

改革的機遇 Rebuilding in a Time of Change

主席序言 Chairperson's Foreword

過去一年對香港及平等機會委員會來說，確實充滿挑戰，「沙士」（非典型肺炎）的爆發，令香港承受莫大的恐懼、焦慮和痛苦，而委員會則在傳媒追訪下經歷了領導層的變遷。經過風雨瀝練，我們反而增強了前進的動力，和確立了改革的方向。

迎接挑戰

委員會於2003年8月轉換主席，由王見秋先生接替胡紅玉女士。王先生其後於11月辭職，期間本會終止行動科總監合約一事爭議未息，而本人則在2003年12月接任為平等機會委員會主席。

我曾在社會福利署效力逾30年，很榮幸能繼續服務社會。對於委員會的工作宗旨，向來有很大的承擔，在多年的專業生涯中均是盡心支持，全情投入。自上任起，我已承諾會確保委員會秉持公正，依法辦事，以公平及開放的態度推行會務。

去年11月發生的事件不但對委員會的公信力構成影響，更打擊員工士氣，故此我與委員和職員們一直努力不懈，務求提升整體士氣、改善服務、增加透明度和重建公信力。從一開始我已定出一個3C策略——即鞏固原有工作（Consolidation）、提升運作能力（Capacity Building）和改善溝通（Communication），我相信此策略可以幫助委員會向前邁進，為市民提供更佳服務。

The past year has been a challenging one for Hong Kong and the Equal Opportunities Commission (EOC). Hong Kong, as we battled the fear, worry and agony caused by the SARS (Severe Acute Respiratory Syndrome) outbreak; the EOC, as we faced leadership changes under the media spotlight. Fortunately, storms do pass leaving in their aftermath, a renewed sense of strength and purpose.

Meeting the Challenges

The leadership of the EOC changed in August 2003, when Ms. Anna WU was succeeded by Mr. Michael WONG. Later, following Mr. WONG's resignation in November, I took up the position as the Commission's new Chairperson in December 2003, in the midst of a controversy over the termination of appointment of the Director (Operations).

Having worked in the Social Welfare Department for more than 30 years, it is a particular honour for me to be able to continue to serve the community, in an area which I am fully committed and have supported throughout my professional life. I have pledged to ensure the impartiality of the EOC, and to handle matters in a fair and open manner in accordance with the law.



2004年2月中，政府應立法會的要求，決定委任獨立調查委員會，調查與平等機會委員會有關的事件，預期於2005年2月中提交報告。平等機會委員會承諾向調查委員會提供全面的支援和合作，並期望調查是公開、公平、可信及實事求是的。我們希望事件能早日了結，委員會得以重回正常的軌道。

有關事件反映了公眾對委員會管治的期望。一如其他受公帑資助的機構，委員會需要維持透明度和向公眾問責。未來數年，委員會在應付日益繁重的工作、及面對開支被削減之餘，亦需致力維持公信力。我們將積極推行良好的機構管治，務求迎接上述挑戰。

對抗「沙士」和歧視

「沙士」疫潮所引起的恐慌和憂慮，不但為香港造成莫大的困境，亦令到人與人之間出現不信任和歧視。過往很多人由於從未經歷歧視，故認為歧視問題無關重要，亦無切身關係。但在疫潮中，他們突然發覺自己面對各式各樣的限制。港人在外地受到種種歧視對待，當中包括商家、運動員等；而在本港，很多人在要求服務時受到拒絕、和不公平的待遇。至於懷疑染病的人士，則受到負面標籤；在一些極端的個案中，有些人甚至失去工作。期間，我們收到數以百計關於「沙士」的查詢和投訴，這種情況彰顯了反歧視法例的重要性，亦提醒我們，需時刻慎防一切形式的歧視。

Realizing that last year's incidents (in November) had affected not only the credibility of the EOC but the morale of staff, I have been working hard with the Commission's Members and staff to regenerate our vigour, improve our services, increase our transparency and rebuild our credibility. From the start I have identified a 3C strategy – *Consolidation, Capacity Building and Communication*, which I believe, will enable us to move forward and better serve the community.

In mid-February, upon the request of the Legislative Council, the government decided to appoint an Independent Panel of Inquiry to look into the incidents relating to the EOC, and to submit a report by mid-February 2005. The EOC has pledged full support and co-operation to the Panel, and looks forward to an open, fair, credible and evidence-based inquiry, with a view to draw a close to the issue, leaving the Commission to return to its normal course.

The incidents have highlighted public expectations on the governance of the EOC. Like any other publicly funded body, the EOC is expected to be transparent and accountable to the public. In the years to come, the EOC has to manage an increasing workload, face budget cuts and maintain its credibility. We will adopt a positive stance in good corporate governance in meeting these challenges.

Battling SARS & Discrimination

The panic and fear caused by the SARS epidemic not only created tremendous hardship for Hong Kong, it also bred mistrust and discrimination. For many who had never experienced discrimination and therefore regarded it as irrelevant or remote, suddenly found themselves facing all kinds of restrictions. Discrimination came in the forms of mistreatment of Hong Kong travellers overseas such as traders or athletes, while locally, many experienced the refusal of services, unfair treatment and stigmatisation of being suspected of having the disease or even loss of jobs in the more extreme cases. During that period, we received hundreds of enquiries and complaints related to SARS, highlighting the importance of Hong Kong's anti-discrimination laws and the constant need for vigilance against all forms of discrimination.



雖然在疫潮中，歧視的情況比比皆是，但社會上還有很多人盡心盡力，以自己的方法應付這場危機。有些僱主在批准員工支取病假、特別有薪假和年假方面，提供較靈活的安排，亦有僱主容許員工（例如懷孕僱員），利用互聯網在家中工作。這些開明政策和委員會一向推廣的「平等機會有利勞資」的立場不謀而合。這些政策不一定帶來額外開支，例如彈性工作時間、「職位共享」計劃、在緊急情況下讓僱員放假、以及讓僱員在家工作等措施，都證明可提高工作效率、減低曠工情況，並減少因員工流失而引致的聘用開支。在下一心共同抗疫的努力下，香港終於熬過來了。

提倡公平政策和方便殘疾人士的服務 / 設施

委員會致力締造一個公平和諧的社會，為了實現系統性的改革，我們進行倡議和訴訟工作，進一步帶動社會人士改變他們的態度。為了加深市民對平等機會的認識，以及探討保險業界常規以外的其他做法，委員會在2002年12月公布了一份《與反歧視法例有關的保險問題討論文件》，探討基於性別和殘疾而得到不同待遇的問題。在2003/04年度，社會人士和業界所給予的回應，被採納作為制定業界指引的基礎，預計香港保險業聯會將於2005年初發出《已存在的健康狀況及完全不受保項目的保險業實務聲明》。此舉將有助確保投保人士不論其性別和是否有殘疾，均可獲平等機會，得到保險服務。我們相信，制定不帶歧視性的措施，方可回應新的市場需求和期望，對保險公司和消費者均有好處。此舉不但締造良好商機，亦可以減少市民對保險業界的投訴。

Though discrimination abounded during the crisis, many in our community tried their best and produced their own solutions to cope with the crisis. Some employers provided a greater degree of flexibility for their employees with regard to sick leave, special paid leave and annual leave while others allowed employees, such as pregnant staff, to work on-line from home. Reiterating our stand that "Equal Opportunities Pay", these enlightened policies do not necessarily incur extra costs. Rather, flexible working hours, job-sharing, time-off for emergencies and working from home proved to boost efficiency, reduce absenteeism and eliminate the cost of staff replacements. With the united efforts to fight SARS, Hong Kong survived.

Advocating Fair Policies and Accessibility

The EOC is committed to creating a fair and inclusive society. To bring about systemic reforms, our advocacy work and litigation have led to attitudinal changes. To promote understanding of equal opportunities issues and examine alternatives to existing practices in the insurance industry, the EOC released a Discussion Paper on Insurance under the Anti-discrimination Legislation in December 2002, to explore issues related to differential treatment based on sex and disability. In 2003/04, responses from the community and the industry were used to develop a set of guidelines for the insurance industry. The Statement of Best Practices on Applying Pre-existing Conditions and Blanket Exclusions is expected to be issued by the Hong Kong Federation of Insurers in early 2005, taking us a step forward in ensuring equitable access to insurance regardless of one's sex or disability. We believe that non-discriminatory approaches could be developed to respond to new market needs and expectations for the benefit of both insurers and consumers. This not only makes good business sense, it will also result in fewer complaint cases involving insurance practices.





至於自動櫃員機是否方便殘疾人士使用的問題，香港銀行公會已經與委員會合作，制定解決方案，使有關設施更方便殘疾人士使用。令人欣喜的是，香港銀行公會於2003年4月採納了一套《自動櫃員機安裝指引》，並發給所有會員銀行，相信必有助提高殘疾人士使用自動櫃員機的方便程度。

與商界聯繫

預防勝於治療，因此，增強市民在工作上和日常生活中了解平等機會課題的各種教育、培訓和宣傳，依然是委員會的主要工作。

在2003/04年度，委員會繼續積極推行培訓工作，包括與公私營界別和非政府機構合作，舉辦一連串定期及「度身訂造」的課程，並因應各界別與日俱增的需求，推出「共享多元文化」及「培訓導師」的新課程。我們亦向保險中介人及法律專業人員提供了持續專業發展課程。

由於中小型企業希望了解他們在反歧視法例下的責任，我們製作了「中小型企業平等機會資料套」。這資料套於2003年7月在委員會與香港總商會合辦的研討會上推出，當日我們探討了與中小企息息相關的平等機會法例，並提供簡易的工作場所平等機會指引，包括實用的例子和評估性「核對清單」。其他主要商會和商界組織亦協助委員會推廣資料套，包括香港中華廠商聯合會、香港貿易發展局、香港中華總商會及香港人力資源管理學會。委員會一直樂於與商界合作，共同防止歧視行為及制定平等機會政策和措施。

On the issue of ATM accessibility, the Hong Kong Association of Banks has worked with the EOC in developing solutions to enhance access for persons with a disability. I am very pleased to report that the Association adopted a set of ATM Installation Guidelines in April 2003 and circulated them to all member banks. The guidelines will certainly help enhance ATM accessibility for customers with a disability.

Connecting with Business

As prevention is better than cure, education, training, publicity and awareness campaigns, both in the workplace and within the community, continue to form a major part of our activities.

During 2003/04, our training initiatives continued to gather momentum. In the year, a series of calendar and tailor-made programmes was conducted in collaboration with the public, private and NGO sectors; new programmes on Embracing Diversity and Train-the-Trainer were rolled out in response to growing demand from the sectors. We also delivered Continuing Professional Development (CPD) courses to insurance intermediaries and legal professionals.

Responding to the needs for small and medium enterprises (SMEs) to understand their obligations under Hong Kong's anti-discrimination laws, we introduced our *Equal Opportunities Essentials Kit for SMEs*. The kit was launched in July 2003, at a seminar held in partnership with the Hong Kong General Chamber of Commerce on Hong Kong's current equal opportunities legislation in relation to SMEs, and provided an easy guide to equal opportunities in the workplace with practical samples and helpful checklists. Other major chambers and business groups also assisted us in promoting the kit, including the Chinese Manufacturers' Association of Hong Kong, the Hong Kong Trade Development Council, the Chinese General Chamber of Commerce and the Institute of Human Resource Management. The EOC always stands ready to work with the business sector to prevent discriminatory acts and to develop equal opportunity policies and practices.



打破定型觀念

委員會的公眾教育於本年度開創先河，推出了全港首齣平等機會音樂劇，此劇由委員會與香港電台第2台聯合製作，整個公眾教育計劃為期兩個月。首先為平等機會音樂劇招募和培訓義工，繼而播放一系列以真實歧視個案為藍本的廣播劇。十集廣播劇於2003年10月開始播放，吸引逾百萬名聽眾收聽，計劃的壓軸節目則為該音樂劇。另一項取得成功的活動計劃是「無定型新人類2003」，目的是打破年輕人對性別和殘疾的定型觀念，共有十一位傑出導師與超過900名中學生分享了他們在所選擇的行業中，戰勝定型觀念的成功之道。

由於很多有家庭責任的人士在日常生活中均遇到不同程度的歧視，我們在這一年亦加強了教育工作，致力加深市民對家庭崗位歧視的認識。來自十六間中學的學生參加了在2004年3月至5月舉行的「家庭崗位你有Say」中學生辯論大賽，他們在過程中對相關的問題大大增進了解。而數以千計的小學生則透過委員會最新有關共融及平等機會的學校話劇「3D互動百變機」，了解到更多有關家庭崗位歧視的負面影響。

我們相信，要改變人們的態度和行為，最有效的方法是從年輕一代開始。一份以學生為對象的基線調查結果顯示，學生對於殘疾、性別和不同的家庭角色抱持定型的態度。為了把平等機會的原則納入學校課程內，委員會正與婦女事務委員會和課程發展處合作，研究最有效的方法，以幫助教師和學生明白平等機會，及把性別觀點納入主流。

Breaking Down Stereotypes

Within the community, our public education programmes broke new ground with Hong Kong's first Equal Opportunities Musical. Produced by the Commission in conjunction with Radio Television Hong Kong Radio 2, the event was the culmination of a 2-month public education programme consisting of a 10-episode radio drama series highlighting real life cases of discrimination and the recruitment and training of volunteers for the EO musical. The radio series aired in October 2003 and attracted over one million listeners. Another successful project was 'Career Challenge 2003', designed to break down gender and disability stereotyping among young people. Eleven outstanding mentors shared their experiences with over 900 secondary school students about battling against stereotypes to succeed in their chosen fields.

We also stepped up our educational efforts to promote better understanding of family status discrimination during the year, as many persons with family responsibilities encounter varying degrees of discrimination in everyday life. Students from sixteen secondary schools participated in the "Have Your Say on Family Status" Youth Debate Competition from March to May 2004, gaining in-depth knowledge about related issues. Meanwhile thousands of primary school students learned about the devastating effects of discrimination on the ground of family status in our latest school play on inclusion and equal opportunities, "3-D Interactive Machine".

We believe the most effective way to change attitude and behaviour starts early in childhood. The findings of a baseline survey on students revealed that they held stereotypical attitudes towards disability, gender and different family roles. With an effort to integrate EO principles into the curriculum, the EOC is collaborating with the Women's Commission and the Curriculum Development Institute to explore the best ways to assist teachers and students to understand equal opportunity and gender mainstreaming.

Legislating against Racial Discrimination

While we welcome the Executive Council's decision in June 2003 to introduce racial discrimination legislation in Hong Kong, we are disappointed with the government's delay in consulting the public. We invited the Home Affairs Bureau (HAB) to brief the EOC in February 2004 on the proposed legislation and shared our preliminary views with the government. We also attended the Human Rights Forum and Ethnic Minorities Forum held by HAB to network with stakeholder groups and understand their stance and concerns. All along, the EOC supported in principle the introduction of the bill and considered it logical for the Commission to implement the legislation. We are also of the view that the EOC should be provided with adequate resources and a reasonable lead time to implement the new legislation.

立法禁止種族歧視

我們歡迎行政會議在2003年6月決定制定種族歧視法例，但對於政府延遲諮詢公眾，我們則感到失望。2004年2月，我們邀請民政事務局向委員會簡介建議立法一事，並向政府表達了我們的初步意見。我們亦出席了由民政事務局舉辦的人權論壇及少數族裔論壇，以求與相關團體建立關係網絡，和了解他們的立場及關注的問題。一直以來，委員會原則上支持有關法案的制定，並認為由委員會負責執行此法例是順理成章的。我們亦認為，委員會應獲得足夠的資源和合理的籌備時間，以執行新法例。

公眾意見

委員會在2003年7月委託機構進行了一項「公眾意見調查（2003）」，以評估市民對委員會工作的支持度，和是否認同委員會在港執行三條反歧視條例——《性別歧視條例》、《殘疾歧視條例》和《家庭崗位歧視條例》的權責。在2,002名受訪者當中，92.7%表示他們曾聽過委員會的名字，而幾乎所有受訪者，即97.3%表示，我們的工作值得支持。值得注意的是，76.6%或四份之三受訪者表示，平等機會的觀念對他們個人而言是重要的。由此可見，市民越來越認同委員會的工作，而這是委員會各委員、職員和社區夥伴多年來努力不懈的成果。該次意見調查所收集的資料，有助我們了解市民的期望，正視新的問題，和規劃未來路向。



Public Perception

In July 2003, the EOC commissioned a "Survey on Public Perception 2003" to assess public support for our work and mandate to implement the three anti-discrimination ordinances in Hong Kong – the Sex Discrimination Ordinance, Disability Discrimination Ordinance and Family Status Discrimination Ordinance. Of the 2,002 respondents surveyed, 92.7% said that they had heard of the EOC, while almost all, 97.3%, said that our work deserved support. Significantly, 76.6% or over three-quarters of the respondents also said that the concept of equal opportunities was important to them personally. This growing recognition of our work has been built up over the years as the result of hard work by our Members, staff and community partners. Data collected in the survey helped us understand public expectations, and address new issues, to map our way forward.

Consolidating the EOC

8 years on, our efforts are now focused on conducting the Overall Review of the Role and Organizational and Management Structure of the EOC, which commenced in September 2003, to allow us to look at our current roles and functions, work priorities, efficiency and effectiveness in order to fulfill our mission. The Advisors to the Chairperson (Professor Nelson CHOW and Mrs. Laura LING) collected views from brainstorming sessions among EOC members and staff, meetings with various stakeholder groups and a survey on their perceptions and expectations. It is expected that recommendations will be made in late 2004 to map out future directions, with enhanced corporate governance to deliver our targets. The EOC believes that, based on the solid foundation built in the past, we can reaffirm our vision and mission and consolidate the work and credibility of the Commission as an independent, effective and accountable public body to uphold the principle of equal opportunity and eliminate discrimination.

On the operational side, we have streamlined our work procedures and restructured the Disability and Gender Divisions into one Operations Division, and redistributed work among various divisions to deliver our services more effectively to meet the needs of the community. We have collaborated with various stakeholder groups in sponsoring or organizing activities on equal opportunity, responded to increasing requests for training and consultancy work from both private and public corporations, investigated a large number of complaints (81 of which are SARS related), facilitated conciliation and provided legal assistance to bring cases to court.



鞏固委員會的工作

委員會成立至今8年，我們現時正進行一次整體檢討。這項檢討於2003年9月展開，目的是審視我們目前的角色、職能、工作優次、效率和成效，以期達成委員會的使命。主席的顧問（周永新教授及凌劉月芬女士）透過與委員會委員和職員進行集思會，與相關團體舉行會議，以及就他們的看法及期望進行意見調查等，收集了他們的意見。預計他們會在2004年底提出相關的建議，為委員會定出未來方向，改善機構管治，實現委員會的目標。我們相信，憑藉過往所奠下的穩固基礎，可以重新確立我們的抱負和使命，增強公信力，維護平等機會原則，消除歧視，確立委員會為獨立、具效率和問責性的公共機構。

在日常運作方面，我們精簡了工作程序，並把殘疾事務科和性別事務科合併為一個投訴事務科，亦把各科工作重新分配，以期更有效地回應社會需要。我們曾與不同的相關機構合作，贊助或舉辦有關平等機會的活動；回應公私營各界別日益增加的培訓及顧問服務需求；就大量投訴（當中81宗與「沙士」有關）進行調查；協助投訴雙方調解；及提供法律協助，把個案帶上法庭。

Capacity Building

A cornerstone to consolidation is the full capacity of the organization to deliver its services as pledged. The EOC decided to conduct a review on Human Resources Management (HRM) policies, practices and procedures as a self-improvement initiative with the aim to identify HRM issues that need to be addressed. Three independent individuals with ample experience in human resources management and public service, namely, Mr. YEUNG Ka-sing, Professor CHAN Yuk Shue and Ms. Nora YAU, were invited to conduct the review on a pro-bono basis. The review commenced in March 2004 and is expected to be completed in September 2004. Such a move would build up our capacity and develop an able, committed and productive team, to meet the challenges ahead of us.

Improving Communication

The EOC's goal to promote equal opportunities and eliminate discrimination is not an easy task, and the EOC cannot work alone. Views of all stakeholders including NGOs, government departments, public bodies, consulates, business sector, professional associations, labour groups and the educational sector provide us with insightful ideas to enhance our work. We are committed to strengthening partnerships with them, through open dialogue and effective communication. Throughout the year, there was an active programme of visits and meetings, seminars and conferences. These activities not only help us to keep abreast of the latest equal opportunity developments and happenings both in Hong Kong and around the world, they also provide us with a platform on which we can consolidate our past successes and build for the future.

During the year, we sponsored the 5th East Asian Women's Forum, and participated in the Global Summit of Women 2003 to connect with women leaders around the world. We also continued our dialogue with the Asia Pacific Forum of National Human Rights Institutions to exchange views in promoting human rights. Our presence in the regional and international arena is particularly significant following last year's controversy.

提升運作能力

機構能否鞏固，關鍵在於其是否有足夠的能力提供服務，達致其承諾。委員會決定就人力資源管理政策、措施及程序進行檢討，作為一項自我完善的工作，目的是找出在人力資源管理方面需要正視的問題。三位在人力資源管理及公共服務方面具有豐富經驗的獨立人士：楊家聲先生、陳玉樹教授及邱可珍女士，以無償方式應邀進行這項檢討。檢討工作在2004年3月展開，目標在2004年9月完成。這項工作旨在培育能幹、具承擔感，和生產力高的隊伍，以期增強委員會的運作能力，應付未來的挑戰。

全面增進溝通

要達成推廣平等機會和消除歧視的目標，殊不容易，委員會不能獨成其事。所有相關團體，包括非政府組織、政府部門、公共團體、領事館、商界、專業團體、勞工組織和教育界等，均可為我們提供獨到的意見，改善我們的工作。我們決心透過公開對話和有效溝通，加強與相關團體的關係。這一年來，我們積極進行了訪問、與有關人士會面、舉辦座談會和會議。這些活動不但幫助我們了解本港和全球的最新發展情況，亦為我們提供一個平台，鞏固過往的成功經驗，建設未來。

在這一年來，我們贊助了第5屆東亞婦女論壇，和參與了2003年度全球婦女高峰會，與世界各地的女性領袖加強聯繫。我們亦繼續與「國家人權機構亞太論壇」保持對話，交流推廣人權的看法。在經歷過去年的風波後，委員會繼續活躍於地區及國際舞台上，意義尤其重大。

香港正在逐步從「沙士」的夢魘中恢復過來，而委員會亦重獲力量及市民信心。不同界別所反映的意見，大致上都是正面的，而我們所得到的公眾支持亦令人鼓舞。在這一年來，我們與傳媒、相關組織、諮詢團體和政府合作，推廣我們的信念。我們衷心感謝這些夥伴機構對我們堅定的支持。只有與所有理念相同的人士合作，我們才可以達成平等機會及締造公平競爭環境的抱負。

平等機會委員會主席

朱楊珀瑜

朱楊珀瑜女士

(朱楊珀瑜女士於2003年12月15日至2004年12月14日期間出任平等機會委員會主席)

As Hong Kong is gradually recovering from the nightmare of SARS, there are signs that the EOC is also regaining its strength and the confidence of the public. Feedbacks from various quarters have been generally positive, and the amount of public support is encouraging. Throughout the year, we have co-operated with the media, stakeholder groups, advisory bodies and the government to promote our values. We are grateful to these community partners for their staunch support. We can only achieve the vision of promoting equal opportunities and creating a level playing field for all in collaboration with all those who share the dream.



Mrs. Patricia CHU

Chairperson, Equal Opportunities Commission

(Mrs. Patricia CHU served as Chairperson of the Equal Opportunities Commission from 15th December 2003 to 14th December 2004)