

**WOMEN'S COMMISSION**  
**Notes of the 69<sup>th</sup> Meeting held on 18 June 2012**

<u>Present:</u>	Mrs Stella LAU	(Chairperson)
	Mr Paul TANG	(Vice-chairperson)
	Ms Teresa AU	
	Ms AU YEUNG Po-chun	
	Dr Maggie KOONG	
	Prof LAM Ching-man	
	Ms Leona LAM	
	Mr Christopher LAW	
	Mrs Ayesha M LAU	
	Ms Ally LEE	
	Dr LEUNG Lai-ching	
	Mr Robert WONG	
	Ms Sandy WONG	
	Ms WONG Shu-ming	
	Ms Constance YUE	
	Ms Caran WONG	Assistant Director (Family and Child Welfare), Social Welfare Department
	Miss Emily CHAN	Assistant Secretary 5B, Constitutional and Mainland Affairs Bureau
<u>Absent with Apologies:</u>	Dr Raees BAIG	
	Dr Polly CHEUNG	
	Mr Ronnie HUI	
	Ms Ada LAM	
	Dr Trisha LEAHY	
	Mrs Miranda LEUNG	
<u>In attendance:</u>	Ms Catherine WONG	
	Mrs Alison LAU	PAS (Welfare)2
	Mr Louis LO	AS (Welfare)2A (Secretary)
	Mr Andrew FAN	AS (Welfare)2C
	Ms Cheryl TSANG	SEO(Welfare)2
	Miss Ida TSE	PPO(Welfare)2
	Mr LEUNG Shek-hay	RPO(Welfare)2

Ms Shirley CHAN

EA(Welfare)2

For Agenda Commerce and Economic  
Item 1: Development Bureau

Mr Joe WONG

Deputy Secretary  
(Communications and  
Technology), Commerce and  
Economic Development  
Bureau

Mr Eric CHAN

Assistant Director (Film,  
Newspaper and Article  
Administration), Office of the  
Communications Authority

### **Opening Remarks by the Chairperson**

1.1 The Chairperson welcomed Mr Joe WONG and Mr Eric CHAN to the meeting to brief members on the second round of public consultation on the review of the Control and Obscene and Indecent Articles Ordinance (COIAO).

### **Item 1: Second Round of Public Consultation on the Review of the COIAO (WoC 06/12)**

2.1 The Administration introduced the paper WoC 06/12.

2.2 Some Members indicated support to the Administration's proposal of segregating the administrative classification and judicial determination functions of the Obscene Articles Tribunal (OAT). It was also suggested that enforcement of the COIAO could be strengthened by means of, for example, increased manpower support in the respective enforcement agencies.

2.3 Some Members agreed with the Administration's proposal to increase the maximum penalty for publishing obscene or indecent articles so as to enhance the deterrent effect. On the other hand, some Members worried that a heavy penalty would curtail freedom of speech and hinder development of arts and culture. Some Members opined that it would be more effective to impose heavier

sentences on convicted offenders than to increase the maximum penalty as stipulated in COIAO.

2.4 Some Members considered it important to establish clear definitions of “obscene” and “indecent”, while others considered that it might be more desirable to rely on the adjudicators’ moral judgments on what constituted obscenity and indecency.

2.5 Some Members suggested providing more IT training for parents as they needed to monitor their children’s use of the internet. It was also suggested that filtering software be developed and provided to parents.

2.6 In response to Members’ comments, the Administration said that there were diverse views on whether more detailed definitions on “obscenity and indecency” should be stipulated in the law in the last round of public consultation. Reasons as to why it might not be appropriate to stipulate detailed definitions in the legislation were set out in the second round public consultation document, e.g. people might have different responses to the same article and as social values differ among individuals, it would be extremely difficult, if not impossible, for the public to reach a consensus on what should be included in the definitions.

2.7 On the level of penalty, the Administration explained that the proposal was intended to enhance the deterrent effect of COIAO. The Administration had absolutely no intention to restrict free flow of information and freedom of expression, and would strike a balance between applying standards of public decency to articles and preserving free flow of information and safeguarding freedom of expression.

2.8 On public education, the Administration said that a subsidising scheme had been launched to assist schools and non-governmental organisations to conduct publicity and public education programmes to promote the COIAO to parents and youngsters and educate them on the use of internet. In this respect, certain Internet Services Providers had been providing free filtering software to their subscribers. The Administration also organised

publicity programmes to promote the use of such software among parents and young people. Filtering softwares were also distributed to parents free of charge.

2.9 In response to members' enquiry, the Administration confirmed that the Commerce and Economic Development Bureau would use the Gender Mainstreaming Checklist in taking forward the COIAO review exercise.

**Item 2: Progress Report of Women's Development Goals (WoC 07/12)**

3.1 The Secretariat introduced the paper WoC 07/12.

3.2 Members raised the following views and suggestions at the meeting –

- women's participation in decision-making, including participation in advisory and statutory bodies (ASBs) and District Councils, should be further enhanced This would set a good example for the private sector to follow;
- the Government should step up promotion for family-friendly employment policies and practices, including building more breast-feeding rooms and encouraging the business sector to introduce paternity leave;
- more information on the handling of domestic violence cases by the Police and the implementation of the Domestic and Cohabitation Relationship Violence Ordinance (DCRVO) (Cap. 189) should be provided;
- in addition to programmes that assist new arrivals to adapt to the environment in Hong Kong, more support services should be provided to help them resolve various family-related problems;
- a target completion date for the on-going initiatives like

the review of benefits of non-continuous contracts under the Employment Ordinance (Cap. 57) should be provided as far as practicable;

- the provision of continuous learning for women should focus on nurturing women leader rather than skill training for women workers; and
- since some strategies and follow-up actions were on-going initiatives, WoC should continue to review the progress of the women's development goals as appropriate.

3.3 In response to members' comments, the Administration made the following responses -

- some follow-up actions, e.g. monitoring the implementation of DCRVO and enhancing women's participation in ASBs, were on-going initiatives and it would be difficult to set a target completion date for such items. Relevant bureaux/departments could be invited to brief Members on latest development of individual items at WoC meetings as appropriate;
- the Government would need to be careful and listen to the views of different stakeholders in reviewing the benefits of non-continuous contracts under the Employment Ordinance and introducing a territory-wide paternity leave as these suggestions would have significant impact on small and medium enterprises;
- consideration could be given to inviting the Food and Health Bureau to brief WoC members on the latest development of the promotional initiatives for breast feeding at an appropriate juncture; and
- on enhancing the status of women in family, the Labour Department had been promoting family-friendly employment policies and practices in the workplace and

efforts on that front would continue. In addition, the Family Council was also in a good position to tackle the issue from a holistic perspective.

3.4 The Meeting agreed that WoC should continue to review and monitor development of the different initiatives. Since it took time for relevant bureaux and departments to achieve further progress and taking into account the meeting schedule of WoC and the need for it to work on areas other than the development goals which were also of concern to women, the meeting agreed that the women's development goals should be reviewed on a yearly basis. Besides review at WoC meetings, there would be other venues to discuss and review progress. For example, the WoC Conference to be held in December 2012 would provide a good opportunity for WoC and the women sector to jointly review the progress of the development goals and various initiatives.

3.5 As suggested by some members, consideration could also be given to focus on a few areas where substantial progress had been made, such that the discussion could be more focused and in-depth when WoC next review the progress.

**Item 3: Confirmation of Minutes of the 68<sup>th</sup> Meeting (WoC 08/12)**

4.1 The minutes of the 68<sup>th</sup> meeting were confirmed without amendment.

**Item 4: Verbal Reports by Working Groups**

5.1 The Meeting noted the verbal reports made by the respective working groups.

**Item 5: Secretary's Report (WoC 09/12)**

6.1 The Meeting noted the paper WoC 09/12.

## **Item 6: Any Other Business**

7.1 The Chairperson informed the meeting of the outcome of the WoC retreat which was held on 19 May. It was agreed that “Women Wellness” would be adopted as the theme of WoC in 2012. Such theme would also be applied to the “Funding Scheme for Women’s Development” this year. It was also agreed that WoC would start to promote gender mainstreaming in non-governmental sectors.

7.2 The Chairperson reported that she had a meeting with the Chairperson of the Equal Opportunity Commission (EOC). The EOC Chairperson appreciated the work of WoC and agreed that WoC and EOC should strengthen collaboration on issues of mutual concerns. In view of the recent public concerns about sexual harassment, the Chairperson of EOC agreed to jointly organise a forum on preventing sexual harassment in universities with WoC.

*[Post-meeting Notes: The Forum on Preventing Sexual Harassment in Universities was held on 14 August. About 100 university staff, teachers and students attended the forum.]*

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**Women’s Commission Secretariat  
September 2012**