

September 21, 2022

Mr John Lee Ka-chiu, SBS, PDSM, PMSM  
Chief Executive Office of the Chief Executive  
Hong Kong Special Administrative Region  
People's Republic of China  
Tamar, Hong Kong

Dear Mr Lee,

### **The Women's Foundation Response to the Policy Address Public Consultation 2022**

I am writing to you as CEO of The Women's Foundation (TWF), a non-profit organisation dedicated to improving the lives of women and girls in Hong Kong.

We appreciate your kind acknowledgement of our letter in July on your appointment as our new Chief Executive. We were encouraged by your vision for a results-oriented approach of this administration, and its emphasis on building a caring society and maintaining close communication and collaboration with grassroots organisations.

We believe that such an approach will help Hong Kong prosper as a whole, and can greatly contribute towards addressing the many forms of gender inequality that still exist in our city. Gender equality is critical to building and sustaining a thriving society. Having gender equal rights and opportunities, cultivating healthy relationships, and promoting the health, education, safety and well-being of everyone, all contribute to building a solid foundation from which to pursue sustainable economic growth and social development. Research [indicates](#) that China would receive a 12% increase over business-as-usual GDP by closing the gender gap. Thus, gender equality is beneficial for everyone.

Hong Kong's gender gap manifests itself in several areas:

- **Low Numbers of Women in the Workforce:** Despite equal numbers of men and women graduating university and entering into the workforce, Hong Kong's overall female workforce participation rate is only 54%<sup>1</sup> compared to over 60% in [Singapore](#) and [Australia](#).
- **Burden of Care:** 30% of Hong Kong working women [drop out](#) of the workforce due to childcare / eldercare responsibilities.
- **Motherhood Penalty:** According to a study [released](#) by the Equal Opportunities Commission in 2018, more than 50% of employers surveyed in Hong Kong stated they would not hire women with children. Due to caring responsibilities, lack of flexible work and gender biases, we see a significant drop off in women as they move through the workforce pipeline.
- **Gender Pay Gap:** Hong Kong's gender pay gap is 12.5%<sup>2</sup>, with higher disparities for women in managerial positions and those aged 45-54.

---

<sup>1</sup> Hong Kong Census and Statistics Department, Labour force participation rate (including Foreign Domestic Helpers).

<sup>2</sup> Hong Kong Census and Statistics Department, Median monthly employment earnings of employed persons (excluding Foreign Domestic Workers)

- **Women in Poverty:** 54% of those living below the poverty line are women<sup>3</sup>. Certain populations are more financially vulnerable such as single mothers, elderly women and ethnic minority women.
- **Low Numbers of Women on Boards:** Women [comprise](#) only 17% of directors on Hang Seng Index company boards. This is not only lower than global competitors, but is also lower than our regional neighbours Australia and Malaysia at [34%](#) and 25.8%<sup>4</sup> respectively.
- **Pervasive Sexual Violence:** 1 in 3 women will [experience sexual violence](#) in her lifetime. Victim-survivors face a wide range of barriers in seeking support from social stigma and lack of knowledge to fear of employer retribution and stereotypes.
- **Persistent Gender Stereotypes:** Gender stereotypes contribute to body image and self-esteem issues for women and girls, violence against women and the ambition gender gap, particularly in STEM subjects
- **COVID-19 Impact:** The pandemic has adversely impacted many of the above areas for women and girls, particularly for more vulnerable populations.

Given the scale of the above issues, we urge the Government to include issues of gender inequality on the Executive Council agenda or in the creation of a taskforce of individuals who can support in the inclusion and implementation of solutions for these challenges. Additionally, we have a comprehensive set of recommendations to the Government to address gender inequality for the long term. We believe that many of our proposals can be actioned at minimal cost for immediate benefit to all.

- Holistic approach needed to boost female workforce participation and to increase the number of women in leadership positions, including addressing caregiving responsibilities, board diversity, the motherhood penalty, the gender pay gap and women's health taboos
- Increased support for women in poverty, including support for those who have not worked or who do not otherwise qualify for MPF, particularly women who are more disadvantaged in retirement age
- Greater protections and preventative measures around all forms of sexual and domestic violence including through adopting the Hong Kong Law Commission's 2019 [recommended](#) critical updates to the Crimes Ordinance into law as a start
- Stronger, targeted protections for vulnerable groups of women and girls such as those who identify as ethnic minorities, migrant domestic workers, and the LGBT+ community
- Tackling gender stereotypes in all spheres across the city including education, the workplace, and all forms of media
- Increase the availability and accessibility of gender disaggregated data, including revising data collection methods in a way that data can be disaggregated by gender and making measures consistent across all departments as well as mandate that companies of a certain size publicly disclose gender-related data about their workforce.
- Incorporating gender sensitivity into COVID-19 recovery plans, including accessibility of mental health services for vulnerable populations

<sup>3</sup> Hong Kong Census and Statistics Department, Number of poor population by sex (both pre and post intervention; excluding Foreign Domestic Workers)

<sup>4</sup> Securities Commission Malaysia (2021). *Corporate Governance Monitor 2021* (pgs 1; 5)

As we work towards greater cooperation, dynamism and growth for our city, it is more vital than ever that gender equality, diversity, and the needs of our most vulnerable are kept in mind. We are fully aligned with your vision for a better Hong Kong and extend our support to work together with the Government and other relevant actors to help close these critical gender gaps.

We would welcome the opportunity to meet with you and/or a nominee from your Administration to share more details on some of the key issues facing the women and girls of this city and discuss ideas for collaboration and closer cooperation where appropriate.

Please contact my colleague Lisa Moore, Research and Advocacy Director, via email: [Lisa.Moore@twfhk.org](mailto:Lisa.Moore@twfhk.org) or phone: +852 9248 8199 for more information or to make meeting arrangements.

Sincerely

Signed.

Fiona Nott  
CEO, The Women's Foundation  
[Fiona.Nott@twfhk.org](mailto:Fiona.Nott@twfhk.org)  
+852 2592 8265

**CC**

Mr CHAN Kwok-ki, SBS, IDSM, JP, Chief Secretary for Administration  
Mr Paul T K LAM, SBS, SC, JP, Secretary for Justice  
Mr Chris SUN, JP, Secretary for Labour and Welfare  
Mr Algernon YAU, Secretary for Commerce and Economic Development  
Dr CHOI Yuk-lin, JP, Secretary for Education  
Professor LO Chung-mau, BBS, JP, Secretary for Health  
Mr SIU Chak-ye, Commissioner of Police  
Ms CHAN Yuen-han, GBS, JP, Chairperson, Women's Commission  
Mr Ricky CHU Man-kin, IDS, Chairperson, Equal Opportunities Commission  
Dr Donald LI Kwok-tung, SBS, JP, Chairperson, Elderly Commission

## KEY ISSUES AND RECOMMENDATIONS

### HOLISTIC APPROACH NEEDED TO BOOST FEMALE WORKFORCE PARTICIPATION

Gender equality is globally recognised as a priority, but Hong Kong lags behind when it comes to gender equality in the workforce. Hong Kong's female workforce participation rate is only 54%<sup>5</sup> compared to over 60% in Singapore and Australia. At board of director level, TWF is alarmed that Hong Kong continues to be outperformed not only by other global financial centres, but also our regional neighbours with women on listed boards at [34%](#) in Australia and [25.8%](#) in Malaysia but only at [17%](#) on Hang Seng Index (HSI) company boards.

A wholesale approach is needed to address female workforce attrition rates and to support their return to work. This includes reviewing childcare and eldercare support, part-time and flexwork options, return to work programmes, gender biases and gender based discrimination in the workplace, among other solutions.

### Improved Provisions for Working Caregivers

#### Long Term Flexible Work Options

Hong Kong has some of the longest working hours in the world and working parents and carers struggle between their professional goals and the need to spend time with their families. The Covid-19 pandemic has demonstrated that a flexible approach to work is [equally productive and even has advantages](#) for business. Over the last two years, flexible working around our home life responsibilities has been widely adopted which must translate to longer term flexible working arrangements – for the [benefit](#) of working parents and caregivers, the majority of whom are women, and for those they care for. The Government should more strongly encourage employers to adopt options that accommodate working parents and caregivers long term and without penalty, and consider incentives to companies that adopt these practices.

#### Childcare

Covid-19 has shown how reliant parents, and especially single parents and mothers in lower income, service oriented jobs, are on reliable, affordable and geographically accessible childcare so we hope the Government will continue to monitor the childcare needs of residents, particularly those in vulnerable groups, and provide alternative solutions to traditional childcare during health crises like COVID-19.

#### Maternity & Paternity Leave

Whilst Hong Kong's maternity and paternity leave meets the international standard of 14 weeks and 5 days respectively, as a next step, the Government should aim to extend maternity leave to 16 weeks in line with Singapore, and extend paternity leave to 7 days. Long term, we believe Hong Kong would do well to follow the approach being adopted in more progressive countries which have embraced the concept of gender neutral parental leave, allowing parents to choose which of them assumes the greater share of childcare responsibilities, and which covers adoptions and foster placements in addition to natural or surrogate birth.

---

<sup>5</sup> Hong Kong Census and Statistics Department. Labour force participation rate (including Foreign Domestic Helpers).

## Eldercare

The Government has announced its intention to improve people's livelihoods, which will include the elderly. In addition to the robust measures that have been implemented by the previous administration to provide adequate services and quality of life for the elderly and efforts to attract more talent into elderly homes, we would urge the Government to consider strengthened policies and measures to provide support for informal caregivers – the majority of who are women.

From our [research](#) with HSBC Life and HKU's Sau Po Centre on Ageing we know the population of eldercare recipients set to more than double from 5% to 11% by 2060, the cost to society will increase by 6 times from HK\$39 billion to HK\$222 billion; the indirect cost of eldercare for employers will increase 4.7 times from HK\$1.8 billion to approximately HK\$8.4 billion; and the overall cost of eldercare to individuals will quadruple from HK\$1.8 billion to HK\$7.2 billion<sup>6</sup>.

We recommend urgent action by the Government to implement policies and practices to alleviate the financial and human resources burden on companies, and to support employees with eldercare responsibilities. A full list of recommendations for the Government is provided in Appendix A.

## Board Diversity

Hong Kong is lagging far behind its global counterparts in board gender diversity with [17%](#) directors on HSI-listed boards being women. We were encouraged to see at the end of last year that the Hong Kong Exchanges and Clearing (HKEX) has committed to key reforms that will improve board gender diversity in the short to medium term. However, we believe further action is needed to achieve real progress. The Government should take up a greater role in actively encouraging companies to set board gender diversity targets of 25% by 2025 and 30% within six years which, if not met by 80% of the market, should be mandated through quota as well as urging companies to include measurable objectives in their diversity policies and create accountability through transparent reporting to the market.

We encourage the Government to role model best practice on gender diversity within its own departments, bureaux and Advisory & Statutory Bodies, and encourage private sector to set and match Government gender diversity goals.

## Motherhood Penalty

There is a concerning level of discrimination against working mothers in this city. [Research](#) by the Equal Opportunities Commission (EOC) in 2018 found that over 50% of surveyed employers said they would not hire women with young children.

The pandemic has exacerbated existing pressures on mothers and exposed the extent to which our city relies on their unpaid care and domestic work to function. There are real concerns on how this may adversely affect women's performance reviews and career progression.

To curb instances of discrimination, the Government should promote better education among employers to raise awareness around these issues and put forward best practice to prevent this type of behaviour. The Government should also actively support public campaigns and bolster the work of the EOC to more effectively tackle this issue.

---

<sup>6</sup> HSBC Life, Sau Po Centre on Ageing at the University of Hong Kong and The Women's Foundation, '[Eldercare Hong Kong](#)', 2019

## Gender Pay Gap

While it was good to see a narrowing of the gender pay gap at 12.5%<sup>7</sup>, it is also key to note a couple of concerning trends: the pay gap between women and men in managerial positions has [widened](#) to 19.6%, from 15.8% last year, and it also widens with age, increasing from 2.14% among workers aged 15 to 24 to 28% for those aged 45 to 54. It is important to ensure parity when looking at commensurate years of age and experience. Granular data on this and the method used to calculate wage disparities is not available. This lack of transparency in organisations' pay scales and the way an organisation defines the pay gap makes it difficult for that organisation to formulate initiatives and policies to rectify this gap, and they face no pressure to correct these imbalances.

### *Gender pay disclosure*

The Government should introduce measures for gender pay disclosure by Hong Kong companies of a certain size. This has been modelled in other jurisdictions, such as the UK where any organisation that has 250 or more employees must publish and report specific figures about their gender pay gap. This would require the following measures:

- Transparency around compensation and ensure benefits for each pay grade are complied with
- Transparent salary differences in comparable positions adjusted for age and years of experience
- Mandated reporting by listed companies of gender statistics at management, senior management and Board level
- Companies should be encouraged to hire third parties to undertake and provide certification on pay disparity reviews and to validate the process and findings.

### *Ban salary disclosure from previous jobs*

Related to, and intensifying the gender pay gap, is the fact that women in the workforce are coming into salary negotiations behind their male counterparts. Offers at successive companies are calculated largely based off of what that candidate is currently earning, placing women at a disadvantage. We recommend banning employers from both the public and private sectors from asking applicants about salaries from their previous jobs and the Government consider mechanisms to make general market salaries available.

## Women's Health Taboos

### *Fertility Treatments*

Hong Kong has a birth rate [well below](#) replacement level, which has worrying implications for its already rapidly ageing population. While fertility treatments have made many advancements over the past few decades, Hong Kong's laws on their uptake remain outdated. Under the [Human Reproductive Technology Ordinance 1997](#), while any woman can freeze her eggs only married women are allowed to use them. This excludes the population of single women and those in non-traditional relationships who may wish to start a family. It is also a criminal offence for non-married individuals to travel overseas for fertility treatments such as IVF, where treatments are often more affordable. We recommend the Government review this law with a view to enable all women to have access to, and full use of, fertility treatments regardless of their partnership status.

---

<sup>7</sup> Hong Kong Census and Statistics Department, Median monthly employment earnings of employed persons (excluding Foreign Domestic Workers)

### *Abortion*

Abortion law in Hong Kong holds relative flexibility when compared to other economies, but there are still a few challenges that can be addressed. Among these, [deep rooted stigma](#) is a critical issue which can significantly impact mental well-being and prevent access to social support, which studies [show](#) can help mitigate negative effects. Access to publicly available abortion services is another [hurdle](#) as the wait time can be up to several months. During COVID-19, Hong Kong saw an [uptick](#) in the number of abortions with access to services further limited by pandemic restrictions. These issues particularly [affect](#) underprivileged women and girls who have less access to alternative resources and services.

To address these issues, we recommend the sexual education curriculum in schools should be made mandatory and provide a more holistic education around gender awareness and sex education including understanding consent, contraceptive options, relationships, sexual health, pregnancy and the de-stigmatisation of abortion and post-abortion care. It's also important relevant government bodies examine the accessibility of abortion services and ensure people are able to use them even during health crises such as COVID-19 as well as measures that can reduce the wait time for the actual procedure.

### *Menopause*

Half of Hong Kong's population have or will experience the menopause and yet there remains a strong taboo surrounding it. The culture of shame around this normal life stage means that women don't get the help they need or feel able to talk about their experiences. Medical symptoms will vary in severity and duration but can [last up to 12 years](#).

Workplaces are often not accommodating to the needs of women going through menopause. This should be of particular concern to employers because the general age range for experiencing menopausal symptoms- 40s and 50s - coincides with women stepping into leadership roles. While there is no HK-specific data, results from a UK [survey](#) suggest 1 in 4 women consider dropping out of the workforce because of menopausal symptoms. With their departure is an immense loss of talent and experience at a time when female representation and leadership is sorely needed – on company boards, as CEOs, on executive committees, and overall workforce participation.

The Government should encourage employers to take steps to ease this transition for female employees, by challenging the stigma associated with the menopause and supply resources to help organisations navigate this issue and retain female talent. It should also consider conducting territory-wide research in this area to better understand the types of challenges menopausal women are facing and determine the best resources needed to support them.

## **GREATER SUPPORT FOR WOMEN IN POVERTY**

Among low income families, there are a few areas that need greater attention particularly for specific groups of vulnerable women.



## MPF

Homemakers, along with some part-time workers and elderly, are ineligible for pension protection. This is particularly concerning given women are outliving men by an average of five years<sup>8</sup>. Longer life spans coupled with forced retirement, gender gaps in pay, and midlife caring responsibilities, make women more vulnerable to poverty. Those in low paying jobs who have MPF accounts often [do not have](#) the financial savvy to skilfully manage their accounts, and women are three times more likely to [rely on](#) their spouses financially, leaving them vulnerable.

The Government can develop methods for assessing the quantitative value of unremunerated work, provide public workshops, specifically targeting vulnerable populations, to educate them about available support services, subsidy schemes, and financial planning advice; provide support for retirement for people who have not worked or who do not otherwise qualify for MPF, particularly women who are more disadvantaged in retirement age; and encourage the private sector to introduce and expand the applicability of flexible working arrangements, expanding paid leave to include care days or a similar provision. The Government can consider subsidising full-time caregivers for their services, drawing on similar structures overseas.

## Single Mothers, COVID-19 & Poverty

COVID-19 has exposed and exacerbated inequalities and there are some groups of women in poverty who have additional vulnerabilities. [Single mothers](#) far outnumber single fathers and earn less than the average income. Already disproportionately below the poverty line, they will have less of a safety net to fall back on. With many schools operating on half day schedules following the pandemic, frontline NGOs have noted single mothers are finding it difficult to secure part time work that would enable them to bring in a stable income. We urge the government to adopt a gender lens when formulating the city's economic recovery plan to ensure women's specific needs are taken into account.

## STRONGER PROTECTIONS FOR VICTIMS OF SEXUAL VIOLENCE

A missing element of policy addresses to date has been the commitment to stronger protections and preventative measures for victim-survivors of sexual violence. More than 1 in 3 women in Hong Kong [have experienced](#) sexual violence. Concerningly, Government statistics [show](#) a 23% increase in reported rape cases and a 49% increase in indecent assault cases, with an increase of 29% in victims having met their perpetrators online. Victim-survivors face a number of hurdles when trying to report an incident: lack of knowledge on where to seek help, fear of retribution by the assailant, entrenched stereotypes and a culture of victim-blaming and social stigma from the community.

## Review of Substantive Sexual Offences

The Hong Kong Law Reform Commission has conducted comprehensive reviews of existing legislation for victims of sexual violence in 2012, 2016 and 2018 which culminated in its report in December last year "[Review of Substantive Sexual Offences](#)" which proposed nearly 70 updates to the current criminal law. There are many critical recommendations in the review including updated definitions around consent and rape, gender neutrality, avoidance of distinctions based on sexual orientation, and the protective principle

---

<sup>8</sup> Hong Kong Census and Statistics Department, Women and Men in Hong Kong 2022: Summary of Key Statistics, Life expectancy at birth



for particularly vulnerable groups, among others. We urge the Government to take immediate action to draft these recommendations into law.

### **Sexual Discrimination Ordinance Updates**

We were pleased to note updates to the Sexual Discrimination Ordinance on outlawing behaviour that directly or indirectly victimises women who are breastfeeding or expressing milk in public spaces or the workplace in June 2021. This builds on the Discrimination Legislation (Miscellaneous Amendments) Bill 2018 passed in June 2020, which contained important protections against sexual harassment for volunteers, consignment workers and interns, and members or prospective members of clubs. We encourage the Government to go one step further and provide legal protection from sexual harassment for tenants or sub-tenants harassed by other tenants or subtenants occupying the same premises.

### **One-Stop Service Unit**

To minimise trauma to the victims, we recommend to establish a one-stop service unit for sexual assault survivors that includes sensitivity in identifying and working with victims medical care, psychological services, and legal services.

### **Domestic Violence**

At the height of the pandemic, we [wrote](#) to the Government on the increase in domestic violence reports during the height of the pandemic along with two frontline services NGOs with no material action taken to provide stronger protections. With potential loss of employment and / or increased financial instability contributing to household tensions, domestic violence spikes may continue. We urge the Government to work closely with stakeholders to strengthen protections and ensure adequate support and resources for this vulnerable group.

### **Online Violence & Voyeurism**

We were pleased to note the adoption of new measures to criminalise voyeurism, upskirting and non-consensual intimate image sharing. However, further progress remains to be done on online sexual harassment and bullying, particularly for children. Save the Children Hong Kong [reported](#) there are greater risks of online sexual harassment and bullying, abuse and exploitation when children spend more time online, with girls aged 12-17 being the most frequent victims of sexual predators. Women and girls are [impacted far worse](#) by online harassers and targeted more frequently than their male counterparts. They are regularly subject to online rape threats, body-shaming, doctored photos and abusive gendered attacks. We urge the Government to monitor these developments more closely and discuss enhanced protections and solutions with social media platforms to curb sexist behaviour, abuse, harassment and hateful comments in cyberspace.

A full set of our recommendations to the Government around sexual violence is found in Appendix B.

## **STRONGER, TARGETED PROTECTIONS FOR VULNERABLE GROUPS OF WOMEN & GIRLS**

### **LGBT+ Communities**

We are concerned with the lack of official protections for those who identify as sexual minorities. We are one of many organisations who believe a standalone discrimination ordinance to protect LGBT+

people is critical. Such an ordinance would ensure LGBT+ people are not discriminated against at work, at school or in public. It also allows for LGBT+ people who do face discrimination to seek legal redress.

### **Migrant Domestic Workers**

About 340,000 Migrant Domestic Workers (MDWs) live and work in our city<sup>9</sup>, making up more than 50% of ethnic minorities here. The vast majority are female and are a crucial part of the workforce, [contributing an estimated US\\$12.6 billion](#) to our economy last year. MDWs face a specific set of challenges, with lower than living wages, a lack of systematic protection of their limited rights, increased vulnerability to exploitation and abuse, and overt [discrimination](#). While there is information and resources available to educate and support MDWs, much of this is not culturally accessible. COVID-19 has exacerbated some concerning conditions for MDWs including increased sexual and domestic violence, a rise in mental health issues and wrongful termination of contracts due to testing positive for COVID. We encourage the Government to carefully review their policies and ensure the full protection of MDWs from exploitation and work conditions that are aligned with the International Labour Organisation's standards alongside access to information that is culturally accessible and provisions for ways that MDWs can gain access to support they may need for mental health crises and sexual violence, as well as proactively remind household employers about their responsibilities towards their employees, including during a health crisis.

### **Ethnic Minority Women and Girls**

Ethnic minority women and girls face several challenges that compound their vulnerability. Girls from ethnic minority backgrounds have [much lower](#) educational attainment than their male or Chinese counterparts. The education of girls is closely linked to poverty, and ethnic minorities are the poorest population in Hong Kong, with [1 in 5](#) living below the poverty line. Historic segregation in the local education system mean many are at a disadvantage in speaking Cantonese and therefore also in seeking employment later on. Since the pandemic, forced marriage between Hong Kong Ethnic Minority women and girls with men overseas has been [on the rise](#). In formulating policies and services that serve these populations, we encourage the Government to tailor their solutions in ways that meaningfully address some of these vulnerabilities.

### **Refugees and Asylum Seekers**

Refugees and asylum seeker women and girls face particular vulnerabilities. During COVID-19, a frontline NGO reported that 1 in 2 from this population experienced domestic violence during the pandemic, the majority of victims being women. Because asylum status is often linked to that of the entire family seeking asylum, victims of sexual and domestic violence are less likely to report incidents out of fear of losing their status. Their visa status prevents them from being able to access most shelters or other resources available to residents. The Government should consider providing culturally accessible information and educational resources to assist these populations as well as measures to provide physical safety and support for victims.

---

<sup>9</sup> Hong Kong Census and Statistics Department, Women and Men in Hong Kong 2022: Summary of Key Statistics, Foreign Domestic Helpers by nationality and sex

### **Age Discrimination**

With longer lifespans and better health, we are concerned with financial security and mental wellbeing of populations aged over 50 (particularly women who live five years longer than men on average<sup>10</sup>). These concerns are exacerbated by the inability to find work commensurate with education and experience past conventionally typical retirement age, which has not been adjusted with increasing lifespans. Currently, there is no law protecting employees against age discrimination – which includes being deliberately overlooked for promotions or forced into retirement. We urge the Government to implement an age discrimination ordinance.

### **Mental Health**

From the pandemic through now, mental health issues have received increased attention. We know particular groups, such as the increase in student suicides and women struggling to manage caregiving responsibilities amid ever-changing regulations. We would ask the Government to go one step further in providing targeted services, particularly to groups with less awareness of mental health symptoms and who may lack access to resources. All of the above listed vulnerable groups of women face particular danger of increased stress and mental health issues as they have less networks or access to resources than others. We recommend the Government widely promote messages around the importance of caring for mental health (which can still be a sensitive topic among segments of the population), and direct individuals to available free and subsidised mental health resources in languages that meet the needs of these diverse, vulnerable groups.

### **TACKLING GENDER STEREOTYPES**

The Government will be well aware that gender stereotypes are highly prevalent in Hong Kong society from gendered expectations surrounding appearance to career choices and leadership behaviours. From our work and numerous studies, we know that gender stereotypes are exacerbated for both men and women after prolonged exposure. It also contributes body image and self-esteem issues for women and girls, violence against women and the ambition gender gap, particularly within STEM subjects.

### **Education**

More public education around this issue is needed as well as education curricula reform. This can include: teacher training on gender equality and gender sensitivity; replacing materials that omit women or tokenise their experiences; teaching boys and young men about the [negative impact](#) on masculinity; taking out gender stereotypical language or examples; and ensuring all school libraries feature books with gender diverse content and authors, and that materials do not contain gender stereotypes.

With specific regards to the sex education curriculum, we urge the Government to update and expand it to be in line with international best practices that are age appropriate, evidence-based and addresses the drivers of gender-based violence.

The Government should lead by example by giving all civil servants comprehensive gender sensitivity training in all areas. Examples include: ensuring all communications and promotional materials uphold gender equality and do not contain gender stereotypes in language or examples, omit women or tokenise

---

<sup>10</sup> Hong Kong Census and Statistics Department, Women and Men in Hong Kong 2022: Summary of Key Statistics, Demographics.

their experiences, and feature gender diverse content; data collection and analysis should also ensure the information collected can be disaggregated and analysed by gender; and formulated policies are gender sensitive and take into account the gender diverse needs of the population it is targeting.

### **Workplace**

Gender stereotypes still hold women back at work including negatively affecting performance reviews, salary negotiations, overseas opportunities (particularly in high risk locations), networking and appointments to boards. The Government should encourage companies to adopt a wide range of practices that actively debunk gender stereotypes, including regular unconscious bias training.

### **Media & Communications**

Gender stereotypes are exacerbated by the media, which continues to objectify, sexualise and diminish women. Last year's [incident](#) involving a government organisation's use of gender stereotypes in its social media was highly disappointing, and we recommend all bureaus and departments work more closely with their PR firms on all of their relevant social media and traditional media platforms to prevent future posts that similarly demean women and exacerbate harmful gender stereotypes. We urge the Government encourage private sector media, PR and advertising agencies to adopt similar gender sensitive policies and practices.

### **INCREASE THE AVAILABILITY AND ACCESSIBILITY OF GENDER DISAGGREGATED DATA**

While the Gender Mainstreaming Checklist implemented in 2002 requires all Government departments and bureaus to maintain gender disaggregated data; in practice, it is not always comprehensive, consistent or accessible to the general public. This reduces the ability of government, businesses, and civil society from being able to fully understand city-wide gaps in gender equality. Reformulating the questionnaires and data collection methods in a way that data can be disaggregated by gender, making measures consistent across all departments and pairing that with clear objectives, regular tracking and transparent, comprehensive reporting measures within all government departments, bureaus, and other relevant organisations would go a long way towards policies and initiatives that effectively target women and girls, and also accurately identify gaps where further services are needed. This would show the extent to which women have been disproportionately impacted by Covid-19 for example, and whether gender specific support is needed, including around subsidy uptake rates for parents, single parents and informal caregivers, and access to mental health services.

The Government can also consider compulsory reporting from any company with 250 or more employees (or a similar number of employees that fits the Hong Kong context) to publicly disclose their workforce's gender related statistics at all levels of the organisation. This would contribute towards accelerating gender parity progress on many fronts including the gender gap in pay and low numbers of women in managerial and leadership positions, among others.

## **APPENDIX A – ELDERCARE RECOMMENDATIONS**

### **Developing an Independent Public Policy Strategy**

Hong Kong needs a comprehensive and independent public policy strategy for supporting caregivers. It should be based on a robust needs assessment, in consultation with all stakeholders, and eventually be integrated with the Government's eldercare policies.

### **Capacity Building**

Hong Kong can integrate caregiver support in its quality standards for all home care services and professional caregivers. It can build greater capacity for carer support service units, including providing regular training, learning opportunities and support for family and other caregivers including volunteers and domestic helpers; and share best practices on caregiver support innovations and services.

### **Subsidies**

The Government can consider subsidies for entrepreneurs or business owners looking to establish / expand their eldercare service provisions; create best practice guidelines for the industry; and explore policies and incentivisation schemes to drive growth in this industry.

### **Tax Incentives**

The Government should offer tax incentives for eldercare / caregiving friendly initiatives and employers.

### **Strengthen Services for Frail Older Adults**

The Government can consider a centralised and comprehensive solution to subsidised home or respite care, along with on call advice and free support on any legal, emergency, or administrative challenges that caregivers may encounter.

### **Role Model Best Practice**

Among Government employers, implement best practice and evidence-based models, offer Flexible Working Arrangements, and provide extended care leave and compassionate care leave.

### **Protect Caregivers**

Legislation should consider recognising the needs of caregivers regarding access to information, income, employment, and training as well as respect and emotional support. For working caregivers, legislation should consider incorporating a comprehensive strategy that is able to cover care and income security needs, including Flexible Working Arrangements, social assistance, allowance or wage, tax relief, and ensure explicit protection (including income and MPF) for caregivers.

### **Societal Income Insurance Mechanism**

Implement a societal income insurance mechanism that protects the income of caregivers who need to take a partial /complete break from work to provide caregiving. The Government, working closely with the private sector and insurance industry, may explore the possibility of a public-private scheme or set of insurance products that would enable companies and/or individuals to have the option of income protection in the event the employee needs to move to part-time hours or stop work due to caregiving responsibilities. This would ensure that individuals continue their MPF contributions, thus helping to alleviate financial pressure.

## APPENDIX B – RECOMMENDATIONS TO TACKLE SEXUAL VIOLENCE

### LEGISLATION

#### **Criminal Law**

Introduce the Law Reform Commission's recommendations from their "Review on Substantive Sexual Offences" in the Legislative Council and fast track their implementation into law. These recommendations contain critical updates including definitions of consent and expanded definitions of rape and sexual assault, among many others.

#### **Sexual Discrimination Ordinance**

Amend the SDO to provide legal protection from sexual harassment for tenants or sub-tenants harassed by other tenants or subtenants occupying the same premises.

#### **Mandatory Sexual Harassment Policy & Training**

Introduce legislation mandating that both public and private sector organisations have a written sexual harassment prevention policy and that all employers provide sexual harassment training for their staff.

#### **Non-Disclosure Agreements**

Introduce legislation making any contractual clause in a Non-disclosure Agreement which prevents disclosure of future acts of discrimination, harassment, retaliation or victimisation void.

#### **Changes to Listing Rules<sup>11</sup>**

Introduce sexual harassment indicators for HKEX-listed entities to report against, including:

- Specific mention of sexual harassment in guidance on company codes of conduct
- Information about measures taken to address sexual harassment (including initiatives to provide information, education and training on sexual harassment in the workplace), as part of its requirements that listed entities have and disclose a diversity policy and set measurable objectives to achieve gender diversity
- Disclosure of the number of incidents/complaints of sexual harassment by gender and associated action taken

### SUPPORT SERVICES

#### **One-Stop Service Unit**

Establish a one-stop service unit for sexual assault survivors that includes medical care, psychological services, and legal services.

#### **Hong Kong Police**

A broad range of reforms in the Hong Kong Police Force to enhance protections for sexual crime victims as well as strict preventative measures to protect against any further allegations of sexual violence against the HKPF:

---

<sup>11</sup> Adapted from the Australia Sexual Harassment National Inquiry Report 2020

- **Special Unit:** Add a special unit to the Hong Kong Police Force to handle sexual assault cases that has special training and operates to a code of practice
- **Code of Practice:** Introduction of a Code of Practice for the Investigation of Sexual Crimes with the aim of:
  - Minimising trauma and increasing the confidence of sexual crime victims and the public in the management of sexual crimes
  - Providing a coordinated approach to the handling of sexual crime cases by Hong Kong Police, forensic medical services and other victim support services
  - Achieving best practice through consistent, clear and accountable response to, and investigation of, sexual offences
- **Revision of the Police General Orders:** To include enhanced requirements on gender sensitivity and prevention of sexual harassment and sexual offences
- **Gender sensitivity and sexual harassment training:** As a priority, all officers should be provided with gender sensitivity and sexual harassment training

## EDUCATION & AWARENESS RAISING

### Online Sexual Harassment & Cyberbullying

Work with social media and technology companies to develop enhanced protections and solutions to curb sexist behaviour, abuse, harassment, and hateful comments (including rape threats, body shaming, doctored photos and release of private intimate videos) particularly for women as they are impacted far worse by online harassers and targeted more frequently than their male counterparts.

### Media Guidelines

Work with the regulatory and industry bodies to promote responsible, victim-centred and gender sensitive reporting of sexual violence, and provide training to use international best practice when reporting on sexual violence through a Code of Practice for example.

### Research

Conduct a territory-wide survey that provides comprehensive publicly available data on sexual harassment and sexual assault, with a view to update this data annually.

### Education Curricula

Update and expand the Hong Kong sexual education curricula to be in line with international best practices that are age appropriate, evidence-based and addresses the drivers of gender-based violence.

### Public Campaigns

Collaborate with NGOs and other relevant organisations to promote public campaigns to encourage more positive conversations to support victims collectively and bystanders to help to overturn the cultural taboo and social stigma placed on victims.