

**Minutes of the One Hundred and Twenty-second Meeting of  
The Equal Opportunities Commission  
held on 21 June 2018 (Thursday) at 2:30 p.m. in the  
Equal Opportunities Commission's Conference Room**

**Present**

Prof Alfred CHAN Cheung-ming, SBS, JP	Chairperson [C/EOC]
Prof Cecilia CHAN Lai-wan, JP	
Prof Andy CHIU Man-chung	
Prof Susanne CHOI Yuk-ping	
The Hon Holden CHOW Ho-ding	
Mr Mohan DATWANI	
Miss Maisy HO Chiu-ha, BBS	
Ms Elizabeth LAW, MH, JP	
Dr Trisha LEAHY, BBS	
Prof Hon Joseph LEE Kok-long, SBS, JP	
Ms Juan LEUNG Chung-yan	
Dr Sigmund LEUNG Sai-man, BBS, JP	
Ms Shirley LOO, MH, JP	
Dr Henry SHIE Wai-hung	
Dr Rizwan ULLAH	
Miss YU Chui-ye, MH	
Mr Michael CHAN Yick-man	Secretary Chief Operations Officer [COO]

**Absent with apology**

Mr Samuel CHAN Ka-yan, JP

**In attendance**

Mr Allan MAN Sui-lun	Ag Chief Legal Counsel [Ag CLC]
Dr Ferrick CHU Chung-man	Director, Policy, Research and Training [DPRT]
Mr Oska LI Kam-hung	Head, Corporate Planning and Services [HCPS]
Ms Shana WONG Shan-nar	Head, Corporate Communications [HCC]
Mr John LEUNG Chi-fai	Chief Project Manager [CPM]
Ms Winnie NG Wing-ye	Legal Counsel 1 [LC1] } For Agenda Item 3 only
Mr Peter Charles READING	Legal Counsel 4 [LC4] } For Agenda Item 5 only

Miss Gloria YU Wai-ling

Senior Equal Opportunities Officer,  
Administration & Personnel [SAP]

Miss Kerrie TENG Yee-san

Senior Accounting Manager [SMA]

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 122<sup>nd</sup> Meeting, in particular Dr Sigmund LEUNG, who was a new Member joining the meeting for the first time. C/EOC also welcomed another newly appointed Member, Mr Samuel CHAN, to the Commission. He informed the Meeting that Mr CHAN was currently out of town and had sent in his apology for absence.

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

*(Ms Juan LEUNG joined the meeting at this juncture.)*

## **II. Confirmation of Minutes**

### **Confirmation of Minutes of the 120<sup>th</sup> Meeting held on 21 December 2017 & the 121<sup>st</sup> Meeting held on 15 March 2018**

3. Draft minutes of the 120<sup>th</sup> EOC Meeting held on 21 December 2017 were discussed at the 121<sup>st</sup> Meeting held on 15 March 2018. Comments were received from Prof Susanne CHOI at that meeting. Amendments were hence proposed and incorporated into the draft minutes of the 121<sup>st</sup> Meeting issued to Members on 13 April 2018. Subsequently, amendments to paragraph 24 of the draft minutes of the 121<sup>st</sup> Meeting issued on 13 April 2018 were received from Dr Trisha LEAHY. The revised minutes of the 120<sup>th</sup> and 121<sup>st</sup> Meeting

incorporating the abovementioned amendments were issued to Members on 14 June 2018. Since then, no further amendment was received.

4. Members confirmed the revised minutes of the 120<sup>th</sup> and 121<sup>st</sup> EOC Meetings issued on 14 June 2018 without amendments.

*(SMA and EAP were excused from the meeting at this juncture.)*

### **III. Matters Arising**

#### **Meeting with Prof Anselmo REYES on the Review of the Complaint Handling Process**

(Letter from Prof Anselmo REYES dated 20 June 2018)

5. At the last meeting held on 15 March 2018, Members noted that a due process had been followed in both the appointment of (a) Prof Anselmo REYES (a retired High Court Judge) as the Independent External Consultant to conduct a review of the complaint handling process involving both the Complaint Services Division (CSD) and the Legal Service Division; and (b) the appointment of Mr John LEUNG as the Chief Project Manager (CPM) to support the Review Panel comprising three Members (Dr Maggie KOONG (former Member retired in May 2018), Dr Trisha LEAHY (current Member) and Mr Mohan DATWANI (current Member)). The Panel was formed to steer the EOC Review of the management structure, governance and the complaint handling process.

6. CPM said that Prof REYES had invited Members to meet him as a group and/or individually. In his letter, Prof REYES stated that "... I would like to interview members (among other matters) on the Board's role in supervising the EOC's complaint handling process and on members' views as to how that process may be improved at all levels in order better to serve the public."

*(Prof Hon Joseph LEE and The Hon Holden CHOW joined the meeting at this juncture.)*

7. After deliberations, the Meeting decided that it would be appropriate for Members of the Legal and Complaints Committee (LCC) and the Review Panel to meet with Prof REYES. CPM would follow up. Since Prof Cecilia CHAN was a new LCC Member effective from 20 May 2018, she requested and CPM agreed to provide her with the relevant information/documents that the EOC had earlier given to Prof REYES for her reference.

#### **IV. New Agenda Items**

*(LC1 and HCPS left, EAP rejoined the meeting at this juncture.)*

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

(EOC Paper No. 13/2018)

8. Conveners/divisional heads took turn to present the important matters raised and decisions made at the meetings of the four EOC Committees during the period from February to May 2018.

9. Dr Trisha LEAHY, Convener of Legal & Complaints Committee (LCC), highlighted to Members the statistics on enquiries and complaints received, active court cases and legal assistance applications considered in the 142<sup>nd</sup> and 143<sup>rd</sup> LCC meetings. Members also noted that LCC had received reports on the latest positions of briefed-out matters and legal expenses for the period from 1 April 2017 to 31 March 2018. Dr LEAHY thanked EOC colleagues for their efforts to manage the legal expenses which were well within the 2017/18 budget.

10. Prof Susanne CHOI raised two issues for clarification. Regarding the reports on the four EOC Committees' work, C/EOC clarified that either the relevant Convener or divisional head or both could make verbal report on the progress at EOC Meetings. On the attendance of CPM at EOC Meetings,

C/EOC clarified that CPM should be kept abreast of EOC's affairs discussed and the relevant deliberations in EOC Meetings as he was assisting in the process review and the review of EOC's management structure and governance issues. Mr Mohan DATWANI explained that the chairperson presiding in a meeting was responsible for the conduct of that meeting which included deciding the person(s) in attendance. The Hon Holden CHOW added that CPM's attendance could help him understand better pertinent issues in EOC and was conducive to his work. If there were sensitive issues to be discussed, CPM and/or other EOC staff could be excused from the meeting.

11. Ms Shirley LOO, Convener of Community Participation & Publicity Committee (CPPC) reported that the CPPC at its 79<sup>th</sup> Meeting considered 18 applications received for the first batch of the Community Participation Funding Programme on Equal Opportunities 2018/19 and approved a total amount of \$501,504 for 13 projects. She also reported the progress of publicity projects carried out in the 4<sup>th</sup> quarter of 2017/18 and the work plan for the 1<sup>st</sup> quarter of 2018/19. HCC updated the Meeting the latest progress of the Tally & Friends project which was one of the major initiatives leveraging the creativity of young local design talents to promote messages of equality and diversity to children in Hong Kong.

12. DPRT updated Members on the progress of research projects in the pipeline and the initiatives under the two-year plan of the Working Group on Anti-Sexual Harassment steered by the Policy, Research and Training Committee (PRTC). Members also noted that approval had been granted to appoint Ms YIM Chor Pik Rabi as a new Co-opted Member of the PRTC.

13. Prof Susanne CHOI, Convener of Policy, Research and Training Committee (PRTC), reported that PRTC had suggested collaborating with the Census and Statistics Department on conducting a territory-wide population survey in Hong Kong regarding people's understanding and experience of sexual harassment. In response to Prof CHOI's enquiries about the progress and

strategies of obtaining additional funding for the survey and the EO Award from the Government, C/EOC said that the proposals and funding requests had been submitted to the Constitutional and Mainland Affairs Bureau (CMAB) for their consideration. Granting of additional funding would be subject to CMAB's availability of funds and their allocation priority. He would persistently urge the relevant government officials to favourably consider the requests. The Commission might also consider submitting funding bids under the Government Resource Allocation Exercise (RAE) in due course.

*(DPRT, Ag. CLC, HCC and EAP were excused from the meeting and Prof Cecilia CHAN left the meeting at this juncture.)*

14. On the work of the Administration and Finance Committee (A&FC) detailed in Appendix 4 to EOC Paper No. 13/2018, Prof Hon Joseph LEE, Convener of A&FC, highlighted that the A&FC had approved reverting the Director (Corporate Planning and Services) post to Directorate D1 level. Details of the considerations had been recorded in the minutes of the 86<sup>th</sup> A&FC Meeting.

*(DPRT, Ag. CLC, HCC, HCPS, SMA, and EAP rejoined, and LC4 joined the meeting at this juncture.)*

**Conference on Equality in Asia Pacific 2018 held on 20 to 21 September 2018** (EOC Paper No. 16/2018)

15. LC4 briefed Members on the updated progress of the Conference on Equality in Asia Pacific 2018 to be organized at the Renaissance Harbour View Hotel from 20 to 21 September 2018, including the purpose, suggested programme rundown, potential speakers, and budget as contained in EOC Paper No. 16/2018.

*(Ms Elizabeth LAW joined, Prof Andy CHIU left the meeting at this juncture.)*

16. Members noted that the Commission would co-organise the Conference with the Asia Pacific Forum (APF). APF was an independent organisation representing 24 National Human Rights Institutions (NHRIs) in the Asia Pacific, and the EOC had previously supported a conference organised by APF in Hong Kong on promoting and protecting economic and social rights in 2001.

17. Members noted that the Conference would aim to discuss a broad spectrum of equality issues under EOC's remit. Emerging issues relevant to the interests of the Asia Pacific were also proposed to be covered at the Conference. The programme rundown would be finalised shortly. After the Conference, a report would be drawn up to record the outcomes, in particular the key takeaways. It was expected that the Conference would be joined by delegates from Hong Kong and the Asia Pacific Region.

18. An internal working group had been formed to take forward the various tasks involved in organising the Conference. The internal working group had sought quotations from a number of comparative hotels and determined that the Renaissance Harbour View Hotel had the best value for money among the options in terms of its location and facilities.

19. In response to the enquiries raised by Dr Henry SHIE and Prof Susanne CHOI, C/EOC said that the estimated expenditure for the Conference had already been provided for in the EOC's budget for 2018/19. To contain cost, Members endorsed that the EOC's management team could flexibly scale down the Conference as and when necessary.

20. Dr Rizwan ULLAH said that the proposal for the Conference was good, and it could cover diverse equality topics. In response to Dr ULLAH's enquiry, LC4 said that the Conference was not directly related to the Discrimination Law Review conducted a few years ago. It included a broader spectrum of contents, including policies, practices, operation of organisations and future legislation directions.

21. COO remarked that the Conference would be an important event of the EOC. The Conference would be an excellent platform to review the progress, challenges, stock-taking of changes in legislation, and learning of equality issues of the Asia Pacific Region. He invited Members to provide their full support to the Conference by not only attending the event, but also hosting and moderating at the various activities of the Conference. Members could indicate their areas of interest in the Conference to the Office as soon as practicable.

22. Members noted EOC Paper No. 16/2018.

[Post-meeting note: To better utilise resources, the venue of the Conference will be changed from the Renaissance Harbour View Hotel to the Harbourview Hotel at Wanchai. The duration of the programme will also be scaled down to one and a half days (i.e. from the afternoon of 20 September to 21 September 2018).]

*(LC4 left the meeting at this juncture.)*

### **Chairperson's Quarterly Report**

(EOC Paper No. 14/2018)

23. C/EOC highlighted to Members the important work done for the period during March to May 2018 as summarized in EOC Paper No. 14/2018. Members noted that a number of activities promoting racial equality were held. Also, continuous efforts focusing on strengthening support for language learning and improving employability of ethnic minorities were made in collaboration with relevant government departments.

24. Members noted EOC Paper No. 14/2018.

### **Report of EOC's Financial Position as at 31 March 2018**

(EOC Paper No. 15/2018)



25. SMA highlighted to Members the salient points contained in EOC Paper No. 15/2018 reporting on EOC's Financial Position as at 31 March 2018.

26. Members noted EOC Paper No. 15/2018.

**V. Any Other Business**

**Item raised by the Hon Holden CHOW related to two male Spectators kissing a Sports Reporter without her Consent during the Rugby Sevens in April 2018**

27. C/EOC said that the Hon Holden CHOW raised an item related to the incident of two male spectators kissing a sports reporter without her consent during the Rugby Sevens in April 2018. Members noted that C/EOC had issued an op-ed in a newspaper column to illustrate the protection under the Sex Discrimination Ordinance in respect of sexual harassment in prescribed areas of activities and to accentuate EOC's stance on the incident. Members also noted that COO had written a letter to the television broadcast company concerned to advise them to set out measures to protect employees, particularly reporters, from sexual harassment at work. The Hon Holden CHOW thanked C/EOC and the Commission for the prompt response to the incident, and he also noted that the EOC had attached great importance to the fight against sexual harassment, and given out a clear message to the public that such an unwelcome behaviour was not acceptable in all circumstances.

28. Ms Juan LEUNG expressed concern about a news report related to a suspected murder of her parents by an eczema sufferer. Noting that eczema sufferers might encounter harassment from peers in particular at younger age, Ms LEUNG said that more public education programmes should be carried out in primary/secondary schools to instill the culture of caring and empathy instead of bullying. The Commission could seek funding support from CMAB for the new

initiative. C/EOC agreed and added that an immediate action to promote equality concepts to the public could be taken through EOC's public education programmes. Ms Shirley LOO suggested incorporating the idea into the Tally and Friends story book series. In response to a question raised by Prof Susanne CHOI, DPRT affirmed that bullying due to one's disability was a disability harassment act if it was committed in prescribed areas of activities, including employment, education, provision of goods, services and/or facilities etc. HCC said that promotional programmes, including drama performances, workshops, competitions, had been carried out in primary/secondary schools since 2000. DPRT added that the Commission could issue a press release to respond to the tragic incident to arouse public attention and concern on the matter.

*(The Hon Holden CHOW left the meeting at this juncture.)*

29. There being no other business, the meeting was adjourned at 4:45 p.m.

**VI. Date of Next Meeting**

30. The next regular EOC meeting was originally scheduled for 20 September 2018. In view that the Conference on Equality in Asia Pacific 2018 was to be held from 20 to 21 September 2018, the next EOC meeting was proposed to be rescheduled for **27 September 2018 (Thursday) at 2:30 p.m.** subject to Members' availability. The Secretary would check Members' availability accordingly.

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*Equal Opportunities Commission  
July 2018*