

立法會
Legislative Council

LC Paper No. CB(2)2632/10-11
(These minutes have been
seen by the Administration)

Ref : CB2/PL/WS

Panel on Welfare Services

**Minutes of special meeting
held on Saturday, 22 January 2011, at 9:00 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon CHEUNG Kwok-che (Chairman)
Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon LI Fung-ying, SBS, JP
Hon Paul CHAN Mo-po, MH, JP
Hon IP Wai-ming, MH
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
- Member absent** : Hon WONG Sing-chi (Deputy Chairman)
Hon Albert HO Chun-yan
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Ronny TONG Ka-wah, SC
Dr Hon LEUNG Ka-lau
Hon WONG Kwok-kin, BBS
Dr Hon PAN Pey-chyou
Dr Hon Samson TAM Wai-ho, JP
- Member attending** : Hon Emily LAU Wai-hing, JP

**Public Officers : Item I
attending**

Mr Roy TANG Yun-kwong, JP
Deputy Secretary for Labour & Welfare (Welfare)1

Mr Stephen SUI Wai-keung
Commissioner for Rehabilitation
Labour and Welfare Bureau

Mr FONG Siu-wai
Assistant Director (Property Services)
Architectural Services Department

Mr CHAN Siu-tack
Assistant Director (Estate Management)2
Housing Department

Mr LEE Man-ho
Chief Transport Officer/Planning/Disabled Transport &
Projects
Transport Department

Equal Opportunities Commission

Mr LAM Woon-kwong
Chairperson

Miss LAM Siu-wai
Chief Equal Opportunities Officer

**Attendance by : Item I
invitation**

Hong Kong Federation of Handicapped Youth

Mr CHAN Kam-yuen
Chairperson, Rehabilitation Policy Sub-committee

Direction Association for the Handicapped

Mr LAW Wai-cheung
Vice Chairman

Hong Kong Blind Union

Mr CHONG Chan-yau
President

Environment Advisory Services

Mr Peter Keeping
Consultant Architect

Rehabilitation Alliance Hong Kong

Ms WONG Hoi-fai

Association of Women with Disabilities Hong Kong

Ms LAW Pui-ching
Committee Member

Hong Kong Occupational Therapy Association

Miss Sanne FONG Siu-lai
Representative

The Federation of Hong Kong and Kowloon Labour Unions

Miss TAM Kam-lin
Community Organizer

The Salvation Army Carer Association

Ms CHAN Fat-chun
Chairperson

Miss CHAN Man-sing
Social Worker

The Hong Kong Institute of Surveyors

Mr Andrew KUNG
Vice Chairman of Building Surveying Division

Labour-welfare Group of Democratic Party

Mr LAW Chun-ngai

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 4

Staff in attendance : Ms Yvonne YU
Senior Council Secretary (2) 5

Miss Maggie CHIU
Legislative Assistant (2) 4

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I. Government's response to and proposed follow-up action on Equal Opportunities Commission's Formal Investigation Report on Accessibility in Publicly Accessible Premises

[LC Paper Nos. CB(2)488/10-11(03), CB(2)838/10-11(01) to (06), CB(2)883/10-11(01) to (03), CB(2)892/10-11(01) and CB(2)899/10-11(01) to (02)]

At the invitation of the Chairman, Deputy Secretary for Labour and Welfare (Welfare)1 ("DS(W)1") briefed members on the Government's response to and proposed follow-up action on the Equal Opportunities Commission's Formal Investigation Report on Accessibility in Publicly Accessible Premises ("EOC Report") released on 7 June 2010. DS(W)1 elaborated that the EOC Report had made 23 recommendations on the improvement of accessibility, connectivity and interface with surrounding environment and user-friendly management practices for publicly accessible premises. To co-ordinate Government's response to and follow-up action on the EOC Report, the Labour and Welfare Bureau ("LWB") had convened a Task Force comprising representatives of stakeholders within the Government. In drawing up the Administration's responses to and follow-up actions on the EOC Report, the Task Force had examined not only the Government and the Housing Authority ("HA") premises identified by EOC, but also about 3 900 premises and facilities under the management of Government departments and HA properties which had a frequent public interface. DS(W)1 said that having regard to operational requirements, technical feasibility and time required for the

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retrofitting works, the Administration had worked out a consolidated retrofitting programme for these premises and facilities, as detailed in the Administration's paper.

2. DS(W)1 further said that the Transport Department ("TD") had explored practical ways to improve accessibility of its facilities, including public transport interchanges/public light bus termini. In tandem, the Housing Department ("HD") had also devised a retrofitting programme to improve the accessibility of the properties under its management. Most of the improvement works at 155 public rental housing ("PPH") estates would be implemented by 30 June 2012. Meanwhile, the Highways Department ("HyD") would also accelerate its retrofitting programme for the provision of barrier-free access (lift or ramp) at public footbridges and subways without such access or alternative at-grade crossing, where technically feasible.

3. DS(W)1 added that an Access Co-ordinator at directorate level would be designated within individual bureau or department to co-ordinate accessibility issues. Moreover, an Access Officer would be appointed for each venue.

4. Chairperson of EOC welcomed the positive and active response of the Administration to the recommendations in the EOC Report. Chairperson of EOC advised that following the release of the EOC Report, a working group had been formed by EOC to monitor the progress made on the realization of a barrier-free environment for persons with disabilities and to collaborate with the Government, public organizations such as the Hospital Authority, public transport operators including the franchised bus companies and the Mass Transit Railway Corporation ("MTRC"), and the private sector such as owners and management offices of large shopping centres, with a view to developing an overarching policy on building an inclusive society that adopted the principle of universal design. The Government and all stakeholders should fully implement the United Nations Convention on the Rights of Persons with Disabilities to enable persons with disabilities to participate fully in all aspects of life, including using leisure and cultural facilities and services.

5. Chairperson of EOC welcomed that The Link Management Limited ("The Link") had also promulgated its plan and timetable for retrofitting programme to improve the barrier-free access facilities in premises under its management. Chairperson of EOC pointed out that EOC had received complaints about lack of co-ordination and unclear delineation of

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responsibilities among parties concerned in respect of improvement works involved different Government departments and private property owners such as The Incorporated Owners of the Tenant Purchase Scheme housing estates. Chairperson of EOC appealed to the Task Force to help co-ordinate Government's efforts in improving the provision of barrier-free access facilities towards building an inclusive society.

Meeting with deputations

Hong Kong Federation of Handicapped Youth
[LC Paper No. CB(2)838/10-11(02)]

6. Mr CHAN Kam-yuen presented the submission of Hong Kong Federation of Handicapped Youth. Referring to the survey findings on the provision of barrier-free access facilities in Wanchai conducted by his organisation, Mr CHAN highlighted the shortfalls of such facilities in the district. In his view, the Administration should take into account the views of persons with disabilities and the rehabilitation sector on their specific needs on barrier-free access facilities in providing such facilities. This apart, the Administration should raise the public awareness and understanding of accessibility issues and the prevailing requirements as set out in the Design Manual: Barrier-free Access 2008 ("DM") as well as step up enforcement action to ensure the compliance with the design requirements. Mr CHAN added that the Administration should review the limitation of DM, and in particular the exemption of government buildings from DM.

Direction Association for the Handicapped
[LC Paper No. 883/10-11(01)]

7. Mr LAW Wai-cheung presented the views of Direction Association for the Handicapped as detailed in the submission. Mr LAW expressed appreciation for the Administration's prompt response to the recommendations in the EOC Report and its commitment to provide a concrete timetable for the retrofitting programme for upgrading the barrier-free facilities in existing government premises and facilities. Mr LAW pointed out that persons with disabilities still faced a lot of accessibility problems in all aspects of life. Notably, MTRC had not provided vertical lifts in all MTR stations, and the franchised bus operators had not yet introduced low-floor buses for all buses. He was also concerned about the lack of concrete timetable for introduction of wheelchair accessible taxis. He called on the Administration and EOC to

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continue to work closely towards the realization of a barrier-free environment for persons with disabilities and the elderly.

Hong Kong Blind Union

8. Mr CHONG Chan-yau welcomed the release of the EOC's Report and appreciated the Administration's prompt response to the recommendations in the EOC Report, and in particular drawing up the retrofitting programme for upgrading the barrier-free facilities in existing government premises and facilities. Mr CHONG was of the view that instead of introducing the retrofitting programme to upgrade the barrier-free facilities in government premises and facilities to comply with the minimum prevailing design requirements, the Administration should set a higher target for realizing a barrier-free environment. In his view, the Administration should adopt a forward looking approach and provide incentive, say, under its procurement policy, to encourage public organizations, subsidized schools and subvented welfare organizations to develop a barrier-free society. To monitor the progress of the retrofitting programme, the Administration should make regular progress reports on the follow-up action on the provision of barrier-free access facilities to the Legislative Council ("LegCo"). Mr CHONG appealed to EOC to extend the meaning of accessibility of persons with disabilities to uninterrupted access to services and the internet. He also called on the public transport operators to expedite the provision of barrier-free access for persons with disabilities, such as the installation of platform screen doors at all MTR stations and the procurement of low-floor buses. Mr CHONG welcomed the appointment of a designated Access Co-ordinator within individual bureau and department to co-ordinate accessibility issues. In addition, a mechanism should be put in place to solicit views of persons with disabilities on their needs and difficulties relating to accessibility issues.

Environment Advisory Services ("EAS")

[LC Paper No. CB(2)899/10-11(01)]

9. Mr Peter Keeping presented the submission of EAS. Mr Keeping referred members to items 5 and 16 of EOC's recommendations and elaborated on the advisory services provided by EAS to the owners of private buildings and facilities in respect of the standards of design for accessible premises and the environmental needs of persons with disabilities.

Rehabilitation Alliance Hong Kong

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[LC Paper No. CB(2)838/10-11(03)]

10. Ms WONG Hoi-fai presented the submission of Rehabilitation Alliance Hong Kong. Citing a complaint lodged with EOC against The Link as an example, Ms WONG said that the request for providing accessible facilities was very often rejected by The Link on account of technical considerations. Noting that the Administration had worked out a consolidated retrofitting programme, Ms WONG urged the Administration to consult persons with disabilities and the rehabilitation sector on their specific needs before finalizing the implementation timetable for the retrofitting programme. Ms WONG appealed to the Administration to set standards higher than the design requirements in DM in devising the improvement works. She agreed with EOC's recommendation to amend the Buildings Ordinance (Cap. 123) ("BO") by removing the current exemptions of government buildings from the mandatory requirements as stipulated in the Buildings (Planning) Regulations.

Association of Women with Disabilities Hong Kong
[LC Paper No. CB(2)838/10-11(04)]

11. Ms LAW Pui-ching presented the views of Association of Women with Disabilities Hong Kong as detailed in the submission. Citing her personal experience as an example, Ms LAW said that apart from providing barrier-free access to the venue, the Administration should also ensure the provision of suitable barrier-free access to services and facilities for users with disabilities, such as the provision of tailored-made medical facilities in government clinics for users with disabilities.

Hong Kong Occupational Therapy Association
[LC Paper No. CB(2)838/10-11(05)]

12. Miss FONG Siu-lai presented the views of Hong Kong Occupational Therapy Association as detailed in the submission. Miss FONG said that the Association agreed with the recommendations in the EOC Report. She took the view that the principle of universal design should be adopted at the planning stage to ensure that the facilities and services within the premises were accessible by all people. In addition, to set a good example for private developers, the Administration should adopt the standards stipulated in the Best Practice Section of DM for new government buildings. Miss FONG advised that the Hong Kong Occupational Therapy Association had jointly conducted a survey with the Hong Kong Polytechnic University on the accessibility of shopping centres. The

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report, which was released in September 2007 and was available at the Association's website, revealed that there was much room for improvement. To address the accessibility issues, she called on the Administration to invite the stakeholders' views on the needs of users and step up inspection to ensure compliance of mandatory requirements on barrier-free access. Miss FONG added that training on accessibility issues and the specific needs of users with different types of disabilities should be provided to their staff by premises owners and managers, and periodic audits of the facilities in the premises should be conducted.

The Federation of Hong Kong & Kowloon Labour Unions
[LC Paper No. CB(2)892/10-11(01)]

13. Miss TAM Kam-lin introduced the submission of The Federation of Hong Kong & Kowloon Labour Unions. While appreciating the EOC Report had examined the means of access to certain public accessible premises, Miss TAM was of the view that the provision of barrier-free connectivity between homes of persons with disabilities and these venues was equally important in order to facilitate their integration into the society. However, as showed from the findings of a survey conducted by the Federation of Hong Kong & Kowloon Labour Unions on the accessibility of pedestrian pavements, the barrier-free facilities thereon such as tactile guide paths and dropped kerbs were not user friendly at all. Miss TAM cast doubt about the effectiveness of the Task Force led by LWB in following up the recommendations in the EOC Report, having regard to the absence of a high-level central co-ordinating body to develop policies and practices on promoting universal access.

The Salvation Army Carer Association
[LC Paper No. CB(2)838/10-11(06)]

14. Ms CHAN Fat-chun presented the views of The Salvation Army Carer Association as detailed in the submission. Ms CHAN said that the Administration should observe the design requirements in DM in the design and construction of new government buildings and expedite the improvements on providing barrier-free access facilities in the pre-1997 government buildings. She called on the Administration to consult users of the barrier-free access facilities before finalizing the design of new buildings and improvement works plans. This apart, the Administration should introduce amendments to BO to remove the current exemptions of buildings belonging to the Government and HA. Ms CHAN further said that the Administration should provide more training for frontline staff to

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enhance their understanding on the proper use the barrier-free access facilities within the premises under their management as well as step up public education in raising the public awareness on accessibility issues.

The Hong Kong Institute of Surveyors

15. Mr Andrew KUNG supported the policy direction of drawing up a consolidated retrofitting programme for upgrading the barrier-free facilities in existing government premises and facilities. Mr KUNG pointed out that in improving the barrier-free access and facilities in the existing premises, both the Administration and the private sector faced similar technical constraints in meeting the latest requirements in DM. Therefore, he was in supportive of the recommendation in the EOC Report that the Administration should adopt and promote the best practicable option rather than the most cost-efficient approach in resolving accessibility issues to facilitate independent living of persons with disabilities and provide them with dignified access. However, the Institute expressed reservation with the EOC's recommendation to introduce an amendment to BO to remove current exemptions of buildings belonging to the Government and HA across the board. Instead, flexibility should be provided for the design and construction of buildings in the light of technological and environmental protection considerations.

Labour-welfare Group of Democratic Party

16. While welcoming the release of the EOC Report and the Administration's response, Mr LAW Chun-ngai cast doubt about the implementation progress of the consolidated retrofitting programme having regard to the Administration's slow progress made on the realization of a barrier-free environment for persons with disabilities in the past three decades. Examples included the introduction of the low-floor buses, proper use of disabled toilets and the introduction of a uniform sign language. In his view, the Administration should assume overall responsibility towards the realization of a barrier-free environment.

The Administration's response

17. In response to the views of deputations, DS(W)1 stressed that it was the Government's established policy objective to provide a barrier-free environment for persons with disabilities with a view to enabling them to access to premises and make use of the facilities on an equal basis with others, thereby facilitating them to live independently and integrate into

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society. He, however, reckoned that the process was not entirely smooth. In addition to upgrading the barrier-free facilities, the Administration understood that raising public awareness on accessibility issues was of equal importance. Consultation with the stakeholders including persons with disabilities and the rehabilitation sector on the rehabilitation policy and improvement of barrier-free access and facilities would continue. The Rehabilitation Advisory Committee ("RAC") would also continue to provide advice on the development and phased implementation of rehabilitation services. As regards the effectiveness of the Task Force, DS(W)1 advised that the Administration's response to the EOC Report including the consolidated retrofitting programme had been personally endorsed by the Chief Executive and the Chief Secretary for Administration ("CS"). The relevant bureaux/departments would strive to adhere to the implementation timetable for the retrofitting works. In the event that individual retrofitting works was behind the schedule for completion, the responsible officers would be held accountable for the slippage.

18. On public education, Commissioner for Rehabilitation ("C for R") said that the Administration and RAC attached great importance to raising public awareness and understanding of accessibility issues. In collaboration with RAC, LWB had been actively promoting barrier-free environment through continuous public education and publicity programmes. RAC would continue to solicit the support of the District Councils ("DCs") in the promotion of provision of barrier-free facilities in their respective districts. C for R drew members to the fact that to tie in with the implementation of United Nations Convention on the Rights of Persons with Disabilities, LWB had substantially increased the annual allocation for public education activities from about \$2 million to over \$12 million in the past two years. Specifically, the allocation for non-governmental organizations ("NGOs") and individual DCs to launch promotional activities on accessibility issues had been increased correspondingly from \$1 million to \$3 million and some \$30,000 to some \$50,000 respectively in 2009-2010. C for R further said that the promotion and provision of a barrier-free society would be one of the main themes for RAC's annual public education programmes. To enhance disseminating information to the public and advice to private owners and managers on the standards of design for accessible premises and the built environment, C for R advised that the Administration was considering the suggestion of setting up a resource centre under which concerted advisory services could be provided by the stakeholders such as the Rehabilitation Alliance Hong Kong and EAS.

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19. As regards the consultation mechanism on accessibility issues, C for R said that apart from co-ordinating the Administration's follow-up action on the EOC Report, the Task Force would assume the role of consulting the stakeholders in taking forward new government building projects. C for R added that the Administration would appoint an Access Co-ordinator to co-ordinate accessibility issues within individual bureau or department, and an Access Officer for each venue to provide assistance to persons with disabilities in accessing premises under their management. Details of the appointment mechanism would be promulgated by a circular.

20. Chief Transport Officer/Planning/Disabled Transport & Projects of Transport Department ("CTO/P/DTP/TD") said that the Administration attached great importance to the public transport needs of persons with disabilities. Following the introduction of the concept of "Transport for All" since 2002, the Administration had formulated the 5-Betters Strategy which comprised the following elements –

- (a) better accessible transport services for all;
- (b) better public transport infrastructure and facilities for all;
- (c) better streets and pedestrian areas for all;
- (d) better planning standards, guidelines and procedures; and
- (e) better partnership for actions and results.

He further said that the public transport operators had been making progressive improvements to enhance barrier-free access. Notably, MTRC had spent some \$600 million in the past decade on station improvement works to enhance barrier-free access. It had committed another \$200 million from 2011 to 2015 for the purpose. MTRC planned to carry out lift retrofitting works in some stations. The Administration would follow up with MTRC on further enhancement to the accessibility of persons with disabilities. Regarding franchised buses, all franchised bus companies would procure wheelchair-accessible buses as far as possible when purchasing new buses. On the use of tactile guide paths, CTO/P/DTP/TD acknowledged the facilities should be fully accessible by visually impaired persons in a barrier-free manner. The Administration would enhance co-ordination with public transport operators and Government departments to prevent the occurrence of blockage of the

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tactile guide paths. Separately, the Administration had so far removed some 1 500 traffic sign and street name poles in congested areas and the work would continue. The accessibility of public transport and barrier free facilities had been discussed and would be followed up by the Working Group on Access to Public Transport by People with Disabilities formed under TD which comprised representatives of persons with disabilities, public transport operators, and relevant government bureaux/departments.

21. On the retrofitting programme, Assistant Director (Property Services) of Architectural Services Department ("AD(PS)/ArchSD") said that the managing departments of the premises and facilities concerned had provided ArchSD with the project details, and ArchSD had proceeded with the preparation work. It would then seek necessary funding for implementing the consolidated retrofitting programme which would be carried out by outsourced contractors. AD(PS)/ArchSD added that a working group led by himself had been set up to monitor the implementation progress and would make regular reports to LegCo and LWB.

22. Assistant Director (Estate Management)² of Housing Department ("AD(EM)2/HD") said that HA had also devised a retrofitting programme to improve accessibility to the properties under its management. Most of the improvement works would be implemented by 30 June 2012. To strike a balance between the progress of improvement works and service interruption and nuisances to tenants, HD would schedule some of the improvement works for completion by 30 June 2014. To tie in with HD's lift modernization programme, a small proportion of the improvement works would be completed by 2016-2017. AD(EM)2/HD further said that seminars would be organized to enhance the understanding of HD staff and its subcontracting management companies on the compliance of the requirements stipulated in DM. HD would also invite groups of persons with disabilities to attend the seminars to share their experience and problems encountered in accessing properties under its management.

Discussions

23. Mr TAM Yiu-chung welcomed that the Administration had worked out a consolidated retrofitting programme in response to the EOC Report. Mr TAM, however, pointed out that according to an investigation carried out by the Democratic Alliance for the Betterment and Progress of Hong Kong in October 2010 on the provision of the barrier-free access and facilities in shopping centres under the management of The Link, many

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shortfalls had been identified. Details of which were set out in its investigation report. Noting that The Link had committed to improving the accessibility to its properties, he urged the Administration to closely monitor the implementation progress. Mr TAM added that as most of the commercial facilities under The Link were located in PRH estates, HD should collaborate with The Link to improve the connectivity of the barrier-free facilities in commercial facilities and those in the PRH estates. Pointing out that the PRH tenants were ageing, Mr TAM also called on HD to accord priority for providing a barrier-free access environment for all people.

24. AD(EM)2/HD said that The Link had promulgated its plan for following up the recommendations of the EOC Report in the next five years. HD would continue to hold regular meetings with The Link on the provision and use of barrier-free access and facilities. AD(EM)2/HD further said that HD was mindful of the ageing trend of PRH residents. As part of an on-going programme to enhance the pedestrian access in PRH estates to cater for the needs of tenants requiring barrier-free access, in particular the elderly and the disabled, HD would provide new lifts and escalators in external areas of PRH blocks within estate boundaries to connect elevated platforms with large-level differences. The enhancement programme, which was in compliance with the requirements of DM, was targeted for completion by 2012. HD would make a progress report to the Panel on Housing in February 2011. At the request of the Chairman, AD(EM)2/HD agreed to provide the relevant implementation timetable for the improvement works to enhance barrier-free access within PRH estate boundaries.

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25. Mr TAM Yiu-chung noted with concern that most chained fast food shops and automatic teller machines were inaccessible by persons with disabilities. In his view, the Administration and EOC should actively follow up the matter with the relevant operators. Noting that 193 government premises/facilities would not be retrofitted, Mr TAM was concerned about the measures in place to monitor the accessibility of these premises and facilities.

26. DS(W)1 explained that 193 government premises/facilities would not be retrofitted because of imminent plan of decommissioning or disposal, for example, the West Wing of the Central Government Offices and Murray Building. Nevertheless, an Access Officer would be appointed for each venue to offer assistance to persons with disabilities in access to the venue and using services and facilities therein. The Access Officer

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would serve as the first point of contact to provide the best practicable way on accessibility issues at the venue. Contact information on Access Officers would be displayed at the venues.

27. Ms Emily LAU said that the release of the EOC Report had aroused public awareness on the provision of barrier-free and dignified access for all people, in particular the disabled and the elderly. Given that the Panel Chairman would move a motion debate on the EOC Report at the Council meeting of 26 January 2011, she believed that the debate could further raise public awareness and understanding of the subject matter. Having regard to HyD's slow progress in its retrofitting programme for the provision of barrier-free access at several public footbridges in Tai Po, and the lukewarm response of the Hospital Authority, MTRC and The Link in accelerating their respective retrofitting programme for the provision of barrier-free access, Ms LAU hoped that the subcommittee formed under the Panel could commence work as early as practicable to follow up the provision of a barrier-free environment. In her view, another motion debate on the progress made by the Administration in improving the barrier-free access and facilities should be moved at a Council meeting in June 2012.

28. To raise public awareness and understanding of the accessibility issues, Ms Emily LAU considered that the Administration should step up public education on provision of dignified access. Taking into account the experience of the appointment of Gender Focal Points in individual bureaux/departments, Ms LAU cast doubt about the effectiveness of the appointment of Access Co-ordinators and Access Officers in coordinating the accessibility issues.

29. DS(W)1 said that the Administration had thoroughly studied the findings and recommendations of the EOC Report. Having regard to operational requirements, technical feasibility and time required for the retrofitting works, the Administration had worked out a consolidated retrofitting programme for 3 306 government premises/facilities concerned. As undertaken at the Panel meeting on 13 December 2010, the Administration would provide quarterly reports on the implementation progress of the retrofitting programme, and CS had in fact given a similar direction to the Task Force.

30. Mr Alan LEONG said that the Civic Party welcomed the EOC Report. However, he considered that the Administration's response to the EOC Report lacked a forward-looking perspective. In his view, the

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Administration should step up public education to raise public awareness and understanding of accessibility issues, with a view to enhancing support for the provision of barrier-free and dignified access by the community at large and adopting universal design in all building design. Mr LEONG commented that the Administration had yet to formulate a comprehensive policy for persons with disabilities, and collect specific views of persons with disabilities in the public engagement exercise in planning large-scale development projects, such as the West Kowloon Cultural District Project. Mr LEONG then sought further information from the Administration on its response to the recommendations in the EOC Report concerning the setting up of a resource centre to provide information and advice on the design standards for accessible premises and the built environment.

31. Ms LI Fung-ying hoped that the Administration's undertaking to implement the retrofitting programme would help facilitate persons with disabilities to live independently and integrate into society. Ms LI expressed grave concern about the responsible parties for coordinating the connectivity of barrier-free access and facilities in private properties and public areas. Ms LI was concerned about the progress in providing barrier-free access, such as lifts in all MTR stations and whether the Administration would follow up the matter. Noting that wheelchair accessible taxis had already been introduced in the Mainland, she asked whether the Administration had any plan and timetable to introduce such taxis.

32. DS(W)1 said that the Task Force would coordinate the follow-up actions on the EOC Report. As mentioned earlier, an Access Officer would be appointed for each venue under their management to, among other things, serve as the first point of contact on and handle the day-to-day management of accessibility issues at the venue including liaising with the management of barrier-free facilities in private premises in the vicinity.

33. CTO/P/DTP/TD advised that under the existing legislation, the statutory requirements on vehicle safety and environmental protection had to be met in order to have a vehicle type registered for use as taxis in Hong Kong. Local taxis could be either fuelled with liquefied petroleum gas ("LPG") or petrol. To his knowledge, petrol-fuelled wheelchair accessible vehicles were available in the market. Over the past years, TD had been assisting the taxi trade in introducing wheelchair accessible taxi types. A vehicle supplier had recently succeeded in altering a petrol model of wheelchair accessible vehicle into a LPG model. Although the introduction of wheelchair accessible taxis was a commercial decision for

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the taxi trade, the Administration was in support of the introduction of wheelchair accessible taxis. TD had been promoting and assisting the trade to introduce the concerned vehicle types. He added that wheelchair accessible taxi services were currently provided by a social enterprise by appointment.

34. Pointing out that no principal officials and department heads had attended the meeting to receive views from deputations, Mr LEUNG Yiu-chung expressed reservation with the Administration's sincerity and commitment in following up the recommendations in the EOC Report. Mr LEUNG noted from the EOC Report that full accessibility meant an uninterrupted path of travel to or within a building. It also meant the ease with which the facilities were used and connected. He took the view that the provision of an uninterrupted path of access to a premise was of primary importance. However, he noted with concern that although the Transport and Housing Bureau ("THB") had identified 19 hillside slopes in the territory which should be provided with hillside escalator links and elevator systems, THB would proceed with 10 projects first due to financial constraints, and it had yet to set out a timetable for taking forward the feasibility studies for the remaining nine projects. He was gravely concerned about the timetable for providing hillside escalator links in Kwai Chung Estate, which ranked 11th on the priority list for conducting feasibility studies. While he acknowledged that the EOC Report had not covered the accessibility of government clinics and public hospitals, he appealed to EOC and the responsible authorities to actively follow up the accessibility problems of these premises and take concrete plans to improve the barrier-free access facilities, and with particular reference to the Peng Chau Clinic and Princess Margaret Hospital.

35. DS(W)1 assured members that the Administration attached great importance to the implementation of the consolidated retrofitting programme. CS had asked the Task Force to submit to him quarterly reports on the implementation progress. To obtain firsthand information on the improvement works, CS had just conducted a site visit to Shatin for this purpose.

36. Mr LEUNG Kwok-hung took the view that as government premises and facilities were exempted from BO, in order to ensure the compliance with the implementation timetable for retrofitting works, consideration should be given to introducing punitive measures for non-compliance by individual responsible authorities.

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37. While the Administration had undertaken that 3 306 government premises/facilities would be retrofitted before 30 June 2012, Mr LEE Cheuk-yan considered it unacceptable that little progress had been made by the Hospital Authority and MTRC in enhancing the accessibility of services and facilities under their management. He took the view that concrete action plans for the retrofitting works and timetable should be drawn up and made public by these organisations. Instead of convening a Task Force led by LWB to coordinate Government's response to, and follow-up action, on the EOC Report, Mr LEE held the view that a high-level central coordinating body headed by CS should be set up to develop policies and practices for government/public premises and facilities to build towards a barrier-free and inclusive society. Mr LEE was also gravely concerned about the progress in improving the accessibility of chained fast food shops in shopping centres.

38. DS(W)1 elaborated that the post holder of C for R was the focal point in the Government to coordinate policies and programmes on rehabilitation services, including safeguarding the rights of and providing a barrier-free environment for persons with disabilities. DS(W)1 clarified that the Task Force was a standing mechanism within the Government to co-ordinate and monitor the implementation progress of the retrofitting works. The Task Force would also be responsible for the update of DM. DS(W)1 added that the Administration welcomed the EOC's recommendation that Government departments should appoint an Access Co-ordinator and Access Officers to provide assistance to persons with disabilities in accessing premises under their management. To this end, an Access Co-ordinator would be designated within individual bureau or department to co-ordinate accessibility issues within the bureau and department to facilitate Government-wide collaborative efforts in enhancing the accessibility of government premises and facilities. Individual bureaux and departments would appoint an Access Officer for each venue under their management to improve day-to-day management of accessibility issues, and the contact details of the Access Officers would be displayed at the venues and available on the website.

39. Mr IP Wai-ming expressed grave concern about the progress of the provision of hillside escalator links and elevator systems to facilitate the public to travelling to and from uphill areas. Moreover, individual DCs had put forward proposals for provision of barrier-free access at public footbridges and subways. He sought clarification as to whether these improvement works were within the scope of the retrofitting works in 3 306 government premises/facilities to be retrofitted before 30 June 2012.

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Citing his personal experience as an example, Mr IP commented that the lack of lift systems in all MTR stations and the unreliable service of low-floor buses had caused undue inconvenience to wheelchair users.

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40. DS(W)1 said that as explained to members earlier, apart from working out a consolidated retrofitting programme for the 3 885 government premises/facilities in response to the EOC Report, HyD would accelerate its retrofitting programme for the provision of 283 barrier-free access facilities (lift or ramp) at public footbridges and subways without such access or alternative at-grade crossings, where technically feasible, with a view to completing the majority by around 2016-2017. At the request of the Chairman, DS(W)1 said that the Administration would report the progress of the retrofitting programme for the provision of barrier-free access at public footbridges and subways, as far as practicable.

41. On the procurement of low-floor buses, CTO/P/DTP/TD said that up to December 2010, about 3 200 low-floor buses, which represented 56% of the total buses, were in service. Suitable training on the proper operation of barrier-free facilities in buses would be provided to bus drivers, and such facilities were subject to regular check and maintenance.

42. Mr Albert CHAN took the view that the Administration should make public the scope and details of the consolidated retrofitting programme for upgrading the barrier-free facilities in existing government premises/facilities and quarterly reports on the implementation progress of the retrofitting programme. This would facilitate individual DCs to examine the relative priorities for works projects in their respective districts. Specifically, individual DCs might consider redeploying their resources for minor works to upgrade the barrier-free access facilities within their districts if considered necessary to speed up the progress. Referring to the retrofitting programme for the provision of barrier-free access at pedestrian pavements, Mr CHAN called on the Administration to provide dropped kerbs to enhance the accessibility of wheelchair users after getting off from vehicles, and in particular at the main entrance of buildings. On accessibility of public transport, Mr CHAN considered that the progress of procurement of low-floor buses and provision of barrier-free access facilities in trams was unsatisfactory. In his view, EOC should urge public transport operators to expedite the progress.

[The Chairman directed that the appointed time of the meeting be extended for 15 minutes to end at 11:15 am.]

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43. DS(W)1 reiterated that the quarterly reports on the implementation progress of the retrofitting programme would be available on the website. The Administration would seek funding to implement the consolidated retrofitting programme, and the total cost would be amounted to \$1.3 billion.

44. CTO/P/DTP/TD said that 95% of crossings in public roads in the territory had been provided with dropped kerbs. TD would examine whether and where additional dropped kerbs should be provided. This apart, persons with disabilities could sound out their needs at meetings of the Working Group on Access to Public Transport by People with Disabilities for the Administration's follow-up actions as appropriate.

45. At the invitation of the Chairman, attending deputations made the following supplement points –

- (a) Mr CHONG Chan-yau of Hong Kong Blind Union said that the Administration should formulate a comprehensive plan for the provision of barrier-free access and facilities across the territory in tandem with the implementation of the retrofitting programme. Mr CHONG added that following the establishment of the Hong Kong Guide Dogs Association in January 2011 and the introduction of first guide dog in Hong Kong, the Administration should formulate the complementary policy for the launch of the service.
- (b) Mr LAW Chun-ngai of Labour-welfare Group of Democratic Party appealed to the Administration to step up its efforts in building towards a barrier-free society for persons with disabilities. Instead of allocating funding for organizing recreational activities to promote the message, the Administration should enhance public awareness and understanding of the needs and difficulties of persons with disabilities in using barrier-free facilities. Specifically, the accessibility of public transport such as bus and ferry services should be addressed by, say, increasing the number of wheelchair-accessible buses and the capacity of wheelchair users of buses and ferries.
- (c) Miss CHAN Man-sing of The Salvation Army Carer Association said that the provision of non-emergency

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ambulance transfer service was far from adequate to meet the demand and needs of persons with disabilities in attending medical appointments at public hospitals and clinics. She further said that the Administration should consider setting up an assessment mechanism to evaluate the effectiveness of public education programmes in raising public awareness on accessibility issues.

- (d) Mr LAW Wai-cheung of Direction Association for the Handicapped recalled that at the summits on accessibility of public transport held in the 1990s, which were attended by public transport operators and persons with disabilities, MTRC had undertaken to retrofit lifts in MTR stations connecting to the ground level, but little progress had been made in the past decade. He was also disappointed at a lack of concrete follow-up actions on the discussions of focal groups convened by the Government. Mr LAW added that although disabled toilets were provided in many premises, they were not properly managed and therefore these facilities could not be used by persons with disabilities. He called on the responsible authorities to step up enforcement actions against non-provision of barrier-free facilities.

46. Regarding the motion on the EOC Report to be moved by the Panel Chairman at the Council meeting of 26 January 2011, Ms Emily LAU took the view that responsible principal officials including CS, Secretary for Labour and Welfare, Secretary for Food and Health, Secretary for Transport and Housing, Secretary for Development and Secretary for Constitutional and Mainland Affairs should attend the debate and provide responses to members' views. Having regard to the experience of appointment of a Focal Point in bureaux/departments on the gender mainstreaming issues, Ms LAU cast doubt about the extent to which the Access Co-ordinators and Access Officers could adequately perform their respective roles. Ms LAU further said that as the Administration would provide its first quarterly progress report on the retrofitting programme in June 2011, the Panel should hold a special meeting to monitor the implementation progress. Moreover, representatives of MTRC, Hospital Authority, The Link and HyD should be invited to attend the meeting. She reiterated that to monitor the overall performance, another motion on the Administration's follow-up action on the EOC Report should be moved at a Council meeting in June 2012.

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47. To facilitate members' following up on the implementation progress of the retrofitting programme, Mr IP Wai-ming said that the Administration should provide members with a list of the premises and facilities to be retrofitted.

48. While raising no objection to enhancing public education on accessibility issues, Mr LEUNG Yiu-chung said that it was of utmost importance for the Administration to fully understand the needs of persons with disabilities in drawing up the policies and allocating more resources for realizing a barrier-free environment. In his view, persons with disabilities should enjoy rights to travel freely on an equal basis with others. To this end, efforts should be stepped up to make public transport more accessible to persons with disabilities.

[To allow sufficient time for discussion, the Chairman proposed and members agreed that the appointed time of the meeting be further extended to 11:30 am.]

49. Responding to the views of members and deputations, the Administration made the following remarks.

50. DS(W)1 stressed that in response to the recommendations in the EOC Report, the Administration had undertaken to carry out a major retrofitting programme to upgrade the barrier-free facilities in existing government premises and facilities, amongst which the majority of improvement works would be retrofitted by 30 June 2012. This had fully demonstrated the Administration's commitment in this respect. The quarterly reports on the implementation progress of the retrofitting programme would be uploaded on the website.

51. C for R said that LWB had provided each DC with an annual allocation of about \$50,000 and subsidized NGOs for organizing district-based public education activities, such as seminars and accessibility check-walks, to bring across the message of barrier-free and inclusiveness to the community at large. This apart, the concepts of equality, non-discrimination, inclusiveness etc. had already been incorporated in the school curriculum. RAC had also conducted regular visits to schools on the subject. As an on-going public education initiative, LWB would continue to organize territory-wide and local public education activities to promote a barrier-free and inclusive society. In addition, "A Barrier Free World Starts with Equality for All" ("無障礙社會由平等開始") had been adopted as the new slogan for the promotion of the implementation of the

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United Nations Convention on the Rights of Persons with Disabilities.

52. C for R added that the Administration was mindful of the accessibility of public transport by persons with disabilities. While the public transport operators had been enhancing their barrier-free access facilities and services for persons with disabilities, the provision of non-emergency ambulance transfer service and Rehabus service would help meet the transport needs of persons with disabilities. As far as the Rehabus service was concerned, over 20 additional Rehabus had been bought in last year, and the total number of Rehabus in service was 119.

53. AD(PS)/ArchSD said that ArchSD would endeavour to proceed with the retrofitting programme in accordance with the scheduled timetable, and provide members with updated details of the implementation progress as far as practicable.

54. AD(ES)2/HD said that HA would closely monitor the progress of improvement works in premises under its management and make periodic reports on the progress. It would also collaborate with the estate management committees to enhance residents' understanding of accessibility issues.

55. CTO/P/DTP/TD said that to his knowledge, HyD had taken forward the feasibility studies on the provision of hillside escalator links and elevator systems for proposals ranked top ten. Depending on the complexity of the proposed systems, it was estimated that all feasibility studies would be completed in phases in about 24 months to 48 months. Furthermore, TD would continue to collaborate with the public transport operators to enhance the accessibility of public transport.

56. Chairperson of EOC noted with concern that the proposal of installation of passenger lifts connecting the ground level and station concourse in a number of old MTR stations such as Jordan station had been put forward for over a decade, but to no avail. He strongly called on the Administration and the public organizations to assume full responsibility in building a more accessible society that meet the needs of persons with disabilities and the elderly by adopting the principle of universal design. Specifically, the Administration should formulate the policy on accessibility issues based on the future needs, having regard to the ageing population trend in Hong Kong and the projection that the combined population of elderly people over 60 and persons with disabilities would exceed 2 million by 2036.

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57. In concluding the discussion, the Chairman said that he would, on behalf of the Panel, move a motion on the EOC Report at the Council meeting of 26 January 2011. He appealed to the attendance of CS and the relevant bureaux secretaries at that Council meeting. In addition, he would invite MTRC, franchised bus operators, The Link, Hospital Authority and the private developers concerned to give due attention to the motion debate. The Chairman further said that as decided at its meeting on 10 January 2011, the Panel had appointed a subcommittee to monitor the Government's follow-up actions on the 23 recommendations in the EOC Report and to study issues relating to the provision of barrier-free access and facilities for persons with disabilities. As the subcommittee was currently on the waiting list for activation, the Panel would hold further meeting(s) to discuss the quarterly reports on implementation progress of the retrofitting programme if necessary.

II. Any other business

58. There being no other business, the meeting ended at 11:30 am.

Council Business Division 2
Legislative Council Secretariat
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