

**Minutes of the One Hundred and Thirty-ninth Meeting of
The Equal Opportunities Commission
held on 21 September 2023 (Thursday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr Ricky CHU Man-kin, IDS	Chairperson [C/EOC]
Ms Queenie CHAN Lai-kwan, MH	
Ms Rosanna CHOI Yi-tak	(via video-conferencing)
Dr Theresa CUNANAN	
Mr FONG James Mathew	
Mr Simon LAM Ken-chung	
Dr Sigmund LEUNG Sai-man, BBS, JP	
Mr Vishal MELWANI	
Dr Henry SHIE Wai-hung	
Ms Anna THOMPSON	(via video-conferencing)
Miss Shirley TO Shuk-yi	
Dr Rizwan ULLAH, MH	
Mr Gary WONG Chi-him, JP	
Dr Kitty WU Kit-ying, JP	
Dr Ferrick CHU Chung-man	Secretary Executive Director (Operations) [ED/O]

Absent with apologies

Miss CHOW Lily
Hon Vincent CHENG Wing-shun, MH, JP
Ms Linda TSANG Chi-man

In attendance

Mr Ivan LUK Chi-cheung	Executive Director (Enforcement) [ED/E]
Mr Oska LI Kam-hung	Director, Corporate Planning and Services [DCPS]
Mr Tony SIU Kit-hung	Director, Complaint Services [DCS]
Mr Allan MAN Sui-lun	Chief Legal Counsel [CLC]
Ms Doris TSUI Ue-ting	Head, Policy, Research and Training [HPRT]

Miss Lisa CHAN Kit-ching	Acting Head, Corporate Communications [Ag HCC]
Miss Gloria YU Wai-ling	Senior Equal Opportunities Officer, Administration & Personnel [SAP]
Ms Hollis LING Yin-har	Equal Opportunities Officer, Administration & Personnel [EAP]

I. Introduction

1. The Chairperson (C/EOC) welcomed all EOC Board Members (Members) to the 139th Meeting. C/EOC informed the Meeting that Ms Rosanna CHOI and Ms Anna THOMPSON were joining the meeting via video conference (Zoom). Dr Theresa CUNANAN, Mr James FONG and Dr Henry SHIE would join the meeting at a later time. Apologies for absence were received from The Hon Vincent CHENG due to sickness, Miss Lily CHOW and Ms Linda TSANG due to prior engagements.

II. Confirmation of Minutes (Agenda Item No. 1)

Confirmation of Minutes of the 138th Meeting on 15 June 2023

2. The draft minutes of the 138th EOC Meeting held on 15 June 2023 were issued to Members on 10 July 2023. No request for amendments was received. Members confirmed the minutes of the 138th EOC Meeting without amendments.

III. Matters Arising (Agenda Item No. 2)

3. There were no matters arising from previous meetings that required Members' attention in this meeting.

IV. New Agenda Items

Six Monthly Review of EOC's Work (January – June 2023)

(EOC Paper No. 8/2023; Agenda Item No. 3)

4. EOC Paper No. 8/2023 contained the work of the EOC in the first half of 2023 and an update of court actions as of August 2023.

5. Members noted EOC Paper No. 8/2023.

Chairperson's Quarterly Report

(EOC Paper No. 9/2023; Agenda Item No. 4)

6. C/EOC updated Members on the important work done during the period from June to August 2023 as contained in EOC Paper No. 9/2023.

7. C/EOC shared with Members about the progress of three court cases. Members noted that on 27 June 2023, the EOC issued legal proceedings under the Disability Discrimination Ordinance (DDO), Cap. 487, on behalf of a claimant who previously worked for a cake shop as a shop assistant. By taking this case to the court, the EOC hoped to raise public awareness and remind employers that disability discrimination and harassment in workplaces were unlawful.

8. C/EOC further shared with Members that the District Court ruled in favour of the claimants in both the sexual harassment (SH) case (DCEO 10/2021) and the pregnancy discrimination case (DCEO 16/2019). In respect of the SH case, the EOC hoped that the ruling of this case would encourage more SH victims to come forward and seek redress for unlawful SH acts; and also send a strong reminder to all employees and employers that there should be zero tolerance of SH in workplaces. For the pregnancy discrimination case, the amount of damages

awarded had been the highest among other pregnancy discrimination claims after trial. This had caused to bring about a very strong message to employers on the protection of pregnant workers against discrimination under the SDO. Members noted that the claimants in both cases were represented by EOC's in-house lawyers and the good impacts arising from these cases had been widely reported by the media in a positive light.

9. Noting that it was EOC's in-house lawyers who represented the claimants in the two court cases throughout the whole litigation process including assessment of damages and trial, a Member expressed his appreciation to the Legal Service Division (LSD) for their challenging work. The same Member suggested that, in order not to be overloaded, the LSD should consider briefing out some of the legal/court works whenever necessary. C/EOC thanked the Member for his appreciation and support. He added that the usual approach had always been for EOC's in-house lawyers to handle court cases as far as practicable.

(Dr Theresa CUNANAN and Mr James FONG joined the meeting at this juncture.)

10. On the notion of enhancing university students' understanding on preventing sexual harassment on campus, Members noted that the EOC had initiated a variety of activities in the early stage before universities planned and organised activities in summer to welcome new students. The EOC had written a letter to deans/directors of eight UGC-funded universities in June to encourage the universities to keep the momentum to increase awareness of anti-SH on campus. In particular, the EOC had called on the universities to require students to receive anti-SH training, especially student leaders who might be in charge of planning and executing orientation activities. Besides, in the aforementioned letter, the EOC shared students' feedback on the "Online Training Module on Preventing Sexual Harassment on Campus" (OTM) rolled out by the UGC-funded universities. Over 80% of training participants had found the module very helpful/helpful and in general felt very satisfied/satisfied with the module. Members noted that a new yet similar online course for non-UGC-funded universities had been currently in

development and was expected to be launched in 2024-25. As regards the recent media reports of the SH incidents at university orientation camps, the Complaints Services Division had been standing ready to offer assistance to the victims or witnesses who came forward to the EOC. In addition to the Anti-Sexual Harassment Unit's unceasing effort to counter sexual harassment, the Ethnic Minorities Unit conducted workshops and sharing sessions on protection against SH for the non-ethnic Chinese community.

11. In response to the Member's questions concerning the OTM, HPRT said the OTM was rolled out in Q1/2023 which was a couple of months earlier than that of orientation camps. She shared with Members that UGC-funded universities had taken forward the OTM according to the respective university's policies and priorities. One of the universities, which required students to undertake the OTM as a pre-requisite before student registration, had successfully charted a high completion rate. As regards the new OTM for non-UGC-funded universities, ED/O said considerable coordination work would be needed to gain a consensus from the UGC-funded universities, who were owners of the OTM that already rolled-out, to agree on which modules could be deployed in the new OTM. C/EOC echoed ED/O's remarks and supplemented that, pursuant to the recommendation of the EOC, UGC-funded universities had set up dedicated units to address complaints related to discrimination, including sexual harassment on their campus. He acknowledged the collaborative effort of the relevant stakeholders on this front and encouraged everyone to sustain the momentum.

12. In response to another Member's suggestion, HPRT said Hong Kong Education City (EdCity), a one-stop professional education portal owned by the Government, had approached the EOC recently. The EOC had been communicating with them on their possibility to use some of the OTM resources and materials with secondary and primary schools.

(Dr Henry SHIE joined the meeting at this juncture.)

13. Two Members opined that the EOC had already done a great deal of work to prevent SH on campus. They suggested various approaches to reinforce its promotion, including the sharing of good practices among stakeholders; empowering Youth Ambassadors to promote anti-SH awareness with their peer schoolmates; organising a city-wide promotion campaign; and introducing a mechanism for vetting and approving orientation camp activities.

14. C/EOC thanked Members for their suggestions. In light of institutional autonomy as emphasised by the UGC, C/EOC acknowledged that different approaches would be needed in the promotion of anti-SH awareness in tertiary- and non-tertiary levels education institutions. A Member agreed with C/EOC and said that it would be important to strike a balance. He also agreed with the sharing of good practices among stakeholders.

15. In response to a Member's suggestions, Ag HCC said the EOC had utilised social media platforms, including Instagram, to effectively communicate messages using appropriate language and visuals that could connect with younger audiences. Furthermore, Ag HCC agreed with the influential role of peers. She highlighted that the Youth Ambassadors in the 2023-24 Scheme would be arranged to join the ASHU training and entrusted with the responsibility of disseminating these messages among their fellows on campuses.

16. C/EOC said the setup of the dedicated ASHU had provided a distinct advantage to the work of the EOC. To formulate the strategic direction of the EOC including ASHU for the next three years, C/EOC invited Members to join the Strategic Retreat for 2024-2027 scheduled for 6 October 2023.

17. Members noted EOC Paper No. 9/2023.

Reports of the Legal & Complaints Committee, Community Participation & Publicity Committee, Policy, Research & Training Committee and Administration & Finance Committee

(EOC Paper No. 10/2023; Agenda Item No. 5)

18. EOC Paper No. 10/2023 presented the important matters raised and decisions made at the recent meetings of the four committees held during the period from June to August 2023.

19. Members noted EOC Paper No. 10/2023.

V. Any Other Business

National Studies Course in Beijing

20. C/EOC shared with Members the key highlights of the National Studies Course (NSC) held in Beijing during the period from 11 to 15 September 2023. Members noted that the NSC was organized by the Liaison Office of the Central People's Government in the Hong Kong SAR (LOCPG). It was the inaugural event of the same kind and the EOC was honoured to serve as the liaison lead of the other two statutory bodies participated in the NSC: the Office of the Privacy Commissioner for Personal Data and Office of The Ombudsman. In total, 39 participants from the three statutory bodies attended the NSC. Of them, 23 were from the EOC, including the Chairperson and two EOC Board Members, Dr Henry SHIE and Dr Rizwan ULLAH and 20 staff members. Through lectures by seasoned professors of the Peking University and visits to relevant bodies in Beijing, the NSC enhanced participants' understanding of the Mainland's systems and latest social and economic developments, and kept them abreast of the national strategies and their implications for Hong Kong.

21. Members noted that the EOC had visited the China Disabled Persons' Federation (CDPF) which was particularly fruitful. In the light of the recent passage of the legislation pertaining to building a barrier-free living environment in the Mainland effective from 1 September 2023, both the CDPF and the EOC had identified potential collaboration opportunities. In the coming near future, CDPF planned to visit the EOC to have further discussions and crystallise avenues for possible collaboration. Members also noted that the visit to a leading technological corporation had showcased the capabilities of artificial intelligence in facilitating real-time translation, enabling persons with diverse language needs to communicate with each other without barriers was very impressive.

22. Members took note that the NSC was intended to be sustained with further rounds to be organised in the near future for staff members, as well as EOC Members to join.

23. There being no other business, the Meeting was adjourned at 3:25 pm.

VI. Date of Next Meeting

24. The next regular EOC Meeting was scheduled for **21 December 2023 (Thursday) at 2:30 p.m.**

Equal Opportunities Commission

October 2023