

Family Council
Minutes of 34th Meeting held on 19 September 2017

Date: 19 September 2017 (Tuesday)

Time: 2:30 – 4:35 p.m.

Venue: Conference Room 4, G/F, Central Government Offices,
2 Tim Mei Avenue, Tamar, Hong Kong

Attendance

Chairman

Prof. SHEK Tan-lei, Daniel

Ex-officio Members

Mr LAU Ming-wai, Chairman of the Commission on Youth

Mrs LAU KUN Lai-kuen, Stella, Chairperson of the Women's
Commission

Non-official Members

Ms CHENG Chi-man, Sonia

Ms CHEUNG Lai-chu

Mrs CHU YEUNG Pak-yu, Patricia, Convenor, Sub-committee on
Family Support

Prof. LAM Tai-hing, Deputy Convenor, Sub-committee on Family
Support

Prof. LEUNG Seung-ming, Alvin

Miss TANG Pui-ye, Phoebe, Deputy Convenor, Sub-committee on the
Promotion of Family Core Values and Family Education

Dr TSUI Luen-on, Gordon

Mrs WONG NG Kit-wah, Cecilia

Mr WOO Kin-man, Clement

Ms YIP Lai-wa, Emily

Ms YIP Yun-wan, Amarantha

Official Members

Mrs Betty FUNG, Permanent Secretary for Home Affairs (*attending on behalf of Secretary for Home Affairs*)

Miss Leonia TAI, Deputy Secretary for Labour and Welfare (Welfare) 1 (*attending on behalf of Secretary for Labour and Welfare*)

Mr WOO Chun-sing, Deputy Secretary for Education (4) (*attending on behalf of Secretary for Education*)

Dr Florence FONG, Senior Researcher (5) (*attending on behalf of Head/Central Policy Unit*)

Secretary

Ms Karyn CHAN, Principal Assistant Secretary for Home Affairs (Civic Affairs) 2

In attendance

Mr Patrick LI, Deputy Secretary for Home Affairs (1)

Miss Iris MA, Chief Executive Officer (Family Council)

(For agenda item 3)

Ms Michelle AINSWORTH, Secretary, Inter-departmental Working Group on Gender Recognition

Ms Jenny LAW, Senior Government Counsel, Department of Justice (DoJ)

(For agenda item 4)

Mr Donald CHEN, Deputy Secretary for Labour and Welfare (Welfare) 2, Labour and Welfare Bureau (LWB)

Miss Stella CHANG, Principal Assistant Secretary for Labour and Welfare (Welfare) 3, LWB

Ms Diana CHU, Chief Social Work Officer (Elderly) 3, Social Welfare Department (SWD)

Ms Patricia WOO, Chief Social Work Officer (Elderly) 1, SWD

Absent with apologies

Dr LAM Ching-choi, Chairperson of the Elderly Commission

Ms CHAN Suk-mei, May

Mr LEE Luen-fai, Convenor, Sub-committee on the Promotion of Family Core Values and Family Education

Mr LEE Tsz-king, Dominic

Miss WONG Siu-ling, Gabriella

Welcome Remarks

The Chairman welcomed all to the 34th meeting of the Family Council (the Council), in particular two new members, namely Ms CHENG Chi-man, Sonia and Mr WOO Kin-man, Clement who were appointed to the Council in April 2017 and attended the Council meeting for the first time.

2. The Chairman also introduced to Members Mr Patrick LI, who succeeded Mr Laurie LO as Deputy Secretary for Home Affairs (1) and Mr WOO Chun-sing, who succeeded Mrs HONG CHAN Tsui-wah as Deputy Secretary for Education (4). A vote of thanks to Mr Lo and Mrs Hong for their contributions to the Council was recorded.

Item 1 – Confirmation of Minutes of the 33rd meeting of the Family Council

3. The minutes of the 33rd meeting were confirmed without amendment.

Item 2 – Matters Arising from the Previous Meeting

4. The Chairman noted that the Council Secretariat had circulated a progress report to Members for information, and invited Chief Executive Officer (Family Council) (CEO(FC)) to brief Members on the progress. CEO(FC) reported that production of videos on family-friendly employment practices was completed and the feedback to the videos at the four experience sharing sessions held since July 2017 with over 400 participants was generally positive. The Council Secretariat had liaised with the Civil Service Bureau which had no objection to extending the new “Outstanding Family-friendly Employment Practices” Award to government bureaux and departments (B/Ds) in the 2017/18 Family-Friendly Employers Award Scheme.

5. CEO(FC) also reported that as at 31 August 2017, the draft Family Impact Assessment (FIA) checklist had been applied to 66 papers and the statistical data on the application of the checklist was provided to the Consulting Team after the 4th Steering Committee meeting on 8 September 2017. The Consulting Team would proceed to the post-implementation review stage later. For the “Happy Moments of Family” Snapshot Competition”, a thematic website for the event (www.happymomentsoffamily.com) was launched on 25 July 2017. As at 14 September 2017, 29 collecting booths were set up at 18 venues of Leisure and Culture Services Department and 11 district events of Home Affairs Department, attracting over 2 300 entries.

6. For the Family Survey 2017, CEO(FC) reported that the research team had conducted a pilot survey in August 2017 to test the effectiveness of the questionnaire and would commence the survey in

September 2017. Separately, the Council Secretariat had touched up the draft consultancy brief for the Further In-depth Study on the Phenomenon of Divorce in Hong Kong and sent it to relevant B/Ds for comments. Subject to comments received, the tendering procedures would commence in the last quarter of 2017.

7. Mrs Patricia CHU informed the meeting that the representative of United Nations, who visited Hong Kong in June 2017, appreciated the initiative of organising the Asian Family Summit in 2018. She also commended the Council's efforts in promoting family-friendly employment practices and suggested that consideration be given to compiling the best practices into a handy reference for sharing with interested organisations and agencies.

Item 3 – Public Consultation on Gender Recognition (Paper FC 17/2017)

8. The Chairman invited Ms Michelle AINSWORTH, Secretary of the Inter-departmental Working Group on Gender Recognition (IWG) to brief Members on the public consultation on gender recognition. The salient points of the presentation were summarised as follows –

- (a) at present, changing the sex entry on Hong Kong Identity Card (HKID card) required removal of original genital organs and construction of some form of genital organs of the opposite sex. However, there was no legislation which provides for the recognition of the reassigned, acquired or

preferred gender of a person for all legal purposes;

- (b) as a result of the ruling and observations made by the Court of Final Appeal in *W v Registrar of Marriages* in May 2013, the IWG chaired by the Secretary for Justice was set up in January 2014 to consider legislation and incidental administrative measures that might be required to protect the rights of transsexual persons in all legal contexts;
- (c) the IWG had studied the gender recognition arrangements in overseas jurisdictions and noted that there was no uniform approach around the world on the type of gender recognition scheme, requirements and procedures for legal gender recognition. Given the complexity of the issues, the IWG had launched a public consultation exercise in June 2017 to gather the views of stakeholders and members of the public;
- (d) the major issues for consultation included whether a gender recognition scheme should be established in Hong Kong and if so, the criteria for determining whether a person was eligible for gender recognition and the procedures involved;
- (e) the IWG was open-minded on the issues for consultation and had set out possible arguments in support of and against the issues for public's consideration; and
- (f) the consultation would end on 31 October 2017. The IWG would draw up recommendations on recognition issues after

studying the opinions collected. In case a gender recognition scheme was to be established in Hong Kong, the IWG would proceed to study the impact of gender recognition on existing laws and practice.

[Post-meeting note: The IWG announced on 30 October 2017 that it had decided to extend the consultation period for two more months, to 31 December 2017, so that the public could have more time to submit their written views on the consultation paper.]

9. Deliberations of the meeting after the presentation were summarised as follows –

- (a) a member enquired if a transsexual person, according to the United Kingdom experience, could be allowed to revert to his/her original gender;
- (b) a member asked if concerns from the family perspective would be taken into account in considering the issues for consultation; and
- (c) a member, while noting the diversified arrangements around the world, considered that establishing a gender recognition scheme in Hong Kong would not only impact on legal and administrative issues, but also have controversies over family values and ethics of Asian societies. There were family-related issues like the validity of marriage of a married transsexual person and child custody that needed to

be examined. Given the complexity of the subject of gender recognition, there was a need to step up the publicity so that the public could have an informed and elaborated discussion on the issues for consultation. She enquired if any discussion forums for the education sector could be held so that young people could understand the subject better; and

- (d) another member echoed that there was a need to articulate why the consultation was launched so that people could consider the subject in perspective.

10. Several members shared the view that IWG should step up publicity and public education so as to enhance public awareness of the issues under consultation. There were worries that other than those interested groups, the general public might not have adequate knowledge in appreciating the complexity of the issues and would not be keen to provide feedback. The Chairman suggested that consideration might be given to conducting an opinion poll or survey to seek the views of the general public. Another member cautioned on the need to ensure that members of the public had adequate understanding on the subject before any opinion poll was conducted.

11. Ms Ainsworth thanked Members for their comments and responded that according to overseas experience, cases of reversion were rare and some gender recognition schemes might require evidence to show that the applicants intended to live in their acquired gender permanently. Family concerns and religious concerns were discussed in the consultation paper and they would also be examined in the

second part of the IWG's study on post-recognition issues. The IWG acknowledged that the subject of gender recognition was highly controversial and might have significant impact on family and parenthood matters. Currently, different practices were adopted in different countries. For example, the United Kingdom required a male-to-female transsexual person who had fathered children to retain the identity as the "father" of the children for legal purposes, while in some countries, a married transsexual person needed to divorce his/her partner before the application for gender recognition was acceded to. Regarding the need for public education, it is noted that some tertiary institutions would hold discussion sessions on the subject. She thanked members for the suggestions on public education and would convey the views to the members of the IWG for consideration.

12. The Chairman thanked Ms Ainsworth for her presentation, and looked forward to the outcome of the consultation.

Item 4 – Elderly Services Programme Plan (Paper FC 18/2017)

13. The Chairman invited Mr Donald CHEN, Deputy Secretary for Labour and Welfare (Welfare) 2 and Miss Stella CHANG, Principal Assistant Secretary for Labour and Welfare (Welfare) 3 of the Labour and Welfare Bureau (LWB), as well as Ms Diana CHU, Chief Social Work Officer (Elderly) 3 and Ms Patricia WOO, Chief Social Work Officer (Elderly) 1 of Social Welfare Department (SWD) to brief the Council on the details of the Elderly Services Programme Plan (ESPP).

14. With the aid of powerpoint presentation, Mr Chen briefed

Members on the salient points of the ESPP as summarised below –

- (a) the ESPP, submitted by the Elderly Commission in June 2017 and accepted by the Government afterwards, was a living document in which the goals and objectives would be kept track of and updated regularly;
- (b) the challenges dealt with by the ESPP included surge in demand for subsidised long-term care (LTC) services caused by demographic factors; imbalance between the service demand for subsidised residential care services (RCS) and community care services (CCS) for the elderly; change in users' socio-demographic profile and aspirations for elderly services; and increasing expenditure on elderly services;
- (c) to address the increase in LTC demand and over-reliance on subsidised RCS, the ESPP suggested focusing on strengthening CCS to facilitate ageing-in-place and reduce institutionalisation rate, as well as streamlining and promoting integrated service delivery. Examples of recommendations were enhancing the transitional care support to elderly persons discharged from public hospitals, refining the assessment tool and service matching mechanism of SWD's Standardised Care Need Assessment Mechanism for Elderly Services (SCNAMES), implementing a host of measures to facilitate staff recruitment and retention in the elderly services sector, reinstating the population-based planning ratios for various types of elderly services in the Hong Kong Planning

Standards and Guidelines, reviewing the schedules of accommodation of SWD's elderly facilities;

- (d) to address the demographic change and the associated higher expectation on services, the recommended strategy was to enable informed choices and timely access to quality services. Development of case management model in the elderly services sector would be explored and information and communication technologies would be adopted for enhancing accessibility to information;
 - (e) to improve the financial sustainability and accountability of elderly services, the ESPP suggested three development directions for consideration, viz exploring co-payment arrangements for subsidised services that were commensurate with affordability; strengthening measures in enabling welfare organisations in operating self-financing services; and exploring other alternative LTC financing options; and
 - (f) while follow up action for most of the recommendations would start in the short-term in around one to two years, some others would be followed up in the medium-to-long term.
15. Deliberations of the meeting after the presentation were summarised as follows –
- (a) a member asked about the recommended role of the private LTC service providers in the ESPP and whether the

recommendations covered training or support for carers including those family caregivers with elderly dependents;

- (b) a member enquired on the details of the planning ratio of community facilities and manpower supply of care workers and healthcare workers for achieving “ageing in place”, and whether support services outside Hong Kong had been considered;
- (c) a member had worries that the strategy of strengthening CCS for the elderly would imply reduced resources to the existing services. He also wondered if such a move would inadvertently result in self-care of the elderly in the absence of financial incentive like taxation reduction for families to take care of the elderly dependents;
- (d) while welcoming the direction of the ESPP which allowed choices for the elderly, a member informed the meeting that the subsidised elderly service sector was facing various difficulties in upgrading their services to meet the market demand. For example, the fees and charges for the subsidised elderly services sector had not been reviewed for years;
- (e) a member saw the need to import labour for the labour-intensive work of elderly services;
- (f) a member expressed concerns on identification of service gaps. He was curious to know if there was way to reach out to the hidden elderly who were not receiving services

now, and whether there would be any service for those living alone and those who needed to take care of grandchildren;

- (g) a member asked if there would be recommendations in the ESPP that targeted at different age groups of the elderly such as the old-old, middle-old and young-old. She also had query on whether the total figures of demand for LTC as shown in slide 9 of the powerpoint presentation were net figures with the cases of “dual-option” for RCS and CCS discounted;
- (h) a member enquired on the details of the one-stop service under the proposed case management model; and
- (i) several members shared the view that to achieve “ageing in place”, it was necessary to enhance public education to instill a sense of family responsibility of caring for the elderly. Apart from publicity at district level, education in schools should also be strengthened. The younger generation should be engaged in the process so that they could better appreciate their caring responsibilities for the elderly.

16. Mr Chen thanked Members for their comments and made the following response –

- (a) the launching of the Pilot Scheme on Community Care Service Voucher for the Elderly (Pilot Scheme on CCSV)

and the Pilot Scheme on Residential Care Services Voucher for the Elderly (Pilot Scheme on RCSV) helped facilitate the development of private service sector. In particular, the Pilot Scheme on RCSV provided incentive for the private sector to provide quality RCS above the existing standard that was usually pitched having regard to the monthly subsidy amount available from the Comprehensive Social Security Assistance. Both the Pilot Scheme on RCSV and the second phase of the Pilot Scheme on CCSV was just launched and LWB would review the effectiveness of both of the schemes in due course;

- (b) on planning ratios, LWB had started working with the Planning Department (PlanD) to incorporate ratios in the Hong Kong Planning Standards and Guidelines. Furthermore, the suggestion of promoting the age-friendly concept in building and community designs was featured in PlanD's planning exercise entitled "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030+";
- (c) SWD launched the Pilot Residential Care Services Scheme in Guangdong in 2014 to provide an option for elderly persons who were on the waiting list for subsidised LTC services to live in the residential care homes for the elderly operated by Hong Kong non-governmental organisations (NGOs) in Shenzhen and Zhaoging. LWB would review the Pilot Scheme and consider the feasibility of expanding and enhancing the services;

- (d) CCS did not equate to family care. It covered services such as meal service, nursing and personal care support, transportation and escort services and so on. These services could be provided through day care centres for the elderly or at elderly persons' homes. At present, the services were heavily subsidised by the government with limited participation of the private sector. The directive was to explore new funding arrangement that could encourage more participation and utilisation of private sector services;
- (e) LWB would gradually roll out the recommendations of the ESPP to strengthen the subsidised services including providing support to operators and ease the manpower shortage problem;
- (f) the need to enhance outreach services for the hidden elderly persons was acknowledged. SWD would consider the way forward and additional resources had been made available to implement improvement measures;
- (g) at present, elderly services ranging from active ageing support to care services were provided to elderly persons with different needs. In practice, services related to active ageing was targeted mostly at young-olds while care services were mainly provided to cater for the needs of frail elderly persons who were usually older;
- (h) On the question of how the service content of elderly

services (in particular those provided by elderly centres) should adapt to the change in social demographic profiles of future generations of the elderly, NGOs would be encouraged to involve the elderly in planning for the services given their higher education background and aspiration for quality services;

- (i) the projected service demand was derived based on the existing number of elderly persons receiving and waiting for subsidised LTC services, and adjusted having regard to the projected percentage growth of the elderly population. The projection also took account of other factors such as the fact that roughly one-fifth of the applicants would decline the service when a subsidised place was offered to them;
- (j) under the proposed case management model, service users would be assisted by case managers for better service coordination, smoother service transition and better informed on choices of services. The Pilot Scheme on Home Care and Support for Elderly Persons with Mild Impairment to be launched in the last quarter of 2017 would incorporate the case management approach as a trial. The service providers would be required to discuss with elderly persons and their carers and formulate individualised care plans for elderly persons to choose suitable service providers and service packages based on their needs. Experience of the pilot scheme would provide reference for consideration of the content of the case management model; and

(k) the government would step up public education. At present, apart from promoting active ageing, the Elder Academy Scheme is also conducive to building up the positive image of the elderly and fostering inter-generational harmony.

17. Regarding the support for carers, Ms Diana CHU informed the meeting that a new pilot scheme would be launched in the first half of 2018 to enhance training for foreign domestic helpers in taking care of elderly persons. The pilot scheme was featured with a new elder-sitting service whereby caring services for the elderly would be available while the domestic helpers were attending training course.

18. As for support for family carers, Ms Patricia WOO briefed members on the prevailing services including provision of service information, training and counselling, assistance in application for services, arranging care demonstration and loan of rehabilitation equipment, etc. For elderly persons with dementia, the Dementia Community Support Scheme would be regularised and expanded to all 41 District Elderly Community Centres so that cross-sectoral and multi-disciplinary support services could be available to the carers at community level. Also, the District-based Scheme on Carer Training was regularised in 2014-15, and additional resources had been made available to enhance outreaching services for supporting those vulnerable carers living in the community and looking after frail elderly persons. The Pilot Scheme on Living Allowance for Carers of Elderly Persons from Low Income Families helped supplement the living expenses of those carers of elderly persons from low-income

families. The second phase of pilot scheme was launched in October 2016 and the Government had appointed a consulting team from the University of Hong Kong (HKU) to review the effectiveness of the pilot scheme with a view to mapping out the way forward in 2018.

19. In response to a member's enquiry on the details of refining the SCNAMES, Ms Diana CHU said that the existing version of assessment tool had been used since 2003. The assessment focused on health and environmental factors, and almost 60% of cases were assessed as "dual-option" cases that could be met by CCS and yet allowed to apply for RCS. It was considered that the assessment tool was not sensitive enough to distinguish the care needs between CCS and RCS. With the assistance of HKU consultant, the system would be updated and clinical factors would be added in the assessment process.

20. The Chairman thanked LWB and SWD representatives for the presentation. While appreciating the efforts of working out the ESPP, he was of the view that the ESPP could be further enhanced and suggested a few areas for consideration, including the need to help the public to prepare for the elderly life; examining the feasibility of elderly persons living in an one-hour living circle; fostering the culture of care for elderly persons through both formal and informal education; measures dealing with elderly mental health issues and suicide cases, especially those involving recovery from stroke; application of public health perspective to strengthening CCS particularly on preventive measures and helping the hidden elderly; and that community care must be supported by appropriate infrastructure such as the open space of buildings should be designed in an age-friendly manner. Mr Chen

thanked the Chairman and Members for comments and responded that LWB would collaborate with relevant B/Ds to take forward the initiatives of the ESPP.

Item 5 – Progress of Work of the Sub-committees under the Family Council (Paper FC 19/2017)

21. The Chairman invited the Convenors of the Sub-committee on the Promotion of Family Core Values and Family Education (the Promotion Sub-committee) and the Support Sub-committee to report work progress.

22. Miss Phoebe TANG reported on the progress of the “Happy Moments of Family” Snapshot Competition which attracted over 2 500 enrolments to date and the number of “likes” for the Council’s facebook had risen to over 3 000 over the past two months. She also reported that the Promotion Sub-committee had discussed the publicity plan for the 2017-18 Family-Friendly Employers Award Scheme and agreed that apart from the 12 episodes to be broadcasted in the last quarter of 2017, a new Announcement of Public Interests would be produced for the Award Scheme. She also appealed to the Members’ participation in the presentation ceremony for the “Happy Moments of Family” on 3 December 2017.

(Action : Promotion Sub-committee)

23. Mrs Patricia CHU reported that the Support Sub-committee had met the research team assigned for conducting the “Family Studies

in Hong Kong : A Summary Analysis and Annotated Bibliography” and discussed the research methods and implementation plan with them. It also noted the latest progress of the 2017-18 Pilot Scheme on Thematic Sponsorship to Support Family-related Initiatives and agreed that to utilise the unspent balance of \$1.3 million, a second round of exercise would be launched with two new features of adding a new theme of “Support for Carers” to broaden the scope of the scheme, and accepting only projects lasting for twelve months so as to maintain broadly the same end date for all approved projects under the 2017-18 Pilot Scheme. Mrs Chu then briefed Members on the progress of the Asian Family Summit which were co-organised by the Consortium of Institutes on Family in the Asian Region, Faculty of Social Science of HKU, Hong Kong Council of Social Services, Social Welfare Department and the Council. The Summit was now scheduled for 18 to 22 August 2018.

(Action : Support Sub-committee)

Item 6 – Any Other Business

24. There being no other business, the meeting was adjourned at 4:35 p.m.. The next meeting would be held on 5 December 2017 (Tuesday) at 2:30 p.m.

**Family Council Secretariat
October 2017**