

Glory to God in the highest, and on the earth peace among men with whom he is well pleased. Luke:2:14 Glory to God in the highest, and on the earth peace among men with whom he is well pleased. Luke:2:14 Glory to God in the highest, and on the earth peace among men with whom he is well pleased. Luke:2:14

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## Eliminating Domestic Violence 消除家庭暴力

According to article 5 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, States parties shall take all appropriate measures to eliminate discrimination against women in matters such as gender stereotypes, customs and perceptions of inferiority and inferiority. "Zero domestic violence" is a vision that we have been always looking forward to. Hence, we have set up the women's helpline, as well as free legal consultation and divorce support services, providing urgent and pertinent support to victims.

根據聯合國《消除對婦女一切形式歧視公約》第五條，締約各國應採取一切適當措施，消除針對婦女的性別定型、習俗及尊卑觀念等的事項上的歧視。「零家庭暴力」是我們一直都期盼的願景，因此我們常設婦女求助熱線服務，加上婦女免費法律諮詢及離婚支援服務，為家暴受害人提供緊急及適切的支援。

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### Hidden Domestic Violence Problems Ignored

At present, the statistics of domestic violence cases vary among government departments. According to the Social Welfare Department, there were 4,082 cases of violence against children, spouses, and cohabitants in 2021 (1,367 cases of violence against children and 2,715 cases of violence against spouses and couples), a significant increase from 3,541 cases in 2020 (940 cases of violence against children and 2,601 cases of violence against spouses and couples). Among them, 85% of the victims were female.

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However, the police currently classify "domestic conflict cases" into "domestic violence (criminal)", "domestic violence (miscellaneous)" and "domestic incidents" according to their severity, and only classify the first two as domestic violence incidents. According to the information from the Legislative Council meetings in 2017 and 2021, nearly 85% of the police cases were classified as "domestic incidents" of lower severity, thus significantly reducing the number of domestic violence cases and ignoring mental abuse or lower level of physical violence. According to the data provided by the police in 2021, there were 1,196 criminal cases of domestic violence, reflecting that many of these cases are still being ignored.

In addition, many victims said that when they reported to the police for help, they were not given clear explanations or assistance by law enforcement officers. For example, the police officers failed to inform reporting procedure, failed to issue a "domestic violence incident notification" to the suspect according to the procedural guidelines, and failed to provide the victim with a "family assistance service information card", etc. As a result, the relevant cases became hidden domestic violence cases and the

### 隱性家暴問題被忽略

現時各政府部門對家庭暴力個案的統計均有所不同，根據社會福利署數字，2021年傷害兒童、配偶、同居情侶個案共有 4082 宗（1367 宗針對兒童暴力、2715 宗針對配偶、情侶暴力），較 2020 年的 3541 宗（940 宗針對兒童暴力、2601 宗針對配偶、情侶暴力）有明顯上升，當中八成五的受害人為女性。

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然而現時警方將「家庭衝突案件」，按其嚴重性界分為「家庭暴力（刑事）」、「家庭暴力（雜項）」及「家庭事件」，並只把首兩項家庭暴力類別列作家暴事件。據 2017 及 2021 年的立法會質詢資料及會議資料顯示，警方近八成半被歸類為嚴重程度較低的「家庭事件」，因而令家庭暴力的案件數目大幅減少，忽略了精神虐待或較低程度的肢體暴力。按警方提供之 2021 年數據，家庭暴力刑事案件有 1196 宗，反映當中仍有不少個案被忽略。

此外，不少受害者表示在報警求助時得不到執法人員的清晰交代或援助，例如交待報案程序、按程序指引向疑犯發出「家庭暴力事件通知書」、向受害人提供「家庭援助服務資料咭」等，導致相關個案無法被定義為家暴個案，變成隱性家暴個案，令受害人不能得到適切幫忙。

victims could not receive the help they need.

### Difficulty in Proving Evidence

Between 2011 and 2020, our Women's Helpline Service received over 13,000 new calls for help, of which 1,100 involved domestic violence. During the epidemic, the number of domestic violence cases increased significantly, with 34 cases of domestic violence-related requests received from January to March 2020 alone, more than double the 16 cases received during the same period in the past. More than 70% of the victims who called the hotline had faced physical violence, 47% were involved in mental abuse, and 20% were treated with both types of violence. It is also worth noting that 74% of the victims indicated that they had experienced domestic violence more than once, reflecting that domestic violence is still serious. Moreover, from the service figures, it is found that the abusers of domestic violence cases during the epidemic were not prosecuted and convicted, and 94% of the abusers did not participate in counseling programs.

According to the service figures in early 2020, 81% of victims were not offered medical examinations and 75% of victims were not offered counseling. In addition, cases involving hidden domestic violence require the victims to provide evidence, which is difficult, especially in cases of psychological abuse. For divorced women, those who are not financially independent, and those with low education levels, it is difficult to go through the cumbersome legal process and bear the heavy litigation costs to stop their ex-spouse's annoying behavior, which causes psychological and mental distress to them.

### Review Existing System and Guideline to Strengthen the Support

The government will legislate on the offense of "no-protection" and compulsory child abuse mechanism in the future. We agree that the community should strengthen the protection of children and the needy community by early identification and support to reduce the occurrence of violence. However, we have reservations about the implementation and enforcement of the legislation. The legislation only has limited effectiveness due to the lack of clear definitions of the terms in the legislation and the lack of awareness of child abuse and gender in the community and the judiciary.

We believe that the relevant provisions should be carefully studied to clearly define the wording in the legislation, or to provide easy-to-understand examples and explanations so that the public can also grasp the content of the legislation. The government should provide adequate support and community education to enable the public to

### 舉證困難 造成心理及精神上的困擾

在 2011-2020 年間，我們的婦女求助熱線服務接獲超過 13,000 個新增求助個案，當中有 1,100 宗個案涉及家庭暴力。疫情期間家暴個案數字更有明顯上升，單計 2020 年 1 月至 3 月便接獲 34 宗家暴相關求助，較以往同期約 16 宗上升逾一倍，當中七成以上致電熱線的家暴受害人曾面對肢體暴力，四成七涉及精神虐待，兩成同時遭受以上兩種的暴力對待，值得注意的是 74% 的求助人士表示不只一次遭遇家庭暴力，反映家暴仍然嚴重。而且從服務數字中發現，疫情期間的家暴個案中的施虐者均沒有被檢控及定罪，94% 的施虐者亦沒有參與輔導計劃。

從 2020 年初的服務數字中，有 81% 受害者沒有獲安排驗傷，75% 的受害者更沒有安排進行輔導。此外，牽涉隱性家暴的個案更需要案主就著情況提出證據，特別是精神虐待個案的舉證並不容易，在離婚、經濟不獨立及教育水平較低的婦女而言，實在難以通過繁瑣的法律程序及或承擔沈重的訴訟費用去阻撓前配偶的煩擾行為，造成心理及精神上的困擾。

### 審慎處理沒有保護罪及強制呈報機制 完善保護機制

政府未來將就「沒有保護罪」及強制虐兒機制立法，本會十分認同社會上應加強對兒童及有需要社群的保護，及早識別及支援，以減少暴力事件的發生，惟對於當中的推行及實施存有保留。因為條例中的字眼均沒有清晰定義，而且現時社會大眾、司法界對虐兒及性別意識仍然不足，讓條例成效有限。

我們認為需要審慎研究相關條文，清晰定義法例規定的字眼，或就是條例上的字眼提供易於理解的例子及解釋，以讓一般人士亦能掌握條例的內容。政府應提供足夠

understand the offense of "no protection" and the mechanism of compulsory child abuse, so that early intervention can be made in high-risk cases. Also, the industry should continue with the "Protecting Children from Maltreatment-Procedural Guide for Multi-Disciplinary Co-operation" to identify urgent cases, manage family crises, and intervene in abuse cases as early as possible.

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### Our Advocacy

With reference to the "Guidelines on Medical and Legal Support for Sexual Violence Victims" issued by the World Health Organization, a one-stop crisis support center should be set up in hospitals to meet the medical, judicial, and social service needs of victims

Review the existing guidelines and case classification system for sexual and intimate partner violence, and strengthen the training of frontline law enforcement officers, legal professionals, and social service workers on assisting women who are victims of violence, so that women can receive appropriate support more promptly

Enhance the mobility of domestic-violence-related services and case information sharing, such as improving the help mechanism, strengthening the connection of social service organizations, enhancing the hotline services, and providing more ways to seek help

Provide accommodation options, allocate extra resources to shelters and women's organizations, and subsidize domestic violence victims to rent hotels for transition

Establish an emergency support fund to help women or their families meet living expenses, crisis situations, or emergency housing expenses, and to provide housing support for women, including subsidizing the use of alternative accommodation as a refuge, relaxing the application for compassionate sub-tenancy, to help women leave their abusers

Foster the modernization of family courts and the expansion of video and online services to family courts to speed up case processing and reduce the impact on case families

### Our Actions

Set up a "Anti-Domestic Violence Education Group" to promote the concept of ZERO Domestic Violence in community

Lobby the community, compile policy responses and position papers, including responses to proposed policies, policy research reports, public opinion surveys, CEDAW shadow reports, etc

Organize community events for public education and advocacy, such as Human Library, Press Conference and so on to raise public awareness on violence-related issues

的配套及社區教育工作，以讓大眾了解「沒有保護罪」及強制虐兒機制，就著高風險的個案提早作出介入。同時，業界應繼續《保護兒童免受虐待：多專業合作程序指引》，加強跨專業合作，盡早識別迫切性及處理家庭危機，介入虐待個案。

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### 我們的倡議

參考世界衛生組織發出的《對性暴力受害人之醫療及法律支援指引》，在醫院設立設立一站式危機支援中心，處理受虐婦女的醫療、司法及社會服務需要

檢視現有就性暴力及親密關係暴力的指引及個案分類系統，並加強前線執法人員、法律專業、社會服務人員有關協助協助遭受暴力婦女的培訓，讓婦女能在求助的過程更快得到合適的支援

擴大家暴相關服務流動性，增加個案信息共享，如友善求助機制、加強社會服務機構聯繫、加強熱線服務聯繫、多元求助方法

提供住宿選擇，除增撥資源予庇護中心及婦女組織外，亦可資助家暴受害人租住酒店作過渡

提供緊急支援基金協助受害婦女或其家人應付生活開支、應付危機狀況、或緊急住屋開支，並為婦女提供房屋支援，包括資助使用其他住所作避難所、放寬申請恩恤分戶等，協助婦女離開施暴者

促進家事法庭現代化，視像及網上服務進一步拓展到家事法庭，以加快案件處理，減少對個案家庭的影響

### 我們的行動

組織「反家暴教育小組」，推動反家暴社區教育工作

向社會各界進行游說工作，編寫政策回應及立場書，包括回應擬訂政策、政策研究報告、民意調查、消除對婦女一切形式歧視公約（CEDAW）影子報告等

舉辦社區活動，進行公眾教育及倡導工作，例如真人圖書館、研究發佈會等



[https://womenscentre.org.hk/En/Advocacy/domestic\\_violence/](https://womenscentre.org.hk/En/Advocacy/domestic_violence/)



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