

Motion 1

**The government should improve current measures to
protect children from domestic violence**

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I. Introduction

Domestic violence has in recent years become a worsening problem; forms of violence may vary from minor incidents such as child beatings to serious cases which are life-endangering. The psychological development of children who live under the shadow of domestic violence may be deeply scarred. According to Article 19 of the United Nations Convention on the Rights of the Child, "States Parties shall take all appropriate measures to protect the child from all forms of physical or mental violence, neglect or negligent treatment and maltreatment." As children ourselves, we are extremely concerned about this problem. Therefore we urge the government to improve current measures to protect children from domestic violence. We hope that by moving a motion and by debating this issue in the Children's Council, rights for the protection of children will be secured.

II. Causes and effects of domestic violence

There are many causes that lead to domestic violence, such as abusers having the misconception that corporal punishment is the best way to bring up children, or stress from life causing them to take it out on their family or children. If parents were once victims of abuse, then they might treat their children in the same way. Traditional values may also bring parents to see their children as "possessions", further lowering the child's status. Other reasons which have contributed to the rise in cases of domestic violence include parents' over-expectations of their children, traditional belief that "physical punishment gives you a filial child" and the defective social support system.

Children who live under the shadow of violence, whether a witness or victim of abuse, are scarred both physically and mentally. Abused children who are beaten or tortured may be badly wounded or could even die. Psychological problems such as emotional instability, anxiety, depression and fear may arise. These children may lack a sense of security and reject those of the opposite sex. Their relationships with people may also be affected. If the situation prolongs, these children may use violence as a way to express their emotions, they too may become an abuser and continue the vicious cycle of domestic violence.

III. Current status

According to a study on domestic violence released by the University of Hong Kong in June 2005, among 1,789 children who were interviewed, 25% of them had been beaten and scolded by their parents weekly. Findings also showed that about 70,000 (6%) children have suffered from serious physical abuse by adults in the past year; about 150,000 (10%) couples have abused their spouses. In the first half of this year, 62% of reported child abuse cases showed that the abuser(s) was the child's parent(s), and more than half of those cases involved physical abuse. 20% of reported cases happened in Yuen Long; second to it were Tuen Mun and Kwun Tong Districts. Professional bodies have claimed that a new case of child or spouse abuse happens on average every two hours. According to the figures announced by the Social Welfare Department, the number of child abuse cases has risen by 100% between 1996 and 2004.

In October this year, we carried out a survey and received 909 completed questionnaires. Over 50% of the second and primary students surveyed admitted that they have been struck by adults with their hands or using hard objects. 35% of the primary school students surveyed

have witnessed domestic violence, which demonstrates the seriousness of this problem.

IV. Current government measures and its defects

Even though the government has in recent years allocated more resources and implemented new measures to prevent domestic violence, the effects do not seem to be that significant. In the paragraphs below, we will discuss the government's efforts and its shortcomings from three aspects, i.e. education and promotion, law and social services.

1. Preventive education and publicity campaigns

There goes the saying that "prevention is better than cure". Preventive education and publicity campaigns are certainly the best ways to tackle domestic violence. Unfortunately, the government has always been passive to act upon an incident and it would search for solutions only when problems arise.

Apart from the lack of publicity campaigns, another major problem is that the target and objectives of its education and publicity efforts are not clear and specific. To save resources, the government often adopts an "all-in-one" promotional strategy, hoping that one event will fit the needs of all its target groups. The government seldom sets down clear objectives for different target groups and always shows inadequacy in her assessment and review of its course of action. Has the government really made good use of its resources?

Moreover, the government fails to incorporate systematic planning and seldom makes a joint effort with non-governmental organizations. With inadequate resources and coordination, these education and publicity activities seldom show continuity in the long run.

2. Law

The Domestic Violence Ordinance has been in use for 19 years. With the passage of time, the Ordinance no longer adequately reflects the changing needs in preventing and tackling domestic violence. Some non-governmental organizations have suggested amending the ordinance. Based on their opinions, we have listed out a few problems in regard to the Ordinance.

Firstly, the interpretations under the Domestic Violence Ordinance are too narrow. The term "matrimonial home" only applies to matrimonial and long and stable cohabitation relationships and their children. It falls short of coping with relationships of ex-spouses, ex-cohabiters, relatives or in-laws who share the same residence. "Domestic violence" is mainly limited to physical abuse and appears to show less protection to the victims of psychological abuse, negligence and negligent treatment.

Moreover, the Domestic Violence Ordinance states that an injunction order can only be applied by parties of matrimonial relationship; the court does not allow any third party to apply for and on behalf of the victim, which appears to be a shortfall in jurisdiction. At present the overall effective period of a restraining or injunction order shall not exceed six months. The legal procedures of divorce cases and custody rights, however, often exceed a period of six months. This reflects how the Domestic Violence Ordinance fails to provide comprehensive protection for victims of domestic violence.

Finally, even though providing shelter for victims can protect them from further threats of domestic violence, the court however does not have the right to enforce counseling or psychological therapy for the victim. This is an impediment in dealing with the root cause of domestic violence.

3. Services

Family services in Hong Kong are mainly provided by governmental and non-governmental integrated family service centers (IFSCs) that handle various kinds of family problems. The family and child protective services units of the Social Welfare Department and non-governmental organizations such as Against Child Abuse, Harmony House, etc., specialize in handling child and spouse abuse cases. At present there are three main problems with the services targeted for domestic violence in Hong Kong.

Firstly, some social workers lack the ability and experience in assessing and tackling cases of domestic violence. In addition, the government has not been able to provide professional training for social workers who handle family cases, leading to the oversight or aggravation of cases.

Secondly, workers are facing an overwhelming pressure from their heavy workload. The number of domestic violence cases has surged in recent years. Social workers at IFSCs has to handle over a hundred family cases each, thus making it extremely difficult for them to provide in-depth follow-up for every case.

Thirdly, the resources allocated to service providers are inadequate and therefore affects their quality of service. The Social Welfare Department has in recent years continue to cut back on funding for social welfare organizations, creating a budget strain that prevents these organizations to employ experienced professionals. Furthermore, experienced social workers often find it difficult to provide in-depth service to victims while taking on responsibilities such as providing extensive services and supervision at the same time.

V. Suggestions

To protect children from the damaging effects of domestic violence, we have the following suggestions:

1. Mandatory Parent Education

Amongst the secondary and primary school students who participated in the survey, 23% of them think that this is an effective policy to tackle the problem of domestic violence. The government should implement mandatory parent education, providing parents with professional training on techniques of positive parenting and problem-solving, skills in dealing with conflicts and pressure, etc. Family cases with potential risks will be noted upon parents' completion of the course so that support can be provided when the need arises.

2. Provision of Funding for a Children's Hotline

The children's hotline will specialize in handling and examining children's cases, easing their resistance to asking for help from the public. Hotline counselors should either be trained professionals, social workers or child volunteers who were once victims of domestic violence

and are willing to share their past.

3. Production of TV Programmes for Children’s Forum on a Regular Basis

The programmes will introduce child protection rights and domestic violence issues, and explain the damaging effects of domestic violence on children. It aims to raise awareness in society and help people understand the seriousness of domestic violence. Children can take part in the planning and production of the TV programmes, which also serves as a medium for them to express their opinions and feelings. In our survey, 16% of the respondents feel that children, by expressing their concerns for family violence, can help reduce the number of such cases.

4. Involvement of Children in Committees

Children representatives should be invited to join the current Working Group on Combating Violence and the Committee on Child Abuse so that their voices can be heard. At the same time a channel should be set up for children affected by domestic violence to voice their opinions, and for us to understand the issue from a child’s perspective and to act in the best interests of the child.

5. Strengthening Education in Schools

Our survey findings show that over 30% of secondary and primary school children feel that the government should improve her education and promotion efforts to solve the problem of domestic violence. The government can include the topic in the liberal studies curriculum, teaching children how to protect themselves.

6. Review and Assessment of the Current Promotion and Publicity Efforts

Currently, promotion and publicity efforts for domestic violence lack distinct goals and aims, and therefore it is uncertain how effective these measures are. The government should set clearer theme and focus on specific target groups for its publicity efforts.

7. Amendment of the Domestic Violence Ordinance

The scope of protection should be broadened. Clearer interpretation of “domestic violence” should be given and the contents of the injunction order should also be reviewed.

8. Promotion of Training in and Awareness of Domestic Violence for the Police Force

Training for police in dealing with domestic violence should be strengthened so that they will pay special attention to a child’s psychological conditions and physical well-being while investigating or following-up cases.

VI. Conclusion

We hope that this motion will help put a stop to domestic violence and protect children from its adverse effects. Our group of 13 Child Councilors will do our best in urging the government to protect children from domestic violence.

This year's Policy Address encourages fostering harmony in family, and in the coming year a pilot scheme will be launched to provide counseling to domestic violence offenders, help victims understand their rights and set up support networks in the community. We welcome these measures and hope that society will work as one in the fight against domestic violence.

If you are a part of Hong Kong's child force, if you truly sympathize with children who are suffering from domestic violence, if you want to put a stop to the spread of domestic violence in Hong Kong, then please support the motion "The government should improve current measures to protect children from domestic violence".

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Acknowledgements

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3. Baptist Lui Ming Choi Secondary School
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