

**Minutes of the Seventy-first (Special) Meeting of
The Equal Opportunities Commission
held on 9 January 2008 (Wednesday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference/Training Room**

Present

Mr. Raymond TANG Yee-bong	Chairperson
Dr. CHENG Kwok-kit, Edwin	
Prof. Randy CHIU	
Ms CHOI Wai-kam, Virginia	
Mrs. CHONG WONG Chor-sar, M.H., J.P.	
Dr. LAW Koon-chui, Agnes, J.P.	
Dr. LO Wing-lok, J.P.	
Mr. Saeed UDDIN, M.H.	
Ms WONG Fung-ye, Margaret	
Mr. YIP Kin-man, Raymond	
Mr. Michael CHAN Yick-man	Secretary [Director, Planning & Administration]

Absent with apologies

Ms CHAN Ka-mun, Carmen, J.P.
Ms CHAN Man-ki, Maggie
Mrs. KOO CHEUNG Man-kok, Christine
Miss LAM Kam-yi
Mr. LEE Luen-fai
Mr. LIU Luk-por, Desmond
The Hon TAM Heung-man, Mandy

In attendance

Mr. Joseph LI Siu-kwai	Director, Operations [D(Ops)]
Mr. Herman POON Lik-hang	Chief Legal Counsel [CLC]
Dr. Ferrick CHU	Head, Policy and Support [HPR]
Ms Mariana LAW	Acting Head, Corporate Communications and Training [Ag. HCCT]
Miss Gloria YU	Senior Equal Opportunities Officer, Administration & Personnel [SAP]

I. Introduction

1. The Chairperson (C/EOC) welcomed and thanked all Commission Members (Members) to the 71st Meeting which was a Special Meeting convened at short notice upon the verbal request by a Member to discuss the invitation of two more guests from the Mainland to participate in the Seminar on “Our ten years under the DDO – Moving Forward, Changing Cultures” (the Seminar) where Members’ approval was sought via circulation of a letter issued by HPR dated 4 January 2008.

2. Apologies for absence were received from Ms CHAN Ka-mun, Carmen, J.P., Ms CHAN Man-ki, Maggie, Mrs. KOO CHEUNG Man-kok, Christine, Miss LAM Kam-yi, Mr. LEE Luen-fai, Mr. LIU Luk-por, Desmond and the Hon TAM Heung-man, Mandy due to clash of meetings/other prior engagements.

II. Seminar on “Our ten years under the DDO – Moving Forward, Changing Cultures
(Agenda Item No. 1)

3. C/EOC informed that in response to the said letter issued on 4 January 2008 seeking Members’ approval to invite two more guests from the Mainland to participate in the Seminar, 15 out of 16 Members had supported the invitation. 1 Member had requested discussion of the invitation by the EOC Board in a meeting. Hence, this meeting was convened to discuss the invitation in accordance with the Procedures for Meetings. He then invited Dr. Agnes LAW, who had referred the two guests from the Mainland – Prof. ZHENG Gong-cheng and his assistant Ms XIE Qiong, to provide supplementary information concerning the invitation.

4. Dr. Agnes LAW thanked the Member who had requested for this meeting to be held so that she could explain more about the background of her referred guests. The first 10 guests from the Mainland were referred to HPR pursuant to a decision agreed in an EOC Meeting (68th Meeting held in September 2007) to invite more participants from the Mainland and she was requested by the Meeting to give some thoughts to it in view of her knowledge and contacts in the Mainland. She added that the 10 guests referred were mainly representatives from disability groups or related organizations at the grass-root level or NGOs in China, apart from some representatives from the official authorities.

5. Regarding the 2 additional guests from the Mainland, Dr. LAW said that the Seminar was a very important public educational event for the EOC in which the impact of the Disability Discrimination Ordinance (DDO) since its implementation would be discussed and the way

forward be considered. As such, a few weeks ago when she came to know of Prof. ZHENG Gong-cheng, who was a scholar as well as a member of the Standing Committee of the Tenth National People's Congress, and tasked with the duties of reviewing the central policies related to the protection of the rights and welfare of persons with disabilities (PWDs) in China through researching into related information in various jurisdictions including Hong Kong, she considered it very worthwhile to invite Prof. ZHENG to speak and share his experience in the Seminar. She therefore initially voiced it out to Prof. ZHENG who agreed to come if invitations were formally extended to him and his assistant. She then discussed the invitations with C/EOC and HPR. As the original approved budget did not include the financial sponsorship to facilitate the participation of Prof. ZHENG and his assistant, Members' approval was therefore sought.

6. The Member who had requested to hold this meeting opined that given Hong Kong's development in this area, the attendance of the two additional guests at the Seminar would only benefit the Mainland and EOC should not provide sponsorship for their participation. Similarly, if EOC staff participated in seminars in the Mainland for the benefit of the EOC, the EOC should bear the expenses.

7. The same Member continued to comment on the letter issued by HPR dated 4 January 2008. With respect to the wordings related to the arrangement and budget of the DDO Seminar which resulted in scaling down the estimated expenses, he said the wordings as described in the letter that there had been "extensive discussion" among Members (in the last meeting) was not accurate, and what actually happened was that the estimates were "subject to critical review and many queries were raised"

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(cleared for publication)

by Members in the last meeting. Additionally, on the revised estimates approved earlier by Members via paper circulation, he posed a query on the significant decrease from the original estimate of HK\$500K to HK\$350K and questioned how the original budget was derived. He stated that there were already concerns about providing financial sponsorship to the first 10 invited guests from the Mainland in the last meeting that it was decided that the guests concerned would be asked to more actively participate in the Seminar by taking a leading role in discussions and raising questions. It was on this basis that sponsorship was granted. As such, he found it unreasonable for the EOC office yet to submit two more invitations seeking Members' approval. He added that he would only support financial sponsorship to the Seminar under two principles: i) the EOC was not providing financial support for mere networking or socializing purposes and ii) participants with no significant role to play should not be sponsored. He added that he wished to withdraw his support previously given for sponsoring the 10 invited guests from the Mainland. Moreover, he wished to know the arrangements for the 10 invited guests at the Seminar, such as seating arrangements, their specific role at the seminar and whether any publications or research papers from the guests would be provided for the seminar participants.

8. The same Member continued to express his views on the proposed invitations of the two additional guests from the Mainland of which one of them was proposed to be a co-speaker in one of the sessions in the Seminar. He said that he would like to see the abstract of the co-speaker's speech before giving consideration to the invitation. He also questioned the role of the proposed co-speaker's assistant in the

Seminar and the need for providing the assistant with financial sponsorship. He commented that if this was not clearly explained, the financial sponsorship to be provided would amount to misuse of public money subject to audit.

9. C/EOC responded that there was a limit to the extent of details that could be given in the letter circulated. Additionally, the letter had stated that on the request of a Member, the HK\$150K reduction in the estimates and the guidelines on provision of travelling expenses and accommodation for guest participants on future occasions would be explained in the next regular EOC Meeting. Regarding the Member's wish to withdraw his support originally given to the invitation of the first 10 Mainland guests, C/EOC said that he could withdraw but the decision had been made based on earlier information provided to Members. Moreover, at the request of some Members in the last meeting, it had been agreed that one of the more senior guests would be invited to conduct a talk at the lunch session so as to provide participants with more related information on the situation in the Mainland. For Prof. ZHENG, it was proposed to invite him to be a co-speaker at the concluding session of the Seminar. The above was arranged in response to Members' requests.

10. A Member said that it was appropriate for Members to raise questions to monitor the organization of the Seminar. On the other hand, she also supported inviting guests from the Mainland as it would bring benefits to all participants of the Seminar through sharing and interactions, and not just confining to delivering of speeches. She opined that the EOC could reflect from this event when organizing future seminars and make every effort to ensure that the money was well spent.

With regard to the invitation of the proposed co-speaker's assistant, she would like to first clarify her role before giving consideration.

11. Another Member noted the significant reduction of the estimated budget for the Seminar and said that in future, a more realistic estimate would need to be considered. On the invitation of Prof. ZHENG to the Seminar, she was supportive because from her own participation in conferences and seminars as both speaker and participant, the speakers as well as all other participants would benefit and learn from each other through their different experiences. As regards the assistant, she opined that some form of sponsorship could be considered.

12. A Member expressed that it was not uncommon for invited speakers to bring their assistants to international seminars/conferences as the speakers' role was not just delivering the speeches, but they would also be engaging in preparation for the delivery, in discussions and networking and their assistants could help in all these areas. She believed that both the speaker and his assistant would bring value to the Seminar; accordingly, she was in support of the invitations.

13. The Member who had requested to hold this meeting said whether it was appropriate to invite a particular speaker would depend on the benefit that the person would bring to the seminar and, for example, the availability of the abstract of the subject to be presented from the speaker would be a basis for consideration.

14. Discussions ensued on whether or not the invitation should also be extended to the proposed co-speaker's assistant who was a doctoral student assisting in the research into protection of the rights and welfare

of persons with disabilities in various jurisdictions including HKSAR, and whether or not to have the co-speaker's abstract for consideration before granting approval of invitation.

15. A Member emphasized that the Seminar was a very good chance for sharing on national policies that would also affect the welfare of PWDs in Hong Kong, who might also live in or visit the Mainland. In her recent experience where she was invited to speak at a seminar overseas, sponsorship was also provided to her assistant to attend the seminar by the organizer. It was very common for seminar organizers to invite both the guest speakers and their assistants to seminars/conferences. It was considered that all participants would benefit from each other's presence and participation. The provision of financial support to facilitate participants from financially less able countries to attend seminars/conferences was again very common and important to bring in different perspectives, in particular on subjects related to human rights. There would be considerable benefit in cross-cultural exchange of participants coming from all over the world.

16. The Member who requested to hold this meeting reiterated that since EOC was using public money to invite guests to the Seminar, he considered it appropriate to have the abstract for consideration so that Members could know what the speaker was going to say. He considered such a requirement to be very reasonable. In fact, he thought that this requirement should apply to all speakers.

17. In response to a Member's question, C/EOC responded that all invited speakers were requested to provide abstracts of their speeches, though not all had been provided to the EOC as yet. If the invitation

for the two proposed guests were approved, the speaker would be requested to provide an abstract of his speech, same as other invited speakers. He added that the EOC was using public money for a good cause. The Seminar would bring about cross-cultural understanding and exchange of views and policies affecting PWDs in various parts of the world.

18. A Member said that all Members' views should be respected and suggested following the established Procedures for Meetings to make a decision.

19. The Member who had requested the holding of this meeting said there was at present insufficient information for him to decide on the issue. He would need to see the abstract of the proposed speaker before giving consideration. In addition, he would not support any sponsorship for the proposed speaker's assistant. If such sponsorship for the assistant were approved, the same should then be offered to all other speakers.

(Dr. LO Wing-lok left the meeting at this juncture)

20. A Member said that when a proposed speaker had certain expertise and standing in a particular area or subject, it was normal for him/her to be invited to make a presentation at seminars/conferences without the need to provide an abstract of his/her presentation before the invitation. Another Member echoed the same and opined that it might be perceived as a disrespect for the speaker if he/she was asked to submit an abstract before an invitation was extended.

21. Another Member also supported that the invitation of a speaker should be considered based on his/her expertise and standing in a particular field but not on the abstract of his/her intended speeches, as a criterion for invitation. He considered that the invitation of speakers should be made with regard to the objective of the Seminar which was explicitly expressed in the title of “Moving Forward, Changing Culture”. As such, he was in support of the invitations for all the Mainland participants who would share views from a cross-cultural perspective and enhance the discussions on future initiatives for protecting the rights of PWDs. He also viewed that the EOC had a role to play in helping its counterparts in the Mainland on understanding the subject of discrimination.

22. Having heard all other Members’ views, a Member said that he would maintain his original support given on the proposed invitation of the two additional guests. He explained that he earlier on had reservations on the sponsorship for the co-speaker’s assistant; however, having heard that it was common practice for invited speakers to bring their assistants to seminars/conferences, he agreed that sponsorship should also be given. Regarding the requirement of asking proposed speakers to provide abstract of speeches for considering whether an invitation was to be extended, he opined that this requirement would not make good sense. He considered that invitations should be made based on the standing and knowledge of the speaker.

23. In response to a Member’s earlier suggestion on planning future seminars by reflecting on the current seminar, HPR informed that the planning of the DDO Seminar had actually started in early 2007 and the progress had then been reported in the EOC Meeting held in September

2007. At that Meeting, Members were informed that more than 20 speakers were invited to the Seminar and most of them had accepted the invitation and the programme of the Seminar was about to be finalized. However, in the same Meeting, some Members suggested inviting delegates from the Mainland to the Seminar and hence 10 guests from the Mainland were eventually invited following referral by a Member.

24. In response to another Member's question, HPR responded that all the originally invited speakers were local speakers other than the keynote speaker who was from Australia and the local speakers did not require any financial sponsorship for their participation. In addition, all invited speakers had been asked to provide abstracts of their speeches and up to now, 17 of them had provided their abstracts.

25. A Member enquired if it was appropriate to use Prof. ZHENG's title which was "A member of the Standing Committee of the Tenth National People's Congress" in the Seminar in view of its political flavor. Another Member responded that being a member of that Standing Committee, Prof. ZHENG would have influence on the formulation of national policies affecting PWDs in the Mainland and it was one of the reasons for inviting him. Hence, this title should continue be used.

26. Another Member said it would be good to get the Member who had requested to hold this meeting to agree on the proposed invitations. However, if this was not possible, a decision had still to be made, otherwise it would not be worthwhile spending time to discuss the issue.

(Dr. Edwin CHENG joined the meeting at this juncture and he was briefed by C/EOC and other Members present on the discussions held at

the meeting).

27. Having been briefed of the previous discussions at the meeting, the Member who just joined the meeting said that from his own experience on making speeches at seminars/conferences, he would first be invited to deliver a speech on a particular subject and if he accepted the invitation, he would then prepare his speech. It would be impossible the other way round. Another Member responded that if it was the other way round, i.e. invitation to deliver a paper to be dependent on the content of the paper submitted, it would be a situation where the author of a paper concerned wished to attend the seminars/conferences at his/her initiative and present his/her views to participants, but not expert speakers being invited by seminars/conferences organizers to attend the seminars/conferences to provide/share their expert knowledge or experiences on a particular field.

28. After deliberation, the Meeting agreed to consider the following:

- i. Whether or not EOC should invite and sponsor Prof. ZHENG and his assistant to the Seminar, based on HPR's letter dated 4 January 2008;
- ii. Whether Prof. ZHENG should be asked to provide an abstract before consideration given to extending an invitation to him.

29. All Members present in the meeting endorsed 28(i) above to extend an invitation to Prof. ZHENG and his assistant to attend the Seminar and to provide sponsorship for them for this purpose as proposed in HPR's letter dated 4 January 2008. The endorsement was

the same as their earlier advice in response to HPR's letter dated 4 January 2008. Additionally, it was agreed that Prof. ZHENG would be asked to provide an abstract of his speech after the invitation was extended to him and his assistant. This was the same procedure used for the other invited speakers to the Seminar.

[Post-meeting Note: Both Prof. ZHENG and his assistant had provided their speech/article prior to the Seminar.]

III. Any Other Business

Review of Procedures necessitating the convening of a Special Meeting

30. A Member commented that in the past year, several Special EOC Meetings were convened at the request of one or two Members, often at very short notice. For better use of Members' time, she suggested to review the meeting procedures to consider the circumstances necessitating the convening of a Special Meeting. Other Members echoed agreement and commented that it was opportune to review the procedures, in particular, in a situation where the great majority of Members had casted their votes for a decision via paper circulation; and in another situation where the decision to be made involved a very small expenditure. C/EOC agreed to the suggestion and added that although in certain situations, the expenditure to be incurred in relation to a proposed project might not be high, he would still prefer to have the subject considered in an EOC Meeting to ensure that Members' views were heard and additional explanation or clarification given where necessary.

31. There being no other business, the meeting was adjourned at 4:05pm.

IV. Date of Next Meeting

32. The next meeting would be a regular meeting to be held on 20 March 2008 (Thursday) at 2:30pm.

*Equal Opportunities Commission
February 2008*