

Hong Kong College of Paediatricians
Submission to
Panel on Welfare Services of the Legislative Council
Subcommittee on Strategy and Measures to Tackle Family Violence
Batterer Intervention Programme
12th June 2008

Our College appreciates the government initiative to pilot Batterer Intervention Programmes and is happy to see the preliminary positive outcome.

In the pending amendment to the Domestic Violence Ordinance (Cap 189) it is proposed to “enable the court, in granting a non-molestation order, to require the respondent to attend a programme aimed at changing the attitude and behaviour of the abuser as approved by the Director of Social Welfare”. It is not clear if this is only for spouse abusers and whether the programme’s main focus is on alleviation of spouse abuse alone.

In the case of child abuse, currently the Protection of Children and Juvenile Ordinance (Cap 213) empowers “the court to grant a supervision order or appoint legal guardian in respect of a child or juvenile who is in need of care or protection”. There is no provision to require the perpetrator to undergo counselling or therapy. While it is ideal that the perpetrator has the insight to request and accept intervention, the option to mandate treatment will facilitate the management of child abuse and the prevention of its recurrence. Similar amendment of legislations in relation to the protection of children is therefore required.

As the Social Welfare Department seeks to expand the Batterer Intervention Programme, it is hoped that the programme will focus not only on the adults but where there are children in the family, the parent / child(ren) relationship will also be attended to. It will serve our children even better if the programme can also cover families where child abuse is the presenting phenomenon. The Study of Child Abuse and Spouse Battering through household surveys by the University of Hong Kong in 2005 found that 37% of perpetrators of child physical maltreatment admitted to be perpetrators of

spouse battering and 36% of perpetrators of child physical maltreatment were themselves victims of spouse battering.

Domestic violence is no doubt a major problem in Hong Kong. According to information from the Social Welfare Department the number of first reports of battered spouse cases approximately doubled over 5 years to 6,404 cases in 2007 while similarly that of child abuse increased to 944 cases in the corresponding period. But unless many of the families with spouse abuse did not have children, there appears to be a gross under-reporting of child abuse. The co-existence of domestic violence and child abuse has been reported to be between 40 to 90% in different studies overseas. The Social Welfare Department statistics reflect very much the attitude and awareness of professionals who attend to families with domestic violence. Children may be physically injured when parents are in physical conflict or the children themselves could be targets of abuse. Other than physical injuries children are also subject to threats when parents fight over each other. Many children suffer psychosomatic ailments that do not have obvious physical signs as witnesses of domestic violence or when they feel their parents' anxiety and depression from being abused by their partner. Children are equally in need of help for their immediate safety and welfare and their long-term development in such situations, and to avoid their acceptance of violent behaviour in marital relationships as the norm in future.

Our College therefore recommends Batterer Intervention Programmes to cover situations of child abuse with legislative support as necessary, and to ensure children are attended to in families presenting with domestic violence.