

ANTI - DISCRIMINATION ORDINANCES

Hong Kong Shue Yan University





ANTI - DISCRIMINATION ORDINANCES

Currently the four anti-discrimination ordinances of Hong Kong prohibit discrimination on the grounds of sex, pregnancy, breastfeeding, marital status, disability, family status and race.



There are two kinds of discrimination - direct discrimination and indirect discrimination.

1

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic, such as a person's sex, pregnancy, breastfeeding, marital status, disability, family status or race.



There are two kinds of discrimination - direct discrimination and indirect discrimination.

2

Indirect discrimination occurs when a condition or requirement, which is not justifiable, is applied to everyone but in practice adversely affects persons who possess the aforementioned protected characteristic.

1

SEX DISCRIMINATION ORDINANCE (SDO)

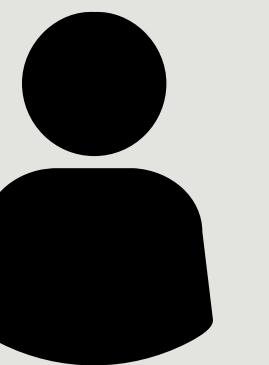
It is unlawful under the SDO to discriminate against a person on the grounds of sex, marital status, pregnancy or breastfeeding .

The SDO also protects a person from sexual harassment, harassment on the ground of breastfeeding and victimization in the areas of employment, education, provision of goods, services and/or facilities and disposal and/or management of premises, eligibility to vote for and to be elected or appointed to advisory bodies and participating in clubs.

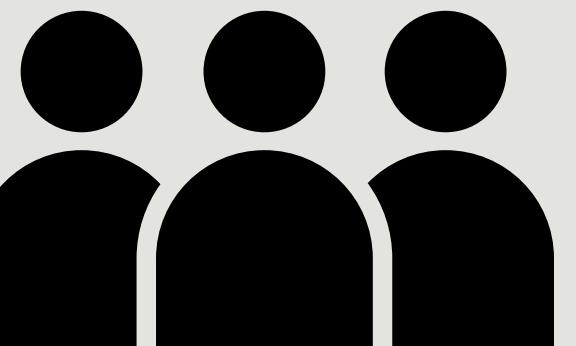


Two Types of Sexual Harrassment

1. Behaviour against a person

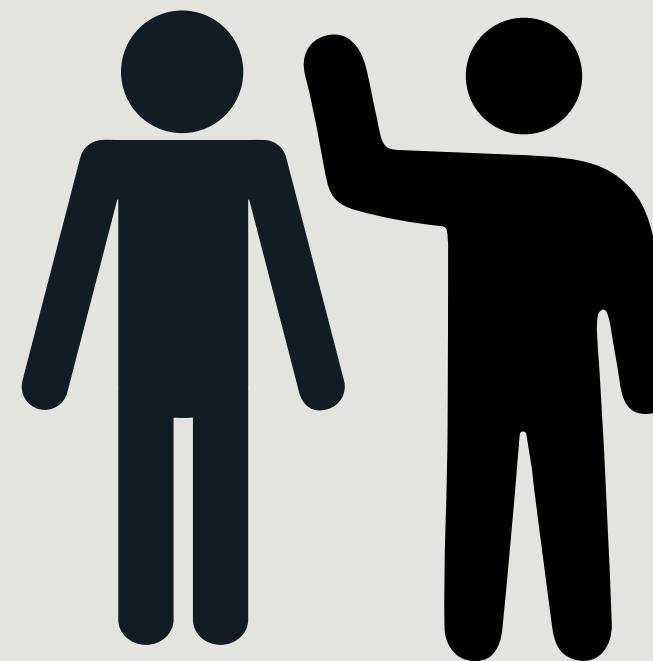


1. Sexually hostile/intimidating environment

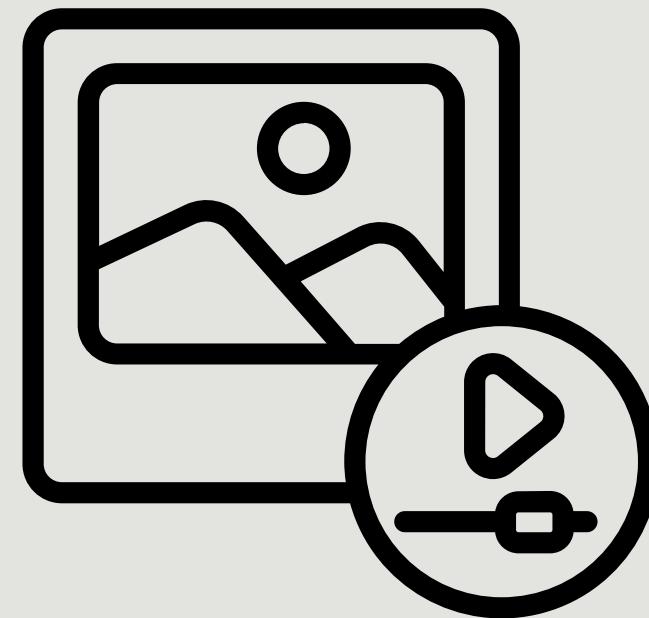


Will behaviours without bodily contact may also be harassment?

All unwelcome and sexually related behaviours are possible sexual harassment.



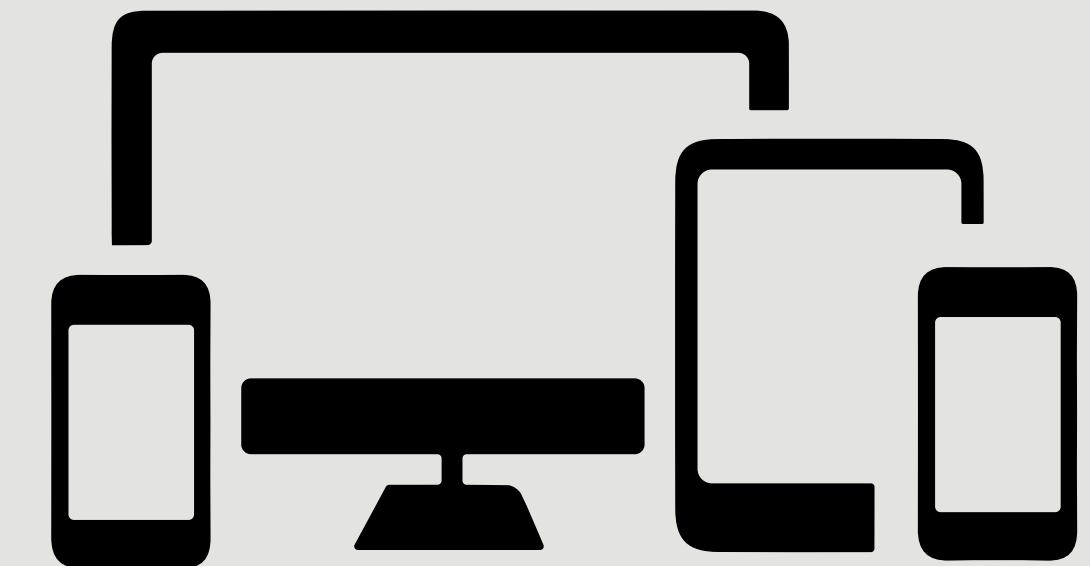
**Bodily
Gestures**



Visual



Verbal



E-channels

What about behaviours not targeting a person?

Sexual harassment may also happen if the person, alone or together with other persons, engages in conduct of a sexual nature which creates a hostile or intimidating environment.



2

DISABILITY DISCRIMINATION ORDINANCE (DDO)

Under the DDO, it is **unlawful to vilify a person with a disability in public, or discriminate or harass a person on the ground of disability** . Disability harassment includes behaviour that would make a person with disability feel humiliated and offended such as rude comments, jokes, pictures and text messages etc. about a person's disability. Disability victimisation is unlawful as well. Protection is also provided in respect of discrimination on the ground of an imputed disability or the disability of an associate.



3

FAMILY STATUS DISCRIMINATION ORDINANCE (FSDO)

Under the FSDO, it is unlawful to discriminate a person on the ground of family status. Family status means the status of having a responsibility for the care of an immediate family member. A person's immediate family member means someone who is related to the person by blood, marriage, adoption or affinity. Victimisation is also unlawful under the FSDO.



4

RACE DISCRIMINATION ORDINANCE (RDO)

Under the RDO, **it is unlawful to discriminate, harass or vilify a person on the ground of race.** Race means a person's race, colour, descent, national or ethnic origin. Racial harassment would include behaviour that would make a person of a certain race feel offended, humiliated or intimidated such as rude comments, jokes, pictures, text messages etc. about a person's race.



If you are being discriminated/harassed

- Say NO, let others know it is unwelcome
- Record details (e.g. date/time/venue/witness)
- Tell someone who you trust about that
- Seek help from your programme/department



As a helpful bystander, you can...

- If safe, stop the inappropriate behavior immediately
- If you need more support, invite other students to approach the parties and offer help
- If you are in a rush, offer help/support after the incident
- If you want to stop it in a more subtle way, divert their attention and lead the victim away
- Record the incident and ask if the potential victim would like to follow-up by their way. DO NOT upload these photos/vidos online without their consent.

If you would like the university to address your grievance, please refer to your **Student Handbook** for the procedures regarding general student grievances.

