

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.



SEX DISCRIMINATION ORDINANCE (SDO)

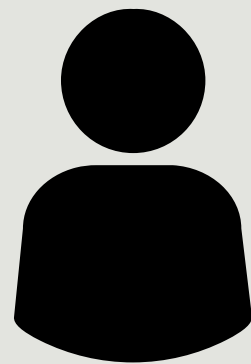
It is unlawful under the SDO to discriminate against a person on the **grounds of sex, marital status, pregnancy or breastfeeding** .

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.

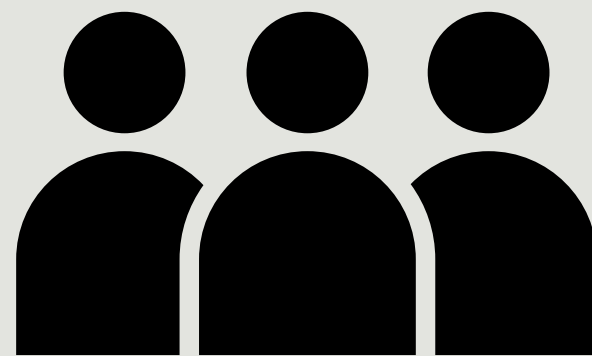


Two Types of Sexual Harrassment

1. Behaviour against a person



1. Sexually hostile/intimidating environment

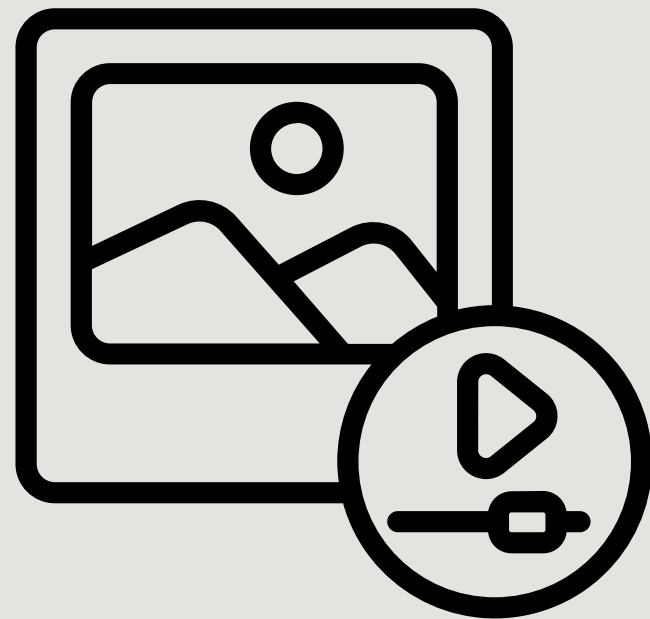


Will behaviours without boily contact may also be harassment?

All unwelcome and sexually related behaviours are possible sexual harassment.



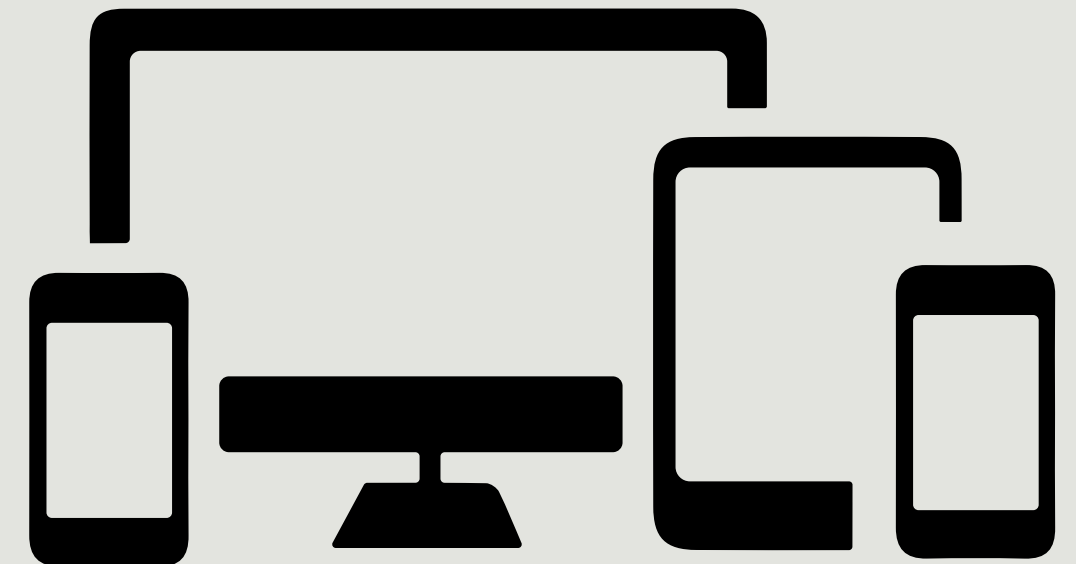
**Bodily
Gestures**



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.





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/videos 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.

