

**Minutes of the Ninetieth Meeting of  
The Equal Opportunities Commission  
held on 16 June 2011 (Thursday) at 2:30 p.m. in the  
Equal Opportunities Commission's Conference/Training Room**

**Present**

Mr. LAM Woon-kwong, G.B.S., J.P.	Chairperson
Ms CHAN Man-ki, Maggie	
Ms CHIU Lai-kuen, Susanna	
Ms CHOI Hing-shi	
The Hon FUNG Kin-kee, Frederick, S.B.S., J.P.	
Dr. KOONG May-kay, Maggie	
Mr. LEE Luen-fai	
Mr. LUI Tim-leung, Tim, B.B.S., J.P.	
Mr. Amirali Bakirali NASIR, J.P.	
Ms NG Wing-mui, Winnie	
Mr. Zaman Minhas QAMAR	
Dr. TSANG Kit-man, Sandra	
The Hon TSE Wai-chun, Paul	
Dr. TSE Wing-ling, John, M.H.	
Ms WONG Ka-ling, Garling	
Mr. YIP Siu-hong, Nelson	
Mr. Michael CHAN Yick-man	Secretary Director, Planning & Administration [DPA]

**Absent with apology**

Ms CHAN Ka-mun, Carmen, J.P.

**In attendance**

Mr. Joseph LI Siu-kwai	Director, Operations [D(Ops)]
Mr. Herman POON Lik-hang	Chief Legal Counsel [CLC]
Dr. Ferrick CHU Chung-man	Head, Policy and Research [HPR]
Ms Shana WONG Shan-nar	Head, Corporate Communications & Training [HCCT]

Miss Kerrie TENG Yee-san  
Miss Gloria YU Wai-ling

Accountant [ACCT]  
Senior Equal Opportunities  
Officer, Administration &  
Personnel [SAP]

**I. Introduction and Vote of Thanks**

1. The Chairperson (C/EOC) welcomed all Commission Members (Members), in particular, four new Members, Dr. KOONG May-kay, Maggie, Mr. Zaman Minhas QAMAR, Dr. TSANG Kit-man, Sandra and Mr. YIP Siu-hong, Nelson to the 90<sup>th</sup> Meeting. C/EOC took the opportunity to thank the out-going Members, namely Prof. Randy CHIU, Dr Agnes LAW, Mrs CHONG WONG Chor-sar and Mr Saeed UDDIN for their dedication and guidance provided to the EOC in the past six years to help advance EOC's work in mainstreaming equal opportunities in Hong Kong.

2. Apology for absence was received from Ms CHAN Ka-mun, Carmen, J.P. due to clash of meeting schedules.

3. C/EOC said that a press briefing would be held after the meeting in the normal way.

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

4. The Minutes of the 89<sup>th</sup> Meeting held on 17 March 2011 issued to Members on 13 April 2011 were confirmed without amendment.

**III. Matters Arising (Agenda Item No. 2)**

5. On the Progress on Revision of the Code of Practice on Employment under the DDO, Members noted that the revised Code had been considered by LegCo. After some refinements, the Code was passed and came into effect on 3 June 2011. The EOC Office was now taking steps to promote the Code including the publication of an easy read guide. Translation of the Code into 6 EM languages was underway to facilitate understanding by the EM

communities.

*(Dr Maggie KOONG joined the meeting at this juncture.)*

#### **IV. New Agenda Items**

##### **Progress Report on the Follow-up Actions on the Formal Investigation on Accessibility** (EOC Paper No. 9/2011; Agenda Item No. 3)

6. D(Ops) briefed the Meeting on the salient points contained in EOC Paper No. 9/2011. Members noted that the Government, Housing Authority (HA) and the LINK had announced their individual plans and timetable to improve accessibility in all premises/facilities owned and managed by them. The improvement timetables of the Government and HA had been put on their websites for public information and the progress would be updated on a quarterly basis. Details were in Annex A to the paper. In order to achieve the aim of making Hong Kong accessible to all, the Working Group on Access under the Policy and Research Committee (PARC) would follow up on the issue and look into accessibility-at-large.

*(Mr A B NASIR, The Hon Paul TSE, Mr Z M QAMAR, Ms Winnie NG and Mr Nelson YIP joined the meeting at this juncture.)*

7. In response to a question raised by The Hon Frederick FUNG, D(Ops) explained that the majority of the policy recommendations made in the Formal Investigation Report required actions by the Government, HA and the LINK. They had since responded and accepted most of the recommendations. Annex B of the paper listed out their response and actions taken on the policy recommendations. Recommendations fully adopted by the respective owner/manager of the premises were marked with a full tick on Annex B. Otherwise, more follow up actions on the recommendations with the premises' owners/managers would be required by the Working Group on Access under PARC. To make clear what specific recommendations needed follow-up, the EOC Office would prepare

supplementary information to Members for reference in due course.

*(Mr Tim LUI joined the meeting at this juncture.)*

**Report on Education for Ethnic Minorities**

(EOC Paper No. 11/2011; Agenda Item No. 5)

8. EOC Paper No. 11/2011 presented EOC's work on education for ethnic minority students, the Information Leaflet on 'Education for All' and the 'Report on the Working Group on Education for Ethnic Minorities (Report)'. Members noted that the Report identified the key service gaps and made comprehensive recommendations on how improvements should be made. Given the importance of the subject, it was paramount to engage and solicit Government's commitment to seriously consider the recommendations, hopefully with an implementation timeline. Hence, C/EOC would on behalf of the EOC Board, write to the Secretary for Education to seek his commitment and collaboration in this respect.

9. Members provided their views on the paper. In general, they noted with great concern the challenges faced by EM students in local schools on difficulties in learning Chinese and agreed that Education for Ethnic Minorities was an important and priority area for the EOC to work on. More public education and promotion on embracing diversity were supported. Apart from the education system, it was suggested that NGOs and the welfare sector could also play a role in helping EM students in their education pursuit, particularly in assisting them in the learning of Chinese.

*(The Hon Paul TSE left the meeting at this juncture.)*

10. C/EOC thanked Members for their views. The EOC Office would follow up the matter with the Education Bureau, incorporating Members' views. The Report would also be made public through a press conference.

**Proposal to set up an Equal Opportunities Tribunal**

(EOC Paper No. 12/2011; Agenda Item No. 6)

11. EOC Paper No. 12/2011 reported on the progress relating to the stakeholders consultation on the establishment of an Equal Opportunities Tribunal (EOT) in Hong Kong. Members noted that in March 2009, the EOC recommended to the Government the establishment of a specialized tribunal, the EOT, aiming at making the adjudication system more user-friendly by reducing time and costs. The EOC engaged stakeholders in a Consultation Exercise in July 2010 with a view to take the matter forward and to enhance public understanding and generate more discussions in the community. A report on the Consultation Exercise incorporating refinements made to the 2009 Recommendations was at Annex I to the paper. Subject to Members' endorsement, the report and the refined Recommendations would be submitted to the Government with an urge to action. C/EOC explained that urging the Government to establish an EOT was one of the identified priority work areas of the EOC.

*(Ms Maggie CHAN left the meeting at this juncture.)*

12. Members deliberated on the subject. They generally welcomed a more user-friendly and efficient channel in resolving discrimination disputes, though a few Members took the view that this was not a matter of pressing need in comparison with other matters requiring EOC's attention. Some Members also commented that there were shortcomings in the current complaint-handling processes. On the whole, it was agreed that it was appropriate to pursue the matter with the Government.

13. Dr Sandra TSANG commented that the presentation of the report should be more focused and sharpened. Members endorsed the report and the refined Recommendations for submission to the Government to urge action, subject to suitable improvements on the report presentation to be made based on Dr TSANG's comments.

**Report on "Second Baseline Survey on Public Attitudes towards Persons with a Disability"**

(EOC Paper No. 13/2011; Agenda Item No. 7)

14. HPR briefed Members on the details contained in EOC Paper No. 13/2011. Members noted that this research project was commissioned by the EOC in October 2009. The preliminary findings were presented to the Policy and Research Committee (PARC) in November 2010. Based on comments provided by the PARC, the Survey Report was revised and endorsed at the PARC meeting held on 12 May 2011. Findings of the survey revealed that public attitudes towards PWDs (except those with mental illness and HIV/AIDS) improved slightly in various areas including employment, public access, services and facilities, social interactions, and education and training. However, when compared to the data available from another survey conducted in 1998, persons with mental illness and HIV/AIDS were still largely discriminated. It was concluded that much has yet to be done to change people's attitude on PWDs and advocate the needs of the disability community in Hong Kong. It was planned that a press briefing to release the key findings of the survey and EOC's follow up actions would be held sometime in July 2011. Members also noted that data from this survey would be useful for future policy development and preparation of alternative reports for the hearings related to the implementation of the United Nations Convention on the Rights of Persons with Disabilities in Hong Kong SAR.

*(Dr Sandra TSANG left the meeting at this juncture.)*

15. Members provided their views on the survey subject and the report. Comments on the poor standard of language in the English report, vague terminologies and pedestrian recommendations were noted. Members were informed that a press briefing on this survey would be held in July 2011. The EOC Office would ensure that the summary version of the report to be used in the press briefing would be up to standard languagewise. It would also be up to the EOC to decide on what follow up action would be needed, on the basis of the survey findings. The PARC would thoroughly consider the recommendations and map out the way forward.

**Endorsement of new EOC Committees Membership**

(EOC Paper No. 14/2011; Agenda Item No. 8)

16. The Meeting endorsed the revised committee membership as tabled including Dr John TSE, who indicated an additional interest to join the Administration and Finance Committee (A&FC). In response to a suggestion by C/EOC, Members agreed that the convenership of the Legal and Complaints Committee (LCC) should no longer be held by the Chairperson of the EOC henceforth, but to be elected among Members as in the case of the other committees. Terms of reference of LCC would be revised to that effect.

17. The Meeting also agreed that the election of the new Conveners and Deputy Conveners of all four EOC committees, including the LCC, would be conducted at the respective committee's first meeting following this meeting. As proposed in EOC Paper No. 14/2011, Members also agreed that the former Conveners of the respective committees would continue to serve in this capacity until new Conveners were elected. To facilitate the elections, the EOC Office would propose the procedures for nominations and elections and to seek nominations by circulation. Members noted that these procedures should better be consistent. Once used, they should not be changed without due consideration.

[**Post-meeting note:** The EOC Office has issued a letter to Members on 17 June 2011 enclosing a proposed procedure for nominations and elections.]

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

(EOC Paper No. 15/2011; Agenda Item No. 9)

18. EOC Paper No. 15/2011 contained information on the work of the respective EOC Committees. With regard to the EOC Office leasing matter as reported in Appendix 4 of the paper, DPA updated Members that the matter

had been considered in the Administration and Finance Committee (A&FC). Based on the A&FC's advice, the EOC Office had subsequently negotiated with and obtained rental offers from the landlord of Cityplaza as well as the landlord of an alternative premises which was considered suitable in all respects. Based on their final offers and the estimated costs needed for relocation, a financial analysis had been prepared and circulated to A&FC Members on 9 June 2011 for their advice. As the total estimated costs for relocation, based on a 3-year lease term, were greater than renewing the lease with EOC's existing landlord in Cityplaza, A&FC Members had decided that the lease in EOC's existing premises should be renewed.

*(Dr Maggie KOONG left the meeting at this juncture.)*

19. Ms Susanna CHIU, Convener of A&FC added that the A&FC had considered, in addition to the tangible costs for a 3-year lease term, the intangible costs involved (such as disturbance to clients service in terms of loss of productivity in relocation etc) in arriving at the renewal decision. C/EOC said that in addressing the EOC's need of a permanent office premises in the long term, A&FC Members had also agreed that the Office should continue to lobby the Government to provide funds to the EOC to acquire permanent office space or to provide suitable unused government premises for the EOC.

20. Members noted EOC Paper No. 15/2011. The EOC Office would proceed to finalize the lease renewal with the present landlord.

**Six Monthly Report of EOC's Financial Position as at 31 March 2011**

(EOC Paper No. 16/2011; Agenda Item No. 10)

21. Members noted EOC Paper No. 16/2011.



**V. Any Other Business**

**EOC Newsletter and Fact Sheet**

22. EOC News issue 55 and EOC Fact Sheet 2010/11 were tabled for Members' reference at the meeting. C/EOC said that the EOC News was a newsletter issued by the EOC for distribution to all stakeholders regularly. The EOC Fact Sheet 2010/11, similar to the one produced last year, was a preview of the EOC Annual Report 2010/11 providing information on the operational and financial performance of the EOC. He briefed Members on the salient points contained the in the EOC Fact Sheet. Ms Susanna CHIU brought up again her previous proposal of holding a public forum to review the EOC's past performance and to give information on major work initiatives ahead. The proposal would be considered in due course.

23. There being no other business, the meeting was adjourned at 5:30pm.

**VI. Date of Next Meeting**

24. The next regular EOC meeting was scheduled for 15 September 2011 (Thursday) at 2:30 p.m.

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*Equal Opportunities Commission*  
*July 2011*