

Subcommittee on Rights of Ethnic Minorities

Poverty Problems of Ethnic Minorities

Submission from the Equal Opportunities Commission

Purpose of the Paper

The Poverty Situation Report on Ethnic Minorities 2014 brought to light the disturbingly high poverty rate of South Asians, with the report stating that “their poverty situation warrants concern”. Among the South Asians, it was the Pakistanis with a poverty rate of 50.2% that is most severe followed by the Nepalese with a poverty rate of 13.6%.¹ The Equal Opportunities Commission (EOC) made a submission to the Subcommittee on Poverty on 17 November 2015 listing a number of recommendations to alleviate the poverty situation of ethnic minorities (EMs), particularly the South Asians.² This paper sets out to provide further recommendations, wherever appropriate, taking into account the developments since then.

Protection under the Race Discrimination Ordinance

2. The Race Discrimination Ordinance (RDO) prohibits discrimination against any person on the ground of his/her race in employment, education, access to goods, facilities and services, among other areas. These three areas are critical for

¹ Government of the Hong Kong Special Administrative Region (2015), *Hong Kong Poverty Situation Report on Ethnic Minorities 2014*. Retrieved from http://www.povertyrelief.gov.hk/eng/pdf/2014_EM_Report_Eng.pdf

² Equal Opportunities Commission (2015), *Submission to the Subcommittee on Poverty on 17 November 2015 on Poverty Problems of Ethnic Minorities*. Retrieved from http://www.legco.gov.hk/yr12-13/english/hc/sub_com/hs51/papers/hs511117cb2-285-1-e.pdf

one's well being, in particular economic prospects and opportunities that have a direct bearing on poverty.

3. EOC's previous submission gave details of how certain direct and indirect race discrimination in the areas of education, employment and access to services impact EM's ability to gain employment and education, access employment services and education services, and enjoy equal opportunities to improve their financial situation in general.³

4. Additionally, language as a barrier in accessing government aid and allowances specifically meant for poverty alleviation could lead to indirect discrimination. Often, lack of awareness of such schemes due to the language barrier and difficulties with filling up the necessary paperwork in order to avail of the assistance often hinder EMs from benefiting from them.

EOC's Recent Work on the Issue

5. Promoting equal opportunities for EMs in the areas of education, employment and access to services has been one of the strategic priority areas for the EOC. The dedicated EM Unit (the "Unit") has made 10 submissions on these subjects to different panels and subcommittees under the Legislative Council over the past two years, mostly focusing on removing barriers in the way of upward socio-economic mobility for the underprivileged EM groups, especially those of South Asian ethnicity.

³ Equal Opportunities Commission (2015), *Submission to the Subcommittee on Poverty on 17 November 2015 on Poverty Problems of Ethnic Minorities*. Retrieved from http://www.legco.gov.hk/yr12-13/english/hc/sub_com/hs51/papers/hs511117cb2-285-1-e.pdf

6. The Unit has also met a number of Government Bureaux/Departments to advance support for EMs. To address the poverty issue of EMs, meetings with the Labour Department, Social Welfare Department and Working Family & Student Financial Assistance Agency have been held in 2016 to put forth a list of suggestions on facilitating eligible EMs to get access to financial assistance from the Government, such as the Low Income Working Family Allowance, School Textbook Assistance Scheme, Work Incentive Transport Subsidy Scheme, Comprehensive Social Security Allowance, etc. Major recommendations included intensifying promotion of these subsidy schemes to the EM population; actively providing language supports for the applicants; and improving the cultural sensitivity of the frontline staff in processing applications from EMs. Some measures have been taken by certain Government Departments, such as formulation of staff guidelines for the provision of interpretation service to EM applicants; translation of application form and guidelines into EM language template for reference; cultural sensitivity training sessions for frontline staff, etc.

EOC's Recommendations

7. Despite the steps taken above, the EOC believes there is still a lot of work to be done and hereby makes the following recommendations:

Expanding Job Opportunities for Ethnic Minorities

8. Many EMs in the South Asian community in Hong Kong are often relegated to certain stereotypical jobs and industries, which are low-skilled and low paying, such as construction and delivery, even though in some cases the EMs may be professionally qualified. The barrier holding them back is mostly language. While the EOC recognizes that Chinese language proficiency is a genuine requirement for

many jobs in Hong Kong, one should also take note of the changing profile of EMs in the recent past. Many young EMs are fluent in speaking the language, though their literacy levels may be low. Industries must recognize this pool of human resource, which may be competent to handle the needs of the job, and facilitate their equal participation in economic activities. A big push is needed in order to create opportunities in sectors and industries which either do not consciously consider EMs or are unaware of the possibility of hiring EMs. The EOC believes that large, visible employers such as the Government, public utilities, public transport companies and major public bodies should create more job opportunities for EMs as part of their social responsibility and provide a leading example for others to follow. The EOC urges these organizations to re-look at their recruitment criteria, including language requirements critically to make sure they are truly commensurate with the needs of the job. In addition, companies should consider creative ways of overcoming the language barrier such as

- On-the-job language learning: Chinese language that is required for the satisfactory performance of the job can be made part of the training
- Training with English support: Some training apprenticeships are out-of-bounds for EMs as the language of training is only Chinese. For those EM candidates who can speak Cantonese fluently but have limited proficiency in reading and writing Chinese, the hurdle can be readily overcome by offering materials in English. The recent example of a Pakistani who passed the licensing examination for becoming a taxi driver against all odds as most classes are conducted in Cantonese and the materials are in Chinese is a case in point. He had a hard time finding materials in English.
- Qualification examinations in English: Organizations which require recruits or trainees to take an examination at the end of the training could allow for them to be written in English instead of only in Chinese.

9. The Belt and Road Initiative by the Government is clearly one where Hong Kong's homegrown EM youth can play a significant role. These youth have the dual advantage of knowing Hong Kong as well as some countries along the proposed belt and road. They have familiarity with the language, culture and codes of conduct in some of these countries. The Belt and Road Office is highly recommended to tap into this pool, nurture their natural strengths and loyalty to Hong Kong by helping them gain the necessary academic and other skills to participate in projects that are part of the Belt and Road Initiative. Many EM students from low-income South Asian families lack the resources and motivation to pursue higher education. A scholarship scheme tied to the Initiative, such as the one provided for students from ASEAN countries to study in Hong Kong would go a long way in making these students competent to represent Hong Kong along the belt and road countries. Otherwise, it would be a shameful waste and gross oversight if this resource pool is ignored.

Promoting Upward Social Mobility through Education

10. We have reiterated in previous submissions the importance of Chinese language learning support for EMs as the language barrier is undeniably the single most important factor leading to reduced employment opportunities for EMs and thereby to inter-generational poverty. The Education Bureau (EDB) is once again urged to provide data on the effectiveness of the Chinese Language Curriculum Second Language Learning Framework (Learning Framework) that has been in place since 2014. We request follow up on the motion passed by this Subcommittee on 12 December 2016 that comprises three main points:

- Formulate a set of clear and objective indicators for monitoring the effectiveness of the Learning Framework and provide improvement plans
- Provide teachers with more unified and suitable teaching materials and guidelines
- Collect and make public the data relating to non-Chinese speaking students in various primary and secondary schools to ensure follow up studies by various stakeholders

11. Training courses in English must be offered by the Vocational Training Council in more areas that encourage EMs to look beyond the stereotypical few they are largely confined to. Alternatively, English support by way of learning materials in English must be provided for courses run in Cantonese for the many EMs who can speak and understand Cantonese but have difficulty with reading and writing Chinese.

Strengthening Language Support & Cultural Sensitivity in Provision of Financial Assistance

12. The Government has in place several schemes that provide assistance to low-income families. In general, most EMs are aware of long-standing schemes such as CSSA etc. However, it has come to our attention that information about schemes when newly launched, such as some newly introduced subsidy items under the Community Care Fund, are not easily available to EMs. We urge the concerned Government Bureaux/Departments to take effective steps to disseminate information about their financial assistance schemes among EM communities such as providing information in EM languages to begin with.

13. Sometimes, the issues could be readily addressed by cutting through the red tape. According to a survey conducted by the Diocesan Pastoral Centre for Workers (Kowloon) last year, even though the EDB had translated the “Household Application for Student Financial Assistance Schemes” information leaflet into six EM languages, only 5.94% of EM respondents had obtained the leaflets in their first language from the school.⁴ The EOC recommends a more coordinated and consistent effort by the EDB and schools in disseminating this information to EM students and parents.

Conclusion

14. In conclusion, if one were to accept that education and employment are fundamental to combating poverty, then the solution is to make sure that barriers and hurdles that prevent access to the two should be removed. Making education and employment opportunities equitable, fair and accessible are the only ways in which EMs can be lifted out of their cycle of poverty. Fair does not necessarily mean equal and therefore, the government may need to consider positive discrimination, reasonable accommodation and affirmative action in order to achieve substantive equality where needed.

Equal Opportunities Commission

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⁴ Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers – Kowloon (2016), *Accessibility of the South Asian Ethnic Minorities to “Financial Assistance Schemes for Primary & Secondary Students” in the 2015-16 School Year*. Retrieved from http://dpcwkl.hkcccla.org.hk/document/I08_08.pdf