

**Minutes of the One Hundred and Thirty-seventh Meeting of
The Equal Opportunities Commission
held on 16 March 2023 (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	
Hon Vincent CHENG Wing-shun, MH, JP	
Prof Andy CHIU Man-chung	(via telephone-conferencing)
Ms Rosanna CHOI Yi-tak	
Dr Theresa CUNANAN	
Mr Mohan DATWANI	
Ms Maisy HO Chiu-ha, BBS	(via telephone-conferencing)
Dr Sigmund LEUNG Sai-man, BBS, JP	(via telephone-conferencing)
Dr Henry SHIE Wai-hung	
Ms Anna THOMPSON	(via video-conferencing)
Ms Linda TSANG Chi-man	
Miss Rabi YIM Chor-pik	
Dr Ferrick CHU Chung-man	Secretary Executive Director (Operations) [ED/O]

Absent with apologies

Mr Simon LAM Ken-chung
Dr Rizwan ULLAH, MH
Mr Gary WONG Chi-him, JP

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]
Mr Allan MAN Sui-lun	Chief Legal Counsel [CLC]
Ms Shana WONG Shan-nar	Head, Corporate Communications [HCC]

Ms Doris TSUI Ue-ting	Acting Head, Policy, Research and Training [Ag HPRT]	
Mr John KEUNG Shui-cheung	Acting Chief Equal Opportunities Officer (HR Development and Services) [Ag C(SHRD)]	} For agenda item 6 only
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 attending Board Members (Members) to the 137th Meeting. C/EOC informed the Meeting that Prof Andy CHIU, Ms Maisy HO and Dr Sigmund LEUNG would join the meeting via telephone conference. Ms Anna THOMPSON would join the meeting via video-conference (Zoom). Dr Henry SHIE, Mr Mohan DATWANI and The Hon Vincent CHENG would join the meeting at a later time. Apologies for absence were received from Mr Simon LAM, Dr Rizwan ULLAH and Mr Gary WONG due to prior engagements.

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

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

Confirmation of Minutes of the 135th Meeting on 15 December 2022

3. The draft minutes of the 135th EOC Meeting were issued to Members on 9 January 2023. No request for amendment to the minutes was received. Members confirmed the draft minutes issued on 9 January 2023 without

amendments.

III. Matters Arising (Agenda Item No. 2)

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

IV. New Agenda Items

Review the Work of the EOC in 2022
(EOC Paper No. 2/2023; Agenda Item No. 3)

5. Members were invited to take note of the information contained in EOC Paper No. 2/2023 which was to provide a statistical representation of the work of the EOC in 2022 and conduct of legal assistance court actions (status as at February 2023).

6. C/EOC highlighted that among the nine cases reported vide Annex 2 to EOC Paper No. 2/2023, two were discrimination in employment on grounds of disability related to COVID-19 infection. Both cases had been closed and both of the Respondents settled the cases through monetary payments.

7. Members noted EOC Paper No. 2/2023.

Chairperson's Quarterly Report
(EOC Paper No. 3/2023; Agenda Item No. 4)

8. C/EOC highlighted the important work done during the period from September to November 2022 as contained in EOC Paper No. 3/2023.

9. As regards the Racial Diversity & Inclusion Charter for Employers (the Charter), Members noted that the signatories list had been growing rapidly over the past few months. At present, there were over 300 signatories in the Charter in which a number of new signatories were large corporations in Hong Kong. With a view to raising racial inclusion levels at workplace, ongoing opportunities had been provided for signatories to share their good workplace practices since December 2022.

10. Members noted that following the inauguration of the Equal Opportunity Youth Ambassador Scheme in January 2023, an array of experiential learning and mentoring activities had been planned for ambassadors in the 6-month period that followed to enhance their understanding and awareness about diversity and inclusion matters with a view to facilitating them to share their knowledge and values of equal opportunities with their peers on campus. Youth Ambassadors had already joined a number of learning activities, including a visit to the guide dog training school.

11. Members noted that the “Equal Access to Justice for Persons who are Deaf and Hard of Hearing: A Guide for Persons with disabilities, Legal Practitioners and Parties Involved in the Judicial Process” had been distributed to legal practitioners, NGOs and other stakeholders as a practical guide to facilitate communication between persons who were deaf or hard of hearing (DHoH) and legal practitioners in court proceedings. In response to media enquiries on the accessibility aids and services provided by the Judiciary for people with disabilities, including DHoH, the Judiciary had reiterated their commitment to making court proceedings equally accessible to all people and put in place various measures to ensure that the judicial process would be fair to everyone.

12. In response to a consultation of the Hong Kong Exchanges (HKEx) on its proposal to expand the paperless listing regime and other rule amendments, Members noted that the EOC had put forward a submission that recommended

HKEx to consider incorporating the conformance of corporate communications with web accessibility guidelines such as Web Content Accessibility Guidelines (WCAG) 2.1 into the Listing Rules or the Corporate Governance Code.

(Mr Mohan DATWANI joined the meeting at this juncture.)

13. Members noted that the Ethnic Minorities Unit had trained up 16 foreign domestic workers (FDWs) ambassadors to spread discrimination awareness among their peers and organized a panel discussion on promoting social inclusion for FDWs.

14. In response to a Member's question, C/EOC said the EOC had been extending its network through building rapport with different stakeholders, including commercial chambers that had connections with SMEs. The EOC had been exploring possible collaboration with these chambers with a view to seizing opportunities to engage SMEs in signing up the Charter.

15. Members noted EOC Paper No. 3/2023.

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

(EOC Paper No. 4/2023; Agenda Item No. 5)

16. EOC Paper No. 4/2023 presented the important matters raised and decisions made at the recent meetings of the four committees held during the period from December 2022 to February 2023.

17. Members noted EOC Paper No. 4/2023.

(Dr Sigmund LEUNG left and Ag C(SHRD) joined the meeting at this juncture.)

Progress Update on the EOC's Strategic Plan for 2020 - 2023

(EOC Paper No. 5/2023; Agenda Item No. 6)

18. EOC Paper No. 5/2023 updated Members on the implementation progress of the EOC's Strategic Plan 2020 – 2023 for the period between early 2022 and end February 2023. Members noted that at the last EOC Meeting in December 2022, the Meeting had been informed that the strategic plan would be extended for one year till the end of Year 2023.

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

19. In response to a question raised by a Member, C/EOC said the EOC would continue exploring the feasibility of amending the existing law to extend protection from age discrimination in the employment sector as well as the protection from discrimination on the grounds of sexual orientation and gender identity. As regards the recent court ruling that it was unconstitutional to require Female-to-Male transgender persons to undergo full sex reassignment surgery as a necessary condition for amending the gender marker on their HKID cards, C/EOC opined that it was a matter concerning the relevant administration policies and might not directly be relevant to the context of sex discrimination under the SDO.

20. In response to a Member's enquiries related to unisex toilets and breastfeeding facilities, ED/O informed Members that the EOC had prior communication with the Buildings Department on this issue and was confirmed that accessible toilets for Persons with disabilities were unisex sanitary facilities serving multi-purposes and all genders. To evaluate the understanding of the breastfeeding-related provisions under SDO by breastfeeding women, prevalence and experiences of breastfeeding at publicly accessible premises and the

effectiveness of provision of breastfeeding facilities in Hong Kong, a new research project entitled “Study on breastfeeding at Publicly Accessible Premises in Hong Kong” had been launched. Furthermore, the Commission would continue its efforts to advocate equal opportunities for multi-disadvantaged groups in Hong Kong.

21. Another Member suggested the Commission to consider the need for refining the definition of gender under the SDO in light of the recent court ruling mentioned above as well as the community’s perceived notions of gender identity. He noted that gender-friendly toilets were ubiquitous in Taiwan and he suggested the Commission to consider converting the existing toilet facilities to become gender-friendly toilets in the EOC office premises. C/EOC and ED/O said there had already been gender-friendly accessible toilets on both floors at the EOC office premises. They had been made available for multi-purposes and all genders. C/EOC emphasised that the facilities, irrespective of the signage on them, had been serving the purposes of promoting inclusiveness and non-discrimination.

22. Members noted EOC Paper No. 5/2023.

(Ag C(SHRD) left the meeting, and The Hon Vincent CHENG joined the meeting at this juncture.)

V. Any Other Business

23. There being no other business, the Meeting was adjourned at 3:20 pm.

[Post-meeting note: There would be a total of six EOC Members who would have served the EOC for six years in May 2023. C/EOC would like to take this opportunity to extend a vote of heartfelt thanks to the outgoing Members for their invaluable contribution and guidance provided to the EOC in the past years that has

brought the work of the Commission to new heights.]

VI. Date of Next Meeting

24. The next regular EOC Meeting was scheduled for **15 June 2023 (Thursday)**
at 2:30 p.m.

Equal Opportunities Commission

April 2023