

Introduction

The Equal Opportunities Commission (EOC), set up in 1996, is a statutory body tasked with implementing the anti-discrimination ordinances in Hong Kong, which currently include the Sex Discrimination Ordinance (SDO) (Cap 480), the Disability Discrimination Ordinance (DDO) (Cap 487), the Family Status Discrimination Ordinance (FSDO) (Cap 527) and the Race Discrimination Ordinance (RDO) (Cap 602).

These ordinances protect individuals from discrimination on the basis of sex, marital status, pregnancy, breastfeeding, disability, family status, and race; sexual harassment; breastfeeding harassment; and harassment and vilification on the grounds of disability and race. The EOC's 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 legal assistance where appropriate, promoting equal opportunities through public education and training, conducting research, and advocating policy changes on issues related to discrimination and equal opportunities.

Anyone who believes that he/she has experienced discrimination, harassment or vilification under one or more of the ordinances may lodge a complaint with the EOC in writing. Upon receiving a complaint in writing, the EOC will assess if the complaint falls within its jurisdiction and if investigation should be conducted.

In the course of investigation into a complaint, the EOC will endeavour to help the complainant and the respondent reach a settlement by way of conciliation, which is entirely voluntary. The purpose of conciliation is to bring together the parties concerned to look for ways of resolving the dispute to the satisfaction of both parties, so that they can move beyond the dispute.

If conciliation fails, the complainant can apply to the EOC for other forms of assistance, including legal assistance. The EOC decides whether or not to give legal assistance based on a number of factors, including whether the case raises a question of principle.

The latest statistics on the complaints handled by the EOC, the conciliation success rate and the number of cases granted legal assistance are set out on the EOC website (<https://www.eoc.org.hk>) in the “Work Highlights” and “Statistics on Enquiries, Complaints and Legal Assistance” webpages.

In producing this book, the EOC’s aims are multi-fold. First, by discussing typical discrimination cases, the Commission hopes to encourage those who face similar situations to seek redress. In addition to clarifying the application of the anti-discrimination ordinances and raising awareness of one’s rights and responsibilities, the cases can also deepen the understanding among employers and service providers of their legal responsibilities.

Furthermore, the EOC is dedicated to maintaining transparency in its work. It is hoped that the cases will provide a clearer understanding of the EOC’s complaint-handling process and considerations. At all stages of the complaint-handling process, the EOC adopts a “victim-centric” approach, which recognises and pays special attention to the special needs of victims while adhering to the principles of fairness and impartiality.

Finally, the EOC hopes that the cases can concretely demonstrate its commitment to creating a more equitable society. Discrimination is an issue that affects everyone. Only by working together, raising awareness and putting in place preventive measures can we eradicate discrimination and achieve a fairer and better society for all.