

主席序言－締造平等機會文化

Chairperson's Foreword

- Creating an Equal Opportunities Culture

平等機會委員會(委員會)致力把平等機會原則轉化為日常生活的良好辦事常規，從而協助建立一個共融的社會，使人與人之間能尊重彼此的差異，重視不同的能力與特質。

實現變革

委員會於2001/02年度見證了社會人士在態度上的改變，以及制度上的革新。這是委員會的倡導工作與法庭裁決的成果，其中一個例子就是委員會促成麗晶花園兩名被告人與投訴人達成和解，被告人為他們騷擾九龍灣健康中心職員的行為而作出明確的道歉。自有關的法律行動於2002年初解決後，健康中心附近的一些居民就敢公開表示自己支持該診所。這種情況在三年前絕對無法想像，因為當時健康中心的病人和工作人員都受到一小撮有強烈意見的麗晶花園居民騷擾及中傷。居民的騷擾行為大抵是由於他們對愛滋病的偏見和誤解所致，而現行的反歧視法例，令他們認識到他們的行為和態度是不會被社會接受的。

另一項重大的改變，就是撤除「中學學位分配辦法」與性別相關的因素。由於教育署拒絕除去制度中含性別歧視的部份，委員會遂於2000年提出司法覆核，而高等法院則於2001年6月作出裁決，指「中學學位分配辦法」的若干方面存在性別歧視。教育署其後檢討有關制度。委員會相信所有學生都有權和應該享有一個公開、公正而沒有歧視的教育制度，這對社會是極為重要的。

提供指引

教育對於每個兒童的發展及日後的社會參與都至為關鍵。為此，委員會致力確保教育制度能夠貫徹平等機會的精神，無分性別、有殘疾或沒有殘疾，為兒童提供平等接受教育的機會。過去幾年，委員會收到不少有殘疾學生家長的投訴，令我們感到學校與教師都需要實際的指引，知道如何避免在教育方面作出歧視行為；而有殘疾的學生及其家長亦需認識他們在接受教育方面的權利與責任。因此，委員會於2001年1月就《殘疾歧視條例教育實務守則》作公眾諮詢，該《守則》並於2001年7月起生效。我們希望透過家長、學生與學校的合作，能夠消除教育範疇的歧視。



重塑態度

教育範疇的歧視猶如其他範疇（如僱傭）的歧視一樣，都是源於無知和落伍的假設。有些人仍認為女性的能力不及男性；另一些人則認為有殘疾人士是無助的，不能為社會作出貢獻。委員會最近進行有關學生定型觀念的調查，顯示學生正有這種看法。調查中受訪的學生認為，有殘疾人士是不正常的、容易發生意外和只適合做重複的工作；男生和女生仍期望男性是家中主要經濟支柱。值得注意的是，受訪的年青男性對於男性化的定義較為僵化及缺乏彈性，因而他們容許自己在行為及職業等方面的選擇亦較少。例如對於「兒子應該平均分擔家務」、「女性擔任男性的上司」、「丈夫可料理家務、照顧家庭」、和「女孩子在約會時採取主動」等觀念，男生認為「難以想像」，但女生則認為可以接受。



我們非常關注調查的結果，因為學生的看法影響他們的志趣及就業選擇，繼而妨礙他們實現自己的抱負。

教育對於消除定型觀念的作用舉足輕重，而學校與教師就是促進改變的「催化劑」。委員會正聯絡各相關部門及團體，共同為學校編訂平等機會教材，讓男生與女生能發揮自己的潛能。

促進平等機會

平等機會關乎人，所以與每個人都息息相關。委員會有三個訊息：

- 對個人而言－每個人都有發展的權利，這是生命及生存權的延伸。
- 對商界而言－奉行社會問責可擴闊市場空間，即平等機會與良好常規有助產品及服務的銷售。
- 對社會而言－增強人才資本，使社會得以持續發展，減少對社會保障的倚賴。

香港商界已日漸認識到平等機會的好處。我們最近進行的商界意見調查顯示，許多僱主及僱員均認為，奉行平等機會原則能令工作關係變得更好、工作效率提高、減低僱員流動性和對公司更有信心。他們亦指出不執行平等機會原則的後果－最常見的是員工士氣低落和令公司名譽受損。

調查又顯示，不少僱主願意採取措施以減輕其法律責任，亦有興趣接受平等機會培訓及有關資訊。委員會現正為中小型企業設計一個平等機會錦囊，並為商界設計合適的培訓課程。透過培訓，我們希望能協助商界把承諾和原則轉化為實際的行動。委員會的培訓及顧問服務組正協助商界配合香港的平等機會法例。

前瞻未來

委員會的抱負是為每個人打開機會之門。挑戰定型觀念和打擊系統性歧視會讓人發現新的視野、把握新的機會。把平等機會納入主流政策可以進一步發揚平等機會的觀念，確保在決策過程及在推行的每個階段，都會按平等機會原則作出充分的考慮，使平等機會變成我們社會中不可或缺的元素。我們將會繼續努力與政府、商界及社會結成夥伴，推廣把平等機會納為主流，我相信每個人都可因此而受惠。

平等機會委員會主席
胡紅玉

The Equal Opportunities Commission (EOC) is committed to turning the principles of equal opportunities into best practices in everyday life, and helping to build an inclusive society where differences are respected and diversity is valued.

Achieving Change

In 2001/02, we have witnessed progress in attitudinal changes and systemic reforms as a result of our advocacy work and court judgments, one of which is our settlement with two defendants of the Richland Gardens case. The defendants made unequivocal apologies for harassing staff of the Kowloon Bay Health Centre. Upon settlement of the court actions in early 2002, a few residents in the neighbourhood were willing to speak out publicly in support of the clinic. This was not the case three years ago, when patients and workers were harassed and vilified by a small but vocal group of Richland Gardens residents. While their harassing behaviour was largely due to prejudice and misunderstanding about HIV/AIDS, the anti-discrimination laws helped to change their attitude and induce acceptance.

Another significant change is the removal of gender-based features in the Secondary School Places Allocation (SSPA) System, following the High Court ruling in June 2001 that some aspects of the SSPA System were sex-discriminatory. The EOC sought judicial review in 2000 after the Education Department refused to remove the discriminatory elements of the SSPA System. It is a matter of enormous public importance for the Education Department to rectify the system. Our students are entitled to and deserve an education system that is open, fair and non-discriminatory.

Providing Guidance

It is extremely important to ensure equal opportunities in the educational system regardless of sex or disability, since education is vital to every child's development and future participation in society. Over the years, the EOC has received quite a number of complaints from parents of students with disabilities, and we feel that schools and teachers need practical guidance on how to avoid discrimination in this important area. Also, students with disabilities and their parents need advice on their rights and responsibilities in receiving education. A *Code of Practice on Education under the Disability Discrimination Ordinance* was therefore issued in January 2001 for public consultation, and became effective in July 2001. We hope that through co-operation among parents, students and schools, discrimination in education will be eliminated.

Reshaping Attitudes

Discrimination in education, like in other areas such as employment, often stems from ignorance and old-fashioned assumptions. Some people still see a woman as less capable than a man. Others may see a person with disabilities as helpless, and cannot contribute to the society. Recent EOC surveys on stereotyping reveal that students' perceptions follow this pattern. Students in the survey perceived persons with disabilities as deviant, accident prone and only appropriate for repetitive work. Both male and female students still expected men to be the major breadwinner in the family. Notably, young men surveyed were more rigid and inflexible in their definition of masculinity, restricting themselves to far fewer options in behaviour and career choices. For example, the notions that sons should share the housework, men could have women bosses, husbands could be "househusbands" and girls could initiate dating were all out of the question with the boys but were acceptable to the girls.



We are concerned about the findings because students' perceptions influence their interest and career choices, restricting them from realizing their aspirations.

Education plays a significant role in removing stereotypical perceptions, and schools and teachers are catalysts to change. The EOC is liaising with different stakeholders to develop equal opportunities educational materials for schools, so that both boys and girls will learn to achieve their potential.

Promoting Equal Opportunities

Equal opportunity is about people and it is about everyone. The EOC has three messages:

- For the individual - Everyone has the right to development. This is an extension to the right to life and survival.
- For the business sector - Social accountability means marketability. This means equal opportunities and good practices help to sell products and services.
- For the community - Enhancement of human capital sustains development and reduces reliance on social security.



These benefits of equal opportunities are increasingly recognized by businesses in Hong Kong. Our recent business surveys revealed that many employers and employees believed that compliance with equal opportunity principles would result in a better working relationship, higher efficiency, employee stability and confidence in the company. They also recognized the consequence of non-compliance - the most common being low employee morale and the ruining of the company name.

The surveys also showed that a significant number of employers would do something to minimize their liability and were interested in receiving equal opportunities training and information. The EOC is designing an information kit for Small and Medium Sized Enterprises and developing appropriate training for businesses. Through training, we hope to help businesses turn commitment and principles to verifiable operational activities on the ground. Our Training and Consultancy Unit is providing assistance to businesses to embrace Hong Kong's equal opportunities legislation.

Looking Ahead

The EOC's vision is about opening doors for every individual. Challenging stereotypes and systemic discrimination will enable everyone to discover new horizons and possibilities. Mainstreaming equal opportunities will take these concepts a step further, ensuring that equal opportunity considerations are fully incorporated at every stage in the policy making and implementation process, weaving equal opportunity as intrinsic strands into the very fabric of our society. We shall continue our efforts to promote mainstreaming of equal opportunities in partnership with the government, business and the community. In the end, I believe everyone will stand to benefit.



Anna Wu
Chairperson
Equal Opportunities Commission