

**Minutes of the One Hundred and Thirtieth Meeting of
The Equal Opportunities Commission
held on 18 June 2020 (Thursday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr Ricky CHU Man-kin, IDS	Chairperson [C/EOC]
Prof Cecilia CHAN Lai-wan, JP	(via telephone-conferencing)
Hon Vincent CHENG Wing-shun, MH, JP	(via telephone-conferencing)
Prof Andy CHIU Man-chung	(via telephone-conferencing)
Prof Susanne CHOI Yuk-ping	
Mr Mohan DATWANI	
Mr Simon LAM Ken-chung	
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	
Miss YU Chui-ye, BBS, MH	
Dr Ferrick CHU Chung-man	Secretary
	Executive Director (Operations)
	[ED/O]

Absent with apology

Ms Maisy HO Chiu-ha, BBS
Ms Elizabeth LAW, MH, JP
Ms Juan LEUNG Chung-yan, MH

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]
Miss Kitty LAM Kit-ye	Chief Policy, Research and Training Officer [CPRTO]
Mr Allan MAN Sui-lun	Chief Legal Counsel [CLC]

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 130th Meeting, in particular Mr Simon LAM, who was a new Member joining the meeting for the first time. C/EOC informed the Meeting that apologies for absence were received from Ms Maisy HO, Ms Elizabeth LAW and Ms Juan LEUNG who had other prior engagements. Prof Cecilia CHAN, Hon Vincent CHENG and Prof Andy CHIU would join the meeting via telephone conference. Dr Sigmund LEUNG would join the meeting at a later time and Hon Vincent CHENG would need to leave the meeting early at around 3:00pm.

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

(Miss YU Chui-yee joined the meeting at this juncture.)

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

Confirmation of Minutes of the 129th Meeting on 19 March 2020

3. The draft minutes of the 129th EOC Meeting held on 19 March 2020 were issued to Members on 17 April 2020. No request for amendment to the minutes was received. Members confirmed the draft minutes issued on 17 April 2020 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

The EOC's New Management Structure reported under Appendix 4 to EOC Paper No. 9/2020

(Appendix 4 to EOC Paper No. 9/2020; Agenda Item No. 5)

5. To facilitate Members (particularly some might need to leave the meeting early) to have a better understanding of EOC's new management structure which was recently approved by the Administration and Finance Committee (A&FC) (reported in Appendix 4 of EOC Paper No. 9/2020), C/EOC initiated to first brief Members on the A&FC's report under Agenda Item 5.

6. Members noted that the EOC was successful in obtaining new resources from the Government through the Resource Allocation Exercise (RAE) to effect the organizational change that was primarily underpinned by the recommendations of the Review on the EOC Governance, Management Structure and Complaint Handling Process (the Process Review), particularly in practicing a victim-centric approach as an integral part of the EOC's corporate culture.

7. Members noted that under the new management structure, the two investigative/enforcement divisions, i.e. Complaint Services Division (CSD) and the Legal Service Division (LSD) would be placed under one overall command, and the other administrative and operational divisions, i.e. Policy, Research and Training Division, Corporate Planning and Services Division, Corporate Communications Division, Ethnic Minorities Unit and a newly created Anti-Sexual Harassment Unit under another.

8. After having considered the proposal from EOC, the Constitutional and

Mainland Affairs Bureau (CMAB) agreed that these two commanding posts should be pitched at directorate D2 level with corresponding deletion of two D1 posts. At the same time, funding support was given to create two new Chief Equal Opportunities Officers (CEOs) posts, one for leading the Policy, Research and Training Division (PRTD) and the other the LSD. The two newly created CEOs in the PRTD and LSD were pivotal to divisional management and conducive to EOC's overall succession planning. Also, the Chief Operations Officer (COO) post which was pitched at directorate D3 level would no longer be present in the new structure. As a result, the total number of directorate posts in the EOC would be reduced to five including C/EOC whereas the number of CEOs would increase from three to five.

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

9. Apart from new resources for implementation of the new management structure for strengthening EOC governance, C/EOC shared with Members the other RAE initiatives that were also provided with new resources from the Government which included the setting up of a new Anti-Sexual Harassment Unit (ASHU), strengthening the capacity of the Research Team and setting up a dedicated Training Team for the public sector. The total additional resources provided to the EOC were around 14% of the EOC's total subvention for the preceding year.

10. Members noted that in pursuance of the EOC's established HR policies and procedures, the A&FC had approved the appointments of Dr Ferrick CHU and Mr Ivan LUK to the posts of Executive Director (Operations) and Executive Director (Enforcement) respectively with effect from 28 May 2020. Besides, Miss Kitty LAM and Mr Allan MAN were selected to fill the two CEOO posts as Chief Policy, Research & Training Officer and Chief Legal Counsel respectively. Members noted that to take forward these approved RAE initiatives at the soonest juncture, the recruitment and selection processes of other non-directorate posts of the above mentioned RAE initiatives had already been going in full steam since

early April 2020 in accordance with the EOC established procedures.

11. In response to a question raised by a Member, C/EOC said that the upgraded Senior Research Manager would take on and coordinate more large-scale research projects and undertake more in-depth studies calling for profound analytical work starting from the early stage of the projects.

12. Members expressed their support to the implementation of the new EOC's management structure and were grateful to note the Government's additional resources provided to the EOC.

13. Members noted the EOC's new management structure as contained in the Appendix 4 of EOC Paper No. 9/2020.

EOC's 25th Anniversary Programme - Updated Plan

(EOC Paper No. 7/2020; Agenda Item No. 3)

14. EOC Paper No. 7/2020 informed Members of the updated plan for the programmes of the 25th anniversary campaign of the Equal Opportunities Commission scheduled for 2020 and 2021, following the discussions at the 129th EOC Meeting vide EOC Paper No. 5/2020 and subsequent discussions at the 87th Community Participation and Publicity Committee (CPPC) Meeting.

(Prof Susanne CHOI joined the meeting at this juncture.)

15. HCC informed Members of the new activities incorporated in the updated programme plan, i.e. (i) Photo competition for secondary school students; (ii) Children's painting and colouring competition; and (iii) Dedicated website with video and online exhibition. She also informed Members that the Equal Opportunity Employer Recognition Scheme (formerly named as Equal Opportunity Awards Scheme) had been advanced for rolling out in Q4 of 2020.

The award presentation ceremony would be held in May 2021.

16. Moreover, HCC updated Members on the progress of the preparation work for the planned activities / programmes. Members noted that for the Visual Storytelling Project and Roving Exhibitions, photographer(s) of different race, gender, abilities had been approached. As regards the hosting of the Asia-Pacific Women Caregivers with Disabilities Conference to be collaborated with The Association of Women with Disabilities Hong Kong (AWDHK), Members noted that the Conference had been deferred to Q4 of 2020 due to the outbreak of COVID-19. The venue and the details of the Conference had yet to be finalized. Members were welcomed to suggest venue options suitable for holding the Conference.

[Post-meeting note: The Conference has been scheduled to be held on Friday, 13 November 2020 at the Auditorium, Hong Kong Council of Social Service, Wan Chai.]

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

17. Regarding the budget of the 25th anniversary campaign, Members noted that the estimated expenditures had already been included in the 2020-21 budget of the Commission.

18. Members noted and were supportive of the updated plan as contained in EOC Paper No. 7/2020.

Chairperson's Quarterly Report

(EOC Paper No. 8/2020; Agenda Item No. 4)

19. EOC Paper No. 8/2020 was the fifth quarterly report which summarized the work of C/EOC for the period from March to May 2020.

20. C/EOC said that there had been growing public concerns over issues relating to discrimination, harassment and vilification during the spell of the city's social unrest and the threat of COVID-19 pandemic in the past twelve months. At times, responses made by the Commission in respect of the enquiries or complaints received comments and criticisms from various camps. While the EOC handled all cases according to its statutory remit and principle of impartiality, the crux of some of these enquiries and complaints indeed underlined the inadequacies of the prevailing anti-discrimination law in protecting the needy groups from discrimination. C/EOC highlighted that the Commission should take on an objective and systematic review of the prevailing ordinances faring against the evolving needs and changes of the Hong Kong community, with a view to proposing legislative amendments to the Government.

21. Members opined that the Commission might communicate with the Constitutional and Mainland Affairs Bureau (CMAB) to set forth the strategies of advancing the coverage of the anti-discrimination legislation in the face of the ever-changing social situations. Moreover, the social situations in Hong Kong necessitated the Commission to develop a holistic plan for promoting anti-discrimination awareness for the general public, in particular the younger generations.

22. C/EOC said he had already met the newly appointed Secretary of the CMAB and had an open and constructive discussion on various topics, including the advocacy work in respect of LGBTI rights, and the legal framework to eliminate discrimination based on residency status, and issues relating to age discrimination. In this connection, SCMA indicated that he planned to visit the EOC office tentatively in Q4 of 2020. C/EOC invited Members to join the visit and would inform them of the details after the date of visit was fixed.

23. As regards the recent passage of the Discrimination Legislation (Miscellaneous Amendments) Bill 2018 including the protection of breastfeeding

from discrimination, Members noted that the EOC would seek additional funding from the Government to carry out promotion and publicity work in the coming months.

24. Members noted EOC Paper No. 8/2020.

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

(EOC Paper No. 9/2020; Agenda Item No. 5 - continued)

25. Conveners took turn to brief Members on the important matters discussed and decisions taken at the four EOC Committee meetings held during the period from March 2020 to May 2020.

26. Convener of the Legal & Complaints Committee (LCC) said that the LCC had deliberated applications for legal assistance based on the victim-centric approach. He was grateful for the implementation of the new EOC's management structure, which facilitated closer communication within the Commission. ED/E added that the Legal Service Division and the Complaint Services Division would work closely to look for more appropriate cases that could help raise public awareness against discrimination.

27. Convener of the Policy, Research & Training Committee (PRTC) was grateful that the Commission had made available resources for the household survey on sexual harassment. She said that PRTC had agreed to carry out a feasibility study of pilot telephone survey before launching a large-scaled one.

28. Convener of the Community Participation & Publicity Committee (CPPC) shared with Members that the submissions to the children drawing competition under the EOC's 25th Anniversary Programme were of high quality. Also, the tenure of Co-opted CPPC Members Ms Christina Maisenne LEE and Ms Carmen

YAU Ka-man had expired on 19 May 2020. Members noted that Ms Maisenne LEE would not be able to continue her engagement with CPPC because of her busy schedule. The reappointment of Ms Carmen YAU as Co-opted Member for two years had been approved by the EOC Board via paper circulation.

29. Convener of the Administration & Finance Committee (A&FC) highlighted the salient points and the deliberations made in relation to the upgrading and appointments of two directorate posts in pursuance of the new EOC management structure, progress review report between CMAB and EOC for Q1 of 2020, EOC's financial statements and quarterly review of EOC performance targets.

(Mr Gary WONG left the meeting at this juncture.)

V. Any Other Business

30. There being no other business, the Meeting was adjourned at 3:45 pm.

VI. Date of Next Meeting

31. The next regular EOC Meeting was scheduled for **17 September 2020 (Thursday) at 2:30 p.m.**