

**Minutes of the Sixty-First Meeting of
The Equal Opportunities Commission
held on 16 March 2006 (Thursday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr. Raymond TANG Yee-bong

Chairperson

Dr. CHENG Kwok-kit, Edwin

Prof. Randy CHIU

Mrs. CHONG WONG Chor-sar, M.H., J.P.

Miss LAM Kam-yi

Dr. LAW Koon-chui, Agnes, J.P.

Mr. LIU Luk-por, Desmond

Dr. LO Wing-lok, J.P.

Mr. YIP Kin-man, Raymond

Mr. Michael CHAN Yick-man

Secretary
[Director, Planning &
Administration]

Absent with apology

Ms CHOI Wai-kam, Virginia

Mrs. KOO CHEUNG Man-kok

The Hon TAM Heung-man, Mandy

Mr. Saeed UDDIN, MH

Ms WONG Fung-yee, Margaret

In attendance

Mr. Joseph LI Siu-kwai	Director, Operations
Ms Betty LIU Jia-shin	Head, Corporate Communications & Training
Mr. Ferrick CHU Chung-man	Head, Policy & Research
Mr. Herman POON Lik-hang	Chief Legal Counsel
Ms Mariana LAW Po-chu	Senior Corporate Communications Officer
Ms Fanny LEUNG Sui-ping	Equal Opportunities Officer (Administration & Personnel)
Ms Yvonne LAU Siu-yung	Personal Assistant (Policy Co-ordination)

I. Introduction

1. The Chairperson (C/EOC) welcomed Members to the 61st EOC meeting.
2. Apologies for absence were received from Ms CHOI Wai-kam, Virginia, Mrs. KOO CHEUNG Man-kok, Christine, the Hon TAM Heung-man, Mandy, Mr. Saeed UDDIN and Ms WONG Fung-yee, Margaret.
3. C/EOC informed Members that a press conference had been scheduled after the meeting at 5:00 pm and invited Members to join if they wished.

II. Confirmation of Minutes

4. Minutes of the 55th Meeting (Special Meeting), 56th Meeting and the 59th Meeting (Special Meeting) held respectively on 1

December 2005, 8 December 2005 and 12 January 2006 were confirmed without amendments.

5. Minutes of the 57th Meeting (Special Meeting) held on 30 December 2005 were confirmed subject to a suggested insertion in the minutes to reflect the decision of the Board to have a press conference after each regular EOC Meeting.

[A copy of the amended page is attached at Appendix I.]

6. Regarding the minutes of the 58th Meeting (Special Meeting) held on 6 January 2006, a number of Members proposed that (1) an elaboration to be made to paragraph 7 to reflect their views expressed at the meeting, that they agreed to the HAB proposal in principle, and (2) in the same paragraph that other Members agreed to the direction of splitting the Chairperson's post outlined in the paper. It was agreed that the minutes of the 58th Meeting would be confirmed at the next meeting after amendments made.

[Post-meeting note: Revised minutes incorporating the suggested amendments have been issued to Members and a copy of the amended page is attached at Appendix II.]

7. C/EOC informed Members that the Summary of Discussions of the 58th EOC Meeting had not been put on EOC's website because some Members had requested further discussion on the draft summary of discussions of that meeting which were circulated to Members. C/EOC said that the original intention was, on a trial basis, to put on

the EOC website a short summary to provide quick information to the public and staff; however, as there might be a need for further discussion which would delay uploading the summary until after discussion by Members at the next meeting at which time the minutes itself would be endorsed, C/EOC asked Members to consider whether uploading a brief summary should be made a permanent practice. After discussion, Members agreed to dispense with the practice of putting on the EOC website a Summary of Discussions and the minutes of meetings would be uploaded after endorsement by Members. For special issues discussed at the meeting which might be of interest to the public, they would be dealt with by means of press releases to be released as soon as possible.

8. A Member suggested that the meeting agenda should list out which meeting minutes would be confirmed for easy reference. This was agreed.

[Mr. Desmond LIU left the meeting temporarily at this point.]

III. Matters Arising

Proposal by the Home Affairs Bureau (HAB) on separating the posts of the EOC Chairperson and the Chief Executive Officer

(Paragraphs 3 & 13 of the minutes of the 58th meeting held on 6 January 2006)

9. DPA informed Members that HAB proposed to meet and discuss with Members at the next EOC Meeting to be held on 15 June 2006 regarding HAB's submission to the LegCo's Home Affairs Panel

on this subject.

IV. New Agenda Items

EOC Corporate Statement of Values, Strategies and Objectives
(EOC Paper No. 2/2006; Agenda Item No. 3)

10. C/EOC explained that the purpose of the paper was to formalize what had already been in practice. The Corporate Statement also intended to provide a framework for respective functional division/unit to develop their annual work plan. C/EOC invited Members for views.

11. A Member appreciated the work done by staff and suggested that work plans for 06/07 be included and reference be made to the relevant recommendations of the review reports.

[Mr. Desmond LIU returned to the meeting.]

12. A couple of Members thanked the EOC Office for preparing a useful paper for laying the foundation for discussion. Members suggested that certain terminology used in the paper might need to be reviewed, for clarity purposes.

13. Members also confirmed that the proposed work plans as stated in paragraph 11 could be reviewed by the EOC committees and the Board would only need to be kept informed once they had been worked out.

14. A Member suggested that the Corporate Statement being a

foundation of EOC's operation should include its Vision, Mission and Values and suggested that a paragraph should also be added at the beginning to describe EOC's status as a statutory body and its remit. This was agreed.

15. Discussions ensued and the meeting agreed that the Corporate Statement would be further reviewed and uploaded onto the EOC website upon finalization and endorsement by Members.

16. A Member suggested that Members could give some thoughts to have a 10th EOC Anniversary function and to launch a series of programmes and events. She further suggested that the move to the new office location could mark the beginning of the 10th Anniversary Year and the theme could be "Review and Looking Ahead" (回顧與前瞻). Another Member agreed that there should be a basket of activities to highlight EOC's achievements in the past ten years and major initiatives, going forward. The EOC Office would give consideration on this and would get back to Members with suggestions.

Amalgamation of the Community Participation and Publicity Committee and Public Education and Research Committee
(EOC Paper No. 3/2006; Agenda Item No. 4)

[Ms LAM Kam Yi left the meeting at this point.]

17. C/EOC briefly went through the paper and invited comments from the two Sub-committee Convenors, Professor Randy CHIU and Dr. LO Wing-lok and other Members. Members agreed with the recommendation of the EOC Office that the terms of reference of the

two committees were quite distinct. Take into account both current and anticipated future work programmes related to the two Committees, the meeting agreed that the two Committees should remain separate.

Six-monthly Review of EOC's Work between July-December 2005
(EOC Paper No. 4/2006; Agenda Item No. 5)

18. A Member enquired about the security measures adopted on “revamp of computerized Case Management System (CMS)”, as the development work was carried out by contractors. DPA informed that the contractor had signed a confidentiality agreement to keep all data accessed strictly confidential, and EOC could take legal action for non-compliance. On project development, it was a closed network, and no persons could access data from outside of the EOC. Furthermore, future maintenance work would be undertaken by EOC staff which further reduced the risk of data being handled by outsiders.

[Ms LAM Kam Yi returned to the meeting.]

19. In response to a question from a Member, C/EOC confirmed that EOC had made reference to the privacy ordinance in handling confidential personal data. He also confirmed that data in the CMS would only be put up in EOC's internal intranet and access rights for officers were drawn up on a need basis and each case officer could only have access to his/her own case files.

20. A Member enquired about the progress of EOC's application to the Court to be Amicus Curiae in an appeal proceedings concerning Sexual Orientation Discrimination in the Crimes Ordinance buggery

provisions. CLC informed that the Court's decision was still awaited. Members would be informed once a decision had been reached.

[Professor Randy CHIU left the meeting temporarily.]

[Post meeting note: Members have been informed that the Court has granted EOC's application to act as Amicus Curiae in the court case.]

Reports of the Legal & Complaints Committee, Community Participation & Publicity Committee, Public Education & Research Committee and Administration & Finance Committee
(EOC Paper No. 5/2006; Agenda Item No. 6)

21. Members noted the paper.

Members' Duty for Upholding Confidentiality
(EOC Paper No. 6/2006; Agenda Item No. 7)

22. C/EOC informed that this issue arose during the recent recruitment of senior staff of the EOC. As explained in EOC Paper 6/2006, Members who were on the selection boards at the time signed a confidentiality agreement as a result of certain media reports regarding the recruitment. The confidentiality agreement applied only to the proceedings of the selection boards.

23. A question was since raised by a Member who was on the selection boards as to whether it was necessary to have all Members sign a confidentiality agreement pertaining to all EOC confidential matters.

24. A Member was of the opinion that whether Members signed a

confidentiality agreement or not, they had a duty, both expressed and implied, to uphold confidentiality.

25. Another Member enquired whether staff members of EOC had to sign such an agreement. DPA confirmed that all staff had to sign a confidentiality agreement on taking up employment and on contract renewal. The obligation created by the Agreement would survive the termination of the employee's employment.

26. After discussion, Members agreed that since Members had already formerly endorsed EOC's "Procedures for Meetings and Related Matters" which included the need for Members to uphold confidentiality, there was no need for Members to additionally sign a confidentiality agreement at this point.

Any Other Business

27. C/EOC informed Members that the office would be relocated over the weekend of March 25th and 26th to the new office in Taikoo Shing with most of the existing furniture and some fixtures also moved to the new office and business would commence from Monday, the 27th in the new premises.

28. DPA, in following up on the proposed Milestone Year events, suggested arranging a special meeting for brainstorming on ideas. He also suggested to produce a booklet on EOC's work and achievements to commemorate the occasion. A Member suggested holding a large scale conference on topical issues in September / October 2006 and to produce a T.V. episode on EOC's work to mark the occasion. It was

agreed that the matter be raised at the next Public Education and Research Committee meeting.

VI. Date of Next Meeting

29. The next meeting would be held on 15 June 2006 (Thursday) at 2:30 p.m.

30. There being no other business, the meeting was adjourned at 4:30 p.m.

*Equal Opportunities Commission
(Minutes confirmed by the EOC at its meeting in June 2006)*

Paragraph 7 of Minutes of the 57th (Special) Meeting of the EOC amended as follows:-

7. To improve transparency, Members agreed that, subject to the protection of personal and confidential data, confirmed minutes of EOC meetings would henceforth be placed on EOC's Internet for access by the public. The minutes should be concise and major views and decisions to be included. Members also discussed the viability of preparing a short summary to provide quick information to the public and staff. As a trial exercise, it was agreed that preceding the issue of confirmed minutes, consideration should also be given to provide brief summary of discussions at the meeting, after confirmation received from Members, on EOC's website, as soon as possible. **The meeting also agreed that a press conference after each regular EOC Meeting would be conducted from 2006 onwards, to enhance the communication with the media.**

Appendix II

Paragraph 7 of Minutes of the 58th (Special) Meeting of the EOC amended as follows:-

7. Several Members agreed in principle to the proposal in HAB's paper. Other Members agreed to the direction of splitting the Chairperson's post outlined in the paper.
