechanism; (b) many single persons could not meet the income and asset requirements for PRH; and (c) the duration of stay in hostels was too short. Given that it was difficult for street sleepers to find suitable accommodation within the duration of stay which was six months for subvented hostel places, they had to revert to street sleeping. To avoid this, timely and specific measures should be implemented to address the housing needs of street sleepers. In this connection, he enquired about the short, medium and long-term measures the Administration would take to solve the problem of street sleeping.

46. AD(Family and Child Welfare) responded that SWD had analyzed the reasons for street sleeping based on the information registered in the SSR and had reached conclusions similar to those of the SOCO's study. The major reasons were: (a) unemployment and no income to pay rent (around 37% of street sleepers covered by the analysis); and (b) unable to identify accommodation with affordable rent (around 14% of street sleepers covered by the analysis). Other reasons included: (a) money

saving or more convenient to go to workplace (around 20% of street sleepers covered by the analysis); (b) personal choice (around 8% of street sleepers covered by the analysis); and (c) unable to identify accommodation because of recent discharge from hospital/prison/drug treatment centre (around 12% of street sleepers covered by the analysis), etc. Given that the current average utilization rate of hostels for single persons was around 80%, the Administration had no plan to increase the supply of hostel places at this stage. The Administration would monitor the demand for hostel places and review the provision of such places, if necessary.

47. Dr Fernando CHEUNG said that as many street sleepers were aged or had mobility inconvenience, they did not prefer the upper bunk beds and many such places were unoccupied. Although the average utilization rate of hostel places was around 80%, there was a waiting list for hostel places and the waiting time was around six months. AD(Family and Child Welfare) responded that some NGOs would reserve the lower bunk beds for street sleepers with special needs and the upper bunk beds would be allocated to street sleepers with better physical conditions.

48. Since SWD could not require the NGOs concerned to extend the duration of stay for their self-financing hostel places, Dr Fernando CHEUNG said that many residents could only stay in these places for three months and had to revert to street sleeping. Noting that 418 out of 640 hostel places for street sleepers were self-financing places, he opined that the proportion of self-financing places was too large. AD(Family and Child Welfare) responded that in planning for the provision of hostel places for single persons, the Administration would take into account the overall supply of hostel places including self-financing places.

49. In the light of the difference in the number of street sleepers between SWD's record and the SOCO's study, Mr KWOK Wai-keung suggested that the Administration and SOCO should discuss and align the criteria for registration of street sleepers in order to obtain a more accurate number of street sleepers to facilitate better planning of policies on street sleepers. He opined that the population of street sleepers would increase if the rent for residential housing continued to rise, resulting in an even greater shortage of hostel places. He called on the Administration to review the service quality of and placement arrangements for hostels such as the opening hours of hostels and utilization of upper bunk beds, so as to increase the utilization rate. AD(Family and Child Welfare) responded that some NGOs had set opening hours for hostels for management purpose but flexibility would be given to hostel residents who had to work

odd hours or late shifts.

*Support measures for street sleepers and the homeless*

50. The Chairman and Dr Fernando CHEUNG said that according to the SOCO's study, the number of homeless people staying overnight in 24-hour fast food restaurants had increased twice from 2013 to 2017. They asked whether the Administration would adopt specific measures to address the problem of homeless people staying overnight in these restaurants. AD(Family and Child Welfare) responded that the number of homeless people staying overnight in 24-hour fast food restaurants might increase because of hot weather. As a result, there might be less homeless people sleeping on street. To improve the living conditions of hostels, air-conditioning had been provided in all subvented hostels and a self-financing hostel.

51. Dr Fernando CHEUNG said that the Administration should change its mindset of regarding street sleeping a personal choice rather than a social problem. He enquired about the assistance the Administration would provide for street sleepers. Mr KWOK Wai-keung said that comprehensive policies on street sleepers should be formulated. Opining that some street sleepers might be willing to give up street sleeping if their problems could be resolved, he asked whether the Administration had conducted any study in this regard. The Chairman said that society did not show much concern about street sleepers and the homeless people and they were isolated by the community. Some government departments had refused to send representatives to attend meetings of the Panel in the past to discuss issues in relation to street sleepers. In this connection, he enquired about which government bureau/department should take the lead in providing support services for street sleepers and the government bureaux/departments responsible for these matters.

52. AD(Family and Child Welfare) responded that the Administration had not regarded street sleeping solely a personal choice and recognized that there were different reasons for street sleeping. Some street sleepers were not homeless but they chose to sleep on street for various reasons. SWD would follow up social welfare needs of the needy, including street sleepers. To assist street sleepers in reintegrating into society, SWD would provide social welfare support services for street sleepers through various means having regard to their situations including family and financial ones. Various support services (e.g. provision of CSSA and emergency funds to cover expenses such as removal expenses) would be provided for street sleepers who had financial needs. SWD would also

assist street sleepers, who were discharged from prison or drug treatment centre, in finding accommodation. Given that the majority of street sleepers were in urban districts, the Administration had set up hostels in places which were conveniently accessible by public transport. District-based support services for street sleepers would also be provided for individual districts if necessary.

53. Assistant Director (3) (Home Affairs Department) ("AD(HA)3") said that street sleeping was a complex social problem, involving policies and work of various bureaux and departments. The Home Affairs Department ("HAD") provided temporary shelters to people in need, including street sleepers, in the event of cold or very hot weather. While HAD did not have established policies on street sleepers, it would take actions at district level having regard to the needs of street sleepers and possible problems brought about by street sleeping, e.g. environmental hygiene problems. Relevant District Offices of HAD would coordinate inter-departmental joint operations to tackle environmental hygiene problems arising from street sleeping.

*(At 12:42 pm, the Chairman extended the meeting for 15 minutes beyond the appointed ending time to allow sufficient time for discussion.)*

54. In response to Mr KWOK Wai-keung's enquiry about whether SWD or HAD would consider providing safe boxes for street sleepers, who were on the waiting list for hostels, to keep their valuables, AD (Family and Child Welfare) said that space was provided for hostel residents but not waitlistees for hostels to keep their personal belongings. SWD had no plan at this stage to provide safe boxes for waitlistees for hostels. AD(HA)3 said that HAD had not been allocated dedicated resources for providing support services for street sleepers and would not provide storage facilities for street sleepers. That said, HAD would continue to provide appropriate assistance to the work of other government departments in the districts, if necessary.

#### Follow-up

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55. The Chairman requested SWD and HAD to provide written responses to the following issues raised by SOCO:

- (a) the number of additional subvented hostel places provided by the Administration since 2013;



- (b) when the Administration would provide separate statistics on the homeless people staying overnight in 24-hour fast food restaurants and on street sleepers;
- (c) when the Administration would be able to make housing arrangements for all the 1 091 street sleepers registered in SSR (as at end-February 2018);
- (d) whether the Administration would deploy medical staff to provide outreaching services for street sleepers; and
- (e) why the short-term relief for low-income households not living in public housing and not receiving CSSA (commonly known as the "N have-nots households") would only be provided in the 2018-2019 financial year.

Dr Fernando CHEUNG said that apart from SWD and HAD, the Labour and Welfare Bureau should also provide its response to the aforesaid issues.

## **VI. Any other business**

### Special meeting on 14 April 2018

56. The Chairman reminded members that a special meeting would be held on 14 April 2018 at 9:30 am to receive public views on the implementation of the Higher Old Age Living Allowance.

### Visit to On Tai Estate and On Tat Estate

57. The Chairman said that a visit to On Tai Estate and On Tat Estate would be conducted on 8 May 2018 at 9:00 am to enable members to understand the social welfare services to residents of new PRH estates. Members would be informed of the details of the visit in due course.

58. There being no other business, the meeting ended at 1:00 pm.

**Panel on Welfare Services**

**Meeting on Monday, 9 April 2018, at 10:00 am**

**Welfare support for the homeless  
(particularly those staying overnight in 24-hour fast food restaurants)**

**Summary of views and concerns expressed by deputation**

<b>Name of deputation</b>	<b>Views</b>
The Society for Community Organization	<p>LC Paper No. CB(2)1169/17-18(01)</p> <ul style="list-style-type: none"> <li>• Hostel places should be provided predominately by the Administration.</li> <li>• Although the average utilization rate of hostels was around 80%, vacancies in hostels could not be allocated right after they were vacated because time was required to complete the necessary formalities. In effect, hostel places had been fully utilized.</li> <li>• The Administration should conduct a survey on the homeless people on an annual basis.</li> <li>• The Administration should advise: (a) the number of additional subvented hostel places provided by the Administration since 2013; (b) when it would provide separate statistics on the homeless people staying overnight in 24-hour fast food restaurants and on street sleepers; (c) when it would be able to make housing arrangements for all the 1 091 street sleepers registered in Street Sleepers Registry (as at end-February 2018); (d) whether it would deploy medical staff to provide outreaching services for street sleepers; and (e) why the short-term relief for low-income households not living in public housing and not receiving the Comprehensive Social Security Assistance (commonly known as the "N have-nots households") would only be provided in the 2018-2019 financial year.</li> </ul>