

WOMEN'S COMMISSION
Notes of the 86th Meeting held on 16 February 2017

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| <u>Present:</u> | <p>Mrs Stella LAU Miss Annie TAM</p> <p>Professor Cecilia CHAN Ms CHAN Yuen-han Ms Susanna CHIU Ms Aruna GURUNG Professor Shirley HUNG Ms Leona LAM Mrs Emily LAM HO Dr Kevin LAU Mrs Miranda LEUNG Ms Elaine LO Ms Yolanda NG Ms Scarlett PONG Ms WONG Siu-wah Ms Yvonne YEUNG</p> <p>Ms Carol YIP Ms Ellen CHOW</p> | <p>(Chairperson) Permanent Secretary for Labour and Welfare (PSLW) (Vice-chairperson)</p> <p>Director of Social Welfare Assistant Secretary (Constitutional & Mainland Affairs)5B, Constitutional & Mainland Affairs Bureau</p> |
| <u>Absent with Apologies:</u> | <p>Ms Angelina KWAN Ms Juan LEUNG Dr. Loletta SO Mr. Philip TSAI Ms WONG Shu-ming Ms Rabi YIM</p> | |
| <u>In attendance:</u> | <p>Miss Leonia TAI Miss Agnes CHEUNG Ms Winnie CHAN Mr. Mickey WAI Mrs Annie CHAN</p> | <p>DS(Welfare)1 PAS(Welfare)2 AS(Welfare)2A (Secretary) AS(Welfare)2C CEO(SD)</p> |

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| For Agenda Item 3 | Ms. CHEUNG Yi Mei, Amy | Assistant Director of Planning / Territorial, Planning Department |
| | Ms. CHAN Hau Yin, Margaret | Senior Town Planner / Strategic Planning, Planning Department |
| | Miss CHU Suet Wa, Ivy | Town Planner / Strategic Planning, Planning Department |
| For Agenda Item 4 | Mr Eric T M Cheung | Member of Review of Sexual Offences Sub-committee |
| | Ms Sally Ng | Senior Government Counsel |

Item 1: 2017 Policy Address - Policy Initiatives Relating to Women's Development

1.1 With the aid of a powerpoint presentation, PSLW briefed Members on the key initiatives concerning women's development in the 2017 Policy Address.

1.2 Some Members were of the view that the current provision of child care services was still insufficient to meet the growing demand. In view of the ageing population, a Member suggested that the Government could help the retirees to continue to contribute to the society by creating an ageing friendly environment.

1.3 A Member enquired about the arrangement of consulting the Women's Commission (WoC) in the process of preparing the

Policy Address, and raised concern over the inadequate supply of child care places and elderly care places, which would be the important considerations before women could rejoin the labour market. She suggested that the provision of child care services should be featured in the process of urban planning. She also enquired about the interface of WoC with other Government Advisory and Statutory Bodies (ASBs).

1.4 A Member added that it would be important to include the provisions of child care and elderly care services in the “Planning Standards and Guidelines”.

1.5 Another Member said that in addition to child care and elderly services, family-friendly policies would also be important for women who wished to seek employment.

1.6 A Member suggested that a retreat session might be considered for WoC members to further discuss strategies relevant to women development.

1.7 PSLW made the following responses –

(a) the Government attached great importance to WoC’s

views on policy formulation. LWB would refer Members' views to relevant Bureaux/Departments for follow up as appropriate. For suggestions that required additional resources, the Government might bid the required resources in the annual resource allocation exercise as necessary. Those views would also be followed up in the context of the annual Policy Address and Budget exercises as appropriate; and

- (b) the Government was conscious that elderly services and child care were close to the hearts of women; and had been working proactively in these areas. The report of the Elderly Services Programme Plan (ESPP) was expected to be completed in June 2017. Upon the report's completion, LWB would discuss with the Planning Department on conversion of the new requirements into the "Planning Standards and Guidelines". On the other hand, the Chief Executive had announced the commissioning of a consultancy study on the long-term development of child care services;

- (c) as women lived longer than men, there would continue to be more women in the upper age groups. The Government had been promoting active ageing and also elderly employment; and
- (d) women employment had remained a main focus. The Government had been earnestly promoting family-friendly practices.

1.8 The Chairperson thanked Members for their views and said that further discussion would be necessary for organising a retreat session of WoC members.

Item 2: WoC Conference 2017

2.1 Ms Regent LAI, Project Manager (Welfare) 2, briefed Members on the latest progress of the preparatory work for the WoC Conference to be held on 21 February 2017.

2.2 Members noted and thanked Secretariat for the efforts in organising the WoC Conference.

Item 3: Public engagement on Hong Kong 2030+: Towards a

Planning Vision and Strategy Transcending 2030

3.1 With the aid of a powerpoint presentation, Ms Margaret CHAN, Senior Town Planner of the Planning Department, briefed Members on the public engagement exercise for “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030” which was launched on 27 October 2016 to collect views from the public on the updated territorial development strategy for Hong Kong. She highlighted the three building blocks for the Hong Kong 2030+ Proposal, namely “Planning for a Livable High-density city”, “Embracing New Economic Challenges and Opportunities” and “Creating Capacity for Sustainable Growth”.

3.2 A Member said that it was important to create an environment fit for all ages, especially for families, the elderly and young children.

3.3 A Member said that in view of the busy road traffic, considerations might be given to explore how to provide more public spaces for leisure use by fostering innovative use of urban spaces and compatible land use mix. She suggested that the Government might also provide incentives to the

private developers in developing housing estates for the elderly.

3.4 A Member suggested that the concept of sustainable energy use should also be featured in the 2030+ Proposal. Also, more public education should be carried out to gauge the views from the public on the proposal.

3.5 A Member stressed that implementation of the proposal would be of paramount importance and for that purpose, a high-level inter-departmental committee should be set up to take forward the proposal in a holistic manner. Meanwhile, the Planning Department should continue to collect views from the public as well as the relevant government departments/agencies on this important subject.

3.6 A Member echoed the view that implementation of the proposal would be very important and the relevant Government (ASBs) including WoC should be engaged in the process.

3.7 A Member said that it would also be important to take into account the gender perspective in the process of urban planning, thereby creating a “women-friendly” environment.

For example, sufficient lighting should be provided outdoor, so that women would be able to stay on the streets hassle-free at night. She added that water quality of the harbour should be improved to enhance the walkability along the promenade. Considerations should also be given to exploring the building of underground roadway to reduce the road traffic.

3.8 Another Member suggested that WoC might assist in promulgating the proposal and the implementation plan once ready.

3.9 Ms Amy CHEUNG, Assistant Director of Planning / Territorial of the Planning Department, thanked Members for their suggestions and comments, which would be duly taken into account in the consultation process. She added that the Planning Department had been engaging the youth groups and different sectors for seeking their views on the proposal. A high-level inter-departmental committee would be set up for overseeing the implementation of the proposal.

Item 4: Law Reform Commission consultation on “Sexual Offences Involving Children and Persons with Mental Impairment”

4.1 Mr Eric CHEUNG, Member of Review of Sexual Offences Sub-committee, briefed Members on the consultation on “Sexual Offences Involving Children and Persons with Mental Impairment” released by the Law Reform Commission on 1 November 2016, making preliminary proposals for the reform of the law concerning sexual offences involving children and persons with mental impairment. These proposals included a uniform age of consent of 16 years in Hong Kong and the creation of a range of new sexual offences involving children and persons with mental impairment which were gender-neutral and provided improved protection to these vulnerable people.

4.2 Members generally agreed that absolute liability should apply to offences involving children between 13 and 16. As regards the age of consent (i.e. the threshold age below which sexual activity is unlawful), some Members viewed that from the perspective of protection of children, the present age of consent of 16 years should be maintained.

4.3 A Member added that there had been increasing cases of teenage pregnancy and subsequent abortion. Teenage girls

between 13 and 16 years of age who got pregnant might choose to seek help from illegal clinics for carrying out abortion, and thus risking their own lives and well being. Also, they would refuse to disclose the identity of their partners for protecting them from liabilities. This pointed to the question of whether absolute liability should be applied to offences involving children between 13 and 16.

4.4 A Member said that more serious sentencing should be imposed on the offender to strengthen the deterrence effect. Another Member said that considerations might be given to providing defense for the accused if they reasonably believed that the child concerned was not under-age.

4.5 As regards persons with mental impairment, a Member said that there had been certain grey area on the definition of a mentally incapacitated person (e.g. the seriousness of mental impairment).

4.6 A Member said that in view of the surging internet usage by the teenagers, public education for the parents should be enhanced so that they would be able to give appropriate

guidance to their children to avoid sexual grooming on the internet.

4.7 The Chairperson said that in addition to enhancing the legal protection, sex education should be strengthened in parallel.

Item 5: Confirmation of Minutes of the 85th Meeting

5.1 The minutes of the 85th Meeting was confirmed without amendments.

Item 6: Secretary's Report (WoC 03/17)

6.1 The Meeting noted the Secretary's Report.

Item 7: Any Other Business

7.1 There being no other business, the meeting was adjourned at 6:30 p.m.

**Women's Commission Secretariat
April 2017**