

主席的話 Chairperson's Message



「其實地上本沒有路，
走的人多了，也便成了路。」
這是中國著名作家魯迅的名言。

The renowned Chinese writer
Lu Xun once said “The earth
has no roads to begin with. It is
when people start walking the
same path does a road come
into existence.”

平等機會委員會(「平機會」)一直明白，爭取平等之路並非一朝一夕的事。非但如此，沿途甚至會凹凸不平，迂迴曲折，滿布障礙。然而，在與政府、商界和公民社會的深厚夥伴關係支持下，我們深信定能為香港追求更平等的社會，人人不受性別、殘疾、家庭崗位或種族等個人特徵所影響，都有平等機會盡展所長。

At the Equal Opportunities Commission (EOC), we have long recognised that the road to equality will not magically reveal itself overnight. In fact, along the way there may well be bumps, detours and setbacks. But never once have we doubted that we have strong allies and companions – the Government, the business sector and civil society – in our pursuit of a fairer Hong Kong, a Hong Kong where everyone has an equal opportunity to thrive in life regardless of their personal characteristics, such as gender, disability, family status or race.

路上同行

正正憑藉夥伴合作的精神，平機會在2021-22年度迎來成立25周年的重要時刻。儘管年內香港不幸爆發第五波新冠肺炎疫情，我們仍然與商界建立更緊密的工作關係，舉行了首屆平等機會僱主嘉許計劃，以推動僱主採取良好常規，並鼓勵其他機構仿效。計劃共收到420份申請，申請機構所僱用的員工總數超過22萬人。我們在2021年5月舉辦頒獎禮，頒發獎項予160間機構，表揚它們展示持續決心，為男女員工、殘疾員工、有家庭崗位的員工及／或非華裔員工，建立共融的工作環境。

過去一年，平機會的《種族多元共融僱主約章》亦有長足發展，簽署約章的機構突破200間，而且規模和業務性質各異，包含大集團、中小企、慈善機構以至教育院校。我們定期為簽署機構舉辦工作坊、研討會和圓桌會議，讓它們可以持續交流分享種族共融的良好常規及政策。此外，我們促成簽署機構與服務非華裔青年的民間組織合作，例如小彬紀念基金會，為非華裔學生提供實習機會。推行這些措施一方面可以增加香港的少數族裔的就業機會，另一方面可以促使機構明白，招募並培育來自不同種族或文化背景的人才的好處。

除了接觸商界，我們在2021-22年度還利用在服務邊緣社群方面的經驗和專業知識，直接協助政府的工作。例如，在2021年12月立法會換屆選舉舉行前，我們前往模擬投票站，視察選舉事務處為有特別需要選民而設的便利措施。選舉事務處增設了優先排隊的措施，讓孕婦、年滿70歲或以上的選民，以及因為疾病、損傷或依賴助行器具以致不能夠長時間排隊的選民，可以優先領取選票。平機會對此表示歡迎。

Enlisting allies on the road to equality

In 2021-22 the EOC marked its 25th anniversary with precisely this collaborative spirit. Although the year coincided with the despairing fifth wave of COVID infections in the city, we fostered a closer working relationship with the business community, as we concluded the inaugural edition of our Equal Opportunity Employer Recognition Scheme, a new initiative designed to celebrate best practice and encourage others to follow suit. Having received 420 applications from organisations that employed a total of more than 220 000 people, we hosted an award ceremony in May 2021 to recognise 160 of these organisations who demonstrated a sustained commitment to creating an inclusive workplace for women and men, people with disabilities, people with family responsibilities and/or non-ethnic Chinese.

The past year also saw the EOC's Racial Diversity and Inclusion Charter for Employers reach its 200-signatory milestone. From conglomerates to SMEs, charities to educational institutions, we brought our signatories together regularly through workshops, seminars and roundtables for an ongoing dialogue about racially inclusive practices and policies. Furthermore, we connected them with civil society groups that serve non-ethnic Chinese youth, such as The Zubin Foundation, for internship-matching programmes. Behind these efforts is the dual goal of advancing employment opportunities for ethnic minorities in Hong Kong, and helping organisations realise the benefits of recruiting and grooming talents from diverse ethnic or cultural backgrounds.

Besides reaching out to businesses, we continued to contribute directly to the Government's work in 2021-22 by leveraging our experience and expertise in serving marginalised communities. For instance, in the run-up to the 2021 Legislative Council General Election last December, we visited a mock polling station to review the measures implemented by the Registration and Electoral Office (REO) to facilitate electors with special needs. An especially welcome move by the REO was the addition of a priority queue for pregnant women, persons aged 70 or above, and those unable to queue for a long time due to illness, injury or dependence on mobility aids to collect their ballot papers.

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平機會與政府的夥伴合作關係，亦延伸至另一項重點工作：拆除非華裔群體的語言障礙。2021年12月，我們發表了有關為香港少數族裔語言傳譯員及翻譯員制訂資歷認證的可行研究，並把研究提交政府。我們認為，設立規管制度有助保障傳譯員和翻譯員的水平質素良好、可靠穩妥，最終可以確保非華裔人士有平等機會獲取服務。

基於同一理念，我們於2021年9月向立法會教育事務委員會提交意見書，持續倡議為非華語學生提供公平的學習環境。具體而言，我們提出為以學習中文為第二語言的學生制定有系統的課程，加強鼓勵教師接受相關培訓，並闡明高等教育院校如何可就那些選擇應考香港中學文憑中國語文科考試以外中文考試的學生，承認他們不同程度的中文水平。

在打擊映像性暴力方面，平機會與政府的協作取得了滿意的成果。我們就《2021年刑事罪行(修訂)條例草案》向政府提交了三份意見書。平機會提交意見書，是因為條例草案提出就違反個人身體自主權的行為訂立新的罪行，而那些行為有時候可同時構成《性別歧視條例》下的性騷擾。有關行為包括窺淫、非法拍攝或觀察私密部位、發布源自窺淫或非法拍攝或觀察私密部位的影像，以及未經同意下發布或威脅發布私密影像。條例草案於2021年9月獲立法會通過，當中採納了我們提出的若干建議，例如訂立採取性別中立原則、由上而下記錄／拍攝他人上衣的罪行，以及把罪行涵蓋修改影像以至看似顯示另一人的私密部位的情況。

The EOC's collaborative relationship with the Government extends to another significant area of our work: knocking down language barriers faced by non-ethnic Chinese communities. In December 2021, we published and submitted to the Government a feasibility study concerning the accreditation of interpreters and translators of ethnic minority languages in Hong Kong. We envisage that the setting up of a regulatory system would help to safeguard the quality and reliability of interpreters and translators, which in turn could ensure equal access to services for non-ethnic Chinese.

By the same token, in a submission to the Legislative Council Panel on Education in September 2021, we kept on advocating the need to level the playing field for non-Chinese-speaking students, specifically by introducing a systematic curriculum for these students to learn Chinese as a second language, stepping up incentives for teachers to receive relevant training, and clarifying how higher education institutions can recognise different levels of Chinese proficiency among students choosing alternatives to the Hong Kong Diploma of Secondary Education Chinese Language examination.

When it comes to tackling image-based sexual violence, the EOC's work with the Government led to fruitful results. In particular, we made three submissions to the Government in relation to the Crimes (Amendment) Bill 2021, which was of interest to the EOC as it sought to introduce new offences that violate the bodily autonomy of individuals and may, in some cases, simultaneously amount to sexual harassment under the Sex Discrimination Ordinance (SDO). These include voyeurism; unlawful recording or observation of intimate parts; publication of images originating from voyeurism or unlawful recording or observation of intimate parts; as well as publication or threatened publication of intimate images without consent. We were pleased to see that the Bill, passed by the Legislative Council in September 2021, had adopted our recommendations for including a gender-neutral offence of recording/photography down the top of a person, and for the offences to cover situations where an image has been altered to appear that a person's intimate parts are visible.

另闢新徑

平機會在2021-22年度不但與夥伴加強合作，在其他工作上也有實質進展。2021年6月19日，《性別歧視條例》禁止基於餵哺母乳的歧視和騷擾的法例修訂正式生效，為餵哺母乳女性爭取平等向前邁進重要一步。平機會隨即推出連串宣傳運動，包括在港鐵進行廣告宣傳，播放電視宣傳短片和電台宣傳聲帶，發布指南和小冊子，以及在社交媒體進行活動。

我們在推廣傷健共融方面也有新舉措，年內擔任了CareER推出的傷健共融指數的知識合作夥伴。該指數是一套全面的工具，用作評估機構在工作間促進傷健共融的進展。我們本着同一目標，在2022年年初推出「如何支援殘疾人士」系列小冊子，澄清僱主和教育院校對不同殘疾的誤解，例如腦癱症和妥瑞症。該系列小冊子也說明如何實施良好常規，為擁有多元才能人士和有特殊教育需要學生提供便利措施。

Forging new paths

For the EOC, 2021-22 heralded not only strengthened collaboration, but also concrete progress made. On 19 June 2021, legislative amendments that introduced protections against breastfeeding discrimination and harassment under the SDO officially took effect. The EOC rolled out MTR ads, TV and radio APIs (announcements in the public interest), guidance and booklets, as well as social media campaigns to raise awareness of this major development in equality for breastfeeding women.

New horizons opened up for our work in promoting disability inclusion as well, as we became a Knowledge Partner of the Disability Inclusion Index launched by CareER, a comprehensive toolkit for organisations to assess their progress towards creating a disability-inclusive workplace. With the same objective in mind, we launched a new guidance series titled 'How to Support Persons with Disabilities' in early 2022 to debunk misconceptions among employers and educational institutions about different types of disabilities, such as epilepsy and Tourette syndrome. The series also serves to illustrate good practice in accommodating talents with diverse abilities and students with special educational needs.



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另一項策動轉變的措施是在2020年11月成立反性騷擾事務組，以加強平機會在打擊性騷擾方面的工作。2021年10月，反性騷擾事務組推出名為COMPASS的反性騷擾資源平台。該平台資訊內容豐富，包括法例解釋、案例摘要、研究報告，以至為不同界別制定政策的指引。此資訊平台與經全面革新的平機會官方網站同時推出。革新的網站新增了若干功能，目的是提升使用者的體驗，例如在主頁增設資訊導覽分類系統，讓使用者可以迅速查閱所需資訊。

除了革新網站，平機會在2021年9月開設了「平·常·事 EO Matters」Instagram專頁，使平機會在網上的曝光率大增。專頁以時尚跳脫的風格設計，內容包羅萬有，包括以有趣方式講解平等機會的信息、活動推介，以及有關少數群體的真實故事，目的是推動年輕人成為日後關注共融的先驅。截至2022年3月底，專頁吸引了超過685 000人次瀏覽，以及超過32 700次互動。值得注意的是，專頁追蹤者有超過九成屬13歲至34歲的年齡群組，充分證明我們從年輕人着手，推動他們參與支持平等機會的工作成效顯著。

Also paving the way for change is our Anti-Sexual Harassment Unit, set up in November 2020 to enhance the EOC's work in combatting sexual harassment. In October 2021, the Unit launched COMPASS, an online portal of anti-sexual harassment resources. The abundant information featured on the platform covers everything from law explainers and digests of court cases to research reports and policy guidelines for organisations in different sectors. Coinciding with the creation of this portal was a comprehensive revamp of the official EOC website, which introduced new features aimed at enhancing user experience, including a navigation funnel on the homepage that quickly directs visitors to the information they need.

Another significant boost to the EOC's digital presence was the launch of our Instagram profile 'EO Matters' (平·常·事) in September 2021. Sporting chic designs and packaging messages of equal opportunity into fun trivia, event highlights and true stories about underrepresented communities, the profile carries the important aim of inspiring young people to become inclusion-conscious leaders of tomorrow. By the end of March 2022, our eclectic content reached over 685 000 people and attracted more than 32 700 interactions. Notably, people aged 13-34 accounted for over 90% of our followers, offering definitive proof of the high returns of our new efforts in engaging the younger generation.



清除路障

無可否認，我們必須消除歧視和偏見，香港社會才能和諧穩定，無奈目前通向平等之路上仍然有不少積年累月的路障。我們不時聽到來自內地的新移民、遊客、學生或商人在香港遭受歧視，然而目前的《種族歧視條例》並不足以糾正這情況。平機會因此主動進行法律研究，並於2021-22年度向政府提交修訂法例的意見書。此外，平機會亦提交了另一份有關修訂《性別歧視條例》的意見書，以加強免遭性騷擾的保障。這些法例修訂建議彰顯了平機會的信念，我們認為法律應以人為本，保障弱勢社群。我相信政府已細閱我們的建議書，期望即將可以取得進展。

另一個有礙香港和諧穩定但一直懸而未決的問題，是缺乏禁止基於性傾向、性別認同和性特徵的歧視、騷擾和中傷的法律保障。我們曾於2016年進行有關同性戀、雙性戀和跨性別人士遭受歧視的經驗的研究，在此研究的基礎上，我們於2021-22年度展開法律研究，考慮可如何修訂目前的《性別歧視條例》以堵塞漏洞。我們期望，待建議書擬稿完成後可聽取各持份者的意見。

Removing roadblocks

Admittedly, there remain entrenched roadblocks to eliminating discrimination and prejudice, which is essential to maintaining Hong Kong as a harmonious and stable society. Every now and then, we still hear reports of new immigrants, visitors, students or businesspeople from Mainland China being subject to discrimination in Hong Kong. Unfortunately, the Race Discrimination Ordinance, as it currently stands, cannot provide adequate redress. In 2021-22, therefore, the EOC proposed legislative amendments in a submission to the Government, after taking the initiative to conduct legal research on the matter. Together with another submission regarding how the SDO could be amended to strengthen protections against sexual harassment, these efforts reflect the EOC's unwavering belief that the law should always serve the people and protect the vulnerable. I am confident that the Government has studied our proposals thoroughly, and progress will soon be made on these fronts.

Another longstanding yet unresolved issue that can also affect the harmony and stability of Hong Kong is the lack of legal protection against discrimination, harassment and vilification on grounds of sexual orientation, gender identity and sex characteristics. Building on a previous study in 2016 about experiences of discrimination among LGBTI people, we have commenced legal research in 2021-22 on how the gap could be filled by possible amendments to the existing SDO. We look forward to hearing the views of different stakeholders once a draft proposal is ready.

我們必須消除歧視和偏見，香港社會才能和諧穩定，無奈目前通向平等之路上仍然有不少積年累月的路障。

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未來路向

香港特別行政區在2022年成立25周年，這不僅標誌香港在過去25年卓有成就，更加開啟充滿機遇的年代。我們相信要抓住新機遇，建立更美好的將來，必須仗賴各界同心協力。為此，我們於2021年11月公布涉及全港的平等機會意識公眾意見調查的結果，調查以電話訪問了超過1 500名15歲或以上的人士。平機會自1998年起開始進行同類意見調查，以了解公眾對平機會不同範疇工作的看法，2021年的調查已經是同一系列的第六個調查。

根據調查結果，差不多一半受訪者(49.9%)認為年齡歧視在香港非常普遍或頗普遍，情況令人擔憂。雖然平機會之前在2015-16年度曾進行職場年齡歧視的初步研究，但這次最新研究的結果顯示，應該是時候展開進一步探索性的法律研究，集中探討其他司法管轄區對禁止年齡歧視的保障範疇，以及在本港處理年齡歧視問題時可供借鏡的地方。

調查數據亦顯示，92.5%受訪者認為推動政府修訂《殘疾歧視條例》，規定僱主、教育院校及服務提供者為殘疾人士提供合理便利是非常重要或頗重要的。此外，90.3%表示推動中小學性教育改革，增加青少年對性騷擾的認識同樣非常重要或頗重要。

要推進以上工作並為香港的平等面貌創造富意義的轉變，平機會將繼續與社會各界合作，創新演變，求同存異。說到底，我們的工作與香港有著密切關連，除了解決弱勢群體的困境，更有助推動香港這個家的和諧穩定。

The road ahead

The year 2022 marks the 25th anniversary of the establishment of the HKSAR. The milestone not only represents the achievements of the city in the past 25 years, but also ushers in a new era of opportunities to build a bright future. We believe this is a collective endeavour, so in November 2021 we released the findings of a territory-wide Equal Opportunities Awareness Survey, having interviewed over 1500 respondents aged 15 or above on telephone. This survey is the sixth edition of a series of similar surveys conducted by the EOC since 1998, which have provided valuable insights into how the public perceives the importance of different areas of the EOC's work.

Alarming, almost half of the respondents (49.9%) regarded age discrimination as very or quite prevalent in Hong Kong. While the EOC previously conducted a preliminary study about age discrimination in the workplace in 2015-16, we believe our latest findings suggest that the time has come for further exploratory legal research, focusing on the scope of protections against age discrimination in other jurisdictions and what lessons can be learned in terms of addressing the issue in our local context.

Our data also showed that 92.5% of the respondents considered it very or quite important to urge the Government to amend the Disability Discrimination Ordinance by introducing a duty on employers, educational institutions and service providers to provide reasonable accommodation for people with disabilities. In addition, 90.3% said the same about reforming sexuality education in primary and secondary schools to raise awareness against sexual harassment among young people.

To bring about these and other meaningful changes in Hong Kong's equality landscape, the EOC will continue to collaborate with all sectors in our society, innovate and evolve, and focus on narrowing differences and nurturing consensus. Ultimately, our work is integral to addressing the difficulties facing communities in need, as well as cultivating harmony and stability in the city we call home.



平機會的工作仗賴具備多元才能的員工，他們運用豐富的知識，本着鍥而不捨的精神專業幹練地工作，我必須向他們由衷致謝。此外，平機會各委員在過去一年以遠見卓識引領我們的工作，我亦深切感謝。

This will not be possible without the perseverance, knowledge and professionalism of the multi-talented EOC staff, to whom I must extend my deepest gratitude. I would also like to take this opportunity to thank the EOC Members for elevating our work over the past year with their precious advice and expertise.

展望未來，平機會希望繼續得到社會上每一個界別、每一名市民的支持，使香港成為多元平等、和衷共濟的地方。

Looking ahead, the EOC hopes to have the continued support of every sector and every citizen in making Hong Kong a diverse, inclusive and equal place for all.

平等機會委員會主席
朱敏健, IDS

Ricky CHU Man-kin, IDS
Chairperson
Equal Opportunities Commission