

**Minutes of the One Hundred and Twenty-seventh Meeting of  
The Equal Opportunities Commission  
held on 19 September 2019 (Thursday) at 2:30 p.m. in the  
Equal Opportunities Commission's Conference Room**

**Present**

Mr Ricky CHU Man-kin, IDS	Chairperson [C/EOC]
Mr Samuel CHAN Ka-yan, JP	
Prof Cecilia CHAN Lai-wan, JP	
Hon Vincent CHENG Wing-shun, MH, JP	
Prof Andy CHIU Man-chung	
Prof Susanne CHOI Yuk-ping	
Mr Mohan DATWANI	
Ms Maisy HO Chiu-ha, BBS	
Ms Elizabeth LAW, MH, JP	
Ms Juan LEUNG Chung-yan, MH	
Dr Sigmund LEUNG Sai-man, BBS, JP	
Ms Shirley LOO, BBS, MH, JP	
Dr Henry SHIE Wai-hung	
Ms Anna THOMPSON	
Dr Rizwan ULLAH	
Mr Gary WONG Chi-him	
Dr Ferrick CHU Chung-man	Secretary Acting Chief Operations Officer [Ag COO]

**Absent with apology**

Miss YU Chui-ye, BBS, MH

**In attendance**

Mr Ivan LUK Chi-cheung	Chief Legal Counsel [CLC]
Mr Oska LI Kam-hung	Director, Corporate Planning and Services [DCPS]
Mr Tony SIU Kit-hung	Director, Complaint Services [DCS]
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 127<sup>th</sup> Meeting. He informed the Meeting that an apology for absence was received from Miss YU Chui-ye who was currently out of town, and Ms Maisy HO had advised that she would join the meeting at a later time.
  
2. C/EOC said that there was no special item 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 126<sup>th</sup> Meeting on 20 June 2019**

3. Draft minutes of the 126<sup>th</sup> EOC Meeting held on 20 June 2019 were first issued to Members on 17 July 2019. Comments were received from Mr Mohan DATWANI on paragraphs 16 to 18 and Prof Andy CHIU on paragraph 25. Amendments were hence proposed and incorporated into the draft minutes and issued to Members again on 12 August 2019. No request for further amendment was received since then. The revised draft minutes of the 126<sup>th</sup> EOC Meeting issued to Members on 12 August 2019 were confirmed without further 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**

**Six Monthly Review of EOC's Work (January – June 2019)**

(EOC Paper No. 11/2019; Agenda Item No. 3)

5. EOC Paper No. 11/2019 contained a statistical representation of the work of the Commission in the first half of 2019 and a summary of the court actions undertaken during the period from January to August 2019.

6. In response to a question from a Member about the impact on the EOC in the wake of the recent social movement, C/EOC said that since June 2019, a notable number of related enquiries and complaints (such as comments on the sexual orientation of a prominent figure, comments expressed by a Legislative Councillor against the Chief Executive of HKSAR etc.) had been received. All such enquiries and complaints had been carefully and thoroughly looked into notwithstanding that a vast majority of the alleged acts were not covered under the prescribed areas of the four anti-discrimination ordinances. However, in spite of the confines of the EOC's jurisdiction, as and when such alleged acts were found going against EOC's vision for equal opportunities and social inclusiveness, press statements were timely issued to remind the public of the essentials for fostering a pluralistic and inclusive society.

*(Dr Henry SHIE, Dr Sigmund LEUNG and Mr Mohan DATWANI joined the meeting at this juncture.)*

7. C/EOC also shared that there were also enquiries on issues related to improper behaviours amounting to sexual harassment in the course of arrests and detention of protesters. The Commission had endeavoured to communicate with individual enquirers in an empathetic manner and informed them of the EOC's

complaint and investigation procedures which would require aggrieved persons to lodge a complaint with the EOC. The Complaint Services Division would keep monitoring the situation closely and handle all cases received with due sensitivity within the remit of the law.

8. Some Members expressed further concerns about the violent behaviours, hate speeches, abusive expressions that prevailed in the community over the past few weeks. Members in general considered these behaviours / speeches / expressions not conducive to building a pluralistic and inclusive society which the EOC was working towards. C/EOC said that albeit such behaviours / speeches / expressions might hardly be pursuable under the existing jurisdiction of the EOC, he appealed to Members to pull together to map out the practical strategies and the future directions of the Commission in the coming Strategic Retreat on 18 October 2019.

9. Members noted EOC Paper No. 11/2019.

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

(EOC Paper No. 12/2019; Agenda Item No. 4)

10. Members noted EOC Paper No. 12/2019.

**Chairperson's Quarterly Report**

(EOC Paper No. 13/2019; Agenda Item No. 5)

11. C/EOC highlighted to Members the important work done during the period June to August 2019 as summarized in EOC Paper No. 13/2019.

12. Members noted that C/EOC had met with various stakeholders, including new migrants and a self-help association for women with disabilities (WWDs). In

these meetings, new migrants shared their difficulties encountered in employment, education and family care which were directly be attributable to their residency status, i.e. an area that remained unprotected under the current anti-discrimination. The self-help association for WWDs also expressed that the community support to WWDs and their carers was grossly insufficient and ubiquitous. The problems faced by WWDs exacerbated further when they grew old.

13. Members noted that protection against discrimination on the ground of residency status would unlikely be incorporated under the Race Discrimination Ordinance in the short term. To advance new migrants' right to equal opportunities, the Commission would explore the subject from possible perspectives under the other anti-discrimination ordinances, like Family Status Discrimination Ordinance (FSDO), to see if any protection areas could be identified under the current legal provisions. Members also noted that the self-help association for WWDs would organise a seminar to look into ways to better support WWDs and EOC would be invited to join and support the event. The Commission was prepared to strive to dismantle prejudice and help arouse public awareness of the needs of WWDs.

14. Members noted that with a view to following up on the findings of a research project "Identifying Effective Approaches to Reduce Public Opposition in the Siting of Integrated Community Centres for Mental Wellness and Other Mental Health Facilities (ICCMWs)", C/EOC had met with senior officials of the relevant government departments, including Social Welfare Department (SWD), Home Affairs Department (HAD) and Planning Department (PD). The Director of Social Welfare considered that the EOC's recommendation of setting a time frame of approximately 18 months for public consultation for the siting of ICCMWs could be taken as reference, through a formal public consultation protocol might not be always feasible in practice. Meanwhile, the SWD and PD agreed to look into various options aiming to prevent stigmatization as raised by EOC. The EOC Office would continue to follow up on the matter with parties concerned and Members would be kept posted of the progress in due course.

15. Members noted that the planning of special facilities for mental health purposes had often induced misunderstanding and opposition from the public. From experience, successful siting of such facilities could best be achieved through promotion and publicity instead of legislation. A Member expressed that the earlier proposal of setting up of an EO Awards Scheme might be helpful to encourage the school and business sectors to do more in advancing EO for the disadvantaged groups, such as new migrant families. She added that the proposal had been submitted to the CMAB for funding support. She asked if more could be done in following up on the proposal of EO Awards and the EOC's recommendations in the Discrimination Law Review (DLR). She also suggested the EOC Office to provide Members with the details of the recommendations of the DLR.

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

16. In response, C/EOC said that he had recently discussed with the CMAB about the proposal of setting up EO Awards. He noted that the proposal would need to be beefed-up with more details of the proposed Scheme, other than focusing on the conduct of an award presentation ceremony, before re-submission for consideration of funding support. As regards details of DLR recommendations, the EOC office would provide details to Members before the Strategic Retreat as suggested. Members could provide their inputs on how best the Commission might follow up on the recommendations in the coming Strategic Retreat.

[Post-meeting note: Relevant materials including a summary of the DLR recommendations and a Legislative Council brief setting out the eight prioritized recommendations to be taken forward by the Government were included in the Information Pack provided to Members in preparation for the Strategic Retreat scheduled for 18 October 2019.]

17. Members noted EOC Paper No. 13/2019.

*(The meeting adjourned for 15 minutes at this juncture for a photo-taking session. Dr Rizwan ULLAH left the meeting afterwards.)*

**V. Any Other Business**

**Change of EOC Committee Membership**

18. C/EOC said that Prof Andy CHIU had earlier proposed that he would like to join the Policy, Research and Training Committee (PRTC). Members' approval had been given for Prof CHIU's PRTC membership on 27 August 2019 and Prof CHIU then joined the selection panel meeting for the "Study on Challenges, Effective Policies, and Best Practices of Ordinary Schools in Educating Students with Special Educational Needs in Hong Kong" on the same date. Meanwhile, due to the clash of meeting schedule of the Legal and Complaints Committee (LCC) and his teaching timetable, Prof CHIU had asked to cease being a LCC Member. In this light, Members approved the corresponding changes of EOC Committee Membership (i.e. Prof CHIU joined as a PRTC Member and ceased to be a LCC Member) effective from 27 August 2019. A revised membership of the four EOC Committees was tabled for Members' reference.

**Chairperson's Duty Visit Outside Hong Kong**

19. DCPS said that C/EOC had been invited by the Government to join a duty visit to Beijing from 30 September to 2 October 2019. Members noted that no cost would be incurred for the Commission, and C/EOC could be contacted by email or phone during the duty visit. In accordance with the EOC's established policies and procedures, Members' approval would need to be sought for C/EOC to undertake the duty visit.

20. Members unanimously approved C/EOC's duty visit to Beijing during the period from 30 September to 2 October 2019.

### **Members' Concerns about Hate Speeches**

21. Following up on the discussion in the earlier part of this meeting about the unwelcomed expressions used by some public figures in various sectors of the community which could amount to hate speeches, Members expressed their grave concerns and hoped the Commission could strive to help promote social harmony with due regard to freedom of speech. In response, C/EOC said this subject would be included in the coming Strategic Retreat for Members to brainstorm ideas on what could be done and how the Commission could approach the matter properly.

### **Press Conference on the Second Report of the Working Group on Education for Ethnic Minorities**

22. C/EOC informed Members that a press conference would be held on 25 September 2019 to release the second report of the Working Group on Education for Ethnic Minorities. He said that Dr Rizwan ULLAH, Convener of the Working Group, would help present the recommendations on the Chinese language learning system for ethnic minority students. He invited Members to join and support the event if available.

*(Hon Vincent CHENG left the meeting at this juncture.)*

### **EOC Strategic Retreat**

23. DCPS informed Members that an information pack including the relevant reference materials and the programme rundown of the EOC Strategic Retreat scheduled for 18 October 2019 at the Hong Kong Sports Institute would soon be ready and delivered to attending Members by hand.



**Annual Staff Outing 2019**

24. DCPS said that the EOC's Annual Staff Outing had been scheduled for 16 November 2019 (Saturday). The Outing would be a good chance for Members and EOC staff members to share joy and fun in an informal setting. He encouraged Members to join the Outing if their schedules allowed.

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

**VI. Date of Next Meeting**

26. The next regular EOC Meeting was scheduled for **19 December 2019 (Thursday) at 2:30 p.m.**

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*Equal Opportunities Commission  
October 2019*