

Meeting of the Legislative Council Panel on Constitutional Affairs

Briefing by the Chairperson of the Equal Opportunities Commission on Promoting a Sexual harassment-Free Environment in Tertiary Institutions

Purpose

This paper briefs Members on the work of the Equal Opportunities Commission (“EOC”) in promoting a sexual harassment-free environment in tertiary institutions.

Background

2. Some of the EOC’s main functions are to handle public enquiries and complaints made under the anti-discrimination ordinances, including enquiries and complaints lodged pursuant to the Sex Discrimination Ordinance (“SDO”) on sexual harassment, and to prevent discrimination by way of publicity and public education. Prevention of sexual harassment has long been one of the key work focuses of the EOC. In 2012, the EOC set up the Working Group on Anti-Sexual Harassment Campaign to provide opinions on the overall strategy of anti-sexual harassment work. The EOC has conducted research studies for different sectors to keep track of the situation of sexual harassment in those sectors, followed by formulation of policy frameworks for the prevention of sexual harassment, and provision of training and education. In November 2020, the EOC established the dedicated Anti-Sexual Harassment Unit (“ASHU”) to handle public enquiries about sexual harassment, raise public awareness of the legislation and measures for combating sexual harassment, and act as the first port of call for those affected by sexual harassment.

Prevention of sexual harassment in tertiary institutions

3. The EOC is deeply concerned about the problem of sexual harassment in the education sector, in particular, sexual harassment in tertiary institutions, because the problem directly impacts on the development of talents nurturing. For years, the EOC has spared no effort in the promotion of the message of anti-sexual harassment in tertiary institutions and in the provision of related training to the staff and students of individual institutions. As early as 2007, the EOC launched a training module called “Preventing Sexual Harassment on Campus – A Matter of S/he”.¹ It has also proactively maintained close liaison with tertiary institutions and established a Local Tertiary Education Institutes Platform to discuss equal opportunities issues of common concern and to share the best practices adopted by institutions.

4. In recent years, local media reports on sexual harassment incidents in tertiary institutions, especially those happening in orientation camps, have aroused public concerns. The EOC has been closely monitoring these media reports and, from time to time, has provided explanations and education to the public on the legislation related to sexual harassment under the SDO. Moreover, the EOC has organised different types of activities targeting the campus environment to raise the awareness of the prevention of sexual harassment. The paragraphs below set out the research studies and training, as well as promotion and education efforts undertaken by the EOC in recent years to help tertiary institutions prevent sexual harassment.

(I) Research studies

Territory-wide Study on Sexual Harassment of University Students in Hong Kong and Follow-up Report

5. In 2018, the EOC collaborated with nine universities to carry out the first large-scale independent study on the sexual harassment of university students in Hong Kong. The study adopted a mixed-method design in which a questionnaire

¹ The training module was replaced with a new online training module in 2022. Please refer to paragraph 8 below for details.

was filled out by over 14 000 students, followed by the holding of in-depth interviews and focus group discussions. The study report released in 2019 showed that sexual harassment was prevalent in tertiary institutions. To tackle the problem, the Study put forward a number of recommendations, of which 16 were made to universities (see the Annex).

6. In 2021, to follow up on the Study, the EOC invited the nine universities that had participated in the Study to share the latest situation of their anti-sexual harassment measures in response to the 16 recommendations. In 2022, the EOC issued a follow-up report, which, amongst others, reported that an average of 13 out of the 16 recommendations were implemented by the nine universities. This shows that the universities had duly considered the recommendations of the Study and put their commitment to preventing sexual harassment into practice. All nine universities implemented the two recommendations related to improvement of the complaint-handling mechanism, which are: (i) setting up of a complaint-handling mechanism with clear and simple procedures to facilitate making of complaints and (ii) adoption of the principle of confidentiality in the handling of complaints to protect complainants and witnesses against victimisation. Meanwhile, all nine universities have implemented or planned to implement the following three recommendations: (i) staff members who have frequent encounters with students should receive training on how to handle sexual harassment cases, (ii) a centralised university sexual harassment complaint hotline and counselling services should be set up and be widely promoted and (iii) more effective learning and educational tools, such as online training modules and social media, should be used to deliver the message of anti-sexual harassment to university students.

Roundtable on Elimination of Sexual Harassment in Higher Education Sector

7. In addition to releasing the follow-up report, the EOC continued to follow up on the measures adopted by the universities to prevent sexual harassment. The EOC held a roundtable discussion for the higher education sector in May 2022, where the nine universities were invited to share their experiences and challenges in combatting campus sexual harassment. The universities also discussed how to strengthen governance, improve training, education and complaint-handling mechanism. The EOC also invited representatives from other tertiary institutions

and non-government organisations to participate in the roundtable discussion and share their best practices for eliminating sexual harassment.

(II) Training

Online Training Modules and In-person Training Sessions

8. In 2020, as part of the effort to implement one of the recommendations of the Study, the Heads of Universities Committee commissioned the EOC to develop an online training module on anti-sexual harassment for university students and staff. Drawing on past training experiences, the EOC has developed an online training module consisting of 18 animated videos that covers topics such as “What is Sexual Harassment?” and “What to Do if You are Sexually Harassed”. The module also includes scenarios about sexual harassment in various settings, such as “Student Activities”, “Lecture”, “Canteen”, “Hall”, and “Off-campus Activities”. The module has been gradually introduced across eight universities funded by the University Grants Committee (“UGC”) since late 2022. As of the end of 2023, over 14 000 students completed the training module and obtained certificates. Over 90% of the participants rated the module as helpful. In addition, the EOC has developed another new online training module on preventing sexual harassment on campus for students of non-UGC-funded tertiary institutions, which was launched in early 2024.

9. In addition to the online training modules, the EOC has been organising in-person training sessions on preventing sexual harassment for students and staff of tertiary institutions. In 2023, 51 in-person training sessions were conducted with approximately 3 200 participating students and staff members. In the first quarter of 2024, 14 in-person training sessions were conducted with approximately 1 200 participating students and staff members. Various tertiary institutions have arranged to organise 17 training sessions provided by the EOC between April and August 2024.

Work targeting student leaders

10. After the pandemic, campus and hall life returned to normal, and orientation activities resumed. In this connection, the EOC wrote to eight UGC-funded universities in June last year, calling upon them to require students, especially student leaders who were in charge of planning and executing orientation activities, to receive anti-sexual harassment training. The EOC also offered to support the universities in delivering the training. The universities were further advised that students could utilise practical resources on anti-sexual harassment available on COMPASS, the EOC Anti-Sexual Harassment Resource Platform.² Subsequently, when incidents of alleged sexual harassment occurred in orientation camps of some universities, the EOC issued press releases to express its concerns, attended interviews and published articles in the media to educate the public and also immediately approached the relevant universities to offer assistance.

11. In order to prepare for the orientation activities in summer this year, the EOC sent letters to 21 tertiary institutions in April 2024, providing reminders similar to those issued in June last year. The EOC will continue to maintain close communication with tertiary institutions and offer necessary support. Additionally, the EOC is currently working on production of new promotional materials addressing campus sexual harassment, which will be distributed to institutions to enhance students' awareness of the prevention of sexual harassment.

(III) Public education and publicity

Equal Opportunity Youth Ambassador Scheme

12. The EOC introduced the inaugural Equal Opportunity Youth Ambassador Scheme (“the Scheme”) in 2022-23 to promote the values of equal opportunities, diversity and inclusion to the younger generation. By recruiting tertiary students to become Equal Opportunity Youth Ambassadors,³ the EOC aims at enhancing

² Please refer to paragraph 15 below for the services offered on COMPASS, the EOC Anti-Sexual Harassment Resource Platform.

³ A total of 36 students from 12 tertiary institutions were recruited.

their awareness and experience of equal opportunity through experiential learning activities, as well as their connection with the EOC, and finally building a team of youth ambassadors to promote equal opportunity on campus and among their peers.

13. The EOC launched the second edition of the Scheme in 2023-24, with the addition of an anti-sexual harassment workshop to equip the Youth Ambassadors⁴ with knowledge on preventing sexual harassment and to utilise their influence in promoting the importance of preventing sexual harassment. Apart from that, a series of experiential learning activities have been arranged for the Youth Ambassadors, such as sporting activities with athletes with disabilities, community multicultural tours, and exploring barrier-free environments with students with special educational needs, with a view to enhancing their awareness about equal opportunities, diversity and inclusion. In addition to receiving training, the Youth Ambassadors have to produce promotional materials or organise activities related to the prevention of sexual harassment from April to May this year, with a view to spreading the message of anti-sexual harassment to their peers or friends. The publicity, which can include online and offline activities, can be done individually or in small groups. Examples of such activities are production of posters, booklets, stickers on instant messaging applications, comics and videos, or issuing of posts, uploading of videos and carrying out of opinion polls and quizzes on social media platforms. Not only can the activities allow Youth Ambassadors to give full play to their creativity, but also enable them to do the promotion from the perspective of young people and in a way of their own choice. In this way, they can spread the message of anti-sexual harassment to their peers in a more infectious and persuasive manner.

Publicity and promotion

14. In addition to the aforementioned efforts targeting tertiary students and staff, the EOC promotes anti-sexual harassment messages to the general public through various means, including social media platforms, articles contributed to media outlets, media interviews, and instant messaging sticker design competitions. For instance, in response to past incidents of alleged sexual harassment incidents happened during university orientation camps, the EOC

⁴ A total of 42 students from 11 tertiary institutions were recruited.

uploaded four posts on the theme of preventing and eliminating sexual harassment on its social media platforms in the summer of 2023. These posts aimed to raise awareness among young people about gender equality and anti-sexual harassment. The total reach of these posts exceeded 250 000 individuals. With the increasing popularity of stickers in everyday communication through instant messaging applications, the EOC organised the “Equality and Respect: Stop Sexual Harassment” Sticker Design Competition in spring 2022. The competition was open to students (including secondary school and tertiary students) and the general public, aiming to raise awareness and understanding of sexual harassment among the public.

15. The ASHU has set up COMPASS, the EOC Anti-Sexual Harassment Resource Platform, and the Anti-Sexual Harassment Hotline at 2106 2222 to provide the public with information related to sexual harassment, including material on relevant legislation, advice on where and how to lodge complaints and seek redress, and information on emotional support services. COMPASS contains a host of information and allows users to browse the information and raise questions online anytime. It is one of the important avenues for the public to obtain information on the prevention of sexual harassment.

Conclusion

16. As the statutory body tasked to implement the anti-discrimination legislation in Hong Kong, the EOC is committed to discharging its functions in collaboration with stakeholders from the Government and various sectors (including tertiary institutions) for the building of a caring and respectful society that is free of sexual harassment.

17. Members are invited to note the content of this paper.

Equal Opportunities Commission
May 2024

The 16 recommendations made to universities in the territory-wide study on sexual harassment of university students in Hong Kong released by the EOC in 2019

Recommendation 1

Universities should consider appointing a top-level managerial staff member, at least at the level of Pro-Vice-Chancellor/Vice-President, to oversee matters related to anti-sexual harassment, gender equality and sexuality education.

Recommendation 2

It is recommended that each department and residential hall/college of universities should assign a “Gender Focal Point (GFP)”, who serves as the link between the university management and the department/hall/college, to make sure the university’s policy on gender equality and anti-sexual harassment can be properly implemented at all levels. The GFP also serves as the resource person to provide advice for their colleagues in the same unit on how to handle or refer cases of sexual harassment.

Recommendation 3

University may consider introducing an “anonymous online feedback channel” for students and staff to report sexual harassment incident that they experienced or witnessed. The channel is NOT a replacement of the formal complaint mechanism, but a tool that allows university to collate data and monitor the nature and scale of sexual harassment on campus.

Recommendation 4

It is recommended that each university should conduct a university-wide anonymous survey (similar to the questionnaire of this Study) every three to five years, preferably funded by the UGC or the Government, to track the latest trend and prevalence of sexual harassment systematically.

Recommendation 5

Universities should publish reports every year regarding the effort they made to eliminate sexual harassment and enhance gender equality, so as to enhance transparency and reaffirm all stakeholders that it has taken the matter seriously.

Recommendation 6

Each university should lay out the division of labour among departments explicitly for handling sexual harassment complaints, so that staff members can find the right office to provide assistance to victims once a report is received to save the victim from being referred from one office to another.

Recommendation 7

Confidentiality and protection against victimisation should be clearly specified in the anti-sexual harassment policy and complaint procedures. University may consider making interim administrative arrangement, when appropriate, by arranging a different academic supervisor if he/she is the respondent of the sexual harassment complaint filed by a student.

Recommendation 8

All staff who have frequent encounters with students (e.g. professors, tutors, departmental staff handling students enquiries or welfare) should receive basic training regarding how to deal with situations like witnessing a sexual harassment incident or a victim seeking assistance from them for being sexually harassed.

Recommendation 9

Compulsory training on prevention of sexual harassment should be provided to all new employees (both teaching and non-teaching staff) as part of the induction programme. Refresher training should be offered every three years to existing staff to ensure that they have a basic understanding of sexual harassment and keep them abreast of the latest development in sexual harassment legal provisions and the related university policies and measures.

Recommendation 10

Staff who are responsible for implementing the centralised sexual harassment complaint mechanism, in particular, should receive formal and comprehensive training, including sensitisation training of how to communicate with victims of sexual harassment and assault, understanding of anti-discrimination law, and how to conduct investigation in accordance with the principle of natural justice. Refresher training should also be provided to them regularly.

Recommendation 11

It is recommended that the centralised university sexual harassment complaint hotline and counselling services should be widely promoted within the campus.

Recommendation 12

A short compulsory training should be offered to all incoming students during the orientation programme. The training should focus on three key components, including the definition of sexual harassment and case scenarios illustrating what sexual harassment is, what to do, and where to seek help when students encountered sexual harassment.

Recommendation 13

Universities should specifically develop some in-person and interactive workshops for students to discuss issues related to consent and relationship, as well as the role and responsibility of bystander. Students who live in residential halls or university accommodations should be required to attend at least one of those workshops.

Recommendation 14

It is recommended that education programmes in relation to responsible drinking should be introduced to all students. Discussions on the relationship between sexual consent and alcohol consumption should be highlighted in these programmes, especially for students living in residential halls or university accommodations.

Recommendation 15

Universities may consider engaging 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 to effectively deliver the message of anti-sexual harassment to university students.

Recommendation 16

University may consider including an element of anti-discrimination of minority students, such as LGBTI students, ethnic minority students, students with disabilities, in its anti-sexual harassment training, and spending more effort on eliminating discrimination and bias towards minority students on campus.