

Education Bureau Circular No. 5/2018
Handling Suspected Cases of Child Abuse and Domestic Violence

Note: This circular should be read by

- (a) Supervisors/Heads of all primary, secondary, special schools, kindergartens and kindergarten-cum-child care centres – for necessary action;
- (b) Heads of Sections – for information; and
- (c) Regional Education Offices and Joint Office for Kindergartens and Child Care Centres – for information and necessary action

Summary

This circular updates schools of the procedures and points to note for handling suspected cases of child abuse and domestic violence. Schools are advised to keep an eye on the conditions of students for early identification and intervention. Schools are also reminded to take appropriate measures to provide assistance to the children concerned and their families in accordance with the “Procedural Guide for Handling Child Abuse Cases (Revised 2015)” (Procedural Guide) and the “Procedural Guide for Handling Intimate Partner Violence Cases (Revised 2011)”. Schools are requested to bring the content of this circular to the attention of all school personnel. This circular supersedes EDBC No. 1/2016 dated 26 January 2016.

Background

2. Protecting children from abuse is the collective responsibility of various professionals who may come into contact with children. Effective child protection is built on multi-disciplinary co-operation. To safeguard the best interests of children and to protect children suspected to be abused or having been abused, the Social Welfare Department (SWD) has, in collaboration with the Labour and Welfare Bureau (LWB), Education Bureau (EDB), Department of Health (DH), Hong Kong Police Force (Police), Hospital Authority (HA), the Hong Kong Council of Social Service (HKCSS), and relevant non-governmental organisations (NGOs) and professionals, drawn up and

issued the Procedural Guide for reference to different professionals and those who may come into close contact with children because of their job nature (including school personnel) on initial assessment, investigation, multi-disciplinary case conference and follow-up of welfare plans when encountering suspected cases of child abuse.

3. The SWD specifically points out in the Procedural Guide for Handling Intimate Partner Violence Cases to related officers that children who have encountered or witnessed domestic violence may be affected by the traumatic experience. Therefore, when officers provide intervention services, they should not be confined to victims. The officers concerned should also ensure the immediate safety of the victim's children, render early assistance and support to them, stay sensitive and alert to their needs and have a clear understanding of the assistance that may be provided by other professionals. Whenever necessary, prompt referrals to other Government departments or agencies should be made as soon as practicable.

Details

4. In handling child abuse and domestic violence cases in schools, the paramount concern is the welfare and safety of the children. School personnel have an obligation to safeguard the best interests of the students and must be sensitive to the signs and symptoms of students being abused or affected by domestic violence so as to early identify the suspected cases and provide early intervention. Failure to recognise abuse cases may cause further harm to the students concerned. School personnel should address the emotional needs of the students in the course of investigation and after completion of investigation, and render appropriate support to help the student re-integrate and adjust to the school life. All school personnel in kindergartens, kindergarten-cum-child care centres, primary schools, secondary schools and special schools are reminded to pay attention to the content of Chapter 2 of the Procedural Guide on "Understanding of Child Abuse", especially on "Indicators of Possible Child Abuse", "Checklist for Identifying Possible Child Abuse" and "Guide to Risk Assessment" on identifying suspected child abuse cases and Chapter 23 on "Educational Services" on handling child abuse cases. The main points are summarised as follows:

Handling Child Abuse Cases

5. When school personnel spot any physical or behavioural indicators of child abuse (please see Overview of Identifying Possible Child Abuse at [Appendix 1](#)) through direct contact with students in the delivery of lessons or school activities, they should take the following actions as appropriate no matter if the student is attending school as usual, absent continuously or absent intermittently.

6. The first person who comes into contact with the student concerned should inform the school supervisor/principal/designated teacher(s). The school should activate immediately the school-based contingency arrangements/Crisis Management Team and assign designated personnel (e.g. kindergarten principal, senior teacher or designated teacher, school social worker or guidance personnel) to make an initial attempt to understand the student's conditions and conduct an initial assessment. The established principles and procedures should be followed in the follow-up and handling of suspected child abuse cases. It is crucial to only involve the relevant staff in conducting initial assessment and intervening in a suspected child abuse case and to avoid requiring the student to describe the incident(s) repeatedly.

7. During initial assessment, schools may, if necessary, consult the Family and Child Protective Services Units (FCPSUs) of SWD for professional advice on case handling. If the student concerned is not a case subject of the school social worker, schools should check with the respective SWD/NGO units to see if it is a new case or a known case (for contact information, please refer to Appendix XXIII of the Procedure Guide). If schools provide sufficient information, the SWD/NGO units will inform them whether it is a new case or a known case as early as possible. For a new case in a kindergarten which does not have a social worker or guidance personnel, the kindergarten may contact the respective FCPSUs for follow-up services.

8. When it is necessary to refer a suspected child abuse case to FCPSUs, schools could make referral by telephone first in case of emergency and then complete the referral letter enclosed in Appendix 2 and fax it to FCPSUs of the respective districts with acknowledgment of receipt from the respective unit to ensure that the case has been followed up. If schools only consult social workers of FCPSUs, they do not need to use the referral letter.

9. For a known case, schools should inform the caseworker of the units concerned to take over the case as soon as possible. Schools should also discuss with the responsible caseworker or the social worker of FCPSUs of the known case to decide whether it is necessary to take immediate actions to protect the child e.g. whether it is necessary to arrange the student to go to a public hospital for medical examination/treatment. When urgent actions are needed but it is unable to contact the caseworker/supervisor of the caseworker/duty social workers, schools may contact the respective FCPSUs during office hours (from 8:45 am to 5:00 pm on Mondays to Fridays, and from 9:00 am to 12:00 noon on Saturdays (excluding public holidays)), according to the place of residence of the guardian for professional advice and assistance (for contact methods, please refer to Appendix VII regarding the List of FCPSUs in the Procedural Guide). For services beyond the time stated above (after office hours), schools can also call the 24-hour SWD Departmental Hotline (Tel. No. : 2343

2255). When outside the aforesaid duty hours (including public holidays), callers can choose to transfer their calls to the Hotline and Outreaching Service Team as operated by Tung Wah Group of Hospitals for assistance from social workers.

10. If parent(s)/guardian(s) is/are suspected to be involved in the abuse, schools **do not need**¹ to seek the prior consent of parents when making a referral of a suspected child abuse case to the school social worker/known case to the caseworker or FCPSUs. If schools need to contact the parents during the process, they may consult FCPSUs first for handling methods.

11. In circumstances that suggest a criminal offence may have been committed and the case is in a severe situation, or the life of the child concerned is being threatened where immediate action is needed (such as serious physical abuse), schools should report the case to the Police by phone as early as possible. Withholding the information or delay in making reports of child abuse cases may affect the child or other persons' safety. If a suspected child abuse case is non-urgent, schools are advised to report it to the Police in a written form by completing the Report Form for Reporting Suspected Child Abuse Cases to the Police at Appendix 3 and Written Dated Notes at Appendix 4 (these forms are enclosed in Appendix IX and Appendix X of the Procedural Guide). Schools may submit the forms to the Child Abuse Investigation Units (CAIUs) direct or through FCPSUs. When reporting a suspected child sexual abuse case to the Police and the alleged offender is a family or an extended family member of the child or is entrusted with the care of the child, or if the case involves a number of abused children, schools may contact FCPSUs first because of the sensitivity and complexity of the case. Social workers of FCPSUs will contact the CAIUs of the Police for joint investigation. Whenever necessary, schools can consult the School Liaison Officers of the Police or social workers of FCPSUs for advice and support.

12. The responsible social worker will carry out social enquiry/investigation and then convene the "Multi-Disciplinary Case Conference on Protection of Child with Suspected Abuse" (MDCC) in order to formulate the welfare planning of the child. The relevant school personnel should attend MDCC and prepare a written report for reference of MDCC. The content of the report may include the student's performance, conduct, emotional state at school, parental attitude and any previous incident(s) of suspected abuse, etc.

13. Regarding the details of the Procedural Guide, please refer to the webpage of the SWD at https://www.swd.gov.hk/en/index/site_pubsvc/page_family/sub_fcwprocedure/id_1447/. In addition

¹ Under section 58, Personal Data (Privacy) Ordinance (Cap.486), if personal data is used or disclosed for the purposes of the prevention or detection of crime; or the prevention of seriously improper conduct by persons and the above purposes cannot be achieved without such use or disclosure, the use or disclosure is exempt from data protection principle 3 (use of personal data). For details of the use of personal data under the Personal Data (Privacy) Ordinance, please refer to paragraphs 4.11 to 4.16 in Chapter 4 "Information Sharing and Confidentiality in the Procedural Guide".

to Chapters 2 and 23, school personnel should pay particular attention to the following chapters of the Procedural Guide:

- Chapters 5 to 7 : Multi-disciplinary Collaboration
- Chapter 11 : Multi-disciplinary Case Conference on Protection of Child with Suspected Abuse (MDCC)
- Chapter 27 : Allegations against Staff, Carers and Volunteers

Handling Child Sexual Abuse Cases involving School Staff

14. In handling suspected child sexual abuse cases when the alleged perpetrator is a school staff, schools are requested to strictly observe the procedures at Appendix 5 to maintain effective communication among the caseworkers concerned (e.g. School Social Worker/guidance personnel), schools, the EDB and other relevant government departments to ensure that appropriate follow-up actions are taken for the victims and the suspected abuser and that the safety of other students in the school is also safeguarded.

Protecting Children from Sexual Abuse

15. The EDB encourages schools (including kindergartens, primary schools, secondary schools and special schools) to raise students' awareness of self-protection through different means, such as teaching topics related to understanding the body and protecting oneself and designing related learning activities. The EDB also encourages schools to organise sex-related preventive and developmental guidance activities for students to further enhance sex education at story times, morning assemblies, afternoon assemblies, weekly assemblies, class teacher lessons, talks or through other learning experiences in the senior secondary curriculum to teach students how to protect their bodies, say no when they feel offended, and seek help when necessary, from teachers, family members, guidance personnel or relevant organisations. Besides, schools are also encouraged to use the teaching resources provided by the EDB, such as sex education animation resources and lesson plans covering prevention of sexual abuse when providing guidance services, and strengthen related parent education to remind parents of the need to protect their children against sexual assaults.

16. To further safeguard the well-being of children, schools are strongly advised to adopt the Sexual Conviction Record Check (SCRC) Scheme in their appointment procedures. For details of the implementation of the SCRC Scheme, schools may refer to the website (https://www.police.gov.hk/ppp_en/11_useful_info/scrc.html) and the relevant circulars/guidelines issued by the EDB.

Handling Domestic Violence Cases

17. Domestic violence generally refers to the violence which takes place among family members. Intimate partner violence is a kind of domestic violence. It refers to battering that occurs in a relationship between a couple who live or have lived together intimately. They maintain or have maintained a lasting intimate relationship which is more than just brief encounter. They can be married couples, cohabiters and separated spouses/cohabiters, etc. The forms of violence may include one or more than one of the followings: physical violence, sexual violence, or psychological abuse.

18. Students who have been exposed to domestic violence may suffer from fear, distress, anger, confusion and frustration. As students may usually not take the initiative to disclose the problem in their families, school personnel are advised to be sensitive to the traits manifested by the students affected so as to provide them with immediate and necessary assistance. In handling intimate partner violence cases, schools should follow the procedures as stipulated in the “Procedural Guide for Handling Intimate Partner Violence Cases (Revised 2011)” (https://www.swd.gov.hk/en/index/site_pubsvc/page_family/sub_fcwprocedure/id_1450/) drawn up in collaboration with relevant government departments, NGOs and related professionals and issued by SWD. Schools should pay particular attention to the following chapters and appendices:

- Chapter 2 : Multi-Disciplinary Collaboration in Handling Intimate Partner Violence Cases
- Chapter 8 : Schools
- Appendix I : Identification of Intimate Partner Violence - Impacts of Intimate Partner Violence on Children
- Appendix II : Risk Factors on Child Abuse and Spouse Battering

19. In case the students are also suspected of being abused by the batterer, schools should observe the procedures as stipulated in the Procedural Guide mentioned in paragraphs 4 to 13 to safeguard the welfare and safety of the student.

20. Schools/designated personnel involved, in the course of handling suspected child abuse cases or domestic violence cases, should adhere strictly to the principle of confidentiality. The information collected should be shared on a need-to-know basis with relevant parties concerned such as the principal, the responsible social worker and the Police as soon as possible. All records must be kept centrally and access to these records within schools must be restricted and recorded. Under no

circumstances should these records be kept with the students' general records.

Enquiries

21. For enquiries, please contact the Guidance and Discipline Section at 2863 4705.

Ms Y Y SO

for Secretary for Education

Overview of Identifying Possible Child Abuse

The content below is excerpted from Chapter 2 “Understanding of Child Abuse” of the Procedural Guide for reference. It aims to help the school personnel to have an initial understanding of the indicators of possible child abuse. For further detailed information, please refer to Chapter 2 of the Procedural Guide.

● **Physical Abuse**

- (a) Bruises and Welts
 - Should be interpreted with reference to different indicators, e.g. number, size and distribution of the bruises. Bruises unlikely to be accidental are suspicious
- (b) Lacerations and Abrasions
 - Laceration to the fraenulum, i.e. the piece of tissue that connects the upper lip to the upper gum in the middle, may be indicative of forced feeding
- (c) Burns and Scalds
 - Burns/scalds from unintentional and intentional origin may be difficult to differentiate
 - Some inflicted burns may assume the shape or pattern of the burning objects, e.g. heated plate, cigarette
 - “Glove and/or stocking” distribution is indicative of dunking (immersion) scald of a limb or buttock
- (d) Fractures
 - These should be interpreted/handled according to the situation of each case individually
- (e) Internal Injuries
 - Brain/head injuries
 - May be due to direct impact, shaking or penetrating injuries
 - Abdominal injuries
 - Perforation of internal organs may lead to abdominal pain and vomiting
 - Serious injuries or even death may occur without any external signs of injuries. Hence, a high degree of suspicion is required for checking abdominal injury
- (f) Others
 - Fabricated or induced illnesses by carers, including Munchausen’s Syndrome by Proxy
 - Hair loss by pulling or burning

● **Sexual Abuse**

- (a) Physical Indicators
 - Torn, stained or bloody underclothing
 - Complaints of pain on urination
 - Complaints of pain, swelling or itching in the genital area
 - Early adolescent pregnancy
- (b) Behavioural Indicators
 - Sexual knowledge or behaviour that is abnormally advanced for the respective age of the child.
 - Excessive reaction to being touched.
 - Intensive dislike for being left somewhere or with a certain person.

● **Neglect**

- (a) Physical and Environmental Indicators
 - Delayed development
 - Malnutrition, under-weight, or lacking sufficient quantity and/or quality of food
 - Unattended physical problems or unmet medical/dental needs
 - Chronically dirty/unkept
 - Habitual absence from school or deprivation of schooling
 - Left in care of inappropriate carer (e.g. young child)

(b) Behavioural Indicators

- Persistent complaints of hunger or rummaging for food, overtly aggressive eating habit or begs for/steals food
- Assumes responsibilities inappropriate to age
- Being made to work excessive hours/beyond physical ability
- Reluctant to return home
- Runs away from home

● **Psychological Abuse**

(a) Physical Indicators

- Failure to thrive
- Developmental delay e.g. speech disorder
- Anorexia nervosa

(b) Behavioural Indicators in Child

- Lags in mental, emotional, social development
- Learning disorder e.g. marked deterioration in academic performance
- Disruptive behaviour or conduct problems
- Self-harm or suicidal thoughts/attempts
- Sleep disturbance
- Appetite disturbance
- Wetting/soiling

(c) Behavioural Indicators in Family

- Rejection
- Constant scolding
- Humiliating criticism
- Encouraging deviant behaviour
- Bizarre punishment

If it is noted that a student has the above abused symptoms, school personnel may consult social worker of FCPSUs for professional advice. However, school personnel should pay attention to the following when using the above indicators:

- Physical indicators are usually readily observable and may be mild or severe. Behavioural indicators may be subtle or they may be presented in the child's drawings or while he/she is playing. Schools could pay attention to the difference of performance of students in school.
- Behavioural indicators may exist alone, or in combination with physical indicators. The presence of a single or even several indicators may not necessarily prove that child abuse exists. However, the possibility of child abuse should be seriously considered to ensure the safety of children.
- The possibility of child abuse should be seriously considered in case of repeated occurrence of an indicator, presence of several indicators in combination, or presence of serious injury.
- The behavioural indicators in different categories of child abuse might be interchangeable and should be applied as appropriate.
- The indicators are not exhaustive and due consideration should be taken according to the age appropriateness of the child and his/her ability.
- The behaviour and attitudes of the parents, their own life histories, or even the conditions of their home, can also offer valuable clues to the presence of child abuse, e.g. parent's rigid or unreasonable expectation on the child, alcoholism or drug abuse of parents, or chaotic or obsessively organised home.
- If schools have any doubts on the nature or severity of the injury of the child, schools should arrange a medical treatment for the child as soon as possible.

Sample Referral Letter (For Reference Only)

Family and Child Protective Services Units
()
Social Welfare Department
Fax Number :

School Name/Address :

Sir / Madam :

REFERRAL OF SUSPECTED CHILD ABUSE CASE

I am writing to refer a suspected child abuse case occurred on _____ (Date) to your unit. The information of the case is as follows for your reference:

A. INFORMATION OF THE SUSPECTED ABUSED CHILD AND HIS/HER FAMILY

Name of Child : _____ Sex : _____ Date of Birth/Age : _____
I.D./Passport/Birth Cert. Number : _____ Present Location : _____
Name of Parent/Carer : _____ Relationship : _____
Address : _____
Tel. No. : _____ **Immediate Danger of Child : YES / NO**
Remarks (e.g. Any Disability or Special Needs of the Child) : _____

B. INCIDENT INFORMATION

1. Date/Time/Location of Incident : _____
2. Type of Abuse : Physical Sexual Psychological Neglect Others (Tick one or more)
3. Name/H.K.I.D. No. of Suspected Abuser (If known) : _____
4. Relationship of Suspected Abuser with Victim : _____
5. Description of Incident/Indicators of Suspected Abuse : _____

6. Other Related Information (If Any) : _____

Please follow up this case and contact _____ (Name) at (Contact No.) at _____ (Available Time) for any enquiries.

(Principal Name)

Date : _____

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From : FCPSUs of the Social Welfare Department (Fax. No. : _____) Date : _____
To : Principal of _____ (School Name) (Fax. No. : _____)

REPLY SLIP

The above referral has been received. After consideration:

- The referral is ACCEPTED. The case is now being followed up by _____ (Name). You may contact him/her at _____ (Contact No.).
- The referral needs FURTHER CONSIDERATION. Please contact _____ (Name) of our unit at _____ (Contact No.) to provide further details of the case.
- After initial assessment and discussion with school personnel, the case will be :
 - handled/followed up by _____ (Name) of _____ (Organisation) on _____ (Date). His/Her contact No. is _____.
 - followed up by the school guidance personnel/school social worker.

If you have any questions, please contact _____ (Name) at _____ (Contact No.) of our unit.

(Confidential)

Report Form for Reporting Suspected Child Abuse Cases to Police

(to be completed by Informant and / or sent together with the Written Dated Notes (Appendix X))

A. INFORMANT

Name : _____ Rank/Post : _____
Name of Agency : _____ Unit : _____
Address : _____
Tel. No. : _____

B. VICTIM

Name : _____ Sex : _____ Date of Birth : _____
Home Address : _____
Present Location : _____ Tel. No.: _____
School : _____ Class : _____
Any Disability or Special Needs of the Child : _____

C. PARENTS/CARER

Name: _____	Name : _____
H.K.I.D. No.: _____	H.K.I.D. No.: _____
Sex/Age : _____	Sex/Age : _____
Relationship : _____	Relationship : _____
Address : _____	Address : _____
_____	_____
Tel. No.: _____	Tel. No.: _____
(Home / Mobile)	(Home/ Mobile)

D. SIBLINGS

1. _____ 2. _____
(Name, Sex/Age)
3. _____ 4. _____
5. _____ 6. _____

E. INCIDENT INFORMATION

1. Date and Time of Incident: _____
2. Location of Incident : _____
3. Type of Abuse : Physical Sexual Psychological Neglect Other
(Tick one or more)
4. Narrative Description : _____

5. How the Informant is Aware of the Information : _____

6. Any Known History of Similar Incident for Victim : _____

7. Name/H.K.I.D. No. of Suspected Abuser : _____

8. Relationship of Suspected Abuser with Victim : _____

9. Name of Other Witness(es) : _____

10. Other Agency/Government Departments Involved : _____

11. Result of Child Protection Registry Check : _____

(If there are more than one incident, please use a separate sheet to provide the information.)

Signature: _____

Name: _____

Agency / Department : _____

Unit: _____

Tel. No.: _____

Date: _____

(Confidential)
Written Dated Notes

(This form is to be forwarded with
the Report Form (Appendix IX) in making a report to Police)

1. File Reference : _____
2. Name of the Child : _____
3. Sex/Age of the Child : _____
4. Family Members in Brief : _____
5. Nature of Abuse : Physical Sexual Psychological Neglect Other
6. Information Collected :

Date/Time	Details

Signature: _____

Name: _____

Agency / Department : _____

Unit: _____

Tel. No.: _____

(This Document may be submitted to Court as legal evidence)

Communication Flow for Handling Child Sexual Abuse Cases Involving School Staff

Communication among the caseworkers concerned (e.g. Responsible Person of School/School Social Worker/Guidance Personnel), schools, the EDB and the other relevant government departments on child sexual abuse cases involving school staff as suspected abusers is as follows:

1. Victim and Suspected Abuser from the Same School

- (a) The caseworker concerned (e.g. Responsible Person of School/School Social Worker/Guidance Personnel) should inform the school supervisor/head of the abuse case and consult, as soon as possible, FCPSUs or the responsible Police Unit, in order to discuss the handling procedure.
- (b) The school supervisor/head should make reference to the risk assessment of the caseworker in providing appropriate support for the victim and considering other follow-up actions in the school, e.g. investigating whether there are other victims in the school and cooperating with the investigation work.
- (c) The school supervisor/head should then inform the relevant Regional Education Office or the Joint Office for Kindergartens and Child Care Centres of the EDB.
- (d) The School Development Officer concerned of the Regional Education Office or the Joint Office for Kindergartens and Child Care Centres of the EDB can further consult relevant professionals as necessary and make recommendations for follow-up actions with regard to the victim and the suspected abuser in the school.

2. Victim and Suspected Abuser NOT from the Same School

School of the victim

- (a) Having consulted FCPSUs of SWD or the responsible Police Unit, the caseworker concerned should inform the school supervisor/head of the victim's school for the benefit of the students upon obtaining consent from the victim and his/her parents. However, according to the principle mentioned in paragraph 10 of this circular, in order to safeguard the safety and welfare of students in school, if it is possible that there are more than one victims in the same school, the caseworker should inform the school supervisor/head without the consent from the victim and his/her parents.
- (b) The school supervisor/head should then inform the relevant Regional Education Office of the EDB or the Joint Office for Kindergartens and Child Care Centres and consult the relevant professionals for appropriate support for the victim and other follow-up actions in school.

School of the suspected abuser

- (a) The caseworker concerned should, through the school supervisor/head of the victim, inform the relevant EDB Regional Education Office or the Joint Office for Kindergartens and Child Care Centres of the school of the suspected abuser after consultation with FCPSUs of SWD or the responsible Police Unit.
- (b) The school supervisor/head should make reference to the risk assessment of the caseworker in considering follow-up actions in the school.
- (c) The School Development Officer of the Regional Education Office concerned or the Pre-primary Services Officer of the Joint Office for Kindergartens and Child Care Centres of the EDB can further consult the relevant professionals as necessary and make recommendations to schools for follow-up actions with regard to the suspected abuser.