What can I do if I’m sexually harassed?

Say No: Tell the harasser that the behaviour is unwelcome and must be stopped immediately. Don’t ignore the behaviour as it might be perceived ambiguously.

Keep a record: Write down the details of the events, including the dates, times, location and witnesses, as well as my reactions and feelings.

Safety & Protection Plan: Speak to someone you trust, are comfortable with, to address your immediate needs – safety and protection (physical, psychological, logistical, etc.)

I may seek assistance from various channels on campus and off campus depending on my needs.

On campus:

1. Information

2. Consultation
   - I can consult my supervisor, the head of department, an Equal Opportunity Advisor, the Dean of Student Affairs, CEDARS, the hall warden, the Equal Opportunity Officer or any other supervisory personnel who will support me and may act as a mediator between the respondent and me.

3. Individual Counselling, Consultation and Support Services
   - Can I lodge a formal complaint but keep my identity anonymous? Where the President and Vice-Chancellor receives a complaint, which is anonymous, s/he shall not proceed further unless s/he considers that the complaint alleges matters which are of such a nature that they should, in the interests of good administration, be further investigated (i.e. where multiple complaints are being lodged against a perpetrator or a pattern emerges). If President and Vice-Chancellor considers that an anonymous complaint should be further investigated, the President and Vice-Chancellor shall communicate the details of the complaint to the person in authority to attempt a resolution of the complaint INFORMALLY with assistance from other persons. (These procedures are CONFIDENTIAL* and handled with utmost discretion)

   - The Equal Opportunities Officer (EDO) will ask me if I want to initiate the FORMAL procedure to pursue the complaint.

   - If the problem is resolved, this is the END of the procedure.

   - If I am not satisfied with the outcome:

     - The Equal Opportunities Commission (EOC) will then be my main point of contact for this case.

   - The EOO will ask for complainant’s written consent to:
     - involvement of the Equal Opportunity Officer (EDO)
     - the disclosure of complainant’s identity to the respondent and other persons (only on a needs basis)

   - Within 4 weeks of the receipt of the complaint, the EDO submits a written report of the Preliminary Inquiry to the President and Vice-Chancellor, setting out the allegations, a summary of the evidence, and the conclusion on whether there are sufficient grounds which warrant a full-scale investigation into the respondent’s conduct. As this is a preliminary inquiry, it is not intended to be a preliminary hearing and the EOO is not expected to engage in a full-scale enquiry or extensive hearing of witnesses.

   - The President and Vice-president shall determine whether to:
     - Override my objection and ask the EOO to proceed with the Preliminary Inquiry
     - Refer the matter to the Legal Proceedings
     - Appoint another person instead of the EOO.

   - Can I consult my personnel who will support me?

   - Appoint another person

   - Refer the matter to the Discrimination Complaints Committee for a full-scale investigation

   - The University’s Policy on Equal Opportunity and Procedures for handling discrimination/harassment complaints

   - Nevertheless, the informal procedures are not intended to be a preliminary hearing and the EOO is not expected to engage in a full-scale enquiry or extensive hearing of witnesses.

   - The formal procedure is intended to investigate the allegations.

   - If I am not satisfied with the outcome, I can consult my legal advisor.

Off campus:

4. Equal Opportunity Unit (EDU)

5. Equal Opportunities Commission (EOC)

6. Police

7. Legal Proceedings

The FORMAL internal procedure at HKU will be suspended pending the outcome.

*CONFIDENTIALITY

- All records of proceedings and documents produced for use in relation to a complaint made under these Procedures are confidential and shall be dealt with by all parties concerned in strict confidence and in accordance with applicable laws on the protection of personal information.

- Unauthorised disclosure of any information may result in appropriate action or sanctions by the Council.

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The Committee shall notify me of the proceedings of the Committee and provide me and the respondent with a copy of the Policy on Equal Opportunity; a copy of these Procedures; membership of the Committee; a copy of my written complaint; a copy of the report provided to the Committee following the Preliminary Inquiry conducted by the Equal Opportunity Officer; and any other documents considered relevant by the Committee.

The Committee may decline to inquire into a complaint or may suspend or discontinue its inquiry into a complaint if:
- it considers that I do not allege facts which, if proved, would amount to discrimination or harassment;
- the substance of the complaint of discrimination has been examined or is being examined under another University procedure or by any public body which has responsibility for receiving complaints of discrimination, or by a court or tribunal;
- I (and the respondent) have agreed to resolve the matter and the Committee considers that the terms of the agreement are consistent with respect for the principles of equal opportunity.

DCC may find the alleged act constitutes an exception under paragraph 15 of the Undergraduate Student Handbook 2016-17, if:
- there is a statutory exception
- there are legitimate reasons
- a reasonable person would consider this as an appropriate act.

The DCC can make any specific recommendation in relation to the case and any general recommendation for better enhancing or upholding the University’s policies relating to equal opportunities.

Where the respondent is a student, the DCC may order the imposition of any of the following penalties:
- reprimand (and such reprimand shall form part of the student’s official record for the remainder of his or her studies in the curriculum concerned);
- fine (maximum to be determined from time to time by the Council);
- withdrawal of any academic or other University privilege, benefit, right or facility other than the right to follow courses of instruction and present himself or herself for examinations;
- suspension;
- expulsion;
- and/or make appropriate recommendation to the President and Vice-Chancellor.

The DCC may, where the respondent is a staff member, make recommendations to the President and Vice-Chancellor to initiate appropriate proceedings as provided for in the University Ordinance and Statutes, Terms of Service and Staff Manual.

Subject to the right of appeal under paragraphs 52 and 53 which shall be pursued if available, any person who is aggrieved by a decision of the Discrimination Complaints Committee under paragraph 52 or 53 or by a decision of the President and Vice-Chancellor under Paragraph 26 or 53(a) may seek redress through the University’s formal grievance procedure.