

OFFICIAL RECORD OF PROCEEDINGS

Thursday, 1 June 2000

The Council met at half-past Nine o'clock

MEMBERS PRESENT:

THE PRESIDENT

THE HONOURABLE MRS RITA FAN, G.B.S., J.P.

THE HONOURABLE KENNETH TING WOO-SHOU, J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, J.P.

THE HONOURABLE DAVID CHU YU-LIN

THE HONOURABLE CYD HO SAU-LAN

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE MICHAEL HO MUN-KA

IR DR THE HONOURABLE RAYMOND HO CHUNG-TAI, J.P.

THE HONOURABLE LEE WING-TAT

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE MARTIN LEE CHU-MING, S.C., J.P.

THE HONOURABLE LEE KAI-MING, S.B.S., J.P.

DR THE HONOURABLE DAVID LI KWOK-PO, J.P.

THE HONOURABLE FRED LI WAH-MING, J.P.

DR THE HONOURABLE LUI MING-WAH, J.P.

THE HONOURABLE NG LEUNG-SING

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, J.P.

THE HONOURABLE MA FUNG-KWOK

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHRISTINE LOH

THE HONOURABLE CHAN KWOK-KEUNG

THE HONOURABLE CHAN YUEN-HAN

THE HONOURABLE BERNARD CHAN

THE HONOURABLE CHAN WING-CHAN

THE HONOURABLE CHAN KAM-LAM

DR THE HONOURABLE LEONG CHE-HUNG, J.P.

THE HONOURABLE MRS SOPHIE LEUNG LAU YAU-FUN, J.P.

THE HONOURABLE LEUNG YIU-CHUNG

THE HONOURABLE GARY CHENG KAI-NAM, J.P.

THE HONOURABLE SIN CHUNG-KAI

THE HONOURABLE ANDREW WONG WANG-FAT, J.P.

THE HONOURABLE WONG YUNG-KAN

THE HONOURABLE JASPER TSANG YOK-SING, J.P.

THE HONOURABLE HOWARD YOUNG, J.P.

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE YEUNG YIU-CHUNG

THE HONOURABLE LAU KONG-WAH

THE HONOURABLE MRS MIRIAM LAU KIN-YEE, J.P.

THE HONOURABLE AMBROSE LAU HON-CHUEN, J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE CHOY SO-YUK

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE SZETO WAH

THE HONOURABLE TIMOTHY FOK TSUN-TING, S.B.S., J.P.

THE HONOURABLE LAW CHI-KWONG, J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

DR THE HONOURABLE TANG SIU-TONG, J.P.

MEMBERS ABSENT:

THE HONOURABLE HO SAI-CHU, S.B.S., J.P.

THE HONOURABLE EDWARD HO SING-TIN, S.B.S., J.P.

THE HONOURABLE ERIC LI KA-CHEUNG, J.P.

PROF THE HONOURABLE NG CHING-FAI

THE HONOURABLE MARGARET NG

THE HONOURABLE RONALD ARCULLI, J.P.

THE HONOURABLE HUI CHEUNG-CHING

DR THE HONOURABLE PHILIP WONG YU-HONG

THE HONOURABLE LAU CHIN-SHEK, J.P.

THE HONOURABLE LAU WONG-FAT, G.B.S., J.P.

THE HONOURABLE FUNG CHI-KIN

PUBLIC OFFICER ATTENDING:

MR GREGORY LEUNG WING-LUP, J.P.
SECRETARY FOR HEALTH AND WELFARE

CLERKS IN ATTENDANCE:

MR LAW KAM-SANG, J.P., DEPUTY SECRETARY GENERAL

MR RAY CHAN YUM-MOU, ASSISTANT SECRETARY GENERAL

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Members' motions. Two motions with no legislative effects. I have accepted the recommendations of the House Committee regarding the speaking time limits which, I believe, are very clear to Honourable Members. Therefore, I am not going to repeat them.

The First Motion: Women's Commission.

WOMEN'S COMMISSION

MISS CYD HO (in Cantonese): Madam President, I move the motion as set out on the Agenda.

Madam President, the Chief Secretary for Administration announced the establishment of a Women's Commission at a function of the Equal Opportunities Commission on 6 May. This first step taken by the Government should have been welcomed because that demonstrates its concern about equality of the sexes, an issue we discussed many times before. However, it turned out that the response of organizations concerned with women's affairs was more negative than positive, the best remark was only that "Well, having one is at least better than having none at all". So, the announcement does not really please anybody. This is because the proposed Women's Commission will merely be another advisory body: It has no power, it might not even have adequate resources to take the initiative of studying policies; it can only give opinions according the social experience of its members on topics the authorities might raise. What is more, even when the Commission puts forward recommendations in respect of long-term development strategies, there is no mechanism in place to ensure that the executive branch will accept such recommendations and turn them into policies. Further, that the Chief Secretary for Administration places this Commission under the Health and Welfare Bureau shows that the Government only treats women's affairs as those that require remedial services, providing very passive remedial actions such as giving Comprehensive Social Security Assistance to those who fall into the "poverty net", accommodating those abused in the Harmony Home Ltd. After millennia of stereotyping, after prolonged suppression, women should indeed be emancipated now. "Damage repair" services are not enough, the equality of the sexes can only be achieved if we start with a thorough examination of the overall

policy. We could in fact actively consider the approach of "helping other to help themselves", and introduce developmental and forward-looking measures in the areas of education, employment and economic activities, so as to enable women to enhance their economic, political and social status with a view to shaking off their image as the weaker sex on the receiving end of assistance.

Women have long been in a disadvantaged position. This is a structural problem, and is not an isolated incident. I have provided plenty of data in this respect in the past. For example, among the population of 290 000 in our low-income group, 250 000 are women; 400 000 women are of kindergarten education level or below, close to being illiterate; among the 13 Members of the Executive Council, only four are women; only 10 women in this 60-Member Legislative Council; there is no female justice in the Court of Final Appeal; and females constitute only 25.7% in the membership of the various advisory bodies. These facts show that women are low in status, in average income, education level and enjoy less decision-making power in the public service. As this is a structural problem, we must begin with the structure, by tackling the fundamental mechanism, in order to find a solution; we must not merely take remedial actions to effect a change. However, as I just pointed out, the number of females in the power structure is too small. Even those who normally speak strongly for the equality of the sexes, even though they may cherish such conviction, might lack sensitivity in their actions. To them, it is easier said than done, because if they really have to take actions, they have to completely change their mindset. In this connection, I would now tell you an interesting anecdote. In 1994, a certain person who was very much concerned about the political reform invited like-minded people from various walks of life to a private club to discuss the different options of the political reform. But it turned out that that particular club was out of bounds to women. When some active feminists arrived, the host was greatly astounded and asked who invited them. From this little story it can be seen that the convenor completely lacked sensitivity in this respect. It did not appear to him there could be female participants, so he booked a place where women were not admitted. If people within our power structure do not have such sensitivity, would they be able to step into the shoes of women and consider whether the policies they make might result in the females taking up a disproportionate amount of social cost, whether the effect of such policies would be conducive to the equality of the sexes? The answer is of course a No.

Madam President, we have all along argued in favour of a three-tier structure. The first tier should be a central mechanism with real policy-making powers within the executive framework. We hope that it will conduct gender impact assessments in the course of deciding public revenue and expenditure and in the scrutiny of legislative proposals, to see if public administration would impose unequal social cost on the female and if the development of the personal potential of women is hampered, so as to narrow the gap between the status of the male and the female. This is not only a demand of local concerned organizations, but it is also incorporated in the action programme of the 1995 World Women Conference which is to "set up national mechanisms within the policy co-ordination centre of the government to enhance the status of woman, with the main function of providing support to the main system in all the policy areas of the whole government to ensure that views in favour of sex equality in policies are considered." This is to say that the effects of all the measures on men and women must be assessed in the process of drawing up legislative proposals, of policy-making and in public finance. The United Nations Convention on the Elimination of All Forms of Discrimination Against Women Committee has also put forward similar recommendations to Hong Kong. The second tier is the Women's Commission now proposed by the Government. This should be an advisory body and watchdog to see if the central mechanism has dutifully carried out the assessments regarding the roles of the sexes. The third tier comprises the officials in the various policy-making departments of the Government who should, as front-line workers, first assess any impact on the two sexes of any policy or executive measure they might draw up and amend them to meet the objective of sex equality before submitting the same to the central mechanism for a joint examination by the departments to evaluate how much impact would actually be generated in the area of genders.

The Women's Commission now proposed by the Government belongs to the second tier, it is absolutely not a central mechanism. This proposal deviates from the report the Government submitted to the United Nations and from what the Government of the Hong Kong Special Administrative Region (SAR) said at the United Nations hearing in 1999. Our government is going back on its words. In the report submitted by the SAR Government, there is a paragraph which reads as follows: "The various Policy Groups at the highest government level in fact provide the necessary harmonization and co-ordination in the work of the Policy Bureaux. These policy groups are chaired by the Chief Secretary for Administration and attended by senior officers of the Policy Bureaux concerned. Therefore it is the view of the Government that there is no need to

set up a Women's Commission". This is very contradictory. Let me also read a passage from the proceedings of that particular United Nations hearing. The official representing the SAR pointed out that, "The policy group led by the Chief Secretary for Administration and attended by senior representatives of policy departments ensures co-ordination among different departments over women's affairs". Upon hearing these words those Legislative Council Members who attended the hearing in their personal capacity were naturally very happy; however they were on the other hand quite puzzled why they had no knowledge of the existence of such a good mechanism. Coming back to Hong Kong, we questioned Mr David LAN, Secretary for Home Affairs, at the Home Affairs Panel chaired by Miss CHOY So-yuk. When we asked if such policy group chaired by the Chief Secretary for Administration ever studied policies from the women's perspective, and when such matters were mentioned. Mr LAN replied that there was no need to check records, because they were never mentioned. Mr LAN further said that until problems involving women emerged, there would not be such discussions. Members deemed that greatly "outrageous". That was because such a policy group has already existed, it was a central mechanism and cost the Government not a penny, only that it did not look at public administration from a mainly gender point of view; but in its report to the United Nations the Government claimed that such policy group could co-ordinate matters involving services to women. We thought that the Government was lying.

From 5 June to 9 June, the United Nations will conduct an interim review to follow up on the action programme of the World Women Conference. Because of this, the Government now proposes to set up the Women's Commission and to create the necessary post in a hurry. The relevant document for the creation of such post was in fact scheduled to be discussed at the meeting of the Establishment Panel held yesterday at 10.45 am. Fortunately, the Government still respects procedures, and knowing that we had yet to debate the issue and that there were diverse views among many community organizations, it withdrew the papers. Otherwise, the discussions yesterday morning would have already produced substantial effects, unlike this debate of ours that carries no mandatory force.

However, I also wish to point out that the terms of reference of the Women's Commission as set out in the document are very narrow in scope, it is utterly not the central mechanism the Government mentioned in the report it submitted. The functions and terms of reference of the Women's Commission

as set out in the document are: (a) to advise the Government on the long-term objectives and policies in developing the potential of women and in promoting women's rights and interests; (b) to advise the Government on policies and measures involving women; (c) to review the services provided by government or non-governmental organizations from time to time according to the needs of women, to set the priority for the work concerned, and to advise on the development of new services or the improvement to existing services; and (d) to organize education and publicity activities. Thus we can see that this Women's Commission can in no way generate any actual effect; it has no real power in deciding public finance and policies, or in examining legislative proposals. It can do nothing to narrow the gap between the sexes within the central mechanism. This Women's Commission can never achieve such an objective.

In respect of this issue, Madam President, many organizations have expressed their views. They include the Equal Opportunities Commission, the Joint Hong Kong Federation of Women's Associations, the Hong Kong Council of Social Service, and the eight to nine non-governmental women's bodies under the Women's Joint Conference for Equal Opportunities. Two Members are going to move amendments to my motion. In principle we all agree that a central mechanism should be set up, but there are differences in the specifics about how such central mechanism should be constituted and how it should operate, and under whom. In fact, this central mechanism could be an office with a commissioner, could be a department, and it could also be a work procedure. When we turn and look at the report the SAR submitted to the United Nations, such a central mechanism in fact already exists. All we need to do is to add one demand to specifically require the central mechanism to, when examining each policy, each item of expenditure and the implementation of each measure, assess its impact from a mainly gender perspective. That would be acceptable, and no extra public expenditure will be involved. Therefore, I do not understand why the Government refuses this operational procedure. Naturally, some Members think that the objectives of the central mechanism can be achieved through other means. In this respect, I welcome diverse views and discussions so that more people will become concerned about this issue.

Madam President, these are my remarks.

Miss Cyd HO moved the following motion: (Translation)

"That this Council expresses regret that the Women's Commission to be established by the Government will only play an advisory role and deal with women's health and welfare issues, and as such cannot effectively protect women's rights and interests, and urges the Government to:

- (a) set up a central mechanism to examine various government policies, public finance and legislative proposals from the angle of safeguarding equality for both sexes;
- (b) entrust the Women's Commission with the responsibility for overseeing the operation of the central mechanism and include women representative from the grassroots in the Commission's membership; and
- (c) direct the Chief Secretary for Administration's Office to provide administrative support to the Commission and co-ordinate the relevant work of the various government departments."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Miss Cyd HO, as set out on the Agenda, be passed.

PRESIDENT (in Cantonese): Mr Albert HO and Miss CHOY SO-yuk will both move amendments to the motion. Their amendments are also set out on the Agenda. This Council shall now proceed to a combined debate on the motion and the two amendments.

I shall invite Mr Albert HO to speak first, to be followed by Miss CHOY So-yuk. However, at the present stage, the two Members shall not move any amendment.

MR ALBERT HO (in Cantonese): Madam President, policies on women's affairs encompass a very large area, covering education, training, health, welfare, safeguarding women against violence, and eliminating gender discrimination. Therefore, the establishment of a central mechanism to promote women's rights

and interests, and to handle women's affairs, is necessary. That is why the issue of "a central mechanism" has occupied a very important spot in discussions about women's affairs at the international level.

In 1995, the United Nations convened the 4th World Women Conference in Beijing. Hong Kong was a signatory to the "Action Programme" with a pledge to improve the status of women. The Government subsequently made the Convention on the Elimination of All Forms of Discrimination Against Women applicable to Hong Kong in 1996. One important recommendation in these two international documents is for the signatory countries or governments to set up or strengthen one effective central mechanism with adequate resources and powers at high government level to promote and co-ordinate women's affairs. Unfortunately, the Hong Kong Government has all along had no substantial plans to implement the international convention and the signed "Action Programme".

The Democratic Party and a number of women's organizations have over many years fought for the establishment of a high-level central mechanism so as to promote equality of the sexes and to co-ordinate policies on women's affairs. However, government officials had all along maintained that the policy group chaired by the Chief Secretary for Administration would suffice, until early May this year when the Chief Secretary for Administration suddenly announced the setting up by the Government of a Women's Commission before the end of the year. However, the proposed Women's Commission is a long way from the mechanism the Democratic Party and the women's organization have been demanding. To this, the Democratic Party expresses its disappointment.

As I said right at the beginning, policies on women's affairs encompass a vast area. However, the Women's Commission to be established by the Government will be placed under the Health and Welfare Bureau, to be co-ordinated by one Principal Assistant Secretary (PAS). The whole idea is really inadequate in promoting the equality of the sexes at a policy level. For instance, labour and training issues concerning women come within the scope of the Education and Manpower Bureau; violence against women is the jurisdiction of the Security Bureau; civic education and equality of the sexes education in the community as well as following up on the implementation of international conventions are the duties of the Home Affairs Bureau. All these are beyond the ambit of the Health and Welfare Bureau. How can this PAS, or the Secretary for Health and Welfare for that matter, scrutinize and formulate the policies and proposals of other bureaux? Further, the Government only plans to

create one PAS post to handle and co-ordinate women's affairs. This, the Democratic Party thinks unreasonable. We still remember that towards the end of 1998 when the Government came to the Legislative Council for funding to create the post of the Information Co-ordinator, it explained that the officer in that post had to harmonize, to co-ordinate the work, information and public relations strategies of the various bureaux, therefore the post had to be a high-ranking one at D8 level. Similarly, in the present case, the Government is very clear that for the officer to be able to effectively co-ordinate the affairs of the various bureaux to ensure that their policies can adequately consider the effect on the sexes, the post must be ranked at a certain high level. An officer of the PAS level can hardly effectively co-ordinate the work of the different departments and bureaux, still less when the officer is placed under the Health and Welfare Bureau. The narrow scope of duties the post carries and its low rank do not, in my opinion, give the officer concerned high enough status to take part in international discussions on women's affairs.

A United Nations report (1998 Directory of National Mechanisms for the Advancement of Women) pointed out that of the 129 countries where a central mechanism was established, most of their central mechanism are within the government structure. Another survey report published in 1996 showed that among the 88 members country respondents, over half of them have the central mechanism under one ministry or bureau; one third of them have it under the office of the Head of State, while in the rest, the central mechanism is in itself a ministry or a bureau. Among the 90-odd replies, four fifths of the central mechanisms are vested with the power to make legislative proposals or scrutinize such proposals. Though there may be differences among the central mechanisms in various countries, according to United Nations information, the main features of such central mechanisms can be summarized as follows: First, they occupy a high position in policy-making and in the power structure, and can influence government policies; second, they have clear-cut ambit and functions; third, they maintain close connections with non-governmental organizations; and fourth, they possess adequate staff and financial resources.

The Women's Commission proposed by the Government is only advisory in nature, utterly devoid of any real power to promote sex equality and work relating to women's rights and interests. This shows that the Government does not have the sincerity to establish a central mechanism with the efficacy and high level to handle women's affairs. The Democratic Party worries that the Women's Commission may eventually serve as a mere tool to enable the

Government to write its reports regarding the state of implementation of international conventions. What the Democratic Party demands is a central mechanism with sufficient power to ensure that the impact policies may have on sex equality will be adequately considered by the departments concerned during policy formulation.

The Democratic Party proposes that an "Office of the Women's Affairs Commissioner" be established under the Chief Secretary for Administration's Office, to be specifically responsible for the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women, so as to safeguard that the various government policies, public finance, legislation and legislative proposals will be scrutinized from the angle of sex equality, and to develop and formulate policies on women's affairs. This Office of the Women's Affairs Commissioner should be a law-enforcement agency, with administrative support from the Chief Secretary of Administration's Office, to be vested with the authority to co-ordinate the relevant work of the various departments with a view to ensuring that all measures and policies of the departments have been adequately considered from the women's perspective. The Office of the Women's Affairs should also have the duty to liaise with international organizations and to organize publicity and education activities aimed at promoting sex equality. The Women's Commission should, supported by the Office of the Women's Affairs Commissioner, be responsible for reviewing and studying the various matters regarding promotion of the equality of the sexes, for making recommendations to the Government and for overseeing the work of the Office of the Women's Affairs Commissioner. The Women's Commission should extensively draw on the collective wisdom of people from all walks of life who are concerned about the rights and interests of women, including women's organizations, schools and professionals. Such a framework can on the one hand have the actual power to push and develop women's affairs, and can on the other collect views of those in the community who are concerned about women's affairs. In this way, the whole setup will be highly effectiveness in operation as well as accountable.

I propose to amend the motion moved by Miss Cyd HO, but my objective is consistent with hers. We both wish to set up a really effective central mechanism with actual power to deal with women's affairs and to promote equality of the sexes. We hope to realize the concept of a "central mechanism" in definite and clear terms, and to give it substance. The amendment of Miss CHOY So-yuk favours a high-level body within the government framework and

under the leadership of non-officials. As we are not clear about its details, in particular the proposal to have non-officials performing the functions of a bureau secretary or deputy secretary, we have our reservations. Therefore I cannot support her amendment. These are my remarks.

MISS CHOY SO-YUK (in Cantonese): Madam President, we move the amendment today mainly for three reasons:

First, the original motion has not clearly set out the status, framework, authority, mode of operation and specific terms of reference of the Women's Commission. Our amendment today aims to address these omissions;

Second, up to the present day, the Government has not yet explained in detail the idea behind the Women's Commission. Naturally, if the Commission plays only an advisory role and is placed under the Health and Welfare Bureau, I would think that very improper and inadequate, because under such arrangements, the Commission will definitely not have sufficient power and administrative resources to promote and co-ordinate women's affairs that may cut across the jurisdictions of more than one department. Further, if the Government were to merely transfer the Women's Commission from the Health and Welfare Bureau to the Home Affairs Bureau, it would not only have ignored the uniqueness and complexity of women's affairs, but would also intensified the image of women as the weaker sex who constitute a burden to society and are badly in need of government assistance. Therefore I hope that the Government would set out the idea underlying the Women's Commission in greater detail today, and would accept my proposals.

Third, while the Government has not made known the specific proposals regarding the Women's Commission, it would be a bit premature for the original motion to express regret about the Government's proposal. What is more, with the Commission yet to be appointed, it is of little significance to express regret at the present stage.

Madam President, it is believed that most Members of this Council do not wish to see the Women's Commission degenerate into a rubber stamp. Therefore we suggest that the Commission must meet the following conditions:

First, the Commission must be a high-level one within the government hierarchy, similar to the current Elderly Commission, so that it has the adequate authority and resources to handle women's affairs at an inter-departmental and inter-bureau level. At present, the Equal Opportunities Commission (EOC) also handles problems relating to women, but the EOC is after all not specifically there for women. Besides, being outside the government framework, it can hardly ensure that women's views are effectively incorporated in the policies of various government departments;

Second, the Women's Commission must be placed under the leadership of non-officials so as to bring in views different from the Government's, and also to avoid the Commission turning into another bureaucratic set-up; and

Third, in view of the considerable complexity of women's affairs which involve people from different social strata, members of the Women's Commission must be broadly representative, including women's representatives from various strata as well as academics and professionals, so that specific policies can be formulated to address the problems of women of different circumstances or strata.

Only thus can the Women's Commission effectively make up for the Government's inadequacies in its support to women, and plan, implement, promote as well as oversee the relevant policies. At present, government support is inadequate in two respects. First, while the target clients of the 19 team work offices the Government run and the 13 community centres it finances include women, services for women are merely part of a broader scope of their services, resulting in fragmentation and segregation of services for women, easily leading to a dilution of women's needs as individuals. What is more important is that the Government now has the Elderly Commission to make recommendations on elderly policies, and also has youth policies based on the Youth Charter; but in respect of women, who are half the supporting pillar of Hong Kong, and who play a most significant part in the economy, politics as well the overall development of Hong Kong, it does not have a set of specific and comprehensive policies.

Indeed, though the women of Hong Kong are half the supporting pillar of Hong Kong, their status and compensation in society can hardly be compared with those their male counterparts get. At present, females in different social strata, who are leading different lives or working in different environments, still

face various forms of restrictions and cannot fully develop their potential. Such unreasonable hurdles to women include:

First, many women want to work in society, but are prevented from doing so by family commitments such as raising children. This results in women finding it difficult to compete with their male counterparts in the labour market, and they can also be easily forced to play second fiddle.

Second, women not only find it difficult to enter the job market, they are also hampered by less opportunity to receive education. This means that women are more liable to get eliminated from the labour market and become unemployed;

Third, women have always been subject to structural discrimination in the job market; and

Fourth, with more difficulty in getting jobs and in achieving financial independence, women are more susceptible to domestic violence or unfair treatment after divorce.

To address the above problems of the women, we think that the primary task of the Women's Commission is to formulate a set of comprehensive and long-term policies on women's affairs with clearly defined objectives with a view to generally raising the status of the women in areas of employment, education, poverty, medical, environment, and involvement in the government policy-making process.

Besides, it is the current practice for the Government to require all major projects to pass the environmental impact assessment. The Government should also establish a similar mechanism to examine and assess the various government policies, regulations and systems, public finance and legislative proposals from the angle of protecting the equality of the sexes. This examination mechanism is arguably the key to adequate protection for such equality. Without this examination procedure, gender viewpoints are for sure not to be really incorporated in government policies.

The Women's Commission should at the same time introduce into Hong Kong the various applicable parts of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women and the Beijing

Action Programme, in accordance with the specific and unique circumstances of Hong Kong, while abiding by the Basic Law as well as the principle of equality of the sexes. The Commission should review whether the current allocation of resources is reasonable and effective in respect of publicity, education, medical and child-care services, employment and training as well as prevention of sex-related crimes, and to formulate plans for relevant actions and strategies. The Government, when promoting the relevant legislation and social services, should introduce one-stop services so as to give the most effective support to the women who need it.

Madam President, there has long been consensus in society supporting the equality of the sexes. What we now lack is a Women's Commission that has adequate resources and influence to take the lead in promoting the protection of the rights and interests of women.

With these remarks, therefore, I move the amendment.

DR YEUNG SUM (in Cantonese): Madam President, I wish to commend the Government at the outset for withdrawing the other day the funding application to the Establishment Panel. The Government had wished to apply for funding to create one post to handle the work relating to the Women's Commission. However, in view of the objections raised by many organizations, and that we had yet to debate the present motion to express our views and those of the non-government organizations about the terms of reference and structure of the Women's Commission, we told the Government that this present motion debate would be rendered meaningless if it insisted on going ahead with the application. On hearing such relevant opinion, the Government withdrew the application.

I wish to raise a few points. Mr Albert HO of the Democratic Party already spoke in detail about our proposals and views in respect of this Women's Commission. Firstly, I wish to point out in strong terms that this Women's Commission must be a central mechanism, must be vested with real power and must be inter-departmental by nature. Most important of all, it must not be placed under the Health and Welfare Bureau. I understand that certain organizations even suggested that the Secretary for Health and Welfare to chair the Commission. This I oppose. It is because women's problems are not limited to health and welfare issues, they involve education, labour, employment, training, housing, and even social status and discrimination. Therefore, I hope

that the Government would listen carefully that the great majority of Members are strongly against restricting the terms of reference of the Commission to welfare matters. Of course, having welfare is at least better than having no welfare.

Second, we must stress that this Commission must not be a mere advisory organization. There are hundreds of advisory bodies in Hong Kong, but the problem with them is that they do not have real powers. The District Councils (DCs) are a case in point. Despite government encouragement, the turn-out rate in DC elections is not normally high, and is always sure to be lower than that in Legislative Council elections. The main reason is that DCs are only advisory bodies. Therefore, if the Government has the determination to establish this Commission, real power must be vested with it; and if the Commission is to have real power, it must by nature be inter-departmental. For this reason, the Democratic Party proposes that, as Mr Albert HO elucidated, an inter-departmental organization be established within the central hierarchy of the Government, with the Chief Secretary for Administration providing administrative support. Only thus can the Commission wield the real power to co-ordinate the work of various departments in relations to women's issues, and to give the departments a push. Let me re-iterate that a non-advisory central framework with real powers must be established, and it must not be under the Health and Welfare Bureau. These several points are very clear. Now that the Chief Secretary for Administration has made the unexpected announcement at the seminar in the University of Hong Kong for the establishment of a Women's Commission, I earnestly hope that the announcement was not made simply as a window-dressing gesture because of the impending international conference when the SAR Government will have to table a report. The demand at the international level is basically the establishment of a central machinery. I hope that the Government did not announce the setting up of the Commission merely "to make a delivery" because time is running out. If that delivery turns out to be spurious, Hong Kong will become a laughing stock internationally. Madam President, I hope that the Women's Commission will be a central machinery with actual power, with duties based on the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women, and on the action programme drawn up by the United Nations, that is what has been called the "policy base". This is very important. We do not need to start from the drawing board because there is a recognized standard in the international community on which we can base our own. To implement the programme of the Convention, we need to work out a strategy and an action plan that suit the situation of the SAR.

Third, we should put our suggestions regarding improvements to women's status to the various government departments and the Chief Executive. The Chief Executive should then draw up policy proposals and instruct government departments to carry them out. Besides, we hope that a comprehensive and long-term women's policy could be worked out so that there will no longer be chaotic actions taken merely to respond to social demands when they arise.

Fourth, I hope that the Commission could carry out studies and provide adequate and effective data to assist the formulation and planning of the relevant public policies. I also hope that more could be done on the equality of the sexes in the area of public education.

Indeed, the women of Hong Kong face tremendous hardships. Traditionally, they have to take care of their families. Though the Government has put in place the elderly policy so that there will be community care for the elderly, the so-called community care is in fact a way of family care, meaning that women still have to take care of the elderly because it is part of our culture to expect the women to tend the old, the weak and the children. On the other hand, the Hong Kong society is very much a professional one, and women have their own status, their own jobs. They have to meet the professional demand the community has of them, and at the same time they have to carry out their traditional function of managing the household. Therefore, the hardship Hong Kong women face is in fact quite big. We think that if the Government is really sincere now in establishing the Women's Commission, it should listen carefully to our proposals: This Commission must be a central framework, must be vested with real powers, must not be advisory, and must not be placed under the Health and Welfare Bureau. Thank you, Madam President.

MISS CHAN YUEN-HAN (in Cantonese): Madam President, the Government has recently proposed the establishment of a Women's Commission. This has astounded the women's organizations, particularly the colleagues who are present in this Chamber today. We have been asking the Government to set up a Women's Commission, but the Government has simply kept creating jokes. At meetings of the Home Affairs Panel chaired by Miss CHOY So-yuk, we laughed at the Government, saying that the Government could hoodwink the citizens, but it could never trick us. The Government said that the group led by Mrs Anson CHAN, the Chief Secretary for Administration, was a women's commission. That made us laugh. The reason that there have been such big

repercussions in society following the present proposal of the Government is exactly that the Government made lots of jokes in the past, and in the process lost the trust of women's organizations. I hope that government officials will come to understand that it was because of the seeds sowed by their past deeds that have caused this proposal to receive such unfavourable and negative responses.

Madam President, you know full well women's problems; you should know the feelings of the Hong Kong delegates who attended the 4th Women's Conference in Beijing. We saw the great importance our country and other countries, our country in particular, placed on women's issues. Representatives of women's organizations knew only after the Conference that our country did a lot of work on the equality of the sexes, set up important offices, and with an unwritten rule on the ratio of female members in the Standing Committee of the National People's Congress. All these were the envy of the Hong Kong delegates. By comparison, how does Hong Kong fare at present? I think that before the Government complains about our suspicion of its motive, it should first ask themselves what they have done.

Madam President, I think that the Government has not thought things out carefully before making its proposal. Why is the Women's Commission placed under the Health and Welfare Bureau? How is the issue of employment for women to be addressed? The Government does not have an answer for all these. It would only say that things would be handled when we raised the issues such as wife abuse and many other unfair treatments that women received. I feel that in the policy-making departments of our government, only a very small number of officials have a really in-depth understanding of the problems women face; and even they do not know enough. Why do I say so? Let us see what exactly Hong Kong women have to face. It is not that when we see how "fashionable" other people are, we clamour to get "fashionable" ourselves; it is also not that we want to have our own women's commission because we see other countries have established theirs. Take for example the Hong Kong Federation of Trade Unions (FTU). We have discussed for a long time the need for a women's commission in Hong Kong. The reason is that in a Chinese society, we are subject to the influence of many traditional concepts, such as "men work outside the family, women take care of the household", and that a woman "must obey her father and husband and depend on her sons; must have the four womanly virtues". All such concepts have carved deep marks in society, making the females, the households, the males as well as other people do many things unconsciously that are disrespectful to women.

Madam President, let me give an example. When women participate in political, economic or other activities, they face various forms of pressure, such pressure can be explicit or implicit. Take economic activities. Employers might think that married women with children simply "earn some money for cosmetics", so promotion to higher posts would bypass them, and there would not be training for them. These represent the explicit and implicit pressures. Right at the present, this is still a serious problem, even in the most modernized trades. Even the trades that grasp the most up-to-date information may not cherish the idea of equality for women. The same is true of government departments. Another example is participation in politics by women. You think that it is easy for a woman to get involved in politics? We have to overcome plenty of difficulties before succeeding in getting our seats in this Council. I know full well because I was there. In the '60s and '70s, many women were there with me taking part in the trade union movement. However, as time went by, women became scarcer and scarcer, because they were subject to pressure from their families or other areas; or they simply restricted their own activities. Finally, only a handful women stayed with the trade union movement. Similarly, female Members of this Council started their political career from the bottom, and endured the various implicit and explicit pressures in the course of their upward struggle before they finally became a politician. I would ask if the Government has ever considered these problems. Now the Government has proposed to place the Women's Commission under the Health and Welfare Bureau, I am not saying that health and welfare are not important to women, but what is more important is that women should be able to take part in political and economic activities. Has the Government ever thought about the fact that, hindered by traditional concepts, women have found it very difficult to participate in such activities?

Let me quote another very simple example which I believe all Members know. In the "Beyond the '90s — Hong Kong Social Welfare White Paper", published by the Government, Chapter 5 is about family problems. But only the elderly and the children were mentioned. When the Women's Affairs Committee of the FTU asked the Government why matters relating to women were not touched upon in family policies. Mrs Elizabeth WONG, the then Secretary for Health and Welfare, said that they only considered the services for the elderly and the children, women were not included. I cite this example just to stress that women are subject to huge pressure within the family. They have to look after the old and the young, while taking care of their own jobs and taking part in economic activities. How much does the Government know about the pressure they are subject to?

I wish to ask: When we discuss the establishment of the Women's Commission, how much does the Government understand women? Is the Government aware that right now, in the year 2000, females, particularly those at the grass-roots level, still face big restrictions when they take part in economic and political activities? I hope very much that the Government would really understand this. Therefore, in respect of the establishment of this Women's Commission, the Women's Affairs Committee of the FTU has raised a number of views, namely, the establishment of this Commission must not be a mere response to criticisms from the outside; the Commission must be genuinely familiar with women's problems; and the functions of the Commission must also cover the various economic and political areas I just mentioned.

MISS CHRISTINE LOH: Madam President, the call for a Women's Commission came many years ago. We were told by the Administration then that there was no need because the Administration would create an Equal Opportunities Commission (EOC). After the EOC was created, we were told that that was enough. In 1998, after the visit of the United States President and the First Lady, I suggested to the Chief Secretary for Administration that it would be useful for her to create an annual open forum to discuss women's issues in Hong Kong. If Hong Kong's leading women, such as senior women officials, were willing to come out in force to attend a round table discussion created at the last minute with Mrs Hilary CLINTON, they should do no less for Hong Kong's own women.

The Chief Secretary for Administration told me then that she would consider my suggestion if the annual open forum did not become a media event. I responded that if a forum was properly organized, there was no reason why the annual forum could not be a gathering to discuss substantive issues. I have since then not heard from the Chief Secretary for Administration.

In 1999, I wrote to her again to suggest that the post of a Commission for Women's Affairs be set up within the Administration so that there would be a specialist person to examine and promote women's issues within the bureaucracy. I never had a specific response, so it was a bit of a surprise to hear in early May this year that the Chief Secretary for Administration announced that a Women's Commission would be set up.

The pleasant surprise was, however, marred by it coming under the Health and Welfare Bureau. Surely, that decision shows the Administration's bias about women's issues as primarily pertaining to health and welfare, and a denial that women's issues span across many areas of policy.

Now that the Administration has withdrawn the proposal to create a new post within the Health and Welfare Bureau because of criticisms from women's groups and from this Council, I hope it will reflect on how it had gone about coming up with the idea in the first place. It seems that the Administration had little idea about how women's groups, Members of this Council and the public feel.

It was never clear to me why the Administration came up with a half-baked idea in the first place. As Dr the Honourable YEUNG Sum suggested, was it to merely window dress because there is about to be a follow-up meeting in New York of the Beijing Conference first held in 1995, and where various principles were laid down, including the need for a central unit in the Government to promote women's issues?

If I am right, I am appalled by how the Administration makes policies. It is reactive, not proactive with an anticipatory perspective. It is preemptive, meant to deflect criticism, rather than holistic and comprehensive. I hope that the Chief Secretary for Administration will herself reflect on her mishandling of this whole issue.

In terms of the amendments, I would prefer the one proposed by the Honourable Albert HO because it is much more specific than the one proposed by the Honourable Miss CHOY So-yuk.

MR MARTIN LEE (in Cantonese): Madam President, the Democratic Party and a number of women's organizations have over the years striven for the establishment of a high-level central mechanism to examine how the various government policies and legislation affect women and to formulate and co-ordinate policies on women's affairs. Such mechanism has been referred to differently as "women's bureau" or "women's commission" by different organizations. However, the Government has never heeded our request. So when Mrs Anson CHAN, the Chief Secretary for Administration, eventually announced in early May that the SAR Government would establish a Women's

Commission before the end of this year, it was a small pleasant surprise for many members of the Democratic Party who thought that the Government has finally accepted our views. Unfortunately, the happiness was short-lived because it transpired that the Government only adopted the name of "Women's Commission", it was a long way from what we have requested. The Government is arguably not doing what is advertised.

What we requested is a highly accountable central mechanism with real powers to take on women's affairs. But the Government only proposes to set up a Women's Commission of an advisory nature, whose work is to be co-ordinated, supported and followed up by the Health and Welfare Bureau. This calls into question what really can be done. The Democratic Party worries that, under such a structure, the Women's Commission proposed by the Government will in future only be able to study the specific women's issues as the Government so puts forward and to advise the Government on such issues. It cannot examine in a holistic manner government policies or legislative proposal to see if the gender impact has been considered.

In the past, the Government did not have a comprehensive policy in respect of women. All matters in this respect have been separately handled by the various Policy Bureaux on a piecemeal basis. Very often the impact on women a new policy might have was not fully considered during the formulation stage. It was only after the policy was introduced that problems were identified by non-government organizations which then proposed amendments. Such a mode of operation can hardly produce any positive effect on the development of a policy on women's affairs. Now the Chief Secretary for Administration announced the establishment of the Women's Commission with a lot of publicity, I hope that it is not a mere gesture, for window-dressing purposes. I hope that the Government would seriously consider the proposal of the Democratic Party, and set up a genuinely effective central mechanism for women's affairs so that the central mechanism would not become a hollow framework with a mere name.

Lastly, Madam President, I am a bit worried today that the amendments later to be moved would result in "all three ending in nought". However, I still hope that the Government would listen to Members' views. I believe not one among us will wholly accept the present proposal of the Government; we all hope that there will be improvements to varying degrees. Even if this motion is

not passed today, I still hope that the Government would prudently consider the issue, because what it now proposes to do is inadequate. If we are to really protect the rights and interests of women, the Government must conduct a serious study. Whether today's motion and amendments are passed, I hope that the Government will listen to the views of the Members. Otherwise, the citizens will become more and more disappointed with the ways and means with which the Government handles public business.

MR LEUNG YIU-CHUNG (in Cantonese): Madam President, fighting for the equality of the sexes has been the theme of social movements over the past two centuries; it also represents the value of social progress. Nowadays, we can agree that public sense about sex equality is on the rise, and the concept of equality of the sexes has spread generally through education and information dissemination; so it is now an opportune time to enter a stage of intensified efforts and implementation. Today's debate is also a good start, providing a chance to pool together our individual wisdom to deepen and carry out the work towards equality of the sexes.

Madam President, the very fact we are today having this motion debate on the establishment of the Women's Commission actually reflects that the degree of equality of the sexes in our community is still short of what we expect, and the female remains the weakest in our society. Therefore, while we contemplate ways and means to achieve equality of the sexes through policies, we must be careful and serious. Recently, there have been views that the status of women in our society has been duly recognized, as things are around us. For instance, the President of the Legislative Council is a woman, and there are no shortage of senior female officials in our Government. So there is no need to do more to promote equality of the sexes. However, I would say that such an impression is based on partial observation, the truth remains hidden. Take the labour issue which as everybody knows is the centre of my concern. At present, there still exist huge differences between female labour and male labour. According to the data provided last March by the Census and Statistics Department, there are only 4.1% and 4.2% respectively of executives and professionals in our female working population, while the corresponding figures for men are 10.3% and 6.1%. At the opposite end, in the female working population, unskilled workers account for 24.9%, nearly double that of men. Besides, one survey

found that the median monthly income of women is around \$8,500, while that for men is about \$11,000. So men still earn more. The results of the general household survey for the first quarter of 2000 just published by the Census and Statistics Department show that only 4.5% in the male working population earn less than \$5,000 a month, but as high as 22.2% of women do so. All these figures not only tell us that the quality of life at the grass-roots level is generally poor, but also that women are "the poor among the poor". So, even setting aside the issue of equal pay for equal work for man and woman, equality is basically not achieved in many cases in our present society.

Madam President, what exactly can we do now to further improve the equality of the sexes? We obviously will have diverse opinions. It is precisely for this reason that a central mechanism and an oversight commission are needed to collect the different opinions to push the work that has to be done. Miss CHOY So-yuk puts forth five proposals in her amendment, all of which I deem important and must be implemented. However what has to be implemented is not limited to that five proposals. There is endless work ahead of us that needs to be done to promote the equality of the sexes. The fact that many women are still stranded in inequality is, I think, a more compelling justification for the creation of a central mechanism to handle the relevant issues. The original motion of Miss Cyd HO hits the right target by demanding the establishment of this central mechanism so that every time the Government introduces a policy or handles a social issue, it will also consider the matter concerned from the angle of equality of the sexes. Such a mechanism can at the same time co-ordinate the work of different government departments, ensuring that they address the essence of the issues with a view to solving them, besides working to handle the current problems arising from the inequality of the sexes. The motion goes well beyond what the Government has proposed, that is, setting up a mechanism in the form of a commission to merely do some superficial work such as formulating the so-called policy on women's affairs. The advisory body the Government is talking about is, as many Members have said, basically a ploy for doing something not what it advertised. This will bring no substantive improvement to the present situation. Therefore, I hope that the Government would honestly look into the social problems, listen to the views of women's organization, and then turn this advisory commission into one vested with real powers to solidly promote the work towards achieving equality of the sexes.

Madam President, the movement for the equality of the sexes has been going on for two centuries and it has been 25 years since we first strove for the establishment of a central mechanism to handle women's affairs. At present, 129 countries worldwide have such mechanisms. It is a shame that Hong Kong lags far behind. It is hoped that the Government would quickly catch up, and would not still wait and see, or worse, act as a mere bystander. The Government must genuinely accept the views of the Members.

These are my remarks. Thank you, Madam President.

MR JAMES TO (in Cantonese): Madam President, the United Nations will convene next week the so-called "Five-year Monitoring, Beijing", that is, a meeting to examine the progress of the action programme drawn up during the Women's Conference held five years ago in Beijing.

The Government has surprised Hong Kong people, women's organizations in particular, by suddenly proposing the establishment of a Women's Commission at this juncture. I wish to point out that having such proposal is better than having nothing. I would attempt to draw a comparison between the proposed Commission and the existing ones in the government structure so that Members can see the difference.

First of all, advisory committees. Advisory committees are different in nature, and have different composition; different membership will produce different results. For instance, among the many advisory committees, the Fight Crime Committee, as I see it for the time being, involves the largest number of officials, and it can be said that to a certain degree, it is the one with the greatest influence. Why is it so? We can see from its constitution.

At present, the Fight Crime Committee is chaired by the Chief Secretary for Administration, among its members are five to six Bureau Secretaries, including the Secretary for Security, the Secretary for Health and Welfare, the Secretary for the Civil Service, the Secretary for Education and Manpower and the Secretary for Justice. Naturally there are several non-official members. So you could image that any proposals made, policies or measures approved by the Fight Crime Committee, or any of its decisions, when submitted to the Executive Council for discussion or to the Legislative Council for funding, things would be a lot smoother in view of the weight of the Committee with the Secretaries in its membership.

Further, advisory committees also have different levels, they are not exactly the same. However, I think that the proposed Women's Commission is to handle an important policy which involves half of Hong Kong's population. If there is no senior official in its membership, how can the Commission put forward good ideas? We should all remember that the Commission now proposed is a sort of co-ordinating commission under the Secretary for Health and Welfare. I do not normally like to talk about ranks; but from the Government's angle, ranks do reflect the officials' mentality. For example, the post of Principal Assistant Secretary (PAS) for women's affairs the Government is proposing to create carries vast responsibilities. The officer in that post has to set the long-term objectives in developing women's abilities and in promoting women's rights and interests, to make proposals regarding government policies, and when the Government formulates and plans policies (that is, all other policies), to comment or give opinions from women's perspective. Compared with other posts in the Government, this post, at PAS level, is of the same rank as the Commissioner for Rehabilitation, that is one rank higher than an Assistant Bureau Secretary, but is less senior than the Commissioner for Narcotics who carries the rank of a Deputy Bureau Secretary. As to the Office of the Director of Administration, it is an organ within the Office of the Chief Secretary for Administration, and the Director is a D6 officer, much more senior than the proposed officer-in-charge of the Women's Commission. Now you can see from these different levels and ranks how much importance the Government is attaching to the Commission. Indeed, you already have some hints from the scope of the subjects the Commission may discuss, what officials will serve on the Commission, and how extensive the influence that the policies proposed by the Women's Commission will likely be.

Well, there is one thing I definitely did not want to raise, and that is, even the rank of the spokesman for the Chief Executive, now Mr Stephen LAM, has been set at D8 level. From this we can see that to co-ordinate women's affairs, the co-operation of the departments and various parties is required. So what rank should the officer-in-charge of the Women's Commission carry if the co-operation is to be smooth, and all things are to be done properly and well? We must know that there must have been diverse views within the Government. For setting the rank of the post of Mr Stephen LAM at D8 level, the explanation offered by the Government was that if the ranking was not high, there could be difficulty when things had to get done, and even when information was to be sought from other departments. I remember that was what the Government told us at a meeting of the group concerned. Now, the work of a commission

handling women's policies will span many departments; and when it considers things from women's points of view, it will have to require government departments to disclose their current policies, how they deploy resources, or how laws are to be amended when new policies are formulated. If it is left to a PAS to discuss with heads of departments, or even the discussion is to be initiated by the Secretary for Health and Welfare, honestly, there is not sufficient weight and influence. Now it is D8 rank for the spokesmen for the Chief Executive, with the job title of Information Co-ordinator, whose duties, I must frankly confess, I do not know very much except that I do know he presents weekly briefs, while the officer who is charged with the duty to specifically handle such an important policy area is ranked at PAS level and who, you should all know that, cannot possibly hold up that framework; we can deduce from such facts that the Government is essentially not serious about the issue. From the structure of the proposed advisory body, and the rank of the officer specifically charged with the duty of handling the issue and putting forth views, we can see how the Government regards this Commission.

Lastly, regarding advisory committees now existing, Secretary David LAN kept warding off the demands to establish a women's commission, one of the reasons being that a policy committee at present under the Chief Secretary for Administration, attended by various Bureau Secretaries, would discuss and consider the relevant issues. Naturally, if the various issues were long-identified ones that focused adequate attention and study, that policy committee would have sufficed. But the problem now is that we do not quite believe that committee has that many Bureau Secretaries to take part in the discussion of the policies concerned all at the same time. There needs to be a designated officer, or one department, or a specially-appointed commission for input of ideas. Only thus can the work in this respect be pushed. If, as the present proposal suggests, the work is only carried out by one PAS in a certain bureau, whatever recommendations he or she may have made are then placed before that advisory commission, reaching the policy committee chaired by the Chief Secretary for Administration only after going through several other levels, I believe that when such recommendations finally get there, they will be largely fragmented. Besides, I do worry that if the PAS can always succeed in getting the required information, because it is the Government's logic that even the Information Co-ordinator, at D8 level, would experience that much difficulty in getting information.

MR HOWARD YOUNG (in Cantonese): Madam President, our Party leader told us that women's affairs were not the monopoly of women. Therefore, we have chosen to appoint a man, that is me, to speak on the issue. The Liberal Party has always supported the establishment by the Government of a Women's Commission. And in our Party manifesto we clearly state that the Government must establish such a commission to co-ordinate, formulate and launch women's policies. The Liberal Party welcomes the Government's announcement to set up the Women's Commission before the end of the year to specifically formulate policies that involve the long-term rights and interests of women, to regularly review various services for women and their priority and to make recommendations, and to carry out investigation and publicity work. The Liberal Party deems this the first step towards protecting the rights and interests of women in Hong Kong.

We do not have an all-encompassing women's policy in Hong Kong; the rights and interests of women are not given particular attention. The Liberal Party thinks that the future Women's Commission must make extensive and in-depth study in the area of protection of women's rights and interests, with a view to formulating a policy on women that guarantees to take good care of Hong Kong's women in the areas of employment, family, medical, gender discrimination and sexual violence.

The Liberal Party opines that the Women's Commission should be a statutory body. When the Government formulates policies, the views of the Women's Commission in respect of the portions of such policies that concern women must be considered and respected so as to ensure the safeguard of women's rights and interests. As to the membership of the Commission, apart from people's representatives, there must be representatives from government departments that play a part in women's affairs.

Despite the many reports claiming that Hong Kong women enjoy the highest status in all of Asia, there still remain many problems concerning women that must be properly addressed. For instance, when the rate of overall unemployment evidently drops, unemployment among women has not improved. According to the data of the Census and Statistics Department, the rate of unemployment of women, at 4.6%, did not come down the first quarter of this year, as compared to the first one last year. On the other hand, that for men dropped 1.1 percentage points from 7.2% to 6.1% during the same period. This shows women face more difficulty in employment than men.

Women in Hong Kong not only face employment problems, but they are subject to family pressure as well. Here in Hong Kong many women play the dual role of facing the heavy work-place pressure and shouldering the heavy burden of looking after their families. The Government should provide them adequate support, such as expanding the child day-care service, both in its scope and the number of places.

Modern women tend to marry late; with at most one or two children, they are most serious about raising them. The higher education the mothers got, the more they think that the traditional ways of child raising have shortcomings. When they feel they have to learn anew, they find that there are no reliable teachers or support around. The Liberal Party suggests that the Government could set up more community support networks, such as organizing mothers in a community through hospitals and child care centres, so that they could share experience and provide mutual support, and get counselling when need arises. The Internet has become quite common in recent years, so such networks could be further developed to provide on-line support.

In the amendment to be moved by Mr Albert HO, it is proposed that an Office of the Women's Affairs Commissioner be set up, under the Chief Secretary for Administration's Office, to implement the Convention on the Elimination of All Forms of Discrimination Against Women and to examine all government policies. The Liberal Party, after its own study, thinks that these are exactly the work of the Women's Commission. As we are going to have such a Commission, why do we need an Office of the Women's Affairs Commissioner? Will this create duplication of organizations? We are quite puzzled about this.

Besides, the Office of the Women's Affairs Commissioner as proposed in the amendment is to be placed under the Chief Secretary for Administration's Office; but in the amendment to the third sub-paragraph of the motion, it is proposed that sufficient power be vested with the Women's Commission to oversee the work of the Office of the Women's Affairs Commissioner. So what exactly are the relations between the Women's Commission and the Chief Secretary for Administration's Office in this respect? Exactly which organization is to direct the work of the Office of the Women's Affairs Commissioner? The amendment does not provide any clear indication. Of course, Mr Albert HO has talked about all these, but he failed to remove my doubts. As we think that the amendment of Mr Albert HO contains ambiguities, the Liberal Party finds it difficult to support.

Further, the Liberal Party thinks that the establishment of the Women's Commission is a very good start, at least the Government has taken a step forward, we therefore do not agree with the use of the word "regret" in the original motion. As the amendment of Miss CHOY So-yuk does not differ from the whole idea of the Liberal Party concerning the Women's Commission, we would support Miss CHOY's amendment.

Madam President, these are my remarks.

MISS EMILY LAU (in Cantonese): Madam President, around the end of January and the beginning of February last year, I represented the Frontier to attend the first meeting of the United Nations Women's Convention Committee in New York to examine the report submitted by the Hong Kong Special Administrative Region (SAR) regarding the implementation of the Convention. The Committee made many criticisms at its meeting, and was greatly disappointed with the manner the SAR Government implemented the Convention. In the course of discussion, the issue of the so-called central mechanism particularly stood out. Madam President, I recall that after the hearing, Secretary David LAN hosted a tea party in the hotel, something the Government of Hong Kong does best, which was attended by many members of the Committee, including the Chairman who, before leaving, specifically said to the Secretary, "Remember the central mechanism." This has left an ineradicable impression on my mind. The Committee was just not convinced by the report submitted and the speech made by the Secretary that Hong Kong had a central mechanism to examine its policies, its laws and funding to ensure women received equal treatment.

It has been quite some time, over a year, since I returned, and I am very disappointed with the progress of the matter. We have always hoped that the Government would expedite things. Madam President, the Home Affairs Panel have in fact scheduled a meeting for tomorrow, and a paper was already submitted by the Government for discussion. Some Members just now wondered about the reason for discussing this matter. This is because the United Nations is going to have another meeting. Therefore, Madam President, this incident tells us that international monitoring does serve some purpose. Sometimes, we need not feel inferior. Nevertheless, when we in Hong Kong have incessantly demanded the Government to address the issue to no avail, the Government does something in a hurry as a preemptive gesture, before the

international community, particularly a certain committee of the United Nations, is about to discuss the issue again. That is why the Chief Secretary for Administration announced the establishment of the Women's Commission at a function of the Equal Opportunities Commission. However, as quite a number of Members have said, people are both astounded by and disappointed with the announced proposal, because there was no extensive consultation before the announcement. If there were consultation, I believe what she announced would have been different, and could respond properly to the views of many Members and non-government organizations. It is disappointing that things turned out the way it is. However, in the scheme of the Government, great responsibilities have been intended to be undertaken by the Commission through which the Government proposes to achieve the objectives of implementing the Women's Convention and fulfilling its pledges in respect of the Beijing action programme. Madam President, that in fact covers a lots of things. How can a commission which is of an advisory nature and is not a full-time organization have the capability of discharging so many responsibilities?

Madam President, we can, at the same time, look at the report which the Home Affairs Panel will discuss tomorrow. It represents the Government's answer to the United Nations on issues that are of the greatest concern to the United Nations: First, the right to participate in public affairs; second, the right to participate in high-level policy-making; third, domestic violence, to be followed by rape within wedlock, issues relating to female workers, issues involving guest females workers in Hong Kong, issues relating to women's opportunities to teach in institutes of higher education, the issue of stereotyping of the role of the sexes, study projects on the genders (more should be done here, of course), the issues of unequal pay for equal work between the sexes, as well as equal pay for the same job. Madam President, the list is by no means exhaustive, and it represents only the key points made or issues specially raised for discussion during the hearing on that day.

In the circumstances, we cannot help but ask: Will this Women's Commission, under Secretary E.K. YEOH, have the powers to cover all these areas? I phoned Secretary YEOH on Monday, but I was quite disappointed because he was not there. Of course we will support the Acting Secretary, but Secretary YEOH should be here to offer some explanation, to tell us how his Policy Bureau can cover that large area. The Acting Secretary may perhaps do so later. Secretaries of the various bureaux are of the same rank. When we discussed air pollution yesterday, I asked if Secretary YAM could deliver what

was required of her. Now that so many issues are involved, can Secretary YEOH address them all? In the meantime, how are all these pledges to be fulfilled? What powers will one Women's Commission be vested with, what resources will it be given to finish all the work?

Therefore, Madam President, we feel very much disconcerted and puzzled. We hope that the central government would really create a central mechanism to examine each legislative or policy proposal, or even funding application. In handling many matters, we hope that actions do not come from above. We want the development and formulation of policies to be first discussed and deliberated by the people. If the Women's Commission comprises representatives from all quarters, all strata, then such discussion and deliberation will be possible. Proposals so produced could then be submitted to the central mechanism for scrutiny.

Given the Women's Commission as it is now proposed, we think it neither fish nor fowl, and we do not know what it can do. I think that the Secretary has the obligation to give us an explanation. That was why I raised with Secretary YEOH last Monday: Was the proposal not put to the Establishment Panel a bit premature? We all know that any proposal to create posts or involving large funding should first be discussed by the relevant panel so that a consensus can be reached before it is forwarded to the Establishment Panel. That particular proposal forwarded yesterday was a queer one, in that the whole subject was not discussed prior to its sudden submission. We were very glad that the Secretary withdrew the document; but the issue has not been solved. I note that Ms Anna WU, Chairman of the Equal Opportunities Commission once said, "If the Government insists on so doing, at least the Secretary concerned should assume an extra title, that of Secretary for Women's Affairs." That is to say that the post carries two titles. Is this workable? I believe this point should be answered. Further, is the Commission given adequate resources to do all I just said? All these make me feel that we are yet to be convinced. Therefore, if papers were submitted to the Finance Committee for the creation of a post that we do not think appropriate before we discuss in great clarity the issues surrounding the Commission, and before we are clear about how the central mechanism will work, it is believed that many Members would not give their support. We of the Frontier think that the proposals of the Democratic Party are close to our own objectives, therefore we will support Mr Albert HO's amendment. Thank you, Madam President.

MR BERNARD CHAN: Madam President, there is a general perception that women, children and the elderly are the weak ones in a community, and extra care and protection should be given to ensure that they enjoy the same opportunities and rights as their male citizens do. This assumption probably induces no dispute in a developed community like Hong Kong, as most of us share the so-called conventional wisdom that women are supposed to be weaker physically and psychologically. This is why we have this debate today — because men are supposed to be the "dominators".

But, first look around this Chamber. I do not think that any of the female officials or our 10 female colleagues would regard themselves "inferior" in terms of intelligence or working ability. The lady Members' outspoken and daring image has indeed deeply impressed the general public more than most of our male colleagues have. Little wonder, their ability in fact surpasses many of us; and I refer in particular to those who are mothers themselves. The number of women occupying key government posts has also made Hong Kong a forerunner in Asia.

So much for my comparison. Regarding equal opportunities and ability, I do not see much difference between men and women in such a city like Hong Kong, where social mobility for both sexes is at least quite equal. We know there is unfairness here and there and at all levels in our community, which is also found in many other international cities. But I think Hong Kong has gone a big stride ahead of many of her neighbours in ensuring fair play and equal opportunities for all. That is why we have the Equal Opportunities Commission.

In a community like Hong Kong, I do not see any point in asserting the argument that female is a weaker gender, nor do I agree that Hong Kong is a place of male chauvinism, at least not in this first decade of this century.

Women are favoured for some jobs, and men for others. This we know as a matter of course. Most employers hire people that they think are most capable of performing duties assigned to them, but I have to admit that sexual bias still exists in work place. Besides gender, discrimination of age, race and homosexuality also affect the living of many people. Upon unemployment, I believe that the problem of age discrimination is even more serious. I heard a number of cases in which people over 45 were refused jobs because of age.

The size of the Government would at least be doubled if a new department were set up every time a social group demands the Government's attention in policy making. However, since most of our top officials are women, I believe that women's interests will be very well considered rather than being neglected. What will be more effective in eliminating the problem is to rectify people's bias and prejudice towards women through different levels of education. We should try our best to do what is socially acceptable to ensure maximum fairness and to combat prejudiced treatment against individuals.

But I do not see any good to the community as a whole if we rely solely on legislation to rectify what we think is "unfair". Instead, we need to strengthen education as one way of redressing the wrongs.

To set up an advisory body led by non-government officials to tackle the problem of discrimination seems to me a better idea than establishing a Women's Commission as part of the Government. Government policies should be formulated in line with appropriate balance of interests of various social groups. We have such non-government advisory bodies for the youth and the elderly, and I think that this would be a more suitable approach. Madam President, I support the Honourable Miss CHOY So-yuk's amendment. Thank you.

MR LEE CHEUK-YAN (in Cantonese): Madam President, I remember that when I was a kid, I always did my summer-vacation homework one week before it was time to hand it to the teacher. I think that the Government in the present case is just like what I did then. Because it is about to hand in its homework to the United Nations, so it makes a last-minute sprint. In what way does it do so? Well, with its usual trick — set up a commission. I wish to ask: What happened to the groundwork-laying stage in respect of this commission? Is the proposal to establish this advisory body of Women's Commission the homework to be handed in? Is it a mere gesture, simply going through the motion, and the Government does not really wish to change its general direction regarding women's affairs? Does the Government honestly wish to ensure the equality of the sexes in all the policy areas? I hope very much that the Secretary would say something about all these, and tell us what in fact has been done during the groundwork-laying process. We are very worried that the setting up of this Women's Commission is merely something done to satisfy the United Nations, and the Government has no intention to effect any real change.

When I learned that the Government was going to establish a Women's Commission, and place the Commission under the Health and Welfare Bureau, the first thing that came to my mind was that the Government sure thought that women's issues were only related to health and welfare. That was my first response. I am not sure if yours is the same. Which Policy Bureau is the most suitable one for the Commission? Does everybody think that women's problems are just related to health and welfare? If you do not think so, then your response is similar to mine. I was very angry at that time, because I thought: "How can the matter be so simply put to an end by confining women's issues to health and welfare?" Such an understanding of the issue was in itself a big mistake, because women's problems are absolutely not equivalent to health and welfare problems, they are the result of the thousand-year-old concepts, the thousand-year-old bondage.

With this thousand-year-old bondage, women's problems can be most succinctly observed in the area of employment. In replying later, the Secretary, I hope, would not say that the President of the Legislative Council is a woman, the Chief Secretary for Administration is a woman, the new Commissioner for Labour is a woman, and the Director of Administration is a woman, and all these show how women enjoy equality. I hope that the Secretary would not reply in this way, because the truth is not that.

I would ask Members to look at the employment situation of women: The rate of employment for married women aged between 20 and 39 is only 66.8%, but 86.2% for unmarried ones; the rate of employment for unmarried women aged between 30 and 39 is 95.4%, but only 60% for married ones; for women above 40, the split is 70:30, 70% for those who never married, and 30% for those married. These figures clearly show that whatever level of their education, the majority of women are constrained by family obligations after marriage. Very obviously, this is a problem of concept. So, with such concept, do women really enjoy equal opportunities?

Further, another social concept can also be seen in pay, and that is the wages for women can be lower than those for men. I would ask Members to note the actual situation: In our working population, among those earning less than \$3,000, 30% are men, and 70% are women; it is a bit better in the \$5,000 to \$5,999 wage bracket, 45% are men and 55% women; in the group earning over \$9,000, again 70% men and 30% women. The same split goes on until the salary reaches \$30,000. This tells us that there is a concept in society that pay

for women can be less than that for men. I think that there still exist such a problem in concept. Though we all say that there should be equal pay for equal work, equal pay for equal work has yet to really materialize in Hong Kong. And there is no mechanism to ensure that there is equal pay for equal work for both sexes so that women can really be the equals of men in the area of employment and pay.

Why have I singled out the issue of employment? It is because I think that the issue of employment is a very important one. When women get gainfully employed, they can enjoy economic independence, and this is the most important asset in women's fight for equality, and it remains so even when they have succeeded in the fight. We have seen that many impoverished women have to endure their miserable fate in silence precisely because they are not economically independent. In wife abuse cases, for instance, why do the wives take the abuses? That is because they are not economically independent, and do not have a sense of security about the future. Indeed, if the issue in this regard is not resolved, women can hardly enjoy genuine equality.

I am very much disappointed with the Government confining women's affairs to the area of health and welfare. I have hoped that the Government would really establish a central mechanism to handle women's affairs. Just now Miss Cyd HO pointed out that in theory there exists at present such a mechanism, but it has never produced any effect. We think that the problems can only be resolved if the Government would hold this view in all its policies. Therefore, we think it inadequate for the Government to only establish an advisory commission.

Thank you, Madam President.

MR LAW CHI-KWONG (in Cantonese): Madam President, Mr LEE Cheuk-yan just talked about employment, and I would like to talk about poverty.

Before I do so, I would like to say a few words to supplement the opinions many Members have expressed regarding the establishment of a central mechanism and the co-ordinating role of the Health and Welfare Bureau. Members from the Democratic Party already discoursed the issue in detail. So I shall be brief. I understand, naturally, that having the Health and Welfare Bureau to play the co-ordination role does not necessarily confining the relevant

work to the health and welfare area alone. However, past experience shows that the Government seems to be powerless when, for example, the work of the Elderly Commission goes beyond the area of health and welfare, into other areas such as housing; that is to say, we cannot effectively influence the relevant policy through the Elderly Commission. Another example is the office of the Commissioner for Rehabilitation under the Health and Welfare Bureau. When its work involves transport, buildings and education, it finds playing the role of a co-ordinator difficult. I believe this is not strictly the problem of individual Policy Bureaux or individual officers, it is a basic problem of the internal structure of the Government. Therefore, I hope to learn how other Members think about this.

Miss CHOY So-yuk gives a list of concrete functions for the Women's Commission in her amendment. However, there are obviously many omissions. Members have contributed a lot of views today and Miss Emily LAU listed in one breath many specific duties that the Commission needs to perform.

I mentioned the problem of poverty of women. In the relations of the two sexes, the status of women is a "minority status", but that does not mean women are the minority in terms of actual number, it is "minority" in the conceptual sense. For instance, in the Legislative Council, women are a minority. The Democratic Party feels ashamed because even its spokesperson for women's affairs is a man.

However, problems faced by women are not limited to those relating to the gender. For example, new adult arrivals in Hong Kong are mostly women, accounting for close to 80% of the total; and the status of "new arrivals" is a "minority status". So women newly arrived in Hong Kong have dual "minority status". I once talked with a woman who came to Hong Kong not long ago. Her present job pays less than \$9 per hour. She did not tell me exactly how much, but it was surely below \$9, because her previously one paid \$9.5, and the present under \$9. She has to work 12 hours a day. I have come into contact with many newly arrived women who are single parents. This earns them triple "minority status". The majority of newly arrived women are single and unemployed, so theirs is quadruple "minority status". Each "minority status" they collected along the way increases the risk of poverty. When they have the dual, triple or even quadruple "minority status", the problem has become very serious indeed.

Therefore, in the face of and in handling the issue of poverty of women, we hope that the Government could highlight this issue, because the issue of poverty is connected to a large number of other issues, such as discrimination and equal opportunities. If the issue of poverty is addressed, so will be a host of many others. Hence, we suggest that the Government should give better priority to this issue.

Thank you, Madam President.

MR AMBROSE LAU (in Cantonese): Madam President, the female population in Hong Kong stands at over 3.4 million, one half of the total population. The employment rate of our female workforce is on a sustained rise, from 48% in 1997 to 49.5% in 1999. Registered female voters and the number of female voters turned out in District Councils and Legislative Council elections are close to half the total. Such simple statistics show that women are indeed half the pillar of Hong Kong, and wield pivotal influence on the economy, politics and the overall development of Hong Kong. Just now Mr LEE Cheuk-yan said that he hoped when the Government replied it would not cite the fact that many women in Hong Kong held high offices, such as the President of the Legislative Council and the Chief Secretary for Administration, as evidence that Hong Kong women now enjoy exactly the same status as their male counterparts in Hong Kong. However, I would like to point out that such information demonstrates that Hong Kong women are in all practical sense very important to society in Hong Kong.

Women in Hong Kong doubtless enjoy more rights in the 21st century than in the past. With the promotion of the sense of equality, more and more women are actively taking part in politics and in political discussion. With cultural and social values moving towards rationality, there emerge an etiquette and a way of communication that emphasize the status of women as independent individuals. The irrationality of male being superior to female, and of discrimination against women has diminished. However, even today, women are still the weaker group in the relations between the sexes, and are still subject to various forms of restrictions; as a result, they are unable to fully develop their potentials.

To step up the protection of the rights and interests of women, however, women themselves must foster their own self-confidence and go ahead in a positive way. To expedite things, however, government support and protection

of women's rights and interests are indispensable. The present Equal Opportunities Commission works only to eliminate discrimination; it is not a special agency to handle women's problems.

Other countries such as Britain and New Zealand all have bodies similar to the Equal Opportunities Commission, and have at the same time agencies to specially deal with women's affairs. Now that the Government is prepared to establish the Women's Commission, it is going in the correct direction. This Commission should be a high-level one directly responsible to the Chief Executive or the Chief Secretary for Administration, so that it can effectively conduct gender impact assessment when the different departments formulate policies in order to protect women against discrimination. The functions of the Commission should include drawing up of long-term women's policies, promoting equality of the sexes, compiling statistics concerning the sexes, and implementing the Convention on the Elimination of All Forms of Discrimination Against Women as far as possible according to the actual need in Hong Kong.

With these remarks, Madam President, I support the amendment of Miss CHOY So-yuk.

MRS SOPHIE LEUNG (in Cantonese): Madam President, speaking on another topic yesterday, I said, "What I was yesterday is not the same as what I am today; nor is it the same as what I shall be in the future."

Many Members have said that given the importance of the work of the Commission which involves interacting with officers of more than one department, and given the fact that it might not be able to secure the co-operation of all the Bureau Secretaries, a very high-ranking officer should be picked to take charge, or a separate Policy Bureau should be created. Madam President, having considered the matter, I think that such proposal is not practicable. This is because in future many of our affairs may need co-ordination at different levels of the Government, and many things must be done jointly by several departments. In that case, what do we do then? Do we create a separate Policy Bureau for each kind of affairs? With one bureau within this bureau, and another within that bureau, would the consequence not be quite serious?

When the Hospital Authority (HA) was first established, we visited all the hospitals and met a large number of staff there. When we made proposals to

reform the whole culture, many of the staff were very worried. They worried that if they were to take over such responsibility, in view of the fact that their posts were not high, they feared that they might not be able to manage when other departments were involved. To assure them, we drew an analogy. All hospitals have parking lots, if the management of a parking lot is assigned to the parking lot attendant, the attendant then has the full authority to handle all matters pertaining to the parking lot. As long as we tell him what vehicles can be allowed into the parking lot, and what cannot be; that those without a parking permit cannot be allowed, while other vehicles must pay a fee; what to do if a vehicle exceeds its time limit, and so on, he will do as instructed. If a department head who is top brass, or a brain specialist for that matter, parks his car in the wrong place, the attendant can require the senior officer to follow the rules. Madam President, before the establishment of the HA, this kind of irregularities often happened. Certain people did not follow the rules because they were senior staff. However, we told the staff that as long as they had their duties, they had the responsibility to handle such matters, and need not be browbeaten by other people. Even the staff of lower-level departments could inform their heads of grades about such incidents in their departments so that such incidents would not happen again.

I wish to point out that if the HA has now succeeded in creating a new culture, it is the cumulative result of various levels of actions. At the same time, we must give up the concept that only a high-level officer can manage all other people. I think that this concept must be rectified. Therefore, I would reiterate that "What I was yesterday is not the same as what I am today; nor is it the same as what I shall be in the future." If we really adopt this new management culture, we must see who has the duty to handle the matters concerned.

Irrespective of the way this Women's Commission is constituted in the future, whether a special department will be created under the Health and Welfare Bureau to handle these matters, I expect that they will do a good job. I believe that as far as the structure is concerned, the obstructions we worry about will not appear.

Further, I would like to raise one point. Having been to a lot of places, and lived in many of them as well, I think that Hong Kong is arguably a place where the equality of the sexes is really achieved. Even in the United States, any such claim is, I think, false. Women are very much discriminated against in the business world of the United States. Many things that happen in dark

corners are just beyond our imagination. Ten years ago when my company was first established, every time I went there, I was always taken to do sightseeing and shopping, I was never invited to any meeting. Why did this happen?

I often think that Hong Kong women are a very lucky lot. We have such an environment in which no strong force is required to get what we want. We get our opportunities to develop our potential in a peaceful and harmonious atmosphere. Of course, not everybody knows how to grab their opportunities, or has the good fortune to have such opportunities. The destiny and background of different people are different. Therefore, when this Commission handles the problems in future, women with different background and different luck should be distinguished, so that help could be offered to them according to their different background.

For instance, Mr LEE Cheuk-yan just said that he noted that many women stopped working after marriage. That does not generally mean that they do so because they have to take care of the family or look after their children. The actual situation is absolutely not that. Among the women I know, many of them really look upon marriage as a permanent meal ticket, having which they no longer need to work. This is not limited to rich families; please do not ever think so. As a matter of fact, many people harbour such a thought. Among the single parents I am at present helping, most of them belong to low-income families and such a way of thinking disturbs them most when they became single parents. Only when they now need to live independently, they find that they know nothing. Therefore, we have to help these women to strengthen their self-confidence, help them understand their own talents, and help them take their first step forward.

I try to introduce them to voluntary agencies where they can serve as voluntary workers so that they learn how to communicate with other people and to face society. This is the most important step. I think that we must help them foster the sense of constant self-improvement. At the same time, even if we are to offer them assistance, we must not do so in a manner that aim to put a "cushion" under them because in such a way, once they fall, they will never be able to rise again, and will remain dependent on assistance. This is improper. I hope that the Government would use the "springboard" way to help them. This is the idea of our Liberal Party.

Thank you, Madam President.

MR MA FUNG-KWOK (in Cantonese): Madam President, I think that the membership of the Women's Commission to be established before the end of this year should be broadly representative. It should include heads of the relevant government departments and representatives of women's organizations. It should operate with a high degree of transparency so as to ensure views from all quarters are considered.

The Convention on the Elimination of All Forms of Discrimination Against Women has been made applicable to Hong Kong. The Sex Discrimination Ordinance was enacted in 1995, the Equal Opportunities Commission (EOC) established in 1996. After the efforts of the years, society has definitely had a good idea about sex discrimination and the equality of the sexes. However, there are still views that the sexes cannot be regarded to have achieved equality because of their inherent physiological differences. Such views are fallacious, the result of only a misunderstanding of equal opportunities. By equal opportunities, it does not mean to unnaturally require sameness of the sexes, because all of us appreciate the physiological differences between the sexes. Equality means that society affords both sexes the same opportunities for advancement, eliminates obstructions arising from any sex-based discrimination, so that both sexes can fully develop their talent in a fair manner.

Our laws have established the principle of equality of the sexes and of the elimination of discrimination. The task of promoting sex equality and combating discrimination is undertaken by the EOC. The recent case involving the ratio between boys and girls admitted by schools has demonstrated the work of the EOC in this area. However, to effectively promote the work for sex equality, the emphasis should in fact be placed on changing social concepts. Traditional concepts about the roles of the sexes, such as "Dad has gone to work, and Mom stays home to look after the kids", are still deeply entrenched. We need a longer period of time to change social culture and the Women's Commission should study ways to enhance education and publicity against discrimination and stereotyping.

Precisely for this reason, the Women's Commission must study in great depth matters relating to the status of women and sex equality, such as the economy and poverty, education and health, as well as participation in policy-making, so as to, through the study of such issues, make the Government consider the objective of achieving sex equality more adequately when the various policies are formulated.

As compared with other countries and places, Hong Kong women's rate of participation in social affairs is very high. This is due partly to the nine-year compulsory education programme in Hong Kong which affords ample opportunities for women to receive education, resulting in their active involvement in economic activities; and partly to the very high cost of living in Hong Kong which requires women to take jobs to help support the family. With changes to women's traditional role as appendages to families, the part they now play in the family, in political, economic and social activities has become more and more important. And they often can work independently. Nowadays in Hong Kong, women play multiple roles, particularly those of the middle class who have jobs which carry considerable responsibilities, experience tremendous economic pressure because of the absence of housing benefits, and have at the same time to look after the family and take care of their children as good parents. They are badly in need of support. The Women's Commission must look for ways to set up a comprehensive support network, such as child care services, so that women can focus on their jobs without worrying about their families. I think that the Health and Welfare Bureau that is to provide administrative support to the Commission must assist the Commission in this area and assign resources for the services needed.

Madam President, I agree that when policies are drawn up, views relating to the genders must be taken into consideration so as to protect the position of women, whereby achieving the equality of the sexes. However, proposals to legislate for the protection of either women or men might be counter-productive and we must think about it in great detail.

With these remarks, I support the amendment of Miss CHOY So-yuk. Thank you, Madam President.

PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member responded)

PRESIDENT (in Cantonese): Miss Cyd HO, you may now speak on the two amendments. You have five minutes.

MISS CYD HO (in Cantonese): Madam President, I thank Mr Albert HO very much for moving an amendment to my motion. His amendment is compatible with my motion, and there is no conflict between the two. We have been discussing the structure of the policy group. If an extra step of work is added to its operation, or one extra demand for work is to be made of it, the policy group would then be able to perform the functions that it should perform. It should not be limited to the work of speaking in front of the United Nations, it should itself handle issues. However, it needs a department for assistance in its co-ordinating and executive duties. Other people are also needed to remind the group, to put questions to it relating to certain affairs that have to be handled, to ask if, when examining policies, it has done so from the angle of the equality of the sexes. It is for this reason that Mr Albert HO suggests the setting up of an Office of the Women's Affairs Commissioner. This is a feasible way that we could all seriously consider. I agree with this very much.

On the other hand, however, Madam President, I am extremely puzzled by the amendment of Miss CHOY So-yuk. First, she wants to delete the mention of the "central mechanism" (she probably thinks that there need not be anything central), and to just have a mechanism to launch the various measures from the angle of equality of the sexes. Indeed, this can be achieved if our Home Affairs Panel has worked a bit harder. When we return in September, we might need to create a new panel. As we place so much attention to sex equality, we should take the extra step of examining all matters the Government places before the Legislative Council from a women's angle. I have been doing this. At some panel meetings, I have asked for data concerning women for Members' reference. I hope that other Members would do the same in discharging their Legislative Council duties.

The Equal Opportunities Commission (EOC) has been mentioned by Members just now. That is a good example. Take the case of secondary school places allocation. It fully demonstrates that without one central mechanism in our executive branch to handle affairs relating to sex equality, nothing can be done. The EOC has the adequate resources to collect data, they have made policy studies, obtained legal opinions, attended Legislative Council meetings and made the Education Department admit that a review is warranted. But the scheme has yet to be put into practice; it has been shelved, to be discussed, it has been said, in the education review or reform. In this way, they

can simply keep on acting against the law for one to two more years. The Government might not stop immediately the current practice until the EOC takes the case to court, that is, to sue the Government.

Therefore, this mechanism must be created in the midst of officials who have the power to decide on policies so that they have the idea of sex equality when they begin formulating policies; otherwise even if there are other oversight mechanisms, consultative mechanisms, or the EOC with all its resources and statutory standing, there is no way to make them rectify certain irrationalities.

Now the Government is proposing to create an Principal Assistant Secretary post at D2 level. Nobody is filling the post yet, but already I sympathize with that officer who is sure to become a "human ball" to be kicked around by the 10 odd Policy Bureau Secretaries. What is most important is that to implement the policy measures designed to narrow down the gap in sex equality, funding applications will eventually have to be submitted to the Financial Secretary. If the Financial Secretary does not draw up his budget from an angle of sex equality, when a D2 officer goes to him for funding, I can image how the Financial Secretary would respond. He would surely say that we have to manage public finance in a prudent way; we must keep expenditure within the limits of revenues; we must not violate the iron-cast provisions of the Basic Law. However that mechanism exercises oversight, makes proposals, there is no way the gap between the sexes can be narrowed from inside the Government and fundamentally.

Madam President, I have a big doubt regarding another point in the amendment of Miss CHOY So-yuk. She suggests to make the Women's Commission a high-level body led by non-officials. If it is headed by non-officials, will they really have that big power to do that much. Would not they become ministers in disguise? If the Chief Executive indicates that he would appoint a minister to head the Women's Commission, we could discuss his suggestion. But if some commissions or committees are appointed, and they are non-official but high-level ones, could there be confusion in the power structure, resulting eventually in two power centres?

Madam President, the Liberal Party opposes my use of the word "regret". To this I would like to respond. It is a pity that Members do not support my motion merely they do not like the word "regret" while ignoring the content of my motion. What is a bigger pity is that Members of the Democratic Alliance for the Betterment of Hong Kong (DAB) did not even signify their objection against the word "regret" before they left en masse. Unless this time they claim they are represented by Miss CHAN Yuen-han, and have stop the usual "6:4 split", I would be awfully disappointed with Members from the DAB. Why have they regarded women's affairs as being so insignificant?

Thank you, Madam President.

SECRETARY FOR HEALTH AND WELFARE (in Cantonese): Madam President, I am very grateful to the Honourable Miss Cyd HO for raising this subject for debate today. My thanks also go to Honourable Members for their valuable input this morning. We will certainly consider the views expressed by Honourable Members just now very carefully when establishing the Women's Commission. I am particularly pleased to hear that Members all agree to work in concert to make the Commission's mission a success in order to achieve the objective of promoting the interests and well-being of women in our community, though we might have varying views on how to pursue this.

No one can dispute that the status enjoyed by women in Hong Kong has improved in recent years. Having said that, we accept that we can still do even more and better in this regard. Therefore, we are searching for ways to make constant improvements. We hope that a holistic, comprehensive and systematic approach can better protect women's rights and interests.

To further promote women's rights and interests, a delegation of the Government attended the United Nations Fourth World Conference on Women and supported the adoption of the Beijing Action Programme in September 1995. A year later, the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was extended to Hong Kong. Our initial report on the implementation of the CEDAW was submitted to the United Nations as part of China's report in 1998.

In the concluding comments issued by the United Nations Committee on the Elimination of Discrimination against Women after examining the report of

the Government of the Hong Kong Special Administrative Region (SAR), the Committee recommended that Hong Kong should, among other things, "establish a high-level central mechanism with appropriate powers and resources to develop and co-ordinate a women-focused policy and long-term strategy to ensure effective implementation of the Convention". In the light of our international obligations, overseas experience and the views expressed by local women's groups and Honourable Members in the motion debate held last April, we decided to set up a Women's Commission. The Commission will take on the role of a central mechanism as recommended in the above concluding comments, with the responsibility to develop women-focused measures in a comprehensive and systematic manner. With regard to the mechanisms developed in overseas countries, they vary considerably to best suit the local environment and circumstances.

I shall now brief Members on the roles and functions of the Women's Commission. I wish to emphasize that the Commission will primarily be a central body responsible for studying the overall needs and status of women, and to address all matters of concern to women in areas mentioned by Members earlier on, including education, employment, training, housing and on the economic front. The Commission will not confine itself to only dealing with health and welfare issues as some Members are concerned about. The Commission will develop a long-term vision and an improved strategy in furtherance of its mission and to ensure that women can give full play to their potentials. More importantly, the Commission will proactively conduct studies and give advice on policies and measures which are of concern to women so as to ensure that women's perspectives and the principle of gender equality are factored in during the formulation of policies and legislation.

At the practical level, another principal task of the Commission will be to enhance co-operation and co-ordination in the delivery of women services in areas such as education, employment, health, welfare, security and so on. Moreover, the Commission will constantly review the services to be delivered both by the Government and non-governmental organizations, identify priority areas for future actions, and advise on the development of new services.

The Commission will maintain close liaison with local women's groups and relevant service agencies. More importantly, it will serve as a formal forum for the parties concerned to directly communicate with the top echelon of the Government. In promoting women's rights and interests, the Commission

will organize an array of educational and promotional activities to promote among the local community an awareness of gender issues.

The Commission will require the active and positive support from members of the public in order to succeed in its mission. In particular, the support and input from those in the community who are active in promoting women's rights and interests, who have a sound understanding of the issues, and who are regularly dealing with the issues and problems relating to women, are all the more indispensable. The views and participation from district and grassroots based representatives, and the input from academics and professionals will obviously play a significant role in the work of the Commission; and they will be included in the membership of the Commission. In short, the Commission will comprise a majority of non-officials and some senior government officials from the relevant Policy Bureaux and government departments, and will be chaired by a highly respectable non-official. We hope that the Commission can fully reflect the views from all sectors in the community.

As women's issues touch on a diversity of policy areas, the Commission's official membership will comprise senior officials from the various Policy Bureaux and government departments whose ambits are directly related to women's issues. Other officials will be invited to participate in the work and meetings of the Commission whenever necessary.

I note that some Members are very concerned about the position of the Commission. I wish to point out that the SAR Government attaches great importance to the Commission. In this connection, arrangements have been made for colleagues of the Health and Welfare Bureau under the Government Secretariat to provide support for the Commission and co-ordinate the work of the departments concerned; and these colleagues will report to the Chief Secretary for Administration. This is in line with the existing practice.

Some Members suggested that the Chief Secretary for Administration's Office be made responsible to provide support for the Commission. We do not consider it necessary to deviate from the existing arrangement, and this proposal will not necessarily be more beneficial to the Commission. The existing practice, under which one particular Policy Bureau provides support for a commission, has served us well in the past. The Education Commission, which is serviced by the Education and Manpower Bureau, and the Elderly Commission

by the Health and Welfare Bureau have proven to be successful. In both cases, the active participation of the Policy Secretary and his staff ensures that progress is made and that where necessary, they will also play the role of a co-ordinator among government departments. These high-level Commissions exercise great influence in shaping long-term strategies and policies and in the allocation of resources in respect of education and elderly services. We trust that the Women's Commission will also discharge the same functions. As I mentioned earlier on, to ensure effective operation of the Women's Commission, colleagues from a number of key Policy Bureaux, such as the Education and Manpower Bureau and from government departments, will be appointed as standing members.

Some Members are concerned about a possible lack of co-ordination among various departments or the inability to get things done in the event of disagreement. I wish to point out that there are already many issues which involved many Policy Bureaux or departments. There is a well-established mechanism at the highest level of the government structure to ensure resolution of differences of opinion and co-ordination. I can assure Honourable Members that the Chief Secretary for Administration will take a close interest in the work of the Women's Commission.

We believe that the Commission will initially focus on a number of issues which are considered by certain women's groups as imperative. They include the protection of women against violence, improvement of the working environment of women, the provision of enhanced health services for women, childcare support and looking into various employment and legal issues relating to women and family.

The Commission will work closely with the Equal Opportunities Commission since the latter's mission includes the promotion of equal opportunities for the two sexes and the elimination of sexual discrimination. Concerted efforts will be made to carry out the relevant work. We are committed to upholding the principle of equal opportunities in the formulation of policies.

We are confident that the Women's Commission will be able to perform the roles that Honourable Members expect of such a central mechanism provided that all interested parties will work together to achieve the objectives that we all subscribe to. The Government's decision to set up the Women's Commission is

a positive response to calls both from international and local communities. We are determined to make the Commission a success and to achieve our objectives of promoting and enhancing the interest and well-being of women in Hong Kong. We intend to review the work and effectiveness of the Commission after it has been in operation for three years.

Thank you, Madam President.

PRESIDENT (in Cantonese): I now call upon Mr Albert HO to move his amendment to the motion.

MR ALBERT HO (in Cantonese): Madam President, I move that Miss Cyd HO's motion be amended, as set out on the Agenda.

Mr Albert HO moved the following amendment: (Translation)

"To add ", if the Women's Commission to be established this year only plays an advisory role and is set up under the Health and Welfare Bureau, it cannot comprehensively and effectively protect women's rights and interests; in this regard," after "That"; to delete "expresses regret that the Women's Commission to be established by the Government will only play an advisory role and deal with women's health and welfare issues, and as such cannot effectively protect women's right and interest, and" after "this Council"; to delete "a central mechanism" after "(a) set up" and substitute with "an Office of the Women's Affairs Commissioner under the Chief Secretary for Administration's Office to implement the Convention on the Elimination of all Forms of Discrimination Against Women and"; to add "legislation," after "to examine various government policies,"; to delete "entrust the Women's Commission with the responsibility for overseeing the operation of the central mechanism and include women's representatives from the grassroots in the commission's membership; and (c)" to delete "Commission" after "to provide administrative support to the" and substitute with "Office of the Women's Affairs Commissioner"; and to add "; and (c) vest the Women's Commission with sufficient power to oversee the work of the Office of the Women's Affairs Commissioner, to review and examine issues relating to the promotion of equality for both sexes, and to make recommendations to the Government; draw into the

Commission a broad range of people who are concerned with women's rights and interests, including representatives from women's organizations, academics and professionals" after "the relevant work of the various government departments".

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mr Albert HO to Miss Cyd HO's motion, be passed.

I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Albert HO rose to claim a division.

PRESIDENT (in Cantonese): Mr Albert HO has claimed a division. The division bell will ring for three minutes.

PRESIDENT (in Cantonese): Voting shall now start.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Michael HO, Mr CHEUNG Man-kwong, Mr CHAN Kwok-keung, Mr CHAN Wing-chan, Mr SIN Chung-kai and Mr LAW Chi-kwong noted for the amendment.

Mr Kenneth TING, Mr James TIEN, Dr Raymond HO, Mrs Selina CHOW, Mr Bernard CHAN, Dr LEONG Che-hung, Mrs Sophie LEUNG, Mr Howard YOUNG, Mrs Miriam LAU and Mr Timothy FOK voted against the amendment.

Mr LEE Kai-ming and Mr WONG Yung-kan abstained.

Geographical Constituencies and Election Committee:

Miss Cyd HO, Mr Albert HO, Mr LEE Wing-tat, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Miss Christine LOH, Miss CHAN Yuan-han, Mr LEUNG Yiu-chung, Mr Andrew WONG, Dr YEUNG Sum, Miss Emily LAU, Mr Andrew CHENG and Mr SZETO Wah voted for the amendment.

Mr NG Leung-sing and Mr MA Fung-kuok voted against the amendment.

Mr Gary CHENG, Mr Jasper TSANG, Mr LAU Kong-wah, Mr TAM Yiu-chung, Mr David CHU, Mr CHAN Kam-lam, Mr Ambrose LAU and Miss CHOY So-yuk abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 18 were present, six were in favour of the amendment, 10 against it and two abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 15 were in favour of the amendment, two against it and eight abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): This Council has finished with the amendment of Mr Albert HO. Miss CHOY So-yuk, you may now move your amendment.

MISS CHOY SO-YUK (in Cantonese): Madam President, I move that Miss Cyd HO's motion be amended, as set out on the Agenda.

Miss CHOY So-yuk moved the following amendment: (Translation)

"To delete "expresses regret" and substitute with "considers"; to add "soon" after "Women's Commission"; to delete "will only play an advisory role and deal with women's health and welfare issues, and as such cannot effectively protect women's rights and interests, and urges the Government to" and substitute with "should be a high-level body in the government hierarchy and led by non-officials; it must comprise members who are broadly representative and include women representatives from the grassroots; the Commission must be provided with sufficient administrative resources and co-ordination support and its scope of work should include"; to add "immediately formulating a set of policy on women applicable in Hong Kong and ensuring the full implementation of the relevant policy; (b)" after "(a)"; to delete "set up a central" and substitute with "setting up a"; to delete "(b) entrust the Women's Commission with the responsibility for overseeing the operation of the central mechanism and include women representatives from the grassroots in the Commissioner's membership"; and to delete "direct the Chief Secretary for Administration's Office to provide administrative support to the Commission and co-ordinate the relevant work of the various government departments" and substitute with "embarking on various initiatives to safeguard women's rights and interests, which should include: (i) stepping up publicity and education on anti-discrimination; (ii) providing women of different age groups with appropriate employment training according to their needs; (iii) improving child care services to assist parents who need such services in order to concentrate on their jobs; (iv) enhancing medical and health services by providing additional woman health centres in various districts throughout Hong Kong; and (v) introducing active measures to strengthen the support for victims of sexual offences". "

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Miss CHOY So-yuk to Miss Cyd HO's motion, be passed.

I now put the question to you as stated. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Miss CHOY So-yuk rose to claim a division.

PRESIDENT (in Cantonese): Miss CHOY So-yuk has claimed a division. The division bell will ring for three minutes.

PRESIDENT (in Cantonese): Voting shall now start.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Kenneth TING, Mr James TIEN, Dr Raymond HO, Mr LEE Kai-ming, Mrs Selina CHOW, Mr CHAN Kwok-keung, Mr Bernard CHAN, Mr CHAN Wing-chan, Dr LEONG Che-hung, Mrs Sophie LEUNG, Mr WONG Yung-kan, Mr Howard YOUNG, Mrs Miriam LAU and Mr Timothy FOK voted for the amendment.

Mr Michael HO, Mr CHEUNG Man-kwong, Mr SIN Chung-kai and Mr LAW Chi-kwong voted against the amendment.

Geographical Constituencies and Election Committee:

Miss CHAN Yuen-han, Mr Gary CHENG, Mr Jasper TSANG, Mr LAU Kong-wah, Mr TAM Yiu-chung, Mr David CHU, Mr NG Leung-sing, Mr MA Fung-kwok, Mr CHAN Kam-lam, Mr Ambrose LAU and Miss CHOY So-yuk voted for the amendment.

Miss Cyd HO, Mr Albert HO, Mr LEE Wing-tat, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Miss Christine LOH, Mr LEUNG Yiu-chung, Mr Andrew WONG, Dr YEUNG Sum, Miss Emily LAU, Mr Andrew CHENG and Mr SZETO Wah voted against the amendment.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 18 were present, 14 were in favour of the amendment and four against it; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 11 were in favour of the amendment and 14 against it. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Miss Cyd HO, you may now reply. You still have one minute and 24 seconds.

MISS CYD HO (in Cantonese): Madam President, I quite agree with one point, and that is, never "create a bureau whenever an issue arises" within the executive branch. That will be a waste of public money. However, the usual trick of the Government is to appoint a committee or commission whenever this is an issue, shift its responsibility to such a body that has no actual powers, and then claim

that the problem is not solved despite its efforts. In this way, the Government thinks it has "handed in its homework" and has done what it should do.

Madam President, our request is in fact quite simple. There is already a framework for the central mechanism, though it is not performing the functions it should perform. And that is the policy group we have so often mentioned. Actually, the most simple thing that the Government needs to do is — just write a charter as regards its operation, a charter for the equality of the sexes. After that, whenever the policy group examines public administrative measures, it will see if all the policies and public finance measures conform with this charter. And that will be properly done.

Indeed, I believe the Government owes our community and the international community an answer as to why an existing framework has failed to perform its functions and why the Government appoints a Women's Commission that has no real power and that cannot genuinely solve any problems? Thank you, Madam President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Miss Cyd HO, as set out on the Agenda, be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Miss Cyd HO rose to claim a division.

PRESIDENT (in Cantonese): Miss Cyd HO has claimed a division. The division bell will ring for three minutes.

PRESIDENT (in Cantonese): Voting shall now start.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Michael HO, Mr CHEUNG Man-kwong, Mr CHAN Kwok-keung, Mr CHAN Wing-chan, Mr SIN Chung-kai and Mr LAW Chi-kwong voted for the motion.

Dr Raymond HO, Mr Bernard CHAN, Dr LEONG Che-hung and Mr Timothy FOK voted against the motion.

Mr Kenneth TING, Mr James TIEN, Mr LEE Kai-ming, Mrs Selina CHOW, Mrs Sophie LEUNG, Mr WONG Yung-kan, Mr Howard YOUNG and Mrs Miriam LAU abstained.

Geographical Constituencies and Election Committee:

Miss Cyd HO, Mr Albert HO, Mr LEE Wing-tat, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Mr James TO, Miss Christine LOH, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Mr Andrew WONG, Dr YEUNG Sum, Miss Emily LAU, Mr Andrew CHENG and Mr SZETO Wah voted for the motion.

Mr NG Leung-sing and Mr MA Fung-kwok voted against the motion.

Mr Gary CHENG, Mr Jasper TSANG, Mr LAU Kong-wah, Mr TAM Yiu-chung, Mr David CHU, Mr CHAN Kam-lam, Mr Ambrose LAU and Miss CHOY So-yuk abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 18 were present, six were in favour of the motion, four against it and eight abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 26 were present, 15 were in favour of the motion, two against it and eight abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the motion was negatived.

PRESIDENT (in Cantonese): Second motion: Drawing up the blueprint for Hong Kong's social welfare policies over the coming decade.

DRAWING UP THE BLUEPRINT FOR HONG KONG'S SOCIAL WELFARE POLICIES OVER THE COMING DECADE

MISS CHAN YUEN-HAN (in Cantonese): Madam President, I move that the motion, as printed on the Agenda, be passed.

In addition to the rapid economic development, a clean government, a sound and healthy legal system, and the joint endeavours of the people of Hong Kong, the success of Hong Kong's metropolitanization nowadays is attributable to the care and protection fostered by social welfare and social services, which has enabled the creation of a unified society and community building. Furthermore, it has also strengthened our sense of belonging and the centripetal force towards Hong Kong, making immense contribution to social stability. As far back as the early '70s, the Government and voluntary agencies had developed some kind of "partnership" relationship to push each other and learn from each other, and social services in Hong Kong grew rapidly under this "partnership".

As a result of social development, drastic social changes in recent years and the economic downturn, social problems have become more and more critical with each passing day. Examples include the continual ageing of the population, the adaptability problem of the new arrivals, the exacerbation of the impoverishing conditions of low-income families, and the marginalization of labour workers. As the stress of life intensifies with each passing day, the need for social welfare has changed and increased. In recent years, various social phenomenon reported by the newspapers have reflected various social problems: The unemployment plight of the middle-aged people, the sense of loss of the

perplexed young people, the emergence of numerous self-destruction behaviour, the alienation between parents and children, the increasing outbreak of family disputes, the homeless and miserable life of the aged, and the steady increase of suicide cases. All of these instances are nothing new, but they have seriously undermined the credibility of the Government, as the society is suffused with a sentiment of despair and unrest. In the face of these serious social problems, social services can support the needy, lead them through calamities, bring in positive factors for development of potentials of the individual, and help them solve problems. Thus it can be seen that well-planned and forward-looking social welfare policies will not only help the needy, but also help to stabilize society.

In the past, the planning and development of social services were relatively more transparent. The Government would conduct public consultation on relevant policies by introducing consultation papers, such as the green paper on social services policies and the white paper on social welfare policies. Those were public papers of directions and strategies issued to review and plan the future development and positioning of social welfare. They offered the public opportunities to participate in the discussion and formulation of reforms to social welfare policies that could meet the needs of society. The formulation process of the papers also embodied the close co-operation between the Government and non-governmental organizations (NGOs), in which the Hong Kong Council of Social Service (HKCSS) represented the social service sector. The Government held talks with HKCSS and delegations of the social service sector to review the five-year social welfare development programme, and to discuss on the co-ordination between the allocation of resources and government policies. As to policies in respect of operation, they were carried out under the supervision of the Social Welfare Advisory Committee and the Legislative Council's Panel on Welfare Services, so that the formulation and implementation of social welfare policies were maintained at a pretty good level. However, the policies got both praise and blame from the domestic and international communities.

However, since the Government introduced a paper entitled the White Paper on Social Welfare into the 1990s and Beyond in the '90s, there have been no more comprehensive consultation papers on the reform of social welfare. Nowadays, the Government will only make adjustments out of "finance-led" considerations. Besides, most of the adjustments are usually introduced hastily without considering the characteristics of social welfare services, such as "people-oriented" and "close connection and interrelated co-ordination of every

sector". Some policies, such as the contracting out of home help service through competitive bidding, are introduced without sufficient public consultation. As a result, policies are unable to dovetail with each other, as they are fragmented and lack clear objectives. Chaos has emerged in the social service sector as front-line workers are kept constantly on the run. Demoralization and brain drain have worsened the situation as service recipients started to complain a decline in service quality and worry about the prospects. The resentments of the public are gaining momentum with each passing day.

In the 21st century, Hong Kong has entered into a brand new mode of economic development. The high-speed development of information technology, the popularization of the Internet and the emergence of the knowledge-based economy have caused new impact on society. In the meantime, despite a 14.3% economic growth in the first quarter, how can the grassroots and the underprivileged share the fruit of such economic development? One may well say that it is rather minimal, or even none. Indeed, we have to review the direction, objectives and development strategies of the social welfare policies of Hong Kong immediately, in order to meet future needs of society. The formulation of a set of social welfare policies into the millennium and beyond will provide the public and the social service sector the right opportunity to discuss and voice their opinions on the issue, with a view to examining and re-considering a set of social welfare policies that better suit the people of Hong Kong.

Madam President, in response to the abovementioned issues, I suggest that the Government should draw up the blueprint for the development of Hong Kong's social welfare policies in the coming decade in conjunction with the social welfare sector. Moreover, the blueprint should include the following functions concerning the direction, objectives and development strategies of Hong Kong's social welfare policies in the 21st century:

- (1) to analyse the current political, economic and social condition of Hong Kong;
- (2) to redefine the aim and long-term development objectives of Hong Kong's social welfare system;
- (3) to review the existing relationship between the social welfare and economic policies;

- (4) to affirm the mode and system of funding, and to discuss the future partnership with the social welfare sector;
- (5) to enhance communication between the Government and NGOs;
- (6) to promote reforms in the management of service agencies, and to introduce the participation of staff and service recipients in the management work;
- (7) to formulate an effective service monitoring system with a high degree of transparency; and
- (8) to review the division of labour and the role of the Social Welfare Department (SWD) in respect of welfare administration, legislation and implementation.

Madam President, we may make reference to the approach adopted in the White Paper on social welfare of the '90s and establish various working groups specific to different social needs in the course of drawing up the new blueprint.

Since the Government has launched a series of reform measures for the social services just as I have mentioned earlier, the existing social welfare services have been affected to a certain extent. In my term of office as the Chairman of the Panel on Social Welfare over the years, I have heard different views to these changes inside and outside the social service sector, including service recipients. They are not unwilling to accept the social welfare reform. On the contrary, they agree that our social welfare system should undergo continuous reform, and anticipate that they will be able to participate in discussions on the issue of overall social welfare development in response to the changes and needs of society. And they hope that eventually, both the Government and the people may strive forward to a better objective and direction for development. That is why I have moved today's motion. I consider that before a thorough discussion and examination on the issue is facilitated in society, it is necessary for us to put some of the controversial agenda on hold. Until we have drawn up the comprehensive social welfare development consultation paper and agreed on a common goal, we shall put everything together and start the relevant discussions, and this should be the direction for the drawing up of the

social welfare policies for the 21st century. Madam President, I would like to quote the words of the late Lord Murray MacLEHOSE, the Governor of Hong Kong in the '70s, who has just passed away recently: "People will not care for a society which does not care for them."

With these remarks, Madam President, I urge Members to support my motion. Thank you.

Miss CHAN Yuen-han moved the following motion: (Translation)

"That, with the rapid social developments and drastic changes in recent years which have worsened the problems faced by individuals, social groups and the community at large, the Government should have expeditiously drawn up a blueprint for social welfare development and implemented reforms in the service systems to meet the public's needs; however, the Government has, without adequate consultation, rashly implemented a series of measures in the social welfare sector, such as the contracting out of services through competitive bidding, which are reforms in name, but in reality give rise to chaos; at the same time, the Government intends to implement the controversial Lump Sum Grant subvention mode; these measures not only arouse concern among social service organizations about their future development and deal a blow to staff morale, but also cause worries among service users that the service quality may deteriorate; the Government's approach has undoubtedly ignored the long-term development of social welfare policies; in this regard, this Council urges the Government to:

- (a) draw up the blueprint for the development of Hong Kong's social welfare policies in the coming decade in order to tie in with the political, economic and social changes in Hong Kong and, by adopting the following measures, formulate social welfare policies which will meet the needs of the public:
 - (i) to review, in conjunction with the social welfare sector, the direction, objectives and development strategy of Hong Kong's social welfare policies in the 21st century; and

- (ii) making reference to the approach adopted in the White Paper on Social Welfare into the 1990s and Beyond published in 1990 and consulting extensively the views of various sectors in the community, to prepare a consultation paper on the overall social welfare development; and
- (b) before the blueprint for the development of social welfare policies is drawn up, temporarily shelve all reform measures in this regard, including the Lump Sum Grant subvention mode and the contracting out of services through competitive bidding, and review these policies when preparing the consultation paper on the overall social welfare development."

THE PRESIDENT'S DEPUTY, DR LEONG CHE-HUNG, took the Chair.

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Miss CHAN Yuen-han, as set out on the Agenda, be passed.

DEPUTY PRESIDENT (in Cantonese): Mrs Sophie LEUNG will move an amendment to this motion, as printed on the Agenda. In accordance with the Rules of Procedure, the motion and the amendment will now be debated together in a joint debate.

I now call upon Mrs Sophie LEUNG to speak and move her amendment.

MRS SOPHIE LEUNG (in Cantonese): Mr Deputy, I move that Miss CHAN Yuen-han's motion be amended, as set out on the Agenda.

Mr Deputy, I have moved an amendment to the original motion. The major divergence between the original motion and my amendment lies in the fact that the Liberal Party disagrees to shelving all the existing social welfare reform measures. From 1965 to 1991, the Government issued four white papers on social welfare policies. In 1994, the Government appointed a consultancy to review the subvention system. It follows as a matter of course that the Government also conducted all sorts of consultations and induced discussions in society, which provided improvement measures and new directions for the social

welfare policies of Hong Kong. If the existing reform measures are shelved, all of the efforts and endeavours over the years will be negated, and this is a waste of resources.

The Liberal Party considers the development of policies should be a process of constant evolution to tie in with social development. As the community's need for social welfare is changing continuously, it can only be satisfied through constant development and reform. The Liberal Party agrees that the Government should conduct an in-depth examination on the social welfare policies of Hong Kong. Likewise, we do not object to drawing up a blueprint for Hong Kong's social welfare policies over the coming decade along with the suggestion of conducting comprehensive public consultations. However, the existing reform measures should not be brought to an immediate standstill just because there is divergence in our views. In fact, the Government should improve its measures by means of constant consultations.

Expenditure on social welfare is enormous in Hong Kong. In last financial year, our social welfare expenditure reached \$27.3 billion. In the current financial year, the Government has also reserved \$29.8 billion for social welfare expenditure, which accounts for 14.2% of the recurrent expenditure, with a 9.2% real growth. Facing the increase in demand for social welfare, the Liberal Party considers the Government should adhere to the principle of financial prudence and make the best use of resources, so as to achieve the objective of increasing operational transparency as well as enhancing service quality.

At present, there is a structural problem in the system of grants for social welfare agencies. For a long time, the Government has been adopting the dollar-to-dollar grant system to fund social service agencies. Besides, their staffing system follows the civil service mechanism closely, as staff are paid on head counts according to the same pay scale. The existing system also lays particular emphasis on monitoring whether the resources are being used in accordance with established standards, but it never lays its focus on the service effectiveness. The new system has changed from the past resources monitoring to the existing quality monitoring nature, in which resources are injected on basis of service effectiveness. Besides the enhancement in the accountability of service, it also allows grantees to allocate and transfer their resources in a more flexible way, so as to meet the need of social changes and the need of the public.

Currently, 90% of the social services provided by the Government are carried out by subvented agencies. In fact, most of the expenses incurred by the agencies are footed by government funds. Each year, they use at much as \$6.2 billion and employ over some 27 000 staff. In the past, the Social Welfare Department (SWD) was always troubled by the problem of insufficient funds, that was why it had to seek supplementary provisions from the Legislative Council in the beginning of every year.

If the Government is not going to enforce reforms rigorously, it will not only be hard for it to shoulder the financial burden, but will also hinder it from implementing a number of innovative reform measures. Eventually, we will fail to meet the pace of social progress. Nevertheless, a perfect reform measure is impossible, as certain repercussion in the social service sector and the community at large is inevitable. However, the only thing we can do is to change and improve these policies via constant review and consultation.

I would like to ask for the understanding of the social service sector in the pressing need of reforms. Reforms may cause inconvenience to some agencies, or even short-term distress before they can accustom themselves to the new system. However, in order to enable the people and the community at large to enjoy better social services, which can meet the growing need of society, the social service sector should face up to the reality of reform, and to make every effort to co-operate with the Government. Conversely, in the course of reform, the Government should listen more to views of society and the social service sector, so as to arrive at an improvement proposal that best suits the times, and to make sure that all reforms are consistent with and beneficial to the overall social welfare development and affordable to our next generation. In this course, the Government, society and the social service sector should update and review these policies constantly, so as to facilitate the implementation of reform measures.

For example, the recent Lump Sum Grant proposal of the Government has already aroused great controversy within the social service sector. However, it is reported that about 111 smaller scale social services agencies have accepted the new proposal. In fact, there are some vanguards in the social service sector who are not afraid of the reform or the throe, and are willing to face the reform and to put in efforts for the reform by taking the very first step. In this aspect, we should show them our respect. If there are more vanguards like them in our society, any reform will be carried out more easily and smoother.

Being an internationalized metropolitan, Hong Kong should strive for constant updates and improvement and to improve and perfect all sorts of policies, in order to maintain its competitiveness and to uplift the quality of the life of its people. Being the citizens of Hong Kong, members of the metropolitan, we should have the foresight and undertaking, just as what President John F KENNEDY had said, "Ask not what your country can do you, ask what you can do for your country". In the 21st century, as the pace of global progress will get faster and faster, we should not be complacent and conservative, but we should update ourselves constantly. Certainly, I am not only asking the social service sector to do something for society; I feel that we should make some bold assumptions and make confident attempts, no matter we are in the social service sector or other sectors, or even in our own posts. Every reform in society counts on our co-operation in every aspect, then and only then can we start the first step of success.

Mr Deputy, perhaps I am a little bit high profile ever since I engaged in politics, however, an old gentlemen has supported me all along. I only know that he is a retired person and he was a clerk before retirement. He should be in his '70s now. He pays great attention to all kinds of current affairs habitually and always writes me some topics he considers significant. Concerning my motion to carry on the reform in the social service sector, he has given me some advice. As I have moved an amendment to the motion, I should read his opinion out, because in the past few years, his opinions have profoundly influenced my views on many policies. He writes, "I think we should not shelve all reform measures before we have drawn up the blueprint for the development of social welfare policies, as reform on social welfare policies should be implemented immediately. The reform must be enforced just as other reforms, because there are too many things to be reformed in Hong Kong today. We should conduct reforms simultaneously with consultations, and revise the reforms at the same time as we conduct consultations again. We can only reach the acme of perfection by this way, and we should definitely not stop to wait for "death"." This is exactly what he writes.

Mr Deputy, I so submit. Thank you.

Mrs Sophie LEUNG moved the following amendment: (Translation)

"To delete "before the blueprint for the development of social welfare policies is drawn up, temporarily shelve all reform measures in this regard, including the Lump Sum Grant subvention mode and the contracting out of services through competitive bidding, and review these policies when preparing the consultation paper on the overall social welfare development" after "(b)" and substitute with "review the policies on the reform measures to ensure that these are consistent with, and beneficial to, the overall social welfare development"."

DEPUTY PRESIDENT (in Cantonese): I now propose the question to you and that is: That the amendment, moved by Mrs Sophie LEUNG to Miss CHAN Yuen-han's motion, be passed.

MR BERNARD CHAN: Mr Deputy, it is a shame to hear that in a cosmopolitan city like Hong Kong, there are people who only have about \$20 a day to spend. Tens of thousands of people are living in poverty. Hong Kong still has a group of people requiring particular care and assistance. And it is the job of a caring government to look after these people in need.

Social welfare has been a top priority on the agenda of the Government of the Hong Kong Special Administrative Region. In 2000-01, the total approved estimate for social welfare programmes was \$29.5 billion. This represents an increase of 9.6% over the actual expenditure of \$26.9 billion of 1999-2000.

The biggest share goes to the Comprehensive Social Security Assistance (CSSA). The CSSA expenditure grew from \$2.4 billion in 1993-94 to \$15 billion in this financial year.

There is no doubt that the expenditure in social welfare will remain a lion share in the coming years. The burden on the public purse will be increased. The taxpayers will have to dig deeper into their pockets to sponsor the services.

Our population is ageing. This means more people will be in need of special care. The problem will deteriorate, as we have to face the rising cost of medical treatment. The Mandatory Provident Fund (MPF) Scheme, to be

formally introduced at the end of this year, should help alleviate the problem as workers who contribute to the Scheme will receive their rewards after retiring.

But all of us should know that the Scheme is not a miracle cure. No one can rely only on the MPF Scheme to support the whole and the rest of their lives after retirement. Other measures and assistance are needed to go with the Scheme if we want our elderly to live a decent and a respectful life.

A blueprint with longer vision and mission on social welfare services is necessary to help us plan better and earlier. The White Paper "Social Welfare into the 1990s and Beyond" issued in 1991 laid down the policies and objectives of social welfare and rehabilitation services in Hong Kong.

However, there have been lots of changes since the release of the White Paper. A large-scale and comprehensive review and update of the objectives, directions and strategies in delivering the services are required to make sure that the services are not out of date, or go to the wrong persons by using the wrong methods.

We should make sure that our taxpayers' money is spent for the value. A review to the subvention system for non-governmental organizations is needed to enable an efficient and effective mechanism. But we should make sure that such a reform would not be an excuse to cut budget and services.

The Government should be careful in drafting the blueprint, as a plan without public consultation is bound to fail. Consultation with non-governmental organizations is particularly important. Front-line workers' views must be taken into account. They are the experts and get first-hand information about those whom they serve.

Priorities should be set in providing the services because resources are always limited. A better co-ordination of the services and the service providers must be achieved.

I would also like to point out that a balance should be struck while the Government is drafting the blueprint. We must guard against "welfarism". A welfare state is no good to Hong Kong. "Welfarism" can easily degenerate into a culture of dependency.

The success of Hong Kong lies in the hardworking of our citizens. Welfare programmes should not only aim at offering immediate assistance to the people in need, but also aim at promoting self-improvement, self-reliance, mutual support and generosity.

Mr Deputy, we cannot afford a dependency culture. Neither should we ignore the vulnerable and those in need. While social welfare services should not be some form of free lunch, it should be made available to all those who need them. The Government should draw up the blueprint for our social welfare policies over the coming decade. Thank you, Mr Deputy.

MR TAM YIU-CHUNG (in Cantonese): Mr Deputy, elderly service is one of the most important sectors in the social welfare policies of Hong Kong. In terms of the allocation of financial resources, 40% out of the total \$29 billion social welfare expenditure in this financial year goes to elderly service and the social security for elderly. The drawing up of the blueprint for the development of Hong Kong's social welfare policies in the coming decade will affect the planning and implementation of elderly service.

The ageing of the population of Hong Kong has become increasingly critical. At the end of last year, the total elderly population above 65 accounted for 10.9% of the total population. It is estimated that by 2016, the elderly population will go up to 13.3% of the total population. Although the Government is committed to improving elderly welfare in a more comprehensive way, and great efforts have been made to improve the existing services for the elderly since the establishment of the SAR Government, the impact of rapid ageing of the population is in fact something new to Hong Kong. Therefore, we have to conduct a more comprehensive evaluation and long-term planning on the future demand for elderly service, so as to enable a quality life for the elderly.

A moment ago, in the debate on the Women's Commission, some Honourable Members have mentioned the Elderly Commission. The Elderly Commission has been founded for three years, with the major tasks of improving and strengthening elderly service. However, now the Commission is attempting to examine policies for the development of elderly service in the coming decade or even longer terms. Our meetings are convened regularly on specific topics, thus we are able to discuss specific subjects during the session, including concepts of the elderly, health of the elderly, domestic and community

care, long-term care service, financial support, housing, lifelong learning, manpower training and supply, as well as the provision of career opportunities for the elderly. We consider this approach helpful to the drawing up of major policy directions for elderly service, thereby constituting the guiding principle for reform strategies. Of course, the drawing up of the blueprint requires the understanding and support of the public. When we draw up the guiding principle, we should conduct a comprehensive consultation on views of every sector.

Mr Deputy, personally, I support the idea of conducting long-term planning for social welfare work. Besides, the plan so formulated should be subject to constant review, with a view to improving, strengthening and bringing its best effect out, so as to allow its recipients to get the best benefits, and to make it meet the needs of the people and the development of the community at large. I so submit.

LAW CHI-KWONG (in Cantonese): Mr Deputy, after the reunification in 1997, there are constant voices within the social welfare sector for the remodelling of the white paper of social welfare. At the end of last year, the Hong Kong Council of Social Service (HKCSS) set up an ad hoc group to promote and improve the procedure of the formulation and planning of existing social welfare policies. Since last year, the Government has introduced a series of finance-led measures, including the Enhanced Productivity Programme, the review on the expenditure on fundamental children and youth service, the contracting out of services through competitive bidding and the Lump Sum Grant subvention mode. All of these reform measures are purely pecuniary means, which have not only caused chaos among the public, but have also made the service lose its way in the course of development. Therefore, re-examining the direction and strategies for social welfare development is a task that brooks no delay.

As the motion of today concerns reform, I therefore will talk more about reform. The Democratic Party agrees to reform. However, the question is, what and how to reform? I feel a bit sorry that Dr YEOH Eng-Kiong, the Secretary for Health and Welfare, is unavailable to attend today's debate. I hope that when he returns, he should review the videotape of today's debate. As a doctor, it should not be a problem for him to discern the symptoms in the existing social welfare system. Before he prescribes the medicine for the disease, he should find out the cause of the disease. Otherwise, the

Government will make the same mistake of treating the symptoms but not the disease as before, which is the cause of the disease in the existing social welfare system.

In recent years, the social welfare sector has made a number of suggestions on the improvement of social welfare service, but owing to the limitations in the subvention and supervisory system, none of them are implemented. For example, the implementation of subgroup work in family services centre and community care work in activity centre for the elderly are beyond the approved service area. Consequently, it has deterred social workers from taking forward such initiatives. The crux of the problem lies in the supervisory system and the Funding and Service Agreement, as the definition of approved areas of service and the size of service is too narrow and rigid. Why? In order to facilitate administrative convenience, the Social Welfare Department (SWD) decided to impose the Procrustean uniformity on everything, resulting in the rigid system. The rigidity of the existing funding policy has created a whole host of unnecessary administrative work and consumed a lot of manpower and resources, in addition to stifling service innovation and the capability of dealing with demands for new services.

Therefore, the first thing I demand to reform is the culture of the SWD itself and its supervision. Of course, non-governmental organizations (NGOs) have also participated in the formulation of the supervisory system and the Funding and Service Agreement, that is why they should also take some of the responsibilities. Why can these agencies tolerate the rigid supervisory system and the Funding and Service Agreement? On top of the problem of unbalanced distribution of power, lacking in mutual trust between agencies and the Government is one the major reasons. As the SWD lacks trust in the agencies, it does not give them too much flexibility. Similarly, agencies also lack the trust in the SWD, since they worry possible and sudden changes in government policies due to a reshuffle of the officials in charge. As a result, they would rather not have the flexibility, because they worry that such flexibility might become flexibility just for individual official, and they might have nothing to follow.

The second thing I demand to reform, is the relationship between the Government and NGOs. Regrettably, the relationship has been deteriorating over the past few years. Very often, it is attributable to the Government's lack of respect for NGOs, which has worsened the partnership relationship constantly.

I hope Dr YEOH and the director-designate will exert greater efforts in this aspect. Part of the existing problems of our social welfare system is the problem of co-operation and division of labour between the Health and Welfare Bureau and the SWD. The Bureau is responsible for the formulation of policies, while the SWD is responsible for the execution. However, the SDW has been responsible for the five-year review in the past, how can we expect this executive department to act according to circumstances and adjust the direction of policies? If the SWD fine-tunes the direction of policies, it is acting *ultra vires*. On the other hand, because the SWD is responsible for the supervision and review of social services, therefore, may I ask how can the Health and Welfare Bureau adjust the direction of policies as it is short of the relevant review information? As a result, prior to the drawing up of the social welfare blueprint and policies, the Government should reorganize the existing operational relationship between the Bureau and the SWD.

In the past decades, the Government has adopted a passive and remedial strategy for the development of social welfare policies. Whenever a problem happens, the Government will only take remedial responses after lengthened campaigns by social workers and NGOs for some years. This is exactly the problem of "treating the symptoms but not the disease" method denounced and criticized by the public over the years. Furthermore, it can be said that the existing service structure is over fossilized. In order to break away from the set frame, whenever the need for new services appears, social service agencies would make use of other resources to launch new service units before campaigning for government funding. As a result, there are more than 100 types of subvented services, 180 subvented agencies and 2 700 service units in Hong Kong. As the scale of most of the service units are very small, it has created the so-called "diseconomy of scale" effect. If the Government wants to put right the existing social welfare system, it should re-examine its philosophy, mission and role in social welfare, and to draw up a strategy and blueprint for the future development of social welfare services.

After 1997, because the Government always wants to be a government of accomplishments, it has taken the initiative in a number of areas. In view of the fact that resources are varied in amount, and community development should be co-ordinated well, it is very natural for the Government to take the leading position. However, since we lack a sound system for the present time to ensure the participation of NGOs, service recipients and the public, the executive-led principle can easily become personal preferences of government officials, which

will affect the direction of service development. In particular, the reshuffling of policy-making officials will enfeeble their familiarity with social welfare affairs. In constitutional terms, as the public cannot question the accountability of officials direct, policies can easily be changed due to dissimilarity in personal wish of the officer, and this is most unsatisfactory. We have to examine the existing process of the formulation and planning of social welfare policy, so as to enable us to deal with various challenges and demands of service as a result of social changes in the future.

I have reservations about the original motion's proposal of shelving of all reform measures in social welfare because it is committing the same mistake of imposing the Procrustean uniformity on everything. Good reforms should never stop. Immature ideas, on the other hand, such as the Lump Sum Grant subvention mode and the contracting out of services through competitive bidding, should not be implemented hastily. However, taking the motion as a whole, the Democratic Party supports the original motion.

I so submit.

MR MA FUNG-KWOK (in Cantonese): Mr Deputy, with the rapid social developments in Hong Kong, not only the local economy and the population structure have undergone changes, the ideology of the people has also changed. However, as prompt adjustment is lacking in the overall social welfare policy, the social welfare services available in Hong Kong are unable to keep pace with the rapid social developments to address the social problems and needs arising from an increasing number of new immigrants and elderly people. The Government of the Special Administrative Region (SAR) must therefore expeditiously review its existing policies on social welfare and draw up the blueprint for the development of Hong Kong's social welfare policies in the coming decade in the light of the possible social changes projected.

As a matter of fact, in the past the Government would conduct a five-year review after drawing up a 10-year blueprint of development for its social welfare policies. However, it seems that the practice was already abandoned before the reunification. I believe Honourable Members do feel it deeply that Hong Kong has indeed experienced considerable social changes over the past few years. Hence, how could we expect the blueprint for the development of Hong Kong's social welfare policies drawn up more than a dozen years ago to be viable in the

present environment? After the reunification, the local community has gradually started to form its own views on the development of policies relating to the different aspects of Hong Kong. The SAR Government, for its part, has also developed rather concrete policies for such areas as environmental protection and housing. Why, then, is it still unable to come up with any concrete policies on social welfare?

The problems relating to new immigrants and the elderly which I referred to just now shall be the focus of policies on social welfare in the coming few years or even more than a dozen years. Actually, youth problems and family problems are also emerging as important issues as well, only that the concern we have expressed is not sufficient to arouse extensive discussion about them. Following the social changes of the society, our community would become more and more complicated. This together with the rapid changes in family concepts and the ideologies among our youth will serve to make family problems more prominent. In the coming few years, the demand for support services for single-parent families would also increase considerably.

In considering the overall allocation of social welfare resources, it is not appropriate to allocate more resources to issues the public concern over which is more noticeable. I consider this a very unfair arrangement. For this reason, the Government must expeditiously review the existing allocation arrangement for social welfare resources.

In drawing up the blueprint for Hong Kong's social welfare policies over the coming decade, I hold that the Government should follow the following principles.

To begin with, throughout the entire process of review, conception and policy formulation, the Government should adopt an attitude of "reaching out, welcoming in" to extensively consult the various sectors of our community and to treat the social welfare sector as its partner, with a view to reaching a consensus amongst the community, thereby drawing up a blueprint that is acceptable to all parties.

In this connection, the white paper mode of consultation adopted in the past often placed emphasis on the professional views of the sector. Today, with the relationship between the social welfare profession and the various sectors of the community becoming much closer, I believe the Government should also add

in some new social elements in formulating the white paper on social welfare for consultation purposes. Besides, the Government should also take in the views from other sectors, including other professionals and businessmen. That way, the society as a whole would be enabled to participate fully in the drawing up of the blueprint for the development of Hong Kong's social welfare policies.

Secondly, instead of focusing on cutting back expenses on social welfare, the review should aim at adopting a broader perspective to provide care and attention for those people of the SAR who are in need. In particular, the Government should fully analyse the orientation of the rapid social changes in the coming decade and evaluate the impacts of such changes on the different sectors of the community. That way, the Government should be able to make preparations beforehand and thus avoid the risk of adopting palliative measures that could cure only the symptoms but not the disease.

Last but not least, in striving for cost-effectiveness and supervisory accountability, emphasis must be put on the enhancement of the professional standards of front-line social workers as well as on the motivation of their enthusiasm and creativity. Otherwise, if the front-line social workers at large should feel uncertain about their career prospects, their morale would naturally be affected. In that case even the best scheme in the world cannot be implemented successfully.

Mr Deputy, the existing subvention system, which has been in operation for many years, has become too bureaucratic and ossified. There is indeed a need for reforms. Moreover, the majority of the members of the social welfare sector also agree that the existing subvention system needs to be reformed. With regard to the Lump Sum Grant subvention mode, actually this is a feasible measure, only that the details proposed by the Government have met with strong opposition from the sector. This is mainly because the subvention granted in this way is insufficient to ensure that the pay and benefits of existing staff would remain unaffected, not to say to retain the quality employees. In the end, the quality of services will be affected indirectly.

On the other hand, the Government has also proposed to replace the existing service distribution method with contracting out through competitive bidding. Although this proposed reform does have its own merits, the price-based bidding method would gravely impact on the "people-oriented" service provision system. For this reason, the social welfare sector is raising their strong objections and urging the Government to abandon this bidding method.

As a matter of fact, the ideas and measures of the Lump Sum Grant subvention mode and the contracting out of services through competitive bidding are by no means any invention of the SAR Government. Rather, they are adopted after taking into account the experience of Western countries. Starting from the '80s, countries like the United Kingdom and the United States have been introducing measures to rejuvenate their governments. As a means to strive for the cost-effectiveness of the various government expenses, they try to contract out all the services of the government as far as possible. In order to strike up a partnership kind of relationship with NGOs and to do away with the traditional constraints, the Lump Sum Grant subvention mode has been adopted to enable the NGOs to manage and allocate on their own the funds granted to them. As for the governments concerned, their role is to exercise supervisory accountability to monitor the effective use of the funds by NGOs.

As such, even though the "Lump Sum Grant subvention mode" and the "contracting out of services through competitive bidding" might have their inadequacies and thus warrant review and improvement, if all reform measures or improvement measures are to be shelved just because the blueprint for the overall development of social welfare policies has yet to be drawn up, I cannot but say that I have some reservations about such a proposal.

Nevertheless, in order to enable the Government to have a clear idea of the expectation of the community in relation to the drawing up of the blueprint for Hong Kong's long-term policies on social welfare, I will support the original motion and the amendment proposed to it.

Thank you, Mr Deputy.

MR CHAN WING-CHAN (in Cantonese): Mr Deputy, I greatly agree with the motion of Miss CHAN Yuen-han, that is, to draw up the blueprint for the development of Hong Kong's social welfare policies in the coming decade, in order to avoid the chaotic situation of not treating the disease but the symptoms, and prevent the misapprehension of the public when such policies are implemented. Recently, I have heard some of the worries of the elderly concerning the implementation of the Lump Sum Grant subvention mode to be imposed on NGOs. They said, "As wardens of the elderly centre will possibly be laid off or dismissed, nobody will take care of us or serve us any more." If the implementation of these policies will provoke complaints or

misunderstandings among the elderly, it is obvious that there are some problems with such policies, and the Government should re-examine them.

In recent years, the good times of the market did not last long. In addition to the Asian financial turmoil and the ever-increasing jobless rate which has broken the record high, society has changed as the sprouting of nucleus families and the average life expectancy have been pushed upwards constantly. According to the estimates of the Government, by 2016, the population of the age group of 65 years or over in Hong Kong will reach 1.09 million, at about 13% of the total population. Therefore, we need a more comprehensive, sizable and well-planned welfare service for the elderly to support the single elderly persons, and the infirm elderly such as senile dementia patients, as well as to provide them with care service.

Moreover, as a result of the economic restructuring, the current situation is just like the description in the motion I moved in this Council on 1 March 2000 concerning "Alleviating the disparity between the rich and the poor". As wages of the low-income class are plummeting, the problem of disparity between the rich and the poor deteriorates with each passing day. In addition, due to the transformation into knowledge-based economy, the demand for social welfare among the underprivileged has increased subsequent to the ongoing adversities. Since many children are unable to support their parents despite of their wishes to do so, a lot of elderly parents have no alternative but to apply for Comprehensive Social Security Assistance (CSSA).

The so-called "changes" in the social welfare sector introduced by the Government in recent years have not only failed to meet the need of actual situations, but also caused hesitations and anxieties to many people. For example, there are complaints about a decline in service quality in the home help service provided for elderly people who are unable to take care of themselves, in consequence of the introduction of the contracting out of services through competitive bidding by the Social Welfare Department (SWD). These social service recipients have pointed out that because agencies taking part in the bids have to maintain the provision of original services, they do not hesitate to bid with a price below the cost. But once they are successfully granted the service, they will employ contractual part-time staff to provide the service. In addition, in order to save resources, they will frequently deploy their staff here and there, so as to make full use of everyone, which has eventually caused a problem in service quality.

Moreover, the Government is short of long-term planning to support senile dementia patients and carers of elderly people. According to reports of the Chinese University of Hong Kong, Deloitte and Touche Consulting Group, and the Hong Kong Council of Social Service (HKCSS), about 27 000 elderly people in Hong Kong are suffering from senile dementia. Moreover, according to the estimate of the Government, by 2016, the number of senile dementia patients will drastically increase by 60%, and it deserves our grave concern. However, we have to date seen no progress made by the Government in this respect. We hope the Government will take precautions against and pay close attention to the aforementioned problems and make long-term planning for the relevant services.

As to the latest CSSA policy requiring elderly people living with other family members to apply for CSSA on a household basis, it has made elderly CSSA recipients confused about what to do. In some cases, the relationship between the elderly CSSA recipients and their family members have deteriorated due to their family members' rejection to apply for CSSA on a household basis on the one hand, but unable to support them on the other hand. Last week's "Common Sense" programme reported on this topic and revealed the miserable conditions of the elderly. The report has not only reflected the sorrow of the elderly in different cases, but also voiced the helplessness of the community at large in Hong Kong.

The aforementioned problems cited by me are only the tip of the iceberg among numerous social welfare issues. I hope to use these examples to reflect the need for a long-term blueprint for social welfare development, and to show that all sorts of changes initiated by the SWD will cause negative effects on service recipients. In fact, many service agencies have put forward a lot of ingenious and visionary suggestions. The motion of Miss CHAN Yuen-han requests the Government to draw up the blueprint for the development of Hong Kong's social welfare policies through comprehensive consultation. It merits our support.

With these remarks, Mr Deputy, I support the motion. Thank you.

DR DAVID LI: Mr Deputy, I have been involved with social welfare services in Hong Kong for more than 30 years. I am currently the Chairman of St. James Settlement, and I am closely associated with the Salvation Army.

The drawing up of a blueprint for Hong Kong's social welfare policies for the coming decade is a timely and appropriate proposition. Since the last White Paper on social welfare was drawn up back in the 1980s, Hong Kong has undergone dramatic social and economic changes. We need to address the changing needs of the public and set long-term objectives in providing proper care for the less advantaged.

I urge the Government to re-evaluate the viability and fairness of the Lump Sum Grant mode of subvention. This standardized and uniformed system of distribution affects more than 180 non-governmental organizations. Many of them have expressed very negative reaction to such a plan.

An appeals process should be established for the granting system so that these non-governmental organizations can voice their grievances. Each agency has its own unique attribute and needs. In the process, the Government can better understand them. These organizations employ dedicated and skilled staff. They deserve the dignity of a fair and just system of subvention.

This is also an opportune time to establish a youth policy. We must ensure that our future generations grow up in a caring and supportive environment to become productive citizens. There is a need for better counselling services, crisis support and social integration programmes for our troubled youths. Our future depends on the well-being of the younger generation and they deserve our best efforts.

Mr Deputy, we are now in the 21st century. A highly sophisticated society like Hong Kong needs a social welfare system that is fair, flexible and efficient to support the less fortunate among us.

Mr Deputy, I whole-heartedly support the motion.

MR AMBROSE LAU (in Cantonese): Mr Deputy, if we are to review the policies on social welfare, we should not confine the review to only the field of social welfare. Otherwise, we would find ourselves caught on the horns of a dilemma. Should we concentrate on containing the growth of social welfare expenditure? Or should we focus on enhancing the quality of social welfare services? For its part, the Government is mainly aimed at reducing and avoiding budget deficits. As such, containing the growth of social welfare expenditure has become an important policy direction of the Government. The social welfare sector, on the other hand, hopes that the quality of social services could be improved and enhanced continuously in pace with social development, and that the measures to be introduced by the Government will not leave social welfare agencies in financial difficulties. If not, not only will the quality of services and the remuneration for their employees deteriorate, the agencies may even have to lay off some of their staff. To make an objective observation, I would say both the objectives of the Government and the expectations of the social welfare sector could be regarded as reasonable. The question remains how such objectives and expectations could be reconciled to achieve the target of containing the growth of social welfare expenditure within reasonable limits without sacrificing the efforts to improve and enhance the quality of social welfare services or impacting on the morale and wages of agency staff. However, if the review should take into account only policies on social welfare, such objectives and expectations would seem to be in conflict with each other and, therefore, could hardly be reconciled. The *Book of Rites* has referred to a situation where: A competent provision was secured for the aged till their death, employment for the able bodied, and the means of growing up to the young. They showed kindness and compassion to widows, orphans, childless men, and those who were disabled by disease, so that they were all sufficiently maintained.¹ If we perceive the matter in the light of this course, we could see that in reviewing the policies on social welfare, instead of confining our scope of review to only the policy area of social welfare, we should extend the review to cover other relevant policy areas as well.

At present, the Government has earmarked close to \$30 billion for welfare expenditure purposes. Last year, the Social Welfare Department sought from this Council a supplementary appropriation of as much as \$2 billion for payments of Comprehensive Social Security Assistance (CSSA). This is partly attributable to the faster rate of increase of unemployment assistance cases.

¹ *LI CHI Book of Rites*, Translated by James LEGGE, University Books, 1967.

Even though unemployment assistance cases account for only some 12% of the total number of CSSA cases, as the problem of structural unemployment resulting from Hong Kong's third economic restructuring continues to intensify, cases of unemployment assistance may increase tremendously. In which case the Government will be faced with increasingly heavy pressure in such aspects as budget deficit, social welfare expenditure and quality of social welfare provision. The review of Hong Kong's policies on social welfare should comprise five prongs as follows. (1) Extending the economic base in the context of industrial policy; (2) expediting the reform of the education system; (3) reviewing the policy on social welfare, with a view to providing distressed elderly persons and the disabled with a reliable safety net on the one hand, and plugging the loopholes of the welfare policies on the other; (4) strengthening the Employees Retraining Scheme and placing emphasis on helping unemployed school leavers and young workers with limited skills and education to master new skills and culture, with a view to enabling them to stand on their own feet; and (5) expediting the review of population policies. Mr Deputy, with this five-pronged review approach, the future policies on social welfare will be able to cope with both the economic restructuring and the social development needs, rather than adopting palliative measures that could cure the symptoms but not the disease.

In this connection, care must be taken to address the following points of concern: (1) the growth of social welfare expenditure should be put under reasonable control; (2) the quality of services should not be undermined by the capping of social welfare expenditure; and (3) the morale of the staff employed by the agencies and their remuneration should not be affected. The aggregated rate of increase in social welfare expenditure in the past five years, which stands at 88%, is indeed worryingly high. If social welfare expenditure should be allowed to grow by a double-digit percentage every year, the expenditure on a number of services including education, medical care and environmental protection would most probably need to be reduced. Hence, the Government should open up opportunities for the people and encourage them to make unremitting efforts to improve themselves, for this is one very important way to contain social welfare expenditure within reasonable limits. On the other hand, social workers are also employees; as such, so while they strive for the interests of the disadvantaged they should also have the right to safeguard their own reasonable interests. All along, our social workers have been giving help to the needy on a very responsible manner; we should never overlook the contributions they quietly made. More often than not, many front-line social workers have to

work over-time without any pecuniary compensation, yet social work graduates are still determined to join the profession irrespective of the entry rank and salary level concerned. For these reasons, in implementing the relevant reform measures, the Government should make an effort to avoid doing any harm to the morale, the post or remuneration of the staff employed by the social welfare agencies.

Mr Deputy, the Government should consult the public and the social welfare sector adequately as it introduces its series of reform measures into the sector; besides, it should also join hands with the social welfare sector to review the policies on the reform measures to ensure that they are consistent with and beneficial to the overall social welfare development, and that they can cope with the needs of the economic structuring and social development taking place in Hong Kong. Mr Deputy, these are my remarks.

MR LEE CHEUK-YAN (in Cantonese): Mr Deputy, on behalf of the Hong Kong Confederation of Trade Unions I rise to speak in support of the motion moved by Miss CHAN Yuen-han. I should like to make it clear that the motion is not suggesting calling off all reforms, as Mrs Sophie LEUNG alleged just now; what we fear is that the Government would introduce reforms arbitrarily. Although the wording of the original motion appears to be suggesting calling off all reforms, in the information paper she distributed to Honourable Members in her own personal capacity Miss CHAN Yuen-han has already pointed out very clearly that her motion only proposes to shelve those controversial reform measures. Hence, I believe it is not the objective of the motion to call a halt to all reforms.

I consider it a timely proposition to put forward this motion for discussion. Indeed, it has been 10 years since the Government published its last white paper in this respect, the White Paper on Social Welfare into the 1990s and Beyond. Now that we have moved beyond the '90s into the new millennium, would it be possible for our social welfare policies to address the present needs if they should remain as they were in the '90s? Indeed, this is the right time to conduct a comprehensive review in this connection. Looking back on the past 10 years, we could actually see a number of major social and economic changes impacting on our community. For my part, I have noticed three major changes, and I believe Members are also aware of them as well. The first major change, which has already been mentioned by many Members just now, is economic

restructuring. In the present knowledge-based economy, we are faced with not only structural unemployment but also structural wage suppression. With people's livelihood being gravely impacted by low wage and unemployment, many social problems have arisen as a result. Actually, youth problems, family problems or women specific problems are all related to unemployment and low wage.

The second major change is the ageing of our population. As regards the third major change, it has also been mentioned by Members just now, which is the influx of new immigrants. In the face of these major changes in the new age, can our existing social welfare services manage to cope? And how is the Government going to respond to these changes? Since a number of Members have already criticized the Government for its palliatives which cure only the symptoms but not the disease, I do not wish to dwell on this point here.

What worries me more is in fact the Government's second approach in responding to the problems. It seems to me that the Government is now addressing social welfare needs from a treasurer's point of view, making fiscal considerations its major concern. With this budget-led approach, the Government has made gradual cutbacks in expenditure its strategy. With regard to Comprehensive Social Security Assistance (CSSA), in particular, we can see very clearly how the Government has tightened the purse strings recently. Having cut expenditure on CSSA payments, the Government then starts to cut expenditure on other allowances by a method which can be described as "giving up old services for the new". Take the "one school social worker per school" scheme which we have discussed at the meetings of the Panel on Welfare Services as an example. We know that it will take the Government \$97 million to implement the scheme, but how is the Government going to get that amount of money to cover the cost? The answer is by cutting expenses on youth services to save up \$97 million. However, it does not follow that the youth services concerned are out of date and thus required to be reviewed; the Government has cut expenses on them simply because it needs that saving of more than \$90 million to implement the "one school social worker per school" scheme. So, this is obviously a fiscal consideration.

Another example is elderly services. The new strategy of the Government in this respect is to promote "home care". As a measure to implement this new strategy, the Government has revoked under home care allowance the category of home for the aged and retaining only that of care-

and-attention home. The paradox of this measure is that while the elderly are encouraged by the Government to live with their families to receive home care, those who acted on the advice of the Government are not allowed to apply for CSSA on their own. This has resulted in a number of family problems and driven many families to live below the poverty line. So, these are some of the examples which cause us to believe that the Government is addressing social welfare needs from a treasurer's point of view. However, I must make it clear that the treasurer's point of view to which I referred just now has nothing to do with the fact that Mrs Carrie LAM will take up the post of Director of Social Welfare very soon.

Another approach adopted by the Government is to contract out services and award the contracts to bidders who charge the lowest price. We can see very clearly that since the Government has started applying this policy to home help service, the monthly wage of some home helpers has dropped to as low as \$5,500. In my opinion, the Government is implementing the Lump Sum Grant subvention mode to complement its measure of contracting out services through competitive bidding. I have always criticized the Government for being the "big evil" in implementing the Lump Sum Grant subvention mode to force other agencies to become the "lesser evil". Why? Just now many Members have already expressed their hope that the pay and benefits of the employees of social welfare agencies would not be impacted by the Lump Sum Grant subvention mode to be implemented by the Government as one of its reform measures. The Government, for its part, is concerned with providing the agencies with sufficient grants. If it should be considered not enough to provide agencies with three years' grant, the Government would provide them with five years' grant. However, this is not going to work. This Lump Sum Grant subvention mode will only serve to undo the link between the Master Pay Scale and the pay and benefits of the employees of social welfare agencies, which will give rise to grave consequences. Given that expenses on remuneration for staff account for more than 80% of their total expenditure, in order to resolve their financial problems or to implement new services, these agencies cannot but resort to cutting the wages and benefits of their employees. As such, at the present moment when the reform measures proposed by the Government have yet to be implemented, certain agencies have already started laying off their staff members or introducing such measures as salary freeze, wage cuts and benefit reduction. In this connection, the salary freeze imposed by these agencies are different from

that of the Civil Service, since there will not be any increment points. Worse still, in some cases, the provident fund scheme might also be affected. Some agencies have already made it clear that newly recruited staff members would not be entitled to the 50:15 protection under the existing provident scheme. At present, the Government urges employers to make a 6.8% contribution to the provident fund to strike a balance. However, with the year of service of the staff concerned being on the increase, a 6.8% contribution is visibly not enough. By then, will the Government force the agencies concerned to cut the pension benefits of their staff? So, we can see from this that if the Lump Sum Grant subvention mode should be introduced, the salary and benefits of the staff employed by the agencies concerned would certainly be affected.

Just now many Members have already urged the Government to refrain from introducing this reform measure. For my part, I really would like to know what measures does the Government have in hand to ensure that the salary and benefits of the employees in the welfare sector would not be affected by this reform measure. Actually, not only social workers are complaining. I have also received complaints lodged by nurses, physiotherapists, occupational therapists and so on. Unlike the Hospital Authority which offer handsome salary and benefits, social welfare agencies are cutting the remuneration of their staff continuously. Such an austere measure will serve to give rise to manpower wastage. Once the problems of manpower wastage and low morale set in, the quality of services will inevitably be affected. Hence, if the Government really introduces the measure, the quality of social services as a whole will definitely be gravely affected. What is more, users of certain existing services even fear that in order to generate more income, social welfare agencies will consider charging them fees for using the relevant services, thereby impacting on them eventually.

For these reasons, I very much hope that the Secretary for Health and Welfare could shelve the Lump Sum Grant subvention mode. Thank you, Mr Deputy.

THE PRESIDENT resumed the Chair.

MR NG LEUNG-SING (in Cantonese): Madam President, actually, the reform of the social welfare system in Hong Kong and its mode of operation is by no means a new issue. Over the past years, the Government and the non-governmental organizations (NGOs) have all along been looking into ways to reform the social welfare subvention system. In this connection, I believe the consensus amongst all parties concerned is that the existing system which has been in force for many years is not flexible enough to enable the subvented NGOs to allocate resources on their own to enhance the efficiency and quality of services. On the other hand, the complicated administrative procedures involved have also served to blur the relationship between the role of the Social Welfare Department (SWD) and that of the relevant organizations and agencies.

The subvention system is an important component of the entire social welfare system, and is ultimately concerned with how public funds can be best utilized to provide services for those needy members of the public. For this reason, I believe it is the hope of the general public that the Government and the social welfare sector will square up to the problems existing in the system and make more reasonable and efficient use of public money, so that services of an even higher quality could be provided to cater for the future development needs of the community.

In order to tackle the problems of the existing subvention system, the Government has proposed to implement the Lump Sum Grant subvention mode as a reform measure. Judging from its general direction, this reform measure could give welfare agencies greater flexibility in allocating resources and manpower to meet the ever-changing social service needs, and to improve on their professional standards in such areas as financial management and personnel management at the same time. With their accountability enhanced and the administrative involvement of the SWD minimized, the welfare agencies should be able to function more efficiently. So, this proposed reform measure is essentially a change of management mode. Even though the question of resources utilization will inevitably be involved, it is not the objective of this measure to reduce the social welfare commitment of the Government. I believe the requirement of managing resources in a reasonable and cost-effective manner should be applied to all policy areas without exception.

On the other hand, members of the social welfare sector have raised a number of views and suggestions in relation to certain specific details of the proposed measure. This would no doubt help to enhance the viability and

rationality of such practicalities of the reform measure as Mandatory Provident Fund contribution rates, relevant transitional arrangements and so on. As a matter of fact, given the technical problems involved, the proposed reform measure must be further improved before the worries of the social welfare sector and other members of the public over the quality of welfare services could be allayed. In view of the ever-changing social environment and demands for service, and of the fact that the existing system is lacking in both efficiency and the flexibility to cope with changes in circumstances, the Government must strive to strike a balance between the competing interests of subvented agencies and taxpayers through dialogues and extensive public consultation, with a view to coming up with a comprehensive and feasible reform measure that could achieve practical results, thereby facilitating the long-term development of social welfare policies. That way, both the social workers and the service recipients would be ready to co-operate further with the various government departments to enable the reform measure to remain effective in the long run.

Madam President, I so submit.

MR CHAN KWOK-KEUNG (in Cantonese): Madam President, the demand for social welfare and social services is a direct reflection of the state of social development. Given the unequal distribution of social resources, people who are in need of help (in particular the disadvantaged) should be properly taken care of by society. In view of the continuously ageing population, the increasing number of new arrivals, and the problem of structural unemployment which has further deteriorated in recent years, it is necessary that Hong Kong should put in place a set of long-term plans for giving support to the relevant social welfare facilities and social services and for the injection of resources.

As Hong Kong is undergoing economic restructuring, the rate of unemployment still stands high. In the face of an employment environment where information technology (IT) is developing at optimum speed, it is even more difficult for ordinary wage earners to secure a job. While the development of a knowledge-based economy can provide us with new business opportunities and create new jobs, unlike the traditional economies, the development of such an economy is founded to a considerable extent on the IT sector. This has caused enterprises to change their traditional modes of operation, and stable jobs to become increasingly unstable and less in number. The workers must therefore receive retraining to adapt to the new working

environment. According to certain information, the problem of unemployment in Singapore has been exacerbated by the country's economic restructuring, with the unemployment rate being estimated to increase by as much as 50% annually in the future. Not only will the income gap between the highly skilled workforce employed in high technology-related industries and the lower-skilled workers widen further, the disparity between the rich and the poor will also be intensified by the mastery of technological literacy. With regard to the problems confronting Singapore, I believe Hong Kong will also be faced with similar problems. As such, instead of being complacent with the growth in Gross Domestic Product and total exports, the Government should explore into some potential social problems.

For more than a dozen to 20 years in the past, the Hong Kong Federation of Trade Unions (FTU) has been urging the Government to square up to the problems resulting from the restructuring of the economy. In particular, problems such as the pressure of structural unemployment on workers and the corresponding shrinkage of the employment market during an economic downturn will have a direct bearing on and indirectly boost the demand for social welfare and social services. Yet the Government does not have enough manpower resources to further offer any training support services. In this connection, the FTU is advocating a re-employment support scheme which comprises not only technology support and training, but also such services as financial support, psychological counselling, and a mechanism whereby the unemployed could rejoin the labour market.

All along, the people of Hong Kong have won a reputation for their readiness to help others. Indeed, we have responded enthusiastically in many fund-raising campaigns held for the relief of disasters in the Mainland. In recent years, however, rather than making any improvement in the light of the needs of the developing society, our policies on social welfare have become increasingly harsh. As a matter of fact, the injection of social welfare resources and the improvements made to the social welfare system are a reflection of the common values shared by members of society and the degree to which they trust each other. Besides, this is also an important basis on which social stability could be maintained. Regrettably, over the difficult times in the past, we could not see any harmonious relationship between the helpers and the receivers of help; instead, all we can see is the development of mutual distrust between the two parties. In order to avoid the sudden substantial increase in social welfare expenditure brought about by the economic recession, the Government has

introduced a number of unfair and unreasonable changes to its policies on social welfare and the relevant measures. In particular, by labelling the recipients of Comprehensive Social Security Assistance (CSSA), the Government has intensified the conflicts between different social sectors and thereby given rise to a situation where the poor are in opposition to the poor and CSSA recipients are faced with unprecedentedly heavy pressure. Naturally, the unemployed just do not dare to seek help from the social welfare system.

Madam President, as we can see, Hong Kong is now developing towards the age of IT and the third restructuring of our economy has also started. Hence, the retraining of our manpower resources has become the first and foremost task we must tackle. During the economic restructuring, in addition to the provision of social welfare and services that could best suit the needs of the people, the Government must also draw up social welfare policies for the long-term development of society and consult the various sectors of the community comprehensively and extensively, with a view to identifying a new positioning and a new direction for the future development of Hong Kong's social welfare policies.

Madam President, I so submit.

MR HOWARD YOUNG (in Cantonese): Madam President, the demographic structure of Hong Kong has been undergoing constant changes in recent years. The increase in elderly population, rise in unemployment and influx of new immigrants have given rise to incessant increases in our social welfare spending. Besides, the youth and youngster gang problems and the demand for woman and family services have also made it necessary for the Government to inject more resources into the provision of welfare services. Since people's demand for welfare services and their expectation in this respect have become increasingly high, the Government must use our public resources properly and seek to control costs effectively, so as to cater for the ever-increasing demand.

The current system of welfare subvention adopted by the Government is extremely out-dated. When monitoring how subvented organizations are using their resources, the Social Welfare Department (SWD) lays emphasis only on their compliance with the established requirements on resource utilization instead of looking at the effectiveness of their services. The mindset of subvented organizations is also marked by an absence of any awareness in respect of cost-

efficiency and value for money, resulting in ineffective utilization of resources. Recently, the Government has proposed to reform this subvention system. Under the proposal, the median wage will first be used to compute the total amount to be spent by a subvented organization on paying the salaries of all its staff responsible for service provision, and a lump sum grant will then be made. The rationale behind this reform is to introduce a new approach whereby subvented organizations can enhance their service quality with a more flexible deployment of resources. With such a change in the subvention system, the SWD will also shift the emphasis of its supervisory work from resource utilization to quality of services, and output will form the indicator of how much resources are to be injected. This is actually a more advanced management approach which is also adopted invariably by the commercial sector. The direction of the reform is therefore correct.

Elsewhere within the Government, in some other departments, the lump sum allocation mechanism is also being adopted, one example being the Civil Service Training and Development Institute. Under the lump sum allocation system, heads of departments can spend within their means and deploy resources much more efficiently. Administrative costs can be reduced, as heads of departments planning to create short-term posts and new services will no longer have to undergo any lengthy procedures involving detailed paperwork and repeated reporting up through the various levels of the administrative hierarchy. At the same time, the Government will of course step up its supervision and assessment of the departments and organizations concerned, so as to increase their operational transparency.

The Lump Sum Grant proposal has led to huge reverberations in the community, and it has come to be regarded as highly contentious, especially by a number of large-scale subvented organizations. These organizations usually have a longer history, and the funding they receive may well be reduced, as they employ a larger number of senior staff whose salaries are above the median wage. However, in absolute terms, their funding may still be very substantial, because as organizations with a longer history, they are usually very large in scale. In contrast, some small subvented organizations may receive more funding than before, because the average salary level of their staff is lower than the median wage. This is precisely the case with 48 organizations, for which there will be a funding increase of 5% or more. This shows that the reform will also benefit some organizations. So far, 111 organizations have agreed to accept the new subvention system. They should deserve people's respect for their willingness

to accept reforms and changes. That is why we are of the view that the progress of reforms should not stop, and society as a whole should respond to all reform measures with a much more positive attitude. All should voice their opinions, so as to keep up the efforts of improving the various reform proposals.

On the contracting out of government services, the Liberal Party has always supported this idea as a means of saving costs. So far, the Government has launched two pilot schemes for the delivery of two types of welfare services, namely, meal delivery services and elderly care services. We think that all sectors of the community should first observe the progress and results of these pilot schemes, and we also think that the Government should listen to and accept suggestions from the relevant clients, so that constant improvements can be made to satisfy people's needs.

Reforms will inevitably create inconvenience for some people, because there is always a price to pay for any reform. We do not gainsay this fact. To make the reform a success, both the community and the social welfare sector will have to adopt a positive attitude, and they must also be prepared to pay the price required. Reforms can bring about social progress, which is why we are not going to abandon or shelve any reforms simply because of their repercussions. As we move into the 21st century, the Liberal Party hopes that every sector of our community can bear in mind the objective of providing quality public services and raising people's standards of living, and we also hope that they can thus face all reforms positively and seek to perfect our institutions.

Some Members described our amendment as Because we only say that reforms should not be halted. We have also explained that we are talking about those controversial issues only. However, just what issues are controversial? This is all a matter of individual judgment. Some may say that an issue is not contentious, but we may think the otherwise. And, let us not forget that the wording of all amendments moved in the Legislative Council has been carefully worked out before actual debate.

Therefore, with these remarks, Madam President, we support the amendment of Mrs Sophie LEUNG.

MR FRED LI (in Cantonese): Madam President, I wish to speak on the future development of our social welfare services.

The existing social welfare policies and objectives are founded on the White Paper on Social Welfare into the 1990s and Beyond published in 1991. Circumstances change as time passes, and the community of Hong Kong has experienced very drastic changes over the past 10 years. The circumstances in our society today are markedly different from those in 1990. For example, in 1990, our unemployment rate was just 1.4%, and there were only 36 000 unemployed persons. Today, the unemployment rate has climbed to 5.6%. In 1990, there were only 6 767 divorce applications, but in 1998, there were 13 399 such cases. All these problems were not foreseen in 1990 when the White Paper was written. However, they have now become precisely the very problems which need urgent handling.

In 1991, when the Government formulated its policies and strategies on social welfare, it took account of various social, economic and political factors. The White Paper made this economic evaluation at that time: "Generally, the economy is expected to operate close to capacity and the current near-full employment situation is expected to prevail through the 1990s." However, during the period from March to May 1998, the unemployment rate soared and has since remained at very high levels; the number of unemployed persons has since remained at about 200 000. The economic hardship and various personal and family problems brought about by unemployment have become a very serious social issue, compounded by the lack of any strategies in the White Paper on providing welfare services and assistance to the unemployed. The social welfare policy drawn up a decade ago is no longer capable of handling the problems encountered in the 21st century.

Besides, every year, Hong Kong has to accommodate some 56 000 new arrivals, most of whom being the mainland children of Hong Kong residents. In the coming few years, hundreds and thousands of this type of children will come to Hong Kong. These hundreds and thousands of new arrivals from the Mainland all have their unique problems and needs, such as the problems of quasi-single parents and adaptation to the life in Hong Kong. However, there is no mention in the White Paper about the problems and services relating to new arrivals. All this shows that the social welfare policy drawn up in 1990 is already outdated and must be reviewed.

As new problems emerge in tandem with social development, old problems and demands for services have also undergone changes. Unfortunately, the Government has failed to re-set the priority on service provision to achieve better deployment of resources. As a result, it has failed to utilize our resources in the most effective manner. Over the past eight years, direct government subvention granted to welfare agencies has increased from \$1.8 billion to \$6.2 billion, but many vital services are still suffering from a lack of resources. One of the reasons is precisely the Government's failure to channel resources to provide services for the most vulnerable groups in our community. This shows that the Government really needs to review its social welfare policy and re-set its priority on service provision.

In 1990, before the overall social welfare policy was drawn up, a review was first conducted, and it covered many different types of services such as elderly services and various other areas involving youths, children and their families and social security. This was followed by extensive consultation and discussions across the community, and a priority on service provision was not set until a public consensus was reached. In contrast, the Government is now doing things strictly under the dictates of its top leader, without any overall planning. For example, when the Chief Executive thinks that there should be more care and attention for the elderly, the Government at once injects most of its resources into the provision of elderly services. The Democratic Party agrees entirely that more care and attention should be given to the elderly, but we still wish to ask whether other groups in our community are also in urgent need of services. For example, lots of workers and their families are suffering from unemployment, and there is in fact a need for the Government to give them some assistance. However, the Government has never conducted any extensive discussions, nor has it drawn up any integrated plan. It just makes all the decisions as it deems fit. With respect to the future development of welfare services, the Democratic Party hopes that the Government can pay heed to public opinions. It should consult the community widely and formulate development targets and plans for different service areas before finalizing the deployment of resources.

Miss CHAN Yuen-han asks the Government to draw up a new blueprint for the development of welfare services, so as to keep pace with the current needs of society. However, we must say that society is ever-changing, and for this reason, even after we have drawn up a new blueprint, we must not stick blindly and rigidly to it all the time. It is of course important to draw up a blueprint, but what is even more important is that there should be sufficient flexibility to enable welfare agencies to adjust existing services and launch

innovative ones in response to actual needs. In the past, owing to institutional inflexibility, many proposals on new services to cater for new needs were thwarted. For example, in view of the need for large numbers of new arrivals to adapt to the life in Hong Kong, many welfare agencies suggested that parent-child and adaptation courses should be provided for these new residents. And, because of the problem of massive unemployment, these agencies also suggested that in addition to job-seeking assistance, comprehensive assistance should also be given to unemployed persons to enable them to cope with other family or personal problems. Although all these innovative ideas can arguably provide people with the most appropriate forms of assistance, they have either been thwarted, or at best pushed ahead by individual welfare agencies with what limited resources they can muster. This shows that in the formulation of a development blueprint, how we are going to give welfare agencies more flexibility is indeed a very important issue which requires thorough discussions.

With these remarks, Madam President, I support the motion moved by Miss CHAN Yuen-han.

MR DAVID CHU (in Cantonese): Madam President, a couple of days ago, the Social Welfare Department disclosed that according to some internal studies of the Government, every night, some 10 000 to 20 000 youngsters in Hong Kong did not sleep at their homes. The number is very large, and it represents 2% of all youngsters in Hong Kong. Although the authorities concerned admit that the handling of this problem must be accorded priority, they also point out that the existing welfare service system is far too rigid to give the problem the priority it requires. So, these youngsters at risk have become somewhat like a "time bomb" of society. And, there are lots of other social problems in Hong Kong, and this problem is just the tip of an iceberg.

With the rapid development and transformation of our society, and also with our economic restructuring, various social problems, such as those relating to youngsters, the elderly, families and new arrivals, have all become increasingly acute and complex. However, the Government has failed to respond to our social and economic changes by conducting any comprehensive and timely review on its welfare policy. Instead, it has just introduced a series of piecemeal reforms such as the contracting out of services through competitive bidding and the Lump Sum Grant subvention mode. However, instead of offering the remedies required, these reforms have led to a waste of welfare resources, and more seriously, they have also dealt an unnecessary blow to the morale of the social welfare sector.

Madam President, the existing welfare policy of Hong Kong is based on the White Paper on Social Welfare into the 1990s and Beyond. Since the policy was formulated a decade ago, it is no longer able to cope with the development of welfare services in Hong Kong in the 21st century. The White Paper was published in 1991, and so, its projections on population and social changes, for example, are based on the census statistics of 1986. These projections simply fail to foresee the current problems confronting Hong Kong, such as those relating to an ageing population and the drastic increases in the number of new arrivals. In regard to the projections on the labour market, the White Paper is even more seriously outdated. The White Paper projects that the labour shortage will continue. However, because of the financial turmoil, our economic restructuring and the accession of China to the World Trade Organization, there is now an excessive supply of low-income and non-skilled workers in Hong Kong.

What is more worth noting is that the White Paper also fails to foresee the rapid growth of our welfare spending. In 1991-92, the recurrent expenditure on welfare was just \$5 billion, with \$1 billion, or 20% of such spending, going to Comprehensive Social Security Assistance (CSSA). However, in 2000-01, the total amount of welfare spending will be as large as \$30 billion, and the amount to be spent on CSSA will even go up to \$1.55 billion, or 50% of the total social welfare spending. So, the percentage share of CSSA in the total welfare spending has increased from 20% to 50%, and the spending on CSSA in 2000-01 has increased 150% compared to that in 1991-92. That is why the Hong Kong Progressive Alliance (HKPA) has always maintained that as long as the Government fails to control the growth of public expenditure, then, even if the future economic growth and public revenue of Hong Kong can restore to normal, there may still be increasing pressure for tax and fee increases.

The incessant increase in our social welfare spending shows that the problems of and needs for welfare services in Hong Kong have experienced very significant changes, and this also means that there is a need to re-assess the development orientation of our welfare policy. Since the SAR Government was established three years ago, it has made very positive reform efforts in many important policy areas. For example, comprehensive reforms have been pushed ahead to improve the Civil Service, financial system, education system and health care system. The welfare policy is of such vital significance to people, but why is it that there has not been any comprehensive review on it so far? Why is it that the whole policy is still based on the blueprint formulated 10 years ago?

Madam President, the problems with the welfare policy are after all basically about the deployment of resources. If we are to deploy social welfare resources properly while at the same time restoring public welfare spending to normal, it is most important that we must conduct extensive discussions and consultation. Only in this way can we work out a scheme conducive to our economy, our future welfare development and the social welfare sector.

With these remarks, Madam President, I support the original motion and the amendment.

MR LEUNG YIU-CHUNG (in Cantonese): Madam President, I support Miss CHAN Yuen-han's original motion, because I agree with her that we should formulate a 10-year long-term welfare policy, so as to keep pace with the political, economic and social changes of Hong Kong.

Quite a number of colleagues said just now that the Government was still adhering to the White Paper published in the 1990s as a basis of tackling the problems in the present day society. They argued that this was an outdated approach and changes should be introduced. Madam President, I am afraid that I cannot agree with them. Actually, the Government has long since stopped adhering to the policy drawn up in the 1990s as a basis of tackling the problems today. As mentioned in Miss CHAN Yuen-han's paper, the Government already started to introduce a series of reforms several years ago, and these reforms include the Lump Sum Grant subvention system, the contracting out of services, the halting of some library development projects for the implementation of "one school, one social worker" and even the conversion of youth services at youth centres to integrated services. To the Government, these are already reforms drawn up in response to the changing economic, political and social needs of Hong Kong. However, the problem is that the Government has failed to do what Miss CHAN Yuen-han asks for, that is, to consult the relevant sectors and those affected in the course of introducing these changes. Actually, it is not at all difficult to conduct consultation, and I must say that such a "silent revolution" has only achieved the result of "killing" the grass-roots people, making their life even more difficult than before. I think that this approach must be changed. Today, Miss CHAN Yuen-han asks the Government to introduce changes and reforms again; this is precisely asking the Government to reform its reforms. I hope that the Government can implement reforms in these directions, instead of just laying down a blueprint.

Actually, the Government already has a blueprint now. The major emphasis of the Government is enhanced productivity. That is why it has introduced the Lump Sum Grant subvention system, which has led the affected welfare agencies to cut the salaries of their staff. That is why it has introduced the contracting out of services, which has, again, led the affected welfare agencies to cut their staff salaries. This is the blueprint which is already in existence. Is there any other more important blueprint? Yes, the Government also wants to eliminate the so-called dependency mentality among people and to encourage them to stand on their own feet instead of depending on CSSA. In a word, the Government is acting with a blueprint in mind, with a very clear direction. All these are new measures, having nothing to do with the policy laid down in the 1990s. Well, if it were still adhering to the policy laid down in the 1990s, we would not have been so frustrated now, for, in the 1990s, there was simply nothing called the contracting out of services. Our only hope is that when the Government formulates a new blueprint and make plans for new reforms, it can abandon productivity enhancement and the elimination of the so-called dependency mentality as its major directions. The reason is that as we pointed out just now, the measures relating to these two directions are all an insult to some people, and that they also lower people's standards of living. It can be said that the overall direction of the Government now is to keep on lowering the standards of living of us — the grassroots. The Government is taking the lead in freezing wages and contracting out services. The point is that while it contracts out its services, it does not set any minimum wages, with the result that after a series of "sub-contracting" and "sub-sub-contracting", wages are depressed to as low as \$2,000 or \$3,000. That being the case, the overall living standards of our community has been lowered as well. So, how can we tie in with the development in other places? This is the blueprint and direction adopted by the Government in reforming the provision of welfare services. After Miss CHAN Yuen-han has moved her motion today, and following the discussions by Members, I hope that the Government can reverse its direction of reform over the past few years. It should not only change the approach laid down in the 1990s, but should also reverse the direction it has adopted over the past few years.

Many Members commented that despite the many problems we were now facing, the Government had done very little to tackle them. My view is that the Government has not so much refused to tackle these problems. I think it is more appropriate to say that the Government has simply chosen to tackle these problems by not tackling them at all. The Government has told us very clearly that it will not pay any further attention to these problems. Let us look at the case of CSSA as an example. It is not at all appropriate to say that the Government has not paid any attention to this issue. But the point is that after some deliberation, it simply says that it will not pay attention to the people concerned. For example, having encouraged old people to live with their family members, the Government simply brushes them aside. So, it is not correct to say that the Government has refused to tackle the problems. But then we must say that having acknowledged the problems, it has chosen to adopt its present approach. I think that such an approach of the Government will not only lower the living standards of the grassroots. What is more worrying is that its approach is actually intensifying the conflicts within our society. These conflicts are somewhat like a growing stockpile of dynamite. Madam President, I am deeply worried, for I do not know when the dynamite will ignite.

As we all know, one of the main objectives and functions of social welfare services is the maintenance of social stability. The current attempts of the Government to keep on cutting expenditure and services will eventually lead our community to develop along another direction as far as social stability is concerned. We have discussed many different areas today, and many Members have also pointed out many problems yet to be resolved. But the most important thing is that the Government must abandon some established directions. I hope that Miss CHAN Yuen-han can work with all of us in making the Government abandon its new social welfare policy objectives, or else all efforts will become meaningless. To sum up, the whole thing is not so simple as the policy laid down in the 1990s only.

Madam President, as I pointed out just now, besides easing the plight of those in genuine need, social welfare policies still have the most important function of maintaining social stability, and this is what we must consider very seriously. That is why I wish to call upon the Government to stop while it still can, to extricate itself from its indulgence in the current reforms. Instead, it must face the realities and abandon its existing policies or reforms. It must not do anything further to intensify social conflicts. Rather, it must work to ease these conflicts, or else the time bomb may go off at any time.

Madam President, I so submit.

PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member responded)

PRESIDENT (in Cantonese): Miss CHAN Yuen-han, you may now speak on Mrs Sophie LEUNG's amendment. You have up to five minutes.

MISS CHAN YUEN-HAN (in Cantonese): Madam President, apparently, the greatest difference between Mrs Sophie LEUNG and I lies in our views on the reform measures. In part (b) of the motion, I have stated that all reform measures should be temporarily shelved before the blueprint for the development of social welfare policies is drawn up. But Mrs Sophie LEUNG thought that there was no need to do this.

I have pointed out clearly in my speech that the service users, the people in the welfare agencies and the social workers do all support reforms and they welcome them. The problem is things are changing all the time, but in the course of reforms, the Government has failed to explain the situation. Is this the kind of reform we want?

Madam President, we are open about any reform that is being proposed. The most important thing is that when these reforms touch social stability, which is most important, then they must be handled with great care. I think that were Mr TUNG Chee-hwa here in this Chamber, he would also agree that there is a need for social stability. Now these reforms have touched the roots of stability in our society. The fact that the opinion polls show a constant decline in Mr TUNG's ratings that is a reflection of the relevant social problem.

Madam President, there are many people I know who identify with our country, with the "one country, two systems" principle, and hope that Hong Kong can maintain the prosperity and stability. Now these people are grumbling. They are the people who need help from society to tide over the difficult times. I would like to tell the SAR Government and my friends in the business sector that you all had better watch out when certain factors contributing to social stability are being affected, for these may cause an adverse effect on stability.

We are not just discussing about the issue of the wages of the employees. As I have said, I am the Chairman of the Panel on Welfare Services. I know that whenever reform is intended to be carried out to solve any social problem, what the Government will do is bound to scare off a lot of people. These include the service users, the service providers and their staff. They have told me a lot of the problems they are facing. They would come to me and complain whenever any reform is thrown onto the table. Such problems include, for example, the elderly who return to the Mainland to settle, the street sleepers, services for the elderly, the issue of "one social worker for each school", and the Lump Sum Grant subvention mode and so on. Those people who come to me and air their views are not just social workers, but people from all walks of life. There are so many of them who flock to the meetings of the Panel on Welfare Services and they demand that their views be heard. On one occasion, the number of deputations who wanted to meet us was so great that it broke all previous records. As a Member of the Council serving on the Panel, I was overwhelmed when I saw that. I had a feeling that that was not a good sign for Hong Kong, for it would do no good to our stability and in fostering a business-friendly environment. I do not know what Mrs Sophie LEUNG of the Liberal Party would think of that.

If this is purely seen as the views of the employees, then I must say that it is wrong. This is totally wrong. It is wrong to think that the Lump Sum Grant would undermine public confidence in the Government. I do not see it this way. I have been the Chairman of the Panel on Welfare Services for many years and I have seen a lot and I am convinced that the Government is not doing the right thing. As Mr LEE Cheuk-yan has just said, our Government is led by the Treasury and money considerations. Talking about the direction where our reforms in social welfare is going, I want to tell the Government and my friends in the Liberal Party that this putting of money above all else will not be conducive to social stability. We can see that from the public ratings on Mr TUNG in the polls. I really hope that our friends in the Liberal Party will know what we are talking about. The impact of the reform measures will not be felt by the social workers alone, because what will be at stake will not just be their interest, though it is something that we need to think about. I hope my friends in the Liberal Party will know where the problem lies.

Just now Mr Howard YOUNG has made a remark and I guess it is the official view of the Liberal Party. He said that the social workers were doing that because they were not efficient. I think he was wrong. He was being

unfair to the social workers. Those social workers whom I know are all hardworking people who command my respect. They are working as hard as any of my Honourable colleagues in this Council. I could hardly agree if someone should say that they are not efficient. I think we should appreciate their efforts. If we are thinking so badly of these people who have worked so hard for society and for those in need, then we are falling into the trap set by the Government. It is because we will think that this is the problem of the social welfare sector. But things are not like this at all. I hope very much that when I have explained the matter to the Liberal Party and Mrs Sophie LEUNG,

PRESIDENT (in Cantonese): Miss CHAN, your time is up.

MISS CHAN YUEN-HAN (in Cantonese): these Honourable colleagues will support my motion. Thank you.

PRESIDENT (in Cantonese): Miss Sophie LEUNG, do you wish to explain the part in your speech which has been misunderstood?

MRS SOPHIE LEUNG (in Cantonese): Madam President, I just want to make a clarification. We in the Liberal Party are not blind to social unrest.

PRESIDENT (in Cantonese): You may not make a clarification of other people's speeches, you may only clarify the part of your own speech which has been misunderstood.

MRS SOPHIE LEUNG (in Cantonese): Madam President, we have never said that social workers are inefficient. We said that the system itself is not efficient. Therefore, we would like to see how reforms can be made to the system as a whole. Thank you, Madam President.

SECRETARY FOR HEALTH AND WELFARE (in Cantonese): Madam President, first of all, I wish to thank Honourable Members for speaking with enthusiasm in this debate and putting forward many insightful and well-considered views. Whilst the Government cannot fully agree with the wording of the preamble to the original motion, we very much agree with the need to identify the direction of the future development of our social welfare policies and programmes. Therefore, we are happy that we can take this opportunity to explain some of our initial thoughts on it.

I must emphasize that in order to successfully formulate this long-term direction for development, we profoundly believe that the Government must cooperate with the welfare sector and should not work alone or in isolation. All members of the community who are concerned about social welfare development should participate actively and work in concert to formulate the future direction, objectives and strategy of social welfare services.

The Government of the Hong Kong Special Administrative Region (SAR), the welfare sector and the community must first determine what we are seeking to ultimately achieve insofar as social welfare is concerned, and what the long-term vision and mission for the relevant development are. To facilitate the process of thinking, we must identify clearly what constitute the major societal problems that need to be addressed now. From there, we can develop the fundamental strategic direction and subsequently devise the frameworks for individual programme areas and specific activities with clearly defined goals.

We would suggest a step-by-step approach so that after we have decided on the long-term objectives, vision and mission, we can provide various services that tie in with the long-term strategy in the medium range and set out realistic work targets which best reflect community needs.

Once we have developed initial thoughts for this cause, we will proceed to extensive consultation and discussion with all interested parties.

The future planning process must be flexible and dynamic so as to ensure that we can respond to the ever changing needs in the next decade. Despite the rapid growth in social welfare expenditure in recent years, the most pressing welfare needs are not being adequately addressed.

In identifying the varying needs of districts, we will take account of their individual characteristics. It is clear that our present rigid planning standards, which have served us well in the past, also need to be reviewed comprehensively to ensure that the current needs of society are duly met. Insofar as social welfare is concerned, there is no strategy which is universally applicable. We must formulate measures that respond to the situation in individual cases.

We will institute a regular review system which allows an in-depth assessment as to whether individual services can effectively meet the agreed policy objectives and the needs of the public. This system will facilitate the monitoring of the progress of services, projection of future needs, identification of possible areas for reforms and improvement in the delivery of services.

As part of this new planning mechanism, medium-term plans on specific programme areas will be formulated in regular consultation with all stakeholders, including the non-government organizations (NGOs), staff representatives and user groups. These plans, which will cover a period of three to five years, will set out the objectives, scope and priority of individual services to meet the relevant policy objectives. They will also specify the results to be achieved within this timeframe. The plans will be reviewed and updated at the end of each planning cycle, having regard to the changes in society.

As part of this strategic review process, we started to introduce a host of measures to improve the existing welfare services subvention system two years ago. With the active participation of the welfare sector, we have introduced the "Service Quality Standards" and the "Funding and Service Agreements", which lay down the work targets of the Government and non-government social service organizations.

Madam President, just now a number of Honourable Members mentioned the reform of the Lump Sum Grant funding package and I wish to explain it here.

The welfare sector has consistently requested a revamp of the subvention system and as far back as in 1994, consultants were commissioned to review the system. I will not go into details of the review here, but I wish to emphasize that we aim to relax the existing tight control over the use of resources and focus instead on the results of services, or to be specific, the quality of services provided for the public. In this review, our objectives are to streamline procedures, improve service quality, enhance accountability, efficiency and

cost-effectiveness, and most importantly, provide the NGOs with flexibility in the deployment of resources to respond to changes in community needs.

It is in this context that the Government has proposed a detailed package to provide subvention to non-government welfare groups by way of a Lump Sum Grant in future. In passing, let me emphasize that extensive consultation has been conducted on both the principles and details of the proposal. The question of reforming the subvention system has repeatedly been the subject of consultation and discussion over the past six years. The most recent exercise started in November 1999 and initially focused on discussions of the broad principles of the reform package. On the basis of the feedback received, the Government prepared a detailed consultation document which was released in February 2000 to the welfare sector and other interested organizations. The Government subsequently met with 88 NGOs and many organizations representing various stakeholders to explain the proposals. Regular progress reports were also submitted to the Legislative Council Panel on Welfare Services, the Social Welfare Advisory Committee and other relevant committees.

The Government agreed with the need to identify the direction of the long-term development of social welfare policies and to reach a consensus with members of the community, and subsequently give effect to the proposals through specific measures. The Lump Sum Grant subvention mode is a tool to achieve these objectives by providing the NGOs with flexible financial autonomy to facilitate the provision of innovative services and improvements to the existing services in the light of social changes.

The Government is working on the details of a revised Lump Sum Grant funding package, having regard to the many valuable views expressed by various sectors of the community during the recent consultation exercise. One important principle that we have long espoused is to ensure that subvented NGOs are given sufficient funds to meet their contractual commitments in respect of all staff occupying recognized subvented posts on 1 April 2000. Therefore, the Government is aware that many welfare providers actually share the view that these important and long-overdue reforms in the subvention system should proceed in tandem with the long-term and comprehensive review of social welfare policies and also with the formulation of the strategic direction.

In conclusion, I wish to reiterate the Administration's wholehearted support for the formulation of the future direction of social welfare development. To this end, the collaborative efforts of the Government, non-government welfare providers, welfare recipients and all other interested parties are required. It is clear that our social welfare systems and structures have not evolved with the passage of time and must be overhauled. We must make the best endeavours to work for improvements to best serve our community.

Thank you, Madam President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the amendment, moved by Mrs Sophie LEUNG to Miss CHAN Yuen-han's motion, be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mrs Sophie LEUNG rose to claim a division.

PRESIDENT (in Cantonese): Mrs Sophie LEUNG has claimed a division. The division bell will ring for three minutes.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Kenneth TING, Mr James TIEN, Dr Raymond HO, Mrs Selina CHOW, Mr Bernard CHAN, Dr LEONG Che-hung, Mrs Sophie LEUNG, Mr Howard YOUNG, Mrs Miriam LAU and Mr Timothy FOK voted for the amendment.

Mr Michael HO, Mr CHEUNG Man-kwong, Mr CHAN Kwok-keung, Mr CHAN Wing-chan, Mr SIN Chung-kai, Mr WONG Yung-kan and Mr LAW Chi-kwong voted against the amendment.

Mr LEE Kai-ming abstained.

Geographical Constituencies and Election Committee:

Mr David CHU, Mr NG Leung-sing and Miss CHOY So-yuk voted for the amendment.

Mr Albert HO, Mr LEE Wing-tat, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Mr Gary CHENG, Dr YEUNG Sum, Mr Andrew CHENG, Mr SZETO Wah, Mr CHAN Kam-lam and Mr YEUNG Yiu-chung voted against the amendment.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 18 were present, 10 were in favour of the amendment, seven against it and one abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 17 were present, three were in favour of the amendment and 13 against it. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the amendment was negatived.

PRESIDENT (in Cantonese): Miss CHAN Yuen-han, you may now speak in reply, you still have five minutes and 34 seconds.

MISS CHAN YUEN-HAN (in Cantonese): I hope all Honourable colleagues of the Hong Kong Progressive Alliance and other Honourable Members will all stay in their seats and vote for my motion. Thank you. I know that you would all support my motion and I hope Honourable Members from the Liberal Party will also do so. I have explained just now that the reform is no ordinary one. It is something that would upset social stability in Hong Kong. As society is changing, we would want a new objective in social welfare policies. The current state of things should not be changed before any discussions are held. I think that is a reasonable demand. Besides, I also want to tell those Honourable Members from the Liberal Party and from the Breakfast Group that I have great reservations about the remarks made by the Secretary. He said that consultation had been conducted on many issues. But this is far from being the truth. The so-called consultations are merely discussions held between the Secretary himself and some people or those in the sector. Consultation is to be welcomed, but its scope should be extended to the entire community.

I would like to talk about how we looked at the White Paper on Social Welfare into the 1990s and Beyond at that time. I would also like to respond to the speech made by Mr LEUNG Yiu-chung and tell him not to worry. I am not going to repeat what has been said in the White Paper, I just want to share with Honourable colleagues how we were consulted at that time. Though we are not from the social welfare sector, nor are we social workers, as a labour group under the Hong Kong Federation of Trade Unions (FTU), we had the opportunity to put forward our views on the White Paper on a number of occasions. I was representing the Committee on Women's Affairs in the FTU and I asked the Policy Secretary why was it that in Chapter 5 of the White Paper when the family was mentioned, no reference was made to women. I also raised the point that in the part on labour in the White Paper, reference should be made to how workers could catch up with the developments in society when it was undergoing a process of restructuring. At that time, there were many channels available for us to put forward our views to the Government. The kind of consultation that we had at that time was similar to the consultation exercise we have had on the reforms in the education system and the Harvard

Report on health care. It was unlike the so-called consultation that we are having. The consultation I have in mind should involve the community, the sectors concerned, the Government and the professionals. It must be thorough enough to deserve the name of consultation.

However, what is the Government doing right now? It has been going backwards. In the matter of social welfare policy, the Government is just going backwards. Almost all policy considerations are made with nothing but money in mind. The voices of the people are not heard. There is no attempt to strike a balance among divergent views. I just want to ask the Secretary if he has ever done that. On the issue of social welfare, it is true that there have been some changes in recent years. But the Secretary has not told the public what these changes are. For example, about some youth services, the Secretary has not told the public what changes have been made. Can this be called consultation? No. What the Secretary has said can only deceive those who do not know the issues well enough. They are made to have the illusion that the Government is doing some consultation.

Madam President, I am grateful for the 20 or so Honourable Members who have taken part in the motion debate today. I am especially grateful to two Honourable Members from the business sector who have spoken so frankly on the issue. One is Dr David LI. He is not with us right now. But he has come especially for the occasion and has spoken on behalf of the sector he represents in criticism of the Lump Sum Grant subvention mode. Another is Mr David CHU. He is with us right now. Mr CHU has criticized the Lump Sum Grant subvention mode from what he knows of the state of affairs in the social welfare sector. When this subvention mode was put forward in the Council, I was aware of the worries and anxieties of social welfare organizations of different scales in the meetings of the Panel on Welfare Services. The consultation to which the Secretary has just referred did not exist at all. It can be said to be just something imposed arbitrarily from above. I have said earlier in the debate that in the past we were able to implement welfare policies smoothly because we had a partnership relationship. Things were not imposed from above. To be frank, I am really very worried to see such a great change in welfare policies when drastic changes have taken place from administration to formulation. I have no idea what the Government will do. Is it going for a stable and prosperous society or is it forcing the community to go in the direction of unrest and

instability? I want to state again that when the Government is charting the course of social development, it cannot afford to do away with consultation. When reforms are to be launched, the sectors concerned and the public must be consulted, and views from all parties must be heard. My advice to the Government is not to press for the so-called reforms that they have in mind before any consultation, for these are nothing but ways to save money.

Madam President, I do not want to go on any more. I just hope that all Honourable colleagues will support my motion for the sake of social stability. Thank you.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Miss CHAN Yuen-han, as set out on the Agenda, be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Miss CHAN Yuen-han rose to claim a division.

PRESIDENT (in Cantonese): Miss CHAN Yuen-han has claimed a division. The division bell will ring for three minutes.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Mr Michael HO, Mr LEE Kai-ming, Mr CHEUNG Man-kwong, Mr CHAN Kowk-keung, Mr CHAN Wing-chan, Mr SIN Chung-kai, Mr WONG Yung-kan and Mr LAW Chi-kwong voted for the motion.

Mr Kenneth TING, Mr James TIEN, Dr Raymond HO, Mrs Selina CHOW, Mrs Sophie LEUNG, Mr Howard YOUNG and Mrs Miriam LAU voted against the motion.

Mr Bernard CHAN, Dr LEONG Che-hung and Mr Timothy FOK abstained.

Geographical Constituencies and Election Committee:

Mr Albert HO, Mr LEE Wing-tat, Mr LEE Cheuk-yan, Mr Martin LEE, Mr Fred LI, Miss CHAN Yuen-han, Mr LEUNG Yiu-chung, Mr Gary CHENG, Dr YEUNG Sum, Mr LAU Kong-wah, Mr Andrew CHENG, Mr SZETO Wah, Mr David CHU, Mr CHAN Kam-lam, Mr YEUNG Yiu-chung and Miss CHOY So-yuk voted for the motion.

Mr NG Leung-sing abstained.

THE PRESIDENT, Mrs Rita FAN, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 18 were present, eight were in favour of the motion, seven against it and three abstained; while among the Members returned by geographical constituencies through direct elections and by the Election Committee, 18 were present, 16 were in favour of the motion and one abstained. Since the question was not agreed by a majority of each of the two groups of Members present, she therefore declared that the motion was negatived.

NEXT MEETING

PRESIDENT (in Cantonese): I now adjourn the Council until 2.30 pm on Wednesday, 7 June 2000.

Adjourned accordingly at three minutes to Two o'clock.