

Report of the Standing Committee on Equality and Diversity (SCED)

1. In the second year of its establishment, the SCED has enlarged its membership, continued with the initiatives commenced in the previous year and set up a number of working groups to focus on dedicated issues.
2. In June 2018, the SCED conducted a Survey on Chambers Practice and on the basis of its findings that show a general lack of chambers policy on matters of equality and diversity, published a Model Equal and Diversity Policy for chambers to enhance awareness of the importance of implementing measures to improve equal opportunities, equality and diversity in Chambers.
3. The SCED has been looking into issues of equality and diversity in the profession in connection with parental choices and the availability of parental support for members taking leave from practice when giving birth and/or as a result of caring responsibilities associated with a newborn. In March this year, the SCED published a paper on parental support for new parents – by way of a one-off subsidy of HK\$20,000 to a new mother or father within 6 months of the birth or adoption of a child, to enable the parent in question to take time off practice to give birth and recuperate or care for the new-born or adopted child. The SCED launched a profession-wide consultation exercise on this initiative. There were many responses, both for and against such an initiative. Views expressed so far are wide-ranging and by way of example include but are not limited to the following: (i) appreciation that steps are taken to potentially address the impact of availability of maternity/paternity leave on the equality and diversity of the workplace and the profession; (ii) concerns as to whether such initiative should be gender neutral; (iii) concerns as to whether the initiative can in fact advance equality and diversity; and (iv) concerns as to whether such initiative is consistent with the self-employed nature of the profession. The SCED published the report on the consultation exercise in December 2019 and has decided not to proceed with our existing recommendation for the establishment of the pilot scheme having regard to the diverse views expressed.
4. The membership of SCED has increased from 8 to 12 and set up the following working groups, which include non-SCED members, on the following subject matters:
 - (1) Sexual harassment;
 - (2) Unconscious bias;
 - (3) Disability; and
 - (4) Outreach.
5. The Sexual Harassment working group was set up to raise awareness of sexual harassment at the Hong Kong Bar and how to respond to it. Prior to the setting up of this working group a mechanism was implemented for members to share experiences of sexual harassment through the use of a Google Form whereby affected members may choose to speak to the Chair or a senior member of the SCED on these matters. So far, one member has availed herself of the mechanism.

The working group published a Survey on Sexual Harassment in November to gather data on attitudes regarding and incidents of harassment. The working group will analyse the data collected in the coming year with a view to providing recommendations for the profession regarding their policies and incident response systems.

6. The working group on Disability focuses on raising awareness of issues faced by disabled people, both within the Bar and in general public, in accessing the Hong Kong judicial system. In November 2018, a letter was written to the Civil Court Users' Committee drawing its attention to the issue of insufficient directions for wheelchair users from the bus stop nearby the High Court Building to the entrance for wheelchair access of the Court Building. The inquiry was referred to the Judiciary Administration, who replied in April 2019 that suitable signs would be installed at the bus stop giving directions to wheelchair users to the Court, and installation was completed at the end of July 2019. The working group will continue to review the accessible facilities available at existing judicial buildings and raise concerns and suggestions to the Judiciary when necessary including for the projected new High Court building. The working group is also attempting to ascertain the difficulties that different groups of disabled people may encounter in accessing, both physically and procedurally, the local judicial system, and to explore the possibilities of providing suitable assistance.
7. The working group on Outreach has been exploring effective ways to advance awareness of equality and diversity issues at the Bar and to encourage entrants from diverse backgrounds. The working group organized, in conjunction with the YBC, a screening of the documentary “RBG” on the life and work of the pioneering female Supreme Court Justice of the United States, Ruth Bader Ginsburg. The screening was followed by a sharing session in which members at different levels of seniority engaged in discussion and reflection on themes arising out of the documentary in the context of the local Bar and judiciary. The working group on Outreach is also considering projects to document significant moments of advancement of equality and diversity at the Bar, in order to celebrate developments achieved, to encourage entrants from diverse backgrounds, and to raise awareness of present relevant issues.
8. Other than the above initiatives, the SCED is considering the availability of facilities for court users who are mothers breastfeeding and/or caring for young infants, in particular the desirability of incorporating such facilities in future court buildings to support the relevant needs of court users with infants.

Gladys Li SC
Chair
Standing Committee on Equality and Diversity

3 December 2019

Membership:

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