

Chronology of Major Events

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September 2001	The Equal Opportunities Commission (EOC) endorsed a proposal to engage two external consultants to conduct a management and structural review of the complaints handling and related matters of the EOC.
February 2002	The consultants completed the review and recommended, among other things, amalgamation of the Gender Division and Disability Division into one operational division.
28.3.2002	The EOC endorsed: (a) the amalgamation of the Gender and Disability Divisions; (b) the creation of a new Operations Division; (c) open recruitment for the new post of Director (Operations); and (d) the Administration and Finance Committee (A&FC) should follow up on the implementation of the above.
12.5.2002	The Director of Gender Division tendered her resignation.
8.7.2002	An external consultant was seconded from Australia to assist in the amalgamation of the two operational divisions and to review existing operational procedures and practices.
31.8.2002	The Director (Gender) left the EOC's employment. Her responsibilities and duties were largely taken over by the external consultant whose title was re-designated as "Gender Division Manager" (GDM).
23.10.2002	The Director (Planning & Administration) (DPA) wrote to members of A&FC, seeking approval for the proposed recruitment procedure (including the engagement of an executive search firm to assist in identifying suitable candidates for the Director (Operations) post). The letter also mentioned that, <i>"In accordance with its terms of reference, A&FC will also be requested to set up a recruitment board for this post and to approve its recommendation in due course."</i>
27.11.2002	The EOC appointed an executive search firm. The post was advertised externally and the EOC invited internal applications. The executive search firm coordinated all applications.
January 2003	The executive search firm forwarded CVs of initially short-listed candidates to the EOC Office for consideration. The then EOC Chairperson (Ms Anna WU) screened candidates from the short-list.

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22.1. 2003	The Director of Disability Division tendered his resignation. His responsibilities and duties were gradually taken over by GDM thereafter.
February 2003	The then EOC Chairperson (Ms Anna WU) invited an EOC member to jointly conduct the initial screening interviews. DPA was present at the interviews, as was a representative from the executive search firm. Four external candidates were interviewed, and three were recommended to go to the final interviews.
12.3.2003	DPA wrote to the Convenor of the A&FC, and sought approval for the composition of the Selection Panel, comprising the then EOC Chairperson (Ms Anna WU) and four EOC Members.
15.3.2003	The Convenor of the A&FC indicated his approval for the composition of the Selection Panel in a return slip.
16.3.2003	The EOC Office asked the executive search firm to approach Mr Patrick YU and assess his suitability and interest in taking up the post.
18.3.2003	In response to the request of the executive search firm, and on the instructions of the then Chairperson (Ms Anna WU), DPA forwarded brief information on Mr Yu and his contact address to the executive search firm for follow up.
19.3.2003	The executive search firm established contact with Mr Yu.
21.3.2003 to 22.3.2003	<p>The Selection Panel interviewed four candidates including the three candidates recommended to proceed to final interview and one internal candidate.</p> <p>Members agreed that one candidate would be appointable. Members also expressed the wish to interview more candidates before making a final decision. The then EOC Chairperson (Ms Anna WU) mentioned that Mr Patrick Yu, who was working in Northern Ireland, was “worth exploring”. The Selection Panel agreed that the search firm should ascertain Mr Yu’s interest and suitability.</p>
24.3.2003	The executive search firm interviewed Mr Yu over the telephone and subsequently recommended him for a further interview by the Selection Panel.
24.3.2003	The Disability Division and Gender Division were officially merged to form the Operations Division.
16.4.2003	Mr Yu was interviewed by the Selection Panel through video-conferencing. The Selection Panel considered Mr Yu the most

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	suitable candidate and another finalist also “appointable”. The Selection Panel did not meet again after 16 April 2003.
22.4.2003	The Director (Disability) left the EOC’s employment.
25.4.2003	Mr Yu and the other finalist took part in a psychological profiling exercise. The tests were completed on 30 April 2003. The test results were forwarded to the EOC Office on 9 May 2003.
Early 2003	The Secretary for Home Affairs (SHA) requested Mr Andrew LIAO to enquire if Mr Michael WONG might be willing to take up the appointment as the EOC Chairperson. Mr Liao made the enquiries and relayed Mr Wong’s replies to SHA.
16.5.2003	DPA circulated a letter to members of the Selection Panel, seeking confirmation that based on the results of the interviews and the psychological profiling exercise, the Commission could proceed to make an offer to Mr Yu; and that if Mr Yu declined, the offer would then be made to the other candidate.
19.5.2003	All members of the Selection Panel had confirmed agreement to the arrangements set out in the letter circulated by DPA on 16 May 2003.
20.5.2003	The term of appointment of six EOC Members, including two Selection Panel members expired.
20.5.2003	DPA requested the executive search firm to obtain references from Mr Yu’s present and past employers.
21.5.2003	The then EOC Chairperson (Ms Anna WU) wrote to Mr Yu, extending an offer of appointment as Director (Operations) subject to satisfactory references obtained from but not limited to his past and present employers, and his being able to take up the appointment on a date mutually agreed by him and the EOC Office.
End May 2003	SHA informed officers in the Home Affairs Bureau (HAB) that the Chief Executive (CE) was considering appointing Mr Michael WONG as the EOC Chairperson.
June 2003	SHA and two HAB officers met Mr Wong and discussed the basic terms and conditions for the post of EOC Chairperson. Mr Wong requested to continue to receive his monthly pension during his term of service as the EOC Chairperson.
7.6.2003	Mr Yu accepted EOC’s offer of appointment and advised that he would commence work on 1 November 2003.
12.6.2003	SHA sought CE’s approval for appointment of Mr Wong,

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	indicating that Mr Wong had requested to continue to receive his pension and SHA would try to resolve the matter.
14.6.2003	The executive search firm informed EOC Office verbally that the academic qualifications of Mr Yu had all been verified.
17.6.2003	SHA informed the Chief Justice (CJ) by phone that: (a) the Administration would like to appoint Mr Wong as the EOC Chairperson; and (b) Mr Wong had requested to continue to receive his pension and would be applying to CJ for permission.
19.6.2003	The Selection Panel Report on the recruitment of Director (Operations) was signed by Mr Peter YEUNG, Ms Anna WU and DPA respectively as the Chairperson, member and secretary to the Selection Panel. The report was subsequently filed for record.
19.6.2003	At the EOC meeting, the then Chairperson (Ms Anna WU) informed Members that a suitable candidate (without mentioning the name) had been identified for the post of Director (Operations) who would report for duty on 1 November 2003. She added that <i>“the appointment of Director (Operations) would be announced to staff and the public in the near future”</i> .
19.6.2003	Mr Wong wrote to CJ to seek his approval under the Pension Benefits (Judicial Officers) Ordinance: (a) to take up the appointment of the EOC Chairperson; and (b) to continue to receive his monthly pension without interruption.
23.6.2003	The Consultant/GDM was appointed to act as Director (Operations) and assumed full responsibilities of the head of the new division.
24.6.2003	In relation to the announcement of Mr Yu’s appointment with the EOC, DPA emailed Mr Yu and said <i>“.....Anna will be away from Hong Kong until mid July. As the HK Government has already announced its intention to legislate against race and you have a very relevant background in this area, we feel that it would be useful to make the announcement when she comes back in the week commencing 14 July. It would also be beneficial to include your appointment as Commissioner for the Northern Ireland Human Rights Commission in the announcement. Anna therefore asked whether you are able to hold off your resignation until the announcement? Please advise”</i>
25.6.2003	In exchanging emails with the executive search firm on reference checks, DPA said that <i>“Anna will also speak with</i>

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	<i>Patrick this afternoon and will ask him to provide one or two more referees from Northern Ireland, in addition to his current Chairman. Will provide details for you to follow up once I hear from Anna."</i>
26.6.2003	CJ sent a written reply to Mr Wong and advised, among other things, that it would be appropriate for CE to deal with his case. The letter was copied to SHA.
26.6.2003 to 27.6.2003	HAB was informed of CE's approval of the appointment of Mr Wong as the EOC Chairperson on 26 June 2003 and CE formally approved the appointment on 27 June 2003.
27.6.2003	On receipt of a copy of CJ's letter to Mr Wong, SHA sought CE's approval for Mr Wong: (a) to take up the appointment of the EOC Chairperson; and (b) to continue to receive his pension during his term of office with the EOC.
28.6.2003 to 29.6.2003	On 28 June 2003, HAB was informed of CE's approval of the recommendation not to suspend the pension of Mr Wong during his term of office as the EOC Chairperson. CE formally approved this recommendation on 29 June 2003.
30.6.2003	The executive search firm forwarded a report to DPA on four referees. The consultant said that <i>"For further referees, I have got your message and Patrick has informed me that he is currently contacting them. Will keep you posted."</i>
2.7.2003	The Government announced (a) the appointment of Mr Wong as the EOC Chairperson for a period of three years with effect from 1 August 2003 and (b) the appointment of Mrs Patricia CHU and Prof Nelson CHOW as new members of the EOC effective from 1 August 2003.
2.7.2003	<p>The executive search firm wrote to DPA, <i>"Patrick has 2 further referees in mind but feels that this is a sensitive time for us to approach the 2 referees.....However, he felt that it might be better for us to approach them in October, after the AGM. This is because his departure is not yet widely known and he is thus concerned that approaching these referees will result in discomfort."</i></p> <p>DPA wrote back, <i>"My view is that we can still make the announcement in July and information from the other two referees can wait. I'll get hold of Anna who is now on leave and get her endorsement and get back to you."</i></p>
Early July 2003	Mr Wong phoned DPA and said he would like to pay Ms Wu a courtesy visit as soon as possible. DPA informed him that

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	<p>Ms Wu was on holiday overseas and would be back in the office on 17 July 2003. Mr Wong asked DPA if he could meet her on 18 July and DPA said he would let Ms Wu know of Mr Wong's request and get back to him.</p> <p>DPA subsequently contacted Mr Wong and advised him that Ms Wu could meet him on 21 July 2003.</p>
17.7.2003	<p>The then EOC Chairperson (Ms Anna WU) returned to office after duty visit and leave. The EOC issued a press release, announcing the appointment of Mr Patrick YU as the Director (Operations). An advance copy of the press release was sent to the EOC Members and Mr Michael WONG as Chairperson Designate.</p> <p>Mr Wong subsequently received a call from DPA saying that Ms Wu could not see him on 21 July 2003, but that she would contact him herself when she was free.</p>
17.7.2003	<p>In response to a request of Mr Yu for written confirmation on specific issues, the then EOC Chairperson (Ms Anna WU) wrote to Mr Yu confirming, among other things, that the EOC was aware of Mr Yu's secondment arrangement with his current employer, the Northern Ireland Council for the Ethnic Minorities, during his term of employment with the EOC.</p>
18.7.2003	<p>A press interview with Mr Yu on his appointment to the post of Director (Operations), EOC was published in SCMP and Ming Pao.</p>
18.7.2003	<p>Ms Anna WU and Mr Michael WONG had a telephone discussion about possible handover arrangements. However, they had different recollections of the details of their conversation.</p>
28.7.2003 to 1.8.2003	<p>A familiarization visit to the EOC Office was arranged for Mr Yu.</p>
1.8.2003	<p>Mr Wong commenced his appointment as the EOC Chairperson.</p>
1.8.2003	<p>Mr Wong met with Mr Yu in his office in the presence of DPA.</p>
Early August 2003	<p>According to Mr Wong, he met with senior managers in the EOC and noted the needs of the Operations Division and the senior managers' comments on Mr Yu during his visit to the EOC.</p>
4.8.2003	<p>The executive search firm submitted a report on the verification of Mr Yu's academic qualifications in May and June 2003.</p>
15.8.2003	<p>Upon the request of Mr Wong, DPA asked Mr Yu for a written summary of his experience in handling investigation and</p>

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	complaints.
15.8.2003	The executive search firm submitted a second reference report on two additional referees to EOC, as requested earlier by the former EOC Chairperson (Ms Anna WU).
22.8.2003	Mr Yu provided a written summary of his experience in handling investigations and complaints.
22.8.2003	Mr Wong asked DPA to explore with Mr Yu the possibility of his going back to his original post and to see whether the matter relating to his contract could be amicably resolved, rather than having Mr Yu leave his job and family in Northern Ireland, come to Hong Kong, and then have his contract terminated.
3.9.2003	<p>DPA contacted Mr Yu on the telephone.</p> <ul style="list-style-type: none"> • Mr Yu said it would be difficult for him to go back to his job with his then employer. He would consider a compensation to settle the matter amicably. What EOC was considering was an anticipatory breach of contract. • DPA told Mr Yu that it might be difficult to consider six months' salary (plus cash allowance) as compensation as requested by Mr Yu. He told Mr Yu that he would convey the conversation to Mr Wong and inform him of Mr Yu's request for compensation.
5.9.2003	Mr Wong discussed with the Selection Panel Chairperson (Mr Peter YEUNG) about his reservations over Mr Yu's suitability for the post of Director (Operations). He informed Mr Yeung that he was considering recommending the termination of Mr Yu's contract of employment. Mr Yeung understood Mr Wong's concerns and expressed support.
5.9.2003	Mr Wong asked DPA to further explore the issue of settlement with Mr Yu, and to find out if Mr Yu would be prepared to accept two months' salary (plus cash allowance) as compensation if the contract were terminated.
16.9.2003	DPA contacted Mr Yu and subsequently advised Mr Wong that Mr Yu said he would consider the offer of two months' payment and get back to him.
17.9.2003	The EOC received a letter from Mr Yu's lawyers, claiming that: (a) there had been a breach of contract by the EOC; (b) they had instructions to issue proceedings for damages for breach of contract, breaches of the Bill of Rights and defamation of character against the EOC and Mr Wong personally; and (c) unless they received a proposal to settle Mr Yu's claim

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	within seven days, they would issue proceedings without notice.
18.9.2003	At the EOC meeting, Mr Wong raised the issue about the suitability of Mr Yu for the Director (Operations) post and requested the Commission to give him full authority to handle Mr Yu's contract. Having deliberated for 45 minutes, the meeting passed a resolution without any objection from any member present for voting that Mr Wong should be given full power to handle Mr Yu's contract of employment.
18.9.2003	The EOC endorsed the appointment of two advisers to the Chairperson to carry out a review of the role and organizational and management structure of the EOC.
20.9.2003	The EOC Office issued a letter to Mr Yu's solicitors, mentioning, among other things, that EOC Members and Mr Wong had formed the view that their client was not a suitable employee for the EOC and reiterating the earlier suggestion of offering him two months' salary plus cash allowance in settlement of any claim.
20.10.2003	It was reported in the press for the first time that Mr Wong continued to receive a monthly pension while taking up full-time employment as the EOC Chairperson.
22.10.2003	SHA replied to an oral LegCo question on the approval for Mr Wong to continue to receive pension during his office as the EOC Chairperson.
23.10.2003	Mr Yu held a press conference in Hong Kong, claiming that Mr Wong had unreasonably dismissed him and that this was a serious breach of contract.
24.10.2003	The EOC Office issued a statement that the EOC had given the Chairperson full power to handle Mr Yu's employment contract, and Members were in full support of the Chairperson's decision to terminate the appointment of Mr Yu.
25.10.2003	Some newspapers reported dissenting views of EOC Members on whether the EOC Chairperson (Mr Michael WONG) was authorized to terminate Mr Yu's appointment.
29.10.2003	A newspaper report mentioned that Mr Wong admitted during a recent interview that a local businessman had given his daughter a flat (in which he was residing) and four air-tickets to his family as gifts.
29.10.2003	A newspaper report mentioned that according to an internal EOC document, the former Chairperson (Ms Anna WU) gave Mr Yu's particulars to the executive search firm for

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	consideration as a candidate for the Director (Operations) post.
29.10.2003	The LegCo Panel on Home Affairs decided to hold a special meeting to examine the issues relating to the EOC.
29.10.2003	The local businessman issued a press statement denying having given Mr Wong any gifts.
30.10.2003	The local businessman convened a press conference, denying having given any air-ticket to Mr Wong.
30.10.2003	The Judiciary issued a set of responses to media enquiries regarding approval for judges and judicial officers to accept gifts and to continue to receive pension after retirement while taking up other positions.
31.10.2003	Miss Rosaline WONG, Mr Wong's daughter, issued a statement refuting allegations against Mr Wong and the report on Mr Wong's interview with a newspaper.
1.11.2003	It was reported in the press that a complaint had been lodged with ICAC against Mr Wong regarding his acceptance of air tickets.
1.11.2003	A newspaper refuted Ms Rosaline WONG's statement and alleged that Mr Wong supplied a confidential document to the newspaper.
3.11.2003	Mr Wong announced that he would attend the special meeting of the LegCo Panel on Home Affairs on 7 November 2003.
3.11.2003	The Judiciary issued a statement that they would not launch an investigation at that stage as the matter was reportedly being handled by ICAC.
4.11.2003	During a discussion in the morning between Mr Liao and SHA, SHA expressed his wish to meet Mr Michael WONG. As Mr Liao was otherwise engaged, he asked Ms Priscilla WONG to arrange the gathering.
4.11.2003	In the afternoon, the EOC Chairperson notified EOC members by fax that the special meeting scheduled for 5 November 2003 was postponed.
4.11.2003	In late afternoon, SHA, Mr Liao, Mr Wong and Ms Priscilla WONG met in Ms Wong's Chambers. Mr Wong indicated his intention to resign.
5.11.2003	In connection with the special meeting of the LegCo Panel on Home Affairs to be held on 7 November 2003, Mr Wong and DPA each provided a chronology of events relating to the

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	appointment and termination of appointment of Mr Yu to the Panel.
5.11.2003	<p>In the morning, it came to SHA's attention that the EOC Chairperson had "cancelled" the EOC meeting originally scheduled for that day. He would like to ascertain Mr Wong's intention. He therefore asked Ms Priscilla WONG to arrange another gathering with Mr Wong.</p> <p>In the evening, SHA, Mr Wong, Ms Wong and Mr Liao gathered at Ms Wong's Chambers. SHA also invited Dr Raymond WU to join them. Mr Wong mentioned that he would announce his resignation on the following day (6 November 2003).</p>
6.11.2003	Mr Wong tendered his resignation which was accepted by CE on the same day. He also read out a statement in a press conference to announce his resignation.
6.11.2003	Mr Liao issued a press statement rebutting the allegations in a newspaper about the gathering of 5 November 2003.
6.11.2003	Ms Wu issued a statement explaining the background leading to the recruitment of Mr Patrick YU as Director (Operations) and the other changes she had introduced to improve the services of the EOC.
7.11.2003	The LegCo Panel on Home Affairs convened its first special meeting on the EOC incidents. Deputy Secretary for Home Affairs attended the meeting. Mr Wong and Ms Wu had been invited but both declined to attend.
11.11.2003	The EastWeek released its issue dated 12 November 2003, with an article containing "six allegations" against the EOC and its former EOC Chairperson Ms Anna WU. The article also alleged that the allegations were based on a document drafted at the meeting on 5 November 2003 involving Mr Wong, SHA and EOC Members.
12.11.2003	SHA replied to an oral question at LegCo on the application of the "Paris Principles" to the EOC.
12.11.2003	The EOC convened a special meeting to prepare for the meeting of the LegCo Panel on Home Affairs on 14 November 2003.
12.11.2003	Ms Wu issued a statement to the LegCo Panel on Home Affairs refuting the "six allegations", alleging that it was a smear campaign against her. She reiterated that the recruitment of Mr Yu followed established procedures.
12.11.2003	Mr Wong wrote to LegCo Panel on Home Affairs saying that he

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	would not attend the Panel meeting on 14 November 2003 but would provide a written submission.
13.11.2003	The EOC Office wrote to Mr Yu's lawyers to find out what his intentions were and to indicate that the EOC was prepared to settle the matter amicably.
14.11.2003	Mr Wong provided a written statement to the LegCo Panel on Home Affairs.
14.11.2003	The LegCo Panel on Home Affairs convened its second special meeting on the EOC incidents, attended by SHA, two HAB staff, Ms Anna WU, five EOC members and two EOC staff.
17.11.2003	Mr Andrew LIAO issued his second statement rebutting allegations in a newspaper about the gathering of 5 November 2003 without first verifying the fact.
19.11.2003	SHA replied to an oral question at LegCo on the termination of Mr Patrick YU's contract by EOC.
19.11.2003	SHA replied to an oral question at LegCo on the leakage of EOC's confidential documents and the gathering on 5 November 2003.
20.11.2003	Ms Priscilla WONG issued a statement regarding the gatherings on 4 November 2003 and 5 November 2003.
26.11.2003	Mr Yu's lawyers informed the EOC that Mr Yu was seeking compensation of three years' salary plus cash allowance and an apology.
26.11.2003	SHA responded to a LegCo motion on the credibility of the EOC.
4.12.2003	The EOC convened a special meeting and decided, among other things, not to release an information paper prepared by the EOC Office in response to some of the allegations reported in the East Week Magazine of 12 November 2003.
8.12.2003	The Government announced the appointment of Mrs Patricia CHU as Chairperson/EOC for a year with effect from 15 December 2003.
9.12.2003	The LegCo Panel on Home Affairs convened its third special meeting, attended by the EOC Chairperson (Designate), SHA and other HAB staff.
18.12.2003	The EOC's legal representative wrote to Mr Yu's lawyers, reiterating the EOC's offer of payment to settle the case.

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9 and 19.1.2004	Mr Yu's lawyer wrote back and rang EOC's legal representative to discuss their client's claims.
9.1.2004	As it was the Administration's decision then not to appoint a commission of inquiry, the LegCo Panel on Home Affairs recommended the setting up of a select committee to inquire into the processes of appointment and termination of appointment of Mr Patrick YU, and the circumstances surrounding the resignation of Mr Michael WONG.
10.1.2004	The EOC decided that a review of its major human resource management (HRM) policies, procedures and practices should be conducted.
14.1.2004	At its fourth special meeting, the LegCo Panel on Home Affairs discussed the terms of reference of the proposed select committee to be set up to inquire into the incidents which had affected the credibility of the EOC and related issues.
29.1.2004	At its fifth special meeting, the LegCo Panel on Home Affairs agreed on the terms of reference and size of the proposed select committee and decided to submit the proposal to the House Committee on 13 February 2004.
13.2.2004	Pending the Administration's response on whether it would appoint an independent committee or panel of inquiry, the LegCo House Committee decided to defer making a decision on the proposal to appoint a select committee to inquire into the incidents relating to the EOC.
19.2.2004	SHA informed LegCo House Committee that he would appoint an independent panel of inquiry to look into the incidents relating to the EOC.
20.2.2004	The LegCo House Committee supported the appointment of an independent panel of inquiry by SHA with the agreed terms of reference.
23.3.2004	The EOC's legal representative wrote back to Mr Yu's lawyers strongly refuting their allegations. Nevertheless, it was indicated that the EOC was prepared to reopen its offer to Mr Yu of a payment in full and final settlement of his claim against the EOC and /or any party for whom the EOC might be vicariously liable.
24.3.2004	The EOC decided to set up a review team comprising two EOC Members and DPA to tackle the problem of leakage of confidential information to the media.

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16.4.2004	Mr Yu rang DPA and said, among other things, that:- <ul style="list-style-type: none"> • He would like to settle his demand for compensation with EOC as soon as possible before the commencement of the inquiry by the Independent Panel of Inquiry; and • It was his preference to settle the matter amicably and not to take legal action to resolve the matter.
April 2004 to 19.5.2004	There were exchanges of correspondence between the lawyers of the two parties; and between Mr Yu and DPA regarding the wording of the settlement agreement.
15.5.2004	SHA announced the appointment of the Independent Panel of Inquiry (IPI) on the Incidents Relating to the EOC.
18.5.2004	The Government announced the re-appointment of incumbent EOC members, who had served for more than six years, for one year with effect from 20 May 2004.
25.5.2004	The EOC and Mr Yu signed the settlement agreement.
27.5.2004	The EOC and Mr Yu issued a joint press statement, stating that they had reached agreement and they would fully co-operate with the IPI on its terms of reference.
July 2004	The EOC's Review of the Role and Organizational and Management Structure of the Commission (the Organizational Review) was completed.
September 2004	The Review of the EOC's HRM Policies, Procedures and Practices (the HRM Review) was completed.
2.12.2004	The EOC accepted the report of the Organizational Review and the HRM Review for further consideration and implementation.
15.12.2004	Mrs Patricia CHU ceased to be the EOC Chairperson following the expiry of her one-year contract on 15 December 2004. She also resigned from the EOC membership on the same day.
15.12.2004	The Government announced the appointment of Mr Raymond TANG as the EOC Chairperson for a term of five years with effect from 12 January 2005.