

**Minutes of the One Hundred and Thirty-second Meeting of
The Equal Opportunities Commission
held on 16 September 2021 (Thursday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr Ricky CHU Man-kin, IDS	Chairperson [C/EOC]
Ms Queenie CHAN Lai-kwan, MH	
Prof Cecilia CHAN Lai-wan, JP	
Prof Andy CHIU Man-chung	
Ms Rosanna CHOI Yi-tak	
Mr Mohan DATWANI	(via telephone-conferencing)
Ms Maisy HO Chiu-ha, BBS	
Mr Simon LAM Ken-chung	
Dr Sigmund LEUNG Sai-man, BBS, JP	(via telephone-conferencing)
Dr Henry SHIE Wai-hung	
Ms Anna THOMPSON	
Ms Linda TSANG Chi-man	
Dr Rizwan ULLAH, MH	
Mr Gary WONG Chi-him	(via telephone-conferencing)
Miss Rabi YIM Chor-pik	
Dr Ferrick CHU Chung-man	Secretary Executive Director (Operations) [ED/O]

Absent with apologies

Hon Vincent CHENG Wing-shun, MH, JP
Dr Theresa CUNANAN

In attendance

Mr Ivan LUK Chi-cheung	Executive Director (Enforcement) [ED/E]
Mr Oska LI Kam-hung	Director, Corporate Planning and Services [DCPS]
Mr Tony SIU Kit-hung	Director, Complaint Services [DCS]
Miss Kitty LAM Kit-ye	Head, Policy, Research and Training [HPRT]
Mr Allan MAN Sui-lun	Chief Legal Counsel [CLC]

Ms Shana WONG Shan-nar	Head, Corporate Communications [HCC]
Miss Gloria YU Wai-ling	Senior Equal Opportunities Officer, Administration & Personnel [SAP]
Ms Hollis LING Yin-har	Equal Opportunities Officer, Administration & Personnel [EAP]

I. Introduction

1. The Chairperson (C/EOC) welcomed all Commission Members (Members) to the 132nd Meeting. C/EOC said that Mr Mohan DATWANI, Dr Sigmund LEUNG and Mr Gary WONG would join the meeting via telephone conference. Ms Anna THOMPSON, Ms Maisy HO and Dr Henry SHIE would join the meeting at a later time.

2. C/EOC was pleased to inform Members that two Senior Equal Opportunities Officers were awarded The Ombudsman's Awards 2021 for Officers of Public Organisations, in recognition of their exemplary contributions in improving public services. The awardees were Mr John KEUNG Shui-cheung of the Corporate Planning and Services Division and Mr Raymond HO Wing-keung of the Ethnic Minorities Unit. This was the fourth time that staff members of the EOC had been granted The Ombudsman's Awards. C/EOC also took the opportunity to thank Mr KEUNG and Mr HO for their dedication and commitment to serve the public.

3. In addition, C/EOC informed Members that the EOC had been recognised as an outstanding Gold Certificate Awardee by the Office of the Privacy Commissioner for Personal Data (PCPD), in recognition of the EOC's outstanding efforts made in personal data privacy protection.

4. Members were pleased to note the recognition and awards given to the EOC and its praiseworthy staff members by The Ombudsman and the PCPD, reflecting the commendable efforts of staff members at all levels and the wisdom

of the Management Team.

5. C/EOC said that there were no special issues for informing the media, hence no press briefing would be held after the meeting.

(Ms Anna THOMPSON joined the meeting at this juncture.)

II. Confirmation of Minutes (Agenda Item No. 1)

Confirmation of Minutes of the 131st Meeting on 17 June 2021

6. The draft minutes of the 131st EOC Meeting were issued to Members on 12 July 2021. No request for amendment to the minutes was received. Members confirmed the draft minutes issued on 12 July 2021 without amendments.

III. Matters Arising (Agenda Item No. 2)

7. There were no matters arising from previous meetings that required Members' attention in this meeting.

IV. New Agenda Items

Six Monthly Review of EOC's Work (January – June 2021)

(EOC Paper No. 9/2021; Agenda Item No. 3)

8. EOC Paper No. 9/2021 provided a statistical representation of the work of the Commission in the first half of 2021 and conduct of court actions undertaken during the period from January to August 2021.

9. Members noted EOC Paper No. 9/2021.

Update on the EOC's 25th Anniversary Programme

(EOC Paper No. 10/2021; Agenda Item No. 4)

10. HCC updated Members on the proposed activities and programmes of the EOC's 25th Anniversary Programme as contained in EOC Paper No. 10/2021.

(Dr Henry SHIE joined the meeting at this juncture.)

11. Members noted that the Equal Opportunity Employer Recognition Scheme was held from November 2020 to May 2021, with an aim to give recognition to companies and organisations which had excelled in the implementation of equal opportunities (EO) employment policies, and raise awareness of the benefits of these policies. The recognition scheme and ceremonies were mentioned in 15 media reports, and over 75 social media posts by the EOC and the awardees.

12. As regards the Visual Storytelling Project and Roving Exhibitions, Members noted that the online gallery on the EOC website showcasing nearly 140 original photographic works from people with disabilities, ethnic minorities, migrant domestic workers, woman carers, newly arrived immigrants from mainland China, people with mental illness, as well as members of the LGBT community had attracted nearly 30 000 page views. Also, the three videos by New Dellily (a Hong Kong-born Indian YouTuber engaged by the EOC) interviewing with some of the contributing photographers released on her YouTube channel from late December 2020 to February 2021 had attracted over 70 000 views as of end of August 2021.

13. Regarding the Online/Social Media Promotions and Photo Competition, Members noted that the EOC corporate page launched on LinkedIn in March 2020

had been followed by over 1 250 persons. Also, an Instagram (IG) account would be set up in the fourth quarter of 2021. A Member mentioned that two IG accounts using EOC as their name were found. The Member suggested, upon setting up EOC's own account, the Commission might verify it with IG to obtain a verified badge. The badge was a blue verification tick which would appear beside the account name. C/EOC said the Commission would follow up accordingly.

14. In response to a Member's question, HCC shared with Members the initial promotion tactics of the photo competition which was part of the social media programmes in 2021. She said that its details would be put forth for discussion at the next Community Participation and Publicity Committee meeting.

(Ms Maisy HO joined the meeting at this juncture.)

15. A Member said that she had paid a visit to the Roving Exhibition at the Hong Kong Cultural Centre. The exhibition was of high quality, but there were few people around.

16. Members noted EOC Paper No. 10/2021.

Chairperson's Quarterly Report

(EOC Paper No. 11/2021; Agenda Item No. 5)

17. C/EOC highlighted the important work done during the period from June to August 2021 as contained in EOC Paper No. 11/2021.

18. Members noted that protections from discrimination and harassment on the grounds of breastfeeding made through the Discrimination Legislation (Miscellaneous Amendments) 2020 and the Sex Discrimination (Amendment) Ordinance 2021 had come into force starting from 19 June 2021. The EOC had

launched a citywide publicity campaign to publicise the new protections.

19. Members also noted that a total of 12 opinion-editorial articles were published on newspapers and via online channels, covering topical issues including Olympic and Paralympic Games, cultural diversity and inclusion, protection from harassment in common workplace. Moreover, the Racial Diversity & Inclusion Charter for Employers gained good traction in the past few months. The signatory number had grown to nearly 200.

20. In response to a question raised by a Member, C/EOC said that when the coronavirus first broke out in Hong Kong last year, official information on health protection and quarantine measures were published in Chinese and English only. Information in languages more commonly used by ethnic minority communities could only be made available afterwards and sometimes the translation was incomplete. In this respect, the EOC had been communicating with the Government on an ongoing basis to address such information asymmetry. It had been noted that the Government had responded positively to improve the situation.

21. Members noted EOC Paper No. 11/2021.

Reports of the Legal & Complaints Committee, Community Participation & Publicity Committee, Policy, Research & Training Committee and Administration & Finance Committee

(EOC Paper No. 12/2021; Agenda Item No. 6)

22. EOC Paper No. 12/2021 presented the important matters raised and decisions made at the four EOC Committee meetings held during the period from June to August 2021.

23. ED/O summarised the work of the Anti-Sexual Harassment Campaign in response to a Member's question. Members noted that the Anti-sexual Harassment Unit (ASHU) launched an Anti-Sexual Harassment Hotline in January

2021 to handle enquiries relating to sexual harassment. Enquirers were mainly potential complainants looking for ways to seek redress, and human resources personnel or persons calling on behalf of the employers. To inform the social services sector of the latest amendments under the Sex Discrimination Ordinance about the extended coverage of volunteers and interns as workplace participants with a view to further heightening the awareness in relation to prevention from sexual harassment in the sector, the EOC had co-organised a seminar with Hong Kong Council of Social Service (HKCSS). Over 160 HKCSS's agency members attended the seminar in person and online. Also, a workshop on formulating and implementing the anti-sexual harassment policy would be conducted in the fourth quarter of 2021. In addition, the ASHU had set up a dedicated webpage to provide anti-sexual harassment related information and resources. The webpage could be accessed via the EOC website.

24. The Member suggested that the Community Participation and Publicity Committee could work more closely with the ASHU to promote its services to the public. C/EOC thanked the Member for his suggestion and added that the EOC would continue to review the protections under the Sex Discrimination Ordinance and propose legislative amendments to the Government to plug the possible loopholes. Protections for students coming from different tertiary institutions/schools and tenants of sub-divided flats would be areas of consideration.

25. In response to a Member's question about the work related to anti-sexual harassment for the education sector, ED/O said the EOC had been providing training workshops to universities and secondary schools for some years. It had also been making great efforts in collaboration with universities towards building a safe and harassment-free campus for university students. Apart from keeping track of the progress of the universities' anti-sexual harassment actions of the recommendations raised in the Report of "Break the Silence: Territory-wide Study on Sexual Harassment of University Students in Hong Kong", the EOC had been producing two online training modules on prevention of sexual harassment – one

was for the University Grants Committee (UGC)-funded university students and a brand new one for students of the non-UGC funded tertiary institutions. With the continuous effort in promoting anti-sexual harassment in the education sector, it was noted that the number of schools putting in implementation an in-house anti-sexual harassment policy had greatly increased.

26. In response to another Member's further enquiry, ED/O said that all UGC-funded universities and majority of higher education institutes had put in place mechanisms to handle sexual harassment complaints. For secondary schools, sexual harassment complaints were in general firstly handled by respective schools. The Education Bureau had also put in place an established mechanism to handle unresolved complaints.

27. In response to a Member's question about ethnic minorities in employment, ED/O said that the Racial Diversity & Inclusion Charter for Employers was a programme advocating employers to remove barriers in their employment policies for staff and job seekers from different racial backgrounds. Also, the EOC had commissioned research studies to identify barriers facing EMs and published articles to promote diversity and inclusion in employment. With reference to a recent direct investigation report on the Government's arrangement for engaging outside interpretation services, C/EOC added that EMs should be provided with timely and quality interpretation services when accessing public services. Nonetheless, organisations available for providing such support services were very few. There was also no centralised system to assess interpreters' language competency. To take forward The Ombudsman's recommendations to improve the efficiency of procuring, managing and dispensing interpretation services, the Office of The Ombudsman had ongoing communication with the EOC and the Government was also considering a work plan proposed for this purpose.

28. A Member said that the survey findings of the Equal Opportunities Awareness Survey 2021 presented by the research team at the recent Policy, Research & Training Committee (PRTC) Meeting was informative and inspiring.

He enquired about the feasibility of making available another survey results presentation at the EOC Meeting. HPRT said that the research team was still in the process of double checking the figures in the report and could not be made available the survey results for discussion at EOC Meeting for the moment. The survey report was scheduled to be released in November 2021, subject to endorsement by PRTC Members via paper circulation. C/EOC said that highlights of the survey results would be shared with Members shortly.

29. Members noted EOC Paper No. 12/2021.

IV. Any Other Business

Issues raised by a Member

30. A Member raised a number of issues for discussion including (i) an airline terminating the employment of its staff who did not have COVID-19 vaccination; (ii) the latest development of the Gay Games; and (iii) training on the National Security Law to EOC staff and (iv) the need to provide Chinese version of all meeting documents to Members.

31. Regarding (i), DCS said that some enquiries were received related to the matter and the enquirers had yet to lodge complaints to the Commission thus far. For (ii), C/EOC updated Members that the organiser, after having considered all relevant circumstances, had decided to postpone the Games for one year. As regards (iii), Members noted that ED/O had consulted the Constitutional and Mainland Affairs Bureau. Currently, no training resources/programmes were available from the Government and EOC was provided a web link containing relevant information (compiled by the Security Bureau) which could be forwarded to staff members for information/reference as appropriate.

[Post-meeting note: One breastfeeding discrimination complaint was later lodged

to the Commission.]

32. On (iv), DCPS recapped the streamlined practice about the provision of EOC Board and Committee meeting documents agreed at the 126th EOC Meeting. Under the agreed practice, all documents for EOC Meetings were issued on a bilingual basis (i.e. no change thus far). For meetings of the Community Participation and Publicity Committee, the Legal and Complaints Committee, and the PRTC, while provision of Chinese version of the meeting papers had ceased, English version of all meeting papers had been made available to Members of these Committees as before. All along, should any Members prefer to be provided with the Chinese version of any meeting papers issued, the EOC office stood ready to accede to the requests. For the Administration and Finance Committee (A&FC), the established practice remained unchanged as Members had been provided with English version only for all documents presented to the A&FC. He said that the streamlined approach was agreed in consideration of the efficiency gains and manpower constraints.

33. C/EOC said that the EOC office would review the matter taking into consideration of factors including available resources, operational efficiency, and the practices of comparable organisations. The bottom line is that EOC guarantees that its efficiency and effectiveness would not be hampered in any way connected with the use of language, and that Members' needs for papers in either Chinese or English would always be satisfied.

[Post-meeting note: The prevailing practice on the provision of EOC Committee papers to Members had subsequently been reviewed. The arrangement agreed at the 126th EOC Meeting was considered acceptable and would remain unchanged.]

Sign Language Interpretation Service

34. A Member expressed concern over the inadequate provision of sign

language interpretation services to hearing impaired persons (HIPs) in hospitals. By making reference to an enquiry related to the sign language interpretation services provided in hospitals, DCS shared with Members that HIPs could request to be provided with sign language interpretation of the type they were familiar with. However, HIPs might be reluctant to make the request because the waiting time was usually very long. ED/O added that the delay in delivery of interpretation service was mainly due to the fact that there were different types of sign languages used in Hong Kong, and sign language interpretation was often an outsourced service which often could not be made readily available on-site at hospitals. Another Member said that hospitals might make use of video-conferencing facilities to facilitate the provision of a more instant interpretation service. ED/O would relay the suggestion to the Hospital Authority for their consideration.

35. There being no other business, the Meeting was adjourned at 4:00 pm.

V. Date of Next Meeting

36. The next regular EOC Meeting was scheduled for **16 December 2021 (Thursday) at 2:30 p.m.**

Equal Opportunities Commission
October 2021