

Legislative Council 立法會
Meeting on 20/8/2001 會議

Chung To 杜聰
Chi Heng Foundation 智行基金會

August 15,2001

Mr. Stanley Ma Kin Hung
The Legislative Council, Hong Kong
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RE: Subcommittee to Study Discrimination on the Ground of Sexual Orientation
Attachment: Newspaper Clippings and Information on Hong Kong

Dear Mr. Ma,

Attached please find some newspaper clippings and information on Hong Kong. We hope the information would enable members of the Subcommittee to further understand the current situation.

During our last meeting with Mr. Lam Woon Kwong and Mr. Charles Chan Kwan Chun of the HAB on December 11,2000, there was a disagreement between Mr. Lam and us on the current level of public acceptance with regard to tongzhi issues. Mr. Lam believed that it is not the right time to legislate because of lack of public support.

It has been five years since the last survey on public opinion towards homosexuality was conducted. The society has changed significantly since then. At the end of the meeting, Mr. Lam agreed to conduct a large scale, independent survey to review the current public opinion towards tongzhi issues. It has been eight months since that meeting. We urge the Subcommittee to remind Mr. Lam on his promise, and would appreciate it if he could give us a timetable about this project.

Chi Heng Foundation aims to promote equal opportunities and eliminate discrimination. With regard to eliminating discrimination on the ground of sexual orientation, we believe both public education and legislation are necessary. They are not mutually exclusive and should be done at the same time.

Should you have any questions, please do not hesitate to contact me.

Sincerely,
Chung To
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 主旨: 'No shame' in SAR's human rights

Tuesday, July 17, 2001

'No shame' in SAR's human rights record

JIMMY CHEUNG

The SAR's top official for human rights said he would not be ashamed to face the United Nations, although he had shunned many of the improvement measures it had recommended.

Secretary for Home Affairs Lam Woon-kwong said yesterday he had no plans to establish a human rights commission, despite repeatedly being urged to do so by the UN Committee on Economic, Social and Cultural Rights.

Nor would he promise that legislation against discrimination on the grounds of race or sexual orientation would be enacted in response to the concerns expressed by the committee in a report it issued last month.

But Mr Lam, who led a delegation to attend the committee hearing in Geneva last month, said the SAR's human rights record remained among the best in the world. "I believe there will be nothing to be ashamed about when we face the committee again in future," he said.

His response sparked a wave of criticism from pro-democracy lawmakers at the Legco home affairs panel yesterday.


James To Kun-sun, of the Democrats, criticised the Government for repeatedly ignoring the views put forward by the committee.

"The committee is very critical towards Hong Kong. Don't assume you are doing well simply because it has only accused you once of breaching the covenant," said Mr To, referring to the committee's criticism that no racial discrimination law was in place.

Emily Lau Wai-hing, of The Frontier, asked: "Are you turning a deaf ear to the suggestions made by the committee?"

Ms Lau also challenged the Government's claim the covenant was only



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Lam Woon-kwong: no to UN ideas

2001/8/16

2001/8/16

b 頁 2-2(B)

"promotional and aspirational" in nature. Officials have disputed whether the Government is legally bound to implement the recommendations.

Solicitor-General Rob Allcock said the Government accepted it had legal obligations under the covenant. But he argued that it was also promotional and aspirational in the sense that the covenant allowed signatories to progressively realise the standards stipulated.

He countered Ms Lau's claims that there should be a definite timetable in fulfilling the treaty, saying it would be acceptable to take steps that "keep the ball rolling".

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禁種族歧視 明年定立法否 性傾向與年齡歧視 暫不考慮

【本報記者羅善桂、莊曉陽報導】在受到聯合國的壓力下，政府在禁止種族歧視的立法問題上，態度軟化。民政事務局長林煥光表示，政府將會在明年年初，初步決定是否就種族歧視的問題立法。但有關禁止性傾向及年齡歧視，政府仍然會透過教育途徑處理，暫時不考慮立法。

聯合國委會 指違反公約

聯合國轄下的不同委員會在過去幾年，都先後對於香港沒有立法禁止種族歧視問題，表示關注。(經濟、社會及文化權利委員會)於



民政事務局長林煥光(右)在會議開始前，與自由黨的丁午壽(左)閒聊，心情輕鬆。

但之後在會上回應一連串關於《經濟、社會及文化權利國際公約》的問題時，就被民主派多位議員輪流質詢及批評。(梁傳榮攝)

今年6月的會議上，更甚至用上「違反」公約的字眼。

不過，近期政府就立法禁止種族歧視問題，有不少動作，如特首董建華上周宴請前總議員時，也主動提及有關事項，聽取他們的意見。林煥光昨日與其他局長在立法會上，回應一連串有關問題時表示，該局現時正檢討，私營機構與私人之間的種族歧視問題，並正向團體進行諮詢，包括少數族裔的非政府組織。

但林煥光指，由於性傾向歧視較為敏感，又涉及個人的價值觀及道德傾向，目前應致力推行教育，消除歧視。至於立法禁止年齡歧視，他就表示，教育統籌局前年曾作出公眾諮詢，但意見紛紜；該局會在今年年底再次諮詢後，才作出決定。

不過，多名發言的民主派議員，均質疑政府對於委員會提出的審議結果，遲遲不肯落實。法律界的吳靄儀說：「局長是否覺得立法(禁止歧視)，應該建基於別人贊成與否，定是政府本身，認為要有責任去立法呢？」

林煥光回應時則說：「作為一個重要課題，進行諮詢工作，無論是禮貌上及實際上，都應該要應取被諮詢組織，對此問題的基本原則。」他稱，若諮詢結果是不贊成立法，也須了解其中的原因是否合理，不會斷言就決定不立法。

律政司司長梁愛詩則補充，委員會並非法庭或半司法機構，主要功能協助締約國家及地區，落實公約的內容，但落實的細節就要看當地的實際情況，按部就班執行。

人權機構 港府稱毋須設

另外，對於聯合國促請香港設立「人權機構」，監察可能出現的違反人權行為。林煥光強調，現時已有多項法例，保障市民人權，傳媒及非政府機構也擔當監察的工作，現階段毋須設立一個特定機構處理。

昨天立法會的大會上，

有議員提問有關政制檢討的時間表和其體詳請。政制事務局長孫明揚則搬出2007年基本法定的期限作「擋箭牌」，並表示政府將會等2002年的特首選舉和2004年的立法會選舉後才會作詳細檢討。若社會有共識，三年內有足夠時間做好諮詢，甚至立法工作。

三年時間足夠立法

會上，民主黨主席李柱銘指稱政府失信，「前政務司陳方安生和孫明揚曾說，會在去年九月立法會選舉後立刻檢討下一步做甚麼，但政府現在卻說適當時候才做，是否受到特首的壓力開倒車？或是自己開倒車？」

孫明揚說，政府現在有準備將來的政制檢討，包括收集外國政制發展的情況、不同模式和有關程序和資料。雖然進展較緩慢，但孫明揚澄清這是因為局內的事務繁忙，而不是因為特首的介入。

政制檢討 延至2004年後

車用率
繁忙時間使用率
95%
98%
92%
94%

政黨支持增加，承諾嚴，包括油尖而非原先的6月20日

港灣等

，只有現時新收費停車於每15分，則維持不

非議時，有咪錶平均使用週期的效

案後，政府有停車咪錶

員的文件中竟使用率高級重供不應管理及踏邊

十

b 頁 1-1(B)

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Gays complain their rights are neglected

Patsy Moy

Little effort has been made to ensure the civil rights of gays in the decade since homosexuality was decriminalised, rights groups said yesterday.

The criticism came on the 10th anniversary of the repeal of legislation that outlawed homosexual sex.

To Chung-po [Chung To], a founding member of the Chi Heng Foundation, which promotes the rights of homosexuals, said the Government remained reluctant to promote gays' legal and civil rights.

'The Government still doesn't want any legal reforms to recognise the rights and identity of homosexuals. For instance, homosexuals are not able to enjoy the same government housing subsidises and other social benefits as heterosexual couples,' he said.

'Homosexual couples can't even sign an agreement to allow their partner to receive emergency surgery under Hong Kong law because they are not married.

'The Government is also reluctant to bring up the issue in schools. We are not promoting homosexuality, we simply want people to better understand those with a different sexual orientation. It will help the younger generation to accept homosexual people and promote harmony in our community.'

Albert Luk, spokesman for another rights group, Satsanga, also complained homosexuals were a low priority for the Government.

'We can see a lot has been done for single parents, the elderly and the disabled. But the issue of homosexuality seems to be left out all the time,' he said. 'We do not see much progress by the Government over the past 10 years. However, we agree the community is more open and tolerant to people of different sexual orientations.'

Hong Kong Human Rights Monitor also urged the Government to bring in new laws prohibiting discrimination on the grounds of sexual orientation.

反性向歧視

支持平等 議

同性戀行為非刑事化至今已十年，同志一個個站起來，甚至在熒光幕前、在立法會上訴說被歧視的處境。社會似是比以往更接納他們，但反對同性戀合法化的聲音其實從未止息。有人向爭取不同性傾向平等權益的立法會議員發出反對信，部分更以選票威脅，聲言反對設立性傾向歧視條例的立場，是「投票支持議員的首要條件」。

明報記者 冼穎姬

為了解不同性傾向人士受歧視的情況，立法會於年初成立研究小組，逐一讓同志團體發表意見。然而，四名小組成員於本年四至六月，分別收到二十至五十封以電郵、傳真及郵寄等不同方式發出的反對性傾向歧視條例信件，民政事務局亦收到一百五十封類似的信件。

除此之外，前綫劉慧卿及何秀蘭更各自收到一封威脅選票的投訴信，信中駁言：「反對通過性傾向歧視條例是社會大眾的普遍訴求，這亦是我在下次選舉中，投票支持議員的首要條件」。

劉慧卿：宜多作理性討論

面對選票的威脅，劉慧卿表示已見怪不怪。以往處理越南船民及居港權等敏感問題亦曾遇上反對聲音，但自己不會容易受威脅，立場依然堅定。她建議，同志團體應多舉辦講座，讓各方作理性討論，加深社會人士對不同性傾向的認識。

何秀蘭則表示，支持弱勢社群根本是「倒米」策略，難免會受到主流反對，但她強調不會改變爭取不同性傾向人士權益的立場。

另外兩名研究性傾向問題的小組成員——民建聯的蔡素玉及民主黨的陳偉業現時不在本港，暫未有有關問題作出回應。

梁耀忠：不怕得失選民

梁耀忠雖沒參與研究小組，但因去年曾簽署「同志政綱」，被市民質問「為何支持這些東西」，甚至聲稱以後不再投他一票。他認為，有些東西的確要因應民意，但有些卻要堅持己見，即使支持性傾向歧視條例或會得失部分選民，但弱勢社群應獲同情，不可僅僅為了選票而任意妄行。

同志組織啓同服務社公關組理事何禮傑表示，社會對性傾向歧視條例持反對意見亦十分正常，但指反對者以選票威脅議員實在反應過敏。何認為不應因議員支持不同性傾向的立場，而抹殺他們在其他方面的功績。

何禮傑相信，支持同志的議員不會因反對信而改變立場，但卻擔心這會成為其他保守派議員日後反對性傾向歧視條例的民意籌碼。



政府原地踏步

同性戀行為非刑事化在香港已踏入第十年，同性戀爭取平等權益的聲音亦愈來愈大，但政府的步伐卻仍停滯不前，認為性傾向歧視不及性別、殘疾及年齡歧視般嚴重，還未有立法的需要。早於六十年代，政府本來打算跟隨英國，把同性戀行為非刑事化，但因遭到華人強烈反對而未能成事。

至八〇年，警隊督察麥樂倫因企圖與青年發生性行為而被控粗曠行為罪，最後他身中五槍離奇死亡。事件引起議員及市民的關注，政府研究修訂同性戀法例，至八三年建議二十一歲以上男性的同性戀行為免受法律責任，但又遭教會團體反對。

直至八八年，政府提出同性戀非刑事化諮詢文件，最終立法局於九一年通過。

踏入九十年代，爭取同志權益的聲音愈來愈大



阻力極大

編輯：黃家林

7

視前路難行

員面臨流失選票



浸會大學研究助理潘國森(左)派發反同性戀單張的同時，街上「同性戀是不健康的」的橫額卻吸引着香港彩虹同志小組幹事 Tomny(右)的照相機。(資料圖片)



香港同志社區聯席去年邀請立法會候選人，競逐爭取不同性傾向權益的「同志政綱」。選舉結束後，更邀請一眾親同志議員到酒吧同賀，收到選票威脅信的何秀蘭亦是座上客。(資料圖片)

同志路崎嶇

，但前立法局議員胡紅玉及劉千石分別提出的平等機會條例草案(包括性傾向)，卻全遭否決。

去年，立法會再度討論性傾向歧視條例，但政府立場依舊。民政事務局首席助理局長陳貴春接受本報訪問時表示，現時社會上的確存在性傾向歧視問題，但暫不及性別、殘疾及年齡歧視等方面嚴重。他否認政府對不同範疇的歧視條例立法有先後次序，只強調現階段應先教育公眾，待時機成熟時才立法，否則或會帶來反效果。

同志組織彩虹行動發言人表示，政府不會主動提出性傾向歧視條例草案，但現時制度又令議員難以提出私人條例草案，故立法消除性傾向歧視的前景，實在不容樂觀。

參與同志運動近二十年的陳卓章認為，走出非刑事化一步，雖令人覺得以後的路較平坦，但挑戰仍在，面前的路還是崎嶇難行。

同志待遇今非昔比

《城市論壇》是一個明刀明槍公開議論時事節目，但八八年一個晴朗的星期天，陳卓章(圖)卻因同志身分不能曝光，被迫躲在工程車內發言。雖然當時還未有「維園阿伯」，不過無形的社會壓力更教人害怕。

當年陳卓章是同志組織「十分一會」的會長，應邀請出席城市論壇，與反對力量「當面」對質，但節目製作人員卻建議他坐在工程車上發言。

「我十分明白這安排，因為社會風氣不像現時般開放，即使出鏡，都可能要打格仔。」回想這段往事，陳卓章百般滋味在心頭。今天看電視，同志都可以站起來，在電視上出鏡，已不再需要打格，聲音亦毋須經特別處理。



b 頁 1-3(B)

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South China Morning Post

The family debate

Is Hong Kong ready to embrace gay marriage and parenthood? Not yet, writes Robert McGlynn

'I HAVE TWO DADS,' boasts the little girl before running off to join her friends on the swings.

An innocent statement like that might still raise a few eyebrows, but with divorce rates on the increase and people remarrying, 'blended' families are more common these days.

But what if those two dads are gay?

There are few issues that raise as much furore as gay families, but with so many children languishing in orphanages in Hong Kong and the mainland, shouldn't society welcome any opportunity for these children to be brought up in a loving environment?

One of the reasons gay families stir such ferocious debates, suggests Charles O'Brian, associate professor and lecturer in the Department of Applied Social Studies at the City University of Hong Kong, is because the idea not only strikes at the societal foundations of marriage and family but also at the male psyche.

'The purpose of marriage is supposed to be procreation,' explains the professor, a qualified social worker and psychotherapist who is widely published on the subject of children and families. 'But with scientific advances in fertilisation, the heterosexual act is a matter of choice rather than necessity - you don't need to have sex with a man to have a child, and I guess this is why men tend to be more opposed to the idea of gay marriage. But if one looks at the concept of child-rearing rather than procreation, we can see that what children need is to be raised in a safe, secure and emotionally stimulating environment. The sex of their parents is not that relevant, and this threatens the traditional notions we have of the family.'

For Hong Kong's gay rights groups, the issues of family and children are not about debating social theory but about the hard, cold facts of the law.

Gay marriage is not recognised under Hong Kong law, and this not only restricts couples from accessing reproductive technologies but also raises the question of discrimination.

According to the Principal Medical Officer for the Department of Health, Dr Heston Kwong: 'In safeguarding the interests and welfare of the resulting child, the Human Reproduction Technologies Ordinance specifically states that the technology be confined to infertile married persons... who should be married at the time of the procedure.'

b 頁 2-3(B)

'In the case of surrogacy, couples who arrange for their own gametes to be put into the body of a surrogate mother should be parties to a marriage. As gay and lesbian couples cannot marry in Hong Kong, the procedures should not be provided.'

'We're being treated as second-class citizens,' says Chung To, a founder member of Chi Heng Foundation, which aims to eliminate discrimination based on sexual orientation. Chung knows of only one gay couple raising children in Hong Kong.

'Getting married and forming a family are basic rights. The Government should provide equal rights for every citizen, so to me this is discrimination.'

Although the Government promotes the issue of equality, it has no anti-discrimination law covering gay rights, citing lack of public support as a reason.

Mak Hoi-wah, also from City University, is the chairman of the Movement Against Discrimination (MAD). He says research carried out in 1996 into community perceptions of homosexuality showed that most responses - mainly from the education and religious sectors - were strongly opposed to the idea of legislation because they feared it would encourage homosexuality and cause confusion among young people searching for their identity.

Because of this, a legislative approach would not work, says Marianna Law, of the Government's Equal Opportunities Commission. 'Since social attitudes to sexual orientation are closely related to value judgment, ethical beliefs and the institution of marriage and family systems, any legislation would not operate effectively and may even generate a counter-effect if it doesn't agree with the social climate,' she says.

At the heart of this so-called 'value judgment' is the belief that homosexuality is in some way 'corrupting' because it was - and to some extent still is - considered a mental disorder.

One of the reasons for this, says a recent report into gay parenting by the American Psychologist's Association (APA), is that initial research into sexual orientation in the early 1950s was drawn from gays in therapy.

Since then, exclusive data collection of gays in therapy has been stopped, and data now comes from a broader range. The new research concludes that 'homosexual orientation is not associated with emotional or social problems'.

Another recent report on gay parenting by the APA establishes that 'there is no evidence to suggest lesbians or gay men are unfit to be parents or that psycho-social development among children of gay men or lesbians is compromised in any respect'. The report states not one study found that children of gay or lesbian parents were disadvantaged in any significant way.

The evidence also suggests that home environments provided by gay and lesbian parents are as likely as those provided by heterosexual parents to enable a child's psycho-social growth.

Because of this shift in perceptions, many countries have taken homosexuality off the list of both mental disorders and criminal offences. Hong Kong decriminalised it in 1991.

b 頁 3-3(B)

For gay couples, the only other alternative in raising a family, apart from children born in a previous heterosexual relationship, is adoption.

According to Della Wong, information officer for the Social Welfare Department, 'all applicants are treated the same'. The department says it does not discriminate against gays and does not keep records on sexual orientation so, presumably, it is unknown whether any gay people have adopted children in Hong Kong.

Reggie Ho, of the gay counselling service Horizons, says: 'It's true there are no laws preventing gay people from adopting. But since approval rests on the discretion of social workers and often the consensus is that children are better off growing up in traditional families, not to mention hidden discriminatory attitudes social workers might have, the chances of adoption being granted to gay couples are bleak, and to my knowledge no such cases have been reported.'

Undoubtedly the welfare and safety of a child is paramount, and as O'Brian points out, the issues surrounding gay families are complex, including inheritance, tenancy rights and even social security payments. 'What Hong Kong needs is open debate to educate the public on the arguments of both sides,' the professor says.

But according to Ho, the whole idea of gay families is still 'too close to home for Hong Kong'. Despite this, he is hopeful. 'The world moves on, and so too does Hong Kong. You never know - something revolutionary might happen,' he says. 'The mainland has recently taken homosexuality off the list of mental illness, and an anti-discrimination law has been passed in Japan. Even Taiwan is considering legislation to allow gays to marry and adopt children. These victories so close to home might impact on the Government's stance.'

b頁 1 - 2(B)

主 ID

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 主旨: Fw: Violent Lesbian Bashing in Hong Kong Subway Last Month 裝修工搵女同志候懲

裝修工搵女同志候懲

「看不過眼」兩少女火車廂內接吻

2001年4月26日 星期四 港聞



被告陳志明因不滿兩名女生在火車廂內接吻，初則口角，繼而動武。（陳詠詩攝）

【明報專訊】兩名少女公然在火車廂內接吻，對坐的中年玻璃窗裝修工人聲稱「看不過眼」，似有傷風化，工人下車時不滿地說了句粗口。兩名女同性戀者上前與他理論，工人用拳打向其中一名少女，他昨日承認一項普通襲擊及一項在車廂內粗言穢語罪名，案件押後判刑。裁判官得悉事件原委後稱：「別人接吻，又與你何干？」

已婚的被告陳志明在庭外聲稱並非討厭同性戀者，但認為對方不應過於張揚在公眾地方親熱，似有傷風化。他亦認為裁判官說得對，以後不會多管閒事。他又指社會上同性戀像愈來愈公開，或許每個人的接受程度也不同，將來定必好好教導自己的孩子。

官：別人接吻與你何干？

被告憶述事發日情形，當日在車廂內看見「一對男女」年約十四歲，一個身穿校服坐在另一人的大腿上，當聽到兩人對話時，才知「他們」是女孩子。

兩人初時互相餵食飯盒，繼而接吻，於是他下車時，夾雜粗口說了一句：「做乜搵基？」。

被告又稱，那兩名女生同時下車向他說：「我們是同性戀，那又如何？」繼而向他動武，故此搵了對方一巴。

粗口問對方：「做乜搵基？」

被告陳志明昨於新蒲崗裁判法院承認一項普通襲擊及一項在車廂內粗言穢語罪名。案件押後判刑，以候他的社會服務令及背景報告。

2001/8/16

2001/8/16

b 頁 2-2(B)

控方指出，三月二日，被告與嚴姓女事主同在一火車廂內，同車廂內的一名外籍人士目睹被告開始以粗口罵嚴及另一女性友人，她們並沒有理會被告。兩名女子在九龍塘站下車，該外籍人士看見被告拳打其中一人，三人糾纏一起，於是上前調停及報警。

（案件編號：SPC 1444/01）

同志親熱 公眾不接受

【明報專訊】智行基金會創辦人杜聰表示，雖然坊間增加討論同性戀的話題，但普遍大眾仍不大接受同性戀。他稱，曾與男朋友在地鐵拖手，惹來乘客怪異目光，又暗指他們是基佬。他質疑何以異性戀者親熱卻不會遭人指指點點。

香港彩虹「磊落」聯絡人焯焯認為，裝修工人掌摑女同性戀者的案件，會令其他同性戀者帶來壓力。

杜聰亦曾聽聞有男同性戀者在街上行遊，遭他人上前毆打。他表示無奈，不同性取向卻影響切身安全。很多同志為免受到奇異目光，唯有在公眾地方避忌些。

女同志「置生死於度外」

焯焯則表示，她曾與女朋友在公園親熱，警方勸喻他們離開。後來警方發現她的伴侶是女性，便上前截查她們，事件擾攘了半小時。她自言「置生死於度外」，不會刻意避忌與伴侶拖手、親熱。

主 ID

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寫在非刑事化十週年

作者: 陳卓章

初試啼聲

1967年，英國政府將其本國的同性戀法例修訂為非刑化。1969年，港府希望把有關法例引進香港，但遭本地華人團體強烈反對而撤回。

1977年，聖約翰大教堂牧師Stephen Sidebotham公開表示支持同性戀「合法化」。

1978年初，藝術中心總經理Neil Duncan夫婦於南華早報刊登公開信質詢政府？A並呼籲市民反對有關懲罰同性戀的刑事法例。

白色恐怖的歲月

1978年8月14日，執業律師杜菲涉嫌觸犯同性戀罪行被捕。杜菲投訴被？
 筏 z書，案件於是交由因而成立的「特別小組」處理。後來杜菲認罪，入獄3年，1981年1月出獄。

杜菲被捕後，向特別小組負責人布？
 S智警司透露，香港同性戀賣淫情況十分普遍。於是，警方決定對香港的同性戀活動，「進行大規模？
 唆d」。特別小組因而正式成立，改名為「特別調查小組」，隸屬警察總部特別行動部。特別調查小組以Rockcory為行動代號，調查同性戀賣淫活動和搜集同性戀活動的進一？
 B資料，包括同性戀者喜愛聚集的地方，以及成年人在雙方同意下而？
 i行的同性戀行為。結果，同性戀者人心惶惶，同性戀社群大為恐慌。

1979年夏天，杜菲在獄中寫了一封請願信給港督，信中提及一些很嚴？
 圍澈 情A從而間接促成同年8月？
 b港督府內舉行的特別會議。會議出席者包括港督，布政司姬達，律政師祈理士，警務處處長韓義理，警？

B副處長武毅，刑事偵緝部總主任簡乃善，和總警師方普。結果，會議制定了一份名為「憲章」的文？
 轄A明確指出Rockcory行動主要對付：(1) 同性戀賣淫活動；(2) 與十八歲以下男童發生同性戀行為的人士；(3) 在其它案件中曾涉及觸犯同性戀行為的人士；(4)

2001/8/16

由市民向警方舉報及投訴的同性戀行爲。

與此同時，隸屬新界指揮控制中心的麥樂倫督察，在元朗賓利來餐廳認識了一群華人青年，當中名叫劉偉堂的十八歲青年，和麥樂倫交換了電話。其後，麥樂倫約劉在元朗凱旋餐廳見面，之後一同？
 葵[^]了麥樂倫的宿舍。麥樂倫企圖與劉發生性行爲，但被劉拒絕？
 C此事輾轉傳到劉的朋友，曾健豪的父親，退休警署警長曾成？
 B，曾成遂於1978年8月9日零時十分舉報此事。警方接報後，將案件？
 耶瘥S別調查小組處理。

1980年1月，警方決定拘捕麥樂倫，並控以8項粗曠行爲罪，最後，導致麥樂倫於1980年1月15日，身中五槍身亡。死因法庭裁定麥樂倫「死因不明」，加上事件疑點重重，遂引起議員的強烈質詢及廣大市民的關注。事件愈鬧愈大，港府於是再次考慮修訂同性戀的法例，並？
 e任「法律改革委員會」進行有關研究。

我們不再隱形

1983年，法律改革委員會完成有關？
 聽s，十五項建議當中，其中一項爲：年滿二十一歲之男性在雙方同意並私下進行的同性戀性行爲？
 A法律不予追究。然而，有關建議被以突破爲首的教會勢力強烈反對。就在此時，一群同志，終於透過傳媒，以同志的身份，向香港社？
 I發出首度本土同志的聲音和訴求。我當時亦是其中一員，並接受？
 F商業電台，香港電台等等的訪問。

略有所成

非刑事化事件拖延至1988年，港府終於公佈一份諮詢文件，提出三個動議：(1) 維持法例不變；(2) 免除成人私下同意而進行的同性戀性行爲所需負的刑事責任；(3) 減輕刑罰。當時我正值是十份一會的會長，於是便在當時的帝蘭餐廳 (Dateline) 舉辦了一個 Propaganda Party，介紹諮詢文件的動議，並呼籲同志一人一信向政府表達我們的意願。同場我們？
 J印製了一封模範信給大家。同年，我亦出席了城市論壇，與突破的蔡？
 葆陵B槍舌劍直接對壘。同時，也前往立法局當值議員辦事處，直？
 答窳F我們的訴求。

誰是誰非

在此之前一年，即1987年，已有調查顯示各議員的意向如下：

[反對非刑事化]

倪少傑：修訂有關法例等於讓？
 R滋病擴散
 司徒華：同性戀是疾病
 廖科烈：只讚成減低刑罰，反對非？

2001/8/16

D事化

許賢發：強烈反對，認為有違道德，中國文化及教壞青少年

[支持非刑化]

楊寶坤、何錦輝、林貝聿嘉、薛浩然、鄭德健、周梁淑怡、麥理覺、李鵬飛、鮑磊。

排位

1990年7月，經烈辯論，終以三十一票對十三票通過非刑化。

[讚成議員]

布政司霍德、律政司馬富善、保安司?

B衛生福利司黃錢其濂、教育人力統籌司、經濟司、財政司翟克誠、李鵬飛、張人龍、譚惠珠、陳英麟、范?

}麗泰、潘永祥、鄭漢鈞、李柱銘、王易鳴、謝志偉、黃宏發、何承天、夏佳理、鮑磊，鄭明訓，周美德

、方黃吉雯、林貝聿嘉、劉健儀?

B梁智鴻、梁煒彤、杜葉錫恩、黃巨源。

[反對議員]

張鑑泉、鍾沛林、何世柱、許賢發、?

咗砧 B彭震海、潘宗光、鄭德健、

張子江，林偉強、蘇周豔屏、田北俊。

[明顯又莫名其妙轉風者]

司徒華 - 反對變為支持 薛浩然 - 支持變為反對，並於辯論時，把同志喻為「衣冠禽獸」

歷史就是這樣完成的

1991年3月22日，港府於憲報刊登非刑事化草案。1991年7月11日，立法局終於在只有六票反對的情況下，正式通過非刑化法例，當時我亦在場旁聽，見證了這個歷史時刻。

Julian Chan

9 July 2001

2001/8/16

2001/8/16