

WOMEN'S COMMISSION
Focus and Work Plan of the Equal Opportunities Commission

PURPOSE

This paper aims to inform Members of the Women's Commission on the focus and work plan of the Equal Opportunities Commission (EOC) for the coming year.

COMPLAINTS AND CONCILIATION

2. As at the end of 2001, complaints received by the EOC have reached an unprecedented level of 1,651, a 233.5% increase over that recorded in 1997. It also represented an increase of 123.4% in complaints received over 2000.

3. On the trends of discrimination complaints, complaints received under the Sex Discrimination Ordinance (SDO) which required investigation and conciliation increased significantly from 323 in 2000 to 1,165 in 2001, i.e. an increase of 260.7%. Complaints received under the Disability Discrimination Ordinance (DDO) increased to 416 in 2001, compared to 339, which is an increase of 22.7%.

4. The upsurge in sex discrimination complaints was mainly attributed to the large number of complaints regarding the Secondary School Places Allocation (SSPA). A total of 807 SSPA complaints were received in the summer of 2001 following the High Court's ruling that the SSPA system was sex discriminatory and unlawful under the SDO. It is expected that the EOC will be conciliating over 200 SSPA complaints this year.

EDUCATION AND EQUALITY

5. In ensuring that the education system is fair and does not discriminate against students with a disability, the EOC initiated plans to promote equal opportunities for students with disabilities including those with specific learning disabilities. The EOC has promulgated the Code of Practice on Education under the DDO which provides practical guidelines to eliminate disability discrimination and harassment in educational establishments.

6. Education will continue to receive our attention in the coming year. To help schools, educators, parents and students better understand equal opportunities for boys and girls and for children with disabilities, the EOC will be issuing consultation papers, organizing workshops and seminars dealing with different aspects of education. These aspects will deal with introduction to equal opportunities concepts in the curriculum, sensitisation to stereotyping in textbooks and special needs education.

MAINSTREAMING AND TRAINING

7. In 2001, the EOC has focused on mainstreaming the culture of equal opportunities in society. The Commission has expanded its training and consultancy function to assist the government, employers and service providers in the areas of staff training and review of procedures. Equal opportunities training courses have been arranged for officers of the Immigration Department and the Training Wing of the Hong Kong Police.

8. It is important for the government to mainstream equal opportunities in policy formulation and delivery of government services. We hope that training and sensitization to equal opportunities principles will achieve better compliance with equal opportunities principles within the government.

9. We are pleased that the government has granted the EOC a funding of \$1.52 million to launch a pilot project in developing, promoting and delivering training materials and we intend to apply the money firstly in the governmental and educational sectors.

LITIGATION AND EDUCATION

10. Regarding the litigation function of the EOC, the Commission adopts a “strategic” approach. The EOC will always endeavour to settle cases by conciliation and the force of the law will only be called upon as a last resort to change deep-seated prejudices and entrenched practices. The EOC may provide litigation support where the case raises a matter of public interest or complexity or a point of law requiring judicial clarification, or where it affects a large section of the community.

11. Litigation also has an educational value. It heightens public awareness of equal opportunities concepts and complements our education, promotion and training functions.

12. After commencing legal proceedings in November 2000 on behalf of five plaintiffs associated with the Kowloon Bay Health Centre, the EOC has successfully negotiated an out of court settlement on their behalf. As part of the settlement, written apologies have been obtained from two defendants who are residents of Richland Gardens. These settlements achieved significant educational value ---- the community is now more aware than ever before that harassment and vilification of those who are vulnerable will not be tolerated.

ANALYSIS AND AWARENESS

13. For the coming year, the EOC will focus on policy analysis, research and development of consultation papers. Policy analysis and research identify the underlying problems, enhance awareness of the situation and act as a catalyst for change. Position

and discussion papers will be issued in the areas of employment, education and health to heighten public awareness, gather views and facilitate discussions.

PARTNERSHIPS AND BUSINESS

14. In promoting a closer partnership with business, the EOC is developing a strategy to improve awareness of employers' and employees' rights and obligations imposed by anti-discrimination laws. As a way of developing the strategy, it was decided to undertake a series of surveys to assess the awareness and compliance levels within the Hong Kong business sector. Special attention will be paid to small and medium enterprises where an information and assessment kit is being developed and will be launched later this year.

15. For the year 2002 the EOC will continue to work in partnership with the government, business associations and non-government organisations to mainstream the culture of equal opportunities and to raise public awareness.

Equal Opportunities Commission
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