

EO Files (May 2019)

“THINGS WE DO, PEOPLE WE MEET – Reflections in Brief”

Hong Kong has to end the stalemate in fight for equality

Since taking the reins of the Equal Opportunities Commission (EOC) a month ago, I have been attending various community events and meeting stakeholders across different sectors. I am aware that my appointment has raised a few eyebrows, with a few NGOs writing off my 35 years of experience at the Independent Commission Against Corruption (ICAC) as irrelevant, or even a potential liability to human rights advancement.

As intense as it is, I see the public scrutiny as a positive sign. If anything, it shows that people continue to believe in the commission’s *raison d’être* and care strongly about what we do, and how we go about doing it. Apathy is indeed the last thing we need, especially when the communities we strive to empower often live in a disadvantaged position.

Still, I wish the scrutiny would come with a broader understanding of what a champion of social justice may look like. For one thing, my previous work at the ICAC and the Independent Police Complaints Council was inspired by an unflinching belief in building a fair and just society that is free from corruption and abuse of power. That same commitment to righting social wrongs underlies the work of the EOC, as we pledge to combat prejudice and discrimination against marginalised groups.

More importantly, leading the commission to deliver real impact on Hong Kong’s equality landscape requires not only a passion for social justice, but also solid expertise and practical experience – in handling complaints, spearheading research, and lobbying parties to bridge differences.

My vision, specifically, is for the commission to go beyond being an advocate of change, and actively create the conditions favourable for progress. Calls for legislation against discrimination based on sexual orientation, gender identity and intersex status, for instance, have persisted over the years, and yet because of lingering concerns about infringement on the right to freedom of thought and expression and fears of “reverse discrimination”, the situation has seemingly descended into an eternal stalemate.

Organisations at home and abroad commemorate the International Day Against Homophobia, Transphobia and Biphobia on May 17. I inevitably yearn for the stalemate to end and some progress to be made. The bottom line is, the reality and gravity of LGBTI discrimination cannot be shrugged off.

According to a study the EOC released in 2016, 88% of the LGBTI respondents had experienced discrimination within the two years prior to the survey. A gay student was reportedly asked by his school to keep a low profile and threatened with expulsion after giving a press interview. A transwoman said she was fired right after she wore a skirt to work.

Across jurisdictions, there are variations in terms of administrative and legislative measures addressing LGBTI discrimination, and the public domains they target, such as employment, education, and provision of goods, services and facilities.

Rather than remaining stuck in polarised debates, our society needs to set aside ideological differences and focus on discussing the specifics of practical measures – whether it is legislation, public education or employer engagement – with a view to safeguarding the rights of the LGBTI community.

It is precisely this detail-driven, get-down-to-business approach that I aspire to bring to the table. Being strategic is crucial, as the work of the commission is both high in volume – in 2018 we handled 1,271 complaints – and manifold, from investigating cases and conciliating between parties to providing legal assistance, reviewing existing legislation, and conducting research, policy advocacy, corporate training and public education.

In fact, the commission has already taken concrete steps to enhance its services, such as streamlining the investigation process by making more active use of its statutory powers to instruct respondents and third parties to furnish information. In 2018, the number of cases granted legal assistance after unsuccessful conciliation also went up twofold from 2016.

As an avid Go player, I am no stranger to the strategy of making connections. I am confident that under my leadership, the EOC will make the necessary moves in bringing different sectors together to foster a truly pluralistic and inclusive society in

Hong Kong.

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Chairperson

Equal Opportunities Commission

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