

# **Submission to the United Nation's Committee on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

Suggested questions and issues to be raised with the  
Government of the Hong Kong Special Administrative Region  
(HKSAR)

In the event of the seventh and eighth reports of the People's  
Republic of China (PRC) under CEDAW, during its 59<sup>th</sup>  
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# Table of Contents

<b>Introduction and Summary</b> .....	<b>2</b>
<b>Article 3</b> .....	<b>4</b>
• The Women’s Commission is inadequately staffed, resourced and positioned to drive the integration of gender in legislation, public policies and programmes	
• Gender-segregated data maintained by government departments and bureaus is not comprehensive, consistent or always accessible	
• The absence of gender-based analysis and budgeting exposes Hong Kong to the risk of gender inequities in the allocation of resources and inadequate consideration being given to the welfare and livelihood of women	
• Hong Kong’s lack of comprehensive care services limits working women from achieving their full potential	
• Many Hong Kong teen girls (and boys) are growing up without critical life skills training, gender education, and resilience and hope	
<b>Article 5</b> .....	<b>11</b>
• The media continues to create and exacerbate gender stereotypes, and negative and degrading images of women are accessible to younger and younger audiences	
• Hong Kong is not developing local gender studies expertise – none of Hong Kong’s universities offer a full undergraduate gender studies degree programme	
<b>Article 7</b> .....	<b>13</b>
• Women are under-represented in all levels of political activity	
<b>Article 11</b> .....	<b>15</b>
• Women are still disproportionately employed in lower status jobs and earn lower incomes compared to men	
• Women are failing to advance in their careers because of gender stereotypes about women, men and leadership aptitude and discriminatory practices and policies	
• More targeted measures are needed to support female entrepreneurs and women-owned businesses	
• The lack of women studying and working in science and technology is a barrier to equality of employment opportunity	
<b>Article 12</b> .....	<b>21</b>
• Growing gaps in healthcare and support for the elderly disproportionately impact women	

## Introduction and summary

The Women's Foundation (TWF) is a non-profit organisation dedicated to improving the lives of women and girls in Hong Kong. Our three key focus areas are:

- Challenging gender stereotypes
- Increasing the number of women in decision-making and leadership positions
- Empowering women in poverty to achieve a better quality of life for themselves and their families

Our submission to the CEDAW Committee therefore focuses on these areas, in relation to the State's obligations under the Convention.

Although Hong Kong is ahead of many countries in its protection of women's human rights and has taken some commendable steps since its last CEDAW review in 2006, large gaps remain. Its chief institutional mechanism for the advancement of women – the Women's Commission - is marginalised (due to its status as an advisory body rather than a central mechanism within the Government Secretariat), under-resourced and hampered by a lack of gender-disaggregated data, as are the NGOs that work in this area.

While Hong Kong endorsed the introduction of gender mainstreaming for various policy areas in 2002 and a network of gender focal points exists within government bureaus and departments to assist in promoting gender mainstreaming initiatives, despite this, the statistical data available is incomplete. Critical gaps include comprehensive data regarding teenage pregnancies, household spending on childcare and elderly care, and individuals with disabilities, and demographics of ethnic minority women. Such gaps make it more difficult for effective policies to be developed. It is for this reason that The Women's Foundation launched an ambitious research programme in 2010 to conduct and publish research on the status of women and girls in Hong Kong in collaboration with partners including the Hong Kong Council of Social Service, the Chinese University of Hong Kong and Civic Exchange. This CEDAW Submission draws heavily on the findings and recommendations contained in the various ensuing research reports.

Although the Government is to be commended for introducing a 30% target for the representation of women on Government advisory and statutory bodies, overall, the Administration could do more to increase the number of women in decision-making positions, both in the political sphere and the labour market more generally. Although Hong Kong is in many other respects a developed and sophisticated global financial and business centre, women are significantly under-represented in leadership and senior executive and non-executive roles across industry sectors and professions.

Meanwhile, the "feminisation of poverty" in Hong Kong is reflected in the lack of specific consideration given to women and particularly elderly women in the Government's annual budget for healthcare and their exclusion from the state pension scheme - despite the fact women are outliving men by an average of six years. The Government has also failed to provide blue-collar middle-aged women with the support

they need to transition from a manufacturing to a service and finance-based economy. This group holds the greatest number of casual, part time and poorly paid jobs in Hong Kong, representing the bulk of the workforce in the 4C's – catering, caring, cashiering and cleaning - and they lack statutory protections with respect to the employment and other benefits enjoyed by full-time workers. A review of the protections and benefits afforded to part-time and casual workers is urgently required, along with programmes that offer technical, financial and management training paired with employment opportunities that take into account the caring obligations for the elderly and for children borne by many of these women.

Meanwhile too little is being done by the Government to combat harmful gender stereotypes — particularly in the media and in advertising. The ease with which media is now accessible through multiple devices and by younger generations makes it even more critical that the Government, parents, and educators adopt measures to ensure consumers, and particularly young consumers of media, are aware of the potential harmful effects of news accounts and broadcast, billboard, print and online images which objectify women, portray women as sexual prey, and promote unrealistic body ideals.

Linked to this, many teens are growing up without training in essential life skills and the critical thinking required to challenge gender-based assumptions and to see new possibilities for themselves. Our programmes and research show that while teen girls are more prone to self-doubt and often lack the confidence and role models to aspire to higher education and career opportunities, teen boys are more strongly affected by gender stereotypes and more likely to hold rigidly gendered views of the roles of men and women in society. Accordingly, it is critical that both boys and girls are exposed to gender awareness training which will prepare them for a life of shared responsibilities as earners and carers, and a world where women can walk through any door, sit at any table and have any job.

In summary, while there has been some progress since Hong Kong's last CEDAW review, much remains to be done before Hong Kong can be said to be pursuing, by all appropriate means and without delay, a policy of eliminating discrimination against women.

# Key issues, questions and recommendations

## Article 3

### **Hong Kong's Women's Commission is inadequately staffed, resourced and positioned to drive the integration of gender in legislation, public policies and programmes**

The Women's Commission (WoC) was formed in 2001 in response to the need for an official mechanism dedicated to promoting the advancement of women. The WoC is tasked with taking a strategic overview of women's issues, developing a long-term vision and strategy for the development and advancement of women, and advising the Government on policies and initiatives of concern to women.

While the WoC has conducted valuable research on several topics relevant to Hong Kong women,<sup>1</sup> its output during the past twelve years has not lived up to its mandate and its visible advocacy work and public programmes have been limited. This is unsurprising given that, unlike the well-resourced stand-alone Equal Opportunities Commission (EOC), the WoC was established as, and remains, a second tier agency within the Labour and Welfare Bureau and lacks the statutory framework and extensive powers afforded to the EOC.

Without any statutory framework, the WoC can potentially be bolder in its aims and objectives, and highlight discrimination that falls outside of legislation. However, as an advisory body, the WoC does not operate as a central mechanism within the Government Secretariat, and this potentially hinders the WoC's ability to mainstream gender within government policies and programmes.

At present, the WoC receives inadequate funding and has insufficient resources to play a significant role in driving forward its policy objectives. The chair of the WoC is an honorary volunteer and it has no permanent staff – the few members of staff it has are on secondment from the Labour and Welfare Bureau and rotate, and its work is largely conducted by task forces that assemble on an ad-hoc voluntary basis. This limits the scope and authority of its initiatives as well as the diversity of its members. It has been suggested by gender scholars that the WoC needs to strengthen its core membership and should be comprised of representatives with a clear understanding of gender equality. Without this type of representation or adequate resources, the WoC's ability to conduct activities and research of significance and to work with other women's organisations will continue to be compromised<sup>1</sup>.

The International Council on Human Rights Policy suggests that national human rights institutions should set “(a) standards against which they can assess themselves; and (b) specific measures that tell them how effectively they are working.” A combination of

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<sup>1</sup> Cheung, Fanny and Eliza Lee. "Women in Power and Decision-making" *Women and Girls in Hong Kong: Current Situations and Future Challenges*. Hong Kong: Chinese University of Hong Kong, 2013. 191-22. Print.

benchmarks and indicators should be employed to measure the effectiveness of national human rights institutions in terms of performance over time. While the WoC publishes its terms of reference, without explicit benchmarks or quantitative and qualitative indicators, it is difficult to give a clear and credible assessment of the impact and effectiveness that it has had in practice. The WoC needs to develop clear, transparent benchmarks and indicators to strengthen its accountability as an institutional mechanism for the advancement of women.

TWF notes that many other national mechanisms for gender equality enjoy a higher status than the WoC in Hong Kong – for example, other countries have a Minister for Women’s Affairs (or similar) who sits on the executive cabinet and presides over a staffed, full-time office dedicated to the advancement of their agenda. If the WoC were situated under a Women’s Affairs Bureau within the Government Secretariat and headed by a Secretary or Minister for Gender Equality, this would potentially allow for a more coordinated policy response, thus enhancing the legitimacy of women’s interests as a substantive policy concern.

**Q: How is the HK Government planning to evaluate, restructure and strengthen the Women’s Commission so that it can be more effective as a national mechanism for achieving gender equality?**

The Women’s Foundation urges the Government to, among other steps:

- Review, report on and respond to comments and suggestions regarding the effectiveness of the Women’s Commission as a national mechanism for achieving gender equality, with a focus on whether it is appropriately structured and supported in terms of financial and human resources, and properly monitored and evaluated.

**Gender-segregated data maintained by government departments and bureaus is not comprehensive, consistent or always accessible<sup>ii</sup>**

The Hong Kong Government collects and records valuable data without sufficiently disaggregating it by gender. This reduces its capacity — despite gender mainstreaming attempts in some policy areas — to design and implement policies, programmes and budgets that promote gender equality and protect women’s human rights.

Official data – particularly census data – is difficult for researchers to locate or obtain, or is often available only in limited categories or time periods. Census data is not always consistent with general household survey data and generally, little or no explanation is given for changes in counting methodology or revisions. This also makes it challenging for the Government – and non-governmental researchers – to reliably analyse the evolving de facto and de jure situation of women in Hong Kong in relation to, and in line with, Hong Kong’s obligations under CEDAW.

It appears that gender-segregated data is not maintained or at least publicly available for the Inland Revenue Department’s records of tax payment, the number of people with

private health insurance, and the number and percentage of bankrupt persons.<sup>2</sup> Other critical gaps include comprehensive data regarding teenage pregnancies, household spending on childcare and elderly care, and individuals with disabilities, and demographics of ethnic minority women. In addition, there is no publicly available data on the number and percentage of low-income women benefiting from the Work Incentive Transport Subsidy (WITS) Scheme, women registering to receive government e-forms, driving licences granted to women, or the ratio of men to women who contribute to Hong Kong's yearly carbon footprint.

The lack of historical census samples prevents the use of techniques such as multivariate regression analysis and therefore prevents a more in-depth understanding of situations among and across sub-groups.

While Hong Kong endorsed the introduction of gender mainstreaming for various policy areas in 2002 and a network of gender focal points exists within government bureaus and departments to assist in promoting gender mainstreaming initiatives, despite this, the statistical data available is incomplete. These critical data gaps make it more difficult for effective policies to be developed.

**Q: What can the HK government do to ensure each department and bureau disaggregates all key data by gender and makes this data fully accessible to the public, in order to minimise gender inequity in the allocation of resources and to allow a more accurate assessment of the demographic impact of budget decisions and policy changes?**

The Women's Foundation urges the Government to, among other steps:

- Require each Government department and bureau to (re)formulate their questionnaires and data collection methods in such a way that data can be disaggregated by gender, with regard to both number and percentages
- Make historical gender-disaggregated data available so that statistical data and trends can be measured over time and longitudinal assessments made
- Consider establishing a gender and minorities research archive containing historic and current data and studies on issues pertaining to, and across, marginalised groups. This could potentially be maintained by the EOC or a leading university.

**The absence of gender-based analysis and budgeting exposes Hong Kong to the risk of gender inequities in the allocation of resources and inadequate consideration being given to the welfare and livelihood of women**

To date, 60 countries and territories have adopted some form of gender analysis to assess the impact of budget decisions and policy changes on women but Hong Kong is not one

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<sup>2</sup> The Hong Kong Council of Social Service, 'A Statistical Profile of Women and Girls in Hong Kong', December 2012. Commissioned by and in partnership with The Women's Foundation, with support from Goldman Sachs.

of them. This lack of gender responsive budgeting has led to gaps in social security assistance and benefits for certain groups of women, among them, the elderly, casual workers, single mothers and home makers.

For example, Hong Kong's compulsory retirement scheme –the Mandatory Provident Fund (MPF) - is gender insensitive. It is estimated that approximately one million women – housewives, part-time workers and the elderly – are ineligible for pension protection. This is particularly concerning since women are outliving men by an average of six years. Many older women rely solely on Comprehensive Social Security Assistance (CSSA), which is widely considered to be in need of reform and inadequate to meet the basic needs of the poor.

Women in Hong Kong are also more likely to take up part-time employment, which generally offers lower pay, reduced job security and few if any benefits (see Income Inequality below). Meanwhile more than 90% of economically inactive caregivers are women, and research has indicated that women tend to be disadvantaged in the allocation of resources among family members, due to the gendered division of labor and responsibilities in the household. They therefore may be individually poorer, even though measurements of poverty currently use the 'household' as their basic unit of analysis and an 'income-based' approach.

A vast majority of single parents living in-low income households are women (84.3% in 2006), with over half of them out of work. According to the EOC, almost two-thirds (63%) of the single parent recipients of CSSA are female, while the Hong Kong Council of Social Service (HKCSS) reported that 111 women were in low-income households per 100 men in 2010.

TWF is pleased however, to note the enhanced protection for one vulnerable group – new immigrants. Hong Kong's top court ruled in December 2013 that new arrivals will no longer be required to live in the city for seven years before being able to apply for CSSA, which will mean women in this group — including many from Mainland China — are less vulnerable to poverty<sup>3</sup>.

**Q: How does the HK Government intend to employ gender-based analysis and budgeting, among other proactive and corrective measures, so that women can fully and equally benefit from economic growth and poverty reduction? More specifically, how can it adjust the social security system with a view to placing individual men and women on an equal footing at every stage of their lives?**

The Women's Foundation urges the Government to, among other steps:

Undertake a full scale analysis of whether its current approach to budgeting combats, enhances, or leaves unchanged existing gender inequalities and discrimination, and to respond with proactive and corrective measures including:

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<sup>3</sup> Yunming Kong vs The Director of Social Welfare. FINAL APPEAL NO. 2 OF 2013 (CIVIL). Court of Final Appeal for the Hong Kong Special Administrative Region. 2013. Judiciary. Web.

- Adopting policies to ensure the applicability of labour law protections and social security benefits to part-time, temporary, seasonal and home-based workers including legislation that allows part-time workers the same benefits as full-time employees to an appropriate extent
- Developing methods for assessing the quantitative value of unremunerated work
- Providing retirement protection for all, especially women who have not worked or who do not otherwise qualify for MPF

### **Hong Kong's lack of comprehensive care services limits working women from achieving their full potential<sup>iii</sup>**

While Hong Kong has a number of public and NGO-run schemes which provide fully or partially subsidised services for children, the elderly and the disabled, there are too few of them, and they are often inconveniently located and inadequately resourced. Due to traditional gender roles and stereotypes, this places a burden on female family members in Hong Kong, which limits their equal access to the labour market, economic security and society at large - rights which are protected by CEDAW.

According to the Hong Kong Society for the Protection of Children, in 2013, there were 1,000 places at subsidised professional daytime nurseries for children under the age of two while Census data for 2011 showed there were 100,000 children of that age in the city. Furthermore, the uneven distribution of such centres means Tai Po and districts on outlying islands have no subsidised nursery places available<sup>4</sup>.

Meanwhile, the housing and welfare needs of Hong Kong's rapidly ageing population are becoming more pressing. Currently, there are nearly 30,000 people waiting for subsidised nursing units and the average wait is 35 months – up from 30 months in 2003. 5,000 elderly people die every year while waiting for a subsidised nursing unit. Official statistics also show that subsidised home care services which include delivering meals and accompanying the elderly to medical appointments helped 23,4000 elderly people in 2012 – a drop in the ocean compared with the more than 700,000 elderly people who need help<sup>5</sup>.

In terms of the private sector care market, this is restricted largely to the 10% of families who can meet the financial and other requirements for hiring a full-time live-in foreign domestic helper. Employers and helpers are required to enter into a two-year standard employment contract which prohibits the helper from taking up any other employment with any other employer and requires the helper to work and live in the employee's place of residence. Foreign domestic helpers must leave Hong Kong within two weeks of the termination of their employment unless they find employment with another employer. This rule has been condemned by the UN Committee on CEDAW (2006) and the UN Committee on ESCR (2005), particularly because the same limitation is not enforced for

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<sup>4</sup> Chan, Samuel. "Almost half of Hong Kong parents do not have a second baby due to lack of childcare". South China Morning Post. Qtd. Susan So Suk-yin, Director Hong Kong Society for the Protection of Children. February 24, 2014.

<sup>5</sup> Wong, Olga. "Hong Kong Faces Challenges Ensuring the Elderly Feel Right at Home". South China Morning Post. February 14, 2014.

other foreign workers. The support provided by FDHs has played an important part in allowing Hong Kong women to work, contributing significantly to the city's economic growth. The female labour force participation has increased significantly from 47.5% in 1982 to 54.7% at the end of 2013. Given the lack of comprehensive childcare and elderly care facilities in the community plus the unfeasibility of living on one income, most families have no choice but to employ some help.

In a recent survey by the WoC, 30.7 % of women cited caring for family members as the main reason they dropped out of the workforce. This is in a context in which flexible working hours or options to work part time or from home are rare in professional-level jobs. Hong Kong's paid maternity leave entitlement is among the lowest in Asia at 10 weeks, for example compared with Mainland China (90 days) and Singapore (16 weeks). The Government launched a pilot five-day paid paternity leave scheme for civil servants in 2012 but its plans to introduce this more widely seem to have stalled at least for the time being. While introducing paternity leave for all men would be a step in the right direction, we believe long-term Hong Kong would do well to follow the approach being adopted in more progressive countries which have embraced the concept of gender-neutral parental leave, allowing parents to choose which of them assumes the greater share of child-care responsibilities.

In summary, the Government can do more to align the situation in Hong Kong with the Beijing Platform for Action Outcome Document requirements on affordable support services. Easing the full time and live-in requirements on foreign domestic helpers would open up the part-time care market. This would also, critically, allow greater protection for foreign domestic workers, who can find themselves trapped in abusive conditions under full-time contracts — and aligns with the Committee's 2006 recommendations to 'implement a more flexible policy regarding foreign domestic workers', and protect them from abuses.

**Q: How does the HK Government plan to review and provide for adequate gender-responsive and non-discriminatory care services in both the public and private sectors?**

The Women's Foundation urges the Government to, among other steps:

- Develop flexible, conveniently located, affordable and well-equipped care services for young and old
- Review Government spending on care and education for children aged six and under from the current 0.14 per cent of GDP in light of the 0.69 per cent spent in OECD countries and the 1 per cent level recommended by the European Union
- Promote a more family-friendly working environment
- In the short term, expand the maternity leave entitlement and introduce statutory paternity leave
- In the longer term, replace maternity leave and paternity leave with gender-neutral parental leave whereby parents can choose which of them stays at home to be the primary caregiver
- Review, with a view to easing, the full-time and live-in requirements for foreign domestic helpers which would open up the part-time care market

## **Many Hong Kong teen girls (and boys) are growing up without critical life skills training, gender education, and resilience and hope**

In his Policy Address for 2014, Hong Kong's Chief Executive CY Leung, acknowledged that life skills training and career support need to be strengthened for youth in Hong Kong, alluding to the critical gap in life skills learning in the current Hong Kong education system which tends to focus mainly on academic results. At the same time, gender education is not included in the curriculum of the majority of Hong Kong schools. Meanwhile, Hong Kong parents are time-poor, and studies show many Hong Kong families have very little time for meaningful communication. As a result, a large number of teen girls and boys are growing up without essential life skills like financial management, career and life planning and how to sustain healthy relationships. Layered on top of this for girls are issues of low self-esteem and gender biases which mean many teen girls are growing up making poor decisions about their careers and their future.

Research shows that youth who lack hope, resilience and the strength and support to think critically about social and cultural norms are more likely to turn to harmful coping and escapist behaviours. Among Hong Kong's teens, harmful behaviours like substance abuse, compensated dating, eating disorders, self-harm and suicide are on the rise.

There are very few schools-based programmes which are tackling these different areas in a holistic way, or which are training parents and teachers at the same time as the youth. That is why The Women's Foundation decided to launch our TEEN (Teen Empowerment, Equality & Networking) Programme for At-Risk Youth which provides gender awareness and leadership training to young teens and our Life Skills Programme for Adolescent Boys and Girls which encourages resilience and fosters hope in adolescent teens while providing them with critical life skills training in financial capability, having a healthy body image and positive relationships, and career and life planning. Since their launch, our programmes have touched the lives of over 6,000 mostly under-privileged teens, and their parents and teachers. They have helped young people to challenge gender-based assumptions and see new possibilities for themselves. Programme participants are strongly encouraged to be role models for others helping the seeds of true gender equality to spread and take root in Hong Kong.

Our programmes found that girls responded more positively than boys to embrace gender equality and there was a sustained change in girls' self-esteem after the programme whereas boys proved much more resistant to concepts of gender equality and any changes were less sustainable, indicating that boys are more strongly affected by gender stereotypes and are more likely to hold strongly gendered views of men and women's roles. Accordingly, it is critical that both boys and girls are exposed to gender awareness training which will prepare them for a life of shared responsibilities as earners and carers and a world where women can walk through any door, sit at any table and have any job.

### **Q: What can the HK government do by way of education and public information programmes which will help eliminate prejudices that hinder the full development and advancement of women?**

The Women's Foundation urges the government to, among other steps:

- Encourage and support NGOs and community-based organisations in their efforts to promote changes in negative attitudes and practices which discriminate against girls
- Encourage the Education Bureau to introduce gender awareness education and training in critical life skills and resilience for both boys and girls as part of the standard curriculum
- Develop and adopt curricula, teaching materials and textbooks to improve the self-image of, and work opportunities for, girls particularly in areas where women have traditionally been under-represented, such as STEM
- Develop policies and programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives, including programmes to educate parents and teachers on the importance of girls' physical and mental health and well-being

## Article 5

### **The media continues to create and exacerbate gender stereotypes and negative and degrading images of women are accessible to younger and younger audiences**

Sexist images and reports which objectify and stereotype women are common across Hong Kong broadcast, print and online media. The CEDAW Committee, the Beijing Platform for Action and global research has established the critical role of the media in promoting and reducing stereotyping. Much more needs to be done to acknowledge that this is the case in Hong Kong given the highly damaging possible consequences which include eating disorders among young girls and women, an increase in incidents of sexual harassment and violence against women with sex offenders getting younger and younger, and persistent biases about men, women and leadership which are keeping women from advancing in their careers and reaching their full potential.

All too often, Hong Kong news reports unduly scrutinise women leaders for their appearance instead of judging the substance of their actions. There is also a worrying lack of gender sensitivity on the part of editors and reporters in Hong Kong, particularly in the sensationalised coverage of 'illicit' relationships, rape, and domestic violence in a way that devalues women, and casts victims in the light of 'wanton temptresses' and inferior, rather than as equal rights holders deserving of respect.

The unrealistic standards of physical perfection promoted by the media and advertising, and the social pressure to conform, are also leading to a rising tide of body image issues and self-harm behaviours among women and young girls. In 2012, the Hong Kong Eating Disorder Association reported that among local women who are trying to lose weight, 60% were within a normal, healthy weight bracket and 10% were actually underweight.

Hong Kong police data shows a 59.1% increase in reported rape cases in 2013. Sex offenders are also getting younger. In 2013, the Evangelical Lutheran Church Social Service of Hong Kong revealed that half of the juvenile sex offences reported in the New Territories in 2013 involved 11 to 14 year-olds — a number that has tripled since 2009.<sup>ivv</sup> The EOC found recently that 50% of 6,000 students surveyed had been sexually harassed

at school while 20% of female university students had been forced to engage in some form of sexual contact and 3% had been forced to have sex with their partner.<sup>vi</sup> The EOC's findings, with other local research, pointed to an increase in daily Internet usage by children and teenagers, and their concurrent exposure to degrading images of women, as a possible cause.

As noted by the Beijing Platform for Action, the potential exists for the media to make a far greater contribution to the advancement of women, than is currently the case.

In response, The Women's Foundation is launching the "She Objects" campaign including making a new documentary on media and gender. We hope that the film will become a central part of a new media-literacy programme for Hong Kong youth which will help them to critically reflect on media messages and to understand how stereotypes of femininity and masculinity limit the social and career choices of girls and boys. In addition, TWF is working with journalism awards in the region to create new award categories that celebrate excellence in reporting on women's and gender issues. TWF is also working on an initiative to promote more female opinion piece writers and spokespeople at conferences and on news channels.

Our three main goals for "She Objects" are first, to inspire a new awareness and approach on the part of journalists in this part of the world to report women's stories without bias and with an enhanced sensitivity as to the power of the media to influence and shape how society acts and thinks. Secondly, we hope to advocate a greater sensitivity, thoughtfulness and responsibility on the part of the news, entertainment and advertising industries. And finally, we hope the campaign will encourage all media consumers and particularly women and girls to filter what they are seeing and to embrace a set of core values and healthy aspirations that allows them to appreciate and distinguish natural and innate beauty from airbrushed fantasy

**Q: What measures are being taken by the Government to ensure that Hong Kong media promote a balanced and non-stereotyped portrayal of women, rather than creating and reinforcing harmful stereotypes?**

The Women's Foundation urges the Government to, among other steps:

- Provide media literacy education for children, teachers and parents to counteract negative stereotypes of women and girls which are prevalent in movies, TV and advertising
- Encourage self-regulatory mechanisms for the media to eliminate gender-biased programming and reporting and promote balanced and diverse portrayals of women in the media, consistent with free expression
- Encourage educational institutions and the media to adopt and project balanced and non-stereotyped images of girls and boys, and work to eliminate child pornography and degrading and violent portrayals of the girl child
- Encourage increased participation of women in all aspects of the media industry including more female editors and reporters, and advertising directors
- Encourage media channels to feature a more diverse range of experts and spokespeople

## **Hong Kong is not developing local gender studies expertise – none of Hong Kong’s universities offer a full undergraduate gender studies degree programme.**

None of Hong Kong’s universities offer Gender Studies as a full undergraduate degree programme. This is despite the fact that Hong Kong is home to a number of distinguished gender scholars and there is a clear need for more gender experts throughout the public and private sectors – from government, civil service and statutory bodies to businesses and NGOs. Having a talent pool of graduates trained in gender-based analysis would be helpful to Hong Kong in fulfilling its obligations under the Convention – particularly in modifying social patterns and eliminating prejudices. To help fill the lacuna, The Women’s Foundation has launched a Scholarship Programme that supports Hong Kong students to pursue an MPhil in Multi-disciplinary Gender Studies at the University of Cambridge.

Hong Kong currently stands at the crossroads on many major social issues, as does Mainland China, where rising expectations among urban women, the gendered segmentation of the labour market and the gender population imbalance are emerging as key concerns for policymakers. It is time for our leading universities to introduce undergraduate programmes that afford a broad, critical view of gender issues in contemporary society and exert a positive influence in the region.

### **Q: How does the Government intend to ensure that Hong Kong is developing a sufficient pool of context-appropriate gender experts as it works to fulfil its obligations under CEDAW?**

The Women’s Foundation urges the Government to, among other steps:

- Support and encourage local universities in launching and developing flagship gender studies programmes at the undergraduate, postgraduate and doctoral levels
- Support scholarships for Hong Kong students to pursue gender studies at leading universities abroad

## **Article 7**

### **Women are under-represented in all levels of political activity<sup>vii</sup>**

This is a pivotal time for Hong Kong as it stands at the twin cross-roads of greater democracy and ever growing ties with China. It is critical that women have a seat at the table when it comes to deciding the policies that will govern and shape Hong Kong going forward. Although there are some notable women in Government and in Hong Kong’s political parties who undeniably punch above their weight, women are under-represented in all levels of politics – as office bearers, as party staffers and volunteers, and as voters.

For example, as noted by the CEDAW Committee in its 2006 observations, women's representation in the Legislative Council is low. Currently, only 16% of Legislative Councillors are women and in the most recent 2012 Legislative Council elections, not a single woman was elected to one of the traditional 30 functional constituency seats although two women won election in the five "super" seats elected at large from all district councils. The 16% figure lags behind that of the national parliaments in Europe and far below the 30% target endorsed by UN's the Economic and Social Council.

Hong Kong's District Councils are local advisory bodies with one fifth of members appointed through elections held every four years. While there was some progress in the 2011 elections — which saw women win 19.2% out of 412 publically elected seats — the overall proportion of appointed women dropped to 14.7%. International examples show that regional and local assemblies are stepping stones for political participation at the central level, which makes it important that female participation in District Councils is increased.

The situation is better when it comes to Government advisory and statutory bodies. Women make up four out of the 14 official members of the Executive Council, the advisory body to the Chief Executive, while women comprise 32% of Government-appointed non-official members on advisory and statutory bodies

Research by TWF and Civic Exchange published last year shows that attendance by men and women at political and pressure groups which have broad public policy aims has stayed flat during the last ten years but other civil society groups that often have public policy input and advocate specific special interest policies have seen massive growth. This finding goes some way towards explaining the often posed conundrum of the low level of apparent political interest as expressed in low levels of party membership on the one hand, and the high level of social engagement and policy interest expressed in demonstrations, petitions and public pressure on specific issues on the other hand. Our research also shows that in relation to certain issues like the environment, women are leading men in their involvement in special interest NGOs and other civil society organisations. The number of women taking part in protests and petition signing is also increasing from which it is clear that women are engaged and do want change – they are just not engaging - at least in sufficient numbers - with the current political party machinery and process<sup>6</sup>.

**Q: What does the Government plan to do to increase the political participation of women?**

The Women's Foundation urges the Government to, among other steps:

- Research the reasons which are putting women off political participation and respond with proactive, corrective measures
- Introduce initiatives to encourage the full and equal participation of women in political life including collaborating with political parties on awareness-raising

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<sup>6</sup> DeGolyer, Michael. *The Changing Faces of Hong Kong: Women in the National and Community Context, 1994-2910*. Civic Exchange, 2013. Pages 126-127. Commissioned by and in partnership with The Women's Foundation, with support from Goldman Sachs.

- activities, training and mentoring programmes and explaining possible career pathways for women entering politics
- Work to balance the gender ratio among voters with education programmes for women on their right to vote, the importance of this right and how to exercise it

## **Article 11**

### **Women are still disproportionately employed in lower status jobs and earn lower incomes compared to men**

Despite the introduction of the Sex Discrimination Ordinance in 1996, Hong Kong as a society still vastly undervalues ‘women's work’. Men earn around 20% more than women across all occupations for work of equal value (a gap that is 4% greater than the global average)<sup>7</sup>. Market data by Mercer shows that this even occurs in fields traditionally dominated by women, with female human resources heads in Hong Kong earning up to 23% less than their male counterparts. The situation is arguably worse in blue collar fields. According to the EOC, the average monthly salary in 2011 of women in so-called elementary occupations which include street vendors, cleaners, messengers, private security guards, watchmen, freight handlers, lift operators, construction labourers, hand packers, agricultural and fishery labourers was HK\$7,000, compared with HK\$8,500 for their male counterparts.

Women are over-represented among casual, part time or low status full-time workers and under-represented in decision-making positions, top status jobs and high earning fields. Women represent the bulk of the workforce in the 4C's – catering, caring, cashiering and cleaning - and they lack statutory protections with respect to the employment and other benefits enjoyed by full-time workers. In 2009, 64.4% of all part-time employees were women (mostly aged between 40 and 59) and 66.7% of all casual workers were women. Among casual workers, women made up 67.7% of those paid less than HK\$4,000 a month. At the other end of the spectrum, women comprised just 29% of top-status jobs such as managers and professionals in 2011. Issues of gender bias, gender insensitive workplace policies and a lack of appropriate care services or parental leave options (see below), must be tackled to redress the imbalance.

#### **Q: How is the Government planning to reduce inequality in the labour market for all women including wage inequality?**

The Women's Foundation urges the Government to, among other steps:

- Review and take steps to encourage the reformulation of wage structures where women are currently disadvantaged
- Review the application of the Minimum Wage and its impact on alleviating poverty, particularly among marginalised women groups

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<sup>7</sup> Hong Kong Census & Statistics Department. *Median Monthly Earnings by Occupation and Sex*, 2010. Web: [http://www.censtatd.gov.hk/FileManager/EN/Content\\_1149/T05\\_04\\_04A.xls](http://www.censtatd.gov.hk/FileManager/EN/Content_1149/T05_04_04A.xls).

- Raise awareness among employers and employees that pay discrimination on the grounds of gender is unlawful - e.g., by drawing attention to appropriate information and guidance like the EOCs Equal Pay Self Audit Kit
- Collaborate with businesses to provide training programmes and confidence and leadership building initiatives for women who are either in, or trying to enter, the workforce
- Encourage the private sector to introduce and expand the applicability of flexible working arrangements and parental leave

## **Women are failing to advance in their careers because of gender stereotypes about men, women and leadership aptitude and discriminatory practices and policies<sup>viii</sup>**

In a 2011 survey by the Women's Commission, around 70% of female and male respondents agreed that being a woman is an obstacle to advancement in the workplace. Gender stereotypes and unconscious biases about men, women and leadership aptitude continue to exclude women from decision-making positions across industry sectors and professions, from business to academia to law.

There is not one woman in the Court of Final Appeal of 21 senior judges. Hong Kong has never had a female university president or chancellor and women comprise just 15% of professors in Hong Kong.

In the corporate world, despite a wealth of qualified women, and numerous studies demonstrating a positive correlation between gender diversity and more effective decision-making, stronger corporate governance and companies being better able to target female consumers, women remain significantly under-represented in corporate boardrooms and C-suite positions in Hong Kong. 39.8% of Hong Kong listed issuers have no women on their boards at all and the next 37.8% have just one woman director. Women make up just 10% of all directors of listed issuers in Hong Kong and there has been no improvement over the last five years<sup>8</sup>.

Research shows that women are consistently overlooked for board positions for reasons ranging from boards not having a diverse enough range of candidates to select from, to persistent gender biases about the leadership aptitude of women, to the enduring effect of the old boys' network when it comes to senior appointments, to the failings of nominations committees to instigate proper board reviews and professional searches, and the passivity of institutional investors in the face of all-male boards and all or mostly-male management teams.

What is encouraging is that the winds of change are starting to blow in Hong Kong. The Hong Kong Stock Exchange introduced a new code provision directing companies to report on their board diversity policy starting from September last year. The Women's Foundation has launched a series of initiatives with other partner organisations to stimulate demand for, and promote the supply of, women on boards in Hong Kong. These include launching the 30% Club Hong Kong – a group of chairmen and business leaders

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<sup>8</sup> Webb, David. "Hong Kong Directorships by type and gender." 2013. Webb-site.com

who are committed to bringing more women onto corporate boards, training and development for aspiring female directors, running a mentoring programme for women leaders, maintaining a directory of board ready female candidates, running simulated boardroom discussion speed-dating events for companies and female board candidates, meeting with institutional investors to understand how they engage with companies on this issue, introducing a Voluntary Code of Conduct for search firms in relation to board searches and launching a study on nominations committees best practices.

However, more still needs to be done and we need to see many more women in senior executive and non-executive roles before Hong Kong can assert itself as a modern sophisticated economy that is making the best strategic use of its human resources and nurturing talent across the workforce.

**Q: What is the Government planning to do to ensure Hong Kong is not squandering the leadership potential of its considerable talent pool of qualified women?**

The Women's Foundation urges the Government to, among other initiatives:

- Work with businesses to ensure recruitment and promotion processes are open and transparent and consider a diverse range of candidates
- Encourage businesses to provide leadership training, mentoring and sponsorship for women executives as well as exposure to operational and frontline roles that will prepare them for senior positions
- Encourage businesses to set and monitor targets for the percentage of women in executive and non-executive roles
- Recognise companies and organisations that have a significant number of women in senior positions and encourage other organisations to learn from their example and adopt best practice and similar approaches to attracting, retaining and promoting women

**More targeted measures are needed to support female entrepreneurs and women-owned businesses<sup>ix</sup>**

A strong Government-supported Small and Medium Enterprise (SME) sector employs 47% of the Hong Kong workforce (excluding the civil service). However, while Hong Kong recently participated in the first Asia-Pacific Economic Cooperation Ministerial Meeting on SMEs and Women, at which members agreed to a range of targeted policy measures to support women-owned SMEs, there is no indication that targets for Hong Kong are forthcoming, and it is difficult to draw a full picture of women's entrepreneurial activity in Hong Kong due to the lack of publicly available gender-disaggregated data.

2013 census data reveals a 3.5 to 1 ratio of male to female employers and analysis conducted as part of the Global Entrepreneurship Monitor (GEM) project reveals that 81% of high-growth businesses in Hong Kong are founded by men.

Hong Kong lacks a department or body like the Office of Women's Business Ownership in the US to co-ordinate and implement gender policy on entrepreneurship. This means that there are no specifically women business owner-focused policies and programmes and no collaborative initiatives between the government, banks and other funding

providers, private sector companies, educational institutions and civil society organisations to support women entrepreneurs specifically. Gender-disaggregated data on loans, training and other services provided to women SME owners is also not available.

Access to capital is a significant challenge across the globe for women entrepreneurs – however, it is not clear if this is as true in Hong Kong. In recent TWF research on Women & Entrepreneurship in Hong Kong, the women business owners surveyed observed that funding was not a major obstacle in Hong Kong although their preferred route was to borrow from friends and family members or to rely on savings. This was borne out by our discussions with financial institutions. One bank revealed that it has far fewer women SME clients in Hong Kong than men and that women borrow smaller amounts. However, the SME lending schemes in Hong Kong tend to cater more for medium than for small enterprises, which has gender implications since more micro-enterprises tend to be owned by women. We hope more banks in Hong Kong will consider joining the Global Banking Alliance whose members offer tailored, holistic financing solutions for women business owners.

Training is also required in Internet literacy, e-networking and e-commerce to address a gender imbalance in IT literacy and female representation among technology start ups. While the Government has targeted some groups of women (low income, elderly) with computer skills training as part of its Digital 21 Strategy and it also runs SMT targeted programmes to help build their ICT capabilities, it has not joined the dots between these groups to offer programmes or other assistance for women-run SMEs.

Finally, a greater commitment on the part of Hong Kong companies to supply chain diversity, whereby large companies ensure that a certain proportion of their suppliers are minority-owned businesses, would increase opportunities for women-owned SMEs in Hong Kong and potentially elsewhere in the region. Many MNCs are subscribing to supply chain diversity programmes in other parts of the world but the same commitment is not evident when it comes to the selection of Hong Kong-based suppliers. In Hong Kong, it is unclear how companies are pursuing supplier diversity goals although the recent introduction of guidance on supply chain reporting, albeit voluntary, in the Hong Kong Listing Rules, may provide more clarity in future.

**Q: How will the Government ensure that women have equal opportunities as business owners and entrepreneurs, bearing in mind the likely need for temporary special measures and gender sensitive policies?**

The Women's Foundation urges the Government to, among other steps:

- Establish a body equivalent to the Office of Women's Business Ownership in the US
- Encourage leading Hong Kong companies to embrace supply chain diversity principles thereby expanding opportunities for women-owned businesses
- Encourage lenders to provide tailored, holistic financing solutions for women business owners
- Collaborate with the private sector to set up mentoring and training schemes for women entrepreneurs

- Facilitate the access of women entrepreneurs to technology, IT-related expertise, and other qualified human resources to help scale their businesses
- Ensure that the education system appropriately encourages creativity and risk-taking and a positive mindset on the part of parents and students towards trying and failing and trying again

## **The lack of women studying and working in science and technology is a barrier to equality of employment opportunity<sup>x</sup>**

As noted by the Beijing Platform for Action, more women need to be involved in the development of new technologies in order to participate fully in their growth and impact.

Women are significantly under-represented in the STEM (Science, Technology, Engineering & Mathematics) subjects in Hong Kong in terms of studies and career options due in large part to entrenched gender stereotypes and cultural attitudes about the relative aptitude of men and women in relation to the STEM areas, a lack of exposure to future employers for IT jobs which means they lack an understanding of the possible career pathways within the IT industry, an absence of female role models and mentors, and a lack of a network with female peers. Many female students who are studying technology and engineering feel isolated because there are so few fellow female students and so few female faculty members. Research shows that the learning environment is a big deterrent for girls. The Hong Kong University of Science & Technology had no female enrollments last year for its BEng in Computer Science (Information Engineering) and BSc in Computer Science undergraduate programmes. Although figures for female enrolments in its BSc programmes for Mathematics, Chemistry and Biology were better – at 23%, 37% and 52% respectively – men still represent about two-thirds of total enrolment in the vast majority of STEM subjects, and at the IT end in particular.

At the same time, employers face a massive skills shortage in terms of IT and technology related jobs. In the US, it is estimated that if current trends continue in terms of the under-representation of women in the field, the technology industry will only be able to fill half of its available jobs by 2018. In Hong Kong, there are no officially compiled statistics on technology skills shortages but data shows that employment in IT services grew by 5% between 2012 and 2013 and the vacancy rate (or jobs which are going unfilled) is about 4%. A recent EIU-study commissioned by The Women's Foundation which surveyed the IT departments of 57 companies in Hong Kong found that 88% of IT directors are male and women represent less than 10% of IT staff at more than half of the companies.

If Hong Kong is going to thrive as an ICT (Information Communications Technology) regional centre and a pillar industry for Hong Kong, we need many more women to enter the field.

Women are particularly under-represented in the creation of technology, both in Hong Kong and around the world.

Women are also under-represented in Hong Kong when it comes to technology start-ups and in the case of bricks and mortar companies started by women, in the use of technology to scale up their businesses. Research shows that companies that embrace the Internet enjoy higher growth,<sup>xi</sup> as well as the increasing value of e-commerce.

Initiatives to increase these proficiencies among women owned businesses are critical for Hong Kong to comply with its obligations under CEDAW's right to equal employment opportunities.

Tackling the under-representation of women in STEM and particularly in technology will require concerted effort by multiple stakeholders - parents, academia, the Government, businesses and NGOs.

Since most children in Hong Kong listen to their parents when it comes to the choice of academic subjects and careers, we need parents as well as the girls themselves to see science and computers as girl friendly and to understand the many rewarding career pathways that studying computer sciences or working in a technology company can lead to. The Women's Foundation recently partnered with Microsoft to launch GirlSpark - a three day camp which provided 51 female undergraduates with exposure to the experience of working in a technology company and female role models and mentors.

The Government should also consider introducing computer programming and coding as part of the standard curriculum and educating children from a young age before gender stereotypes can form. For example, the Infocomm Development Authority (IDA) in Singapore announced earlier this year that they plan to introduce computer coding as part of the school curriculum in Singapore schools in the future. More support is also needed at college level with more scholarships for girls to study IT and computer programming and ensuring female undergraduates have faculty and peers to talk to. For example, The Women's Foundation is supporting the WISE (Women in Science and Technology) scholarship scheme at the Hong Kong University of Science & Technology, designed to encourage more top-calibre female students to pursue technology and engineering subjects. Meanwhile, The Women's Foundation's Make the Web Scholarships support aspiring women web developers to pursue General Assembly's 12-week full-time Web Development Immersive course in Hong Kong.

Companies also need to make more effort to recruit more women into IT and technology roles, recognising that a more diverse workforce is good for business performance, creativity, teamwork, morale and company culture.

**Q: What steps are the Government taking to address the gender gaps in STEM and the disadvantages for women in the labour market that result from this?**

The Women's Foundation urges the Government to, among other steps:

- Educate parents and teachers to STEM subjects as rewarding and girl-friendly
- Introduce computer programming and coding as part of the standard school curriculum from an early stage, following the example of countries such as Singapore
- Ensure that universities support and encourage girls in the fields of IT and computer sciences through scholarship schemes and mentoring programmes
- Raise awareness within the technology sector of the need for gender equality and diversity and encourage companies to ensure that training, recruitment and promotion opportunities are available to women

- Require the Hong Kong Science & Technologies Park (which was established in 2001 to provide incubation support to science and technology companies) to track and evaluate the companies based at the Park through a gender lens

## Article 12

### **Growing gaps in healthcare and support for the elderly disproportionately impact women<sup>xii</sup>**

The Government's projected rate for the annual growth of public health spending (estimated at 1.2%) is too low to provide for the projected growth of its elderly population which is set to increase by 230% (in the 85-plus bracket) and 193% (ages 80 to 84) over the next 20 years. With the average life expectancy for women set to exceed 90 by 2041 versus 84.4 for men, the need for women-focused elderly care will become increasingly more acute. Research by The Women's Foundation shows that elderly women in Hong Kong have different health needs being more prone, for example, to depression and colorectal cancers than men, and therefore require different primary prevention schemes and psychological services. They are also more afflicted by poverty (see Article 3, above). There is therefore a pressing need to review and provide gender-responsive healthcare and social security for the elderly.

Since the burden of caring for elderly relatives is largely shouldered by women in Hong Kong, this affects women's economic participation and employment opportunities (as highlighted under Article 11). Research published last year by Civic Exchange and The Women's Foundation revealed that this burden starts early and can extend over decades. Our research found that 50% of those aged 18-29 are contributing towards their parents' and grandparents' upkeep (with at least one out of four contributing at least 20% of their income) while 20% of those in their 60s are contributing their income towards maintaining the well-being of their parents.

#### **Q: How is the Government planning to protect elderly women's equal right to healthcare and prevent de facto discrimination against their predominantly female carers in light of Hong Kong's rapidly ageing population?**

The Women's Foundation urges the Government to, among other steps:

- Design and adopt a comprehensive healthcare policy that addresses the needs of women, and particularly older women, in line with the Committee's 2006 general recommendations 24 and 27
- Ensure that more women have a role in the design, planning and delivery of healthcare services for the elderly
- Consider the co-location of multiple generations and the on-site provision of 24-hour medical services in the (re-)design and (re-)development of new and existing residential districts and housing estates to minimise the physical stress on working women caring for elderly relatives
- Research, plan and implement measures for Government employees that alleviate the hidden burden of care for elderly parents/parents-in-law on working women – for example, paid elderly care/family leave days for men and women and the

inclusion of employees' elderly parents in staff medical insurance policies — and encourage Hong Kong-based businesses to do the same

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- <sup>i</sup> See Hong Kong Women's Commission: "Women's Commission : Research" [http://www.women.gov.hk/mono/en/research\\_statistics/research.htm](http://www.women.gov.hk/mono/en/research_statistics/research.htm)>
- <sup>ii</sup> Primary reference for this section: Civic Exchange, "The Changing Faces of Hong Kong." Commissioned by The Women's Foundation, February 2013. <http://www.thewomensfoundationhk.org/download/womens%20summary%20report%20draft%209.pdf>
- <sup>iii</sup> Ibid.
- <sup>iv</sup> Equal Opportunities Commission, *Study on Students Sexual Attitudes and Views towards Sexual Harassment*, 2012: [http://www.eoc.org.hk/EOC/Upload/ResearchReport/SH\\_eFullReport.pdf](http://www.eoc.org.hk/EOC/Upload/ResearchReport/SH_eFullReport.pdf)
- <sup>v</sup> Primary reference for this section: Equal Opportunities Commission, "Study on Students Sexual Attitudes and Views towards Sexual Harassment," 2012: [http://www.eoc.org.hk/EOC/Upload/ResearchReport/SH\\_eFullReport.pdf](http://www.eoc.org.hk/EOC/Upload/ResearchReport/SH_eFullReport.pdf)
- <sup>vi</sup> Ibid.
- <sup>vii</sup> Primary reference for this section: *Women and Girls in Hong Kong: Current Situations and Future Challenges*. Ed. Choi, Susanne. Hong Kong: Chinese University of Hong Kong, 2013. Print.
- <sup>viii</sup> Primary reference for this section: *Women and Girls in Hong Kong: Current Situations and Future Challenges*. Ed. Choi, Susanne. Hong Kong: Chinese University of Hong Kong, 2013. Print.
- <sup>ix</sup> Primary reference for this section: Mitchell, Louisa. *Women's Economic Empowerment through Entrepreneurship in Hong Kong*. Issue brief. Hong Kong: Women's Foundation, 2014. Print.
- <sup>x</sup> Primary reference for this section: Economist Intelligence Unit. *Work to do: Women in male-dominated industries in Hong Kong*. Commissioned by The Women's Foundation, 2014.
- <sup>xi</sup> The Boston Consulting Group, *The Connected Harbour: How the Internet is Transforming Hong Kong's Economy*; 2011. Web. <http://connectedharbour.hk/> (accessed April 6, 2013).
- <sup>xii</sup> Primary reference for this section: Civic Exchange. *Changing Faces of Hong Kong: Graphical Summary*. Commissioned by The Women's Foundation. 2013. Web. <http://www.thewomensfoundationhk.org/download/womens%20summary%20report%20draft%209.pdf>