

**Notes of Discussion of the
First Sexual Minorities Forum
held on 27 September 2004 at 4:00 p.m.
in the Conference Room, 30/F, Southorn Centre, Wanchai**

Present

Home Affairs Bureau (HAB)

Deputy Secretary for Home Affairs (Chairman)	Mr Stephen FISHER
Principal Assistant Secretary for Home Affairs	Mrs Hedy CHU
Principal Assistant Secretary for Home Affairs	Miss Joanna CHOI
Assistant Secretary for Home Affairs	Miss Vivian CHAN
Assistant Secretary for Home Affairs	Miss Louisa YAN
Senior Statistician, HAB	Miss Julia HUI
Senior Executive Officer, HAB (Secretary)	Ms Winnie CHEUNG

Non-governmental Organizations (NGOs)

AIDS Concern	Mr Paul LOUEY
Amnesty International Hong Kong Section	Ms Liz WHITELAM
Association for the Advancement of Feminism	Ms Sally CHOI
Chi Heng Foundation	Mr Chung TO
	Mr Albert LUK
Civil Human Rights Front	Mr CHONG Yiu-kwong
Civil Rights for Sexual Diversities	Mr Roddy SHAW Kwok-wah
Equal Opportunities Commission	Mr Ferrick CHU
	Ms Betty LIU
F'Union/Women Coalition of HK	Ms Connie CHAN
Hong Kong Christian Institute	Mr FAN Lap-hin
Hong Kong Human Rights Monitor	Ms Baig Raees BEGUM
Hong Kong Ten Percent Club	Mr Anthony YEUNG
Human Rights Council of Hong Kong	Professor LEE Ngok, JP
International Social Service, Hong Kong Branch	Ms Adrielle M PANARES
The Transgender Equality and Acceptance Movement	Ms Robin BRADBEER
Rainbow Action	Ms YEUNG Wai-wai

1. Welcoming remarks

1.1 The Chairman welcomed all participants. He said that the purpose of the Forum was to provide an avenue for open and systematic discussions between the Government and sexual minority groups, as well as other organizations that were interested in equal opportunities and equal protection of the law for sexual minorities. HAB would meet with those who held different views on sexual orientation and gender identity issues on separate occasions. For this Forum, “sexual minorities” would include homosexuals (gays and lesbians), bisexuals and transgenders.

2. Survey on public attitudes towards sexual minorities

(SMF Paper No. 1/04)

2.1 The Chairman said that a research firm would be commissioned to conduct a survey on public attitudes towards sexual minorities. An advisory group, comprising university professors and experienced researchers, would be formed to advise on the design of the survey questionnaire. While relevant concern groups would be briefed on the general design of the questionnaire before it was finalized for data collection, the working group would advise on the details of the questionnaire. It was intended that the survey would be

conducted by way of telephone, covering a sample size of 2,000.

2.2 Some members opined that the upcoming survey should be carried out without drawing comparison to the previous survey conducted in 1995. A member pointed out that the results obtained from a telephone survey could be affected by the tone of the interviewer asking the questions. Clear criteria for selecting the sample should also be drawn up to provide across-the-board representation.

2.3 A member questioned the need for the survey to assess public acceptance of homosexual/bisexual behaviour as set out in item (ii) of para. 5 of the paper, pointing out that this had little relevance to the enactment of an equal opportunities law for sexual minorities. The Chairman explained that community acceptance was important for the passage of a bill. Legislative Council Members would surely ask whether the legislative proposal had community support.

2.4 One member suggested that “public acceptance” in item (ii) of para. 5 of the paper could be replaced by “public attitudes”. Some members pointed out that item (iii) of para. 5 could cover public acceptance of homosexual/bisexual behaviour as well, and item (ii) of para. 5 could therefore be deleted. The Chairman agreed to consider these suggestions.

- 2.5 Some members remarked that the Government should not be led by public views. This would be unfair to the sexual minorities. The Chairman reiterated that it would not be realistic to legislate without community support. He reassured members that the Government's decision on whether to legislate against discrimination on the ground of sexual orientation would not solely depend on the results of the survey. The survey was just the first step in the discussion process.
- 2.6 A member expressed concern that the survey did not cover transgenders who had been subject to social discrimination. The Chairman indicated that HAB would cover transsexuals in the survey. The member, however, pointed out that this would not be complete as transsexuals only accounted for 10% of the transgender population. The Chairman indicated that the problems faced by transgenders would be further considered.
- 2.7 Members considered that the Government should strengthen its efforts in public education on tolerance towards persons of different sexual orientation. A member proposed that the Government should set up a sexual minorities unit, similar to the Race Relations Unit, to handle problems faced by sexual minorities.

3. Public consultation on the proposed legislation against racial discrimination (SMF Paper No. 2/04)

3.1 The Chairman presented the Government's proposal to legislate against racial discrimination. A consultation paper had been issued for public consultation.

3.2 A member commented that the information provided in the pamphlet about the consultation paper was rather brief and doubted if there were sufficient additional resources for the Equal Opportunities Commission to administer another anti-discrimination ordinance. Another member commented that the Government should put in more effort to promote racial harmony.

3.3 In reply, the Chairman said that apart from distributing pamphlets, HAB also publicized the consultation paper through ethnic community newspapers and radio programmes for the ethnic minorities. The consultation paper would not be translated into languages of the ethnic minorities. HAB would, however, organize consultation forums with different ethnic minority groups.

- 4. Public education on eliminating discrimination on the ground of sexual orientation (SMF Paper No. 3/04)**
- 4.1 The Chairman invited members to put forward ideas on how to make best use of the unallocated amount of \$327,000 this year for organizing activities on promotion of equal opportunities relating to sexual orientation.
- 4.2 The following projects were proposed by some Members:
- (a) to support the hotline and counselling services provided by transgender groups, e.g. the TEAM;
 - (b) to promote an understanding of sexual minorities among front-line civil servants;
 - (c) to provide services to deal with complaints arising from discrimination of sexual orientations or set up counselling hotlines for the sexual minorities by non-governmental organizations;
 - (d) to launch a publicity campaign to promote equal opportunities for sexual minorities; and
 - (e) to organize projects with longer-term benefits and projects that would help teachers or parents to deal with young

people who had revealed their sexual orientation.

4.3 The Chairman invited interested parties to send their proposals to HAB within a month's time.

5. Topics for future discussions

5.1 The following subjects were suggested for future discussions:

- (a) the policy and existing services provided by Social Welfare Department on family services and whether any specialized service would be provided to those with a different sexual orientation;
- (b) the policy and enforcement statistics regarding the offences relating to buggery and gross indecency under section 118A-K of the Crimes Ordinance;
- (c) whether and how to fade out the use of the term "sexual deviance" to describe homosexuality/transsexuality in textbooks;
- (d) education provided in schools regarding sexual minorities as part of the sex education curriculum; and

(e) the work and concerns of sexual minority groups (the Chairman suggested members of the Forum to submit information of their group to the secretariat to consolidate into a paper).

6. Date of next meeting

6.1 There being no other business, the discussion ended at 6:25 p.m. Members would be notified of the date of the next Forum in due course.

HOME AFFAIRS BUREAU
November 2004