

Message from the Chairperson - Our Rights, Our Responsibilities

**Our Rights,
Our Responsibilities**



EOC Chairperson Mr Raymond Tang with a group of students

I am indeed honoured to be the new Chairperson of the Equal Opportunities Commission, and may I take this occasion, at the beginning of the year to wish you and your family good health and a fruitful Year of the Cock.

At the end of 2004, people in Hong Kong and around the world reacted with disbelief and utter shock at the human suffering caused by the massive earthquake in Indonesia, and the tsunamis which hit the region. The series of natural catastrophes, on a scale unsurpassed in living memory, raised many questions about our membership in the global community, our values and what make life worth living.

Hong Kong, once again rose to the occasion and our citizens donated generously to all forms of relief effort. We can be proud of our answer to the call, as true global citizens. We reacted as all humans should, basic rights for food, clean water, housing and education were destroyed in just a matter of a few seconds, and people here wanted these rights restored for the disaster victims, whatever their race, colour or creed. Let us hope that 2005 will bring renewed optimism, and a fresh start for those whose lives have been devastated by the disasters.

Hong Kong is a progressive society. Apart from daily necessities, everyone has various demands and expectations of individual rights. There are two statutory bodies which deal with human rights, the Equal Opportunities Commission and the Office of the Privacy Commissioner for Personal Data, of which I had the privilege of serving as Commissioner for the past three years. Hong Kong has enacted an effective law on personal privacy, with sound regulatory procedures and complaints handling mechanisms which has accorded us a leading position in the international arena.

In my new role as EOC Chairperson, I would also want to see effective implementation of Hong Kong's Sex Discrimination Ordinance, Disability Discrimination Ordinance and Family Status Discrimination Ordinance. I understand that the public expects us to continue our work, conducted in a fair and open manner, and administered according to law.

The law is a standard for regulating the entire community, and individuals. Our role is to be impartial, and without this impartiality we would not be able to gain the public's support, which is essential in eliminating discrimination and promoting equal opportunities. I am glad to see earlier surveys on the Commission's work, which showed that respondents, be they employers or employees, did consider us impartial.

This was a significant finding for the EOC, revealing that the community had confidence in our work as an agency to eliminate discrimination and promote equal opportunities. Since we opened our doors in 1996, more and more people are now aware of their rights under the anti-discrimination ordinances, but at the same time, of equal importance, they need to be aware of their obligations. Preventing discrimination before it occurs, through public education and policy initiatives, is considered to be another important measure of what we can achieve.

Nine years on, what lies ahead will be preparing for the process of legislating against racial discrimination, a complex and demanding task. We shall be responding to the government's Consultation Paper, in which it is proposed that the Commission take on the duties of implementing the legislation. Hong Kong has been enriched by the contribution of our citizens who have come from all corners of the globe. We have enjoyed the reputation of being an international city, and that reputation must be maintained. In doing so, we will continue to promote values that underpin equal opportunity; diversity, inclusion and respect for each other so that we can ensure social harmony for our community.

I wish to thank my predecessors for contributing to the EOC's solid foundation for us to deliver our responsibilities. I am pleased to see our stakeholders' keen interest in what we have been doing, and our international links are always valued. We must all work together to ensure that our goal, of building a society free of discrimination, becomes reality.

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Christina's Fairy Tale

Christina's Fairy Tale

"I am really blessed! Now, I must do my utmost to make a contribution to society." You might think that someone who oozes such enthusiasm must have been born under a lucky star, but that is not the case.

When Christina was 2 years old, she contracted Rubella. Normally pink rashes would appear on the patient's body for a few days, before fading away. Unfortunately, the rashes appeared in Christina's eyes. Life changed for her and her family after that, when in the following years she had to undergo a series of operations. Once, she remembered, her father had to leave his work in west Africa to come back to Hong Kong. In the hope of regaining her vision, part of his eyelids were transplanted to Christina's, in order to allow her to undergo a more complex eye tissue surgery.

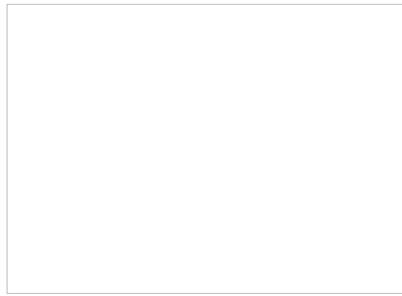
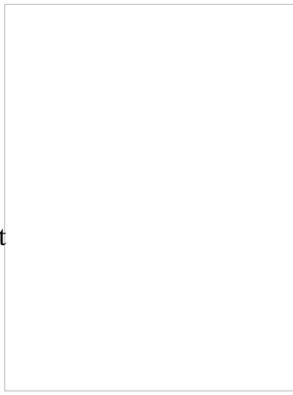
Christina with her numerous singing and writing awards.

An Unforgettable Scene

For six years, Christina received different medical treatments, and some days were better than others. One day, Christina's doctor told her most of her corneal nerves were dead, her eyes could not be cured. When she heard the news, Christina did not blame the doctor, instead she tried to comfort him, saying she believed that he had done his best. These words from an eight-year-old girl touched the doctor, who was on the brink of tears. This was the most unforgettable scene for Christina before she finally lost her eyesight.

A Lesson in Life

Knowing that she would never be able to see again, Christina cried bitterly. She then promised herself she must live life to the full. Being an optimistic child, Christina did not blame anyone for her disability. Rather, she was grateful for the help and support from her family, health workers and friends. She believed her misfortune allowed her to understand the true meaning of love.



Little Christina with her mother and elder brother.

After losing her eyesight, Christina's mother became her coach. Her goal was to train Christina to overcome every hurdle in life. Christina recalled that one time, she fell over when she was running. When she was about to cry, her mother ordered her to get up and run again. "Life is never easy, you must learn to get up after every fall!" Like mother like daughter, Christina learned to be a strong girl.

Finding Her Way

Now 26, Christina is blind, but she is blessed with a beautiful voice. Since she was a young child, she had been studying piano and singing. She wanted to attend university for professional music training. Unfortunately, she failed to get accepted. But her talent has not been wasted. She became a volunteer and now performs in public.



Christina as a volunteer, in her teens.

Realizing Her Dream

About two years ago, Christina joined the Hong Kong Blind Union's "New Page Project". With the aid of a Braille-writing software "Easy Dot", sponsored by Microsoft, which distinguishes Cantonese homonyms, persons with a visual disability could "write" books. "The advancement in technology has made our lives much more convenient. With assistive devices, just like glasses for people who need them, we can live like everyone else."

Christina has always been a keen reader. She reads Braille versions of novels. Over the years, her confidence as a writer increased after winning numerous awards for writing.

As an aspiring author, Christina was asked by a publisher for an advance payment on her new book. Unfortunately, after paying, he disappeared and all her money was gone. Although she was disappointed once again, she told herself, "There is always a rainbow after a storm. There is hope after every disappointment."

Finally, her dream was fulfilled when her uncle who worked in a printing house agreed to publish 2,000 copies of her work. "If you believe in fairy tales. "I hope this love story will encourage young people to overcome difficulties and strive ahead," said Christina.

**Christina's uncle gave her the pen name of "Lok Ching", derived from the following encouragement:
"Enjoy life with optimism. Embrace your aspirations with heart and mind"**

In 1829 a French blind man, Louis Braille, invented a system which presented words with dots. The system was later modified for different languages and widely adopted by the blind all over the world.

The Braille system for the English language uses dots to form the alphabet, while the Braille system for the Chinese language uses dots to indicate pronunciations which in turn form words.

In order to remember such a great invention of Louis Braille, the system is known as Braille.

(Information Source: Hong Kong Blind Union)

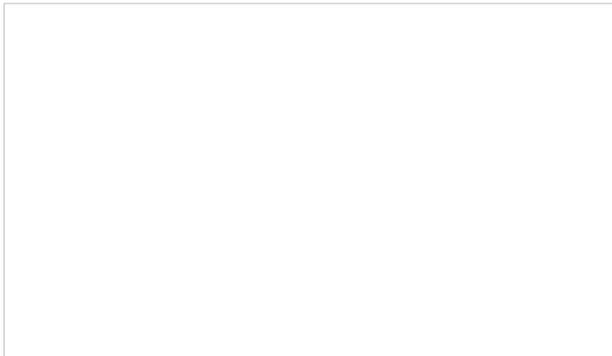
Christina demonstrates ways to use a Braille machine and the Braille-writing software "Easy Dot".

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"Equal Opportunities Expo"

"Equal Opportunities Expo" the Commission's annual major public education programme featured four roadshows, Career Challenge 2004 and a radio programme series on Commercial Radio 1 from October 2004 to February 2005.

Former and current mentors of Career Challenge (from top left, clockwise) Mr Liu Guozhu, Mrs Alice Lau, Ms Addy Lai (DJ), Mrs Bonnie Smith, Miss Ho Ka-lai, EOC Member the Hon. Li Fung Ying, student representative, Mr Edward Lam, Mr Simon Kwok, student representative, Mrs Betty Yuen, Mr Benny Cheung and the Hon. Audrey Eu shared their experiences of overcoming difficulties to succeed in their careers.



Graduates of the EO Development Programme for Scouts and Girl Guides performed their drama production at the roadshow in Ma On Shan.

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EO Through the Camera Lens of Water Poon

EO Through the Camera Lens of Water Poon

Water Poon, Hong Kong's renowned photographer, is one of the adjudicators of the "EO Through Your Eyes" Photo Competition, organized by the Equal Opportunities Commission with Commercial Radio 1. He is happy to share with EOC News readers his insights into taking pictures with equal opportunity as the theme.

Advice from Water Poon

To take a good picture, 3 steps are essential: observation, reflection, and appreciation. A photographer's inspiration depends upon his/her capacity to observe, reflect and appreciate his/her environment. Photography is different from other forms of creative arts, such as painting or writing. We must go outside and "feel" the world. And when the chance comes, we capture that moment with our cameras.

Equal Opportunities As a Theme

Compared to other themes such as landscape or people, "equal opportunities" is perceived by many as an abstract subject, something that is difficult to capture. But just as Mr. Poon said, "Equal opportunity happens all around us, it is related to everyday life." He quoted a simple example, most of us find it easy to cross the street, but it is not something that everyone can take for granted. Crossing the street for some people is no easy task. The two scenarios show different aspects of equal opportunities.

In more general terms, equal opportunity means accessibility to certain activities, irrespective of gender, disability, or family background. If restrictions are imposed on a certain group of people, they will be deprived of equal opportunities to participate.

Act Now

When asked about the reason for agreeing to become an adjudicator of the "EO Through Your Eyes" Photo Competition, Mr. Poon replied, "Equal opportunities benefits everyone, and photography is my strongest passion. I believe a photo could say a thousand words. Through the art of photography, we can inspire people to care and understand the importance of equal opportunities. It is a very meaningful project, and worthy of our support."

Details of the "EO Through Your Eyes" Photo Competition can be found at the EOC website:

http://www.eoc.org.hk/eoc/otherproject/eng/color/youthcorner/programmes/photo_comp2004/index.htm - see back cover), or by contacting the EOC at 2511-8211. The deadline for submission is 28 February 2005.(poster

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Disability Discrimination Case - My New Contract

Disability Discrimination Case

My New Contract

When Denny finally read his new contract, he was frustrated to learn that the revised terms of employment were unfavorable and unfair to him.

The complaint

"I had completed three contracts, each lasting six months or more. However, after I had taken sick leave following an injury to my right shoulder early this year, they shortened my employment period to 3 months when my contract was renewed. My work performance has always been effective, as described in the last few performance appraisals. My colleagues who were also considered effective were offered a longer period of employment, some up to a year. Very clearly they wanted me out. Feeling frustrated, I resigned right after I received the new contract."

What the EOC did

Denny, a project assistant, complained to the Equal Opportunities Commission on the ground of unfair treatment because of his disability, and the associated

sick leave which he had taken. The EOC investigator approached his employer for an explanation. The employer said that shortening the employment period in the new contract was solely for the purpose of observing and monitoring his performance, it was not discrimination. However, the employer also admitted that other temporary employees with similar performances were offered better employment terms in their new contracts. After lengthy negotiations, the employer agreed to reinstate Denny with improved terms of employment, by extending the new contract period to almost a year. The company also agreed to write him an apology letter.

What the law says

Under the Disability Discrimination Ordinance (DDO), it is unlawful to discriminate on the ground of disability by treating an employee less favourably. It would also be unlawful if disability is one of the considerations for setting employment terms and conditions. It is important for employers to adopt consistent criteria for job applicants or employees in recruitment, promotion, transfer, training, dismissal or redundancy. A set of consistent criteria helps to promote fairness and minimize bias.

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Sex Discrimination Case - Mummy's Grounded

Sex Discrimination Case

Mummy's Grounded

The complaint

Stella was working as a part-time flight attendant with an airline. She became pregnant in late 2003, and following company policy, she was put on ground attachment before leaving for her maternity leave.

In early 2004, business had started to pick up, so the company invited all part-time cabin crew to transfer to full time employment. But Stella was left out. "My crew manager told me I was not entitled to this offer because I was unable to perform in-flight duties at the time of the transfer. I felt I was being penalized for being pregnant!" Stella complained.

"Not only that, but I also found their leave policy discriminatory against pregnant cabin crew. For example, if a statutory holiday falls within the period of our ground attachment, the day would be deducted from our annual leave entitlement. Also, I can't understand why we are not allowed to take annual leave immediately after our maternity leave. It's so unfair!"

What the EOC did

Stella filed a pregnancy discrimination complaint against the airline and her crew manager. Upon receipt of the Commission's letter stating Stella's complaint and the pregnancy-related provisions under the Sex Discrimination Ordinance (SDO), the respondents became more aware of their legal obligations, and attempted for early conciliation.

The complaint was resolved as the company agreed to change Stella to full time employment. In addition, they also agreed to review its maternity policy to eliminate discrimination in the workplace.

What the law says

Under the SDO, it amounts to pregnancy discrimination if a pregnant employee is treated less favourably when compared to other staff who are not pregnant. In line with good management practice, it is recommended that employers should review and change rules which restrict or preclude transfers between certain jobs, if they are found to be discriminatory. An employer should also formulate a standard leave policy for all staff to maintain consistency.

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Around the World



UK's Country Park for ALL Visitors

Royal Victoria Country Park in Hampshire, England, is an ideal recreation site for people from different age groups and abilities. Set on the grounds of a former military hospital, the land is relatively flat, and ramps are provided for wheelchairs and better access to its facilities. There are three play areas: for toddlers, older children and one for wheelchair users. The latter contains swings and a roundabout for easy access. The Sensory Garden pays particular attention to those with mobility and sensory difficulties. All park leaflets are available in large print for visually impaired persons.

Information Source :

<http://www.disabilityworld.com/news/index.php?ID=1987&CATEGORY2=4-People>

<http://www.hants.gov.uk/rvcp/access.html>

Sex Bias Suit After Leaving Jobs Allowed



The U.S. Supreme Court has ruled that employees can file sexual harassment suits against their former employers, after leaving their jobs, due to intolerable working conditions. Nancy Drew Suders, a former dispatcher for the Pennsylvania State Police, claimed that she was forced to resign after her male bosses continuously subjected her to dirty jokes and obscene gestures. The Court sent Suders' case back to lower court for more hearings, but its decision is seen as an important step for sexual harassment cases as a whole.

In the ruling, the justices said that an individual who flees an abusive work environment is protected by a 1964 civil rights law that also covers discrimination victims who are fired. The court's decision, however, also included protection for employers by allowing them to argue that former employees did not make reasonable efforts to take advantage of the company's system for reporting sexual harassment.



Information Source :

<http://www.womensenews.org/article.cfm/dyn/aid/1875/context/archive>

Talking Book - DAISY



Talking books are now produced in a new format - the Digital Audiobased Information System (DAISY), developed by the Swedish Library of Talking Books and Braille. People who are blind, visually impaired, or those with dyslexia will find this revolutionized technology user-friendly, as it can switch back and forth between audio and print versions of the same text. Readers will be able to have the text of the book displayed on screen or in braille, fully synchronized with the voice of a narrator. In addition, this synchronization technology has broad appeal for students (particularly those learning English as a second language), travelers, and commuters who may wish to consult the text and listen to the audio independently or simultaneously.

Information Source :

<http://www.disabilityworld.com/news/index.php?ID=1878 &CATEGORY2=1-News>

Pakistan Launches Effort to Lower Maternal Deaths



Health workers in Pakistan estimate that around 30,000 women a year die from pregnancy related causes. That means 1 out of every 38 women will meet her death as a result of pregnancy. The high maternal mortality rate is a reflection of the lack of hospitals throughout the country. Some 70 percent of Pakistanis live in rural areas where less than 30 percent of births are attended by trained health care providers. To address the problem, the Pakistani government, with help from the United Nations, has announced a 4-year \$30 million Country Action Plan. Besides building hospitals in rural areas, the plan envisages creating mobile health units to travel into remote areas, public awareness campaigns, and training workshops for community-based midwives and health care workers.

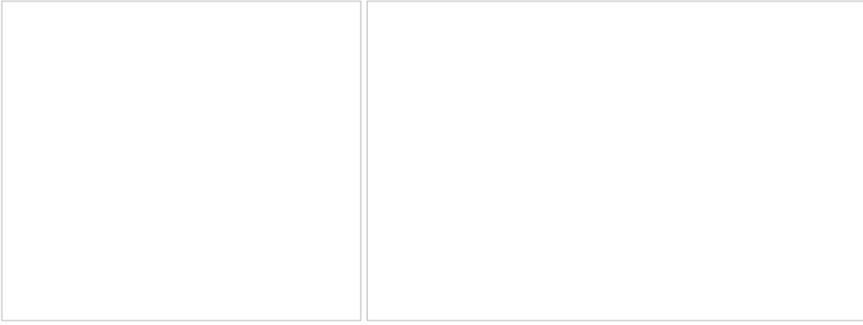
Information Source :

<http://www.womensenews.org/article.cfm/dyn/aid/1957/context/cover/>

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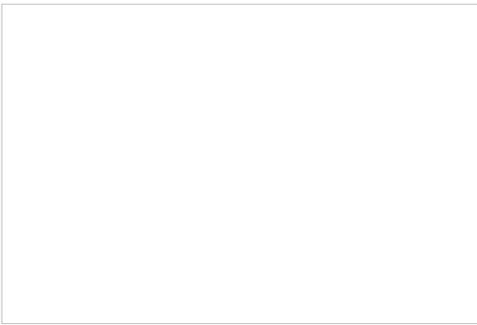
EO Reaches the Community

EO Reaches the Community



Mr. Raymond Tang, EOC Chairperson (right), presents a souvenir to Mr. Chen Weiqiang, Division Chief of Zhejiang Justice Department.

Justice officials from the mainland visit the EOC for a closer look at Hong Kong's anti-discrimination laws.



Fun and games at a carnival organized by Fu Hong Society - an activity to promote acceptance of individual differences, funded by EOC.



A student trying out a wheelchair in a day camp organized by the Association for the Rights of Industrial Accidents Victims - another EOC funded activity.

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Events Calendar

和諧家庭大使計劃 — 探訪及巡迴展覽活動
Family Life Ambassador Programme — Visits and Exhibitions
由現在起至 From now to 31/03/2005
屯門區家庭及兒童福利服務協調委員會
Tuen Mun District Coordinating Committee on Family and Child Welfare
2441 9225

認識精神健康工作坊系列
"Mental Health for You" Workshop Series
荃灣 Tsuen Wan:
1/3/2005, 8/3/2005, 15/3/2005 (19:30-21:00)
大埔 Tai Po:
8/3/2005, 15/3/2005, 22/3/2005, 29/3/2005 (19:30-21:00)
九龍、香港 Kowloon and Hong Kong:
9/3/2005, 16/3/2005, 23/3/2005, 30/3/2005 (14:30-16:00)
8/3/2005, 15/3/2005, 22/3/2005, 29/3/2005 (19:30-21:00)
浸會愛群社會服務處
Baptist Oi Kwan Social Service
2560 0651

社區活動巡禮 Events Calendar

**「聾人睇真D」
機構探訪**
"Knowing More about the Deaf"
Organization Visit
全年計劃 A Year-round Project
香港聾人協會
Hong Kong Association of the Deaf
http://www.hongkongdeaf.org.hk
2327 2497

男人給 · 男人Club
Mutual Support Group for Men
1/2005-3/2005
性別醒覺訓練 (Gender Awareness Training)
4/2005-6/2005
感官復甦訓練 (Sensor Sensitivity Training)
7/2005-9/2005
領導及口才訓練 (Leadership Training)
10/2005-12/2005
義務工作訓練 (Voluntary Services Training)
明愛男士成長中心
Caritas Men's Centre
2383 3377

就業情報訓練計劃
Employment Workshops for Women
14/3/2005-11/4/2005 (15:00-16:00)
社會福利署銅鑼灣綜合家庭服務中心
Social Welfare Department Causeway Bay
Integrated Family Service Centre
2806 6184

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