

HKSAR Legislative Council - Panel on Welfare Services  
Sub-Committee on Strategy and Measures to Tackle Domestic Violence and Sexual Violence  
[http://www.legco.gov.hk/yr14-15/english/panels/ws/ws\\_dv/general/dv1415.htm](http://www.legco.gov.hk/yr14-15/english/panels/ws/ws_dv/general/dv1415.htm)

**Oral Intervention**

**9 March 2015 at 2.30pm at Conference Room 2, Legislative Council Complex**

Good afternoon, Chairman and Sub-committee Members,

My name is Carmen Lam and I am the Senior Programme Manager at PathFinders.

**[I. Introduction:]**

PathFinders is a Hong Kong charity. We ensure that the most vulnerable children born in Hong Kong and their migrant mothers, are respected and protected. To date, PathFinders has helped close to 2,500 babies, children and migrant women in Hong Kong.

**[II. The Issue:]**

Women experiencing domestic and/or sexual violence approach PathFinders either during their employment as a foreign domestic worker; or after the woman's employment has been unlawfully terminated by the employer for the sole reason that the woman is pregnant. [PathFinders operates 2 shelters [without any government support]].

**[III. PathFinders' Shelter Services-related Recommendation and Requests:]**

For PathFinders' clients, accessing shelter services and support is typically complicated by a variety of factors including:

1. A fear of interacting with official or formal individuals and/or organisations;
2. A lack of knowledge about what services are available and how to access those services; and
3. Prior attempts to access governmental or quasi-governmental services where they encountered race and/or gender discrimination, language barriers and an absence or lack of sufficient cross-cultural understanding and sensitivity.

PathFinders would like to see those developing or providing shelter services recognising and responding to the unique situation PathFinders' women and children face, specifically:

- 1. Increased government inter-departmental and inter-governmental collaboration, communication and cooperation.** This is crucial given the multi-dimensional issues our clients face including immigration, homelessness, financial difficulties, lack of access to medical care, possible or pending criminal charges, the absence of a support network, and mental and other health issues;
- 2. Increased knowledge within the migrant and FDW communities of the services that are available, the terms on which they are available and how to access them.** Much more can and should be done in this regard not just within the migrant community, but also amongst employers, consulates, employment agencies and NGOs;
- 3. Language and cultural characteristics of migrants, FDWs and their children need to be considered and services and programmes developed and tailored appropriately.** The discrimination these women and children experience is, in part, due to a lack of understanding of their cultural and linguistic needs.
- 4. Sensitivity training not only for service providers but also for all officials who come into contact with these women and children.** They should be trained to:

- (1) deal with them in a non-judgmental, culturally sensitive way in their own language or with the help of a properly trained interpreter; and

(2) detect indicators of abuse that may present differently due to cultural and language differences.

[This type of training could be provided to officials within the police, immigration, medical and welfare service sectors and should ideally be developed in collaboration with the relevant and appropriate cultural and community liaisons, consular officials and NGO organisations.]

5. **Where a foreign domestic worker (such as the recent case of Erwiana) lodges a complaint of domestic/sexual violence against her employer and/or a connected party, relax or waive the live-in requirement pending completion of the police investigation and prosecution.** Additionally, develop alternative safe-shelter options for the interim period specifically for FDWs;

Thank you

多謝主席

1) 簡介

**PathFinders** 是註冊的慈善機構。我們是確保在香港出生的兒童和他們的外籍傭工母親得到社會的尊重和保障。到目前為止，已經協助接近二千五百個求助個案。

2) 問題

向我們求助的外傭婦女包括在工作期間遭受家庭或性暴力對待，或者因為懷孕而遭受僱主非法解僱。我地沒有政府任何資助下，現正提供臨時庇護所給有需要的人士。

3) 臨時庇護所相關的建議和要求

對受助者來講，有好多不同的因素令他們難以得到社區的支援。

3.1 佢地好驚同政府執法人員，社會團體或人士接觸；

3.2 由於缺乏相關資訊，佢地唔清楚有什麼服務可以幫到她們或求助途徑；

3.3 曾經接觸政府部門時受到不公平對待，種族或性別歧視，或遇到語言障礙和背景文化的誤解。

4) 希望社區團體能夠為這批婦孺提供庇護服務，針對她們的需要。我們有以下五項建議：

4.1 加強政府部門之間的合作。受助人一般遇到入境，住宿，經濟困難，缺乏醫療保障，社區支援，擔心受到刑事檢控，身心健康等均受到影響；所以各部門溝通至為重要。

4.2 增加外傭對社區服務的認知，提供諮詢服務，讓她們較容易得到社區支援，不單是教育外傭，而僱主，領事館，中介公司和其他團體都應該在這方面有一定認識。

4.3 在發展和規劃社會服務時，應該要考慮她們的背景，教育，文化，語言差異。

4.4 為政府各部門及服務機構提供“敏感度”培訓，如警民關係組，入境處和醫護人員，社福界別等，培訓範疇包括：

- 處理她們的個案時，不要用批判的態度，對文化和語言差異要有敏感度，提供專業翻譯員從旁協助；
- 由於文化語言背景不同，特別要細心觀察受虐者的表徵。

4.5 外傭投訴僱主虐待期間，(好似近期的 **Erwiana** 個案)，應為外傭提供臨時的住宿安排，以便警方進行調查及搜集相關證據，避免令受害者受到不必要的滋擾。可考慮放寬或豁免同住的入境簽證條件，避免類似情況發生。

總括來講，社會忽略外傭受到家庭暴力或性虐待的問題，**PATHFINDERS** 希望政府及社會各界關注問題，採取相關措施協助受害人得到公平的對待。

多谢!