

Statement of Ms Anna Wu  
6 Nov., 2003

I heard with sadness the resignation of Mr. Michael Wong as chair of the Equal Opportunities Commission (EOC). The issue has always been the early termination of the employment contract of Mr. Patrick Yu. In the last week, questions have been raised regarding the work and operation of the EOC during my tenure as chair of the EOC between August 1999 and July 2003 and I would like to take this opportunity to dispel some of the misunderstandings.

In 2001, with the consent of the EOC members, a review of the complaint handling procedures and other related aspects was undertaken. A report was completed in early 2002 and tendered to the EOC for decision. Other than recommendations relating to more effective handling and communication procedures and better case management, the report also recommended that the disability and gender divisions be merged. With the merger of the two operations divisions, the directors for disability and gender would also be merged into one called the Director of Operations. These recommendations were accepted by the EOC members in March of 2002. As my term as chair of the EOC was due to expire at the end of July 2002, I was not in a position to implement these recommendations until my last year of office when my term was belatedly renewed by one year.

The rationale of the merger was, amongst others, to enable cross fertilization and training to take place between the two divisions and to make redeployment more effective, when a crisis, such as a sudden influx of cases as a consequence of the court judgment on the Secondary School Placement System, occurred. As a consequence of the merger there would also be savings arising from the deletion of one director's post. The two directors for gender and disability left the EOC after years of service in the summer of 2002 and spring of 2003 leaving these two posts vacant and to be filled by a new Director of Operations.

It was against this background that the new Director of Operations, Mr. Patrick Yu, was recruited. This recruitment was a continuum of the process of restructure within the EOC which started with the review recommendations endorsed by the EOC members in the spring of 2002. It was my hope that the post of the Director of Operations would in fact be filled in March or April of 2003 leaving a few months for overlap between myself and the new director as I could not assume that I would continue in office. In the event, this became a difficult recruitment. It was affected by the rumours regarding the status of the EOC and whether or not it would be kept as a statutory body and other reasons, which included the outbreak of SARS. The recruitment process was completed in May of 2003 with Mr. Patrick Yu selected through an appropriate process and unanimously supported by a properly constituted panel of five, four EOC members and myself as chair.

Towards the end of my tenure, consideration over providing more flexible legal services had also commenced. Over the years a number of litigants had been left stranded without litigation support although their cases were meritorious. The litigation policy of the EOC was such that only strategic cases would be granted assistance and those that were

meritorious but involved simpler issues or evidence would not be. Apart from expanding the scope of legal settlement and advisory services as distinct from litigation support, I had also considered the establishment of a tribunal with simple procedures for litigants to represent themselves. In conjunction with that proposal I had also thought it would be useful to train NGO advocates to assist the claimants to these proceedings. As Mr. Michael's Wong's appointment had been announced, this proposal was left for Mr. Wong to reconsider. I understood that he took up the proposal and supported it.

When I began my term of office as the chair of the EOC, there were five directorship posts and by the time I left, there were three, down by two with consequential savings. Following the resignation of the Chief Executive of the EOC in 2001, it was agreed by members of the EOC and myself that the structure of the EOC should be flatter. The work of the Chief Executive was subsequently shared between the Director of Administration (subsequently renamed Director of Administration and Planning) and myself as chair. This deletion of post was fully supported by the EOC.

While the case load and services of the EOC had expanded rapidly, the budget of the EOC, like the civil service, was subject to the same cut, 5% over a period of three years. During my tenure and despite the budget cut, we were able to redeploy resources and establish new services and facilities. These included the following:

- expanded promotion and public affairs services,
- a new web site,
- a resource centre and a library,
- a small research unit,
- a register of conciliated cases for public inspection, and
- new training facilities and a training unit which has become very successful.

The reorganization and the changes within the EOC were intended to achieve a number of objectives. These were:

- to make the EOC services more user friendly and more effective,
- to use both the financial and human resources more efficiently and to add value to the services of the EOC,
- to establish the training function so as to help others to be proactive and to prevent problems from occurring.

More fundamentally, the delivery of the EOC services must be professional, impartial and deeply entrenched in its mission to serve. In the end it is the institution as supported by a strong team of professionals and seen with a clear sense of mission that matters and that will sustain it. EOC is regarded by the public as an important institution in the protection of human rights in Hong Kong. The public expects to have it and deserves to have it. I have no doubt it will continue to be an indispensable institution in Hong Kong.

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