



**Submission to the**  
**Bills Committee on Private Columbaria Bill of the**  
**Legislative Council of the HKSAR**

6 January 2017

**Sexualities Research Programme,**  
**The Chinese University of Hong Kong**

**Key figures: According to a representative telephone survey of a random sample of 1,013 people in Hong Kong**

- **64% of the public surveyed support same-sex couples' right to claim the ashes of their deceased partner;**
- **Less than 10% of the public surveyed oppose such right, including:**
  - **Only 11% of those with religious beliefs,**
  - **Only 13% of those with children (i.e. parents),**
  - **Only 15% of those aged 55 or above, and,**
  - **Only 15% of those with pro-establishment political stances.**



## **Executive Summary**

This is a submission in response to the invitation for submissions from the Bills Committee on Private Columbaria Bill (“PCB”) of the Legislative Council (“LegCo”) of the Hong Kong Special Administrative Region (“HKSAR”).

The aim of this submission is to inform the committee of the relevant public opinion on the issue of protection of same-sex couples’ right to claim the ashes of their deceased partner, which may be relevant to the committee’s consideration of the ash disposal procedure in the event of a cessation of a private columbarium. This procedure is currently detailed in Part 7 as well as Schedule 5 of the PCB.

The bulk of this submission comprises of the results from a survey conducted by Prof. Suen Yiu Tung, Assistant Professor of the Gender Studies Programme, Associate Director of the Gender Research Centre and Founding Director of the Sexualities Research Programme at the Chinese University of Hong Kong (CUHK), to investigate the attitudes of the public towards policies that would concern the rights of same-sex couples. Part of the results of this survey has been released earlier on 24 October 2016 (Suen, Yeung, Wong and Chan, 2016), and has been reported in the local media.

It was found that more than 60% of the public surveyed agree that a surviving same-sex partner in such a relationship should have the same right as other relatives to claim the ashes of a deceased person. Opposition is remarkably small (less than 10%). Even among those respondents with religious beliefs, parents, those in older age groups or those with pro-establishment political stances, there is little opposition; in fact, there is majority or near-majority support among those demographic subgroups.

The remainder of this submission will describe the research methodology and findings, as well as explore the implications of the findings in greater detail.

## **Research Methodology**

The Centre for Communication and Public Opinion Survey at the School of Journalism and Communication at the CUHK, was commissioned to conduct a territory-wide representative telephone survey from 3<sup>rd</sup> August to 15<sup>th</sup> August, 2016. A random sample of 1013 people who are Chinese-speaking and aged 18 and above was successfully contacted. Data collected from the survey was weighted according to gender, age and educational level to align with the distribution of the Hong Kong population. The overall response rate for the survey was 38%, with a sampling error of  $\pm 3.1\%$  at 95% confidence level.

This study follows the procedures of ‘Survey and Behavioral Research Ethics’ of the CUHK and has received the approval from the committee before the fieldwork.



## Findings

### **1. More than 60% of the public support same-sex couples in ‘long-term stable relationships’ to have the ‘same right as other relatives’ to claim the ashes of the deceased person**

It was found that more than 60% of the public support same-sex couples’ right to claim the ashes of their deceased partner. 64% agree that if a same-sex couple was in a long-term stable relationship, and one of them passed away, the surviving same-sex partner should have the same right as other relatives to claim the ashes of the deceased. Only 9.7% oppose this right for same-sex couples.

Question: If a same-sex couple was in a long-term stable relationship, and one of them passed away, do you agree that the surviving same-sex partner should have the same right as other relatives to claim the ashes of the deceased person?	
Strongly agree	29.9%
Agree	34.1%
Neutral	24.1%
Disagree	5.1%
Strongly disagree	4.6%

Table 1: Public views on same-sex couples’ right to claim ashes (N=1013)\*

We will now turn to subgroup analyses of public opinion among particular demographics.

### **2. Religion: majority support, little opposition among people with religious beliefs**

Even among respondents with religious beliefs, there is still not much opposition to the right of same-sex couples to claim the ashes of their deceased partner. A majority (58.1%) of such respondents support same-sex couples to have the same right as other relatives to claim the ashes of a deceased partner; only 11.1% oppose the measure.

Religious belief	Right to claim ashes of deceased same-sex partner		
	Agree	Neutral	Disagree
No religious belief	66.6%	22.6%	9.1%
With religious belief	58.1%	27.3%	11.1%

Table 2: Public views, by religion, on same-sex couples’ right to claim ashes (N=1013)\*



### 3. Parental status: majority support, little opposition among parents

Among parents, there is majority support and little opposition for the right of same-sex couples to claim the ashes of their deceased partner. It was found that a majority (59.1%) of those respondents with children agree with the right, only 12.5% oppose.

	Right to claim ashes of deceased same-sex partner		
	Agree	Neutral	Disagree
Children			
With children	59.1%	25.6%	12.5%
Without children	73.0%	21.5%	4.6%

Table 4: Public views, by parental status, on same-sex couples' right to claim ashes (N=1013)\*

### 4. Age: majority support, little opposition across all age groups

There is majority support and little opposition towards the right of same-sex couples to claim the ashes of their deceased partner across all age groups. This includes those aged 55 or above, of which a majority (59.3%) agree with same-sex couples' right to claim the ashes of a deceased partner, only 14.7% oppose.

	Right to claim ashes of deceased same-sex partner		
	Agree	Neutral	Disagree
Age groups			
18-34	76.9%	20.2%	2.8%
35-54	60.6%	27.7%	9.5%
55 or above	59.3%	22.8%	14.7%

Table 4: Public views, by age groups, on same-sex couples' rights to claim ashes (N=1013)\*



**5. Political stance: near-majority support among pro-establishment respondents**

It was found that a majority of those respondents who identify with “Localist”, “Pan-democratic”, and “Neutral” political stances, as well as those who identify with “No political stance”, support the right of same-sex couples to claim the ashes of their deceased partner. Even among respondents who identify with “Pro-establishment” political stances, 47.6% agree with such a right, and only 14.9% oppose.

Political stances	Right to claim ashes of deceased same-sex partner		
	Agree	Neutral	Disagree
Localist	78.5%	15.3%	6.2%
Pan-democratic	69.3%	21.1%	7.9%
Neutral	62.5%	22.7%	12.2%
Pro-establishment	47.6%	36.2%	14.9%
No stance	62.6%	24.8%	9.6%

Table 4: Public views, by political stances, on same-sex couples' rights to claim ashes (N=1013)\*

The “Pan-democratic” group includes respondents who self-identify as “Moderate Pan-Democratic” and “Radical Pan-Democratic” political stances. The “Pro-establishment” group includes respondents who self-identify as “Pro-establishment”, “Pro-business” and “Pro-China” political stances. The “No stance” group includes respondents who self-identify as not having any political stance or not belonging to any political camp.

\* Note that in all the tables in this submission, the percentages may not add up to 100% due to rounding-off and a small percentage of respondents who refuse to answer the questions.



## **Discussion**

Earlier studies have suggested that there is considerable public support in Hong Kong for same-sex couples to enjoy some or all of the rights that heterosexual married couples enjoy (Loper, Lau & Lau, 2014). This submission in particular examines public attitudes towards one particular right of same-sex couples to have the “same right as other relatives” to claim the ashes of a deceased partner.

The findings suggest that there is ample public support, even near-consensus, for such a right for same-sex couples. There is more than 60% support for a surviving same-sex partner in “long-term stable relationships” to have ‘the same right as other relatives’ of the deceased to claim the ashes of the deceased. **Opposition for same-sex couples’ right to claim the ashes of their deceased partner is remarkably small – only less than 10%.**

**The subgroup analyses show that, even among those demographics that may be thought to be more conservative towards same-sex couples’ rights, their opposition to the particular right in question is still remarkably small.** Only 11% of those with religious beliefs, 13% of those with children (i.e. parents), 15% of those aged 55 or above (i.e. older generations), and 15% of those with pro-establishment political stances oppose the right in question. In fact, there is even majority support for such a right among those with religious beliefs (58%), parents (59%) and those aged 55 or above (59%), and near-majority support (48%) among those with pro-establishment political stances. This level of support may be due to greater sympathy to same-sex couples’ basic human needs in a situation of life and death.

It should be noted that the question in this survey on the right to claim the ashes of a deceased partner, while sharing the subject matter with Cyd Ho’s proposed amendment to the PCB in the last legislative session, is not drafted in exactly the same way. Cyd Ho’s proposed amendment concerned the rights of same-sex couples who are in an overseas marriage or other forms of partnership to claim the ashes of a deceased partner. The question in this survey, instead, asked about the right of same-sex couples who are in ‘long-term stable relationships’. The two sets of same-sex relationships may or may not overlap, but it is likely that there will be more same-sex couples in Hong Kong who fall into the latter set.

**A controversial part of Cyd Ho’s proposed amendment was the inclusion of same-sex partners as ‘relatives’ of the deceased person. Towards that end, our findings suggest that there is public support for same-sex partners to have the ‘same right as other relatives’ to claim the ashes of the deceased person.**

In summary, this study suggests that **there is little controversy, even near-consensus,** for the introduction of measures under the PCB to protect the rights of same-sex couples in ‘long-term stable relationships’ to have the ‘same right as other relatives’ to claim the ashes of a deceased partner.



## **References**

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## **About Sexualities Research Programme**

Sexualities Research Programme (SRP) is the first research programme in Hong Kong dedicated to conducting rigorous, independent research on sexuality issues, with a particular focus on sexual orientation, gender identity, law and social policy. It is established under the Gender Research Centre of the Hong Kong Institute of Asia-Pacific Studies at the Chinese University of Hong Kong.

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