

A Territory-wide Representative Survey on Sexual Harassment in Hong Kong 2021

2021 年全港性騷擾調查

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A Territory-wide Representative Survey on Sexual Harassment in Hong Kong 2021

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EXECUTIVE SUMMARY

Background and Objectives

1. In the past years, the #MeToo Movement has not only raised public awareness across the world, but also motivated people to take more concrete actions to fight against sexual harassment. Since the enactment of the Sex Discrimination Ordinance in 1995, anti-sexual harassment has always been one of the top work priorities of the Equal Opportunities Commission (EOC). During the past two decades, policy advocacy and empirical research related to sexual harassment in workplaces, schools, and other sectors done by the EOC have facilitated the Government's consideration of expanding the scope of protection against sexual harassment. In 2014, provisions to protect providers of goods, services, or facilities against sexual harassment by customers were added, while further amendments were made to outlaw sexual harassment between workplace participants in common workplaces in 2020.
2. Although the EOC has conducted a number of questionnaire surveys in various sectors of the society, so far no population survey on sexual harassment has been carried out. Lacking a territory-wide and representative survey, no empirical data is available on the prevalence and forms of sexual harassment, its impacts on individuals, and how victims respond and cope with it. We also lack information on the socio-demographic characteristics of individuals who are most vulnerable to sexual harassment and the characteristics of settings that are most prone to sexual harassment. A more comprehensive picture and a better understanding of the issue are essential for the Government and the EOC to join hands to tackle observed problems.
3. The EOC has conducted the first-ever territory-wide representative survey of sexual harassment in Hong Kong, with the following objectives:
 - (a) To gauge the public's awareness of sexual harassment;
 - (b) To examine the prevalence and nature of online sexual harassment and sexual harassment in the course of employment among the general public;
 - (c) To study the characteristics of those who were sexually harassed online and in the course of employment;
 - (d) To identify the job and organisational factors associated with experiences of being sexually harassed in the workplace;

- (e) To analyze the actions taken (i) after being sexually harassed and (ii) when witnessed or heard about incidents of sexual harassment during the course of employment, and the reasons behind for taking such actions/ inaction; and
 - (f) To provide recommendations for the Government, employers, and other stakeholders on enhancing public understanding of and knowledge about sexual harassment, and to identify measures in redressing sexual harassment.
4. Between March and June 2021, a total of 5,027 respondents aged 18-64 (including Hong Kong residents and foreign domestic helpers), who were Cantonese, Putonghua, or English speakers, were successfully interviewed via telephone, with a response rate of 40%.

Key Findings

Awareness of sexual harassment

- 5. Each of the respondents was given a set of 16-scenario-statements, and asked to assess whether these scenarios constituted sexual harassment. Conducts that were considered as sexual harassment by most respondents included “in your company, a colleague keeps making sexual advances to you regardless of your rejection” (98.0%), “in your company, a colleague has inappropriate physical contact with you, such as forced kiss, touching or brushing up against your bottom” (97.6%), and “in your company, a colleague sexually assaults or attempts to sexually assault you” (97.3%).
- 6. Fewer than half of the respondents were able to identify two sexual harassment scenarios, i.e., “when you are shopping in a store, a shop assistant makes sexually suggestive comments or jokes to other customers in front of you, making you feel uncomfortable” (45.0%) and “in your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended” (44.7%).
- 7. A “Sexual Harassment Awareness Index” (SHA Index) was created to examine the overall level of awareness among the general public in Hong Kong and to make sub-group comparisons. From zero to 100, a higher score indicated that the respondent has a greater ability to identify sexual harassment behaviors accurately.

8. The mean of this SHA Index for all respondents was 80.26, with a standard deviation of 16.89. This average score suggested a rather high level of awareness of sexual harassment among people in Hong Kong.
9. Men scored significantly lower than women (mean SHA Index scores are 77.11 and 82.74 respectively). Also, the younger the respondents, the higher the SHA Index score (respondents aged 18-34 scored in average 83.35 and those aged 50-64 scored 78.23).
10. Respondents who received sexuality education in primary and secondary schools showed a higher level of awareness of sexual harassment than those who did not. In particular, respondents who had been taught topics about (a) courtship and dating, sexual harassment, sexual assault, and sexual violence, as well as those who had been taught about (b) gender roles and societal and cultural influences on sex, attained a higher mean score of SHA Index. They scored 82.79 and 82.80 respectively, both higher than the overall average score of the respondents (80.26).

Prevalence and nature of online sexual harassment

11. In the telephone interviews, respondents who surfed the Internet in the past 24 months were asked if they had experienced any of the eight listed forms of online sexual harassment. Around one in six of the 4,689 respondents (17.8%; n=832) reported to have been sexually harassed online in the past 24 months.
12. A greater proportion of men (18.3%) claimed to have experienced online sexual harassment than women (17.3%), though this sex difference was not statistically significant. Significant age differences existed with a decreasing age gradient in experiencing online sexual harassment. While nearly one in four (23.3%) young adults (age 18-34) had been sexually harassed online, the respective figures for those aged 35-49 and 50-64 were 16.4% and 14.0% respectively.
13. When data was disaggregated by both sex and age, young women aged 18-34 were the sub-group of respondents that had the highest prevalence rate of experiencing online sexual harassment. A quarter of this sub-group (25.7%) had been sexually harassed online in the past two years prior to the survey.
14. The most common forms of online sexual harassment included “receiving indecent photos or videos online, making you feel offended” (55.8%) and “receiving sexually

suggestive messages online, making you feel offended” (47.1%), followed by “someone made sexually suggestive comments or jokes to you online, making you feel offended” (26.7%).

15. More in-depth analyses revealed that out of 832 respondents who experienced online sexual harassment, over two-fifths (42.0%) encountered more than one form of online sexual harassment in the past 24 months.

Prevalence and characteristics of victims of workplace sexual harassment

16. A behavioral definition of workplace sexual harassment was adopted to gauge the related experience of our respondents. Specifically, respondents who had worked in the past 24 months were asked if they experienced any of the 12 listed forms of workplace sexual harassment.
17. In total, 463 out of 3,928 respondents (11.8%) reported to have been sexually harassed at work (including while attending job interviews, meeting with clients, carrying out internal work, and taking work-related trips) and by co-workers in non-work activities in Hong Kong over the past 24 months prior to the interviews. In other words, nearly one in eight respondents had experienced workplace sexual harassment.
18. Women were significantly more likely to have been sexually harassed at work in the past two years before the survey. While one in seven women (14.6% of women) reported to have experienced sexual harassment at work, 8.8% of men said they had such experience.
19. Workplace sexual harassment was experienced by respondents across all ages. Having said that, the younger the age, the higher the chance of experiencing workplace sexual harassment. While nearly one in five (18.4%) young adults (age 18-34) reported to have experienced sexual harassment at work in the past 24 months, the figures for those aged 35-49 and 50-64 were 10.2% and 7.2% respectively.
20. In particular, the chance of younger women (age 18-34) being sexually harassed at the workplace was significantly higher. Younger women were almost twice as likely to be sexually harassed at work (22.5%), compared to 11.8% of the overall average. The corresponding rate of their younger male counterparts was 13.6%. In addition, it was not uncommon for middle-aged women to have encountered sexual harassment at the workplace. 12.9% of women aged 35-49 and 9.1% of women aged 50-64 were victims.

21. Findings from additional sub-group analyses showed that respondents with higher educational attainment, who were non-Chinese, and who had never been married, were significantly more likely to experience sexual harassment at work.

Forms of workplace sexual harassment

22. The most common form of workplace sexual harassment was sexually suggestive comments or jokes. Among 463 victims of workplace sexual harassment, over three-fifths (61.5%) said that “someone at work made sexually suggestive comments or jokes to others in their presence, making them feel uncomfortable”, while nearly two-fifths (37.9%) reported that those offensive comments and jokes were made directly to them.
23. More than half of the victims of workplace sexual harassment experienced more than one form of sexual harassment at work in the past 24 months (55.7% overall; 58.0% of female victims and 51.8% of male victims).
24. More in-depth analyses showed that older respondents were more likely to experience verbal form of workplace sexual harassment (i.e. sexually suggestive comments or jokes made to others in their presence/ made directly at them in the workplace). Also, compared to their younger counterparts, a higher proportion of more mature respondents received indecent or obscene words, photos, or videos via email or other technology.

Prevalence of workplace sexual harassment by occupations and nature of job contract

25. Analysing the data by type of occupations, the prevalence of workplace sexual harassment was significantly higher among craft and related workers (16.2%), clerical support workers (13.8%), and service and sales workers (13.4%).
26. In terms of the nature of job contract, workers in contract/ casual work/ temporary positions (including summer job workers and interns) faced a higher risk of being sexually harassed at workplace than those holding permanent positions. Interns (25.5%) and summer job workers (25.0%) were more likely to be sexually harassed in the workplace, followed by contract workers (15.9%) and casual workers (15.9%). The corresponding rate for those in permanent positions was relatively low, at 11.4%. No statistically significant difference was found between full-timers and part-timers.

Prevalence of workplace sexual harassment by type of industry, size, and sex ratio of the companies/ organisations

27. The prevalence of workplace sexual harassment varied across industries. Compared to the overall rate of 11.8%, workplace sexual harassment was significantly more prevalent in accommodation and food services (16.5%), real estate, professional and business services (14.9%), and information and communications (13.2%) sectors.
28. In terms of the size of companies or organisations, no clear pattern of the pervasiveness of workplace sexual harassment was found. That said, respondents working in medium size companies or organisations with 50-99 employees were significantly more likely to have experienced sexual harassment than those working in small and large companies or organisations.
29. Workplace sexual harassment was more likely to occur in companies or organisations with a roughly equal mix of male and female workers. Contrary to the results of overseas research studies, in the current survey, workplace sexual harassment was significantly less prevalent in companies or organisations which were comprised of mostly men (8.0%).

Who was more vulnerable to workplace sexual harassment: Results from binary logistics regression

30. Results from binary logistic regression analysis revealed that women and younger respondents were more likely to be sexually harassed at work. Compared to their counterparts in permanent job positions, the chance of experiencing workplace sexual harassment was higher among contract workers, casual workers, and interns.
31. Those working in the accommodation and food services, real estate, professional and business services, and manufacturing sectors were more likely to experience sexual harassment at work than their counterparts in public administration, education, human health and social work activities.
32. Similar to the results from studies of workplace sexual harassment conducted elsewhere, workplace policy was of paramount importance. The current study found that, after holding other factors constant, working in a company or organisation with no anti-sexual harassment policy or measures significantly increased one's likelihood

of being sexually harassed at work.

When and where workplace sexual harassment occurred

33. When asked about the physical location where, and the circumstances under which, the most recent incidents of workplace sexual harassment that they encountered, three-quarters of the victims indicated that they experienced workplace sexual harassment within the area of their company or organisation (76.4%). A quarter of the incidents occurred outside the company or organisation in different situations, such as during private or recreational activities with colleagues (12.7%), during work-related activities (5.5%), during social activities organised by their company or organisation (2.8%), and during other occasions (2.7%). Apart from those incidents that occurred during private activities and other occasions, nearly 85% of these reported incidents of sexual harassment happened during the course of employment, i.e., they were covered by the sexual harassment provisions under the Sex Discrimination Ordinance.
34. One-fifth (20.6%) of the victims reported that they experienced the most recent incident of workplace sexual harassment via online communication or electronic messages.
35. Men were significantly more likely to have experienced workplace sexual harassment outside their company/ organisation (33.5% for men and 17.9% for women) and technology-related forms of sexual harassment (27.4% for men and 16.8% for women) than their female counterparts.

Characteristics of harassers of workplace sexual harassment

36. A majority of the most recent incidents of workplace sexual harassment in the past 24 months involved a single perpetrator. Three-fifths (59.9%) of workplace sexual harassment incidents were carried out by a single perpetrator.
37. Consistent with the conventional belief, in this survey, perpetrators of workplace sexual harassment were overwhelmingly men. Specifically, two-thirds (66.7%) of the most recent incidents of workplace sexual harassment were committed by male harasser(s) and 16.8% by female harasser(s), while 16.6% involved a mix of male and female harassers. Regardless of the sex of the victims, a majority of both female (72.5%) and male (56.2%) victims were harassed by men alone. A quarter of male victims (25.9%) were harassed by female harasser alone, and the respective figure for

female victims was 11.7%.

38. The most recent incidents of workplace sexual harassment that occurred in the past 24 months were more often perpetrated by colleague at the same rank as the victim (44.6%), followed by colleague at a higher rank as the victim (17.2%), and clients (14.5%). Over one-tenth of the workplace sexual harassment were carried out by someone working in the same workplace but not for the same company or organisation (11.7%).
39. Results of more in-depth analyses concerning the relationship of perpetrator to victim indicated that sex differences existed. On the one hand, compared with their male counterparts, more female victims were sexually harassed by someone who were more senior and powerful than them at work (including employer, immediate supervisor, and colleague at a higher rank) (30.5% for female victims, compared to 17.9% for male victims) and clients (15.9% for female victims and 11.9% for male victims). On the other hand, a greater proportion of male victims were sexually harassed in the workplace by colleague at the same rank (50.3% for male victims and 41.4% for female victims) and by colleague at a lower rank (17.3% for male victims and 9.2% for female victims).

Reporting incidents of workplace sexual harassment

40. Out of 463 victims of workplace sexual harassment, 79.5% (n=367) took action(s) in response to the most recent incident. In other words, one-fifth of the victims did not take any action following the incident. Female victims were significantly more likely to take action after being sexually harassed in the workplace (84.1% of women and 71.1% of men).
41. The most common action taken by victims of workplace sexual harassment was avoiding the harassers (60.9%), followed by telling the harassers off (49.4%). Similar to what has been found in overseas research studies, formal reporting was also not common in Hong Kong. In total, 14.7% (n=68 out of 462) made a formal report to either the Police, the EOC, or supervisors or management of related departments within their companies or organisations. Compared with their male counterparts, female victims of workplace sexual harassment were significantly more likely to avoid the harassers or make a formal report.
42. The most common types of outcomes of taking action were: “the harassers stopped

doing the sexual harassment acts” (80.2%) and “someone showed support to my action” (61.4%). While these outcomes could be categorized as positive, a minority of victims faced negative outcomes after taking action, including being regarded as a troublemaker (8.6%) or being retaliated or socially excluded (6.5%).

43. Among the 68 victims who reported formally to the Police, the EOC, or their company, nearly one-fifth faced retaliation or social exclusion, or were regarded as a troublemaker (17.2%). Compared with men, female victims who made formal report were more likely to have faced these negative outcomes (6.7% for men and 20.8% for women), though no statistically significant difference between sexes was observed.
44. Among 463 victims of workplace sexual harassment, 20.5% (n=95) did not take any actions after experiencing their most recent incident of workplace sexual harassment. An overwhelming majority of these 95 victims thought that “the incident was not serious” (97.1%). Around half of these 95 victims reasoned their inaction by saying that “sexual harassment was prevalent in their company or organisation” (54.9%) and “the actions would be useless” (46.1%). Moreover, in total, 26.1% of these 95 respondents mentioned reasons concerning the complaint system or procedures (i.e., “the complaint mechanisms were ineffective or complaint processes were protracted” and “did not know the channels for lodging complaints”). This might suggest that sexual harassment complaint mechanism available in the workplace or elsewhere might not be perceived to be user-friendly.

Impact of workplace sexual harassment on victims

45. Victims of workplace sexual harassment were asked to rate how humiliated and how intimidated the most recent incident had made them feel. On a scale from one to five, where one indicated “not feeling humiliated”/ “not feeling intimidated” and five denoted “feeling very humiliated”/ “feeling very intimidated”, the mean rating for the level of humiliation felt by victims of workplace sexual harassment was 2.64 and that of intimidation was 1.62.
46. Female victims felt significantly higher levels of humiliation and intimidation than men (feelings of humiliation: mean rating for women was 2.84 vs. that for men being 2.29; feelings of intimidation: mean rating for women was 1.74 vs. that of men being 1.40).

Witnesses to workplace sexual harassment

47. Two-fifths of the most recent incidents of workplace sexual harassment were witnessed or known by someone else in the workplace (41.4%; n=191).
48. The most common type of witness was colleague(s) at the same rank as the victim (66.3%), followed by colleague(s) at a higher rank (21.3%) and at a lower rank (16.9%). Among these witnessed incidents, 14.5% were witnessed or learnt by the immediate supervisor of the victim.
49. Out of these 191 witnessed incidents of workplace sexual harassment, a majority of witnesses (69.7%) did not attempt to intervene in or stop the incident. Overall, among all victims, only 11.9% (n=55) of the most recent incidents of workplace sexual harassment were intervened or stopped by a third party.
50. Statistically significant sex differences were observed in terms of whether the incident was witnessed or revealed, and whether it was intervened or stopped. Compared with their male counterparts, a greater proportion of female victims reported that someone witnessed or learnt about the incident of workplace sexual harassment (47.6% for female victims vs. 30.1% for male victims). While 34.1% of female victims claimed that someone attempted to intervene in or stop the incident, the figure for men was 18.8%.

The role of bystanders in workplace sexual harassment

51. Among 3,460 respondents who claimed they had not been sexually harassed at workplace for the past two years, only 2.3% witnessed or subsequently heard about incidents of sexual harassment occurring in their company or organisation (n=79) in the past two years. No statistically significant difference between sexes was observed.
52. A majority of bystanders (73.7%) attempted to intervene in the incidents of workplace sexual harassment they witnessed. Sex and age differences were not found in terms of taking action or not. Out of these 58 “proactive bystanders”, 43.0% told the harassers off, while nearly half assisted the victims of workplace sexual harassment to report the incident or lodge a complaint (47.6%). Over four-fifths of the bystanders who took action after witnessing or hearing about workplace sexual harassment reported that their actions were well-received (83.4%).
53. A quarter of bystanders did not take action after witnessing or hearing about

workplace sexual harassment (26.3%; n=21). The most common reason cited for not taking action was that other people were handling the sexual harassment incident (69.3%). Almost half of these “passive bystanders” did not take action because they did not know what to do (49.7%) and one-third said that they did not know whether the incident constituted sexual harassment at that time (35.6%).

Conclusions and Recommendations

54. Since the EOC launched its Anti-Sexual Harassment Campaign in 2013, we have conducted surveys in a number of sectors. Those sector-based surveys provided us with useful but piecemeal information about the prevalence of sexual harassment in Hong Kong and the prevalence of adopting anti-sexual harassment policy in specific sectors of the society. This territory-wide representative survey is the first of its kind in terms of its sample size and its coverage of the general population of Hong Kong.
55. The current survey on workplace sexual harassment and online sexual harassment tells us the hard facts. Sexual harassment is prevalent, regardless of sex and age.
56. The survey findings, on the one hand, confirm the traditional belief that more women than men are victims of workplace sexual harassment, and that the harassers are very often men. On the other hand, this survey provides solid evidence that it is not uncommon for men to be harassed and that women can be the harassers.
57. More importantly, this research tells us more than the cliché that women need to be protected from the harassers. Workplace sexual harassment is not only a kind of gender-based violence, but also a power-based violence. The survey findings illustrate that those with less power, i.e. the younger adults, in particular younger women, and those who took up temporary or short-term positions were more likely to face sexual harassment at work.
58. This research also debunks the myth that sexual harassment is difficult to prove, for the reason that it often involves no more than one’s word against that of another. In fact, in this survey, forty percent of those reported to have been sexually harassed at work said that a third party had either witnessed or had been told about the incident, albeit that only a fraction of the bystanders tried to intervene in or stop the incident.
59. The findings further show that most incidents of sexual harassment committed by co-

workers or clients occurred during the course of employment. However, the incidents of workplace sexual harassment did not only happen in the physical or online office space, but also during work-related or after-work activities, including those organised by the company or organisation concerned.

60. Based on the findings of the current study on sexual harassment in Hong Kong (Chapters 5-8 of this report), the related evidence documented in overseas literature and previous studies (Chapter 3), and the good practices adopted by and legal requirements imposed on various stakeholders in other places (Chapter 2), this report provides ten recommendations in four directions: (a) Transforming Workplace Culture: Employers, the HKEX, and the Government, (b) Increasing Awareness and Strengthening Protection in Client-facing industries, (c) Reforming Sexuality Education and Providing Practical Knowledge to Students, and (d) Identifying and Monitoring Risks of Sexual Harassment. Specifically, the ten recommendations are listed below.

Recommendation 1

Employers, regardless of the size of their company or organisation, are strongly encouraged to: (a) develop a clear corporate anti-sexual harassment policy; (b) establish an effective system to handle complaints; (c) take disciplinary or appropriate actions; (d) implement timely improvement measures; and (e) provide awareness training to staff regularly.

Recommendation 2

The Hong Kong Exchanges and Clearing Limited (HKEX) should consider reviewing the Environmental, Social and Governance (ESG) Reporting Guide of the Listing Rules to include the adoption of an anti-sexual harassment policy as one of the key gender equality strategies that issuers of listed companies should disclose in their ESG report.

Recommendation 3

The Government might explore the feasibility of introducing a positive duty on employers to take reasonable and proportionate steps to prevent and respond to workplace sexual harassment.

Recommendation 4

Every staff can be a potential victim or bystander at the workplace. Potential victims or bystanders should be engaged so that they become part of the solutions to the problem of workplace sexual harassment. Employers should encourage potential victims to be assertive and adopt a bystander intervention approach in delivering staff training programmes.

Recommendation 5

Employers should explicitly show its commitment to countering sexual harassment in their companies or organisations by enhancing communication and transparency. Appointing a top-level managerial staff member to oversee matters related to anti-sexual harassment conveys a clear message that the company or organisation takes sexual harassment seriously. Employers should communicate to every staff, including summer job workers and interns, at the start of employment about the redress channels and regularly remind staff not to commit acts of sexual harassment via meetings, staff notices, or emails.

Recommendation 6

Companies or organisations from client-facing industries can raise awareness among their clients or workplace participants by providing knowledge about the recent legal changes in anti-sexual harassment provisions under the Sex Discrimination Ordinance. They are also strongly encouraged to send a clear message that staff complaints against clients' or workplace participants' inappropriate behaviour(s) would be properly dealt with.

Recommendation 7

The Government should consider amending the Sex Discrimination Ordinance to make employers legally liable for third party harassment, when participants in common workplaces, customers, or clients are found to have sexually harassed their employees, unless employers have taken reasonably practicable steps to prevent the sexual harassment and unless they have no knowledge of the sexual harassment or allegation(s) of sexual harassment.

Recommendation 8

The Education Bureau should consider thoroughly reforming the sexuality education in primary and secondary schools as soon as possible to give more emphasis on gender equality and relationship education, including sexual harassment in digital contexts and image-based sexual violence.

Recommendation 9

Secondary schools, school-sponsoring bodies, and institutes of higher education should provide training to students on awareness of sexual harassment and equip them with skills and knowledge to respond to experiences of sexual harassment.

Recommendation 10

The EOC and the Census and Statistics Department should collaborate and conduct

territory-wide representative household surveys regularly to identify and monitor risks of sexual harassment in different spheres of public life, including the digital space.

CHAPTER 1

INTRODUCTION

1.1 Background

The Equal Opportunities Commission (EOC) has the statutory responsibility to work towards the elimination of sex discrimination and sexual harassment, and promote equal opportunities between men and women. The Sex Discrimination Ordinance (SDO) was passed in 1995. Discrimination on the basis of sex, marital status, pregnancy and breastfeeding, as well as harassment on the grounds of breastfeeding and sexual harassment are unlawful under this ordinance.

In the past years, the #MeToo Movement has not only raised public awareness across the world, but also motivated people to take more concrete actions to fight against sexual harassment. Since the enactment of the SDO, anti-sexual harassment has always been one of the top work priorities of the EOC. During the past two decades, policy advocacy and empirical research related to sexual harassment in workplaces, school environment, and other sectors done by the EOC have facilitated the Government's consideration of expanding the scope of protection against sexual harassment. In 2014, provisions to protect providers of goods, services, or facilities against sexual harassment by customers were added, while further amendments were made to outlaw sexual harassment between workplace participants in common workplaces in 2020.

1.2 EOC Complaint Statistics, 2017-2021

Indeed, among complaints received under the SDO, a significant proportion has been sexual harassment allegations. Many of these complaints of sexual harassment were related to employment. As shown in Table 1.1, during the past five years, over two-fifths of complaints made under the SDO were on sexual harassment. In 2021, out of 183 allegations of sexual harassment, 80.9% (148 cases) were employment-related.

Table 1.1: Complaints under the SDO and Related to Sexual Harassment Received by the EOC (2017-2021)

	2017	2018	2019	2020	2021
Total Number of Complaints Received under the SDO	190	320	336	314	302
Number of Complaints Related to Sexual Harassment	87	136	153	143	183
(% out of all complaints made under the SDO)	(45.8%)	(42.5%)	(45.5%)	(45.5%)	(60.6%)
<i>Employment related</i>	75	110	123	94	148
<i>(% out of all complaints of sexual harassment)</i>	(86.2%)	(80.9%)	(80.4%)	(65.7%)	(80.9%)
<i>Non-employment related</i>	12	26	30	49	35
<i>(% out of all complaints of sexual harassment)</i>	(13.8%)	(19.1%)	(19.6%)	(34.3%)	(19.1%)

1.3 Research Objectives

Although the EOC has conducted a number of questionnaire surveys related to sexual harassment in various sectors of the society,¹ so far no population survey on sexual harassment has been carried out. Lacking a territory-wide and representative survey, no empirical data is available on the prevalence and forms of sexual harassment, its impact on individuals, and how victims respond and cope with it. We also lack information on the socio-demographic characteristics of individuals who are most vulnerable to sexual harassment and the characteristics of settings that are most prone to sexual harassment. A more complete picture and a better understanding of the issue are essential for the Government and the EOC to join hands to tackle observed problems.

After successfully completing a small-scale survey with 332 Hong Kong residents aged 18-64 in early August 2020,² EOC carried out a larger-scale telephone survey with a sample of more than 5,000 respondents in the second quarter of 2021. In the current survey, while a couple of more sub-themes were covered, live-in foreign domestic helpers were included

¹ Reports of these surveys could be found by visiting:

<https://www.eoc.org.hk/en/policy-advocacy-and-research/research-reports>

² The major purpose of this small-scale survey is to assess the feasibility of carrying out a survey on sexual harassment, in which questions are often regarded as sensitive and private, via telephone interviews in a larger scale in terms of sample size. Attitudes of most respondents towards this small-scale survey are positive. While over 95% of the respondents said that they supported EOC to conduct more sexual harassment related surveys and the questions of this survey were easy to understand, over four-fifths of all respondents found the time required to complete the telephone interviews acceptable. Overall, the average length of the telephone interviews was 10.17 minutes (standard deviation=3.07).

to be interviewed. Specific objectives of this first-ever territory-wide representative survey are as follows:

- (a) To gauge the public's awareness of sexual harassment;
- (b) To examine the prevalence and nature of online sexual harassment and sexual harassment in the course of employment among the general public;
- (c) To study the characteristics of those who were sexually harassed online and in the course of employment;
- (d) To identify the job and organisational factors associated with experiences of being sexually harassed in the workplace;
- (e) To analyze the actions taken (i) after being sexually harassed and (ii) when witnessed or heard about incidents of sexual harassment during the course of employment and the reasons behind for taking such actions/ inaction; and
- (f) To provide recommendations for the Government, employers, and other stakeholders on enhancing public understanding of and knowledge about sexual harassment and to identify measures in redressing sexual harassment.

1.4 Structure of the Research Report

In the following chapters, first, international and domestic laws of sexual harassment will be introduced in Chapter 2. Second, in Chapter 3, literature examining sexual harassment in general and workplace sexual harassment in particular and findings of previous studies on sexual harassment carried out by EOC and in other places will be reviewed. In Chapter 4, as well as describing the sample design and sample size and the process of data collection, survey instrument used in the telephone interviews and socio-demographic characteristics of survey respondents will be elaborated. In the latter, population data in mid-2021 in terms of sex, age, and level of educational attainment will be shown along with socio-demographic characteristics of the respondents from the telephone survey. Chapters 5-8 present the results of this telephone survey, including awareness of sexual harassment among the general public (Chapter 5), experiences of online sexual harassment (Chapter 6), experiences of being sexually harassed in the workplace (Chapter 7), and role of bystanders in workplace sexual harassment (Chapter 8). Chapter 9 discusses the key findings of this territory-wide representative survey on sexual harassment in Hong Kong and gives a list of recommendations to mitigate and address sexual harassment.

CHAPTER 2

INTERNATIONAL AND DOMESTIC LAWS OF SEXUAL HARASSMENT

2.1 Obligations to Prohibit and Prevent Sexual Harassment under International Laws

Various international conventions require Member States to prevent and eliminate sexual harassment which constitutes a form of sex discrimination and gender-based violence. For example, the Convention on the Elimination of Discrimination against Women (CEDAW) specifically prohibits all forms of discrimination against women. In 1992, the Committee of the Elimination of Discrimination against Women, which monitors the implementation of CEDAW, explicitly interpreted sexual harassment in the workplace as a form of gender-specific violence against women.³ It further urged State parties to take effective legal measures, such as penal sanctions, civil remedies, and compensatory provisions, in order to protect women against sexual harassment and other kinds of violence in the workplace.⁴

Relevant to a key scope of this survey is a comprehensive report about online violence or violence facilitated by information and communications technology (ICT-facilitated violence) against women produced by the United Nations Special Rapporteur on violence against women in 2018. In the report, it was stressed that State parties had due diligence obligations to prevent, investigate, and punish acts of violence against women committed by private companies, such as Internet intermediaries, in accordance with Article 2(e) of the CEDAW.⁵ This latter point echoes with the call made in General Recommendation No. 35 of the Committee of the Elimination of Discrimination against Women recommending the States to encourage online and social media companies to create or strengthen mechanisms focusing on eliminating gender stereotypes and addressing gender-based violence against women.⁶

In mid-2019, expanding the scope of protection from sexual violence and sexual harassment, International Labour Organisation (ILO) adopted a convention titled “Violence and

³ Committee on the Elimination of All Forms of Discrimination against Women, “General Recommendation No. 19: Violence against Women” (1992), para. 17.

⁴ Ibid, para. 24(t).

⁵ United Nations General Assembly, “Report of the Special Rapporteur on Violence against Women, its Causes and Consequences on Online Violence against Women and Girls from a Human Rights Perspective”, Human Rights Council, 18 June 2018, A/HRC/38/47, para. 62.

⁶ Committee on the Elimination of All Forms of Discrimination against Women, “General Recommendation No. 35 on Gender-based Violence against Women, Updating General Recommendation No. 19” (2017), para. 30(d)(i).

Harassment Convention, 2019” (ILO Convention No. 190) and its accompanying Recommendation (ILO Recommendation No. 206) to address the related issues in the workplaces. ILO Convention No. 190 is the first international treaty to recognize the right of everyone, both men and women, to a world of work free from violence and harassment, including gender-based violence and harassment.

It should be noted that CEDAW has been extended to Hong Kong and implemented through the provisions of the Basic Law and other laws, supplemented by the necessary administrative measures. ILO Convention No. 190 has not been ratified by the Government of the People’s Republic of China though it voted in favor of the ILO adopting the ILO Convention No. 190 and its accompanying Recommendation. In view of the fact that this ILO convention is directly related to our current topic of study on sexual harassment in the workplace, in the following section, obligations concerning protection from sexual harassment in the world of work specified under ILO Convention No. 190 will be illustrated. Together with a review of situations in different places legally requiring employers to prevent sexual harassment given in Section 2.3 of this chapter, this overview of ILO Convention No. 190 provides us with more evidence to consider the practicality of formulating a more proactive approach in addressing workplace sexual harassment in Hong Kong.

2.2 Preventing and Addressing Sexual Harassment in the Workplace under ILO Convention No. 190

As aforementioned, the adoption of ILO Convention No. 190 is to recognize the right of everyone to a world of work free from violence and harassment. This section attempts to provide a quick summary of this Convention with a specific focus on the topics including: (1) the definition of violence and harassment, (2) the individuals to be protected, (3) the scope of places and activities to be applied, and (4) the State obligations to place a duty on employers to prevent gender-based violence and harassment.

First, in Article 1(1)(b), it clarifies that the term “violence and harassment” includes sexual harassment. Second, this Convention specifies the coverage in terms of individuals to be protected and workplaces and related activities to be included. Article 2(1) defines who are protected under this Convention, which include “employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the

authority, duties or responsibilities of an employer”.

Article 3 of ILO Convention No. 190 provides a broad definition of the scope of workplaces and related activities to be covered:

This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work:

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- (c) during work-related trips, travel, training, events or social activities;
- (d) through work-related communications, including those enabled by information and communication technologies;
- (e) in employer-provided accommodation; and
- (f) when commuting to and from work.

It should be noted that the requirements and rights set out in ILO Convention No. 190 illustrated above (including what constitutes violence and harassment, whom to be protected, and the definition of “world of work”) have been provided for in the Sex Discrimination Ordinance (SDO) of Hong Kong. Also, the definitions of terms adopted in this Convention overlap with those used in this survey on sexual harassment in Hong Kong.

In addition, this Convention obligates State parties to place a positive duty on employers to prevent sexual harassment in the workplace. In Article 9, it states:

Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to:

- (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment;
- (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health;
- (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and

- (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned in relation to the policy referred to in subparagraph (a) of this Article.

In Hong Kong, under SDO and other laws, there is currently no requirement requiring employers to take proactive measures to prevent sexual harassment. That said, employers might still be held legally liable for the unlawful acts of sexual harassment committed by their employees during the course of employment. A defense exists for the employers if they can prove that they have taken reasonably practicable steps to prevent such acts and the burden of proof will be on the employers.

2.3 National Laws Requiring Employers to Prevent Sexual Harassment

This section provides an overview of related laws in Mainland China, Australia, and the UK that impose a positive duty on employers in preventing workplace sexual harassment.

2.3.1 Situation in Mainland China

Taking effect on 1 January 2021, Article 1010 of the Civil Code of the People's Republic of China establishes new principles on what constitutes sexual harassment, expands the scope of victims to include men, and introduces specific obligations and potential liability for employers.⁷ Article 1010 stipulates that:

A person who has been sexually harassed against his will by another person through oral words, written language, images, physical acts, or the like, has the right to request the actor to bear civil liability in accordance with law.

The State organs, enterprises, schools, and other organisations shall take reasonable precautions, accept and hear complaints, investigate and handle cases, and take other like measures to prevent and stop sexual harassment conducted by a person through taking advantage of his position and power

⁷ "China's New Civil Code and its Impact on Harassment", 12 February 2021, <https://www.shrm.org/resourcesandtools/hr-topics/global-hr/pages/china-civil-code-harassment.aspx>

or a superior-subordinate relationship, and the like.⁸

It can be seen that the provisions of Article 1010 create not only a civil offence of sexual harassment, but also a duty or requirement on relevant organisations including employers to adopt reasonable preventative measures including the implementation of a system for receiving, investigating, and handling complaints.

It is relevant to note that “Shenzhen City Guide for Preventing and Fighting Sexual Harassment Behaviors” was issued by Shenzhen authorities on 24 March 2021.⁹ It represents the first-ever guidelines on sexual harassment for schools and workplaces in Mainland China.

Importantly, the Guidelines require the relevant organisations including employers to introduce proactive measures to prevent sexual harassment, provide education, and respond to complaints of sexual harassment. The Government of Guangdong Province has stated in relation to the Guidelines that the organisations:

... are required to set up departments responsible for prevention and control of sexual harassment, formulate prevention and treatment systems, conduct publicity and training on prevention and treatment of sexual harassment, and accept and handle complaints and reports on sexual harassment.¹⁰

2.3.2 Situation in Australia

In the State of Victoria, under the Equal Opportunity Act 2010, there is a positive duty on employers to be proactive about sexual harassment and take steps to prevent it from occurring. This positive duty goes beyond of simply reacting to complaints of sexual harassment. Section 15(2) of the Equal Opportunity Act 2010 provides:

A person must take reasonable and proportionate measures to eliminate that discrimination, sexual harassment or victimisation as far as possible.

⁸ Civil Code of the People’s Republic of China (Adopted at the Third Session of the Thirteenth National People’s Congress on May 28, 2020), <http://www.npc.gov.cn/englishnpc/c23934/202012/f627aa3a4651475db936899d69419d1e/files/47c16489e186437eab3244495cb47d66.pdf>

⁹ “Shenzhen City Guide for Preventing and Fighting Sexual Harassment Behaviors” (in Chinese), 22 January 2021, <http://www.szwomen.org.cn/attachment/0/34/34037/689239.pdf>

¹⁰ “Shenzhen Issues the Country’s First Guide to Preventing Sexual Harassment” (in Chinese), People’s Government of Guangdong Province, 25 March 2021, http://www.gd.gov.cn/gdywdt/dsdt/content/post_3248758.html

“A person” in this Section 15(2) includes employers. Section 15(6) of this Act further states the factors to be taken into account in measures taken are reasonable and proportionate:

In determining whether a measure is reasonable and proportionate the following factors must be considered—

- (a) the size of the person’s business or operations;
- (b) the nature and circumstances of the person’s business or operations;
- (c) the person’s resources;
- (d) the person’s business and operational priorities;
- (e) the practicability and the cost of the measures.

This indicates that some flexibility is allowed in the measures taken to meet the positive duty.

The Victorian Equal Opportunity and Human Rights Commission (VEOHRC) has jurisdiction over the anti-discrimination laws, including the duty on employers to eliminate sexual harassment. VEOHRC has a range of powers and functions it can apply to encouraging and facilitating compliance with the duty such as education, research as well as legal powers of receiving complaints from the public, requested reviews and investigation. The use of such powers are discretionary and dependent on the VEOHRC’s assessment of the evidence of sexual harassment and other relevant factors. For example, an organisation can request that the VEOHRC conduct a review of that organisation’s programs and practices to determine their compliance with this Act, including compliance with the duty to eliminate sexual harassment. The VEOHRC can also provide advice to an organisation to develop and implement an Action Plan to improve compliance with the Act, including the positive duty.

Moreover, the VEOHRC can use its investigation powers in relation to compliance with the duty where a matter of a serious nature is raised; there are reasonable grounds to believe that there has been a contravention of the legislation; and the investigation would advance the objects of the legislation. The outcomes of the investigation could include an agreement with an employer about what action is required, and/ or producing a public report in relation to the investigation.

The advantage of using such enforcement powers such as reviews and investigations is that the VEOHRC can take a comprehensive approach to examine systemic issues in a particular sector or organisation, including in relation to issues of sexual harassment. This can also encourage comprehensive changes in policies and practices.

In August 2020, the VEOHRC published detailed Guidance on preventing sexual harassment in workplaces, including on complying with the positive duty.¹¹ The VEOHRC has identified six minimum standards for compliance with the positive duty under the Equal Opportunity Act 2010:

- Standard 1: Knowledge
Employers understand their legal obligations and have up to date knowledge about workplace sexual harassment.
- Standard 2: Prevention Plan
Sexual harassment is prevented through the development and implementation of an effective sexual harassment prevention plan.
- Standard 3: Organisational Capability
Leaders drive a culture of respect by building organisational capability.
- Standard 4: Risk Management
Employers have built a culture of safety and address risk regularly.
- Standard 5: Reporting and Response
Sexual harassment is addressed consistently and confidentially to hold harassers to account, and responses put the victim-survivor at the centre.
- Standard 6: Monitoring and Evaluation
Outcomes and strategies are regularly reviewed, evaluated and improved.

In a national inquiry into sexual harassment in workplaces across Australia conducted in late 2010s, the Australian Human Rights Commission (AHRC), which is Australia's statutory national human rights institution, received many submissions supporting for a duty requiring employers to take proactive measures to prevent sexual harassment. AHRC highlights the benefit of a positive duty in shifting the burden from individuals making complaints to employers taking proactive and preventative action, which could not only promote accountability but also contribute to broader systemic and cultural change.¹² It is recommended that a positive duty to prevent sexual harassment be introduced at the

¹¹ *Guideline: Preventing and Responding to Workplace Sexual Harassment: Complying with the Equal Opportunity Act*, VEOHRC, August 2020, https://www.humanrights.vic.gov.au/static/8070e6b04cd51969490ccdecddff0c00/Resource-Guidelines-Workplace_sexual_harassment-Aug20.pdf

¹² *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces*, AHRC, 2020, p.479 (PDF version), https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020?mc_cid=1065707e3c&mc_eid=%5bUNIQID%5d&_ga=2.206267987.1707208727.1606881801-2071127469.1606881801

Federal level by amending the Sex Discrimination Act 1984.¹³ The AHRC also suggested that this positive duty at the Federal level could be modelled on the Victorian duty which is provided with enforcement and investigation powers.

2.3.3 Situation in the United Kingdom

In July 2021, the United Kingdom (UK) Government decided that it would introduce legislation to impose a positive duty on employers to prevent sexual harassment¹⁴ after its public consultation in 2019 on this issue. The Government stated that the duty would require employers to take “all reasonable steps” to prevent sexual harassment, and that an incident of harassment would need to occur in order for a person to make a claim of a breach of the duty. It was also confirmed that the Equality and Human Rights Commission (EHRC), which is the statutory equality body, would have powers relating to enforcement of the duty, as well as being able to use its existing powers in relation to the duty, such as being able to enter into legally enforceable agreements with employers who have been found liable for breaches of the anti-discrimination laws. The Government said it would support the EHRC in developing a statutory Code of Practice to help employers and employees understand what would be required by the duty. The draft legislative amendments are yet to be tabled, but the UK Government stated it plans on introducing the legislative amendments as soon as parliamentary time allows.

It is also helpful to examine how a similar type of positive duty has been operated in practice. In relation to the existing Public Sector Equality Duty (PSED), this requires all public authorities to, in the exercise of its functions, have “due regard” to the need to eliminate discrimination, harassment, victimization, and any other conduct that is prohibited by the Equality Act 2010. The duty applies to all the protected characteristics under the Act, and includes requirements of taking steps to eliminate sexual harassment.

In practice, in order to comply with the duty, listed public authorities, in developing or reforming policies or practices, must consider what the impact of the changes will be on particular groups protected from discrimination and harassment such as women, people with disabilities, and ethnic minorities. This can be done for example by impact

¹³ *A Roadmap for Respect: Preventing and Addressing Sexual Harassment in Australian Workplaces*, AHRC, April 2021, Recommendation 17, <https://www.ag.gov.au/rights-and-protections/publications/roadmap-for-respect>

¹⁴ Consultation on Sexual Harassment in the Workplace: Government Response, 21 July 2021, <https://www.gov.uk/government/consultations/consultation-on-sexual-harassment-in-the-workplace/outcome/consultation-on-sexual-harassment-in-the-workplace-government-response>

assessments and where appropriate, alterations to the policies and practices to improve equality outcomes.

The EHRC has a range of powers in relation to the PSED such as assessing compliance of an organisation with the duty; issuing a compliance notice where the EHRC believes the organisation has not complied with the duty; bringing legal proceedings for failure to comply with the compliance notice; and using more general powers of inquiries or investigations with reports and recommendations being made. Such powers are discretionary and the EHRC decides whether or not to use those powers depending on a range of factors.

2.4 Local Legislation against Sexual Harassment

Protection from sexual harassment is a specific form of prohibited conduct under the Sex Discrimination Ordinance (SDO) Cap. 480. There are two forms of sexual harassment: The first limb of the definition states that a person sexually harasses another person if the person makes an unwelcome sexual advance, an unwelcome request for sexual favours, to another person, or engages in other unwelcome conduct of a sexual nature in relation to that person, where a reasonable person, have regard to all the circumstances, would have anticipated that the person would be offended, humiliated or intimidated. This could include asking a person to engage in sexual activity or making sexual comments about a person's private parts. Under the second limb of the definition, more commonly referred to as "sexually hostile environment", sexual harassment occurs when a person engages (alone or together with others) in conduct of a sexual nature which creates a sexually hostile or intimidating environment for a person. This could include the display of pornographic material and the making of derogatory sexual remarks in the workplace.

In terms of the sectors in which sexual harassment is prohibited, the SDO currently covers many areas of public life. Relevant to the current study, there is protection from sexual harassment in relation to employment and related work relationships such as contract workers, partnerships and commission agents, trade unions, qualifying bodies, and employment agencies. As pointed out in Chapter 1, in June 2020, protection from sexual harassment was extended to cover common workplaces where no employment relationship exists between the parties, but they do work in the same place. Importantly, this also includes coverage of volunteers and interns.

It should be reiterated that while every employee will be held personally liable for his/ her

illegal acts of sexual harassment, employers may be held vicariously liable for their employees' act of sexual harassment in the course of employment, whether or not it was done with the employer's knowledge or approval. The court will consider exempting employers from their liability only if they could bring up a defense that reasonably practicable steps have been taken to prevent workplace sexual harassment. In other words, unlike the City of Shenzhen and the State of Victoria in Australia, in Hong Kong, there is no positive duty which requires employers to take proactive measures against workplace sexual harassment. Examples of reasonably practicable measures to be taken by employers include developing anti-sexual harassment policy, establishing complaint mechanisms, training and communication, handling complaints properly, implementing appropriate disciplinary actions and improvement measures, and reviewing related policies, procedures, and measures regularly.

2.5 Current Laws related to Online Sexual Harassment in Hong Kong

As illustrated later in Chapter 3, in Hong Kong, there is a clear evidence of image-based sexual violence (IBSV) occurred via electronic communications and online sexual harassment.¹⁵ However, legal gaps are identified in protecting individuals from sexual harassment and IBSV via electronic communications and in the Internet. On the one hand, some of the sexual harassment that occurs in the context of electronic communications is covered by the Sex Discrimination Ordinance (SDO), such as employment and related work, education and where there is a situation of the provision of goods, services, or facilities. For example, if an employee sexually harasses a fellow employee in the context of their work relationship, the fact that it is done via electronic communications such as social media or a mobile phone application would still constitute unlawful sexual harassment.

On the other hand, where there is no relationship between the parties under the SDO, there will be no protection from sexual harassment. For example, where in a chat group or social media account a person makes sexual advances or creates a hostile and intimidating

¹⁵ For example, in 2019, Rainlily, a non-governmental organisation based in Hong Kong, conducted a survey of 206 individuals which had experienced image-based sexual violence (IBSV) in the last three years. The most common forms IBSV reported were: someone took intimate images of them without their consent (n=151); someone observed their private acts without their consent (n=82); someone threatened or blackmailed to distribute intimate images of them (n=62); and intimate images were distributed without their consent (n=60). It is worthwhile to note that many instances of the IBSV occurred via electronic communications such as an instant messaging application (n=52), a social media website (n=33), and online forum (n=18). It is also significant that most perpetrators were strangers (n=116). For more information about this survey, see: <https://rainlily.org.hk/publication/2020/ibsvsurvey#eng>

environment for another person and there is no relationship between them under the SDO (e.g. employment or education), a person would not be able to pursue a claim under the SDO.

Under the Crimes (Amendment) Bill 2021, which was passed on 30 September 2021, among other amendments, publication or threatened publication of intimate image without consent becomes unlawful. Accordingly, posting someone's indecent image(s) or video(s) online or via other forms of electronic communications (such as phone apps) without consent of the persons concerned is a criminal offence. However, this amended bill does not deal with some situations (including in relation to electronic communications) where a person is subjected to other forms of sexual harassment and there is no use of images or videos. For instance, if a person subjects another person on social media to repeated sexual advances, or repeatedly sends them naked images of unidentified persons, currently there is no criminal offence for such conduct.

CHAPTER 3

LITERATURE REVIEW

This chapter aims at giving a systematic review about the existing empirical knowledge on sexual harassment in general and workplace sexual harassment in particular. The research evidence available not only facilitates us to make sense of the results found in this first-ever territory-wide representative survey on sexual harassment in Hong Kong (Chapters 5-8 of this report), but also provides a solid foundation to propose evidence-based and feasible recommendations to address sexual harassment in the local context (Chapter 9).

This chapter is structured as follows. The first part attempts to review overseas studies on sexual harassment. To be specific, debates about defining and measuring sexual harassment and the implications on disparities in reported rates of sexual harassment will be presented. Then, antecedents or correlates of sexual harassment identified in the existing body of literature will be examined.

It will also discuss the previous results about reactions in response to sexual harassment, including incidences of reporting, reasons of non-reporting, impacts of reporting, and consequences of sexual harassment on individuals and organisations. Role of bystanders in workplace sexual harassment will be illustrated. Prevalence rates and facts of sexual harassment experiences reported in recent national surveys based on probability samples in the UK and Australia will be given.

The second part will focus on local evidence. As well as providing a summary of EOC's research studies on sexual harassment in the workplace, sexual harassment awareness, and online sexual harassment, a table listing the rates of workplace sexual harassment reported in these surveys will be presented.

3.1 Overseas Studies on Sexual Harassment

3.1.1 Definitions and Measurements

The identification of sexual harassment prevalence is usually informed by legal as well as psychological dimensions of sexual harassment. There are commonalities in the definition of sexual harassment across places which could be reflected in the following definition adopted by United Nations (2008: paragraph 1.3):

Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.

There are two most common approaches to measure workplace sexual harassment in quantitative surveys: (1) direct query and (2) behavioral experiences. In the former, respondents are posed with a single question such as “Have you been sexually harassed at work?”, without being offered any explanation and definition of what is included. In the approach of behavioral experiences, respondents are asked to indicate whether they have experienced any of the behaviors on a list of sexual harassment acts.

In comparing these two measurement approaches, it is argued that individuals are not necessarily aware of what behaviors might constitute sexual harassment and evidence suggests that some socio-sexual behaviors are considered to be “part of the job” by employers and workers (Women and Equalities Committee 2018). As such, it is argued that underreporting might occur due to the apparent simplicity and subjectivity in the direct query method (McDonald 2012). Results from a meta-analysis of 86,000 respondents in 55 probability samples of workers in the United States (US) indeed reveal that the reported incidence of workplace sexual harassment among women is about double when based on a behavioral approach (58%) than on direct query (24%) (Ilies et al. 2003).

The Sexual Experiences Questionnaire (SEQ), developed by Fitzgerald et al. (1988; Fitzgerald, Gelfand, and Drasgow 1995), has been one of the widely used instruments to measure workplace sexual harassment. In the revised version of SEQ, sexual harassment behaviors are operationalized and classified into three subtypes, namely gender harassment, unwanted sexual attention, and sexual coercion. While unwanted sexual attention and sexual coercion explicitly refer to behaviors of a sexual nature, gender harassment could include hostile behaviors which are devoid of sexual interest. In conducting the reliability test of SEQ, Fitzgerald, Gelfand, and Drasgow (1995) highlight that the three behavioral dimensions of sexual harassment identified in SEQ are largely consistent with the legal concepts of *quid pro quo* and hostile work environment in US Equal Employment

Opportunity Commission's definition of workplace sexual harassment. In particular, while gender harassment and unwanted sexual attention constitute hostile work environment, sexual coercion overlaps with *quid pro quo*.

Instead of adopting SEQ, many studies use an eclectic mix of behavioral descriptors to identify workplace sexual harassment experiences without providing justification of the choices. These definitional and measurement differences would probably cause difficulties in comparing prevalence and incidences of sexual harassment found in surveys conducted across time and places.

As well as differences in reporting methods adopted and forms of sexual harassment behavior included, questionnaire surveys on experiences of sexual harassment differ widely in time period covered and samples surveyed. It is obvious that prevalence rate would be higher when respondents are required to report experiences of being sexually harassed throughout their lifetime than an account of any past experience over the past year. Similarly, a higher incidence rate of workplace sexual harassment is likely to be obtained when focusing on workers in a specific sector or industry than a nationally representative sample of employees.

It is also important to note that workplace sexual harassment occurs in a variety of settings. As raised in ILO's definition of workplace sexual harassment, sexual harassment could take place outside the immediate location of the workplace (e.g., a client's office), on a business trip, or at a work-related social event such as an annual dinner and beyond work hours. Furthermore, emails, social media, and text messages are increasingly involved in workplace sexual harassment, which is reflected in the inclusion of related forms of sexual harassment in the national surveys carried out in Australia and the US (Australian Human Rights Commission 2018; Kearn et al. 2019; Stop Street Harassment 2018).

3.1.2 Theories and Explanations

It is argued that the focus of sexual harassment studies is usually placed on fact-finding rather than on theory-building (McDonald 2012; Pina et al. 2009; Welsh 1999). Nevertheless, a few theoretical perspectives or models are used to explain why workplace sexual harassment occurs and why some groups are more likely to experience workplace sexual harassment. Concerning the profile of victims, in spite of mixed and inconclusive evidence, the general pattern is that women, younger workers, individuals from minority groups, and employees in the lower position of the organisational hierarchy are found to be at a higher risk of being sexually harassed at work.

Power-dominance model explains how power differentials within the society or organisation influence the likelihood of sexual harassment occurring (MacKinnon 1979). Those with formal organisational power or in higher organisational roles might use their position to harass their subordinates. This power dynamic would lead to *quid pro quo* harassment, whereby sexual behaviors are exchanged for employment opportunities or job-related favors, in an abuse of power. It should be highlighted that a growing body of workplace sexual harassment studies show that harassers are more likely to be co-workers and sometimes are even subordinates (McKinney 1994; Rospenda et al. 1998). Still, these instances of contrapower harassment could be explained by this power-differential theory. In cases of sexual harassment which involve men in junior positions harassing women in senior positions, men with more sociocultural power assert their control and domination over women through unwanted sexual behaviors (McLaughlin et al. 2012).

Given the fact that women are more likely to be victims of workplace sexual harassment than men, sex-role spillover theory provides one of the most straightforward explanations of the related phenomenon. This theoretical model proposes that sexual harassment at work is the outcome of men being regarded as sex agents and women as sex objects (Gutek and Morasch 1982). Sex role expectations become more obvious when the sex ratio of a workplace is heavily skewed toward either men or women. For women working in female-dominated workplaces, their feminine role is more salient than their work role. In male-dominated working situations, as women are perceived to be competing with men for jobs, men attempt to emphasize female colleagues' status as women over their status as workers. This gives support to the fact that male-dominated work settings are rife for sexual harassment.

Organisational perspective represents a more systematic approach to examine the antecedents of workplace sexual harassment. Organisational climate and job gender context have been identified as conditions facilitating or inhibiting sexual harassment (Fitzgerald et al. 1997; Fitzgerald, Swan, and Fischer 1995; McDonald 2012; Willness et al. 2007). Organisational climate is about organisational tolerance for sexual harassment which is operationalized as the perceived risk of victims to complain, the possibility of sanctions for the harassers, and the reception of one's complaints by the organisations with regard to seriousness. A meta-analysis of over 40 studies confirms that organisational permissiveness for sexual harassment is a strong predictor of the occurrence of workplace sexual harassment (Willness et al. 2007). In other words, availability and implementation of organisational practices (such as formal written guidelines for behavior, procedures for filing grievances and investigating complaints, enforcement of penalties against

perpetrators, and training programs) are critical for preventing conditions that create an organisational culture or climate for sexual harassment.

Comparatively, job gender context which refers to the sex ratio of the workgroup, sex of supervisor, and occupational sex ratios exhibits a weaker effect on incidents of workplace sexual harassment (Willness et al. 2007). Nonetheless, it should be noted that, consistent with the arguments of sex-role spillover theory, results from various workplace studies indicate that sexual harassment is more frequently experienced by women in male-dominated occupations and work contexts (see, for example, De Haas and Timmerman 2012; Gruber 1998).

3.1.3 Consequences

Numerous studies consistently conclude that workplace sexual harassment poses negative effects on victims, work organisations, and other organisational members. In terms of costs to organisations, excluding complaints in the federal sector, in 2019, the US Equal Employment Opportunity Commission resolved 7,514 charges of workplace sexual harassment yielding monetary benefits to the harassed employees of US\$68.2 million.¹⁶ Based on a meta-analysis of 41 empirical studies, it is found that reduction in work productivity due to sexual harassment costs the organisations an average of US\$22,500 per person (Willness et al. 2007). Other direct organisational costs include those related to turnover and resulting recruitment, loss of managerial time to investigate complaints, and legal expenses for litigation (Feldblum and Lipnic 2016). Indirect and less quantifiable costs include lowered morale, increased team conflicts, increased absenteeism, unwanted publicity, and reputational damage (Fitzgerald et al. 1997; Lengnick-Hall 1995).

Research on adverse impacts on individuals mostly focus on job and health related outcomes, ranging from lower job satisfaction, less organisational commitment, poorer job performance, loss of earnings, quitting, headaches, sleep disturbance, exhaustion, feeling of anger and distrust, depression, anxiety, to post-traumatic stress disorder. While these costs to victims are well-documented, a critique is raised concerning the insufficient attention to explore the prevalence of these outcomes and the processes underlying them and the lasting impacts or life-course effects of workplace sexual harassment on individuals (Welsh 1999).

¹⁶ <https://www.eeoc.gov/statistics/data-visualizations-sexual-harassment-charge-data> (accessed on 16 September 2021)

With the availability of longitudinal data and the use of mixed-methods approach, McLaughlin et al. (2017) conclude that workplace sexual harassment at the age of late 20s represents a major scarring event, which increases the likelihood of experiencing financial stress and career interruption in the following few years due to reduced work hours, job change to lower-paid positions, loss of firm-specific capital, or simply unemployment. Specifically, based on the prospective longitudinal survey data from the Youth Development Study, it is found that around 35% of the effect of financial stress is attributed to job change which is a common response to serious sexual harassment. This quantitative result is further substantiated by the qualitative data with the same group of respondents who highlights that leaving the organisations is the only way to escape the toxic workplace culture.

Two studies based on the meta-analytic review method confirm the aforementioned job and health outcomes of sexual harassment experiences at work (Chan et al. 2008; Willness et al. 2007). In enriching our understanding of these consequences, the authors of these two reviews further point out that compared with organisational withdrawal or quitting, job withdrawal is significantly more associated with or affected by experiences of workplace sexual harassment. Leaving the organisations might not be a viable option for some victims of workplace sexual harassment who have financial concerns. Instead, avoidance, missing work, and task neglect are the most common responses to sexual harassment experience, which have clear implications for organisations to face chronic absenteeism and increased sick leave costs.

In examining the differences between sexes and among age groups, Chan et al. (2008) argue that job and health consequences of workplace sexual harassment are significantly more negative for younger workers (below the age of 40) than their older counterparts. Older or more mature adults might be more likely to cope with stressful events such as sexual harassment. No sex difference is observed.

3.1.4 Reporting

Reporting, or formal reporting, is one of the responses of workplace sexual harassment. Several schemes along a continuum have been constructed to describe reactions of individuals being sexually harassed at work (see Knapp et al. 1997). Generally, these continua of responses are based on a scale from passive to assertive. For example, it is suggested that women's responses to sexual harassment all along a continuum of avoidance, diffusion, negotiation, and confrontation (Gruber 1989).

Instead of reporting their experiences of sexual harassment, it is concluded that most women choose to ignore the incidents or to avoid the harassers. Results from a review comparing multiple studies on sexual harassment at the workplace reveal that the most common responses of victims were to avoid the harasser (33% to 75%), deny or downplay the gravity of the situation (54% to 73%), and attempt to ignore, forget, or endure the behavior (44% to 70%) (Cortina and Berdhal 2008, cited by Feldblum and Lipnic 2016). It is further found that female victims are more likely to seek support from friends or trusted others (around 50% to 70%). Filing a formal complaint is the least common response of either male or female victims of workplace sexual harassment (6% to 13%).

The extremely low level of reporting is intriguing when considering the benefits it brings to affected individuals and organisations. Presumably, harassing behavior would end after reporting which results in recovery from negative psychological consequences on the side of the victims. Organisations would be able to identify and rectify the situations contributing to workplace sexual harassment and to minimize its associated legal, financial, and productivity costs. Empirical results show the contrary which indicate that individuals who reported their experiences of being sexually harassed at work are worse off than their non-reporting counterparts (Adams-Roy and Barling 1998; Bergman et al. 2002; McDonald et al. 2008). Victim-blaming, organisational inaction, and retaliation against reporting victims are extensively documented (Fitzgerald, Swan, and Fischer 1995; Lucarini et al. 2020; Peirce et al. 1998). In a recent study with experimental research design, it is found that, compared with reports initiated by co-workers who witnessed the incidents, self-reporting female victims of workplace sexual harassment would not only be stigmatized as less moral, warm, and socially skilled, but also be perceived as less worthy for job promotion (Hart 2019).

It should be highlighted that greater likelihood of non-reporting and negative outcomes of self-reporting could largely be explained by organisational responses (or non-responses) to reports of workplace sexual harassment. Bergman et al. (2002) confirm that an organisational climate intolerant of sexual harassment would reduce the occurrence of sexual harassment in the organisations, encourage reporting through accessible channels of complaints, alleviate the associated drawbacks of reporting (such as minimization and retaliation), and increase the likelihood to respond to those reports appropriately and positively through remediation for instance. Conversely, inadequate sexual harassment policies with vague definitions and cumbersome reporting procedures, managerial rationalizations to trivialize reports of sexual harassment, and inertia tendencies of denying and ignoring the occurrence of sexual harassment in the organisations make formal reporting less likely (Equality and Human Rights Commission 2018; Peirce et al. 1998).

3.1.5 The Role of Bystanders

As stated in the last sub-section, avoidance, trivialization, and denial are more common responses than formal report following the incidents of sexual harassment. When considering the reasons of reporting and non-reporting of incidents of workplace sexual harassment, it becomes more complex given the perceived and actual negative consequences of making a report. As such, as well as addressing the negative effects of reporting, it might be more reasonable to consider the role of bystanders in preventing and intervening in sexual harassment in the workplace (McDonald et al. 2015).

As discussed by McDonald and Flood (2012), under the bystander approaches, the focus is placed on individuals who are not targets or perpetrators of the incidents of sexual harassment. Instead, these bystanders are those who observe sexual harassment firsthand or are subsequently informed of the incident. Bystanders are expected to intervene in order to protect and reduce harms to victims. In the organisational context, bystanders could be managers or supervisors, staff in human resources departments, and those persons who receive complaints of workplace sexual harassment. They could also be co-workers of the targets of sexual harassment, who witness or are informed of the event, for providing emotional support or advice. It is obvious that emphasis on the role of bystander could shift the framing of workplace sexual harassment from an individual problem to a systemic organisational issue (Quick and McFadyen 2017).

It should be noted that although bystander intervention is found to be of paramount importance in preventing and reducing harm in cases of rape and other types of interpersonal violence in non-work related contexts, less emphasis has been placed on the role of bystanders in workplace sexual harassment comparatively and as such evidence for the effectiveness of the bystander approach in addressing sexual harassment is lacking (Feldblum and Lipnic 2016; Lee et al. 2019). Based on 74 incidents of sexual harassment in Australian workplaces in which a total of 198 instances of bystander involvement and non-involvement were recorded, McDonald and Charlesworth (2016) construct a typology to categorize types of bystander intervention and to identify circumstances which result in action and inaction of the bystanders. Out of these 198 instances, 68 instances of bystander inaction are identified (34%), in which no intervention or support is given. In some cases, it is found that the bystanders are complicit in the harassing conduct where these bystanders join in. Borrowing the framework created by Bowes-Sperry and O'Leary-Kelly (2005) based on two dimensions – (1) the level of involvement or immersion in the sexual harassment event (high and low involvement) and (2) the level of immediacy of the

intervention (high and low immediacy), the authors report that there are 64 instances of low-immediacy – low involvement bystander intervention (32% of 198 instances), 41 instances of low-immediacy – high involvement intervention (21%), 16 instances of high immediacy – low involvement intervention (8%), and 9 instances of high immediacy – high involvement intervention (5%).

It is concluded that, excluding non-involvement, while low immediacy – low involvement bystander interventions are the most common, high immediacy – high involvement interventions are the most uncommon (McDonald et al. 2016). In the former case, bystanders would show sympathy with the targets of workplace sexual harassment by offering advice on coping and acknowledging the behavior as sexual harassment. In contrast, in high immediacy – high involvement interventions, bystanders are not only challenging the harassers, but also publicly requesting the harassers be stood down. Disturbingly, there are fewer bystander actions in which the bystanders hold more senior positions in the organisation to the harasser. In addition, four contextual features which influence bystander intervention are identified, including bystanders' identification with and similarity to the target, experience or anticipation of group-level sanction, workplace norms in terms of the social appropriateness of intervening, and proximity to the sexual harassment events. As such, the three researchers further stress that the degree of bystander involvement is largely determined by workplace culture and level of organisational tolerance over sexual harassment in the workplace.

In spite of the fact that the result of this study of bystander action and inaction is not generalizable to all workplaces in Australia, the picture depicted above is consistent with the results of a national survey conducted in 2018 in which only one-third of respondents who witnessed or heard about the sexual harassment of someone else in the workplace took action to prevent or reduce the harm of the incident (Australian Human Rights Commission 2018). Also, in a study on workplace harassment in the US, Feldblum and Lipnic (2016) highlight the significance of bystander intervention training, complementary to compliance training, in order to empower bystanders, heighten awareness of sexual harassment, and change the organisational culture as to make workplace sexual harassment a "sense of collective responsibility".

3.1.6 Findings of Recent National Surveys in Australia and the UK¹⁷

This section provides a summary of findings of recent national surveys on sexual harassment conducted in Australia and the UK. It should be noted that all these surveys outlined in the following are nationally representative where their results are largely comparable with each other and those from this territory-wide representative survey conducted in Hong Kong by EOC.¹⁸ Interestingly, data collection of the most recent surveys conducted in these two countries (the year of 2018 in Australia and 2020 in the UK) were after the worldwide #MeToo movement commenced in October 2017. It is very likely that the extensive media coverage of issues related to sexual harassment in recent years would result in greater community awareness and thus heighten public interests in survey participation. The summary of each national survey will focus on findings concerning sexual harassment at work and online sexual harassment. As well as rate of prevalence and nature, findings related to reporting of sexual harassment and responses of bystanders will be presented.

Australia

There have been at least four national representative surveys on sexual harassment conducted in Australia since 2003, though the change of survey methodology and sample coverage would make strict comparison of results undesirable. In the most recent survey in 2018, a sample of 10,272 respondents aged 15 and over were interviewed either online or by telephone. In view of a substantial increase in the use of information and communications technology and social media, technology-related sexual harassment behaviors were added to capture the prevalence of sexual harassment occurring through

¹⁷ Two rounds of national representative online survey on sexual harassment and assault were conducted in the US in January 2018 and February – March 2019. Although a couple of questions related to sexual harassment happened in the workplace were asked, workplace sexual harassment is operationalized as experiences of sexual harassment happened in the physical location of the workplace. As such, any workplace sexual harassment experiences at work-related occasions or outside the physical location of the workplace were not included in these surveys. It might not be appropriate to provide a summary of findings of these US surveys here. Nevertheless, in these surveys, issues related to online sexual harassment were explored. In 2019, across their lifetime, while 19% of the respondents experienced sexual harassment over email or social media platforms (27% women vs. 10% men), 21% were sexually harassed via phone (texting or calls) (30% women vs. 12% men).

¹⁸ Similar to this current survey of Hong Kong launched by EOC, both UK and Australia surveys reported here adopted the approach of “behavioral experiences” to establish if the respondents were sexually harassed. Although the wordings of the lists of sexual harassment behaviors used in Hong Kong, the UK, and Australia were not the same, these three lists covered most, if not all, behaviors legally defined as sexual harassment in these three jurisdictions.

technology. As done in surveys of previous rounds, facts about lifetime sexual harassment and workplace sexual harassment both in the last 12 months and over the past five years were included in the survey of 2018. Key findings of the 2018 survey are summarized below:

Workplace sexual harassment in the last 12 months

- 20% of those in the Australian workforce experienced some form of workplace sexual harassment in the last 12 months: 23% of women and 16% of men

Workplace sexual harassment in the last 5 years

- 33% of respondents who were in the workforce in the last five years experienced sexual harassment at work (including at a work-related event or while looking for work) during that period: 39% of women and 26% of men
- Rates were highest among those aged 18-29 (45%).
- Those who identified as gay, lesbian, bisexual, or with another sexual orientation were significantly more likely than those who are straight or heterosexual to be sexually harassed (52% vs. 32% respectively).
- People with disability were also more likely than their counterparts without disability to be sexually harassed at the workplace (44% vs. 32% respectively).

The most recent incident of sexual harassment experienced at work in the last five years

- Out of 15 listed sexual harassment behaviors, the most common form of workplace sexual harassment was sexually suggestive comments or jokes (19%), followed by intrusive questions about an individuals' private life or physical appearance (14%) and inappropriate staring or leering (11%).
- Indeed, for both women and men, the most common form of workplace sexual harassment was sexually suggestive comments or jokes: 25% of women and 13% of men
- Perpetrators were overwhelmingly male (79%): female victims (93%) and male victims (58%)
- Rates of workplace sexual harassment were notably higher in some industries: for example, information, media, and telecommunications (81%) and arts and recreation services (49%)
- 42% of workplaces where the sexual harassment occurred had an equal mix of female and male employees

Reporting workplace sexual harassment in the last five years

- 17% of those who were sexually harassed at work in the last five years made a formal report or complaint. No significant sex difference was found.
- In one of the five cases (19%), the formal report or complaint brought no consequences for the perpetrator: female victims (15%) and male victims (21%)
- Over two-fifths of those who made a formal report or complaint about workplace sexual harassment reported experiencing negative consequences as a result (43%).
- Nearly one in five victims who made a formal report or complaint were labelled as a troublemaker (19%) and were ostracized, victimized, or ignored by colleagues (18%).

Witnessing and hearing about workplace sexual harassment in the past five years

- 16% witnessed the sexual harassment of another person at the workplace themselves: women (14%) and men (18%)
- 21% heard about the sexual harassment directly from the victim of such behavior: women (22%) and men (20%)
- 35% who witnessed or heard about the sexual harassment of someone else in the workplace took action to prevent or reduce the harm of the incident: women (32%) and men (37%)
- 47% of active bystanders reported the incident to the employer: women (46%) and men (47%)

Lifetime online or technology-related sexual harassment experience

- 29% of women and 19% of men were sexually harassed online or via some form of technology (including sexually explicit emails, SMS messages, or social media; indecent phone calls, including someone leaving a sexually explicit message on voicemail or an answering machine; repeated or inappropriate advances on email, social networking websites or Internet chat rooms; and any other unwelcome conduct of a sexual nature that occurred online or via some form of technology) over the course of their lifetime
- The younger the age, the more likely to experience sexual harassment online or via some form of technology: age 18-29 (39%), age 30-39 (31%), age 40-49 (22%), and age 50-64 (15%)

The UK

The 2020 Sexual Harassment Survey is part of the plans of the UK Government to tackle sexual harassment in the workplace and in public places announced in December 2018 and May 2019 respectively. This survey is the first study on sexual harassment in the UK based on a nationally representative sample by demographics such as age, gender, region, ethnicity, and sexual orientation. In total, 12,131 respondents aged 16 or above responded to this survey online. As well as asking if the respondents experienced a list of 15 forms of sexual harassment behaviors during their lifetime, for those who reported to be sexually harassed at work in the last 12 months were asked further about their experience of workplace sexual harassment during that period.¹⁹ Major findings of this survey are provided below:

Prevalence of sexual harassment in the workplace in the last 12 months and profile of victims

- 29% of those in employment experienced some form of sexual harassment in their workplace or work-related environment in the last 12 months: women (30%) and men (27%)
- Generally, the younger the age, the more likely to be sexually harassed: age 16-24 (42%), age 25-34 (44%), age 35-49 (30%), and age 50 or above (13%)
- Compared with their white counterparts (28%), a significantly greater proportion of ethnic minorities (32%) were sexually harassed at work.
- LGB (43%) and those with highly limiting disability (44%) were more likely to experience workplace sexual harassment (28% for heterosexual respondents and 25% for those without disability).
- No pattern of likelihood of being sexually harassed at work was found among occupational groups. Individuals in higher managerial (33%) and lower supervisory (36%) groups were more likely to experience workplace sexual harassment.
- The prevalence rate of sexual harassment in the workplace was lower among permanent employees (23%). The figures for interns, trainees/ apprentices, temporary employees, and self-employed/ contractor are 56%, 45%, 21%, and 12% respectively.

¹⁹ Instead of examining the details of the most recent incident of workplace sexual harassment as in the survey conducted in Australia, victims of workplace sexual harassment in this UK survey were allowed to randomly select one form of sexual harassment behavior should they experience more than one form during the last 12 months. Victims who experienced repeated sexual harassment behaviors were asked to respond to related questions as a whole (as one experience).

Forms and other facts of workplace sexual harassment in the last 12 months

- Unwelcome jokes or comments of a sexual nature (15%) were the most common forms of sexual harassment in the workplace, followed by unwelcome staring or looks (10%).
- The most common industries where workplace sexual harassment occurred were retail and wholesale (14%), health care and social work (10%), and manufacturing (9%), which largely reflected the fact that higher proportions of people worked in these sectors.
- The most common type of harassers were those at the same rank as the victims (38%), followed by those more senior at rank than the victims (28%).
- Female victims were more likely than their male counterparts to be sexually harassed by those who were more senior in job position (women (31%) and men (26%)) and by someone outside the organisation such as clients or customers (women (20%) and men (8%)).

Reporting workplace sexual harassment in the last 12 months

- Only 15% made a formal report either internally or externally, with little, if any, sex difference: women (16%) and men (15%)
- 19% of victims who formally reported their sexual harassment experience said that there were no consequences for their perpetrators (vs. 41% of those who took other actions, e.g. verbally addressing their harassers or telling someone)

Witnessing workplace sexual harassment in the last 12 months

- 25% of those in employment had witnessed sexual harassment in the workplace
- 43% of victims of workplace sexual harassment reported that someone else had witnessed the incident
- Out of those victims who said someone witnessed their recent experience of sexual harassment in the workplace, 25% stated that their witnesses made a formal report

Online sexual harassment in the workplace in the last 12 months²⁰

- In terms of nature of workplace sexual harassment, 5% of the respondents received unwanted messages with material of a sexual nature, e.g. by text/ messaging app, email, social media, or another source.
- In terms of location, 5% of the respondents experienced workplace sexual harassment online or via work-related messaging.

3.2 EOC's Studies on Sexual Harassment

3.2.1 Sexual Harassment in Hong Kong Workplaces

Comparatively, in Hong Kong, systematic results of workplace sexual harassment are almost non-existent. An exception is a territory-wide representative survey of 2,008 individuals aged 15 or above who were in employment or seeking jobs at the time of the telephone interviews. In this “[Study on Discrimination in the Workplace](#)” conducted in February and March 2014, among all respondents, 3% reported to experience sexual harassment at work or when seeking a job. It should be noted that, first, no specific timeframe was referred to in this 2014 survey. Second, instead of a behavioral approach, the survey used a single item to ask if the respondents were sexually harassed.

Based on non-probability samples, EOC carried out a series of small-scale surveys on sexual harassment at work among those who were employed in workplaces or sectors prone to sexual harassment, namely flight attendants, workers of service industries (including retail, catering, healthcare, and nursing), foreign domestic workers, and recent female Mainland Chinese immigrants working in the service industries. A summary of key findings of each of these four surveys will be given in the following (see also Table 3.1).

[Sexual Harassment Experiences among Flight Attendants](#): Between November 2013 and January 2014, 392 flight attendants completed and returned questionnaires. Among all respondents, in the past 12 months before the survey, 27.4% (n=106) claimed to be sexually

²⁰ In the 2020 Sexual Harassment Survey, issues of online sexual harassment were not explicitly included. Only one of 15 sexual behavior experiences was about online sexual harassment - “received unwanted messages with material of a sexual nature, e.g. by text/ messaging app, email, social media, or another source”, which respondents were asked if they experienced this form of sexual harassment in the workplace in the last 12 months. In another national representative survey conducted in November 2017 interviewing more than 6,000 UK respondents online, 6% said that they received unwanted messages from colleagues with material of a sexual nature on social media (6% women vs. 4% men).

harassed when performing their inflight duty (29.1% of women vs. 17.0% of men), while 47.3% (n=185) reported to witness or hear about their colleagues being sexually harassed when they were working on the same flight. Among 239 incidents of sexual harassment, the most common type of sexual harassment was physical sexual behaviors (41.8%; n=100), followed by non-verbal sex cues (31.8%; n=76), oral/ textual/ electronic messages (18.4%; n=44), and hostile environment (7.9%; n=19). Customers were the most common alleged harassers (59.0%; n=141 incidents). A quarter of victims did not take any action (25.0%; n=26). In terms of action taken after being sexually harassed, out of 78 victims who took action, 66.7% (n=52) made a formal report or complaint. In total, three-fifths of the respondents (61.1%) reported that there was a policy statement on sexual harassment in their company, 9.8% said no, and 29.0% did not know.

Sexual Harassment Experiences among Workers of Service Industries: A total of 472 respondents completed the questionnaires between November 2013 and February 2014. Nearly one-fifth (n=64; 18.8% out of 340 valid responses) of the respondents were sexually harassed in the workplace over the last 12 months (18.3% of women vs. 20.2% of men). Compared to those who did not have regular contact with customers (13.0%), workers making contact with customers regularly were more likely to be sexually harassed (21.1%). More than two-thirds of the victims (69.6%; n=48) took action after being sexually harassed, which included mentioning the incidents to others, making a complaint to the company, reporting to the Police or EOC, and so on. Out of 431 respondents who made valid responses, only 16.7% were certain that a policy statement on sexual harassment existed in their company. More than half said no (52.4%) and 30.9% were unsure.

Sexual Harassment Experiences among Foreign Domestic Workers: In March and April 2014, 981 foreign domestic workers were interviewed (456 Indonesians and 525 Filipinos). Among these workers, 6.5% reported to be sexually harassed at work or at a work-related event in the 12 months prior to the survey (60 out of 918 valid responses). The most common form of sexual harassment encountered was “inappropriate staring or leering in a sexual manner” (14.2%; 16 out of 113 incidents of sexual harassment), followed by “sexually suggestive comments/ jokes/ name-calling” (13.3%) and “intrusive questions about their sex life/ physical appearance” (12.4%). In aggregated categories, the most common type of sexual harassment was oral/ textual/ electronic messages (44.2%; n=50), followed by non-verbal sex cues (16.8%; n=19) and hostile environment (16.8%; n=19). The respective figures for physical sexual behaviors and others were 14.2% (n=16) and 8.0% (n=9). Many victims were harassed by their employers, with 32.7% being harassed by their male employers and 28.6% by their female employers. Following the experience of workplace sexual harassment, three-quarters of the victims took action (76.7%), such as reporting to

the Police, seeking assistance from the Consulate General or migrant workers/ religious groups or employment agency, telling the harasser to stop, etc.

Sexual Harassment Experiences among Recent Female Mainland Chinese Immigrants and Locally-born Women in Service Industries: Commissioned by EOC, a survey on knowledge of sexual harassment and experiences of being sexually harassed among recent Mainland Chinese female immigrants and locally-born women in the service industries was launched. Between March and June 2017, 302 recent immigrants and 301 locally-born women aged 18-55 were interviewed in a face-to-face questionnaire survey. Using an approach of behavioral experiences, it was found that a total of 73 women were sexually harassed at work, constituting a prevalent rate of 12.1%. Compared with their locally-born counterparts, recent female immigrants from the Mainland were significantly less likely to experience workplace sexual harassment (9.6% vs. 14.6% of locally-born women). Similar to the results from many related surveys, the three most common types of sexual harassment were “sexual or gender-based jokes”, “being stared at in a sexual way”, and “being the target of sexual speech that makes you uncomfortable”. Among all socio-demographic and organisational variables, only organisational size and the availability of anti-sexual harassment policy at the workplace are significantly associated with experience of being sexually harassed at work for these two groups of women. Customers and co-workers were quoted as perpetrators most frequently.

Out of 73 victims, 57.5% took action in response to their experience of workplace sexual harassment, with recent immigrants being significantly more likely than their locally-born counterparts to act (69.0% of recent immigrants from Mainland China vs. 50.0% of Hong Kong-born women). It should be noted that informal channels were used more often, including directly denouncing the harassers and mentioning to colleagues, relatives, or friends. Almost half of the victims made complaints to immediate supervisors, EOC, or the Police (46.6%). In total, 17.9% of the respondents confirmed that there was an anti-sexual harassment policy in their organisations. More than a quarter said no (27.5%) and 54.6% were unsure. In the questionnaire survey, given a list of 18 socio-sexual behaviors, respondents were asked to indicate if each of them constituted sexual harassment. Findings about the knowledge of sexual harassment among female workers in the service industries will be provided in the next sub-section.

Table 3.1: Quick Facts of EOC's Surveys on Workplace Sexual Harassment Based on Non-Probability Samples

	Flight Attendants	Workers of Service Industries	Foreign Domestic Workers	Recent Female Immigrants from Mainland China and Locally-Born Women in the Service Industries
Period of data collection	November 2013 – January 2014	November 2013 – February 2014	March – April 2014	March – June 2017
Number of samples	392	472	981	603 (302 recent immigrants and 301 locally-born)
Prevalence rate of workplace sexual harassment	<i>In the last 12 months before the survey</i>			<i>No timeframe specified</i>
	27.4% (29.1% of women vs. 17.0% of men)	18.8% (18.3% of women vs. 20.2% of men)	6.5%	12.1% (9.6% of recent immigrants vs. 14.6% of locally-born)
Whether took action following the experience of being sexually harassed	75.0%	69.6%	76.7%	57.5% (69.0% of recent immigrants vs. 50.0% of locally-born)
Whether made a formal report	49.1%	Not available	Not available	46.6% (51.7% of recent immigrants vs. 43.2% of locally-born)
Whether there was a policy statement on sexual harassment in the company	61.6%	16.7%	Not available	17.9%
<i>Whether there was a clear statement of zero-tolerance#</i>	94.5%	70.6%	<i>Not available</i>	<i>Not available</i>
<i>Availability of info about how the complaints will be handled#</i>	62.7%	42.6%	<i>Not available</i>	<i>Not available</i>
<i>Availability of names and contacts of designated staff who handle complaints#</i>	25.0%	52.9%	<i>Not available</i>	<i>Not available</i>
<i>Assurance of nobody would be punished for lodging a harassment complaint in good faith#</i>	49.6%	38.2%	<i>Not available</i>	<i>Not available</i>

Note: # representing specific content within the policy statement

3.2.2 Knowledge of Sexual Harassment among the General Public in Hong Kong

In this sub-section, findings about knowledge of sexual harassment among people in Hong Kong will be provided. So far, related results were presented in two of the EOC's surveys. As afore-mentioned, in a commissioned study comparing knowledge and experience of sexual harassment between recent female immigrants from Mainland China and locally-born women working in the service industries in Hong Kong, respondents were given a list of 18 socio-sexual behaviors and asked to indicate if each of them constituted sexual harassment, with a higher score indicating a higher level of ability to correctly identify sexual harassment behavior (ranging from 0 to 1). It was found that locally-born women scored significantly higher than recent female Chinese immigrants (mean scores are 0.91 and 0.81 respectively). On the one hand, an overwhelming majority of women in these two groups (more than 90%) considered "sexually assaulted you", "masturbated in front of you", "took a candid/ upskirt photo of you", and "exposed their sexual body parts to you" as sexual harassment. On the other hand, "persistently trying to date you despite refusals" was least likely to be perceived as sexual harassment by both groups.

Sexual Harassment Experiences among University Students: In an online survey of students from nine universities conducted in early 2018, respondents were asked to assess if each of eight scenario-statements constituted sexual harassment. Out of a composite score of 100, the average score of Sexual Harassment Awareness Index of the university students is 69.5 (a standard deviation of 31.4), suggesting a fairly good understanding of the concept of sexual harassment. It was further found that, on average, female students (72.7) scored significantly higher than their male counterparts (65.9). Similar to the results of other surveys aforementioned, at the one end, only 35.0% and 55.8% of the respondents considered "someone invites you to go out on dates repeatedly, regardless of your rejection" and "someone discusses with others about sex in front of you and makes you feel uncomfortable" as acts of sexual harassments respectively. At the other end, over 80% viewed "someone has inappropriate physical contact with you (e.g. forcible kiss, touch, or brush up against you)" (82.8%), "someone sends you sexually suggestive messages or photos on the Internet and makes you feel offended" (81.7%), and "someone keeps making sexual advances to you regardless of your rejection" (81.0%) as conducts of sexual harassment.

3.2.3 Online Sexual Harassment in Hong Kong

Systematic examination of sexual harassment via Internet or social media is lacking in Hong Kong. In the online survey of 14,442 university students mentioned in the last sub-section, 11.5% reported to be sexually harassed online, with a higher proportion of female respondents (12.9%) experienced online sexual harassment than their male counterparts (9.8%). Among the victims, the most common form of online sexual harassment was “receiving offensive sexually suggestive messages on the Internet” (61.5%), followed by “receiving indecent image(s) or video(s) online and feeling offended” (50.7%). One-fifth of the victims reported that “someone posted indecent image(s) or video(s) of yourself online without your consent”, which constituted image-based sexual violence (21.0%). Many of the incidents of online sexual harassment occurred on social media platform(s) (71.5%) and online forum or chat room (39.4%).

CHAPTER 4

METHODOLOGY

4.1 Sample Coverage, Survey Design, and Data Collection

The target population of this telephone survey was Hong Kong residents (including foreign domestic helpers) aged 18 to 64, who were Cantonese, Putonghua, or English speakers. Given a declining rate of fixed-line telephones in Hong Kong households, a dual frame survey approach was adopted with half of the respondents drawn from fixed-line telephones and the other half from mobile phones. Interviewed respondents were randomly drawn from edited databases of landline and mobile phone numbers which were obtained from the Numbering Plans provided by the Office of the Communications Authority. For the database of landline numbers, after making successful contact with a household, the “Next Birthday Rule” method was employed to select the eligible respondent whose birthday came soonest if there was more than one member at home who was eligible for an interview. Owners of the mobile numbers, if aged 18-64, became the eligible respondents.

A team of interviewers were recruited to conduct this territory-wide representative telephone survey via a Computer-Assisted Telephone Interviewing (CATI) system.²¹ Interviewers read out each question of a structured questionnaire displayed on the monitor and entered respondents’ answers directly into the computer. This facilitated a greater control over the quality of an entire data collection process and had an advantage of a higher level of standardization.

A pilot test of this large scale telephone survey was launched in mid-March 2021. A total of 42 respondents were interviewed. A primary purpose of this pilot survey was to fully test the questionnaire and, thus, to ensure that respondents in the main survey could comprehend each question and give meaningful answers. Modifications to the questionnaire were made accordingly.

Main telephone interviews were carried out at 6.30pm – 10.30pm between 22 March and 10 June 2021, successfully interviewing a total of 5,027 target respondents (2,515 respondents from fixed-line telephones and 2,512 respondents from mobile telephones)

²¹ While The Centre for Communication and Public Opinion Survey, The Chinese University of Hong Kong was commissioned to collect survey data via telephone interviews, EOC was in charge of designing the survey questionnaire, conducting data analyses, and preparing this research report.

with a response rate of 40%. At a 95% confidence level, the sampling error is within +/- 1.4 percentage points. Thus, the achieved survey sample size could be considered to generally produce survey findings with acceptable levels of precision.

Overall, the average length of the telephone interview was 11.60 minutes (standard deviation (SD)=4.17). Compared with those who did not report to be sexually harassed in the workplace (including those who had not employed over the past 24 months before the survey) (mean=10.95 minutes (SD=3.57)), the average interview length of victims of workplace sexual harassment was significantly longer (mean=18.02 minutes (SD=4.22)). Also, a statistically significant difference in duration of interviews was found between respondents drawn from landline telephones (mean=11.37 minutes) and those from mobile phones (mean=11.83 minutes).

Given the sensitive nature of the topics of sexual harassment, it is worthwhile to report the details of the breakoff cases. In total, 958 eligible respondents did not complete the telephone interviews. Owing to data limitations, only few characteristics of these breakoff cases could be presented. First, among all of these cases, more women did not complete the interviews (53.7%). Second, 62.0% of the breakoff cases were drawn from mobile phones and 38.0% were from fixed line telephones.

While three-fifths of these 958 breakoff cases (60.2%) completed the items concerning awareness of sexual harassment which was the first part of the interviews, only a quarter of the eligible respondents (27.8%) continued to participate in the second part of the telephone interviews on experience of online sexual harassment and 18.0% of these 958 breakoff cases moved onto the third part on workplace sexual harassment. It should be noted that breakoff cases were not included in any analyses for this report.

4.2 Contents of the Questionnaire

In order to examine the awareness about and experiences of sexual harassment, five sub-topics were included in the questionnaire: (1) awareness about sexual harassment, (2) experience of being sexually harassed online over the past 24 months, (3) experience of being sexually harassed in the workplace over the past 24 months, (4) details of the most recent incident of workplace sexual harassment, and (5) responses of and follow-up actions taken by victims and bystanders of workplace sexual harassment. Socio-demographics of survey respondents were also covered in the questionnaire. A copy of the questionnaire could be found in the Appendix.

4.3 Measuring the Prevalence and Awareness of Sexual Harassment

Under the Sex Discrimination Ordinance (SDO) (Cap. 480), the legal definition of sexual harassment is:

- (a) If any person*
 - (i) makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person;²² or*
 - (ii) engages in other unwelcome conduct of a sexual nature in relation to that person, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that she would be offended, humiliated or intimidated; or*
- (b) The person, alone or together with other persons, engages in conduct of a sexual nature which creates a hostile or intimidating environment for another person.²³*

Sexual harassment may occur to any person, regardless of gender. Also, even if an act is not intentional or is of a playful nature, it may still amount to sexual harassment, if it fits the definition above. The SDO applies to the employment field. Under section 23 and 23A, it is unlawful for a person who is a workplace participant (including an employee, an employer, a contract worker, the principal of a contract worker, a commission agent, the principal of a commission agent, a partner in a firm, an intern, or a volunteer) to harass another person who is also a workplace participant at a workplace of them both. As elaborated in the beginning of this research report, provisions to protect providers of goods, services, or facilities against sexual harassment by customers were added in 2014.

In this study, a behavioral approach was adopted to identify respondents' experience of being sexually harassed online and in the workplace. With reference to the definition of sexual harassment in the SDO, eligible respondents were asked if they had encountered any of the sexual harassment incidents in the workplace over the 24 months before the interviews. Specifically, concerning workplace sexual harassment, respondents were presented with the following 12 forms of sexual harassment experience during the course of employment or when seeking jobs in Hong Kong:

²² The SDO uses the phrases "sexually harass a woman" and "makes an unwelcome sexual advance ... to her" in the statute. Yet according to section 2(8), "provision of Part 3 or 4 framed with reference to sexual harassment of women shall be treated as applying equally to the treatment of men". The word "her" is, therefore, changed into "another person" here, for the sake of clarity.

²³ Sex Discrimination Ordinance, s 2(5).

1. Someone at work kept asking you out for a date regardless of your rejection, making you feel offended.
2. Someone at work offered you job-related, pecuniary, or other forms of advantages in exchange for sexual favours.
3. Someone at work sent you emails or electronic messages with indecent or obscene words, photos or videos, making you feel offended.
4. Someone at work peeped at you or took photos or videos of you without your consent, making you feel offended.
5. Someone at work masturbated or exposed himself/ herself in your presence, making you feel offended.
6. Someone at work had inappropriate physical contact with you, such as forced kiss, touching, or brushing up against your bottom.
7. Someone at work made sexually suggestive comments on your physical appearance or body figure, making you feel offended.
8. Someone at work sexually assaulted or attempted to sexually assault you.
9. Someone at work asked about your sex life, making you feel offended.
10. Someone at work leered at you, or made lewd/ sexual gestures at you, making you feel offended.
11. Someone at work made sexually suggestive comments or jokes to you, making you feel offended.
12. Someone at work made sexually suggestive comments or jokes to others in front of your presence, making you feel uncomfortable.

By referencing to other surveys on experiences of being sexually harassed online, the following eight forms of online sexual harassment were presented to each of the eligible respondents in the telephone interviews:

1. Someone posted indecent images or videos of you on the Internet without your consent.
2. Someone made sexual comments on you or spread rumors of a sexual nature concerning you on the Internet, such as commenting on your body figure or spreading rumors about you having a sexual relationship with someone.
3. You received sexually suggestive messages online, making you feel offended.
4. You received indecent photos or videos online, making you feel offended.
5. Someone made sexually suggestive comments or jokes to you online,

- making you feel offended.
- 6. Someone kept making sexual advances to you online regardless of your rejection.
- 7. Someone requested you online to post nude photos or videos of yourself, making you feel offended.
- 8. Someone called you by a sexually suggestive name online, making you feel offended.

Where respondents indicated that they had experienced one or more of these eight forms of online sexual harassment and one or more of these 12 forms of workplace sexual harassment over the past 24 months before the interviews, they were included in the measurement of online sexual harassment and workplace sexual harassment respectively. To reiterate, the related survey findings presented in this report were based on the behavioral definition of sexual harassment, an approach which was found to measure sexual harassment more accurately. It was suggested that questions specifying the types of behaviors that constituted sexual harassment were less reliant on the respondent's own understanding of sexual harassment and consequently were likely to identify a more realistic incidence of sexual harassment. This approach was also adopted in the national surveys conducted in Australia and the UK (Australian Human Rights Commission 2018; Government Equalities Office 2020).

Apart from examining the prevalence of workplace and online sexual harassment, this study gauged the level of awareness about sexual harassment among the Hong Kong public. In the first main part of the telephone interviews, respondents were presented with the following 16 sexual harassment conducts and asked if they perceived these behaviors constituted sexual harassment:

- 1. In a company, a male colleague leers at, makes lewd/ sexual gestures at a female colleague, making her feel offended.
- 2. In a company, a female colleague leers at, makes lewd/ sexual gestures at a male colleague, making him feel offended.
- 3. In a company, a male colleague leers at, makes lewd/ sexual gestures at another male colleague, making him feel offended.
- 4. In a company, a female colleague leers at, makes lewd/ sexual gestures at another female colleague, making her feel offended.
- 5. When you are shopping in a store, a shop assistant makes sexually suggestive comments or jokes to other customers in your presence, making you feel uncomfortable.

6. In an activity hosted by a community organisation, a volunteer plays sexually suggestive games with other participants in your presence, making you feel uncomfortable.
7. Someone puts up obscene posters in the pantry at the workplace, making you feel uncomfortable.
8. In your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended.
9. In your company, a colleague keeps making sexual advances to you regardless of your rejection.
10. In your company, a colleague makes sexually suggestive comments on your physical appearance or body figure, making you feel offended.
11. In your company, a colleague peeps at you or takes photos or videos of you without your consent, making you feel offended.
12. In your company, a colleague masturbates or exposes himself/ herself in your presence, making you feel offended.
13. In your company, a colleague has inappropriate physical contact with you, such as forced kiss, touching, or brushing up against your bottom.
14. In your company, a colleague asks about your sex life, making you feel offended.
15. In your company, a colleague sends you emails or electronic messages with indecent or obscene words, photos, or videos, making you feel offended.
16. In your company, a colleague sexually assaults or attempts to sexually assault you.

In this research report, the terms “victim”, “harasser”, and “bystander” are used to illustrate respondents’ experiences of being sexually harassed. “Victim” is defined as those who reported experiencing sexual harassment, “harasser” refers to individuals who are alleged to have sexually harassed others, and “bystander” is someone who observes sexual harassment firsthand or is subsequently informed of the incident by the victim.

4.4 Data Management and Weighting

All of the data collected in the telephone survey were carefully validated, recoded, and analyzed using the statistical software package SPSS. In order to address any areas of over-sampling or under-sampling and to enable the results to be projected to our target population aged 18-64 living in Hong Kong, the telephone survey data was weighted based on the distribution of sex, age, educational attainment among the Hong Kong population,

as taken from the mid-year statistics of 2021 provided by the Census and Statistics Department (C&SD), The Government of Hong Kong Special Administrative Region (HKSAR).²⁴ Unless specified, survey findings presented in this report were weighted. As rounding would be resulted in weighted data, total number of cases presented in different analyses might vary.

4.5 Socio-demographic Characteristics of Survey Respondents

Before moving on to report the major findings about sub-topics of sexual harassment, it is worthwhile to present the socio-demographic profiles of the survey respondents (Tables 4.1 and 4.2). To allow comparison, characteristics of survey respondents drawn from landline and mobile telephones are juxtaposed with the population data of those aged 18-64 in mid-2021 from the C&SD, The Government of HKSAR.

From Table 4.1, compared with the mid-2021 population data, while the sex and age distribution of our respondents was more or less the same, respondents in the telephone survey were a lot more educated. Specifically, half of the respondents in this survey were degree holders and the respective figure was 34.1% in the whole population.

Focusing on the 5,027 respondents in this telephone survey, no significant difference was found in terms of educational attainment between the sub-sample from landline telephones and that from mobile phones. Nevertheless, survey respondents in the mobile phone sub-sample were significantly younger ($p<0.05$). A significantly greater proportion of female respondents were drawn from the fixed-line telephones.

Results from Table 4.2 further revealed that, there were significantly greater proportion of homemakers, retirees, Hong Kong born respondents, and currently married or cohabited persons found in the landline phone sub-sample. No difference between the two sub-samples was observed in terms of ethnicity and monthly household income ($p\geq 0.05$).

²⁴ To be exact, while population distribution of sex and age was drawn from 2021 mid-year statistics provided by Demographic Statistics Section, C&SD, that of educational attainment was from the data collected during April to June 2021 via General Household Survey.

Table 4.1: Basic Socio-demographic Profiles of the Survey Respondents (Column %)

	Landline (Unweighted)	Mobile (Unweighted)	Landline + Mobile (Unweighted)	Mid-2021 Population
N	(2,515)	(2,512)	(5,027)	(5,027)
***Sex				
Male	41.7	50.4	46.1	44.1
Female	58.3	46.9	53.9	55.9
***Age				
18-24	10.3	15.0	12.7	9.1
25-29	8.1	13.3	10.7	9.4
30-34	7.1	15.0	11.0	10.8
35-39	8.2	13.3	10.8	12.0
40-44	12.3	12.8	12.6	11.6
45-49	11.9	10.1	11.0	11.4
50-54	13.3	8.0	10.6	11.1
55-59	13.6	6.2	9.9	12.6
60-64	15.2	6.2	10.7	12.1
Educational Attainment				
Lower secondary or below	10.7	9.5	10.1	22.4
Upper secondary	30.2	28.0	29.1	36.1
Tertiary (Non-degree)	10.9	11.3	11.1	7.4
Tertiary (Degree)	48.2	51.2	49.7	34.1

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Table 4.2: Other Socio-demographic Profiles of the Survey Respondents (Column %)

N	Landline (Unweighted) (2,515)	Mobile (Unweighted) (2,512)	Landline + Mobile (Unweighted) (5,027)	Weighted (5,027)
***Current Economic Activity Status				
Employed	69.2	73.9	71.6	69.2
Unemployed	3.7	4.5	4.1	5.1
Homemaker	8.3	6.4	7.3	9.6
Retired	11.3	4.5	7.9	9.6
Student	7.5	10.7	9.1	6.5
***Place of Birth				
Hong Kong	81.2	77.1	79.2	76.1
Others	18.8	22.9	20.8	23.9
*Years of Living in HK				
Born in Hong Kong	81.3	77.2	79.2	76.2
0-6 years	0.6	3.6	2.1	2.3
7 years or above	18.1	19.2	18.7	21.5
Ethnicity				
Chinese	93.3	92.3	92.8	93.1
Non-Chinese	6.7	7.7	7.2	6.9
***Marital Status				
Never married	33.4	41.6	37.5	32.5
Currently married/ Cohabited	59.8	51.6	55.7	58.8
Divorced/ Separated/ Widowed	6.8	6.8	6.8	8.8
Monthly Household Income				
Below HK\$15,000	9.5	7.7	8.6	11.4
HK\$15,000 – HK\$24,999	13.3	13.0	13.1	16.4
HK\$25,000 - HK\$39,999	22.3	22.4	22.4	24.2
HK\$40,000 - HK\$59,999	23.0	25.6	24.3	22.6
HK\$60,000 – HK\$99,999	16.9	17.3	17.1	14.3
HK\$100,000 or above	15.0	14.1	14.6	11.1

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

CHAPTER 5

AWARENESS OF SEXUAL HARASSMENT: SURVEY FINDINGS

Findings of the current telephone survey will be presented in Chapters 5-8. In the beginning of the telephone interviews, in order to gauge respondents' awareness of sexual harassment, each respondent was asked to assess 16 scenario-statements and judge whether these scenarios constituted sexual harassment. Among these 16 scenarios, four intended to evaluate respondents' awareness of sexual harassment between persons of the same sex and that between persons of the opposite sex. While many of the others were related to sexual harassment acts in the context of workplace, a few scenarios occurred in other contexts covered by the Sex Discrimination Ordinance (SDO), such as being a participant in an activity organised by a community organisation and being a customer in a shop.

Table 5.1 showed that over 80% of all respondents accurately identified nine of the 16 sexual harassment acts. Conducts that were considered as sexual harassment by most respondents included those with physical touch or explicit sexual request: "in your company, a colleague keeps making sexual advances to you regardless of your rejection" (98.0%); "in your company, a colleague has inappropriate physical contact with you, such as forced kiss, touching or brushing up against your bottom" (97.6%); "in your company, a colleague sexually assaults or attempts to sexually assault you" (97.3%); and "in your company, a colleague masturbates or exposes himself/ herself in your presence, making you feel offended" (96.7%).

However, fewer than half of the respondents were able to identify two sexual harassment scenarios, including "when you are shopping in a store, a shop assistant makes sexually suggestive comments or jokes to other customers in front of you, making you feel uncomfortable" (45.0%) and "in your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended" (44.7%).

Also, relatively, fewer respondents were able to identify sexual harassment in the form of creating a sexually hostile environment. 66.8% and 71.6% of respondents were able to identify the two scenarios, namely "in an activity hosted by a community organisation, a volunteer plays sexually suggestively games with other participants in front of you, making you feel uncomfortable" and "someone puts up obscene posters in the pantry of your workplace, making you feel uncomfortable" as sexual harassment respectively.

Table 5.1: Whether Considering the Following Conducts to be Sexual Harassment (%)

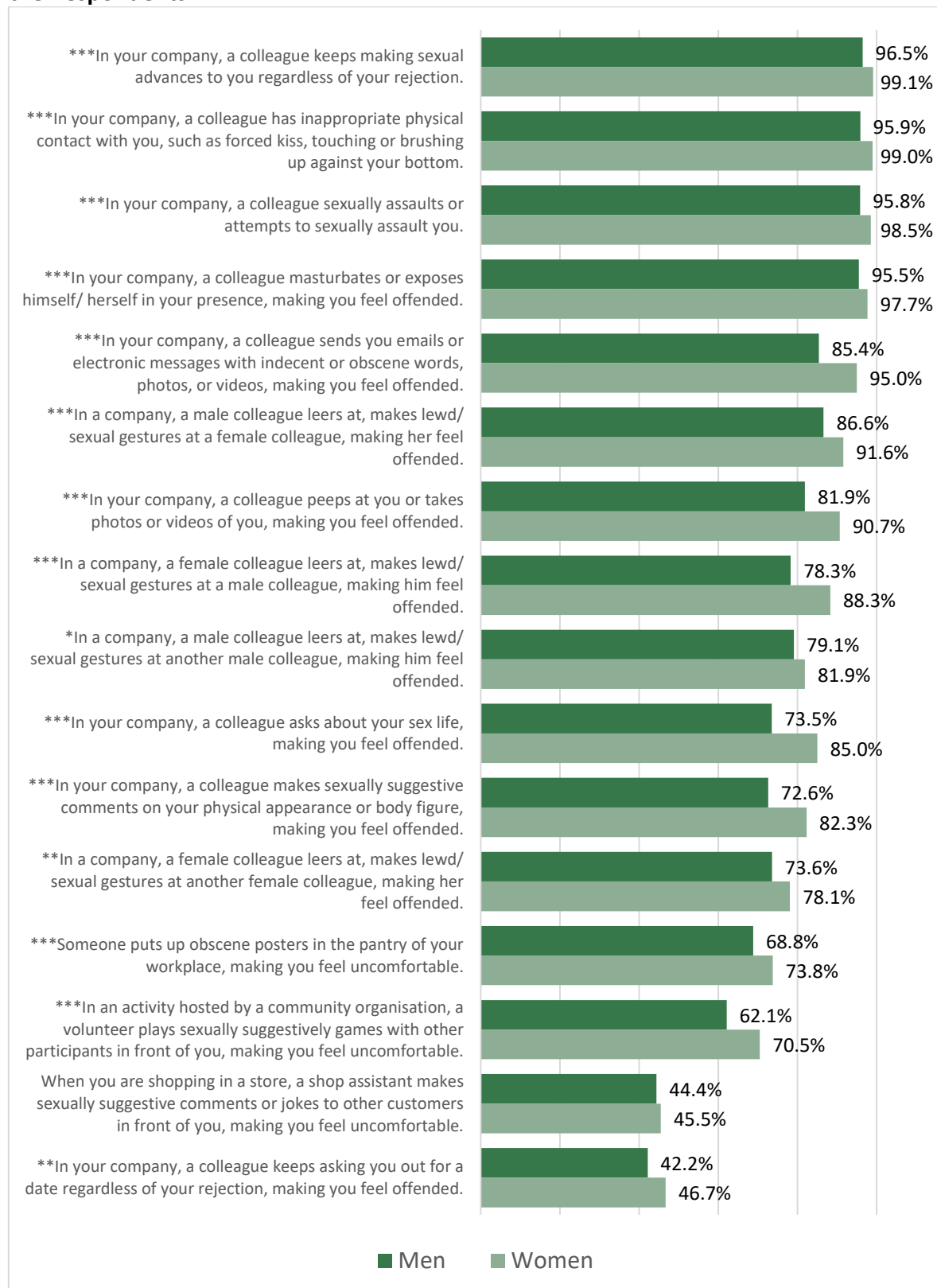
Sexual Harassment Scenarios	Yes	No	Don't know
In your company, a colleague keeps making sexual advances to you regardless of your rejection.	98.0	1.7	0.4
In your company, a colleague has inappropriate physical contact with you, such as forced kiss, touching or brushing up against your bottom.	97.6	1.8	0.6
In your company, a colleague sexually assaults or attempts to sexually assault you.	97.3	2.4	0.3
In your company, a colleague masturbates or exposes himself/ herself in your presence, making you feel offended.	96.7	2.7	0.6
In your company, a colleague sends you emails or electronic messages with indecent or obscene words, photos, or videos, making you feel offended.	90.8	8.0	1.2
In a company, a male colleague leers at, makes lewd/ sexual gestures at a female colleague, making her feel offended.	89.4	9.0	1.6
In your company, a colleague peeps at you or takes photos or videos of you, making you feel offended.	86.8	11.9	1.3
In a company, a female colleague leers at, makes lewd/ sexual gestures at a male colleague, making him feel offended.	83.9	14.2	1.9
In a company, a male colleague leers at, makes lewd/ sexual gestures at another male colleague, making him feel offended.	80.6	16.7	2.6
In your company, a colleague asks about your sex life, making you feel offended.	79.9	18.3	1.8
In your company, a colleague makes sexually suggestive comments on your physical appearance or body figure, making you feel offended.	78.0	20.3	1.7
In a company, a female colleague leers at, makes lewd/ sexual gestures at another female colleague, making her feel offended.	76.1	21.0	2.9
Someone puts up obscene posters in the pantry of your workplace, making you feel uncomfortable.	71.6	26.5	1.9
In an activity hosted by a community organisation, a volunteer plays sexually suggestively games with other participants in front of you, making you feel uncomfortable.	66.8	30.4	2.9
When you are shopping in a store, a shop assistant makes sexually suggestive comments or jokes to other customers in front of you, making you feel uncomfortable.	45.0	52.6	2.3
In your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended.	44.7	54.2	1.1

In order to observe sub-group differences, while Figure 5.1 showed the proportion of male and female respondents who accurately identified sexual harassment conducts, Figure 5.2 displayed the percentage of those aged 18-34, 35-49, and 50-64 being able to correctly identify different conducts of sexual harassment.

Female respondents' awareness of sexual harassment was generally higher than their male counterparts. Statistically significant sex differences were found in 15 out of the 16 scenarios (Figure 5.1). Their differences in awareness of sexual harassment in one-fourth of the given scenarios were as much as 10 percentage points. In all 16 scenarios, the level of awareness of sexual harassment among women was higher than men. Sex differences with around 10 percentage points occurred in four conducts of sexual harassment: "in your company, a colleague sends you emails or electronic messages with indecent or obscene words, photos, or videos, making you feel offended" (95.0% of women correctly identified vs. 85.4% of men); "in a company, a female colleague leers at, makes lewd/ sexual gestures at a male colleague, making him feel offended" (88.3% of women vs. 78.3% of men); "in your company, a colleague asks about your sex life, making you feel offended" (85.0% of women vs. 73.5% of men); and "in your company, a colleague makes sexually suggestive comments on your physical appearance or body figure, making you feel offended" (82.3% of women vs. 72.6% of men).

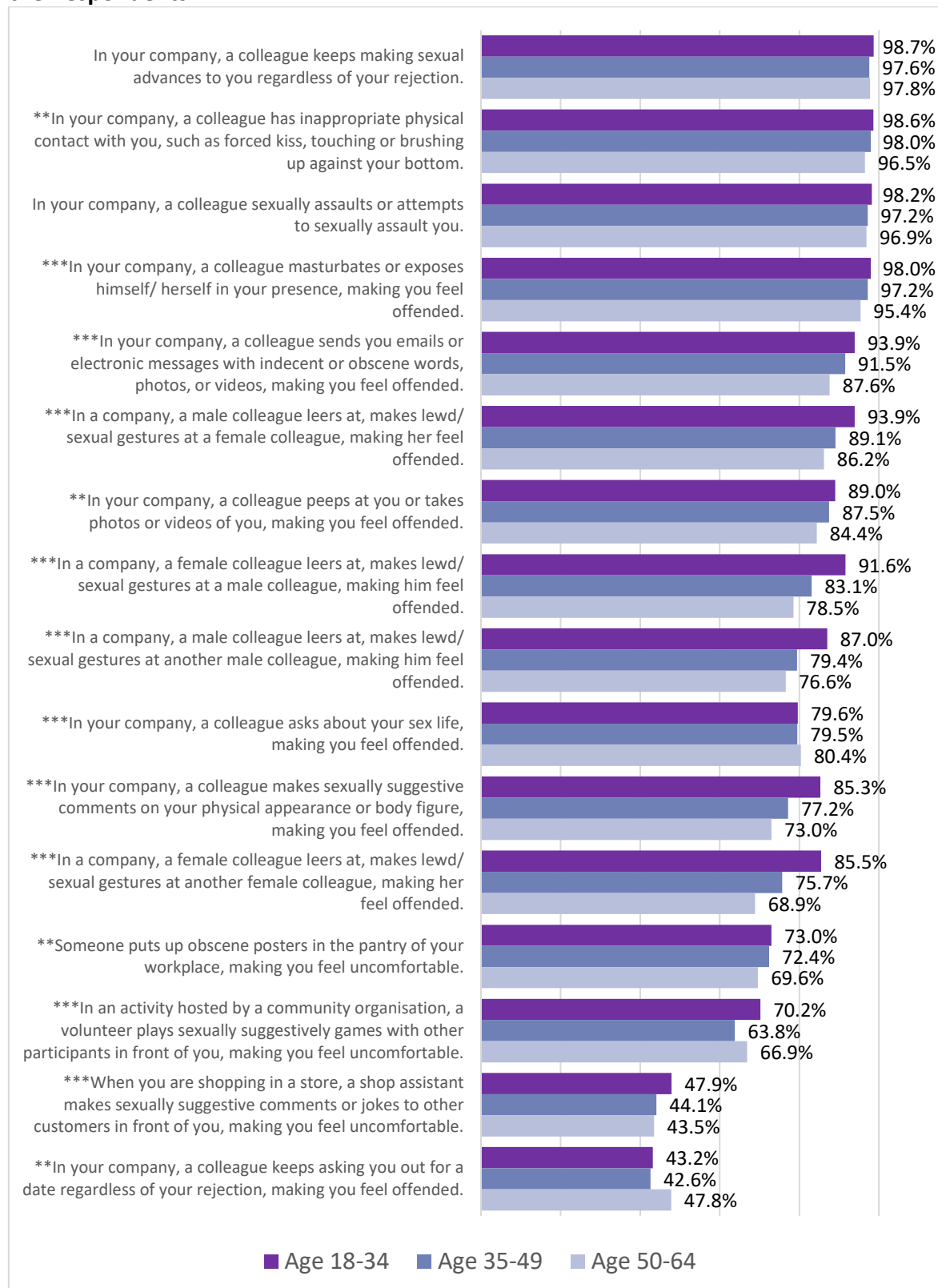
There was a clear age gradient in awareness of sexual harassment. Compared to their older counterparts, generally, a greater proportion of younger respondents (age 18-34) viewed these scenarios as conducts of sexual harassment (Figure 5.2). An exception is that, older respondents were more likely to accurately identify "in your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended" than their younger counterparts. Overall, significant age differences were observed in the awareness of many sexual harassment scenarios.

Figure 5.1: Correctly Identify the Following Conducts as Sexual Harassment -- by Sex of the Respondents



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 5.2: Correctly Identify the Following Conducts as Sexual Harassment -- by Age of the Respondents



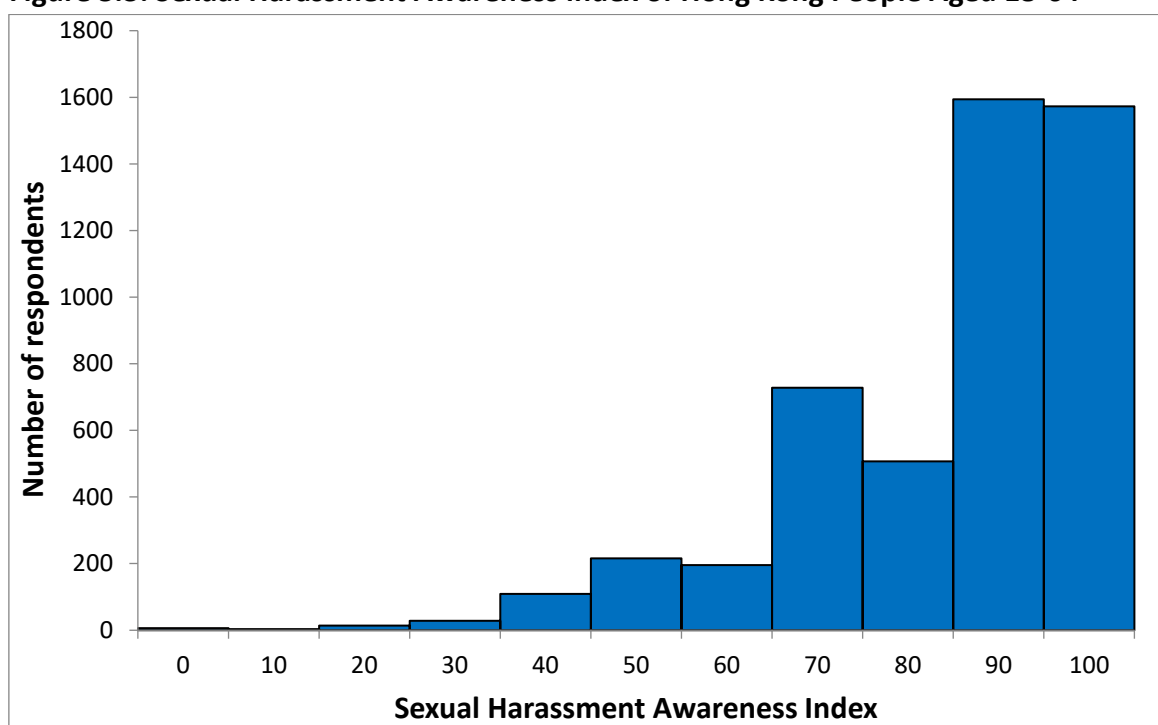
Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

5.1 Sexual Harassment Awareness Index

In addition to sex and age, in order to compare the awareness of sexual harassment among sub-groups of respondents, a composite score named “Sexual Harassment Awareness Index” (SHA Index) was created, ranging from zero to 100, where a higher score indicated that the respondent had a greater ability to identify sexual harassment behaviors accurately.²⁵ In terms of the reliability of this composite score, the Cronbach’s Alpha coefficient is 0.76, indicating a high internal consistency.

The mean of this Sexual Harassment Awareness Index for all respondents was 80.26, with a standard deviation of 16.89. This average score indicated a rather high level of awareness of sexual harassment among people in Hong Kong. Figure 5.3 showed the distribution of this SHA Index of our respondents. Over 90% of the respondents scored 50.0 or above.

Figure 5.3: Sexual Harassment Awareness Index of Hong Kong People Aged 18-64



Consistent with the observation made above, men scored significantly lower than women (mean SHA Index scores were 77.11 and 82.74 respectively) (Table 5.2). Also, the younger the respondents, the higher the SHA Index score (respondents aged 18-24 scored in average 84.53 and those aged 60-64 scored 76.84). More disaggregated analyses revealed that, compared with their counterparts in other sub-groups, degree holders, students, locally

²⁵ For the 16-scenario-statements, one point was counted for the answer “yes” and zero point for the answer “no” or “don’t know”.

born respondents, never married respondents, and those from wealthier households had a significantly higher level of awareness about sexual harassment ($p<0.05$) (Table 5.2). Among all the sub-groups, those whose educational attainment were lower secondary or below had the lowest level of awareness (mean SHA Index score was 75.07).

Table 5.2: Mean Score of Sexual Harassment Awareness Index -- by Socio-demographic Characteristics of the Respondents

	Mean (SD)		Mean (SD)
***Sex		***Place of Birth	
Male	77.11 (19.05)	Hong Kong	81.35 (16.28)
Female	82.74 (14.50)	Others	76.76 (18.29)
***Age		Years Living in HK (if not born in HK)	
18-24	84.53 (13.43)	0-6 years	75.24 (21.73)
25-29	84.08 (13.76)	7 years or above	77.01 (17.73)
30-34	81.73 (16.47)		
35-39	79.22 (16.00)	Ethnicity	
40-44	80.39 (15.59)	Chinese	80.28 (16.75)
45-49	79.73 (16.74)	Non-Chinese	80.27 (18.13)
50-54	79.55 (18.48)		
55-59	78.40 (17.43)	***Marital Status	
60-64	76.84 (20.07)	Never married	82.63 (15.29)
		Currently married/ cohabitated	79.26 (17.49)
***Educational Attainment		Divorced/ separated/ widowed	78.10 (17.20)
Lower secondary or below	75.07 (19.12)		
Upper secondary	79.57 (16.70)	***Household Income	
Tertiary (Non-degree)	81.75 (15.65)	HK\$14,999 or below	78.12 (18.71)
Tertiary (Degree)	84.00 (14.72)	HK\$15,000 – HK\$24,999	79.20 (17.27)
		HK\$25,000 – HK\$39,999	79.71 (16.90)
***Current Economic Activity Status		HK\$40,000 - HK\$59,999	81.53 (15.16)
Employed	80.37 (16.66)	HK\$60,000 – HK\$99,999	81.51 (16.16)
Unemployed	76.42 (19.64)	HK\$100,000 or above	82.41 (16.30)
Homemaker	80.22 (15.82)		
Retired	79.02 (19.49)		
Student	84.37 (13.01)		

Note: *** $p<0.001$; ** $p<0.01$; * $p<0.05$

5.2 Sexual Harassment Awareness and Sexuality Education

In the telephone interviews, respondents who received their primary or secondary education in Hong Kong were asked if they were taught about the five listed topics of sexuality education at school. The left panel of Table 5.3 showed the proportion of respondents who received the five elements of sexuality education laid down in the “Guidelines on Sex Education in Schools” published by the former Education Department in 1997.²⁶ During primary or secondary education, at the one end, more than three-quarters of these respondents (77.7%) were taught about sexuality education in puberty and reproductive system and nearly three-fifths received sexuality education about bodily privacy and sexually transmitted diseases (58.1%). At the other end, a much smaller proportion of our respondents were taught about marriage and family, such as the meanings of family and marriage, and responsibility of being parents (31.6%) and gender roles and societal and cultural influences on sex (40.3%). Overall, four-fifths of the respondents received some sexuality education during their primary or secondary education in Hong Kong (80.8%).

Table 5.3: Awareness of Sexual Harassment -- by Receipt of Sex Education

Whether Received the Following Topics of Sex Education in Primary or Secondary Education (%)		Mean Score of Sexual Harassment Index (SD)	
		Received this Topic of Sex Education	Did not Receive this Topic of Sex Education
***Puberty and reproductive system	77.7	82.03 (15.28)	78.66 (18.48)
**Bodily privacy and sexually transmitted diseases	58.1	81.92 (15.72)	80.20 (16.74)
***Courtship and dating, sexual harassment, sexual assault, and sexual violence	41.7	82.79 (15.25)	80.05 (16.73)
**Gender roles and societal and cultural influences on sex	40.3	82.21 (15.41)	80.61 (16.59)
***Marriage and family, such as the meanings of family and marriage, and responsibility of being parents	31.6	82.80 (15.36)	80.45 (16.49)
***Received any of the five topics shown above	80.8	81.85 (15.54)	78.66 (18.46)

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

It is worthwhile to further point out that only two-fifths of the respondents (41.7%) reported to receive sexuality education about courtship and dating, sexual harassment, sexual assault, and sexual violence, which was directly related to the theme of this research

²⁶ The “Guidelines on Sex Education in Schools” is no longer a curriculum document for instructing schools how to implement sex education.

study.

Further analyses revealed that those who received sexuality education in schools attained a significantly higher level of sexual harassment awareness (right panel of Table 5.3). This was true for each of the five listed sexuality education topics. In particular, respondents who had been taught topics about courtship and dating, sexual harassment, sexual assault, and sexual violence, as well as those who had been taught about gender roles and societal and cultural influences on sex similarly attained the highest mean score of SHA Index.

CHAPTER 6

ONLINE SEXUAL HARASSMENT EXPERIENCES: SURVEY FINDINGS

In this chapter, results of experiences being sexually harassed online over the past 24 months will be presented. As mentioned in previous chapters, owing to the widespread use of Internet and social media in the past two decades, cyber bullying and online sex crimes have become more common. Although not every form of online sexual harassment is covered by the Sex Discrimination Ordinance (SDO), it is worthwhile to examine the pervasiveness of online sexual harassment in Hong Kong. Related results found in this territory-wide representative survey not only help to increase public attention over this issue, but also serve as a benchmark for studying the long-term changes in future research.

6.1 Prevalence Rate of Online Sexual Harassment

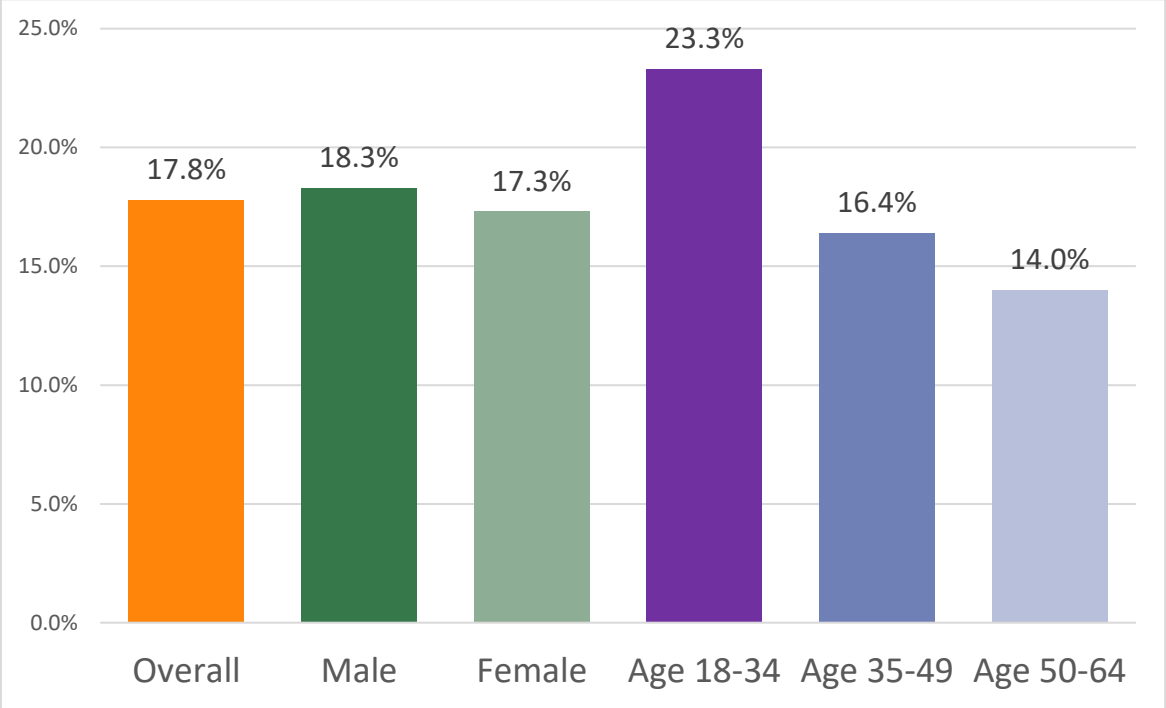
In the telephone interviews, respondents were asked if they had experienced any of the eight listed forms of online sexual harassment in the 24 months before the survey. Out of a total of 5,027 respondents, 93.3% surfed the Internet ($n=4,698$), including using mobile phone apps, in the past 24 months before the interviews. Around one in six of these 4,689 respondents (17.8%; $n=832$) reported to be sexually harassed online in the past 24 months (Figure 6.1).²⁷

Disaggregated by sex, a greater proportion of men (18.3%) claimed to have experienced online sexual harassment than women (17.3%), though the difference was not statistically significant (Figure 6.1). Significant age differences existed with a decreasing age gradient in experiencing online sexual harassment. As shown in Figure 6.1, while nearly one in four (23.3%) young adults (age 18-34) were sexually harassed online over the past 24 months, the respective figures for those aged 35-49 and 50-64 were 16.4% and 14.0%.

Analysed by six sex-age sub-groups, it is found that the prevalence rate of online sexual harassment was the highest among younger women (age 18-34), with a quarter of them being sexually harassed online (25.7%) ($p<0.05$) (Figure 6.2). The figures of their older counterparts were 15.1% (age 35-49) and 12.3% (age 50-64) respectively. Correspondingly, those of men aged 18-34, aged 35-49, and aged 50-64 were 20.4%, 18.2%, and 16.2% (Figure 6.2).

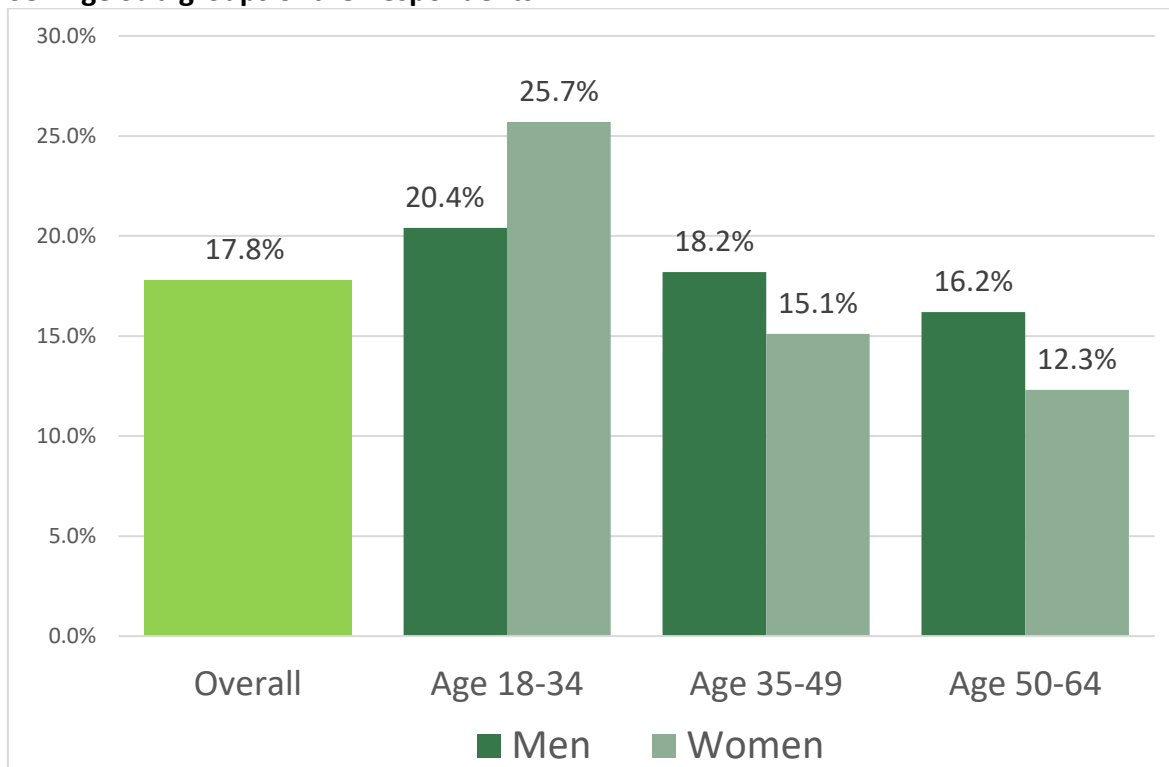
²⁷ Among these 832 victims of online sexual harassment, over half of them were women (54.0%; $n=449$) and 46.0% were men ($n=383$).

Figure 6.1: Prevalence Rate of Online Sexual Harassment in the Past 24 Months -- by Sex and Age* of the Respondents**



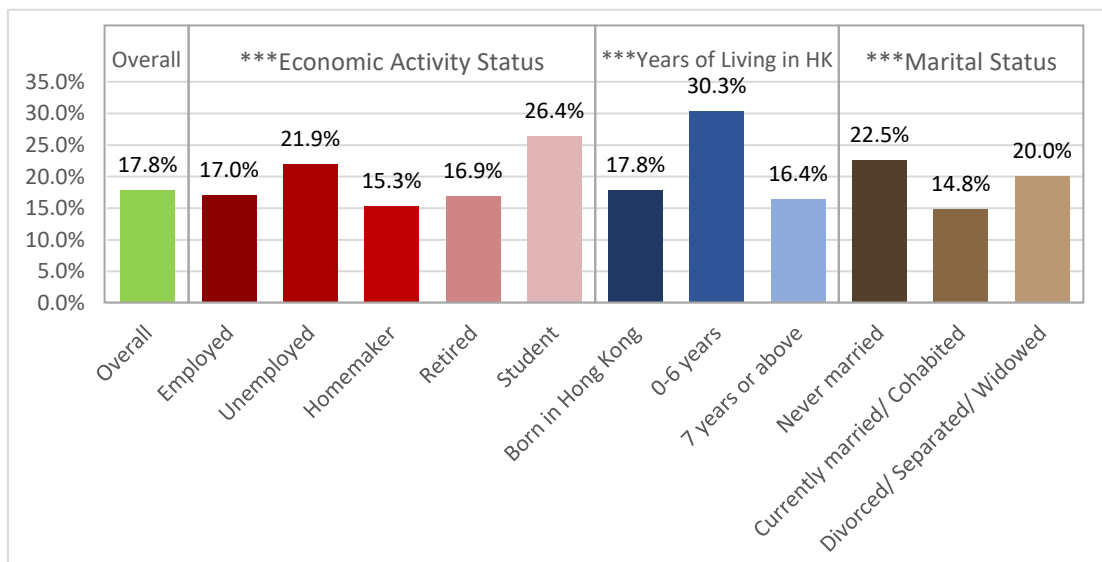
Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 6.2: Prevalence Rate of Online Sexual Harassment in the Past 24 Months -- by Six Sex-Age Sub-groups of the Respondents***



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 6.3: Prevalence Rate of Online Sexual Harassment -- by Other Socio-demographic Characteristics of the Respondents



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

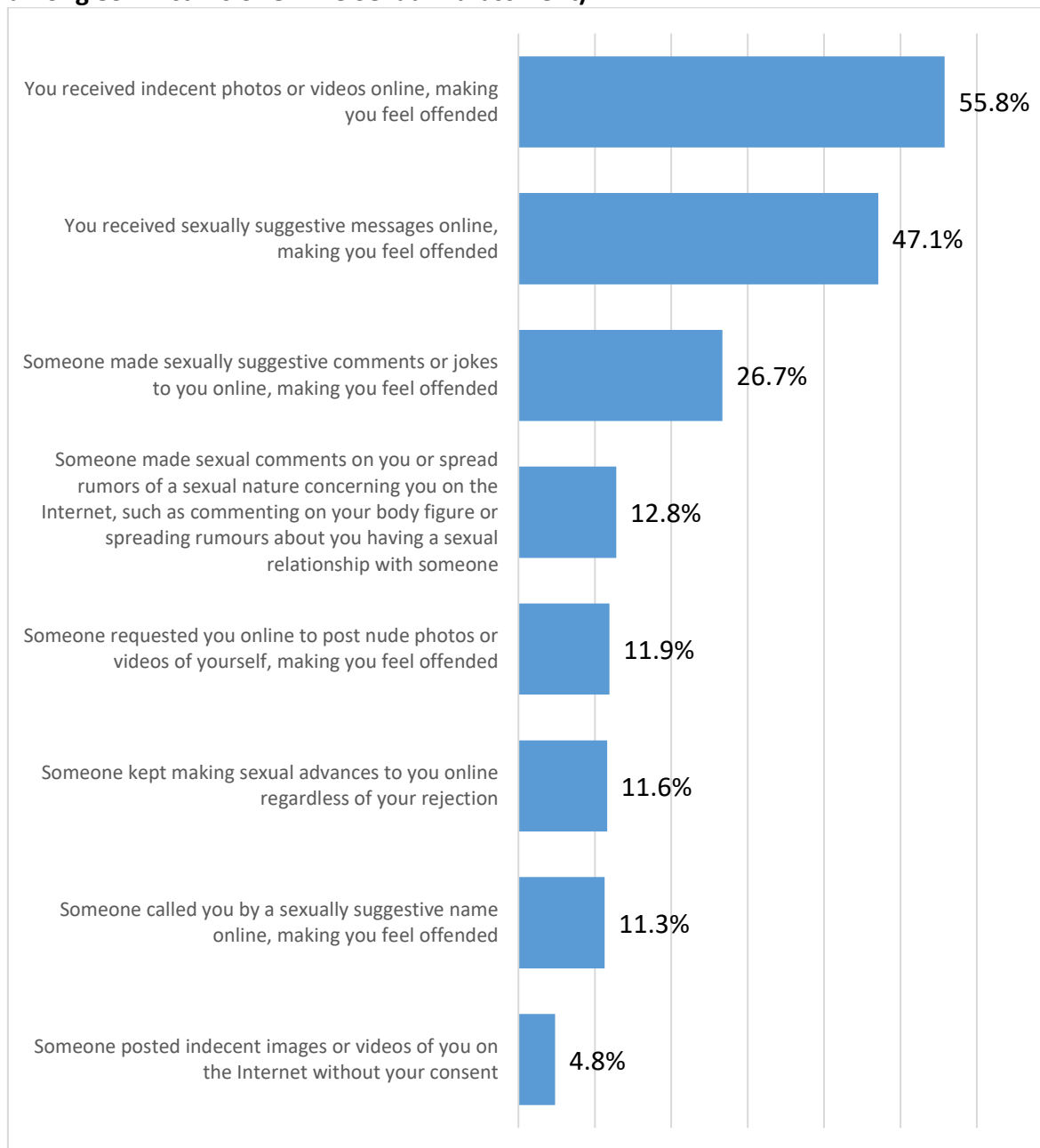
Also, students, new arrivals, and those who had never been married were significantly more likely to be sexually harassed online. The respective rates of these latter groups were 26.4%, 30.3%, and 22.5% (Figure 6.3). No significant difference was found in other sub-group analyses.

6.2 Nature of Online Sexual Harassment

Figure 6.4 showed the forms of online sexual harassment experienced by these 832 victims in the past 24 months. The most common forms included “receiving indecent photos or videos online, making you feel offended” (55.8% of victims) and “receiving sexually suggestive messages online, making you feel offended” (47.1%), followed by “someone made sexually suggestive comments or jokes to you online, making you feel offended” (26.7%). A small percentage of respondents (4.8%) had their indecent images or videos posted online by someone without their consent. Although the percentage was not as high as other forms of online sexual harassment, the seriousness of such form of image-based sexual violence was alarming.

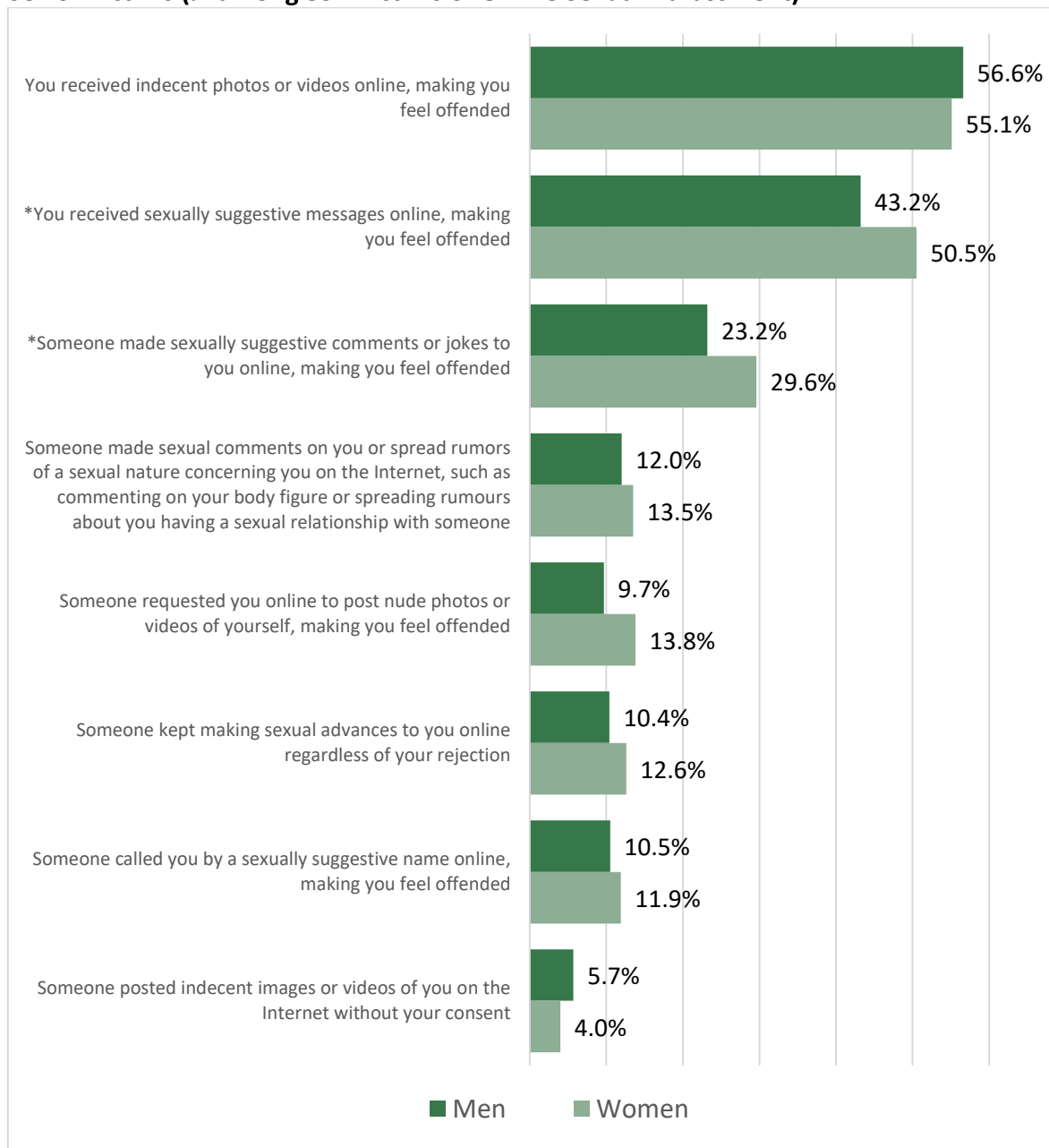
More in-depth analyses revealed that out of 832 respondents who experienced online sexual harassment, over two-fifths (42.0%) encountered more than one form of online sexual harassment in the past 24 months.

Figure 6.4: Forms of Online Sexual Harassment Experienced in the Past 24 Months (% among 832 Victims of Online Sexual Harassment)#



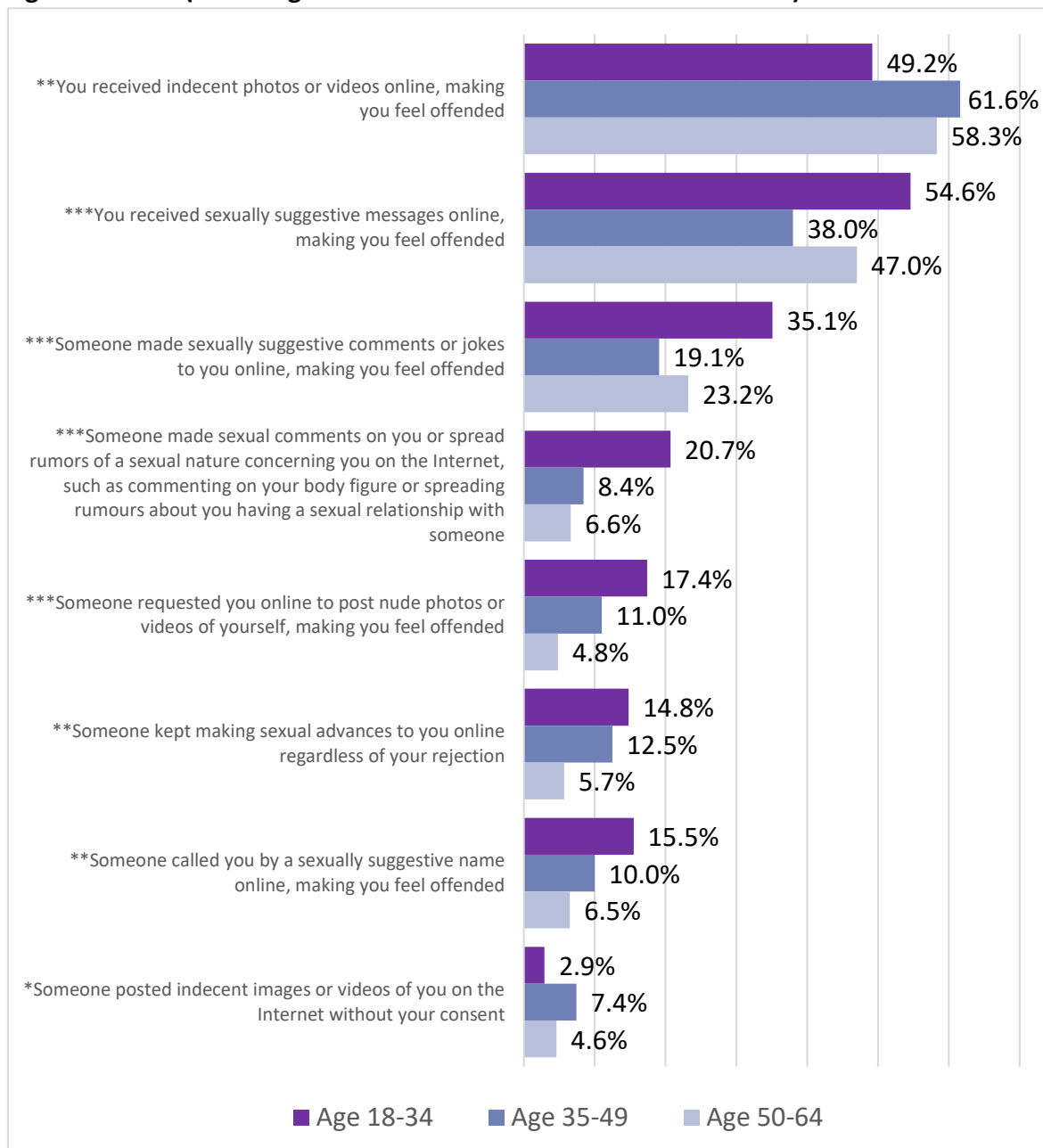
Note: #Multiple options are allowed.

Figure 6.5: Forms of Online Sexual Harassment Experienced in the Past 24 Months -- by Sex of Victims (% among 832 Victims of Online Sexual Harassment)#



Note: (1) #Multiple options are allowed; (2) *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 6.6: Forms of Online Sexual Harassment Experienced in the Past 24 Months -- by Age of Victims (% among 832 Victims of Online Sexual Harassment)#



Note: (1) #Multiple options are allowed; (2) *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

To further investigate if there were any sub-group differences in terms of various forms of online sexual harassment, disaggregated analyses are presented in Figures 6.5 and 6.6. It was observed that, first, in terms of sex difference, the nature of online sexual harassment experienced by men and women was broadly similar and the most common form of online sexual harassment experienced by men and women was “receiving indecent photos or videos online, making you feel offended” (Figure 6.5). Second, in many forms of online sexual harassment, female respondents were more likely to be the victims though little statistically significant sex differences were found.

On the contrary, significant age differences were observed in experiencing various forms of online sexual harassment. Generally, younger respondents were more vulnerable to online sexual harassment. For instance, while over half of respondents aged 18-34 received sexually suggestive and offensive messages online (54.6%), the corresponding figures for those aged 35-49 and 50-64 were 38.0% and 47.0% (Figure 6.6). Also, one-third of the younger respondents (age 18-34) said “someone made sexual comments on them or spread rumors of a sexual nature concerning you on the Internet” (35.1%) and the figures for their older counterparts were 19.1% (age 35-49) and 23.2% (age 50-64). Intriguingly, more mature respondents were significantly more likely to receive indecent and offensive photos or videos online (49.2% of those aged 18-34; 61.6% of those aged 35-49; and 58.3% of those aged 50-64) and to have someone posted indecent images or videos of them on the Internet without their consent (the figures for the three age groups were 2.9% (age 18-34), 7.4% (age 35-49), and 4.6% (age 50-64)).

CHAPTER 7

WORKPLACE SEXUAL HARASSMENT EXPERIENCES: SURVEY FINDINGS

7.1 Prevalence Rate of Workplace Sexual Harassment

7.1.1 Objective Experiences

In this survey, a behavioral definition of workplace sexual harassment was adopted to gauge the related experience of our respondents. Specifically, respondents who worked in the past 24 months were asked if they experienced any of the 12 listed forms of workplace sexual harassment. Among 5,027 survey respondents, 78.1% (n=3,928) were employed (including full-time work, part-time work, temporary work, casual work, summer job, internship, self-employment, and freelance) in Hong Kong anytime over the past 24 months before the telephone interviews.

Among these 3,928 respondents, 11.8% (n=463) reported to have been sexually harassed at work (including while attending job interviews, meeting with clients, carrying out internal work, and taking work-related trips) or by co-workers at social occasions in Hong Kong over the past 24 months prior to the survey (Figure 7.1). In other words, nearly one in eight respondents experienced workplace sexual harassment.²⁸ Out of the 463 victims of workplace sexual harassment, 63.8% (n=295) were women, while 36.2% (n=168) were men. Analysed by education attainment, over half (55.5%) of the victims attained tertiary level of education (both degree and non-degree).

Disaggregated by sex, compared with men, women were significantly more likely to be sexually harassed at work. The prevalence rate of sexual harassment for women was 14.6% (i.e. one in seven women experienced workplace sexual harassment), while that of men was 8.8% (one in eleven men experienced workplace sexual harassment) (Figure 7.1).

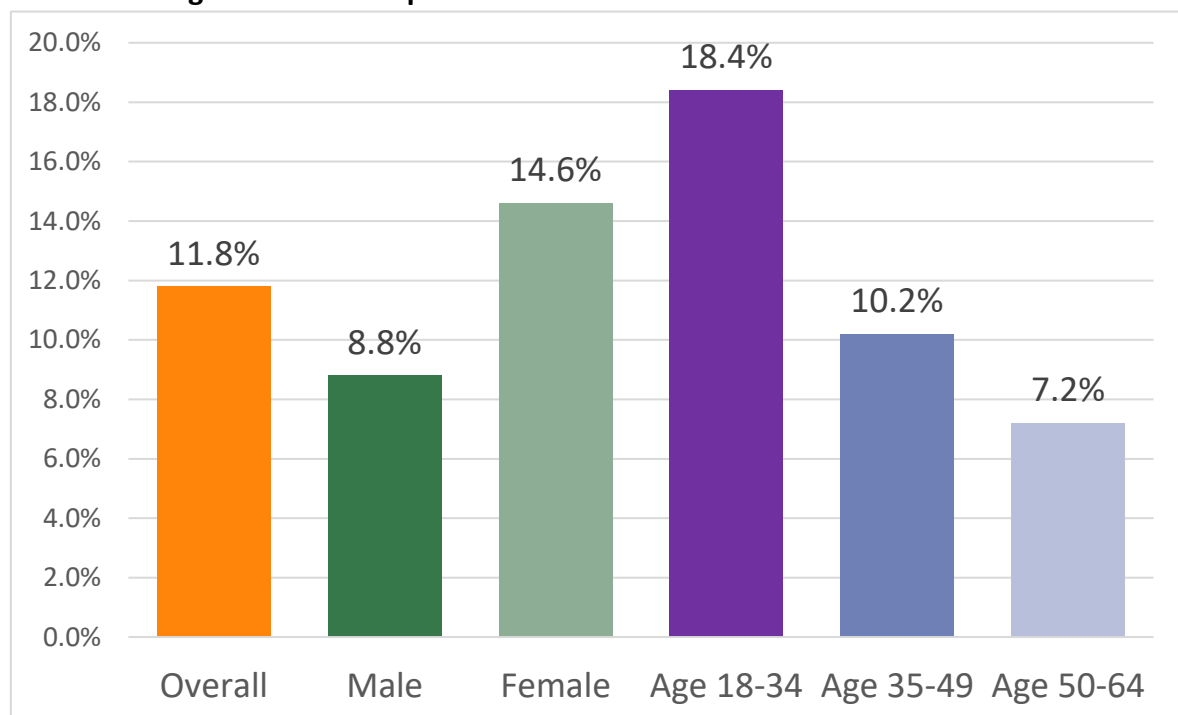
Significant age differences also existed. The findings were consistent with the common belief that the younger the age, the higher the chance of experiencing workplace sexual

²⁸ It should be noted that victims of sexual harassment could lodge a complaint with EOC within 12 months of incident. Any civil proceedings to be filed at the District Court should be made within 24 months after the incident of sexual harassment occurred. Survey findings revealed that over three-fifths of the victims (61.8%; n=285) reported their most recent incident of workplace sexual harassment occurred within 12 months before the interview. The prevalence rate of workplace sexual harassment in the last 12 months was 7.3%. Statistically significant difference between sexes was found. The respective rates of men and women were 5.2% and 9.2%.

harassment. Nearly one in five (18.4%) young adults (age 18-34) reported to have experienced sexual harassment at work in the past 24 months (Figure 7.1). The figures for those aged 35-49 and 50-64 were 10.2% and 7.2% respectively.

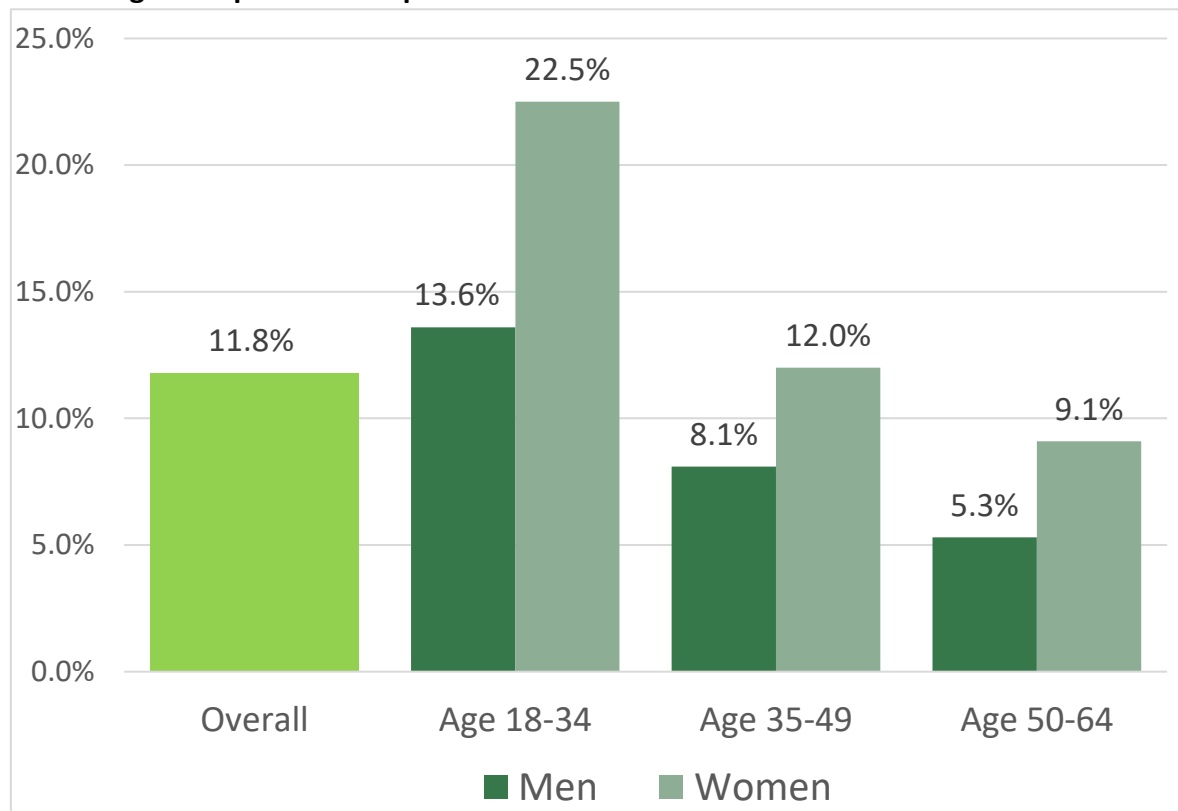
Further analyses showed that the prevalence rate for younger women aged 18-34 was even as high as 22.5% (Figure 7.2). In other words, more than one in five younger women experienced workplace sexual harassment in this survey. Having said that, it was not uncommon for middle-aged women to have encountered sexual harassment at the workplace. 12.0% of women aged 35-49 and 9.1% of women aged 50-64 were victims. Such age differences applied not only to women, but also to men. While 13.6% of younger men (age 18-34) encountered sexual harassment at work, the respective figures for those aged 35-49 and aged 50-64 were 8.1% and 5.3% (Figure 7.2).

Figure 7.1: Prevalence Rate of Workplace Sexual Harassment in the Past 24 Months -- by Sex* and Age*** of the Respondents**



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

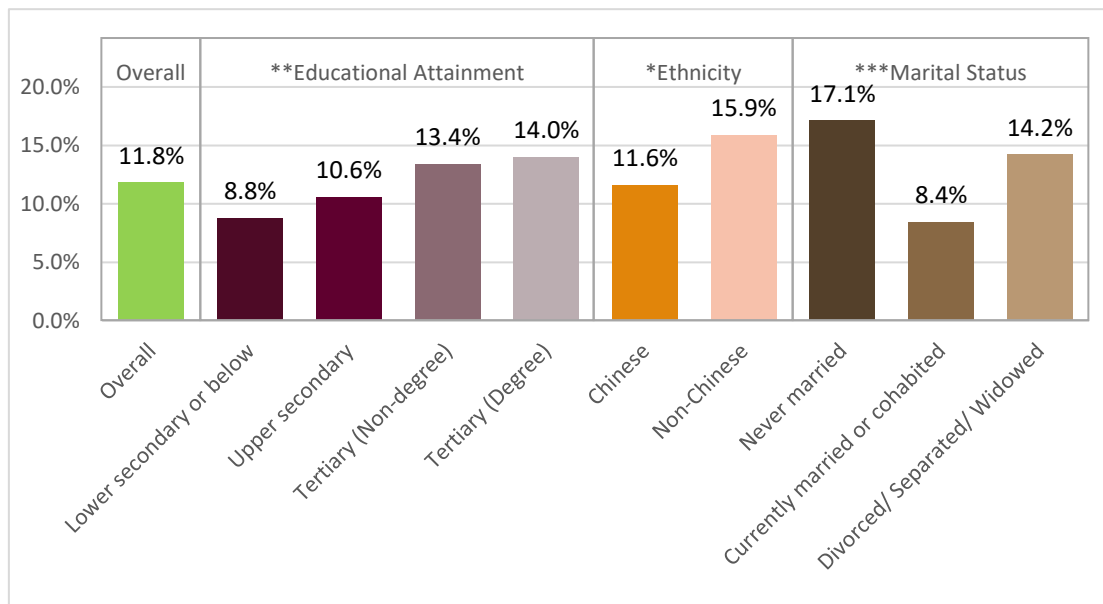
Figure 7.2: Prevalence Rate of Workplace Sexual Harassment in the Past 24 Months -- by Six Sex-Age Groups of the Respondents***



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

In addition, as shown in Figure 7.3, respondents who received tertiary education (14.0% for degree holders and 13.4% for those who attained non-degree tertiary qualifications) were significantly more likely to have experienced workplace sexual harassment than those with secondary or lower level of education. The prevalence rate of workplace sexual harassment among non-Chinese (15.9%) was four percentage points higher than that of Chinese respondents (11.6%). Statistically significant differences were also observed in terms of marital status.

Figure 7.3: Prevalence Rate of Workplace Sexual Harassment in the Past 24 Months -- by Other Socio-Demographic Characteristics of the Respondents



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

7.1.2 Subjective Perceptions

Before moving onto report the nature of workplace sexual harassment, a quick picture about the perceived prevalence of workplace sexual harassment in one's own company/ organisation and in Hong Kong will be presented in the following. In the telephone interviews, respondents who had been employed in the past two years before the survey were asked about their perceptions over the prevalence of workplace sexual harassment in their companies/ organisations and in Hong Kong. It was found that, while 8.7% regarded sexual harassment as "very prevalent/ quite prevalent" in their workplace (left panel of Table 7.1), 36.4% said that workplace sexual harassment was very prevalent/ quite prevalent in Hong Kong (right panel of Table 7.1).

Table 7.1: Perceived Prevalence of Workplace Sexual Harassment in Respondents' Companies/ Organisations and in Hong Kong

	In Respondents' Companies/ Organisations (N=3,857)		In Hong Kong (N=3,718)	
	%	n	%	n
Very Prevalent	1.6	63	4.3	161
Quite Prevalent	7.1	275	32.1	1,193
Not Too Prevalent	33.8	1,302	56.0	2,082
Not Prevalent at All	57.5	2,217	7.6	282

When analyzed by the actual experience of being sexually harassed at work, a significantly greater proportion of victims viewed workplace sexual harassment as “very prevalent/ quite prevalent” in their companies/ organisations and in Hong Kong. Specifically, 29.8% and 68.5% of victims of workplace sexual harassment said that sexual harassment was “very prevalent/ quite prevalent” in their companies/ organisations and in Hong Kong respectively (Table 7.2). The corresponding figures for respondents who reported not being sexually harassed at work were 5.9% and 32.0%.

Table 7.2: Perceived Prevalence of Workplace Sexual Harassment in Respondents' Companies/ Organisations and in Hong Kong -- by Whether Being Sexually Harassed at Work (Column %)

	In Respondents' Companies/ Organisations***		In Hong Kong***	
	Not Being Sexually Harassed at Work	Being Sexually Harassment at Work	Not Being Sexually Harassed at Work	Being Sexually Harassment at Work
Very Prevalent/ Quite Prevalent	5.9	29.8	32.0	68.5
Not Too Prevalent/ Not Prevalent at All	94.1	70.2	68.0	31.5
(n)	(3,401)	(456)	(3,270)	(448)

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Results of other disaggregated analyses (not shown here) revealed that, first, women subjectively perceived a significantly greater risk of workplace sexual harassment in their companies/ organisations and in Hong Kong than their male counterparts. Second, the younger the age, the higher the chance to view workplace sexual harassment more prevalent in their companies/ organisations and in Hong Kong.

Looking at the figures presented in the earlier part of Section 7.1, it could be concluded that there was some overlap between objective experience and subjective perception of

workplace sexual harassment. Nevertheless, it seemed that survey respondents generally underestimated the risks of sexual harassment in their own workplaces, as the level of objective prevalence was higher than that of the perceived prevalence.

7.2 Nature of Workplace Sexual Harassment

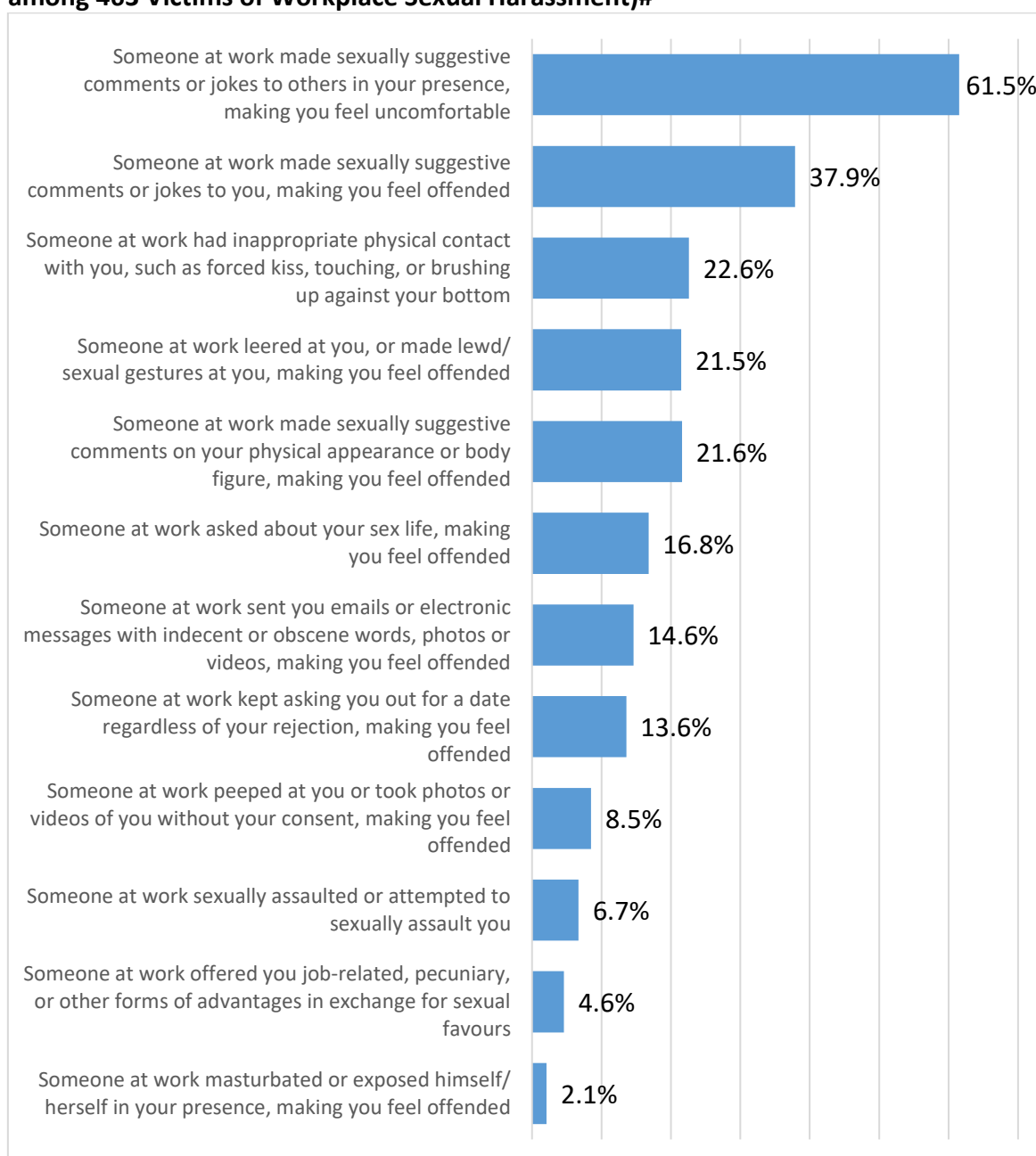
7.2.1 Common Forms of Workplace Sexual Harassment

In the telephone interviews, each eligible respondent was presented with 12 forms of workplace sexual harassment. As shown in Figure 7.4, the most common form of workplace sexual harassment was sexually suggestive comments or jokes. Among 463 victims of workplace sexual harassment, while over three-fifths of them (61.5%) said that “someone at work made sexually suggestive comments or jokes to others in their presence, making them feel uncomfortable”, nearly two-fifths (37.9%) told that those offensive comments and jokes were made directly to them.

Also, separately, around one-fifth of those who were sexually harassed in the workplace experienced: inappropriate physical contact, such as forced kiss, touching, or brushing up against bottom (22.6%); leering or making of offensive lewd/ sexual gestures (21.5%); and making sexually suggestive and offensive comments about their physical appearance or body figure (21.6%) (Figure 7.4).

A small but alarming percentage of respondents said that someone at work sexually assaulted or attempted to sexually assault them (6.7%), or experienced *quid pro quo* sexual harassment (4.6%). In addition, a very small proportion of the victims witnessed masturbation or exposure of private parts of someone at work (2.1%).

Figure 7.4: Forms of Workplace Sexual Harassment Experienced in the Past 24 Months (% among 463 Victims of Workplace Sexual Harassment)#



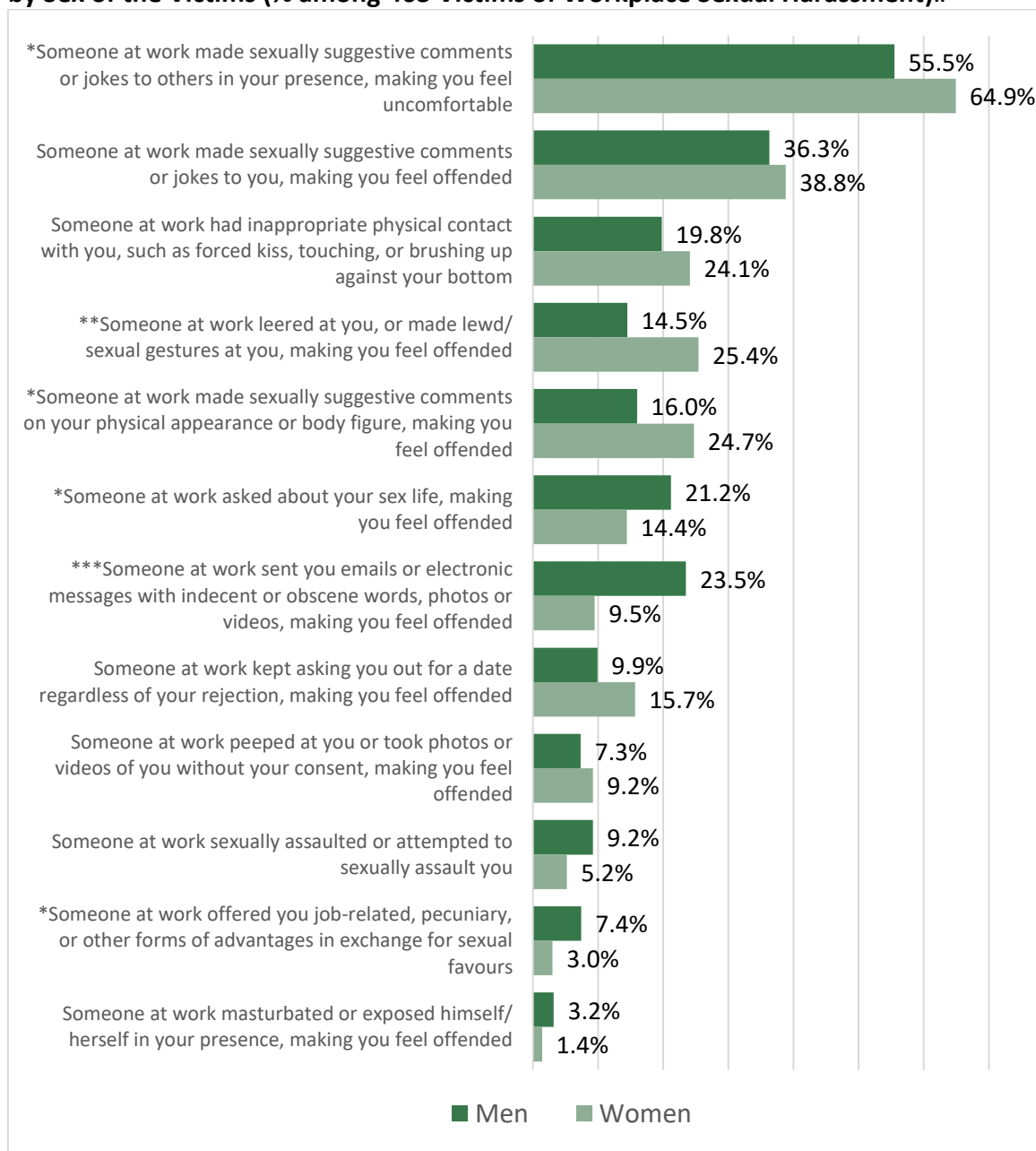
Note: #Multiple options are allowed.

7.2.2 Sex Differences

Disaggregated by sex, from Figure 7.5, on the one hand, more women suffered certain forms of workplace sexual harassment than men, and vice versa. More women than men experienced leering by someone at work or had someone at work making sexual gestures at them by 10.9 percentage points. More men than women had the experience of receiving emails or electronic messages with indecent obscene words, photos, or videos by 14.0 percentage points. On the other hand, similar proportion of male and female victims

reported that someone made sexually suggestive comments or jokes to them and being peeped or taken photos/ videos of them without their consent by someone at work.

Figure 7.5: Forms of Workplace Sexual Harassment Experienced in the Past 24 Months -- by Sex of the Victims (% among 463 Victims of Workplace Sexual Harassment)#



Note: (1) #Multiple options are allowed; (2) *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Compared with their male counterparts, a significantly larger proportion of female victims experienced the following forms of workplace sexual harassment:

- “Someone at work made sexually suggestive comments or jokes to others in your presence, making you feel uncomfortable” (64.9% of women vs. 55.5% of

men)

- “Someone at work leered at you, or made lewd/ sexual gestures at you, making you feel offended” (25.4% of women vs. 14.5% of men)
- “Someone at work made sexually suggestive comments on your physical appearance or body figure, making you feel offended” (24.7% of women vs. 16.0% of men)

A significantly larger proportion of male victims experienced the following forms of sexual harassment at work:

- “Someone at work asked about your sex life, making you feel offended” (21.2% of men vs. 14.4% of women)
- “Someone at work sent you emails or electronic messages with indecent or obscene words, photos, or videos, making you feel offended” (23.5% of men vs. 9.5% of women)
- “Someone at work offered you job-related, pecuniary, or other forms of advantages in exchange for sexual favours” (7.4% of men vs. 3.0% of women)

To a certain extent, some of these sex differences in terms of the nature of sexual harassment experienced challenged our past assumptions. Over-interpretation of the related findings was not recommended due to small number of cases in some forms of workplace sexual harassment listed in Figure 7.5.

7.2.3 Age Differences

In some forms of workplace sexual harassment, differences between age groups did not follow the overall pattern in which younger age respondents were generally more likely to be sexually harassed at work. Results from Figure 7.6 intriguingly revealed that the older the age, the higher the proportion of the respondents reported to have experienced the following forms of workplace sexual harassment:

- “Someone at work made sexually suggestive comments or jokes to others in your presence, making you feel uncomfortable”: 56.2% (age 18-34) vs. 65.6% (age 35-49) vs. 68.8% (age 50-64)
- “Someone at work made sexually suggestive comments or jokes to you, making you feel offended”: 37.0% (age 18-34) vs. 37.7% (age 35-49) vs. 41.5% (age 50-64)
- “Someone at work sent you emails or electronic messages with indecent or obscene words, photos, or videos, making you feel offended”: 10.6% (age 18-

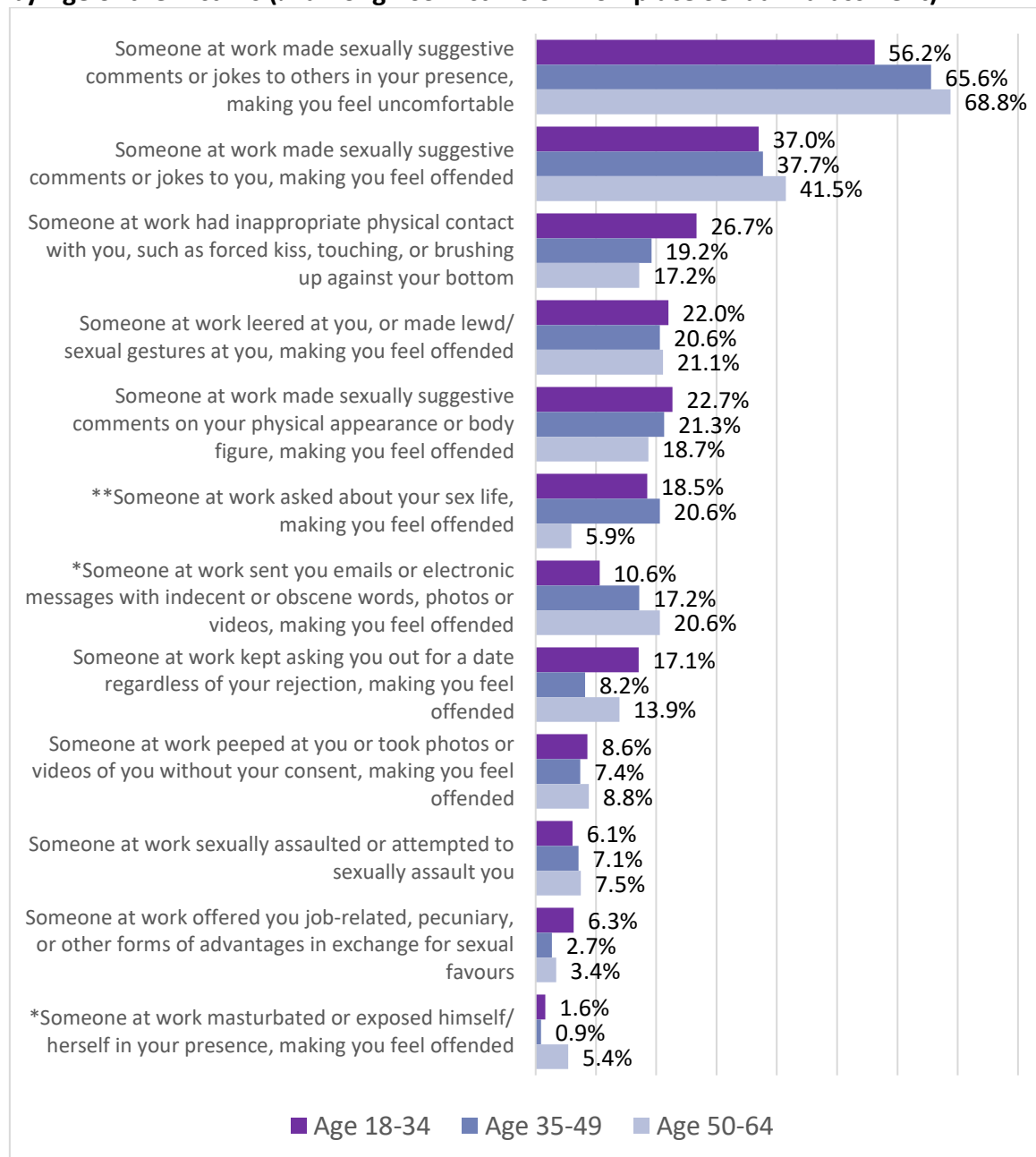
34) vs. 17.2% (age 35-49) vs. 20.6% (age 50-64)

- “Someone at work sexually assaulted or attempted to sexually assault you”: 6.1% (age 18-34) vs. 7.1% (age 35-49) vs. 7.5% (age 50-64)
- “Someone at work masturbated or exposed himself/ herself in your presence, making you feel offended”: 1.6% (age 18-34) vs. 0.9% (age 35-49) vs. 5.4% (age 50-64)

From the above, it could be concluded that older respondents were more likely to experience verbal form of workplace sexual harassment (i.e. sexually suggestive comments or jokes made to others in their presence/ made directly at them in the workplace). Also, compared with their younger counterparts, a higher proportion of more mature respondents received indecent or obscene words, photos, or videos via email or other technology. Nevertheless, over-interpretation of the related findings about these rather unexpected age differences was not recommended due to the small number of cases in some forms of workplace sexual harassment listed in Figure 7.6.

Regarding forms of workplace sexual harassment that related to inappropriate physical contact with the victims, sexually suggestive comments on victims’ physical appearance/body figure, asking about victims’ sex life, and repeated requests for date, younger respondents were generally more likely to be sexually harassed at work.

Figure 7.6: Forms of Workplace Sexual Harassment Experienced in the Past 24 Months -- by Age of the Victims (% among 463 Victims of Workplace Sexual Harassment)#



Note: (1) #Multiple options are allowed; (2) *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

7.2.4 Experience of Multiple Forms of Workplace Sexual Harassment

It is further found that more than half of the victims of workplace sexual harassment experienced multiple forms of sexual harassment, with 55.7% experienced more than one form of workplace sexual harassment. While half of male victims (51.8%) experienced multiple forms of workplace sexual harassment, the respective figure for their female counterparts was 58.0%. In other words, almost three-fifths of female victims experienced more than one form of workplace sexual harassment over the past 24 months prior to the

telephone interviews. In terms of age, while 56.6% of victims aged 18-34 experienced more than one form of sexual harassment at work, the figures for respondents aged 35-49 and 50-64 were 52.4% and 59.1% respectively.

7.3 Details of the Most Recent Incidents of Workplace Sexual Harassment

On the basis of the most recent incident of workplace sexual harassment over the past 24 months, this section will examine the job characteristics of the victims, workplace characteristics where the incidents occurred, characteristics of the perpetrators, immediate responses and follow-up actions of and impacts on victims, and help-seeking patterns of the victims. In addition, details about whether the most recent incident of workplace sexual harassment were witnessed and intervened by a third party in the same workplace will be reported.

7.3.1 Job Characteristics and Employment Pattern

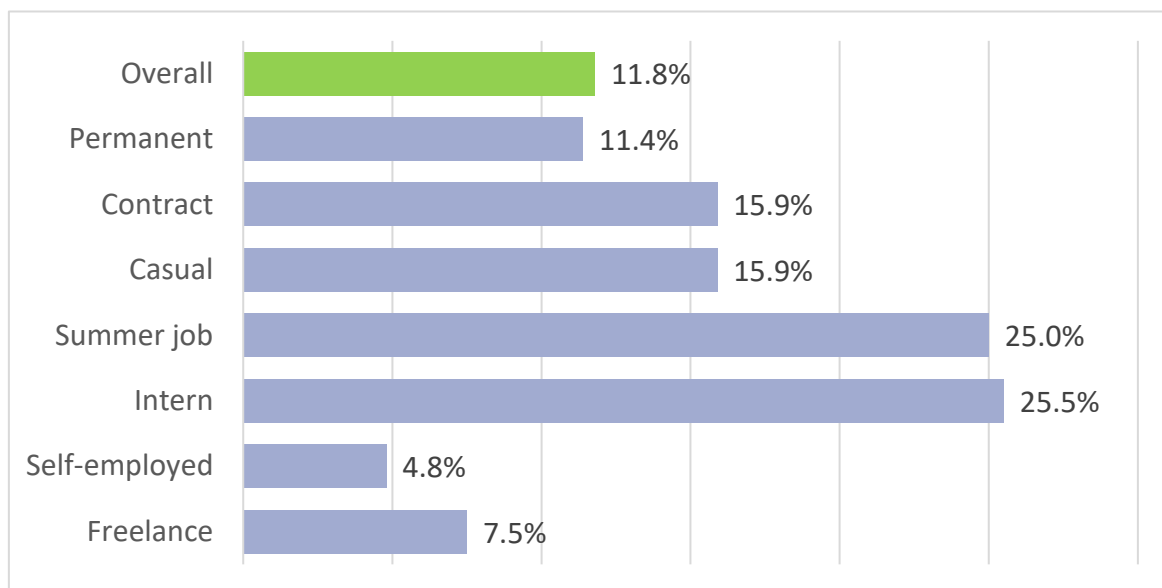
While basic socio-demographic characteristics of those reported to have experienced workplace sexual harassment were examined in Section 7.1, this section looks more closely at the occupation and employment pattern of these victims. As presented in the literature review of this report (Chapter 3), it is commonly found in overseas studies that those in a less secure job position (who were usually also in a less powerful position) and frontline workers are more likely to have experienced sexual harassment at work or by co-workers.

In this survey conducted in Hong Kong, in terms of the contract type, contract/ casual/ temporary staff (including summer job workers and interns) were significantly more likely to be sexually harassed at the workplace, compared with respondents in permanent positions (Figure 7.7). One in four interns (25.5%) or engaged in summer jobs (25.0%) experienced sexual harassment at work or by co-workers, while only 11.4% of those in permanent positions were victims. In other words, the chances of interns and summer job workers being sexually harassed at work were around 14 percentage points higher than permanent workers. Those employed on a contract basis and as casual workers also had a higher prevalence rate of sexual harassment of 15.9% than permanent position holders (Figure 7.7).

In terms of employment pattern, part-time workers had a higher prevalence rate of workplace sexual harassment of 13.1% than full-timers (11.5%). No statistically significant difference was found between full-timers and part-timers.

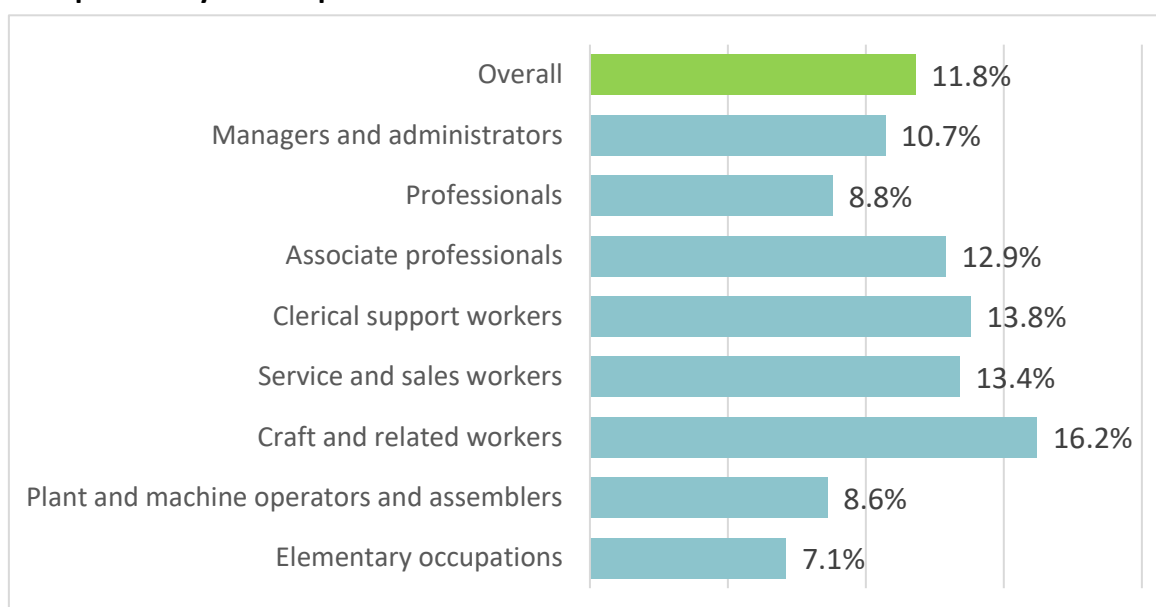
Compared with respondents in other types of occupations, the prevalence of workplace sexual harassment was significantly higher among craft and related workers (16.2%), clerical support workers (13.8%), and service and sales workers (13.4%) (Figure 7.8). According to official statistics, many more women work as part-timers and as clerical support workers as well as service and sales workers than men. In other words, women may suffer the double jeopardy of gender and nature of their employment in workplace sexual harassment.

Figure 7.7: Prevalence Rate of Workplace Sexual Harassment in the Past 24 Months -- by Type of Job Contract of the Respondents***



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 7.8: Prevalence Rate of Workplace Sexual Harassment in the Past 24 Months -- by Occupations by the Respondents**



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

7.3.2 Characteristics of Workplace at which Sexual Harassment Occurred

Section 7.3.2 focuses on the characteristics of workplace where the most recent incidents of workplace sexual harassment occurred, including about the types of industry, size, and sex ratio of the company/ organisation concerned and whether these companies/ organisations by which the respondents were employed had an anti-sexual harassment policy and developed related preventive measures.

Types of Industry, Size, and Sex Ratio of the Companies/ Organisations

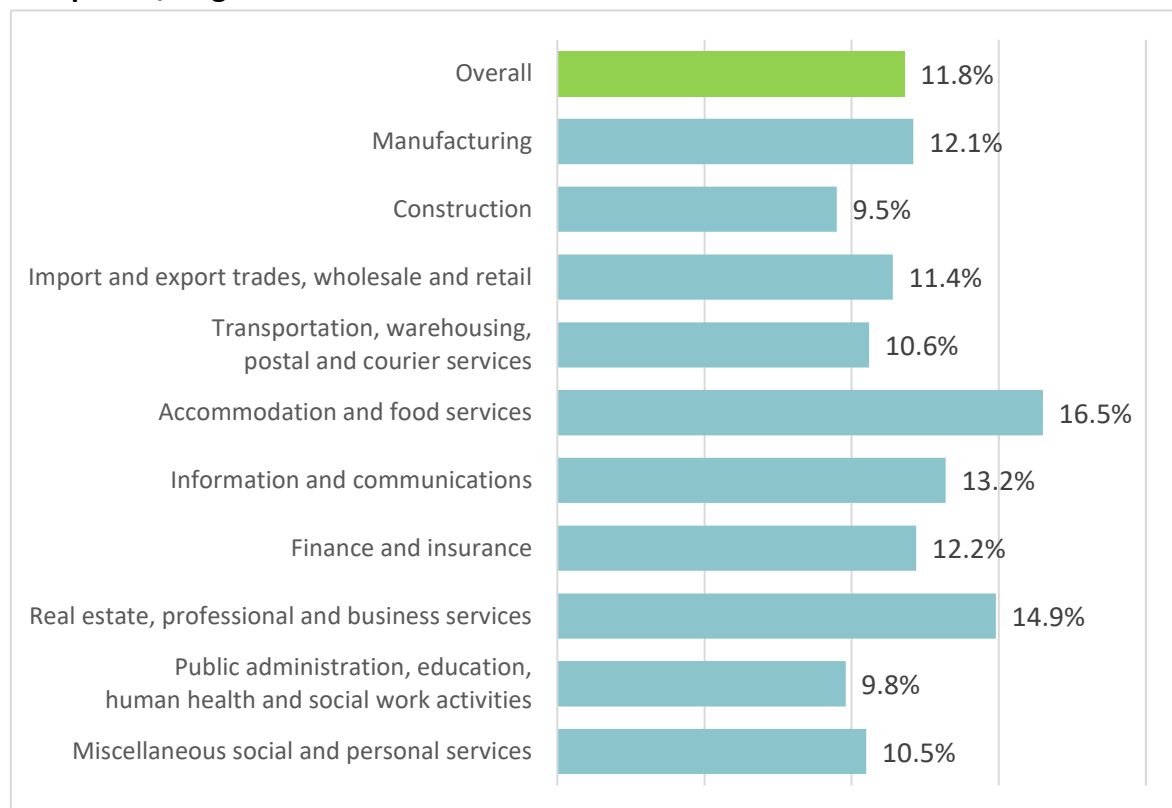
From Figure 7.9, we can see that the prevalence of workplace sexual harassment varied across industries. Compared to the overall rate of 11.8%, workplace sexual harassment was significantly more prevalent in accommodation and food services (16.5%), real estate, professional and business services (14.9%), and information and communications (13.2%) sectors.

Figures 7.10 and 7.11 showed the prevalence rate of workplace sexual harassment in terms of size and ratio of female employees of the company/ organisation by which the respondents were employed respectively. In term of organisational size, no clear pattern of the pervasiveness of workplace sexual harassment was found (Figure 7.10). Respondents in workplace with a workforce of 50-99 were significantly more likely to experience sexual harassment than those working in smaller and larger companies/

organisations. Specifically, on the one hand, the prevalence rate was 16.9% for those in workplace employing 50-99 persons. On the other, the respective rates were 6.4% and 10.5% for those in workplaces with size of <10 and 300-499 persons.

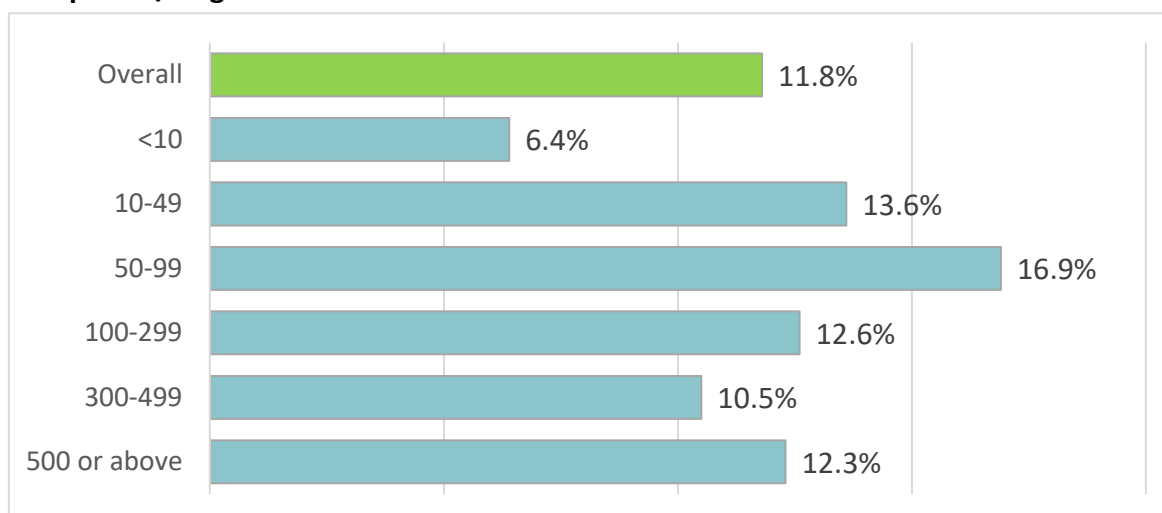
Workplace sexual harassment was more likely to occur in company/ organisation with a roughly equal mix of male and female workers (Figure 7.11). Contrary to the results of overseas research studies, workplace sexual harassment was significantly less prevalent in companies/ organisations of mostly men (8.0%).

Figure 7.9: Prevalence Rate of Workplace Sexual Harassment -- by Industry of the Companies/ Organisations*



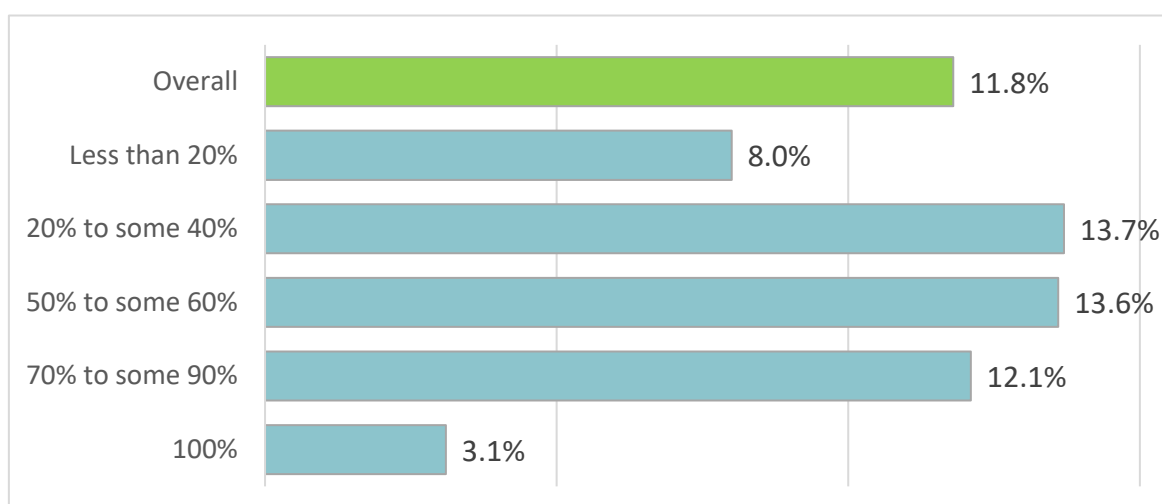
Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 7.10: Prevalence Rate of Workplace Sexual Harassment -- by Size of the Companies/ Organisations*



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 7.11: Prevalence Rate of Workplace Sexual Harassment -- by Ratio of Female Employees of the Companies/ Organisations*



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Presence of Anti-Sexual Harassment Policy and Other Related Measures

Evidence from existing research studies demonstrates that workers in companies/ organisations with workplace anti-sexual harassment policy and well-defined procedures and measures of handling related complaints were less likely to be sexually harassed. In the current survey, all respondents who worked in the past 24 months were asked if their company/ organisation had the following measures to prevent sexual harassment and handle related complaints, including an anti-sexual harassment policy, procedure for handling sexual harassment complaints, provision of name and contact of designated

persons for handling sexual harassment complaints, and assurance that nobody would be punished for lodging a sexual harassment complaint in good faith.

Table 7.3: Whether Having Anti-Sexual Harassment (Anti-SH) Policy and Measures in Respondents' Companies/ Organisations (Row %)

	Yes	No	Don't Know	Total (n)
Presence of Anti-SH Policy	34.9	51.1	14.0	(3,919)
Availability of Defined Procedure for Handling SH Complaints	30.4	57.2	12.4	(3,918)
Availability of Name and Contact of Designated Persons for Handling SH Complaints	40.1	50.0	9.9	(3,919)
Assurance of Nobody would be Punished for Lodging a SH Complaint in Good Faith	42.3	43.5	14.2	(3,920)

Table 7.3 shows the availability of these four policies or measures related to workplace sexual harassment in the company or organisation at which the respondents worked. About 35% of the respondents said that the company/ organisation by which they were employed had an anti-sexual harassment policy. While less than one-third (30.4%) of the respondents reported that there was defined procedure for handling sexual harassment complaints in their company/ organisation, around 40% of respondents said the company/ organisation had made name and contact of designated persons for handling sexual harassment complaints available. Over two-fifths said that they were assured that no one would be punished for lodging a sexual harassment complaint in good faith (42.3%). Around 10-15% of survey respondents indicated that they did not know whether those four items of anti-sexual harassment policy and measures were available in their workplace. Overall, one-fifth of our respondents worked in companies/ organisations where all four anti-sexual harassment policies listed in Table 7.3 were in place (20.1%).

Table 7.4: Presence of at Least One Anti-Sexual Harassment Policy and Measures -- by Size of Respondents' Companies/ Organisations (Row %)***

Size of Companies/ Organisations	At Least One Anti-Sexual Harassment Policy and Measures	
	Yes	No
1-49	33.4	66.6
50-499	64.7	35.3
500 or above	79.9	20.1
Total	44.3	55.7

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Further analyses revealed that more than half of the respondents were not protected by any of these four items of anti-sexual harassment policy and measures in their workplace (55.7%) (Table 7.4), while 44.3% of our respondents working in companies/ organisations which had at least one of these four workplace anti-sexual harassment policy and measures in place. Disaggregated by size of their companies/ organisations, the larger the size, the greater the chance of being protected by anti-sexual harassment policy and measures. For instance, while one-third of those working in small companies/ organisations (size 1-49) reported having any anti-sexual harassment policy and measures in their workplace (33.4%), the corresponding figure for their counterparts working in large companies/ organisations with at least 500 employees was 79.9% (Table 7.4).

7.3.3 Who was More Likely to be Sexually Harassed in the Workplace? Results from Binary Logistic Regression

There were a number of factors influencing the chance of workers being sexually harassed at the workplace. Binary logistic regression model was used to examine which groups of individuals were more vulnerable to workplace sexual harassment. With reference to related research studies reviewed in Chapter 3, a number of factors were included in the model, namely the Sexual Harassment Awareness Index and socio-demographic, job, and workplace characteristics of the respondent. Mostly in line with the previous empirical evidence, statistically significant results were found in sex, age, type of job contract, occupation, industry, sex ratio of the companies/ organisations, and whether there was anti-sexual harassment policy or measure in the workplace.

First, women and younger respondents were more likely to be sexually harassed at work. Second, compared to their counterparts in permanent job positions, the chance of experiencing workplace sexual harassment was higher among contract workers, casual

workers, and interns. In terms of occupations, managers and administrators, associate professionals, and craft and related workers were at a higher risk of being sexually harassed in the workplace than professionals. Also, those working in accommodation and food services, real estate, professional and business services, and manufacturing sectors were more likely to experience sexual harassment at work than their counterparts in public administration, education, human health and social work activities. In addition, compared with those working in male-dominated workplace (with less than 20% of employees are females), those in “women only” workplace were significantly less likely to experience sexual harassment at work. Working in a company or organisation with no anti-sexual harassment policy and measures increased one’s likelihood to experience sexual harassment at work. In other words, anti-sexual harassment policy and measures had a role to play to protect one from experiencing workplace sexual harassment.

7.3.4 Venue of Workplace Sexual Harassment

In the telephone interviews, when asked about the physical location and the circumstances where the most recent incident of workplace sexual harassment occurred, three-quarters of the victims (76.4%) indicated they had experienced workplace sexual harassment within the area of their company/ organisation (upper panel of Table 7.5).

A quarter of the incidents occurred outside the company/ organisation in different situations, such as during private or recreational activities with colleagues (12.7%), during work-related activities (5.5%), during social activities organised by their company/ organisation (2.8%), and during other occasions (2.7%).

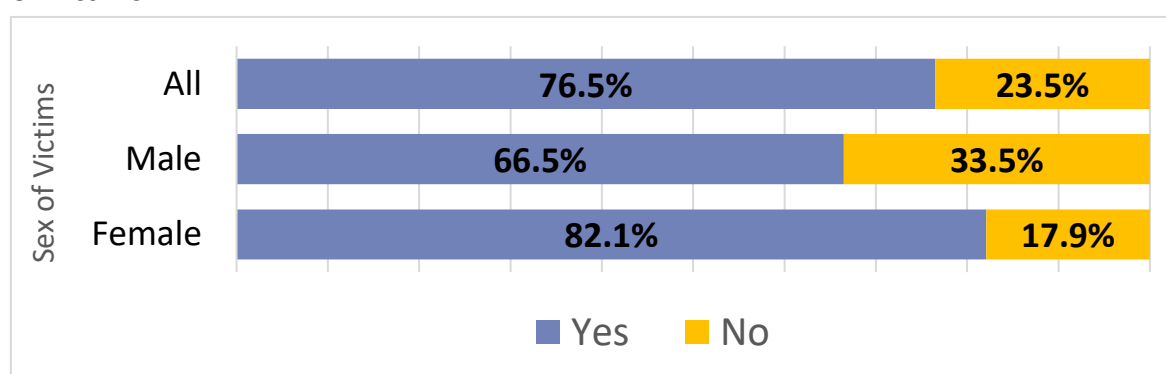
Apart from those incidents that occurred during private activities and other occasions, around 85% of these reported incidents of sexual harassment happened during the course of employment (no matter whether the incident happened inside the company/ organisation or not). In other words, these sexual harassment incidents would be likely to be covered by the sexual harassment provisions under the Sex Discrimination Ordinance. Hence, employers might still be held liable to these incidents if the incidents occurred during the course of employment. Colleagues and employees should feel alert when interacting with each other in the non-workplace setting.

Table 7.5: Physical Location and the Circumstances where the Most Recent Incident of Workplace Sexual Harassment Occurred (Column %)

	%	n
Whether Occurred within the Area of Your Company or Organisation		
Yes	76.4	354
No, but during work-related activities	5.5	26
No, but during social activities organised by company or organisation	2.8	13
No, but during private or recreational activities with colleagues	12.7	59
No, but during other occasions	2.7	12
Whether Happened via Online Communication or Electronic Messages		
Yes	20.6	96
No	79.4	370

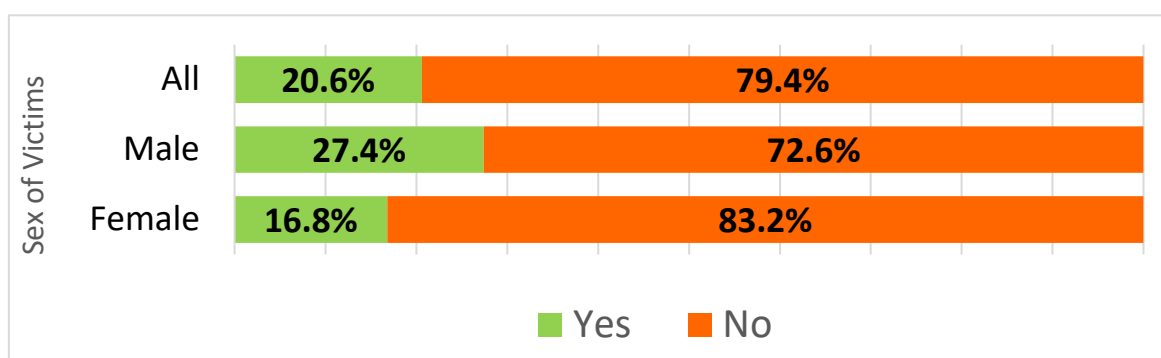
In addition, one-fifth (20.6%) of the victims reported to experience the most recent incident of workplace sexual harassment via online communication or electronic messages (lower panel of Table 7.5). As shown in Figures 7.12 and 7.13, disaggregated by sex, men were significantly more likely to have experienced workplace sexual harassment outside their company or organisation and technology-related forms of sexual harassment than their female counterparts.

Figure 7.12: Whether Occurred within the Area of the Company or Organisation -- by Sex of Victims***



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Figure 7.13: Whether Happened via Online Communication or Electronic Messages -- by Sex of Victims**



Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

7.3.5 Who Perpetrated Workplace Sexual Harassment?

Table 7.6 showed the details about harassers in the most recent incident of workplace sexual harassment. In terms of the number of harassers, a majority of victims (59.9%) were sexually harassed by a single harasser in the most recent incidents of workplace sexual harassment in the past 24 months (upper panel of Table 7.6). No statistically significant difference between sexes of victims was observed.

Table 7.6: Number and Sex of Harassers in the Most Recent Incident of Workplace Sexual Harassment -- by Sex of the Victims (Column %)

	Male Victims	Female Victims	All Victims
Number of Harasser(s)			
1	57.4	61.3	59.9
More than 1	42.6	38.7	40.1
Sex of Harasser(s)***			
Male	56.2	72.5	66.7
Female	25.9	11.7	16.8
A Mix	17.9	15.8	16.6

Evidence from previous research indicated that typical incidents of sexual harassment involved male harasser and female victim. From the lower panel of Table 7.6, we can see that, in the most recent incident of workplace sexual harassment, most harassers were men: two-thirds (66.7%) of these incidents were committed by male harasser(s) and 16.8% by female harasser(s), while 16.6% involved a mix of male and female harassers. Regardless of the sex of victims, a majority of both female and male victims were harassed by men. In the last sexual harassment incident encountered by female victims, 72.5% of female victims were sexually harassed by men alone and 15.8% were harassed by both man and woman. In the last sexual harassment incident encountered by male victims, 56.2% were harassed

by men alone and 17.9% were harassed by both man and woman. However, female harassers were not uncommon. In the most recent workplace sexual harassment incident, a quarter (25.9%) of the male victims were harassed by female harasser alone and the respective figure for female victims was 11.7% (lower panel of Table 7.6).

The most common harassers in the most recent incidents of workplace sexual harassment in the past 24 months were colleagues at the same rank as the victim (44.6%), followed by colleagues at a higher rank than the victim (17.2%), and clients of the company/ organisation (14.5%) (Table 7.7). It is worthwhile to note that over 10% of the workplace sexual harassment were carried out by someone working in the same workplace but not co-worker of the same company/ organisation (11.7%). Protections against the latter type of workplace sexual harassment have been covered by the Sex Discrimination Ordinance after its amendments came into effect in June 2020.

Table 7.7: Harassers' Position in Company/ Organisation -- by Sex of Victims (Column %)#

	Male Victims	Female Victims	All Victims
Who were the Harassers?			
Client	11.9	15.9	14.5
Employer	2.4	3.0	2.8
Immediate supervisor	4.8	8.5	7.1
Colleague at a higher rank (including management)	13.1	19.6	17.2
Colleague at the same rank	50.3	41.4	44.6
Colleague at a lower rank	17.3	9.2	12.1
Someone working in the same workplace but not co-worker of the same company/ organisation	13.7	10.5	11.7

Note: #Sum is larger than 100% because multiple options are allowed.

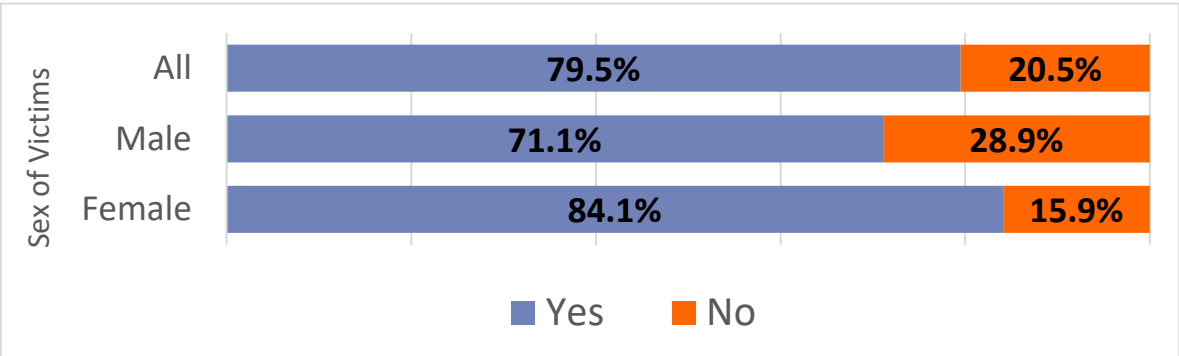
More in-depth analyses concerning the relationship of harasser to victim indicated that sex differences existed. While more female victims were sexually harassed by someone more senior or powerful in the workplace, male victims were more likely to have been targeted by colleagues at the same rank. Specifically, a greater proportion of female victims were sexually harassed by their colleague at a higher rank (19.6%, compared to 13.1% for male victims), immediate supervisor (8.5%, compared to 4.8% of male victims), and clients (15.9%, compared to 11.9% of male victims) (Table 7.7). More male victims were sexually harassed in the workplace by colleagues at the same rank (50.3% for male victims and 41.4% for female victims), colleague at a lower rank (17.3% for male victims and 9.2% for female victims), and someone sharing in the common workplace (13.7% for male victims

and 10.5% for female victims). Results of aggregated analyses (not shown here) indicate that, while 17.9% of male victims were sexually harassed by someone who were more senior to them in the organisational hierarchy (including employer, immediate supervisor, and colleague at a higher rank), the figure for female victims was 30.5%.

7.3.6 Reporting and Actions Following Incidents of Workplace Sexual Harassment

In the telephone interviews, victims were asked about their reactions to the most recent incident of workplace sexual harassment in the past 24 months. Out of 463 victims of workplace sexual harassment, 79.5% (n=367) took some actions, but one-fifth of them did not do anything in response to the most recent incident of sexual harassment (Figure 7.14). A further point to note was that female victims were significantly more likely to take action after being sexually harassed in the workplace (71.1% of men and 84.1% of women).

Figure 7.14: Whether Took Action Following the Incidents of Workplace Sexual Harassment -- by Sex of Victims***



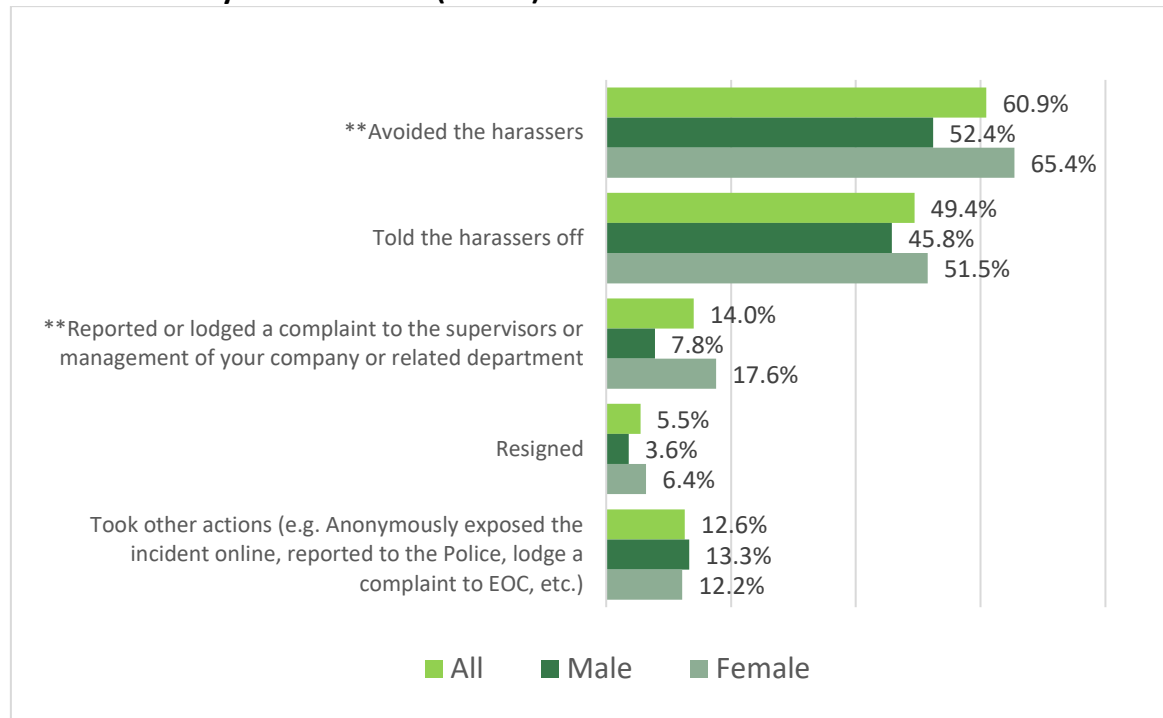
Nevertheless, most victims adopted a passive approach in response to workplace sexual harassment. Among those who took action, the most common action was avoiding the harassers (60.9%), followed by telling the harassers off (49.4%) (Figure 7.15). Analysed by sex of victims, it was found that, compared with their male counterparts, female victims of workplace sexual harassment were significantly more likely to avoid the harassers.

As found in overseas research studies, formal reporting was not common in Hong Kong.²⁹ In total, 14.7% (n=68 out of 462) of all victims made a formal report to the Police, the EOC, or supervisors or management in related departments within their companies/organisations (figure generated from Figure 7.15). Significant sex difference was observed

²⁹ The respective rates found in Australia and the UK were 17% (Australian Human Rights Commission 2018) and 15% (Government Equalities Office 2020).

with women being more likely to report formally (18.0% of female victims vs. 9.0% of male victims).

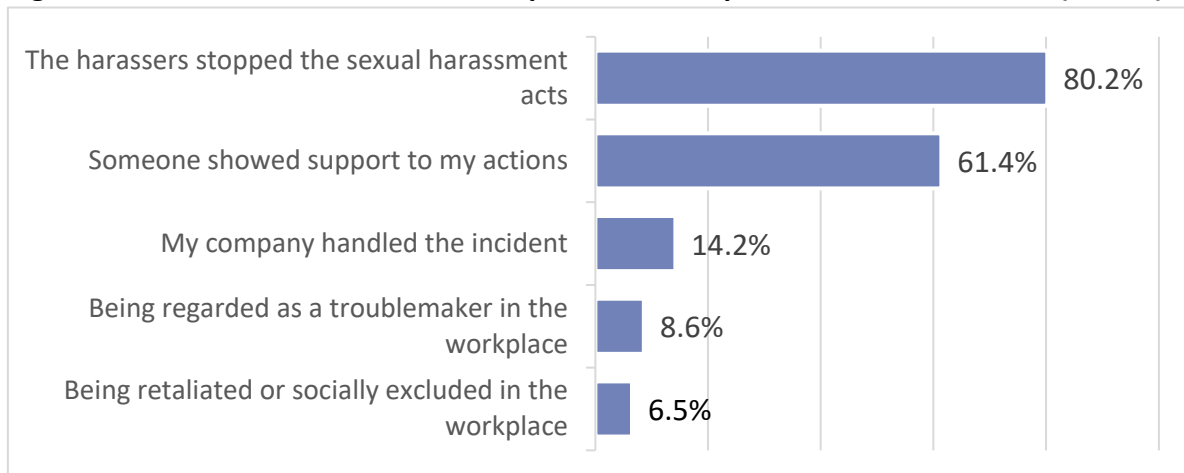
Figure 7.15: Actions Taken in Response to the Most Recent Incidents of Workplace Sexual Harassment -- by Sex of Victims (N=367)#



Note: #Sum is larger than 100% because multiple options are allowed.

Those who took action following the most recent incident of workplace sexual harassment were asked about the outcomes of their actions. The most common types of outcome were: “the harassers stopped the sexual harassment acts” (80.2%) and “someone showed support to my action” (61.4%), followed by “my company handled the incident” (14.2%) (Figure 7.16). While these outcomes could be categorized as positive, a minority of victims faced negative outcomes of their actions, including being regarded as a troublemaker (8.6%) or being retaliated or socially excluded (6.5%).

Figure 7.16: Outcomes of Actions in Response to Workplace Sexual Harassment (N=367)#



Note: # Sum is larger than 100% because multiple options are allowed.

Instead of the considerable adverse outcome resulted from making a formal report of incident of workplace sexual harassment as documented in the overseas literature, in the current survey, less than one-fifth of the 68 victims who reported formally to the Police, the EOC, or their company faced retaliation or social exclusion or were regarded as a troublemaker (17.2%) (analyses not shown here). Compared with their male counterparts, female victims who reported formally were more likely to have faced these negative outcomes (6.7% of men and 20.8% of women), though no statistically significant difference between sexes was observed.

Table 7.8: Reasons for Not Taking Any Actions in Response to Workplace Sexual Harassment (N=95)#

	%
The incident was not serious	97.1
Sexual harassment was prevalent in the company or organisation	54.9
The actions would be useless	46.1
Did not want to be regarded as a troublemaker or making a big fuss over a minor issue	39.7
Did not want to jeopardise the relationship with the harassers	35.0
Did not want the incident to be revealed or discussed	34.7
The complaint mechanisms were ineffective or complaint processes were protracted	22.6
Did not know the channels for lodging complaints	14.3
Afraid of retaliation or social exclusion	13.2
Did not want your work or career prospects to be adversely affected	12.2
Did not want to mention the sexual harassment incident again	11.5
Needed to keep your job	9.7
Others (e.g. No one would trust you, people around you advised you not to lodge a complaint, etc.)	7.6

Note: # Sum is larger than 100% because multiple options are allowed.

Among 463 victims of workplace sexual harassment, 20.5% (n=95) did not take any actions after experiencing their most recent incident of workplace sexual harassment. Table 7.8 showed the reasons for their inaction. It was common for victims to have multiple reasons for their inaction. An overwhelming majority of these 95 victims thought that “the incident was not serious” (97.1%). Around half of these 95 victims reasoned their inaction by saying that “sexual harassment was prevalent in their company or organisation” (54.9%) and “the actions would be useless” (46.1%). Other common reasons for not reporting included: “did not want to be regarded as a troublemaker or making a big fuss over a minor issue” (39.7%), “did not want to jeopardise the relationship with the harassers” (35.0%), “did not want the incident to be revealed or discussed” (34.7%), and “the complaint mechanisms were ineffective or complaint processes were protracted” (22.6%).

A significant minority kept silent to avoid adverse impact on their job. While 12.2% of these 95 victims chose to take no action in order to avoid their work or career prospects to be adversely affected, nearly 10% remained silent as they needed to keep their job.

In total, 26.1% of these 95 respondents mentioned reasons concerning the complaint system or procedures (i.e. “the complaint mechanisms were ineffective or complaint processes were protracted” and “did not know the channels for lodging complaints”)

(figure generated from Table 7.8). This might suggest that sexual harassment complaint mechanism available in the workplace or elsewhere might not be perceived to be user-friendly.

7.3.7 Seeking Support in Relation to Workplace Sexual Harassment

Nearly half of those (49.0%; n=226) who experienced sexual harassment in the workplace in the past 24 months talked to or sought assistance from someone (including family or friends, colleagues, professionals, etc.) after the most recent incident (Table 7.9). Compared with their female and younger counterparts, men and victims aged 50-64 were less likely to turn to others for assistance. Significant difference was found only between sexes.

Table 7.9: Whether Talked to or Sought Assistance from Someone after Having Experienced the Most Recent Incident of Workplace Sexual Harassment (Column %)

	***Sex		Age			Overall	
	Male	Female	18-34	35-49	50-64	%	(n)
Yes	33.7	57.6	51.3	48.6	43.7	49.0	(226)
No	66.3	42.4	48.7	51.4	56.3	51.0	(235)

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

More in-depth analyses showed that among 226 victims who sought support or advice, 60.0% turned to their family and friends (Table 7.10). Over half sought assistance from people in their workplace, including colleagues (52.0%) and employers, direct supervisors, or management of the company/ organisation (19.3%). Only a few chose professionals, such as social workers, lawyers, and others after experiencing workplace sexual harassment.

Table 7.10: Whether Talked to or Sought Assistance from the Following Persons/ Parties after Having Experienced the Most Recent Incident of Workplace Sexual Harassment (N=226)#

	%
Family or friends	60.0
Colleagues	52.0
Employers, direct supervisors, or management of the company/ organisation	19.3
Social workers or staff of social service organisations	3.9
Others (e.g. churches, physicians, lawyers, workers' associations, EOC, etc.)	10.0

Note: #Sum is larger than 100% because multiple options are allowed.

7.3.8 Impacts of Workplace Sexual Harassment

Those who had been sexually harassed in the workplace in the past 24 months were asked if they had experienced any of the six listed adverse consequences of the most recent incident of workplace sexual harassment. These six adverse effects included: impacts on (1) work and career prospects, (2) financial condition, (3) relationship with family, (4) self-image, (5) physical health, and (6) mental health. Overall, nearly one-third of the victims (31.3%, n=145) reported experiencing any of the six listed adverse effects (Table 7.11). Female victims were significantly more likely than men to face adverse effects of workplace sexual harassment.

Table 7.11: Whether Experienced Any Adverse Impacts of Workplace Sexual Harassment (Column %)

	*Sex		Age			Overall	
	Male	Female	18-34	35-49	50-64	%	(n)
Yes	24.6	35.1	32.0	34.2	25.0	31.3	(145)
No	75.4	64.9	68.0	65.8	75.0	68.7	(318)

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

From Table 7.12, it can be seen that the negative consequence most commonly identified by respondents who experienced workplace sexual harassment was adverse impacts on mental health (24.5%), followed by adverse impacts on self-image (14.6%) and adverse impacts on work and career prospects (12.0%). Very few victims of workplace sexual harassment said that the most recent incident had posed an adverse impact on their physical health, financial condition, or relationship with their families.

Table 7.12: Whether Experienced any Adverse Impacts of Workplace Sexual Harassment (N=145)#

Types of Impact	%
Adverse impacts on mental health	24.5
Adverse impacts on self-image	14.6
Adverse impacts on work and career prospects	12.0
Adverse impacts on physical health	6.1
Adverse impacts on financial condition	3.3
Adverse impacts on relationship with family	2.9

Note: #Multiple options are allowed.

Table 7.13: Degree of Humiliation and Intimidation Experienced by Victims in the Most Recent Incident of Workplace Sexual Harassment -- by Sex* and Age of Victims**

Humiliation	Mean Score (Standard Deviation)	Intimidation	Mean Score (Standard Deviation)
Men	2.29 (1.26)	Men	1.40 (0.91)
Women	2.84 (1.23)	Women	1.74 (1.08)
Age 18-34	2.52 (1.14)	Age 18-34	1.58 (0.98)
Age 35-49	2.82 (1.41)	Age 35-49	1.65 (1.06)
Age 50-64	2.64 (1.32)	Age 50-64	1.65 (1.10)
Overall	2.64 (1.27)	Overall	1.62 (1.04)

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

Those who had been sexually harassed in the workplace in the past 24 months were also asked to rate how humiliated and how intimidated the most recent incident had made them feel on a scale from one to five, where one indicated “not feeling humiliated”/ “not feeling intimidated” and five denoted “feeling very humiliated”/ “feeling very intimidated”. Table 7.13 showed that, first, the mean rating for the level of humiliation felt by victims of workplace sexual harassment was 2.64 and that of intimidation was 1.62. Second, while there was no significant difference between respondents in different age groups, sex differences were found in both types of negative feelings. Female victims felt significantly higher levels of humiliation and intimidation than men. Overall, it should be noted that, among victims of workplace sexual harassment, the average scores of both types of feelings were not high.

7.3.9 Whether the Workplace Sexual Harassment Incident was Witnessed/ Known or Intervened by a Third Party?

In the telephone interviews, victims were asked whether anyone had witnessed their most recent incident of workplace sexual harassment or they had revealed the incident to others in the same workplace. Around two-fifths of the victims (41.4%; n=191) reported that someone had witnessed or had been confided the most recent incident of workplace sexual harassment (the top panel of Table 7.14).

Table 7.14: Whether the Most Recent Incident of Workplace Sexual Harassment Being Witnessed/ Known or Intervened by a Third Party (Column %)

	%	n
Had someone witnessed or been told by you about the most recent incident of workplace sexual harassment?		
Yes	41.4	191
No	58.6	270
Who were the bystander(s)?#		
Client	2.8	5
Employer	1.5	3
Immediate supervisor	14.5	28
Colleague at a higher rank (including management)	21.3	41
Colleague at the same rank	66.3	126
Colleague at a lower rank	16.9	32
Someone working in the same workplace but not co-worker of the same company/ organisation	8.9	17
Others	1.9	4
Anyone attempted to intervene in or stop this workplace sexual harassment? (out of 183 victims)		
Yes	30.3	55
No	69.7	128

Note: #Sum is larger than 100% because multiple options are allowed.

Out of these 191 victims, the most common type of bystanders were colleagues at the same rank as the victim (66.3%), followed by colleagues at a higher rank (21.3%) and at a lower rank (16.9%) (the middle panel of Table 7.14). One in seven incidents of workplace sexual harassment (14.5%) was witnessed or learnt by the immediate supervisor of the victim.

Among these witnessed incidents of workplace sexual harassment, a majority of bystanders (69.7%) did not attempt to intervene in or stop the incident (the bottom panel of Table

7.14).³⁰

Disaggregated analyses showed that statistically significant sex differences were observed in terms of whether the incident was witnessed or revealed and whether it was intervened or stopped (Table 7.15). Generally, compared with their male counterparts, a greater proportion of female victims reported that someone had witnessed or learnt about the incident of workplace sexual harassment (47.6% of female victims vs. 30.1% of male victims (upper panel of Table 7.15)). While 34.1% of female victims claimed that there was someone attempting to intervene in or stop the incident, the figure for men was 18.8% (lower panel of Table 7.15). No age difference was found for these two bystander-related items.

Table 7.15: Bystanders of the Most Recent Incident of Workplace Sexual Harassment -- by Sex of Victims (Column %)

	Male Victims	Female Victims
***Did anyone witness or did you reveal to anyone about this workplace sexual harassment incident? (N=461)		
Yes	30.1	47.6
No	69.9	52.4
*Anyone attempted to intervene in or stop this workplace sexual harassment incident? (N=183)		
Yes	18.8	34.1
No	81.3	65.9

Note: *** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

³⁰ Overall, out of all victims, only 11.9% (n=55) of the most recent incident of workplace sexual harassment was intervened or stopped by a third party.

CHAPTER 8

WITNESSING AND HEARING ABOUT WORKPLACE SEXUAL HARASSMENT: SURVEY FINDINGS

Respondents who did not report having experienced workplace sexual harassment in the past two years were asked if they had witnessed or heard about sexual harassment in their workplace. This chapter attempts to describe the related findings including action taken in response to the incident, results of these actions, and reasons for inaction. As shown below, the related analyses presented in this chapter were based on a rather small number of bystanders. Interpretation of the findings should be made with caution.

8.1 Bystanders of Workplace Sexual Harassment

In this survey, 3,460 respondents who were employed over the past 24 months were not sexually harassed in the workplace during this period. Among these respondents, only 2.3% witnessed or heard about incidents of sexual harassment in their company or organisation (n=79) at some point in the past two years. No statistically significant difference between sexes was observed. Over two-thirds of these 79 bystanders (69.0%; n=55) said that someone else had also witnessed or heard about the same incident of workplace sexual harassment.

8.2 Action Taken by Proactive Bystanders

A majority of bystanders (73.7%; n=58) attempted to intervene in the incidents of workplace sexual harassment they witnessed. Sex and age differences were not found in terms of taking action or not. Out of these 58 “proactive bystanders”, while 43.0% told the harassers off, nearly half assisted the victims of workplace sexual harassment to report the incident or to lodge a complaint (47.6%) (Table 8.1).

Table 8.1: Types of Action Taken After Witnessed the Most Recent Incidents of Workplace Sexual Harassment (N=58)#

	%
Reported or lodged a complaint or assisted the colleague(s) concerned to report or lodge a complaint to the supervisors or management of your company or related department	47.6
Told the harassers off	43.0

Note: #Multiple options are allowed.

8.3 Consequences of Action Taken by Proactive Bystanders

Over four-fifths of bystanders who took action after witnessing or hearing about workplace sexual harassment reported that their action was well-received (83.4%) (Table 8.2). Also, a majority of the “proactive bystanders” (80.5%) said that the sexual harassment incident had been stopped as a result and 51.0% mentioned that their company or organisation had handled the incident after their intervention. Only a minority of those who took action in response to the incident of workplace sexual harassment were labelled as a troublemaker or retaliated or socially excluded in the workplace (5.1%).

Table 8.2: Results of Action among Proactive Bystanders (N=58)#

	%
Someone showed support to my actions	83.4
The harassers stopped the sexual harassment acts	80.5
Your company handled the incident	51.0
Others (e.g. being regarded as a troublemaker in the workplace)	5.1

Note: # Sum is larger than 100% because multiple options are allowed.

8.4 Reasons of Bystanders Not Taking Action

As shown above, a quarter of bystanders did not take action after witnessing or hearing about workplace sexual harassment (26.3%; n=21). From Table 8.3, we can see that the most common reason cited for not taking action was that other people were handling the sexual harassment incident (69.3%). Almost half of these “passive bystanders” did not take action because they did not know what to do (49.7%).

Table 8.3: Reasons for Not Taking Actions after Witnessed the Most Recent Workplace Sexual Harassment Incidents (N=21)#

	%
Someone else was handling the sexual harassment incident	69.3
Did not know what to do	49.7
Did not think it was your responsibility	44.6
It was useless to take any actions	43.9
Did not want to make things worse for the colleague who was sexually harassed	43.4
Did not know whether the incident constituted sexual harassment at the material time	35.6
The incident was not serious	35.1
The colleague being sexually harassed asked you and others not to take any action	31.6
Afraid of any negative consequences, e.g. retaliation, social exclusion, adverse impacts on your work or career prospects	11.9
Sexual harassment was prevalent in the company or organisation	8.4

Note: # Sum is larger than 100% because multiple options are allowed.

From a policy perspective, it was important to point out that, while 49.7% reasoned their inaction by saying that they did not know what to do after witnessing or hearing about the most recent incident of workplace sexual harassment, 35.6% reported that they did not know whether the incident constituted sexual harassment at that time, and 11.9% chose not to take action because they were afraid of being retaliated or facing other negative consequences. To reiterate, owing to the small number of cases, over-interpretation of these results should be avoided.

CHAPTER 9

CONCLUSIONS AND RECOMMENDATIONS

Since the Equal Opportunities Commission launched its Anti-Sexual Harassment Campaign in 2013, we have conducted surveys in a number of sectors. Those sector-based surveys provided us useful but piecemeal information about the prevalence of sexual harassment in Hong Kong and the adoption of an anti-sexual harassment policy in specific sectors of the society.

This territory-wide representative survey is the first of its kind in terms of its sample size and its coverage of the general population of Hong Kong, and aims to examine (1) the awareness of sexual harassment, (2) the prevalence and nature of online and workplace sexual harassment, (3) the characteristics of victims, harassers, and workplaces where workplace sexual harassment occurred, (4) the responses of victims after being sexually harassed at work, and (5) the role of bystanders in workplace sexual harassment.

Between March and June 2021, a total of 5,027 respondents aged 18-64 (including Hong Kong residents and foreign domestic helpers), who were Cantonese, Putonghua, or English speakers, were successfully interviewed via telephone, with a response rate of 40%. In the following, after summarizing key findings and major observations of the current study, evidence-based policy recommendations will be provided to enhance public understanding about sexual harassment and to identify measures in redressing sexual harassment.

9.1 Conclusions: Findings and Observations

A summary of key findings with interpretations is provided as follows:

Respondents have a high level of awareness of sexual harassment in general: Each of the respondents was given 16-scenario-statements and asked to assess whether these scenarios constituted sexual harassment, and a “Sexual Harassment Awareness Index” (SHA Index) was then created to examine the overall level of awareness. The mean of this SHA Index for all respondents was 80.26, which indicated a high level of awareness. Nevertheless, a sizeable group of respondents were less certain whether “persistent invitation for dates despite repeated refusals” or a sexually hostile environment constituted sexual harassment. Misconceptions about sexual harassment and gender relationship still remain.

Respondents who received sexuality education in primary and secondary schools showed a higher level of awareness of sexual harassment than those who did not: In particular, those who had been taught topics about courtship and dating, sexual harassment, sexual assault, and sexual violence, as well as respondents who had been taught about gender roles and societal and cultural influence on sex, attained a higher mean score of SHA Index. They scored 82.79 and 82.80 respectively, both higher than the average score of all respondents (80.26).

Online sexual harassment is prevalent and pervasive: One in six people aged 18-64 experienced online sexual harassment in the past two years (17.8%). Comparatively, younger adults were significantly more prone to online sexual harassment. While 23.3% of those aged 18-34 had been sexually harassed online, the corresponding figures for individuals aged 35-49 and 50-64 were 16.4% and 14.0%. Disaggregated analyses further showed that young women aged 18-34 were the sub-group of respondents that had the highest prevalence rate of experiencing online sexual harassment (25.7%).

Workplace sexual harassment is not only entrenched but also gendered: At work, nearly one in eight individuals were sexually harassed (11.8%). The sex difference was statistically significant and large, with 14.6% of women and 8.8% of men experiencing workplace sexual harassment in the past two years.

Younger workers are more prone to workplace sexual harassment: While nearly one in five (18.4%) young adults (age 18-34) reported to have experienced sexual harassment at work in the past 24 months, the corresponding figures for those aged 35-49 and 50-64 were 10.2% and 7.2%. In particular, the chance for younger women (age 18-34) to be sexually harassed at the workplace was significantly higher. Younger women were almost twice as likely to be sexually harassed at work (22.5%), compared to 11.8% of the overall average.

Workers in temporary or short-term positions are more vulnerable than their counterparts holding permanent positions: Interns (25.5%) and summer job workers (25.0%) were more likely to be sexually harassed in the workplace, followed by contract workers (15.9%) and casual workers (15.9%). The corresponding rate for those in permanent positions was relatively low at 11.4%.

Anti-sexual harassment policy protects one from experiencing workplace sexual harassment: Results from regression analyses showed that, after controlling for socio-demographic and job characteristics of individuals and other workplace contextual factors, those working in a company or organisation with no anti-sexual harassment policy or

measures were significantly more likely to be sexually harassed at work.

Incidents of workplace sexual harassment occurring in “non-conventional” settings are emerging: Among the most recent incidents of workplace sexual harassment, separately, a non-negligible proportion took place either outside the immediate location of the workplace in different situations (such as during private or recreational activities with colleagues, during work-related activities, during social activities organised by their company or organisation, etc.) (23.6%), or via online communication or electronic messages (20.6%).

Many harassers are men but female harassers are not uncommon: On the one hand, harassers of workplace sexual harassment were predominantly male: two-thirds (66.7%) of the most recent incidents were committed by male harasser(s) and 16.8% by female harasser(s), while 16.6% involved a mix of male and female harassers. On the other hand, in the most recent workplace sexual harassment incidents, a quarter (25.9%) of male victims were harassed by female harasser alone, and the corresponding figure for female victims was 11.7%.

Many victims, male and female alike, were harassed by colleagues at the same rank (50.3% of male victims and 41.4% of female victims). But, more women than their male counterparts were sexually harassed by someone senior in rank or powerful at work. Specifically, 30.5% of female victims were harassed by employers/ immediate supervisors/ senior colleagues and 15.9% by clients. The respective figures for male victims were 17.9% and 11.9%.

Cases involving clients or someone in the common workplaces as perpetrators of sexual harassment are concerning: In total, around a quarter of victims of workplace sexual harassment reported to be harassed by clients (14.5%) and someone sharing the same workplace but not working for the same company or organisation (11.7%). Although these types of workplace sexual harassment are prohibited under the law, victims might encounter more hurdles in reporting or filing a complaint given there is no employment relationship between the victims and the harassers.

Workplace sexual harassment often goes unreported due to workplace culture: Among all victims of workplace sexual harassment, only 14.7% made a formal report to either the Police, the EOC, or supervisors or management of related departments within their companies or organisations. Apart from believing that the workplace sexual harassment incident was not serious, the major reasons given by victims for not reporting came down

to workplace culture. More than half of the victims who did not take action explained that sexual harassment was prevalent in their companies or organisations (54.9%), while 46.1% said any actions would be useless.

A considerable proportion of incidents of workplace sexual harassment are witnessed or known by co-workers, but only a fraction is intervened or stopped by bystanders: Around two-fifths of the most recent incidents of workplace sexual harassment were witnessed or known by someone else in the workplace (41.4%). But, a majority of these bystanders did not intervene in or stop the incident (69.7%). Overall, only 11.9% of the most recent incidents of workplace sexual harassment were intervened or stopped by a third party.

9.2 Recommendations

Based on the findings of the current study on sexual harassment in Hong Kong (Chapters 5-8 of this report), the related evidence documented in overseas literature and previous studies (Chapter 3), and the good practices adopted by and legal requirements imposed on various stakeholders in other places (Chapter 2), this report provides ten recommendations in four directions:

- (A) Transforming Workplace Culture: Employers, the HKEX, and the Government**
- (B) Increasing Awareness and Strengthening Protection in Client-facing industries**
- (C) Reforming Sexuality Education and Providing Practical Knowledge to Students**
- (D) Identifying and Monitoring Risks of Sexual Harassment**

Sexual harassment is a social problem that requires various stakeholders in society — including employers of all sizes, senior management from companies or organisations, the Hong Kong Exchanges and Clearing Limited (HKEX) as regulator of listed companies, the Government, Education Bureau (EDB), school sponsoring bodies, and other stakeholders — to take concerted actions with the EOC to prevent and respond to sexual harassment.

Specifically, the ten recommendations are listed below with above stakeholders in mind and call for a more proactive approach in mapping out their future strategies when preventing and addressing sexual harassment:

(A) Transforming Workplace Culture: Employers, the HKEX, and the Government

Employers are advised to enhance transparency and governance in preventing and responding to workplace sexual harassment by formulating an effective anti-sexual

harassment policy and measures and engaging staff, victims, or bystanders alike, as part of the solution to the problem of workplace sexual harassment.

Recommendation 1

Employers, regardless of the size of their company or organisation, are strongly encouraged to:

- (a) Develop a clear corporate anti-sexual harassment policy;**
- (b) Establish an effective system to handle complaints;**
- (c) Take disciplinary or appropriate actions;**
- (d) Implement timely improvement measures; and**
- (e) Provide awareness training to staff regularly.**

Results from regression analyses in this study show that those working in a company or organisation with no anti-sexual harassment policy or measures are significantly more likely to be sexually harassed at work. Besides, it is found that 55.7% of respondents were not protected by any anti-sexual harassment policy or measures in their workplace. Hence, the EOC strongly recommends that employers, regardless of the size of their companies or organisations, set out an anti-sexual harassment policy with preventive and remedial measures in the workplace, in order to protect one from being sexually harassed at work.

In addition, the effectiveness of implementing anti-sexual harassment policy or measures to prevent workplace sexual harassment is not only an objective fact but also a subjective perception. Those working in companies or organisations with anti-sexual harassment policy and measures are less likely to perceive a high level of prevalence of sexual harassment occurring in their workplaces. These empirical findings are consistent with evidence from research on workplace sexual harassment conducted elsewhere, which conclude that organisational cultures that tolerate sexual harassment have more of it, and workplaces that are not tolerant of sexual harassment have less of it (see Bergman et al. 2002).

Based on the results of related studies and the practical experience of the EOC, an effective policy should include several components³¹:

1. A clear statement of zero tolerance;
2. Definition and examples of sexual harassment;
3. Policy applies to all levels of staff, clients, service users, interns, and volunteers;

³¹ For details, please visit EOC's Compass website "Policy Development Guidelines: Framework for Corporate Policy on Anti-Sexual Harassment", <https://www.eoc.org.hk/compass/wp-content/uploads/2021/08/Framework-for-Business-Sector-ENG.pdf>

4. The sensitive nature of handling sexual harassment complaints is covered in the policy;
5. Principles and procedures of handling complaints;
6. Protection against victimization for complainants and witnesses;
7. Disciplinary or other appropriate actions;
8. Name and contact of designated persons for handling complaints;
9. All levels of staff are made aware of the policy;
10. Measures to prevent sexual harassment; and
11. A regular review to update the policy and measures, e.g., adding the latest amendments of Sex Discrimination Ordinance such as covering workplace participants in common workplaces and those working in temporary positions such as summer job workers or interns.

It is worthwhile to point out that this recommendation on encouraging business and organisations to formulate anti-sexual harassment policies and mechanism to handle sexual harassment complaints is regarded as “very important/ quite important” by 91.0% of the general public interviewed in another territory-wide representative survey titled “Equal Opportunities Awareness Survey 2021” (Equal Opportunities Commission 2021b).

Recommendation 2

The Hong Kong Exchanges and Clearing Limited (HKEX) should consider reviewing the Environmental, Social and Governance (ESG) Reporting Guide of the Listing Rules to include the adoption of an anti-sexual harassment policy as one of the key gender equality strategies that issuers of listed companies should disclose in their ESG report.

The EOC recommends that the HKEX should consider reviewing and including the adoption of an anti-sexual harassment policy in the ESG Reporting Guide explicitly. This can strengthen social aspects of the ESG and facilitate better employment practice among listed companies as part of their corporate social responsibility. In the long run, establishing anti-sexual harassment policy and measures not only can serve as preventive and remedial measures for workplace sexual harassment, the disclosure of such policy and measures by issuers in their corporate websites or annual reports could also create more respectful work environment from board level to across the workforce.

It is noted that 79.9% of respondents working in companies or organisations with at least 500 employees reported having at least one anti-sexual harassment policy or measure in place. Hence, many listed companies may already have an anti-sexual harassment policy or measures in place.

Recommendation 3

The Government might explore the feasibility of introducing a positive duty on employers to take reasonable and proportionate steps to prevent and respond to workplace sexual harassment.

Under the current anti-discrimination laws, any reasonably practicable steps taken to prevent and respond to sexual harassment shown by the employers may form part of the defense in explaining away employers' vicarious liability. The current wording of the legislation essentially puts employers in a reactive mode in proving they are not legally liable for an employee's sexual harassment act(s), with or without their knowledge. As illustrated in Chapter 2 of this report, Australian Human Rights Commission highlights that introducing a legal requirement of proactive duty on employers shifts the burden from individuals making complaints to employers taking proactive and preventive actions, which could promote better accountability and contribute to broader systemic and cultural change.

Recently, legal obligations of proactive duty on employers to prevent sexual harassment have already been imposed in Shenzhen and the State of Victoria in Australia, while the Governments of the UK and Australia have declared their intention to introduce a similar legal requirement to employers. Given one in eight (11.8%) of our respondents were sexually harassed at work in the past 24 months, our Government may give due consideration to introduce appropriate laws requiring employers to take proactive steps to prevent workplace sexual harassment, such as formulating an anti-sexual harassment policy and setting up a mechanism to handle sexual harassment complaints.

Recommendation 4

Every staff can be a potential victim or bystander at the workplace. Potential victims or bystanders should be engaged so that they become part of the solutions to the problem of workplace sexual harassment. Employers should encourage potential victims to be assertive and adopt a bystander intervention approach in delivering staff training programmes.

Compared to reactive and piecemeal measures, a holistic approach for creating a workplace culture that prevents and responds to workplace sexual harassment is more effective. While staff training is not uncommon in many companies or organisations, currently, many staff training programmes largely focus on the compliance of various legislations in Hong Kong, including sexual harassment under the Sex Discrimination Ordinance (SDO). In other words, the training objective adopts a passive approach rather than a proactive approach. Employers can give more practical tips to employees and managerial staff on what can be done. For instance, employers can reassure that victims can be assertive and stand up for themselves if they are sexually harassed. Employers can provide the right tools and

atmosphere for staff to be direct with their concerns if they are raised with good faith. Employers can also encourage supportive bystanders to offer assistance to the victims and engage them as allies to prevent sexual harassment in the workplace.

Results from this current survey reveal that one in five victims did not do anything in response to the most recent incident of sexual harassment. Among those who took action, the most common action was avoiding the harassers (60.9%), followed by telling the harassers off (49.4%). While over two-fifths of the victims reported that their experiences of being sexually harassed at work had been witnessed or learnt by someone else in their workplace, fewer than one-third of the bystanders attempted to intervene in or stop the incident.

Given that most employees are not perpetrators of workplace sexual harassment themselves, anti-sexual harassment training that focuses on “what not to do” may not achieve the most with staff. It is therefore highly recommended that staff training provided by the employers should explore perspectives such as assertive training for potential complainants and intervention techniques for bystanders, what they can and should do when one experiences, witnesses, or is informed of an incident of sexual harassment in the workplace.

It is found that bystander intervention training not only raises awareness, but also empowers individuals with skills, resources, and confidence to intervene, support, and create a sense of collective responsibility to maintain a sexual harassment-free culture in the workplace (Feldblum and Lipnic 2016). It would help change social norms and public attitudes which result in behavioural change to reduce the incidence and harm of sexual harassment.

Companies or organisations should also adopt a victim-friendly and bystander intervention approach in their overall anti-sexual harassment strategy. The anti-sexual harassment policy of companies or organisations should clearly spell out that employees who are complainants or witnesses, are protected from being retaliated by the company or organisation and also under the SDO. A holistic approach further helps change the workplace culture and remove the fears from victims or bystanders that reporting sexual harassment would be viewed as trouble-makers by their co-workers or management in the workplace.

For small and medium enterprises (SMEs) who may not have resources to organise such training, the Government should consider organising centralized training or online training

through Labour Department, or provide resources to facilitate other organisations to conduct bystander training for SME employees.

Recommendation 5

Employers should explicitly show its commitment to countering sexual harassment in their companies or organisations by enhancing communication and transparency. Appointing a top-level managerial staff member to oversee matters related to anti-sexual harassment conveys a clear message that the company or organisation takes sexual harassment seriously. Employers should communicate to every staff, including summer job workers and interns, at the start of employment about the redress channels and regularly remind staff not to commit acts of sexual harassment via meetings, staff notices, or emails.

Employees' perceptions would affect the effectiveness of workplace policy or measures in preventing and addressing workplace sexual harassment. Our survey findings show that many victims, male and female alike, were harassed by colleagues at the same rank (44.6%). But more female victims were sexually harassed by someone more senior in rank or powerful at work. Only one in seven (14.7%) of the victims made a formal report or complaint about workplace sexual harassment; and the reasons behind underreporting of workplace sexual harassment partly originated from the lack of confidence in the company or organisation in handling related complaints or changing the status quo.

As highlighted in the overseas research studies, the commitment of the leadership and the protection of complainants and witnesses against retaliation play an important role in building a workplace free of sexual harassment. Employers should appoint a top-level member of the management to oversee matters related to anti-sexual harassment, in order to show the company or organisation's commitment to building a sexual harassment-free environment and convey a clear message that the company or organisation takes sexual harassment seriously, which would also enhance staff's confidence in reporting any sexual harassment incidents.

It is further recommended that employers should communicate to every staff member, including summer job workers and interns, at the start of the employment or in induction programmes about the channels of reporting cases or lodging complaints of sexual harassment; the procedures and mechanisms of handling or investigating cases or complaints; and the disciplinary actions for different outcomes of the investigation. Open communication and transparency would increase trust and confidence among staff members and reduce the problem of underreporting of workplace sexual harassment among victims and bystanders.

(B) Increasing Awareness and Strengthening Protection in Client-facing Industries

Recommendation 6

Companies or organisations from client-facing industries can raise awareness among their clients or workplace participants by providing knowledge about the recent legal changes in anti-sexual harassment provisions under the Sex Discrimination Ordinance (SDO). They are also strongly encouraged to send a clear message that staff complaints against clients' or workplace participants' inappropriate behaviour(s) would be properly dealt with.

Results from this telephone survey revealed that, first, a quarter of victims reported to be sexually harassed by clients and other participants working in the same workplaces. Second, compared to the overall rate of 11.8%, workplace sexual harassment was significantly more prevalent in industries like accommodation and food services (16.5%), real estate, professional and business services (14.9%), information and communication (13.2%), and finance and insurance (12.2%) sectors.

Other than establishing anti-sexual harassment policy and measures, companies or organisations from the above client-oriented industries can lead by example by informing their clients or workplace participants³² about the recent legal changes in the anti-sexual harassment provisions under the SDO and that any inappropriate behaviour(s) from clients or workplace participants towards their staff would not be tolerated by the companies or organisations. This sends a clear message that staff's safety and well-being is a top priority of the companies or organisations, and that any business transactions and services from clients or workplace participants that ask for sexual favours or engage in conduct of sexual nature from a staff would not be tolerated.

Recommendation 7

The Government should consider amending the Sex Discrimination Ordinance to make employers legally liable for third party harassment when participants in common workplaces, customers, or clients are found to have sexually harassed their employees, unless employers have taken reasonably practicable steps to prevent the sexual harassment and unless they have no knowledge of the sexual harassment or allegation(s) of sexual harassment.

Currently, in cases of being sexually harassed by workplace participants in common workplaces, customers, or clients at work, complaints could be lodged by the employees concerned against the perpetrators with the EOC. Employers are not legally liable for third party harassment of their employees, i.e., non-employees who harass their employees.

³² SDO covers sexual harassment between workplace participants at a common workplace where they both work or attend. S23(A) of SDO states that workplace participants means an employee; an employer; a contract worker; the principal of a contract worker or a commission agent; a commission agent; a partner in a firm; an intern; or a volunteer.

Given that a quarter of respondents in this survey reported to have experienced sexual harassment by third party when performing their job, employers may have an obligation to provide their employees with a safe and harassment-free work environment in the first place.

The Government should consider amending the Sex Discrimination Ordinance to make employers legally liable for third party harassment when participants in common workplaces, customers, or clients are found to have sexually harassed their employees, unless employers have taken reasonably practicable steps to prevent the sexual harassment and unless they have no knowledge of the sexual harassment or allegation(s) of sexual harassment.

(C) Reforming Sexuality Education and Providing Practical Knowledge to Students

Recommendation 8

The Education Bureau (EDB) should consider thoroughly reforming the sexuality education in primary and secondary schools as soon as possible to give more emphasis on gender equality and relationship education, including sexual harassment in digital contexts and image-based sexual violence.

Respondents who received sexuality education in primary and secondary schools showed a higher level of awareness of sexual harassment than those who did not. Based on the pilot version of the Values Education Curriculum Framework implemented in 2021, the EDB might expand the curriculum on sexuality education by giving more emphasis on gender equality and relationship education, including sexual harassment in digital contexts and image-based sexual violence. Adequate resources and teaching materials should be provided to schools and teachers to equip young people with more comprehensive knowledge about these areas.

Given 23.3% of young adults were sexually harassed online and the prevalence rate of online sexual harassment was the highest among younger women, sexual harassment in digital contexts and image-based sexual violence should also be included in sexuality education. Topics such as taking/ being taken non-consensual intimate images or videos and distributing, or threatening to distribute intimate images or videos without the person's consent in online forums, messaging apps, or social media websites, should be discussed with young people.

A special funding scheme might also be set up by the EDB to ensure sufficient funding is allocated to non-governmental organisations which play a pivotal role in conducting sexuality education programmes in primary and secondary schools.

Recommendation 9

Secondary schools, school-sponsoring bodies, and institutes of higher education should provide training to students on awareness of sexual harassment and equip them with skills and knowledge to respond to experiences of sexual harassment.

The survey found that younger adults, in particular young women, were more likely to be victims of online sexual harassment and workplace sexual harassment. Moreover, the prevalence of sexual harassment at work is the highest among interns and summer job workers. Results from longitudinal studies in the US confirm that workplace sexual harassment represents a major scarring event for young workers leading to interrupted career and financial strain (Houle et al. 2011; McLaughlin et al. 2017). Therefore, it is important to enhance young people's knowledge about sexual harassment, so that they know what it means, why they should prevent from doing it, and how to cope with such incidents before and at the juncture when they join the workforce which would help to minimize the long-term harm posed on this inexperienced and vulnerable group.

Secondary schools, school-sponsoring bodies, and institutes of higher education should therefore provide training to students on awareness of sexual harassment and equip them with skills and knowledge to respond to experiences of sexual harassment. To effectively deliver the related training, tools that fit in the learning and social habits of the young generation, such as mobile-friendly online training modules, videos and short films, and social media, should be adopted.

(D) Identifying and Monitoring Risks of Sexual Harassment

Recommendation 10

The EOC and the Census and Statistics Department (C&SD) should collaborate and conduct territory-wide representative household surveys regularly to identify and monitor risks of sexual harassment in different spheres of public life, including the digital space.

Compared to interviews via telephone, in terms of the sample coverage, data collection through household surveys is more preferable. It is recommended to harness the professional expertise and hands-on experience of the C&SD to carry out household surveys related to sexual harassment every five years. With extended interviewing time, a more comprehensive set of questions could be included in household surveys. Surveys on sexual harassment conducted regularly would enable the EOC and the Government to track the latest trend and prevalence of sexual harassment systematically. The findings are useful for the EOC and other stakeholders to develop more targeted approach in preventing and addressing sexual harassment.

Online sexual harassment and workplace sexual harassment could be treated as initial focuses as these two areas affect a wider population. Specifically, detection and identification of online sexual harassment sometimes is less easy, given its hidden nature and that legal protection in digital space can be ambiguous. Currently, most laws are jurisdiction-specific, together with the fact that the criminal justice system and legislative amendments are trying to keep up with the pace of change and the reality that victims are experiencing.

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APPENDIX

Equal Opportunities Commission

Survey on Knowledge about Sexual Harassment 2021

Section I Sample Selection and Confirmation

Introduction

Hello, I am an interviewer from “*name of the survey company/organisation*”. We are now conducting a survey commissioned by the Equal Opportunities Commission, with a view to understanding general public’s knowledge about sexual harassment. The questions are very simple. All information collected will be used for aggregated statistical analysis only. Personal data will be kept confidential. Could you please spare some time and take part in this survey?

Sample selection (for landline residential telephone numbers only; not for mobile telephone numbers)

First of all, I would like to randomly select a member from your household to take part in this survey. How many members aged between 18 and 64 are there in your household?

【If there is only one, interview that person.】

【If there is more than one, read out “To select a respondent on a random basis, I would like to interview the one who will have the next birthday.”】

Confirmation

I would like to confirm if you are a Hong Kong resident aged between 18 and 64?

1. Yes
2. No 【read out “I am sorry. The targeted respondents of this survey are Hong Kong residents aged between 18 and 64.” Select another sample.】

F1. Sex 【No need to ask】

1. Male
2. Female

Section II Questionnaire

Part A. Knowledge about Sexual Harassment

First of all, I would like to know how you perceive sexual harassment. Do you consider the following conducts to be sexual harassment?

【Order of A1a-A1p to be randomised by the computer】

- A1a. In a company, a male colleague leers at, makes lewd/ sexual gestures at a female colleague, making her feel offended.**
- A1b. In a company, a female colleague leers at, makes lewd/ sexual gestures at a male colleague, making him feel offended.**
- A1c. In a company, a male colleague leers at, makes lewd/ sexual gestures at another male colleague, making him feel offended.**
- A1d. In a company, a female colleague leers at, makes lewd/ sexual gestures at another female colleague, making her feel offended.**
- A1e. When you are shopping in a store, a shop assistant makes sexually suggestive comments or jokes to other customers in your presence, making you feel uncomfortable.**
- A1f. In an activity hosted by a community organisation, a volunteer plays sexually suggestive games with other participants in your presence, making you feel uncomfortable.**
- A1g. Someone puts up obscene posters in the pantry at the workplace, making you feel uncomfortable.**
- A1h. In your company, a colleague keeps asking you out for a date regardless of your rejection, making you feel offended.**
- A1i. In your company, a colleague keeps making sexual advances to you regardless of your rejection.**
- A1j. In your company, a colleague makes sexually suggestive comments on your physical appearance or body figure, making you feel offended.**
- A1k. In your company, a colleague peeps at you or takes photos or videos of you without your consent, making you feel offended.**
- A1l. In your company, a colleague masturbates or exposes himself/ herself in your presence, making you feel offended.**
- A1m. In your company, a colleague has inappropriate physical contact with you, such as forced kiss, touching, or brushing up against your bottom.**
- A1n. In your company, a colleague asks about your sex life, making you feel offended.**
- A1o. In your company, a colleague sends you emails or electronic messages with indecent or obscene words, photos, or videos, making you feel offended.**
- A1p. In your company, a colleague sexually assaults or attempts to sexually assault you.**
[If being asked to explain sexual assault: examples of sexual assault include touching of breasts or private body parts, and rape]

1. Yes

2. No

3. Do not know

4. Refused to answer

Part B. Experience of Online Sexual Harassment

B1. Have you surfed the Internet, including using mobile phone apps, in the past 24 months?

1. Yes
2. No [Skip to C1]
3. Refused to answer

Have you encountered the following situations when surfing the Internet?

【Order of B2a-B2h to be randomised by the computer】

B2a. Have any persons posted indecent images or videos of you on the Internet without your consent in the past 24 months?

B2b. Have any persons made sexual comments on you or spread rumours of a sexual nature concerning you on the Internet, such as commenting on your body figure or spreading rumours about you having a sexual relationship with someone, in the past 24 months?

B2c. Have you received sexually suggestive messages online in the past 24 months, making you feel offended?

B2d. Have you received indecent photos or videos online in the past 24 months, making you feel offended?

B2e. Have any persons made sexually suggestive comments or jokes to you online in the past 24 months, making you feel offended?

B2f. Have any persons kept making sexual advances to you online regardless of your rejection in the past 24 months?

B2g. Have any persons requested you online to post nude photos or videos of yourself in the past 24 months, making you feel offended?

B2h. Have any persons called you by a sexually suggestive name online in the past 24 months, making you feel offended?

1. Yes 2. No 3. Refused to answer

Part C1. Experience of Workplace Sexual Harassment

C1. Have you taken up any forms of employment, including full-time work, part-time work, temporary work, casual work, summer job, internship, self-employment, or freelance, in Hong Kong in the past 24 months?

1. Yes 2. No [Skip to F2] 3. Refused to answer [Skip to F2]

Have you encountered the following situations at work, including job interviews, meetings with clients, internal work, and taking work-related trips, in Hong Kong in the past 24 months?

[For interviewers: “Working in Hong Kong” includes overseas work-related trips requested by employed company/ organisation]

【Order of C2a-C2l to be randomised by the computer】

- C2a. Have any persons at work kept asking you out for a date regardless of your rejection in the past 24 months, making you feel offended?**
- C2b. Have any persons at work offered you job-related, pecuniary, or other forms of advantages in exchange for sexual favours in the past 24 months?**
- C2c. Excluding junk mail, have any persons at work sent you emails or electronic messages with indecent or obscene words, photos or videos, in the past 24 months, making you feel offended?**
- C2d. Have any persons at work peeped at you or taken photos or videos of you without your consent in the past 24 months, making you feel offended?**
- C2e. Have any persons at work masturbated or exposed himself/ herself in your presence in the past 24 months, making you feel offended?**
- C2f. Have any persons at work had inappropriate physical contact with you, such as forced kiss, touching, or brushing up against your bottom in the past 24 months?**
- C2g. Have any persons at work made sexually suggestive comments on your physical appearance or body figure in the past 24 months, making you feel offended?**
- C2h. Have any persons at work sexually assaulted or attempted to sexually assault you in the past 24 months?**
- C2i. Have any persons at work asked about your sex life in the past 24 months, making you feel offended?**
- C2j. Have any persons at work leered at you, or made lewd/ sexual gestures at you in the past 24 months, making you feel offended?**
- C2k. Have any persons at work made sexually suggestive comments or jokes to you in the past 24 months, making you feel offended?**
- C2l. Have any persons at work made sexually suggestive comments or jokes to others in your presence in the past 24 months, making you feel uncomfortable?**

1. Yes

2. No

3. Refused to answer

Part CII. Most Recent Experience of Workplace Sexual Harassment

【Only for those who experienced any of the situations stated in C2a-C2l】

The experience at work in Hong Kong you just mentioned may constitute workplace sexual harassment. We would like to know about your most recent experience. Please be rest assured that we will not go into the details of the incident.

C3. When did your most recent workplace sexual harassment occur? In the past 12 months or in the past 13 to 24 months?

- 1. In the past 12 months
- 2. In the past 13 to 24 months
- 3. Could not recall
- 4. Refused to answer

C4. Did this workplace sexual harassment incident happen via online communication or electronic messages?

[For interviewers: Electronic messages or online communication include Whatsapp, Signal, Facebook, etc. Phone conversation is excluded.]

1. Yes
2. No
3. Refused to answer

C5. Did this incident occur within the area of your company or organisation? [If not, further ask: Did the incident occur during work-related activities (e.g. meetings with clients outside the office or work-related trips), social activities organised by the company or organisation (e.g. annual dinners, corporate outings, etc.), private or recreational activities with colleagues, or other occasions?]

1. Yes
2. No, but during work-related activities, e.g. meetings with clients outside the office or work-related trips
3. No, but during social activities organised by the company or organisation, e.g. annual dinners, corporate outings, etc.
4. No, during private or recreational activities with colleagues
5. No, during other occasions
6. Refused to answer

C6. How many harassers were involved at the material time? One or more than one?

1. Only one harasser
2. More than one harasser
3. Don't know
4. Refused to answer

C7. What is/are the sex of the harasser(s)?

[Multiple answers allowed if more than one harassers were involved]

1. Male
2. Female
3. Don't know
4. Refused to answer

C8. Is/Are the harasser(s) your client(s), employer(s), immediate supervisor(s), colleague(s), or someone in the same workplace but not working for the same company?

If the answer is “colleague(s)”, further ask “**Is the rank of the colleague(s) lower or higher than yours, or at the same rank as yours?**”

[Multiple answers allowed if more than one harassers were involved]

1. Client(s)
2. Employer(s)
3. Immediate supervisor(s)
4. Colleague(s) at a higher rank (including management)
5. Colleague(s) at the same rank
6. Colleague(s) at a lower rank
7. Someone in the same workplace but not working for the same company
8. Don't know
9. Refused to answer

C9. Did any other persons witness this incident at the material time or did you reveal this incident to anyone in the company or organisation?

1. Yes
2. No [Skip to C12]
3. Could not recall [Skip to C12]
4. Refused to answer [Skip to C12]

C10. Is/Are the witness(es) or the person(s) who knew about the incident your client(s), employer(s), immediate supervisor(s), colleague(s), or someone in the same workplace but not working for the same company?

If the answer is “colleague(s)”, further ask “**Is the rank of the colleague(s) lower or higher than yours, or at the same level as yours?**”

【Multiple answers allowed】

1. Client(s)
2. Employer(s)
3. Immediate supervisor(s)
4. Colleague(s) at a higher rank (including management)
5. Colleague(s) at the same rank
6. Colleague(s) at a lower rank
7. Someone in the same workplace but not working for the same company
8. Others [Skip to C12]
9. Don't know [Skip to C12]
10. Refused to answer [Skip to C12]

C11. Did any afore-mentioned person(s) attempt to intervene in and stop the incident at the material time?

1. Yes
2. No
3. Refused to answer

C12. Overall, did you feel humiliated for having experienced this incident? Please indicate the level of humiliation with a score ranging from 1 to 5. 1 indicates that you do not feel humiliated; 5 indicates that you feel very humiliated.

1-5 : _____ scores

6. No answer/Refused to answer

C13. Overall, did you feel intimidated for having experienced this incident? Please indicate the level of intimidation with a score ranging from 1 to 5. 1 indicates that you do not feel intimidated; 5 indicates that you feel very intimidated.

1-5 : _____ scores

6. No answer/Refused to answer

Has the incident adversely affected you in the following aspects?

C14a. Has it adversely affected your work and career prospects?

C14b. Has it adversely affected your financial condition?

C14c. Has it adversely affected your relationship with your family?

C14d. Has it adversely affected your self-image?

C14e. Has it adversely affected your physical health?

C14f. Has it adversely affected your mental health?

1. Yes

2. No

3. Refused to answer

C15a. Did you talk to or seek assistance from the following persons after having experienced this incident? (1) Family members, relatives, or friends, (2) colleagues, (3) employers, immediate supervisors, management personnel, or personnel department of your company or organisation, (4) labour unions, (5) others, or (6) you did not seek assistance from these persons? You could choose more than one options.

【Multiple answers allowed】

1. Family members, relatives, or friends
2. Colleagues
3. Employers, immediate supervisors, management personnel, or personnel department of your company or organisation
4. Labour unions
5. Others (please specify)
6. Did not seek assistance from these persons
7. Refused to answer

C15b. Did you talk to or seek assistance from the following professionals or organisations after having experienced this incident? (1) Lawyers, (2) doctors, (3) social workers or staff of social service organisations, (4) The Equal Opportunities Commission, (5) others, or (6) you did not seek assistance from these persons or organisations? You could choose more than one options.

【Multiple answers allowed】

1. Lawyers
2. Doctors
3. Social workers or staff of social service organisation
4. The Equal Opportunities Commission
5. Others (please specify)
6. Did not seek assistance from these persons or organisations
7. Refused to answer

Did you take the following actions after having experienced this incident?

C16a. Told the harassers off

C16b. Avoided the harassers

C16c. Reported or lodged a complaint to the supervisors or management of your company or related department

C16d. Resigned

C16e. Reported to the Police

C16f. Lodged a complaint to the Equal Opportunities Commission

C16g. Anonymously exposed the incident online

C16h. Did you take other actions to deal with this sexual harassment incident

1. Yes 2. No 3. Refused to answer

【Only for those who did take any of the actions stated in C16a-C16h】 Did your actions result in the following situations?

C17a. Did the harassers stop doing the sexual harassment acts?

C17b. Did your company handle the incident?

C17c. Did you experience retaliation or social exclusion in the workplace?

C17d. Were you regarded as a troublemaker in the workplace?

C17e. Did anyone support your actions? [For interviewers: anyone includes every one]

1. Yes 2. No 3. Refused to answer

【Only for those who did not take any of the actions stated in C16a-C16h】 What made you decide not to take action?

C18a. Needed to keep your job

C18b. No one would trust you

C18c. The actions would be useless

C18d. The incident was not serious

C18e. Did not know the channels for lodging complaints

C18f. Did not want to mention the sexual harassment incident again

C18g. Did not want the incident to be revealed or discussed

C18h. Did not want to jeopardise the relationship with the harassers

C18i. The complaint mechanisms were ineffective or complaint processes were protracted

C18j. Sexual harassment was prevalent in the company or organisation

C18k. Afraid of retaliation or social exclusion

C18l. Did not want to be regarded as a troublemaker or making a big fuss over a minor issue

C18m. Did not want your work or career prospects to be adversely affected

C18n. Too scared

C18o. People around you advised you not to lodge a complaint

1. Yes 2. No 3. Refused to answer

C99a. As far as you know, how prevalent was sexual harassment in your company or organisation at the material time? Was it very prevalent, quite prevalent, not too prevalent, or not prevalent at all?

C99b. Generally speaking, how prevalent do you think is workplace sexual harassment in Hong Kong nowadays? Is it very prevalent, quite prevalent, not too prevalent or not prevalent at all?

1. Very prevalent
2. Quite prevalent
3. Not too prevalent
4. Not prevalent at all
5. Refused to answer

C99c. How many employees (including you) did your company or organisation employ in Hong Kong at the material time?

1. Less than 10 employees
2. 10-49 employees
3. 50-99 employees
4. 100-299 employees
5. 300-499 employees
6. 500 or more employees
7. Do not know
8. Refused to answer

C99d. What was the estimated percentage of female employees out of the total number of employees in Hong Kong in your company or organisation at the material time? Was it less than 20%, 20% to some 40%, 50% to some 60%, 70% to some 90%, or all employees are female?

1. Less than 20% are female
2. 20% to some 40% are female
3. 50% to some 60% are female
4. 70% to some 90% are female
5. All are female
6. Do not know
7. Refused to answer

C99e. As far as you know, did your company or organisation have any anti-sexual harassment policy at the material time?

1. Yes
2. No
3. Do not know
4. Refused to answer

Did your company or organisation have any of the following measures to handle incidents of sexual harassment at the material time?

C99f. Explanation about the procedure for handling sexual harassment complaints

C99g. Establishment of a mechanism for handling sexual harassment complaints, which sets out the contacts of the persons-in-charge

C99h. Assurance that nobody would be punished because of lodging a complaint in good faith

- | | | | |
|--------|-------|----------------|----------------------|
| 1. Yes | 2. No | 3. Do not know | 4. Refused to answer |
|--------|-------|----------------|----------------------|

C99i. What was the nature of business of your company or organisation at the material time?

1. Manufacturing
2. Construction
3. Import/export, wholesale and retail trades
4. Transportation, storage, postal and courier services
5. Accommodation and food services
6. Information and communications
7. Financing and insurance
8. Real estate, professional and business services
9. Public administration, education, human health and social work activities
10. Miscellaneous social and personal services
11. Others (including agriculture, forestry, fishing, mining, quarrying, electricity and gas supply, water supply, sewerage, waste management and remediation activities, etc.)
12. Refused to answer

C99j. What was your occupation at the material time?

1. Managers and administrators
2. Professionals
3. Associate professionals
4. Clerical support workers
5. Service and sales workers
6. Craft and related workers
7. Plant and machine operators and assemblers
8. Elementary occupations
9. Skilled agricultural and fishery workers
10. Others
11. Refused to answer

C99k. Were you a permanent worker, contract worker, casual worker, summer job worker, intern, self-employed person, or freelancer at the material time?

1. Permanent worker
2. Contract worker
3. Casual worker
4. Summer job worker
5. Intern
6. Self-employed person
7. Freelancer
8. Refused to answer

C99l. Were you a full-time or part-time worker at the material time?

1. Full-time worker
2. Part-time worker (30 working hours or less per week on average)
3. Refused to answer

C99m. Are you still working at the concerned company or organisation?

1. Yes [Skip to F2]
2. No [Skip to F2]
3. Refused to answer [Skip to F2]

Part D. Experience of Witnessing or Knowing about Incidents of Sexual Harassment Suffered by your Colleagues 【Only for those who did not experience any of the situations stated in C2a-C2l】

The examples I just mentioned may constitute workplace sexual harassment. We would like to know about your views towards sexual harassment in the workplace.

D1a. In your current or last company or organisation, have you witnessed any incidents of sexual harassment experienced by your colleagues or have any of your colleague(s) told you that he or she was sexually harassed in the workplace in the past 24 months?

1. Yes
2. No [Skip to E99a]
3. Do not know [Skip to E99a]
4. Refused to answer [Skip to E99a]

D1b. Regarding the most recent incident of workplace sexual harassment you witnessed or knew about, as far as you know, did anyone else in your company or organisation also witness or know about this incident at the material time?

1. Yes
2. No
3. Do not know
4. Refused to answer

D2. Did you attempt to intervene in and stop the sexual harassment incident or offer any assistance (including talking, listening, giving advice, etc.) to the colleague(s) concerned at the material time?

1. Yes
2. No [Skip to D5a]
3. Refused to answer [Skip to D99a]

Did you take the following actions at the material time?

D3a. Told the harassers off

D3b. Reported or lodged a complaint or assisted the colleague(s) concerned to report or lodge a complaint to the supervisors or management of your company or related department

1. Yes
2. No
3. Refused to answer

【Only for those who did attempt to intervene in and stop the sexual harassment incident or offer assistance (D2=1)】

Did your actions result in the following situations?

- D4a. Did the harassers stop doing the sexual harassment acts?**
- D4b. Did your company handle the incident?**
- D4c. Did you experience retaliation or social exclusion in the workplace?**
- D4d. Were you regarded as a troublemaker in the workplace?**
- D4e. Did anyone support your actions?**

- 1. Yes
- 2. No
- 3. Refused to answer

【Only for those who did not attempt to intervene in and stop the sexual harassment incident or offer assistance (D2=2)】

What made you decide not to take action?

- D5a. Did not know what to do**
- D5b. Did not know whether the incident constitutes sexual harassment at the material time**
- D5c. It was useless to take any actions**
- D5d. The incident was not serious**
- D5e. Someone else was handling the sexual harassment incident**
- D5f. Did not want to make things worse for the colleague who was sexually harassed**
- D5g. The colleague being sexually harassed asked you and others not to take any action**
- D5h. Did not think it was your responsibility**
- D5i. Sexual harassment was prevalent in the company or organisation**
- D5j. Afraid of any negative consequences, e.g. retaliation, social exclusion, adverse impacts on your work or career prospects**

- 1. Yes
- 2. No
- 3. Refused to answer

[D99a-D99m: Only for those who (1) were not sexually harassed in the workplace (C2a-C2l) and (2) did witness or know about incidents of sexual harassment experienced by their colleagues in the workplace]

D99a. As far as you know, how prevalent was sexual harassment in your company or organisation at the material time? Was it very prevalent, quite prevalent, not too prevalent, or not prevalent at all?

D99b. Generally speaking, how prevalent do you think is workplace sexual harassment in Hong Kong nowadays? Is it very prevalent, quite prevalent, not too prevalent or not prevalent at all?

- 1. Very prevalent
- 2. Quite prevalent
- 3. Not too prevalent
- 4. Not prevalent at all
- 5. Refused to answer

D99c. How many employees (including you) did your company or organisation employ in Hong Kong at the material time?

1. Less than 10 employees
2. 10-49 employees
3. 50-99 employees
4. 100-299 employees
5. 300-499 employees
6. 500 or more employees
7. Do not know
8. Refused to answer

D99d. What was the estimated percentage of female employees out of the total number of employees in Hong Kong in your company or organisation at the material time? Was it less than 20%, 20% to some 40%, 50% to some 60%, 70% to some 90%, or all employees are female?

1. Less than 20% are female
2. 20% to some 40% are female
3. 50% to some 60% are female
4. 70% to some 90% are female
5. All are female
6. Do not know
7. Refused to answer

D99e. As far as you know, did your company or organisation have any anti-sexual harassment policy at the material time?

1. Yes
2. No
3. Do not know
4. Refused to answer

Did your company or organisation have any of the following measures to handle incidents of sexual harassment at the material time?

D99f. Explanation about the procedure for handling sexual harassment complaints

D99g. Establishment of a mechanism for handling sexual harassment complaints, which sets out the contacts of the persons-in-charge

D99h. Assurance that nobody would be punished because of lodging a complaint in good faith

- | | | | |
|--------|-------|----------------|----------------------|
| 1. Yes | 2. No | 3. Do not know | 4. Refused to answer |
|--------|-------|----------------|----------------------|

D99i. What was the nature of business of your company or organisation at the material time?

1. Manufacturing
2. Construction
3. Import/export, wholesale and retail trades
4. Transportation, storage, postal and courier services
5. Accommodation and food services
6. Information and communications
7. Financing and insurance
8. Real estate, professional and business services
9. Public administration, education, human health and social work activities
10. Miscellaneous social and personal services
11. Others (including agriculture, forestry, fishing, mining, quarrying, electricity and gas supply, water supply, sewerage, waste management and remediation activities, etc.)
12. Refused to answer

D99j. What was your occupation at the material time?

1. Managers and administrators
2. Professionals
3. Associate professionals
4. Clerical support workers
5. Service and sales workers
6. Craft and related workers
7. Plant and machine operators and assemblers
8. Elementary occupations
9. Skilled agricultural and fishery workers
10. Others
11. Refused to answer

D99k. Were you a permanent worker, contract worker, casual worker, summer job worker, intern, self-employed person, or freelancer at the material time?

1. Permanent worker
2. Contract worker
3. Casual worker
4. Summer job worker
5. Intern
6. Self-employed person
7. Freelancer
8. Refused to answer

D99l. Were you a full-time or part-time worker at the material time?

1. Full-time worker
2. Part-time worker (30 working hours or less per week on average)
3. Refused to answer

D99m. Are you still working at the concerned company or organisation?

1. Yes [Skip to F2]
2. No [Skip to F2]
3. Refused to answer [Skip to F2]

[E99a-E99l: Only for those who (1) were not sexually harassed in the workplace (C2a-C2l) and (2) did not witness or know about incidents of sexual harassment experienced by their colleagues in the workplace]

E99a. As far as you know, is/ was sexual harassment prevalent in your current or last company or organisation? Is/ Was it very prevalent, quite prevalent, not too prevalent or not prevalent at all?

E99b. Generally speaking, how prevalent do you think is workplace sexual harassment in Hong Kong nowadays? Is it very prevalent, quite prevalent, not too prevalent or not prevalent at all?

1. Very prevalent
2. Quite prevalent
3. Not too prevalent
4. Not prevalent at all
5. Refused to answer

E99c. How many employees (including you) does/did your current or last company or organisation employ in Hong Kong?

1. Less than 10 employees
2. 10-49 employees
3. 50-99 employees
4. 100-299 employees
5. 300-499 employees
6. 500 or more employees
7. Do not know
8. Refused to answer

E99d. What is/ was the estimated percentage of female employees out of the total number of employees in Hong Kong in your current or last company or organisation? Is/ was it less than 20%, 20% to some 40%, 50% to some 60%, 70% to some 90%, or all employees are female?

1. Less than 20% are female
2. 20% to some 40% are female
3. 50% to some 60% are female
4. 70% to some 90% are female
5. All are female
6. Do not know
7. Refused to answer

E99e. As far as you know, does/ did your current or last company or organisation have any anti-sexual harassment policy?

1. Yes
2. No
3. Do not know
4. Refused to answer

Does/ Did your current/last company or organisation have any of the following measures to handle incidents of sexual harassment?

E99f. Explanation about the procedure for handling sexual harassment complaints

E99g. Establishment of a mechanism for handling sexual harassment complaints, which sets out the contacts of the persons-in-charge

E99h. Assurance that nobody would be punished because of lodging a complaint in good faith

1. Yes 2. No 3. Do not know 4. Refused to answer

E99i. What is/ was the nature of business of your current or last company or organisation?

1. Manufacturing
2. Construction
3. Import/export, wholesale and retail trades
4. Transportation, storage, postal and courier services
5. Accommodation and food services
6. Information and communications
7. Financing and insurance
8. Real estate, professional and business services
9. Public administration, education, human health and social work activities
10. Miscellaneous social and personal services
11. Others (including agriculture, forestry, fishing, mining, quarrying, electricity and gas supply, water supply, sewerage, waste management and remediation activities, etc.)
12. Refused to answer

E99j. What is/ was your current or last occupation?

1. Managers and administrators
2. Professionals
3. Associate professionals
4. Clerical support workers
5. Service and sales workers
6. Craft and related workers
7. Plant and machine operators and assemblers
8. Elementary occupations
9. Skilled agricultural and fishery workers
10. Others
11. Refused to answer

E99k. In your current/ last job, are/ were you a permanent worker, contract worker, casual worker, summer job worker, intern, self-employed person, or freelancer?

1. Permanent worker
2. Contract worker
3. Casual worker
4. Summer job worker
5. Intern
6. Self-employed person
7. Freelancer
8. Refused to answer

E991. In your current/ last job, are/ were you a full-time or part-time worker?

1. Full-time worker
2. Part-time worker (30 working hours or less per week on average)
3. Refused to answer

Section III	Background Information of Respondents
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Lastly, I would like to ask you some basic information for aggregated statistics analysis.

F2. 【Ask all】 What is your age range?

1. 18-24 years old
2. 25-29 years old
3. 30-34 years old
4. 35-39 years old
5. 40-44 years old
6. 45-49 years old
7. 50-54 years old
8. 55-59 years old
9. 60-64 years old
10. Refused to answer

F3. 【Ask all】 Are you currently employed, seeking employment, a home maker, retired, or a student?

1. Employed (excluding summer job)
2. Seeking employment
3. Home maker
4. Retired
5. Student
6. Refused to answer

F4. 【Ask all】 Were you born in Hong Kong?

1. Yes [Skip to F6]
2. No
3. Refused to answer

F5. 【If the respondent was not born in Hong Kong, ask:】 How long have you been in Hong Kong?

1. 0-3 years
2. 4-6 years
3. 7-10 years
4. 11 years or above
5. Refused to answer

F6a. 【Ask all】 What is the level of education you have attained?

1. Kindergarten or below [Skip to F8]
2. Primary education
3. Junior secondary education (Form 1 to 3)
4. Senior secondary education (Form 4 to 7)
5. Tertiary education (Non-degree)
6. Tertiary education (Bachelor's degree or above)
7. Refused to answer

F6b. [Only for those who have completed primary education or above] Did you attend primary or secondary schools in Hong Kong?

1. Yes
2. No
3. Refused to answer

F7. [Only for those who have attended primary or secondary schools in Hong Kong] Have you received education about the following topics in your primary or secondary education?

- a. Puberty and reproductive system
- b. Bodily privacy and sexually transmitted diseases
- c. Courtship and dating, sexual harassment, sexual assault, and sexual violence
- d. Marriage and family, such as the meanings of family and marriage, and the responsibility of being parents
- e. Gender roles and societal and cultural influences on sexuality

1. Yes
2. No
3. Refused to answer

F8a. 【Ask all】 Are you ethnic Chinese?

1. Ethnic Chinese
2. Non-ethnic Chinese
3. Refused to answer

F8b. [Ask those who engages/ engaged in elementary occupations (C99j/ D99j/ E99j) and were not born in Hong Kong and were not ethnic Chinese] Have you been worked as foreign domestic helpers in Hong Kong in the past 24 months?

1. Yes
2. No
3. Refused to answer

F9. 【Ask all】 Are you never married, married, cohabiting, divorced, separated, or widowed?

1. Never married
2. Married/cohabiting
3. Divorced/separated
4. Widowed
5. Refused to answer

F10. 【Ask all】 What is the range of your monthly total household income?

1. Nil
2. \$1 to\$4,999
3. \$5,000 to\$9,999
4. \$10,000 to\$14,999
5. \$15,000 to\$19,999
6. \$20,000 to\$24,999
7. \$25,000 to\$29,999
8. \$30,000 to\$39,999
9. \$40,000 to\$49,999
10. \$50,000 to\$59,999
11. \$60,000 to\$79,999
12. \$80,000 to\$99,999
13. \$100,000 or above
777. Refused to answer [no need to read out]

F11. Language used in the interview:

1. Cantonese
2. English
3. Putonghua

This is the end of the survey. Thank you for your time. Bye.