

Introduction

The Equal Opportunities Commission (EOC) is a statutory body set up in 1996 to implement the four anti-discrimination legislation in Hong Kong, namely the Sex Discrimination Ordinance (SDO), the Disability Discrimination Ordinance (DDO), the Family Status Discrimination Ordinance (FSDO) and the Race Discrimination Ordinance (RDO).

These ordinances protect against discrimination on the basis of sex, marital status, pregnancy, disability, family status, and race. Our mission is to eliminate discrimination and foster an inclusive society in which all individuals are treated with respect and dignity.

The EOC has a number of functions. These include undertaking investigation; conciliating complaints; providing litigation support; promoting equal opportunities through public education and training; and conducting research and advocating for policy changes on issues relevant to discrimination and equal opportunities.

Upon receiving a complaint, the EOC investigates into the matter and, if possible, attempt as an impartial facilitator to encourage a voluntary settlement between the disputing parties. In the period since our establishment in September 1996 until June 2012, the Commission received 11,252 complaints, half of which fell under the DDO, followed closely by the SDO (45%), FSDO (4%), and RDO (1%). The EOC has achieved an overall conciliation rate of 69%. Settlement terms vary from case to case, and can include an apology, changes in policies and practices, and monetary compensation.

If conciliation fails, the complainant can apply to the EOC for legal assistance to take the case to the District Court. The Commission grants legal assistance for a number of reasons, including whether the case raises a question of principle and the level of complexity in a case.

In producing this book, the EOC's aims are multi-fold. First, by discussing the typical discrimination cases, the Commission hopes to reach those who have faced similar situations and urge them to seek redress. The cases can also provide a useful platform for employers and service providers to better recognise their legal responsibilities. Additionally, the cases may serve to clarify the day-to-day application of the anti-discrimination ordinances and widen the awareness of everyone's rights and responsibilities.

Second, the cases illustrate how the Commission approaches and handles complaints. The EOC is dedicated to addressing the public's need for transparency in our work. It is our hope that, the following cases will provide a clearer understanding the EOC's complaint handling process and considerations.

Finally, the EOC hopes the following cases concretely demonstrate the impact that our work has had on creating a more equitable society. Discrimination is an issue that affects all Hongkongers. With your help and awareness, we can work together to achieve a fairer and better city for all.