



To eliminate health inequity in societies 消除社會上的健康不公平

The Legislative Council Subcommittee on Rights of Ethnic Minorities
23 January 2018 Meeting on
"Implementation and review of the Administrative Guidelines on
Promotion of Racial Equality"

Submission from Health In Action

1. We wish to first express our gratitude to the Legislative Council Members who have voted in favour of the proposal for the Subcommittee on Rights of Ethnic Minorities (“the Subcommittee”) to extend the period of its work to 1 November 2018. In particular, we wish to express our sincere appreciation to Members of the Subcommittee for their efforts in the past year in studying the policies relating to ethnic minorities and working with the community to make suggestions.

2. Key responsibility of CMAB in co-ordinating and supporting relevant public authorities to implement the Guidelines

Based on our organization’s observations and participation over the past year in the Subcommittee’s meetings, we take this opportunity to highlight the importance of the Constitutional and Mainland Affairs Bureau’s (CMAB) role in co-ordinating across different bureaux to ensure meaningful implementation of the Administrative Guidelines on Promotion of Racial Equality (“the Guidelines”). From the responses of different public authorities during the Subcommittee’s meetings, it was apparent that there is a lack of overall co-ordinating body to take responsibility of effective implementation of the Guideline’s measures. We have identified two areas which we hope the CMAB could step up in order to support the relevant public authorities to take appropriate measures, namely the sharing of good practices and routine data collection.

3. Ineffective sharing of good practices between public authorities

Paragraph 5.5 of the Guidelines clearly stated CMAB has the responsibility to facilitate experience learning between public authorities on staff training to promote racial equality. However, it is not clear whether or how the CMAB has done so effectively, as we have observed that the implementation of the Guidelines is highly varied among different public authorities. For example, Hospital Authority has provided over 10,000 interpretation services in 2015-16, while Housing Department has only received 12 requests for interpretation service in the past three years. Another example, Labour Department has recently employed ethnic minorities contract staff but such good practice was unknown to Working Family and Student Financial Assistance Agency (WFSFAA).

Suggestions:



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- i. CMAB to enhance measures to facilitate arrangements for experience sharing between public authorities, as stated in paragraph 5.5 of the Guidelines, so they could learn from each other for overall promotion of racial equality;
- ii. CMAB to implement the suggestion stated in paragraph 4.10 of the Guidelines to request public authorities to draw up and publicize checklist of measures that would assist equal access to key public services;
- iii. CMAB to review the scope of public authorities to be covered by the Guidelines, as stated in paragraph 1.5 of the Guidelines, such as including WFSFAA and other public authorities which provide public services to ethnic minorities that facilitate their societal integration.

4. Existing gap of data collection must be addressed for service needs identification and measures evaluation

Paragraph 4.6 of the Guidelines clearly stated that public authorities should take appropriate steps to facilitate assessment of their measures, including collection of relevant information and statistics. However, there is currently an urgent gap in the routine data collection of the number of ethnic minorities accessing different public services. For example, Hospital Authority has stated during the Subcommittee's public hearing that it shall not collect ethnicity data as it was concerned that this would constitute racial discrimination. Thus, there is a genuine need for individual public authorities to receive guidance from an overarching body in order to collect statistics in an appropriate manner.

Suggestions:

- i. CMAB to study and follow up on how public authorities could collect routine data to facilitate their assessment of measures to ensure racial equality and equal access to public authorities for ethnic minorities, such as by studying the practices of other countries;
- ii. CMAB, Equal Opportunities Commission, or another suitable body, to publish guidelines for public authorities to ensure good practice in data collection.
- iii. CMAB to consult with relevant stakeholders, including ethnic minority communities and NGOs, when devising the above proposed guidelines, in line with paragraph 4.6 of the Guidelines regarding consultations.

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Health In Action was established in 2011 and is a registered non-governmental organization in Hong Kong. Our vision is to eliminate health inequity in societies and we firmly believe that health is a fundamental human right for all, irrespective of race, religion, gender or political affiliation. We aspire to drive positive social change through cycles of service, research, and advocacy. Our current target beneficiaries include local working poor families, ethnic minorities, and refugees. Health In Action is a member of the Hong Kong Council of Social Service and is in Special Consultative Status with the Economic and Social Council.

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