

**立法會**  
**Legislative Council**

LC Paper No. CB(2)515/01-02  
(These minutes have been seen  
by the Administration)

Ref : CB2/PS/1/00

**LegCo Panel on Home Affairs**

**Subcommittee to study  
discrimination on the ground of sexual orientation**

**Minutes of meeting  
held on Monday, 20 August 2001 at 2:30 pm  
in Conference Room A of the Legislative Council Building**

- Members Present** : Hon Cyd HO Sau-lan (Chairman)  
Hon Emily LAU Wai-hing, JP  
Hon CHOY So-yuk  
Hon Albert CHAN Wai-yip
- Member Attending** : Hon Michael MAK Kwok-fung
- Public Officers Attending** : Mr Charles CHAN  
Principal Assistant Secretary for Home Affairs (3)  
  
Mr WONG Hiu-kwan  
Assistant Secretary for Home Affairs (3) 2
- Attendance by Invitation** : Christian & Missionary Alliance Church Union  
  
Rev Jeremiah CHU  
Director of Research and Education

Movement Against Discrimination

Mr Mark K Y LI  
Vice-Chairman

The Society for Truth and Light

Mr CHOI Chi-sum  
General Secretary

Dr KWAN Kai-man  
Board Member

Hong Kong Church Renewal Movement

Rev WU Chi-wai  
General Secretary

Hong Kong Blessed Minority Christian Fellowship

Mr LAI Chung-keung  
Chairman

Mr CHAN Lap-fai  
Secretary

Hung Hom Rhenish Church

Miss TAI Po-yan  
Representative

Miss TAI-Ka-yan  
Representative

Association for the Advancement of Feminism

Miss LEE Wai-yee, Jo  
Chairman

Miss YIM Kit-sum, Kendy  
External Vice-Chair

Chi Heng Foundation

Mr TO Chung  
Officer

Mr Steve IP  
Volunteer

Sterling Light Alliance Church

Mr LEUNG Sheung-lam  
Head of Evangelical Department

Rev TUNG Cheung-fat  
Pastor-in-charge

Rainbow Action

Mr CHEN Noel  
Executive Committee Member

Rainbow of Hong Kong

Mr SO On-kit  
Executive Officer

Ms YEO Wai-wai  
Organizer

Rainbow Fellowship

Mr CHEUNG Kam-hung, Kenneth  
Executive Officer

Mr LEE Fu-wing  
Executive Officer

Kau Yan Church, Tsung Tsin Mission, Hong Kong

Dr LIU Kam-moon  
Manager of School Management Team in a secondary  
school run by Kau Yan Church  
Associate Professor of the City University of HongKong

Mr HO Sin-pan, Daniel  
Pastor of Kau Yau Church

Hong Kong Federation of Catholic Students

Miss LAW Lap-man  
External Vice President

Miss Irene CHOW  
Social Affairs Secretary

Hong Kong Ten Percent Club

Mr Anthony YEUNG  
Vice President

Mr Nelson NG  
Vice President

Student Christian Movement of Hong Kong

Ms KWOK Hoi-wah  
Executive Committee Member

Mr LEE Chung-hong  
Member

Civil Rights for Sexual Diversities

Mr Roddy SHAW  
Chairperson

Mr Reagan LO  
Secretary

Hong Kong Christian Institute

Mr TOO Kin-wai  
Executive Secretary

Hong Kong Christian Industrial Committee

Mr TAI Ngai-lung  
Associate Director

Tongzhi Culture Society, The Chinese University of Hong Kong

Mr Joseph CHO Man-kit  
Member

Hong Kong Women Christian Council

Ms LAI Mui-ching  
Executive Secretary

**Individuals**

Rev FUNG Chi-wood

Dr Andy CHIU, Assistant Professor  
School of Law, City University of Hong Kong

Miss LEUNG Po-kei, Peggy, Research Assistant  
School of Law, City University of Hong Kong

Dr Katherine KOT Lam-kat  
Clinical Psychologist

**Clerk in Attendance** : Miss Flora TAI  
Chief Assistant Secretary (2)2

**Staff in Attendance** : Mr Stephen LAM  
Assistant Legal Adviser 4

Mr Stanley MA  
Senior Assistant Secretary (2)6

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**I. Confirmation of minutes of meeting**

[LC Paper Nos. CB(2)2187/00-01 and CB(2)2188/00-01]

The minutes of the meetings held on 6 March and 19 April 2001 were confirmed.

**II. Meeting with deputations and individuals**

2. The Chairman welcomed representatives of the 21 deputations and the four individuals to the meeting. She said that the purpose of the meeting was to listen to the views and concerns of attending deputations and individuals on discriminatory issues within the context of sexual orientation. The Subcommittee was still taking progressive steps to discuss with government departments and bureaux, and relevant parties various issues arising from discrimination on the ground of sexual orientation. She stressed that the Subcommittee had yet to reach conclusions on existing policies and legislation which were in conflict with the principles of human rights and equal opportunities. Since some concerned individuals were misled to believe that drafted legislation would be sponsored, the Chairman asked the deputations to help to clarify.

3. At the invitation of the Chairman, the deputations and individuals presented their views and concerns as summarised in paragraphs 4 to 35 below.

Christian and Missionary Alliance Church Union (CMACU)

[Paper No.CB(2)2192/00-01(03)]

4. Rev Jeremiah CHU of CMACU introduced the submission of CMACU and said that CMACU supported censoring of posters for category IIB films. It also considered the difference in treatment rendered by sections 118C and 118D of the Crimes Ordinance to the male and female party under the age of 21 who engaged in consensual buggery justified, viz the former would be held criminally liable while the latter would not. He pointed out that Dr Spitzer, the man who led the research study on homosexuality in 1973 which concluded that homosexuality was prenatal and could not be changed by medical therapies, had recently published a report acknowledging that sexual orientation could be changed through intense psychotherapy. In this connection, Rev CHU urged the Government to allocate more resources to both homosexual and non-homosexual groups for provision of services and treatment which would help homosexuals who were willing to receive the services or treatment.

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Movement Against Discrimination (MAD)

[Paper No.CB(2)2200/00-01(02)]

5. Members noted the submission of MAD which was tabled at the meeting.

6. Mr Mark LI of MAD said that MAD supported legislation to protect the rights of people with a different sexual orientation in respect of marriage, housing, education, social welfare and medical benefits, since discriminatory policies against homosexuals in these areas such as housing, blood donation, etc., did exist. He suggested that the Administration should make reference to relevant legislation in overseas jurisdictions such as China which recognised “de facto spouse” of persons by virtue of their living together, travelling together, doing things jointly and hosting “a wedding” involving their relatives and friends as “de facto marriage”. He urged the Administration to actively consider enacting legislation against discrimination on the ground of sexual orientation. As a long-term objective, the Administration should continue to promote and publicise the concept of equal opportunities and diversities in sexual orientation so that the community as a whole could accept non-heterosexual partnership.

The Society for Truth and Light (STL)

[Paper No.CB(2)2192/00-01(01)]

7. Dr Kwan Kai-man of STL introduced the submission of STL and said that STL supported the human rights and equal opportunities concepts under the Hong Kong Bill of Right Ordinance and the various United Nations human rights treaties. He stressed that people of all sectors including homosexuals should adopt an objective and impartial attitude in examining the issue of discrimination, in particular the need for legislation against discrimination on the ground of sexual orientation. He pointed out that some homosexuals appeared to adopt double standards over the issue of discrimination and were concerned about homosexual rights only. They opposed everything affecting their rights and disregarded other people's rights in academic research, conscience, speech, thought, association, religion and parental choice of education for their children, etc. He stressed that individuals had the right to adopt different attitudes towards people with a different sexual orientation, be they based on traditions or religious beliefs. Forcing heterosexuals to change their attitudes towards homosexuality by way of legislation might be in itself discriminatory against heterosexuals. The Administration should conduct more researches to ascertain the need for proposing an anti-discriminatory legislation for people with a different sexual orientation. Otherwise, all those who were vulnerable to discrimination might also seek the enactment of different anti-discrimination legislation for protection of their own benefits.

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Hong Kong Church Renewal Movement (HKCRM)

[Paper No.CB(2)2196/00-01(01)]

8. Rev WU Chi-wai of HKCRM introduced the submission of HKCRM. He said that HKCRM as a religious body would not accept homosexuality in principle, but would respect the fundamental rights of individuals to enjoy freedom in religions, beliefs, lifestyles, habits, etc. He stressed that HKCRM did not support legislation to force others to accept the values, behaviours, thoughts, etc of homosexuality.

Hong Kong Blessed Minority Christian Fellowship (HKBMCF)

9. Mr LAI Chung-keung of HKBMCF said that discrimination against non-heterosexuals did exist in the community because of a lack of understanding of the nature of homosexuality and the behaviours and needs of homosexuals. He pointed out that discrimination towards homosexuality could be intentionally promoted by misleading reports and statistics on the lifestyles, inclinations, habits, health, behaviours, etc., of homosexuals. He considered that homosexuals should come forward to express their views and thoughts in an open manner so as to foster a proper community respect and tolerance towards people with a different sexual orientation in the future. He added that in struggling for community acceptance, it was understandable that some homosexual groups had organised dramatic actions or activities in order to draw the public's attention on discrimination against people with a different sexual orientation.

Hung Hom Rhenish Church (HHRC)

[Paper No.CB(2)1523/00-01(01)]

10. Members noted the submission of HHRC

11. Miss TAI Po-yan of HHRC said that HHRC did not accept homosexuality but it did not discriminate against non-heterosexuals. She pointed out that people's right to freedom of expression should not be restricted by legislation which would suppress the views of the majority (the heterosexuals) to protect the interests of the minority (the non-heterosexuals). She also considered that teaching of homosexuality and bisexuality at primary classes was inappropriate, as such sexual preferences and lifestyles might confuse young students on the values of traditional family and spouse relationships.



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Association for the Advancement of Feminism (AAF)

[Paper No.CB(2)2200/00-01(03)]

12. Members noted the submission of AAF which was tabled at the meeting.

13. Miss Kendy YIM of AAF said that AAF was supportive of legislation against discrimination on the ground of sexual orientation, since protection of the fundamental rights of people with a different sexual orientation was apparently inadequate. Although legislation could not change the attitude of non-homosexuals towards homosexuality, it would protect homosexuals from being discriminated against and might help de facto spouse of homosexuals claim entitlement to medical and housing benefits in the future. Miss YIM considered that legislation would not create "reverse discrimination" against the rights of the majority who did not accept non-heterosexuality and that an advanced society should be able to accept people of a different sexual orientation.

Chi Heng Foundation (CHF)

[Paper Nos. CB(2)2192/00-01(04) to (06), CB(2)2196/00-0(02) to (05) and CB(2)2229/00-01(02)]

14. Mr TO Chung of CHF introduced the submissions of CHF and said that the homosexual community was only seeking equal opportunities and equal treatment, and not special privileges. Discrimination on the ground of sexual orientation existed in daily life and in different areas. The Government should propose appropriate anti-discrimination legislation to protect the rights of minority groups in the community. He stressed that non-heterosexuals also made substantial contributions to the community and should enjoy equal rights and opportunities, and social benefits such as public housing provided by the Government to legally-wedded couples. Mr Steve IP of CHF cited his experience to illustrate that although the majority of religious bodies did not accept homosexuals, some did allow people with a different sexual orientation to join and participate in their activities. He considered that the few religious deputations attending the meeting did not represent the overall views of the religious bodies on people with a different sexual orientation.

Sterling Light Alliance Church (SLAC)

15. Mr LEUNG Sheung-lam of SLAC said that the rights of non-heterosexuals were already well protected under the existing legislation. He stressed that legislation could not change people's attitudes and values, and should not be used as a tool to force heterosexuals to accept non-heterosexuals. He considered that enacting legislation against discrimination on the ground of sexual orientation would be a move towards the wrong direction.

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Rainbow Action (RA)

[Paper No.CB(2)2200/00-01(01)]

16. Members noted the submission of RA which was table at the meeting.

17. Mr Noel CHEN of RA cited the public housing policy and sections 118C and 118D of the Crimes Ordinance as examples to illustrate that some government policies and legislation in force were discriminatory against non-heterosexuals and inconsistent with Article 22 of the Basic Law. He pointed out that Hong Kong legislation was far more stringent than overseas jurisdictions in terms of discrimination against male homosexuals. He urged the Administration to respond to RA's previous submissions to the Subcommittee.

Rainbow Fellowship (RF)

[Paper No. CB(2)2199/00-01(01)]

18. Mr Kenneth CHEUNG of RF briefed members on the salient points of the submission of RF. He said that homosexuals were subject to tremendous social, family and psychological pressure in life. Most of them hid their feelings and stresses from others and led a quiet life. Mr CHEUNG considered that the Government should allocate more resources to help homosexuals to lead a normal life. He suggested that the Administration should provide adequate educational facilities and venues such as education resources centre for homosexual groups and organisations to conduct more programmes and activities for homosexuals. He expressed support for the Chairman of EOC's statement that legislation and education were equally important in eliminating discrimination on the ground of sexual orientation.

Kau Yan Church, Tsung Tsin Mission, Hong Kong (KYC)

[Paper No. CB(2)2239/00-01(01)]

19. Mr Daniel HO of KYC introduced the submission of KYC. He said that from the perspective of Christians, homosexuality was immoral and in conflict with monogamous marriage in value judgment. Homosexuality was evil and should not be considered from the perspective of human rights. Education should teach students on the possible consequences of homosexuality such as higher risk in HIV infection than heterosexuality. Dr LIU kam-moon of KYC expressed concern about the psychological development of children who were adopted and brought up by homosexual couples, if such adoption was allowed by legislation in the future. He pointed out that with homosexual parenthood these children might not be provided with options in their development of values towards family and partnerships.

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Hong Kong Federation of Catholic Students (HKFCS)

[Paper No. CB(2)2200/00-01(04)]

20. Members noted the submission of HKFCS which was tabled at the meeting.

21. Miss LAW Lap-man of HKFCS said that HKFCS supported protection of minority groups in the community and legislation to protect the rights of non-heterosexuals. She stressed that all individuals including adolescents should be respected in their sexual orientations and choice of lifestyles. She considered that universities programmes, including science and business studies, should incorporate the subject of sexual orientation to promote a better understanding of the rights and needs of people with a different sexual orientation.

Hong Kong Ten Percent Club (HKTPC)

[Paper No. CB(2)2200/00-01(05)]

22. Members noted the submission of HKTPC which was tabled at the meeting.

23. Mr Anthony YEUNG of HKTPC said that although the Government had no intention to discriminate against non-heterosexuals, its existing policies on housing, health and welfare had ignored their rights and equal opportunities to these community benefits. He highlighted the major aspects of discrimination under the various policy areas and expressed disappointment about the views of religious bodies towards homosexuality. He considered that the Government should reinforce education to promote public understanding and acceptance of people with a different sexual orientation.

Student Christian Movement of Hong Kong (SCMHK)

[Paper No. CB(2)2200/00-01(06)]

24. Members noted the submission of SCMHK which was tabled at the meeting.

25. Mr LEE Chung-hong of SCMHK said that the rights of non-heterosexuals should not be ignored or discriminated against by reason of religious belief. He considered that discrimination would give rise to deprivation of basic human rights which was far more serious than prejudices or non-acceptance. Discrimination on the ground of sexual orientation existed in various policy areas and should be rectified by way of education, publicity and legislation in parallel. He pointed out that there were schools still teaching students with incorrect concepts about homosexuality.

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Civil Rights for Sexual Diversities (CRSD)

[Paper No.CB(2)2199/00-01(02)]

26. Mr Roddy SHAW of CRSD introduced the submission of CRSD. He said that CRSD did not consider it appropriate to enact legislation to recognise homosexual or de facto marriage relationship at this stage. However, it strongly urged the Government to incorporate the concept of domestic partnership in relevant legislation to protect the rights of people with a different sexual orientation. He said that a total of 34 countries had incorporated the concept of domestic partnership in their legislation. He considered that incorporation of the concept of domestic partnership in legislation could help Government eliminate the discriminatory elements in various policy areas and legislation such as the provision on consensual buggery under sections 118C and 118D of the Crimes Ordinance. He also cited overseas legislation which protected the rights of people with a different orientation as examples.

Hong Kong Christian Institute (HKCI)

[Paper No.CB(2)2196/00-01(07)]

27. Mr TOO Kin-wai of HKCI introduced the submission of HKCI. He said that HKCI considered that legislation to protect the rights of minorities including people with a different sexual orientation was essential and would contribute to the development of a harmonious society where people would respect one another, regardless of their races, colours, sexual orientations etc. He pointed out that the Hong Kong Bill of Rights Ordinance did not apply to commercial organisations and that discrimination against non-heterosexuals existed in various areas. He considered that “reverse discrimination” was a misleading concept put forwarded by people who did not accept non-heterosexuals. He urged the Government to enact legislation against discrimination on the ground of sexual orientation as soon as possible and that religious bodies should be exempted where there were conflicts between their religious beliefs and the legislative provisions.

Hong Kong Christian Industrial Committee (HKCIC)

[Paper No.CB(2)2196/00-01(08)]

28. Mr TAI Ngai-lung of HKCIC introduced the submission of HKCIC. He said that anti-discriminatory legislation on the ground of sexual orientation would not bring about “reverse discrimination” and religious bodies should not worry about the effects of such legislation on their religious beliefs and doctrines. HKCIC supported legislation to protect the rights of people with a different sexual orientation, in particular workers who might be discriminated against on the ground of sexual orientation in the workplace.

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Tongzhi Culture Society of the Chinese University of Hong Kong (TCS)  
[Paper Nos.CB(2)2199/00-01(03) and 2200/00-01(07)]

29. Members noted the submission of TCS.

30. Mr Joseph CHO of TCS said that discrimination against non-heterosexuals was common in Hong Kong. He urged the Administration to legislate against discrimination on the ground of sexual orientation and to remove the discriminatory elements in existing legislation such as sections 118C and 118D of the Crimes Ordinance.

Hong Kong Women Christian Council (HKWCC)  
[Paper No.CB(2)2229/00-01(01))

31. Ms LAI Mui-ching of HKWCC said that people including religious disciples should respect the rights and equal opportunities of homosexuals in the community. With reference to various mis-concepts and discrimination in traditional values and religious beliefs, she stressed that the community should recognise that people with a different sexual orientation was natural and equal.

*Rev FUNG Chi-wood*  
[Paper No. CB(2)2199/00-01(04)]

32. Members noted the revised submission of Rev FUNG Chi-wood.

33. Rev FUNG said that discrimination against homosexuality was serious, particularly among people with a religious belief. He cited a number of provisions in Bible which were discriminatory to illustrate that homosexuality should not be judged by traditional religious values and principles.

*Dr Andy CHIU*  
[Paper No. CB(2)2199/00-01(05)]

34. Dr CHIU introduced his submission and said that the development of children who were adopted by homosexual parents were affected by the community's attitude towards homosexuals. He considered that legislation would serve an educational purpose and protect the rights of people with a different sexual orientation. In essence, it could prevent the majority from discriminating against the minority in value judgment by their own standards or by the excuse of freedom of expression. He cited examples to point out the existence of discrimination against homosexuals in various policy areas including film censorship and blood donation.

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*Dr Katherine KOT*

[Paper No. CB(2) 2196/00-01(06)]

35. Dr KOT introduced the report of her study on homosexuality. She pointed out that there was so far no conclusion as to whether homosexual orientation was permanent, irreversible and predetermined at early ages of life. Researches in sociology and psychology had suggested that many homosexuals suffered from family problems in their early ages and displayed some homosexual affection. Some researches had found that a person's sexual orientation at different stages of life would change. In addition, homosexuals had a higher rate of committing child abuses and suicide, indulging in alcohol, and suffering from emotional problems such as depression, feeling of solitude, and unstable relationship with family members and loved ones.

Discussion

*Legislation against discrimination on the ground of sexual orientation*

36. Ms Emily LAU said that she was pleased that so many homosexual groups had come forward and expressed their views in an open meeting. It reflected that society was making progress. She expressed support for enacting legislation against discrimination on the ground of sexual orientation to protect the civil rights of non-heterosexuals. She asked whether opponents would agree to the views of homosexual groups and change their attitude towards homosexuality after the discussion. She also asked whether opponents would share the view of some deputations that sexual orientation was biologically or genetically prenatal and beyond personal choices.

37. Messers LEUNG Sheung-lam of SLAC, CHOI Chi-sum of STL and Daniel HO of KYC responded that homosexual orientation was more probably a choice in lifestyle than an inborn inclination. They considered that existing legislation had already provided sufficient protection to non-heterosexuals. Mr LEUNG of SLAC held the view that an anti-discriminatory legislation on the ground of sexual orientation would mean community acceptance of homosexuality. Mr CHOI of STL and Mr HO of KYC were of the view that homosexuality was a personal preference in sexual life which should not be specifically protected by legislation. Mr HO of KYC also said that the issue of homosexuality should not be considered solely from the perspective of discrimination. Dr Katherine KOT said that she agreed that as homosexuals were in a disadvantaged position in the community, they would need special protection. However, she was concerned that legislation to protect their rights might convey a sense of encouragement to homosexuality. She added that the debate over the origins of homosexuality was raging and

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involved controversial data dealing with genetic research pointing to the question as to whether sexual orientation derived from nature or nurture.

38. Ms Emily LAU said that without legislative protection, non-heterosexuals suffered a wide range of discrimination in their daily life. Mr LEUNG Sheung-lam of SLAC responded that the Administration should consider implementing administrative measures to prevent discrimination against non-heterosexuals, instead of enacting legislation against discrimination on the ground of sexual orientation at this stage.

39. Messers TO Chung of CHF, LEE Fu-wing of RF and Anthony YEUNG of HKTPC said that non-heterosexuals should enjoy equal rights and opportunities as heterosexuals were enjoying, regardless of whether sexual orientation derived from nature or nurture. Mr Roddy SHAW of CRSD said that the community should respect and protect the rights of minority groups. Mr Joseph CHO of TCS said that a homosexual relationship should be regarded as natural as a heterosexual relationship in nature.

40. Ms Emily LAU considered that should discrimination on the ground of sexual orientation be eliminated by legislation and public education, the normal development of children adopted by homosexual couples would not be affected by discrimination against their parents. She urged opponents of homosexuality to maintain an open mind to consider the right of homosexual couples to adopt children.

41. Dr LIU Kam-moon of KYC responded that the psychological development of children adopted by homosexual couples would still be affected by the fact that they were different from the absolute majority of peers who had heterosexual parents. Mr Daniel HO of KYC cited Dr Katherine KOT's report, saying that children brought up by homosexual couples would experience various adjustment problems with their homosexual parents and peers. Dr Andy CHIU remarked that children of single parent families would have to face adjustment problems too.

42. Miss CHOY So-yuk agreed that there were discrimination against homosexuality and expressed support for equal rights and opportunities for homosexuals. She asked whether legislation against discrimination on the ground of sexual orientation should be proceeded at this stage and whether such legislation would promote homosexuality and give rise to social differentiation.

43. Mr CHOI Chi-sum of STL, Rev Jeremiah CHU of CMACU, Rev WU Chi-wai of HKCRM responded that an anti-discriminatory legislation would definitely bring about social differentiation in the community. They considered that public education should be given the priority for eliminating discrimination against

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homosexuals in the community. Mr TO Chung of CHF maintained his view that education and legislation to protect the rights of non-heterosexuals should be proceeded in parallel.

44. Dr Andy CHIU, Mr LEE Fu-wing of RF, Mr Anthony YEUNG of HKTPC, Mr TAI Ngai-lung of HKCIC and Miss Kendy YIM of AAF expressed support for enacting legislation to protect the basic human rights and equal opportunities of non-heterosexuals in housing, medical and social welfare benefits, etc. Mr YEUNG and Mr TAI did not consider that legislation would bring about social differentiation. Dr CHIU, Mr LEE and Miss YIM held the view that diversity in sexual orientation was natural and enacting the legislation would not promote homosexuality. Dr CHUI added that apart from ensuring compliance, legislation would have the effect of educating people to respect the rights and lifestyles of people with a different sexual orientation.

*Homosexual population*

45. Mr Michael MAK asked about the availability of authoritative surveys on the size of homosexual population in Hong Kong and overseas.

46. Rev Jeremiah CHU of CMACU responded that Hong Kong did not have relevant statistics on homosexual population. In the United States, the population of homosexuals was estimated at 10% and 2% of total population in two different researches conducted in 1948 and 1995 respectively. Mr Anthony YEUNG of HKTPC said that the Government's consultation document on discrimination on the ground of sexual orientation published in 1996 had indicated that homosexual population ranged between 5% to 10% of the total population. Mr YEUNG, however, pointed out that the criteria and methodology adopted for a survey would to a large extent determine the outcome. Mr Roddy SHAW of CRSD pointed out that despite its minority, non-heterosexuals should not be discriminated against on the ground of sexual orientation.

*Homosexuality as a pathology and homosexuals as a high-risk group*

47. Mr Michael MAK invited views about the saying that homosexuality was a symptom of mental disorder. He also asked for justifications and statistics supporting that male homosexual was more susceptible to HIV infections.

48. Mr TO Chung of CHF responded that the American Psychiatric Association (APA) had dropped homosexuality from its list of mental disorders in 1973 and the Chinese Psychiatric Association had followed suit in April 2001. Messers Noel CHAN of RA, LEE Fu-wing of RF and Anthony YEUNG of HKTPC were



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of the view that homosexuality as a different sexual orientation should not be linked to mental disorder in any way.

49. Dr Katherine KOT pointed out that although APA had declared homosexuality as non-pathological, there were research studies suggesting that some sociological and psychological factors did contribute to the development of homosexual orientation. There were also scientific studies supporting that homosexual groups were more likely to exhibit an inclination to commit suicide and indulge in excessive alcohol and drug uses, as well as the feeling of loneliness and depression. Rev Jeremiah CHU of CMACU reiterated that Dr Spitzer, the man who led the research study on homosexuality in 1973 which concluded that homosexuality was prenatal and could not be changed by medical therapies, had recently published a report acknowledging that sexual orientation could be changed through intense psychotherapy.

50. Mr CHOI Chi-sum of STL said that the Department of Health had published that there were 1197 and 390 reported cases of HIV infections transmitted through heterosexual and homosexual contacts respectively in 2000. Based on the assumption that 5% of the population were homosexuals, homosexuals would be about six times more risky than heterosexuals in HIV infections. Rev Jeremiah CHU of CMACU added that about 70% of in-patients of Aids carriers in the United States were male homosexuals.

### **III. Meeting with the Administration**

51. Due to time constraint, discussion with the Administration was deferred to a future meeting. In response to the Chairman, Principal Assistant Secretary for Home Affairs (3) undertook to consider the views of deputations expressed at the meeting and provide a written response for follow-up discussion.

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### **IV. Any other business**

#### Date of next meeting

52. Members agreed to hold the next meeting on Monday, 26 September 2001 at 2:30 pm.

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[*Post-meeting note* : The next meeting was subsequently re-scheduled for Monday, 8 October 2001 at 10:45 am.]

53. The being no other business, the meeting ended at 5:55 pm.

Legislative Council Secretariat

27 November 2001