

**Study on Discrimination
against Ethnic Minorities
in the Provision of Goods, Services
and Facilities, and Disposal and
Management of Premises**

Report

**This project is commissioned by
Equal Opportunities Commission**

to

Mercado Solutions Associates Ltd.

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Table of Contents

| | |
|---|-----------|
| EXECUTIVE SUMMARY | 1 |
| 1 BACKGROUND & SURVEY OBJECTIVES..... | 12 |
| 2 METHODOLOGY | 14 |
| 2.1 ONE-TO-ONE IN-DEPTH INTERVIEWS | 14 |
| 2.2 AUDIT CHECKS | 15 |
| 2.3 FOCUS GROUP DISCUSSIONS WITH GOODS / SERVICES PROVIDERS..... | 16 |
| 2.4 POINTS TO NOTE | 17 |
| 3 SURVEY FINDINGS – IN-DEPTH INTERVIEWS | 19 |
| 4 SURVEY FINDINGS – AUDIT CHECKS | 24 |
| 5 SURVEY FINDINGS – FOCUS GROUP DISCUSSIONS..... | 28 |
| 6. CONCLUSION & RECOMMENDATIONS | 33 |
| APPENDIX A – LITERATURE REVIEW | 35 |
| APPENDIX B – DISCUSSION GUIDES & AUDIT CHECKING FORM | 38 |

EXECUTIVE SUMMARY

Introduction

1. The Equal Opportunities Commission (EOC) commissioned Mercado Solutions Associates Ltd. (MSA) to conduct a study to evaluate the types and degrees of discrimination against ethnic minority groups related to the provision of goods, services and facilities, and disposal and management of premises. This summary highlighted the major findings of the study.

2. In this study, data collection was from three sources, namely one-to-one in-depth interviews with ethnic minorities who experienced related discrimination, audit checks involving mystery shoppers, and focus group discussions with goods / services providers. The fieldwork was conducted from April to July 2015.

| One-to-one In-depth Interviews | |
|---------------------------------------|--|
| Survey coverage & focuses | <ul style="list-style-type: none">- 15 ethnic minorities who experienced discrimination in the concerned aspects- Aimed to obtain more understanding on the discriminatory cases perpetrated by providers of different service sectors / industries |
| Respondents' profile | <ul style="list-style-type: none">- Wide spectrum of races, including Indian, Pakistani, Nepalese, Malaysian and Nigerian- Different sexes, ages and occupations |
| Audit Checks | |
| Survey coverage & focuses | <ul style="list-style-type: none">- 4 ethnic minorities were deployed to act as mystery shoppers for checking whether there were any subtle and overt denial of goods and services and increased surveillance against ethnic minorities by goods / services providers- 2 Chinese and 2 Caucasian were also deployed as mystery shoppers in the exercise, so as to compare the results against the ethnic minority cases |
| Survey design | <ul style="list-style-type: none">- In total, 91 visits were made, covering different industries (property agency, retail, restaurant, personal services & facilities, financial, transportation, employment and education services) |
| Checkers' profile | <ul style="list-style-type: none">- Wide spectrum of races, including South Asian, African, Chinese and Caucasian- Different sexes and ages |
| Focus Group Discussions | |
| Survey coverage & focuses | <ul style="list-style-type: none">- Goods / services providers from different industries and organization sizes- Aimed to collect views from goods / services providers with regard to discrimination against ethnic minorities, and to evaluate racial stereotypes perceived by goods / services providers against ethnic minorities |
| Survey design | <ul style="list-style-type: none">- 4 focus groups were conducted: 2 for large companies (with company size ≥ 50 employees) and 2 for SMEs (with company size < 50 employees)- Wide spectrum of industries |
| Respondents' profile | <ul style="list-style-type: none">- Front line managers from large companies & persons-in-charge from SMEs |

Key Findings – One-to-one In-depth Interviews with Ethnic Minorities

(Target: ethnic minorities who experienced discrimination)

Experiences of Discrimination

3. Key points mentioned by the 15 respondents relating to their experiences of discrimination were summarized below.

Accommodation

4. Typical cases encountered by ethnic minorities that warranted a racial discrimination included:

- Property agencies just asked ethnic minorities to leave, saying that property owners did not want to lease their flats to ethnic minorities.
- Property owners agreed renting the properties to them over the phone, but refused to do so once they noticed that the parties were ethnic minorities.

5. Regarding the services provided by property agencies, ethnic minorities considered that they would solely serve the landlords rather than helping them to find suitable accommodation. Even if property agencies collected their requirements, only a few of them would respond and source the flats for them eventually.

6. Some respondents claimed that finding flats in some districts were more difficult than others, such as Hung Hom, Mong Kok and Sham Shui Po.

Financial services

7. Despite the fact that all respondents are Hong Kong residents, some of them claimed that they were refused by banks for opening bank accounts and applying for credit cards, even they had submitted all the required documents (such as a copy of HKID card, address proof, employment letter, etc.). Moreover, some of them were asked to provide the passport of their born countries as document proof, although they were permanent residents of Hong Kong.

8. One of the respondents mentioned that his mother was refused by a bank staff for opening an account, by giving the reason that she was a housewife and did not need a bank account.

9. A majority of the respondents claimed that they were refused for applying for credit cards, even though some of them had accounts with the banks.

Transportation services

10. Taxi drivers would deliberately pick Chinese passengers, even though the ethnic minority respondents were standing in front of them. The drivers would just ignore ethnic minorities.

11. For the public transportation services, a few respondents said that bus drivers did not stop for them, even though the drivers saw them waving the hands. Besides, some respondents said mini-bus drivers usually treated them impolitely. In one of the cases, the mini-bus driver allowed local Chinese passengers to pay the fare later, yet demanded the respondent to pay immediately after boarding.

Retail and personal services

12. A number of respondents claimed that sales persons of retail shops usually served Chinese customers before them. Some respondents mentioned that they were constantly put under surveillance when they entered shops, and were requested to have their handbags checked when leaving the shops. A few respondents said that they were denied by shop sales for trying on the clothes, but Chinese customers were allowed to do so.

13. For beauty and hair salons, some respondents claimed that they needed to wait for a longer time to be served, and to some extent their treatment or service was inferior to Chinese customers though they were paying the same price for the service.

Catering services

14. Some respondents felt that they were ignored by waiters when dining in restaurants. They observed that waiters would respond to Chinese customers more quickly and promptly, whilst they had to wait for a long time to be served.

15. Some respondents claimed that waiters always gave a strange facial expression to them when they entered Chinese / local-style restaurants, unless they were accompanied by their Chinese friends / relatives.

16. As a consequence, most of the respondents said that they mostly dined in the restaurants which served the cuisine of their own unique customs or western fast food stores.

Other services

17. When being asked if they were discriminated or treated unfairly in other aspects, some respondents commented that they have encountered some problems when receiving medical services in public hospitals, whilst no problem was encountered in private clinics.

18. The problems encountered included:

- Medical staff of public hospitals did not take their cases seriously, and their time for doctor consultation was shorter than local Chinese. A case mentioned by one of the respondents was that, her mother felt pain in her chest and went to the public hospital. The doctor only examined her mother for less than 2 minutes and mentioned that no problem was observed. The respondent then requested a translator to be present to ensure that they could communicate clearly to the doctor. Afterwards, the doctor took the case seriously and made suitable diagnosis.
- Another respondent claimed that she waited to see the doctor and observed that many Chinese patients could see the doctors prior to her case. Upon checking with the registration counter, the nurse mentioned that she did not respond when they called her to the medication room. The respondent claimed that she did not leave the waiting area and should not miss her order. Later, she heard that the nurse talked to other colleagues and said “no one knows how to pronounce her name”, which made her feel unfair to wait for a long time.

19. Another common problem encountered by male ethnic minorities was that they were always picked by the police for checking identity cards or even conducting body search, which made them feel embarrassed.

Views on Overall Situation in Hong Kong

20. Despite facing unfair treatments in daily life, none of the respondents would consider filing a complaint to government organizations. They worried that their race would be labelled as trouble-makers. Moreover, they thought that discrimination is a long term issue which cannot be solved through lodging a complaint.

21. Most ethnic minorities considered themselves as Hong Kong people and decided to develop their career and to have their family settled down in Hong Kong in the long run. They wanted to know more about the rights they were entitled to. Thus, more educational work in this aspect may be considered.

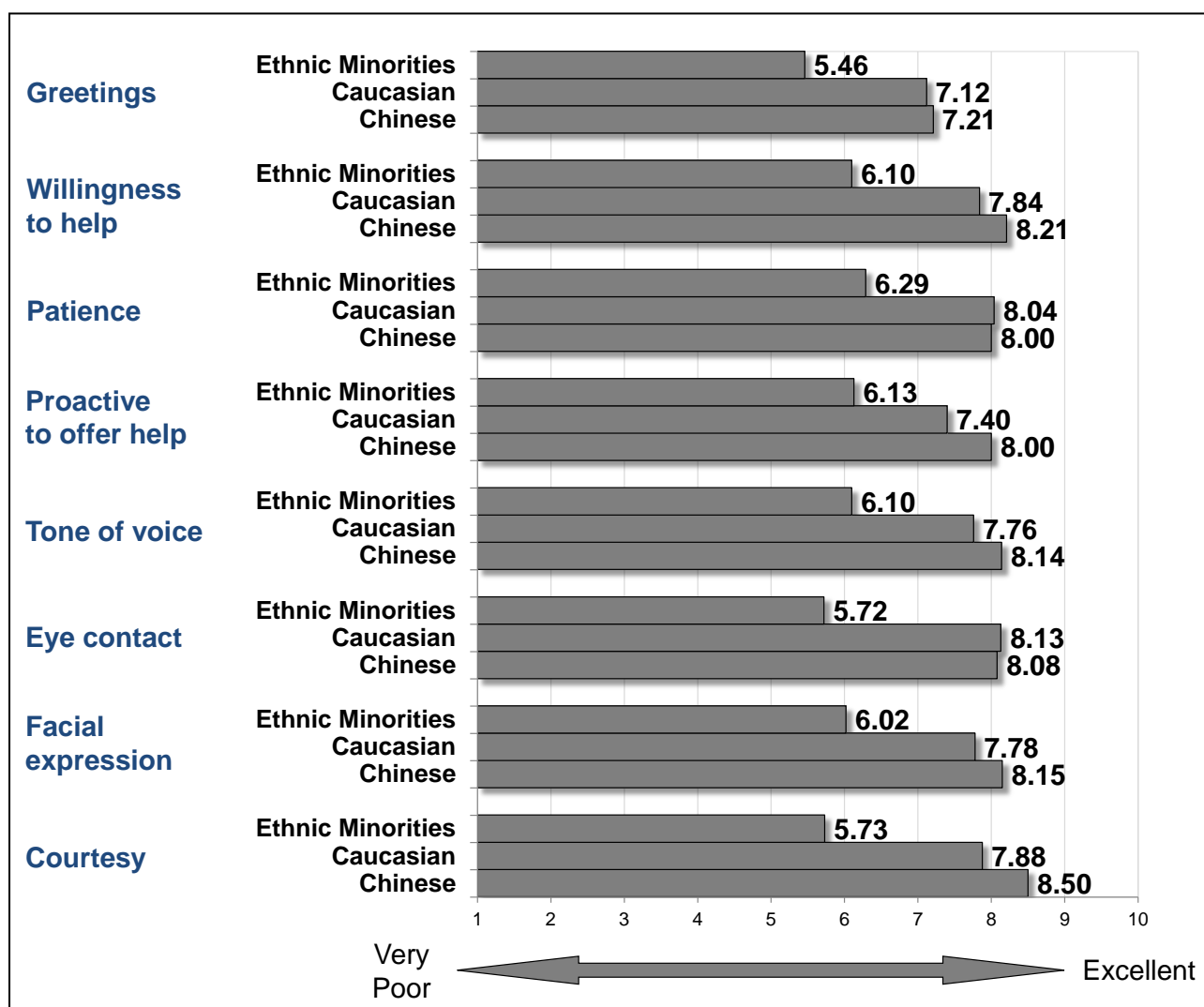
22. They observed that racial stereotyping was more serious among older generation, while younger people were nicer to them. They suggested organizing more mixed community activities for ethnic minorities and local Chinese (e.g. sharing custom cuisine).

23. To summarize, most respondents thought that racial discrimination in Hong Kong was improving when compared to what had happened decades ago. More importantly, they considered themselves as Hong Kong people and thus should receive equal treatment as local Chinese.

Key Findings – Audit Checks of Goods / Services Providers

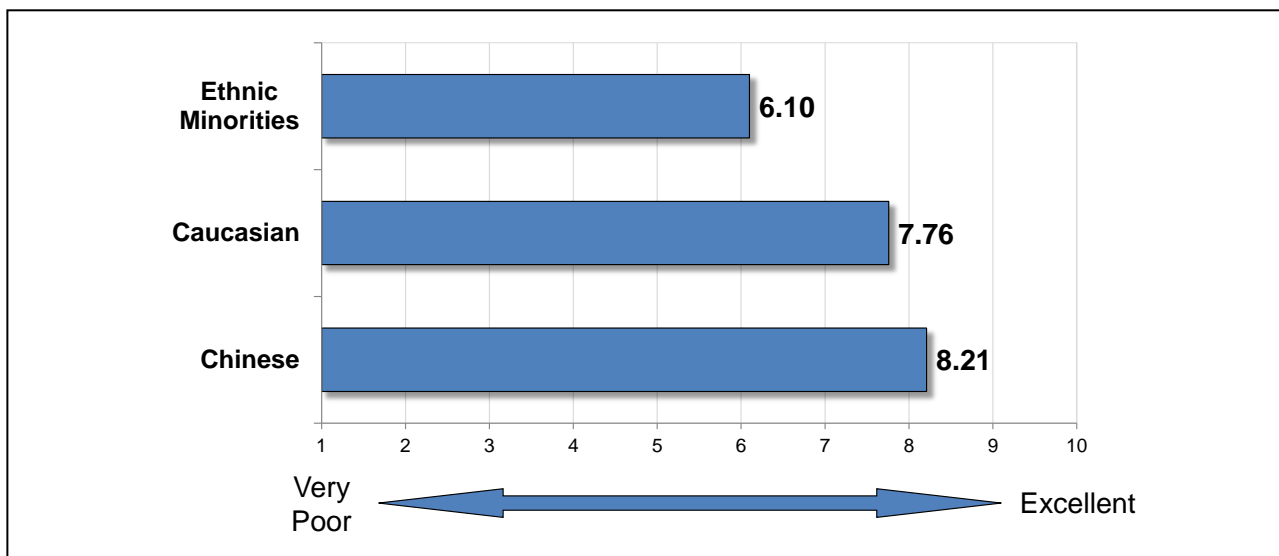
24. Based on the audit checks conducted by ethnic minority, Caucasian and Chinese checkers, it was noteworthy that level of service performance evaluated by ethnic minorities appeared to be worse than the Caucasian and Chinese in different aspects. Average ratings of different aspects given by the ethnic minorities ranged from 5.46 to 6.29 (in a scale of 1 – 10, where 1 denotes “very poor” and 10 denotes “excellent”), whereas the corresponding ratings by Caucasian (7.12 – 8.13) and Chinese (7.21 – 8.50) were relatively higher. The chart below summarized the average ratings of service performance of goods / services providers in relation to different aspects.

Average ratings of the service performance of goods / services providers



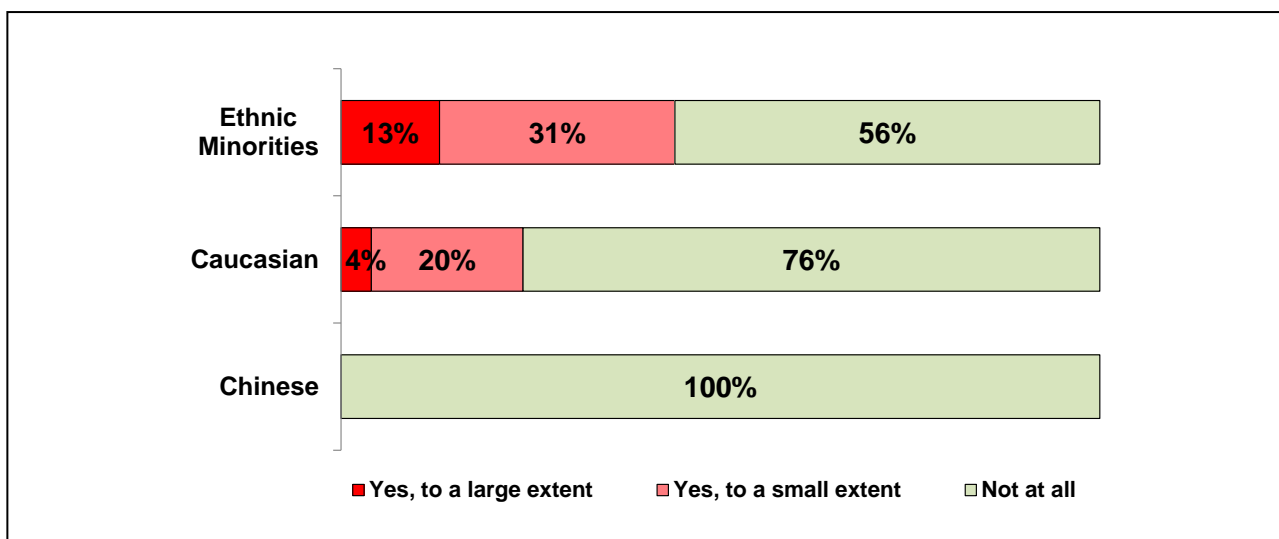
25. An average rating of the overall service performance of the goods / services providers evaluated by ethnic minority checkers was 6.10, whilst the corresponding ratings for Caucasian and Chinese checkers were 7.76 and 8.21, respectively.

Average ratings of the overall service performance of goods / services providers



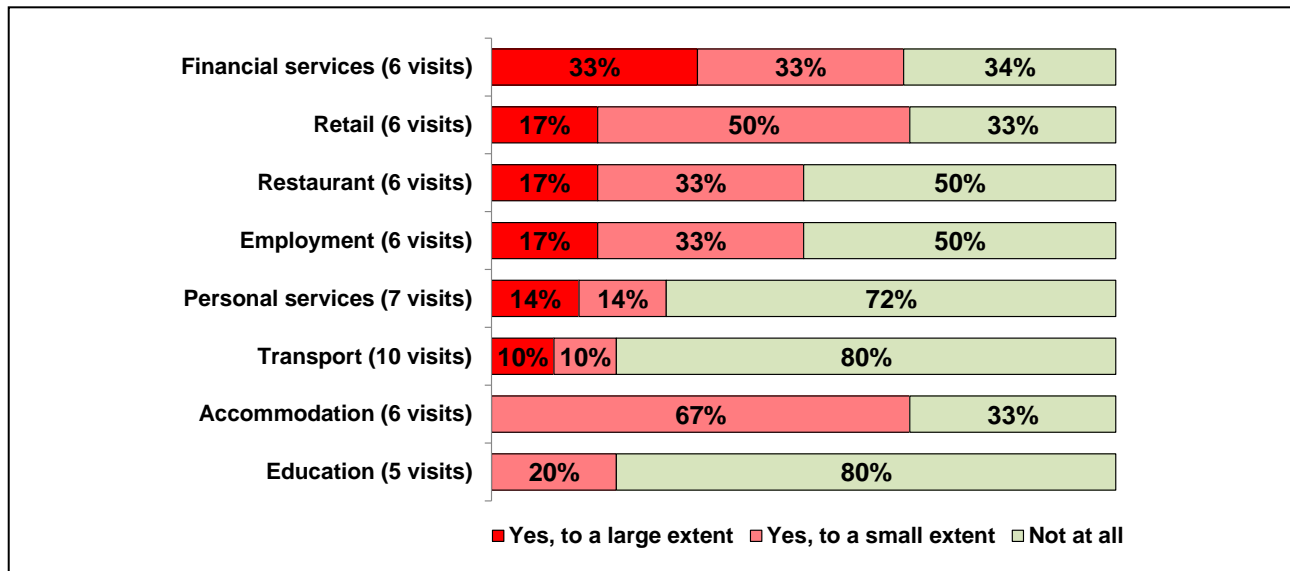
26. As a consequence, 13% of the ethnic minority checkers considered that there was a large extent of discrimination during the audit checks and 31% considered so but at a less extent. Nevertheless, more than half (56%) did not observe any discrimination at all. In the case of Caucasian checkers, about three-quarters (76%) did not consider any discrimination during their audit checks, whilst 24% considered the opposite (4% to a large extent and 20% to a small extent). For the Chinese checkers, none of them experienced any discrimination at all.

Whether considered being discriminated



27. When analyzed by different service sectors, a relatively higher proportion of the ethnic minority checkers claimed that they had encountered a large extent of discrimination in the financial services (33%), followed by retail, restaurant and employment services (each with 17%) during the audit checks.

Service sectors in which the ethnic minority checkers encountered discrimination



Key Findings – Focus Group Discussions with Goods / Services Providers

Views on the Ethnic Minorities

28. Focus group participants did not agree that they held any discrimination acts against ethnic minorities in the provision of goods and services. In fact, all of the goods and services providers claimed that they would deliver the same level of customer services regardless of the nationality and race of their customers.

29. Nevertheless, property agencies acknowledged that some Chinese property owners did not want to lease their properties to ethnic minorities for worrying that:

- ethnic minorities may not pay their rent on time;
- they may cause disturbances (such as smelly food) to neighbours; and
- they may leave the properties messy and with an odor due to their cooking habits upon termination of the lease.

30. The participants also shared their views on cultural differences, which made the goods / services providers to treat the ethnic minorities differently.

Property agency

- Ethnic minorities are generally mean and like to haggle over the prices or benefits.
- Some ethnic minorities would under-report the number of persons to be living in the property, and this is likely to lead to a quicker deterioration of interior finishes, household fixtures and fittings.

Hotel

- Ethnic minorities would demand for more complimentary bottles of water and toiletries stuff.
- Some ethnic minorities made a mess of the hotel room and in one extreme case, they cooked curried food in the hotel room.

Retail

- Ethnic minorities would allow their children to run around the stores when they were shopping.
- They would not consider other people by leaving the mess behind after shopping.

- Some of them might secretly try on some clothes (e.g. underwear), which was not allowed without the salesperson's consent.

Catering

- One restaurant owner said she had received complaints from local customers, that the ethnic minorities sitting next to them were too noisy, and asked the restaurant owner to move them to other tables.
- When asked if front line staff would avoid serving ethnic minorities, the restaurant owners said their staff might be worried about taking wrong orders because of the language barrier.

Personal services

- Ethnic minorities would insist on doing the treatment despite the hairdresser / beauty advisor explained that the treatment might not be suitable for them. Thereafter, they would put the blame on the hairdresser / beauty advisor about the dissatisfactory outcomes and request additional treatment.

Views on the Overall Situation in Hong Kong

31. Many respondents thought that incidents of conflict and misunderstanding were mainly caused by cultural differences. Ethnic minorities were suggested to attend the courses for new arrivals, such that they could know more about the local culture and living style in Hong Kong.

32. Apart from the cultural differences resulting in hiccups when serving ethnic minorities, participants of the focus groups acknowledged that language barrier was also a major problem when serving ethnic minorities. Most of the participants claimed that while their frontline staff could manage simple English, it might be difficult for them to pick up the accents of South Asians and Africans. As a consequence, frontline staff would seek assistance from their supervisor and there were cases that ethnic minorities would consider the staff not respecting them. Some respondents said they would consider providing more training to their staff (e.g. giving a smile and some gestures showing the meaning "please wait for a moment").

33. They also suggested the government to provide more information about the definition of racial discrimination, such that they could have a more comprehensive understanding about the issue.

Conclusion & Recommendations

34. In conclusion, the study revealed that it is not uncommon for ethnic minorities to encounter discrimination in receiving goods, services and facilities, and disposal and management of premises. Moreover, the audit checks also reconfirmed that goods / services providers' service levels were different for ethnic minorities as compared to Chinese and Caucasian.

35. From the ethnic minorities perspective, discrimination encountered in the property and financial sectors was the most critical and intolerable to them as these services would definitely affect their basic living. Even though it is not usual for them to constantly look for rental flats, open bank accounts or apply for credit cards etc., it is imperative for the Government to set a higher priority to promote equality of opportunities between persons of different races in these sectors.

36. As for other service sectors, such as retail, catering and transportation, discrimination against ethnic minorities still exists but not severe. It was observed that language barrier is a prominent issue creating dispute between goods / services providers and ethnic minorities. Although business owners suggested that they could provide in-house training for their staff to improve their communication skills when serving different customers, the Government may consider line-up with other organisations and NGOs to provide more vocational training particularly in handling ethnic minority customers.

37. Although most of the business owners and frontline managers in the focus groups claimed that they would not discriminate customers based on their races, the study revealed that prejudice still exists for which long-term education is required to change the attitudes of the local Chinese people.

38. While most ethnic minorities did not make any complaints when they have encountered discrimination because they were afraid that others would label them as "trouble-makers", still many of them were not aware of the channels for filing complaints. As such, EOC may consider launching some Announcement of Public Interests (APIs) in different languages (or with subtitles in different languages) to reinstate the rights of ethnic minorities and to inform them about the actions they could take when facing discrimination in their daily life.

39. Some of the ethnic minorities acknowledged that cultural difference is a key factor of racial discrimination. It is suggested that the Government may consider organizing some major events similar to the Racial Harmony Day in Singapore such that ethnic minorities and Chinese could get together to value the multicultural environment of Hong Kong.

1 BACKGROUND & SURVEY OBJECTIVES

The Equal Opportunities Commission (EOC) has the statutory responsibility to work towards the elimination of discrimination, harassment and vilification on the ground of race. There is an obligation under the Race Discrimination Ordinance (RDO) to promote equality of opportunities between persons of different races.

According to record of complaints under investigation, under the RDO there were more non-employment complaint cases received by EOC than employment-related ones. This implied that ethnic minorities were somehow more likely to be discriminated against in the provision of goods, services and facilities, and disposal and management of premises. Based on a survey conducted by The Chinese University of Hong Kong¹, almost half (48%) of the 135 South Asian respondents felt that they were seen as second-class citizens. According to findings of another survey undertaken by the EOC², some South Asians felt that they did not receive the same level of service compared to non ethnic minority customers. For example, they were not served in restaurants or attended to in shops as quickly as non ethnic minority customers. Moreover, many South Asians reported that opening a personal bank account and getting a credit card was difficult, even though they believed they submitted all the necessary documents. Furthermore, many South Asians also found it hard to rent residential flats and commercial offices. Real estate agents discouraged them in the first place, often telling them that Chinese property owners did not want to lend their properties to South Asians.

Although Hong Kong has made much progress in enhancing racial harmony, due to concerted efforts of the EOC, government departments, NGOs and the EM communities in recent years, giving same treatment to ethnic minorities and local Chinese does not necessarily mean equal opportunities in view of cultural differences and language barriers. There is definitely room for improvement in minimizing discrimination that is institutional in nature and in removing barriers to let ethnic minorities enjoy equal opportunities.

¹ Social Work Department, CUHK (2005). Survey Results on Racial Discrimination in Hong Kong. <http://www.cuhk.edu.hk/cpr/pressrelease/051028e.htm>

² Equal Opportunities Commission, HKSAR (2012). Study on Racial Encounters and Discrimination Experienced by South Asians.

In this connection, the EOC commissioned Mercado Solutions Associates Limited (MSA) to conduct a study with key objectives as follows:

- To identify what types of goods, services and facilities (GSF) and disposal and management of premises (DMP) discrimination are encountered by ethnic minorities, and how serious the situation is in Hong Kong;
- To identify how GSF & DMP discrimination impacts ethnic minorities for their inclusion in the society;
- To evaluate racial stereotypes perceived by goods / services providers against ethnic minorities and the influence of media on reinforcing these racial stereotypes; and
- To solicit views from stakeholders on ways of redressing GSF & DMP discrimination against ethnic minorities.

To obtain background information about the subject matter, a literature review of racial discrimination in Hong Kong and overseas was undertaken (refer to Appendix A).

Following this chapter of the report describing the background and objectives of the study, Chapter 2 summarized the methodologies deployed for addressing different objectives. The survey findings were given in Chapter 3 to Chapter 5 in the order of in-depth interviews with ethnic minorities, audit checks and focus group discussions with goods / services providers. The Conclusion and Recommendations were presented in Chapter 6.

2 METHODOLOGY

Given the aforementioned background information, followed by literature review and subsequent discussion with EOC, as agreed with EOC that there are several hypotheses to be addressed in this study in view of the information obtained from previous research that ethnic minorities were being discriminated in the context of provision of goods, services and facilities, and disposal and management of premises. As such, part of the objectives of the study aims to verify whether ethnic minorities were treated differently from local Chinese and Caucasian; and whether the differentiation was due to language barriers or not. With this context in mind, the methodology of the study involved three parts, namely One-to-One In-depth Interviews, Audit Checks and Focus Group Discussions.

2.1 ONE-TO-ONE IN-DEPTH INTERVIEWS

To obtain more in-depth understanding on the discriminatory cases perpetrated by providers of different service sectors / industries, 15 one-to-one in-depth interviews were conducted with ethnic minorities who have experienced discrimination in provision of goods, services and facilities, and disposal and management of premises. This part of the study aimed to identify what types of GSF & DMP discrimination were encountered by ethnic minorities and how serious the situation is in Hong Kong. Moreover, the impacts of GSF & DMP discrimination on the inclusion of ethnic minorities in the society will also be addressed in the in-depth interviews.

Target respondents were recruited independently by referrals through our network of recruiters. They covered a wide spectrum of races, including Indian, Pakistani, Nepalese, Malaysian and Nigerian; and of different sexes, ages and occupations. Each interview lasted for about an hour and was audio-recorded and transcribed for subsequent analyses. The table below summarized the socio-economic and demographic profile of the respondents:

| Race | No. of respondents | Sex | Age | Occupation |
|-----------|--------------------|--------------------|----------------------|--|
| Pakistani | 7 | 2 females; 5 males | Mid 20s to mid 30s | Elementary worker (4); Clerical (1); Refused (2) |
| Indian | 3 | All females | Mid 20s to early 30s | Clerical (1); Refused (2) |
| Nigerian | 2 | All males | Mid to late 30s | Athlete (1); Refused (1) |
| Nepalese | 2 | All males | Mid to late 30s | Elementary worker (2) |
| Malaysian | 1 | Female | Early 30s | Housewife |

A copy of the discussion guide is appended in Appendix B for reference.

2.2 AUDIT CHECKS

To examine whether there were any subtle and overt denial of goods and services and increased surveillance against ethnic minorities from goods / services providers, audit checks were performed for which ethnic minorities were recruited to act as ‘regular’ customers visiting different goods / services providers requesting for services. The deployment of audit checks was to evaluate the level of service performance of goods / services providers in terms of different aspects, including greetings, willingness to help, patience, proactive to offer help, tone of voice, eye contact, facial expression and courtesy. A copy of the audit checking form is given in Appendix B.

For the goods / services providers, they covered sectors of financial services, real estates, retail, restaurant, personal services (e.g. massage and hair salon), employment agency, education and transportation. Moreover, Caucasian and Chinese were also recruited for the audit checks so as to compare the service levels of the goods / services providers given to clients of different ethnicities. Given that discrimination against ethnic minorities was found in previous research, this part of data collection is designed to see whether ethnic minorities were being treated differently as compared with local Chinese and Caucasian rather than benchmarking the service performance of the goods / services providers. As such, different ethnic minority checkers were deployed to different goods / services providers, followed closely by a local Chinese or Caucasian checker to the same good / service provider so as to compare the differences in service level. The audit checkers were recruited independently by our network of recruiters. When recruiting the checkers, we have ensured they came from a wide spectrum of races, including South Asian, African, Chinese and Caucasian and of different sexes and ages so as to collect objective opinion and judgement from the checkers and not to arouse any suspicion of the goods / services providers. The profile of the checkers is summarized in the table below:

| Type of checker | Ethnicity | Sex | Age | Education |
|------------------------|---|--------------------|---------------------|--|
| Ethnic minority | 1 Indian; 1 Pakistani; 1 Nigerian; 1 Malaysian | 2 males; 2 females | Late 20s to mid 30s | Completed secondary (3); Tertiary (1) |
| Caucasian | 1 British; 1 Scottish | 1 male; 1 female | Early to mid 30s | Completed secondary (1); Tertiary (1) |
| Chinese | 2 Chinese | 1 male; 1 female | Early to mid 30s | Completed secondary (1); Tertiary (1) |

Study on Discrimination against Ethnic Minorities in the Provision of Goods, Services and Facilities, and Disposal and Management of Premises

For the visits to the goods / services providers, we have ensured both sexes of the checkers would visit the same good / service provider such that comparison could be made between ethnic minority checkers' evaluation vis-à-vis Caucasian and Chinese checkers. During the visits, the checkers acted as mystery shoppers and asked for services from the goods / services providers. They were required to pay special attention to the conversations, facial expression and attitudes of the shop sales / service staff / managers and to report the findings objectively after conducting the visit. In total, 91 audit checks were performed and the breakdown by sectors and ethnicities of the audit checkers was summarized as below:

| Industry sectors of the goods / services providers | Ethnicity of the audit checkers | | |
|---|--|------------------|----------------|
| | Ethnic Minority | Caucasian | Chinese |
| Real estate | 6 | 3 | 2 |
| Retail | 6 | 4 | 2 |
| Restaurant | 6 | 3 | 2 |
| Personal services | 7 | 3 | 2 |
| Financial services | 6 | 3 | 2 |
| Employment agency | 6 | 4 | 2 |
| Education | 5 | 2 | 2 |
| Transportation | 10 | 3 | - |
| Total | 52 | 25 | 14 |

2.3 FOCUS GROUP DISCUSSIONS WITH GOODS / SERVICES PROVIDERS

This part involved collection of information and views from goods / services providers by means of focus group discussion to evaluate racial stereotypes held by goods / services providers. Target respondents were recruited independently from our network of recruiters. They were either persons-in-charge of small and medium enterprises (SMEs) or front line managers from large companies / corporations. For each focus group, the discussion lasted for 1.5 – 2.0 hours with 8 respondents participating. Focus group discussions were video- and audio-recorded and transcribed for subsequent analyses. In total 4 focus groups were conducted and their composition was:

| Group No. | Group Composition |
|------------------|--|
| 1. | ➤ Front line managers from large corporations ➤ Industries covered: Retail & Restaurant |
| 2 | ➤ Front line managers from large corporations ➤ Industries covered: Services and Real Estates |
| 3 | ➤ Person-in-charge of SMEs ➤ Industries covered: Retail & Restaurant |
| 4 | ➤ Person-in-charge of SMEs ➤ Industries covered: Services & Real Estates |

Given that the requirements of the group composition are that the respondents are persons-in-charge or frontline managers coming from different business sectors, therefore there was no control on the demographic profile of the respondents. Basic demographic information of the respondents are summarized below:

| Group | Sex of respondent | Industry |
|--------------|--------------------------|--|
| 1 | 7 males; 1 female | Retail (4); fast food restaurant (2); hotel restaurant (1); Western restaurant (1) |
| 2 | 8 males | Real estate (5); bank (2); hotel (1) |
| 3 | 4 males; 4 females | Retail (5); restaurant (2); fast food restaurant (1) |
| 4 | 4 males; 4 females | Real estate (3); beauty / hair salon (3); hotel (1); employment agency (1) |

A copy of the discussion guide is appended in Appendix B for reference.

2.4 POINTS TO NOTE

Qualitative Survey

- Given the small sample size involved for qualitative study, it is not practical to adopt scientific sampling design aimed at gathering views from a representative sample of the target population. Nevertheless, it is desirable to ensure that interviewees of in-depth interviews and participants of focus group discussions cover a sufficiently wide cross-section of target respondents, as done in the current study.
- Conducting focus group discussions / in-depth interviews is very much different from quantitative telephone interviews in the questionnaire survey. The former methods are not intended to seek definitive response from individual respondents, following the sequence dictated by the pre-designed structured or semi-structured questionnaire. Instead, the moderator's role is to encourage the respondents' responses to a particular topic and to elicit their views, attitudes and ideas on the issue. The moderator deployed in this study is experienced and well-trained who is capable to prompt the respondents in an interactive manner.

Audit Checks

- The research design of audit checks should ideally be carried out under a tight control scenario, such as, checkers of different races went to the same shop and being served by the same staff and etc. In reality, limitation arises such as the queuing system of the banks' counter service makes it difficult to ensure the same staff would serve different checkers. Under such circumstances, our approach to the audit checks is to control other factors such that the outcomes are meaningful to address the research

issues. These control factors included: deploying similar demographic profile of checkers to same good / service provider; controlling the visiting time to the goods / services providers (peak vs. non-peak); and controlling the scenario posted as enquiry for the goods / services providers, etc. Although the findings should not be treated as scientifically representing the whole picture, it is still serving the purpose of answering the research issues by reflecting the real situation if the goods / services providers would treat people differently based on their races.

3 SURVEY FINDINGS – IN-DEPTH INTERVIEWS

3.1 Findings of the in-depth interviews are discussed according to different categories in the provision of goods, services and facilities, and disposal and management of premises. Within each category, views of ethnic minorities with regard to perceived discrimination and the difficulties they have encountered are presented.

Accommodation

3.2 Seeking for premises was one of the major difficulties faced by ethnic minorities. As claimed by some ethnic minorities, many landlords did not want to rent properties to them. Some incidents that warranted a racial discrimination as encountered by the ethnic minorities included:

- The landlord agreed renting the properties to them over the phone, but refused to do so once he noticed that they are ethnic minorities.
- Property agency just asked the ethnic minorities to leave their office saying that the landlords do not want to rent their properties to ethnic minorities.

3.3 When being asked the reasons why the landlords did not want to rent the properties to them, ethnic minorities suggested that they were being looked down as low social class and the landlords might be afraid that they would not pay the rent in time.

3.4 Regarding the services provided by property agencies, ethnic minorities considered that they would only serve the landlords rather than helping them to find suitable accommodation. Even if they collected their requirements, only few of the agents would respond and source the flats to them eventually.

3.5 Moreover, property agencies in different districts would treat ethnic minorities differently. As suggested by ethnic minorities, agencies in Jordan, Tsimshatsui and Yuen Long were more willing to serve them probably because the rent in these districts is lower and considered to be more affordable for ethnic minorities.

Employment

3.6 While majority of the ethnic minorities did not encounter any difficulties when seeking employment or dealing with employment agencies, still one of them claimed that he was being offered a face-to-face interview and yet once the employer noticed his ethnicity, he was told that the post had been filled.

3.7 In terms of the services provided by employment agencies, including the services of the Labour Department, most of the interviewees reported that the services were fine, particularly those offered by the Labour Department. Nevertheless, one of the ethnic minorities claimed that she encountered an incident that an officer of an employment agency was impolite to her and addressed her by racial slur “Ah Cha”.

Financial Services

3.8 As for financial services, it is not uncommon for ethnic minorities being refused for opening bank accounts and applying for credit cards. Quite a few ethnic minorities claimed that despite they provided all the documentary proof, including HKID card, employment letter and address proof, they were always asked by the bank to provide other information, such as passport, employer reference letter, etc.

3.9 In many cases, they were still being rejected by the banks after providing all the necessary documents. Few examples cited by ethnic minorities are summarized as below:

“As my mother is a housewife, the officer asked her why she needed a bank account. Instead she should have a joint account with her spouse or child. I don’t know why a housewife could not have her own bank account.”

“At one time I passed by a promotional counter of credit cards, when I approached the counter, the officer told me that the offer was only for Chinese and refused to give me the application form.”

“I submitted all the documents to the bank and my wife who is Chinese and a permanent resident of Hong Kong has acted as my referee, but they still did not allow me to open an account.”

Transportation Services

3.10 Given that transportation services are necessary for daily life, many of the ethnic minorities claimed that they have been given different treatments or been discriminated in this aspect.

3.11 The occurrences of discrimination were present in different transportation modes, namely taxi, bus, minibus, MTR, etc. Some of the typical cases cited by interviewees included:

“Taxi drivers only pick passengers they wanted. Even though we were in front of Chinese passengers, they would stop and pick up these passengers instead.”

“At one time, I was trying to catch a bus at the bus terminal. Although the driver saw me chasing after the bus, he just didn’t stop for me. Yet further ahead he stopped for a Chinese passenger instead of me.”

“For minibus drivers, they would allow Chinese passengers to pay the fare when they got off the vehicles. But they always demanded us to pay when we were boarding and many of the times they would keep driving instead of allowing us to get the seats first. I almost slipped over many of the times.”

“It happened to me that there was an empty seat in MTR and a woman was sitting next to the seat. When I sat down, the woman just stood up and walked away and got another seat at next stop. I don’t know why she did not want to sit with me. Treating me like a virus that needed to be avoided.”

Catering Services

3.12 Many respondents said that they would not dine out very often and even if dining out, they would go to the restaurants which served the cuisine of their own customs, such as Indian, Pakistani, or some western restaurants. Therefore discrimination experiences encountered in catering services were less often.

3.13 Few minor incidents cited by ethnic minorities when receiving catering services included being given a strange facial expression by waiters when they entered the Chinese / local-styled restaurants, unless they were accompanied by Chinese friends or relatives. Also, in some cases they felt they were being ignored by waiters as waiters would serve Chinese customers prior to serving them which would create a hard feeling to them.

Retail & Personal Services

3.14 Similar to catering services, while no major discrimination case was reported by ethnic minorities in retail services, some minor hurdles encountered included being refused by shop sales to try on the clothing. Male ethnic minorities said that they were constantly put under surveillance when they entered shops as well as having their bags checked when leaving.

3.15 For premium shops, female respondents have encountered being looked down and questioned if they could afford handbags costing a couple of thousand dollars and shop sales were reluctant to show the handbags to them.

3.16 For beauty and hair salons, some unequal treatments encountered included:

- The sales served Chinese customers who just entered before the interviewees.
- Being charged for a higher fee as an interviewee was introduced by a Chinese friend who had also taken the same treatment. When making the enquiry, the hair stylist just told her that the promotion was over, thus needed to charge the original price.
- The interviewee and her Chinese friend took the same treatment, but the hair stylist used inferior product to the interviewee.
- Beauty consultant refused to apply treatment on her body by saying that she did not need such treatment, but have applied the treatment on her Chinese friend's body.

Other services

3.17 When being asked if they were being discriminated or treated unfairly in other service aspects, some ethnic minorities shared their cases in public services as below:

“Once I went to a public hospital because my mom felt pain in her chest. After waiting for a long time to see the doctor, the doctor just examined my mom casually for less than 2 minutes and declared she was alright. However, given that my mother still suffered from pain, we asked the hospital to have a translator at presence and consulted the doctor again. It was then the doctor examined my mom more thoroughly at the presence of the translator.”

“Once I was waiting to consult a doctor in a public hospital, I was waiting for few hours and noticed that some Chinese who came after me were able to see the doctor before me. So I went to check with the registration nurse and she told me that my turn has passed as I did not respond. As I did not leave the waiting area, therefore I told the nurse that I should not have missed my call. Later, I heard that the nurse talked to other colleagues and said “no one knows how to pronounce her name”, which made me very upset and considered not fair to me for waiting a long time because the nurse just didn’t know how to pronounce my name.”

“The security guard of our housing estate would not allow us or our children to play cricket in the basketball court. They claimed that the court is for basketball only. However they would allow some Chinese children to play football in the court which we don’t think it is fair to us.”

“The security guard of my building would open and close the door for Chinese tenants, but even though he saw me holding a bunch of things, he would not open the door for me.”

3.18 Apart from the aforementioned issues, some male interviewees mentioned that they were always picked by the police for checking identity cards, backpacks, or even conducting body search, which made them embarrassed. Nevertheless, most of the ethnic minorities claimed that the police were polite whilst a couple of interviewees found the police were impolite and rude.

Consequences

3.19 Although facing unequal treatments and / or discrimination in every aspect of their daily life, none of the interviewees has considered filing a complaint to the authority. One of the main reasons was that they did not want others to view them as trouble makers. Moreover, even the complaint case was a success, they believed that it would not change the whole situation as racial stereotype is a deep-rooted problem.

3.20 While some of the ethnic minorities were aware of the Equal Opportunities Commission, only few ethnic minorities knew that they could file complaint case to EOC. Suggestions to eliminate racial discrimination included:

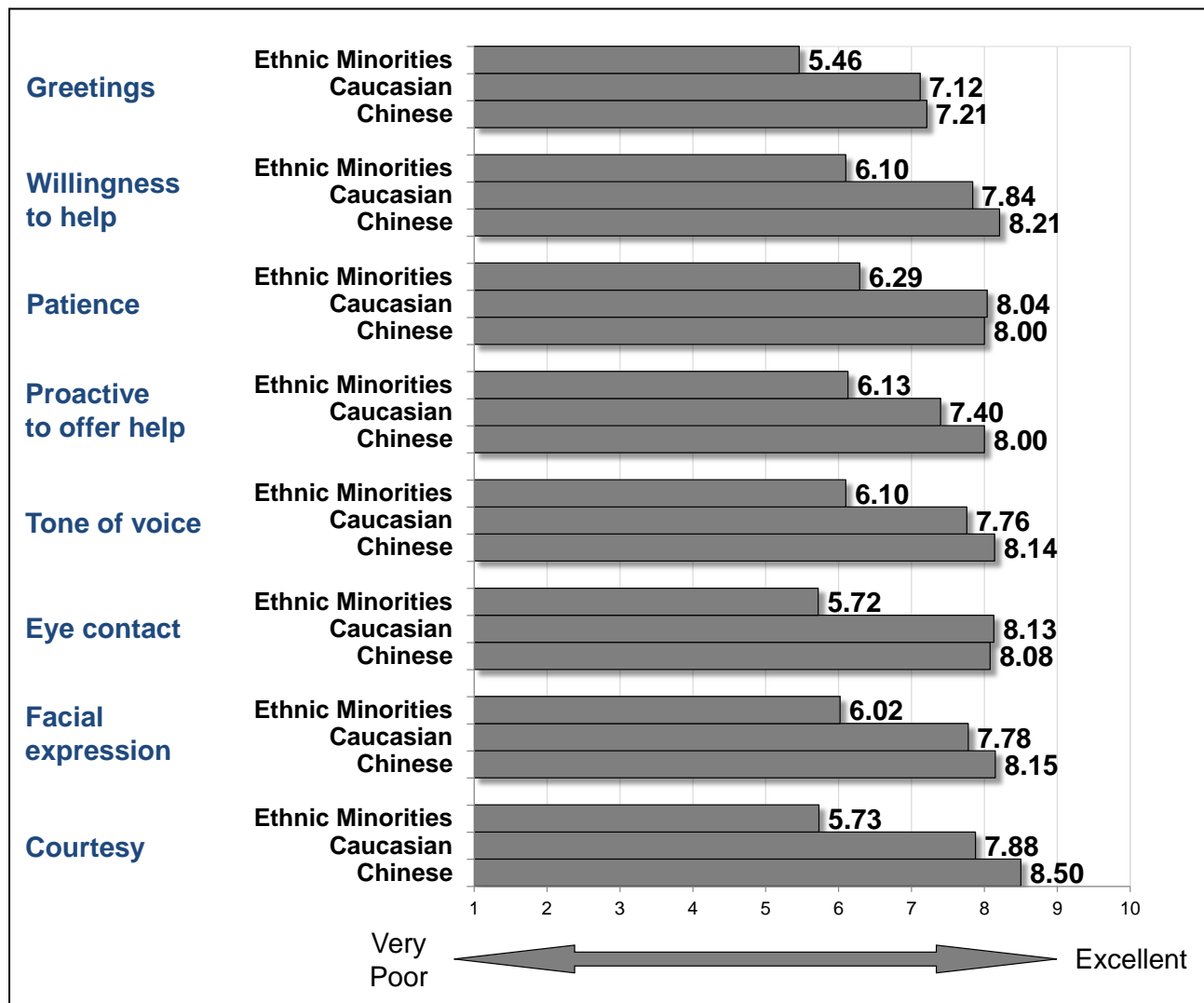
- Organise different cross-cultural events for Chinese and ethnic minorities to know each other better and more importantly for the children to mix and play well such that racial stereotype could be eliminated in the long run starting from the next generation.
- Arrange ethnic minorities to attend education programs related to Chinese culture and behaviour such that they could mix well with more Chinese friends and colleagues.
- Programs on Chinese language (both written and spoken) are suggested by many ethnic minorities that they consider these programs to be very useful to equip them with skills to look for better employment and to facilitate their daily interaction with Chinese.

3.21 Overall, most respondents believe that racial discrimination in Hong Kong is improving as compared to decades ago. More importantly, they regard themselves as Hong Kong people and thus should receive equal treatment as local Chinese.

4 SURVEY FINDINGS – AUDIT CHECKS

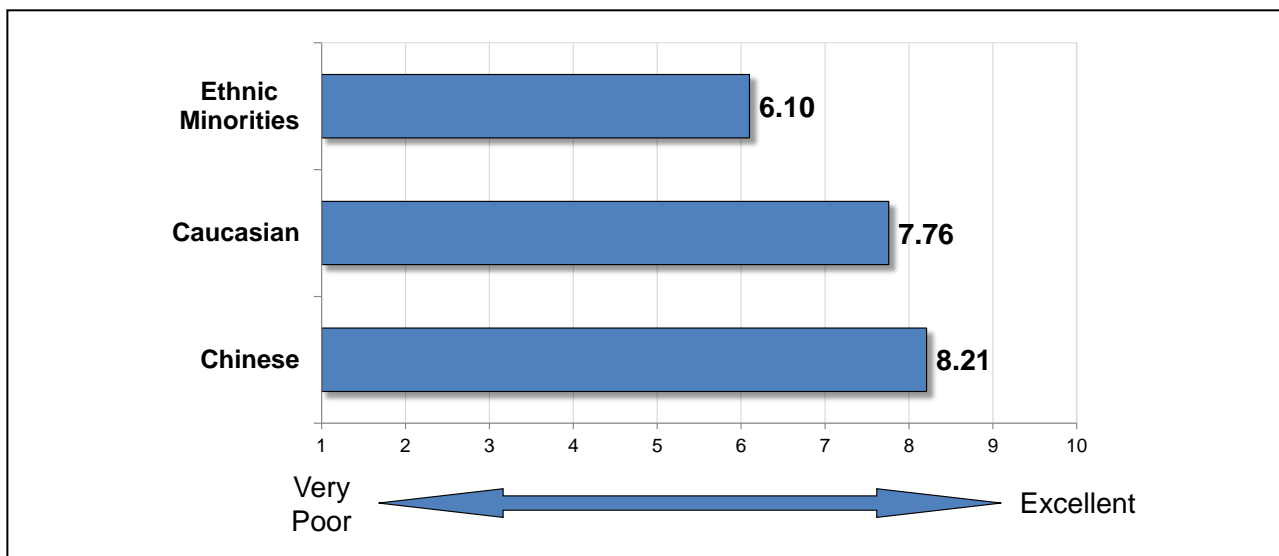
4.1 Based on the audit checks conducted by ethnic minority, Caucasian and Chinese checkers, it was noteworthy that the service performance evaluated by ethnic minorities appeared to be worse than their Caucasian and Chinese counterparts in various aspects. The average ratings of the different aspects evaluated by the ethnic minorities ranged from 5.46 to 6.29 (in a scale of 1 – 10, where 1 denotes “very poor” and 10 denotes “excellent”), whereas the corresponding ratings by Caucasian (7.12 – 8.13) and Chinese (7.21 – 8.50) were at similar levels and relatively higher than the ethnic minorities. The chart below summarized the average ratings of service performance of goods / services providers in relation to different aspects.

Average ratings of the service performance of goods / services providers



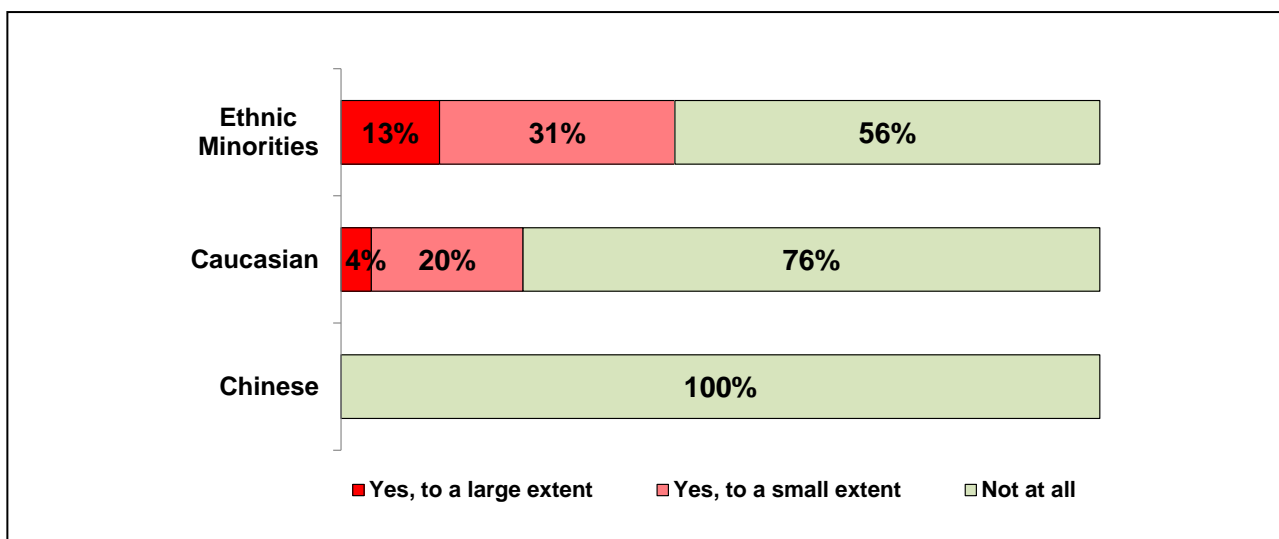
4.2 The average rating of the overall service performance of the goods / services providers evaluated by ethnic minority checkers was 6.10, whilst the corresponding ratings for Caucasian and Chinese checkers were 7.76 and 8.21.

Average ratings of the overall service performance of goods / services providers



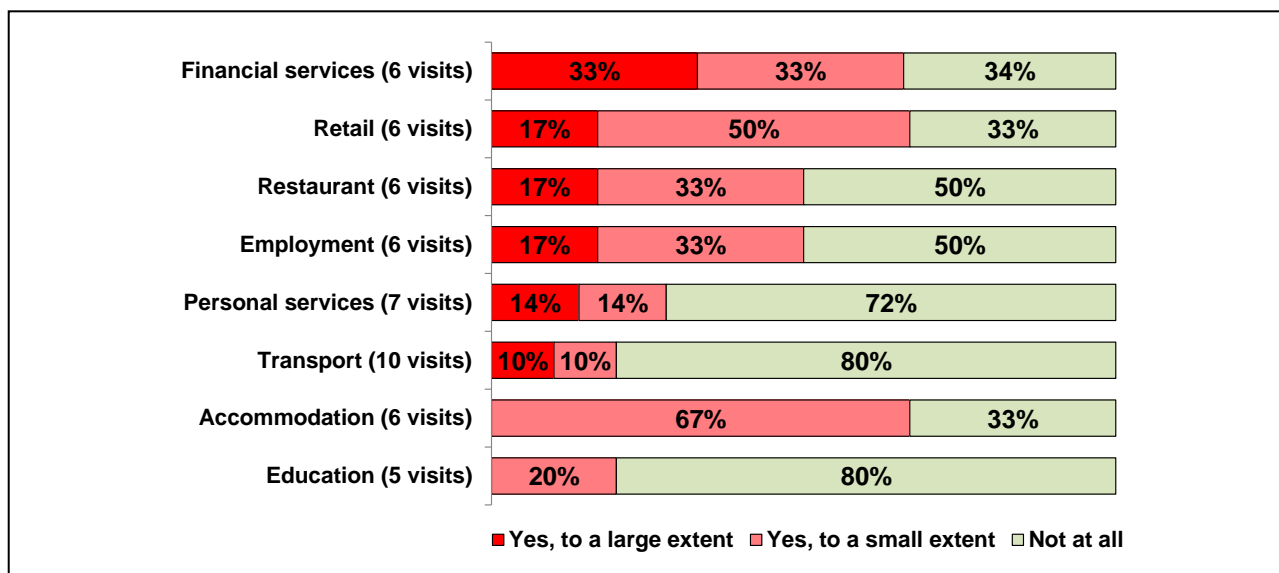
4.3 As a consequence, 13% of the ethnic minority checkers considered that there was a large extent of discrimination during the audit checks and 31% considered so but at a less extent. Nevertheless, more than half (56%) did not observe any discrimination at all. When compared to the Caucasian checkers, about three-quarters (76%) did not consider any discrimination during their audit checks, whilst 24% considered the opposite (4% to a large extent and 20% to a small extent). For the Chinese checkers, none of them experienced any discrimination at all.

Whether considered being discriminated



4.4 When analyzed by different service sectors, a relatively higher proportion of ethnic minority checkers claimed that they had encountered a large extent of discrimination in the financial services (33%), followed by retail, restaurant and employment services (each with 17%) during the audit checks.

Service sectors in which the ethnic minority checkers encountered discrimination



4.5 Regarding the financial services for which ethnic minorities reported a large extent of discrimination, they generally considered that it was unfair to them that they had to provide their passport for opening bank accounts. Moreover, one of the financial institutions mistook an ethnic minority checker as a foreign domestic helper instead of asking the checker's employment status.

4.6 For ethnic minorities who considered being discriminated in the retail sector, they generally regarded that shop sales despised them, particularly in jewelry shops. The sales gave a feeling to the ethnic minorities that they would not spend so much money on jewelry. As such, they observed that shop sales would serve the Mainland Chinese customers better.

4.7 Ethnic minorities who said that they were being discriminated in the restaurants mainly due to the reasons that 1) they were asked to move from one table to another; 2) no greetings and no assistance were given by the waiters; and 3) impolite facial expression was observed from the waiters. Moreover, few checkers explained that waiters would avoid serving them probably due to the language barrier.

4.8 As for the employment service sector, ethnic minorities generally found that staff would not handle their application seriously. To an extreme, one of the ethnic minority checkers declared that the staff was impolite and rude to him.

4.9 Regarding the services of property agencies, ethnic minority checkers claimed that property agents were very concerned about their nationality when making enquiries. One of the property agents even cut the call after observing the caller is not Chinese. When walking into the property agent's office, nobody would come to serve the checker despite that there was no customer in the office.

Consequences

4.10 Based on the audit checks performed, it was confirmed that ethnic minorities encountered different extent of discrimination related to the provision of goods, services and facilities, and disposal and management of premises.

5 SURVEY FINDINGS – FOCUS GROUP DISCUSSIONS

5.1 Findings of the focus group discussions are summarized according to industries. Within each industry, views of the goods / services providers with regard to racial discrimination and the policy and guideline for avoiding the discrimination are presented.

5.2 Overall, all group participants claimed that they did not hold any discrimination acts and attitudes towards ethnic minorities in the provision of goods and services. Furthermore, most of them claimed that their frontline staff were well briefed to handle ethnic minority customers carefully as many of the participants considered ethnic minority customers are more sensitive than Chinese. They could be easily upset by just a simple facial expression or a word expressed by frontline staff.

5.3 Although frontline staff were well briefed to handle ethnic minority customers, focus group participants acknowledged that some of their staff might still tend to avoid serving ethnic minorities due to language barrier. Under such situation, the staff would seek help from their supervisor and other staff which may give an impression to the ethnic minority customers that the staff did not want to serve them.

5.4 When being asked who were the most difficult customers to handle, opinions were split. While few suggested that ethnic minority customers were difficult to handle, others said that Mainland as well as Hong Kong customers.

Property Agency

5.5 Property agents acknowledged that some Chinese property owners (usually the older landlords) do not want to rent their properties to ethnic minorities for reasons of worrying that:

- They may not pay their rent on time;
- They may cause disturbances (such as cooking smelly food) to neighbours; and
- They may leave the property messy and with odor due to their cooking habits upon termination of the lease.

“As we are not familiar with their religion, some ethnic minority tenants might leave some statues or posters with an elephant head. Some landlords were afraid of touching the posters as they thought the tenants worshipped a cult. They would ask us to remove the posters instead.”

“Once a landlord told me that she has to keep the windows open for a month after the ethnic minority tenant moved out, but the strong smell still kept lingering. I don’t know if she was exaggerated or not.”

5.6 From the property agencies’ perspective, they did not want to deal with ethnic minorities because the agents reported that ethnic minority customers liked to haggle and tried to get the most benefits which left them with a smaller profit margin as compared to other customers. Moreover, there were cases that ethnic minorities would charge the responsibilities to the agencies when the home appliances were broken after they had taken up the lease.

“I have an Indian customer who once called me at 2:00 am and told me that the oven did not work. When I told him that he should call the landlord instead, he got very upset immediately and argued over the phone until 3:00 to 4:00 am.”

5.7 Furthermore, there were cases that ethnic minorities under-reported the number of persons living in the properties thus affecting the interior finishes and household fixtures and fittings.

Hotel

5.8 Participants in the hotel business claimed that they did not have any prejudice against ethnic minority customers specifically as they had to deal with customers of different ethnicities on a daily basis.

5.9 Nevertheless, participants acknowledged that some of the behaviors of ethnic minorities might look awkward probably due to cultural difference. Some examples cited by the participants included:

- Sitting on the floor of hotel banquet hall to eat;
- Kneeing down suddenly and facing a particular direction to say their prayer;
- Asking for more complimentary bottles of water and toiletries stuff; and
- Leaving hotel rooms very messy and even cooking curry in hotel rooms.

5.10 When encountering the aforementioned incidents, participants claimed that their frontline staff were reminded not to make any strange facial expression or smile so as not to upset their customers and to give an excuse to the customers charging them of discrimination. Yet, if the incident was serious, such as cooking in the hotel room, they would blacklist the customers by telling them the hotel was full when these customers wanted to book the hotel rooms next time.

Retail

5.11 Similar to the hotel industry, participants from the retail industry claimed that they also encountered incidents with ethnic minorities that they considered troublesome. Some of the incidents cited by the participants included:

- Allowing their children to run around the store while the ethnic minorities were shopping;
- Leaving the mess behind after looking around and being not concerned about others that needed to rearrange the merchandise; and
- Trying on underwear which was not allowed and telling the salespersons that it was not fitted.

5.12 In general, participants of the focus groups also considered ethnic minorities liked to haggle and try to get the biggest discount. In an extreme, some participants cited some cases as below that illustrated the purchase behaviours of ethnic minorities:

- Making use of the return policy and bringing back some used items to ask for a refund or exchange after a couple of days;
- An ethnic minority asked for extra discount after he had paid a deposit for ordering a pair of optical lens. Given that the lens did not fit other customers, therefore the shop had to give way and offered a discount to the ethnic minority customer; and
- Asking for a special discount even the items were on sale already.

5.13 Similar to the hotel industry, participants from the retail industry claimed they would not discriminate any customers based on their race and ethnicity. Yet it is not uncommon that frontline sales might mis-communicate with ethnic minority customers which caused the customers to complain about being discriminated by the shops. When such incident happened, the shop would normally issue an apology letter and offer coupons to the customers to settle the issue.

Catering

5.14 Participants in the catering industry generally denied that they would discriminate customers based on their ethnicity. Nevertheless, one of the restaurant owners admitted that some local customers would request moving the ethnic minority customers to the corner of the restaurant as the latter was considered to be too noisy and be talking too loudly in the restaurant.

5.15 In the focus group discussion, a frontline manager of a fast food store claimed that some foreign domestic helpers would hold several tables waiting for their friends during holidays and they would sit for a long time which adversely affects their business. Some might even take off their shoes while waiting which is considered to be not hygienic by other customers. This kind of disputes has occurred and created hard feeling to the helpers when the store manager asked them to put back their shoes.

5.16 Restaurant owners admitted that some of their waiters would avoid serving ethnic minority customers because they were worried about taking wrong orders due to language barrier. It happened that ethnic minority customers might consider being discriminated when the waiter asked others for assistance.

Personal Services

5.17 Regarding personal services such as beauty salon and hairdresser, the common difficulty encountered by ethnic minorities was that ethnic minorities disregarded the advices of the service providers and insisted on their own preference. However, most of the times ethnic minority customers were not satisfied with the outcomes which caused disputes with the beauty consultants / hairdressers.

5.18 In order to settle the disputes, beauty consultants and hairdressers claimed that they would perform additional treatment for these customers without asking for additional charges.

Consequences

5.19 In general, focus group participants denied that they would discriminate ethnic minorities despite that they may behave differently from local Chinese customers. Yet most of the participants acknowledged that the occurrence of disputes was largely attributed to cultural differences. Thus, they suggested that ethnic minorities could attend the courses for new arrivals, such that they could know more about the local culture and living style in Hong Kong.

5.20 Apart from the cultural differences resulting in hiccups when serving ethnic minorities, participants of the focus groups acknowledged that language barrier was also a major problem when serving ethnic minorities. Most of the participants claimed that while their frontline staff could manage simple English, it might be difficult for them to pick up the accents of South Asian and African. As a consequence, the goods / services providers claimed that they would provide more training to the staff (e.g. giving a smile and some gestures showing the meaning “please wait for a moment”) and also remind their staff to

pay special attention when serving ethnic minority customers so as to avoid having disputes with them.

5.21 They also suggested the government to provide more information about the definition of racial discrimination, such that they could have a more comprehensive understanding about the issue.

6. CONCLUSION & RECOMMENDATIONS

6.1 In conclusion, this study revealed that it is not uncommon for ethnic minorities to encounter discrimination related to the provision of goods, services and facilities, and disposal and management of premises. Moreover, the audit checks also reconfirmed that goods / services providers' service levels were different for ethnic minority customers as compared to their Chinese and Caucasian counterparts.

6.2 From the ethnic minorities perspective, discrimination encountered in the property and financial sectors was the most critical and intolerable as these services definitely affect their basic living. Even though it is not usual for them to constantly look for rental premises, open bank accounts and apply for credit cards etc., it is imperative for the Government to set a higher priority to promote equal opportunities between persons of different races in these sectors.

6.3 As for other service sectors, such as retail, catering and transportation, discrimination against ethnic minorities still exists but not severe. It was observed that language barrier is a prominent issue creating disputes between goods / services providers and ethnic minorities. Although business owners suggested that they have in-house training for their staff to improve their communication skills for different customers, the Government may consider to line-up with other organisations and NGOs to provide more vocational training particularly in handling ethnic minority customers.

6.4 Although most of the business owners and frontline managers in the focus groups claimed that they would not discriminate customers based on their races, the study revealed that prejudice still exists for which long-term education is required to change the attitudes of local Chinese people.

6.5 While most ethnic minorities did not make any complaints when they have encountered discrimination as they were afraid that others would label them as "trouble-makers", still many of them were not aware of the channels for filing complaints. As such, EOC may consider launching some Announcement of Public Interests (APIs) in different languages (or with subtitles in different languages) to reinstate the rights of ethnic minorities and to inform them about the actions they could take when facing discrimination in their daily life.

6.6 Some of the ethnic minorities acknowledged that cultural difference is a key factor causing racial discrimination. It is suggested that the Government may consider organizing some major events similar to the Racial Harmony Day in Singapore such that ethnic minorities and Chinese could get together to value the multicultural environment of Hong Kong.

Appendix A
- Literature Review -

In general term, racial discrimination is about treating people less favorably on the basis of their race. There are two forms of racial discrimination: direct and indirect. Direct discrimination occurs when a person is treated less favorably than others under comparable circumstances because of his/her or his/her near relative's race. An example of direct discrimination would be that, if a property owner refuses to rent a flat to a person because the latter person is of a particular racial background or skin colour. Indirect discrimination occurs when the same requirement (rule, policy, practice, criterion or procedure) or condition, which cannot be justified on non-racial grounds, is applied equally on people of different races but which has an unfair effect on a particular group because (i) only a small proportion of people from that racial group can meet that requirement compared to the proportion of people of other racial groups, and/or (ii) the resulting effect of the condition, if imposed, is to the detriment of the persons of that particular group because they cannot meet it. An example for indirect racial discrimination would be that, if a company says that employees must not wear hats or other headwear at work, as this is likely to have an unfair effect on people from some racial/ethnic backgrounds.

Based on the 2011 Population Census³, a total of 451 183 ethnic minorities, constituting 6.4% of the whole population, were living in Hong Kong in 2011. They comprised Indonesians (29.6%), Filipinos (29.5%), Whites (12.2%), Mixed (6.4%), Indians (6.3%), Pakistanis (4.0%), Nepalese (3.7%), Japanese (2.8%), Thais (2.5%), Koreans (1.2%), Other Asians (1.6%) and others (0.3%). The number of ethnic minorities in Hong Kong increased significantly by 31.2% over the past 10 years from 343 950 in 2001 to 451 183 in 2011.

Although the Race Discrimination Ordinance (RDO) which is an anti-discrimination law enacted in July 2008 and has come into operation since July 2009⁴; and that Hong Kong has the reputation of being a multicultural city with a mixture of Western and Eastern influences, racial discrimination in Hong Kong is still widespread. Based on a survey conducted by The Chinese University of Hong Kong⁵, almost half (48%) of the 135 South Asian respondents felt that they were seen as second-class citizens. According to findings of another survey undertaken by the EOC⁶, some South Asians felt that they had

³ Census and Statistics Department, HKSAR (2011). 2011 Population Census Thematic Report: Ethnic Minorities.

⁴ Equal Opportunities Commission, Racial Discrimination Ordinance and I. <http://www.eoc.org.hk/eoc/graphicsfolder/showcontent.aspx?content=race%20discrimination%20ordinance%20and%20i>.

⁵ Social Work Department, CUHK (2005). Survey Results on Racial Discrimination in Hong Kong. <http://www.cuhk.edu.hk/cpr/pressrelease/051028e.htm>

⁶ Equal Opportunities Commission, HKSAR (2012). Study on Racial Encounters and Discrimination

not received the same level of service compared to non ethnic minority customers. For example, they were not served in restaurants or attended to in shops as quickly as non ethnic minority customers. Moreover, many South Asians reported that opening a personal bank account or getting a credit card was difficult, even though they believed they had submitted all the necessary documents. Furthermore, many South Asians also found it hard to rent a residential flat and commercial office. Real estate agents discouraged them in the first place, often telling them that Chinese property owners did not want to lend properties to South Asians.

There are a couple of reasons why racism exists. One of the main causes is the continued existence of the mentality of superiority over other races. This factor has its roots in colonialism, trans-Atlantic slavery and apartheid. Another contributing factor is social and economic status. People are often judged by where they live, how much money they make and so on. According to CNN, the percentage of all Americans living under the poverty level was 12.5% in 2004 while the corresponding percentage for African Americans was 24.4%. This tends to cause a feeling of superiority amongst some people in US over the African Americans.

In order to promote the elimination of racial discrimination, delegates at the Third Committee (Social, Humanitarian and Cultural) of the United Nations⁷ suggested some innovative approaches to countering racism including Singapore's Ethnic Integration Policy for housing, diverse schools and commemorative days, such as Racial Harmony Day. While such initiative "might seem like an artificial construct", they create a common space of interaction and encourage bonding between people of different backgrounds. Furthermore, the United Nations (UN) has proclaimed 21 March as International Day for the Elimination of Racial Discrimination which gives an opportunity to renew UN's commitment to building a world of justice and equality where xenophobia and bigotry do not exist.

Experienced by South Asians.

⁷ <http://www.un.org/press/en/2010/gashc3993.doc.htm>. United Nations. Eliminating Racial Discrimination; Ensuring Right to Self-Determination; Protecting Refugees Issues Addressed, as Third Committee Continues Human Rights Debate.

Appendix B

- Discussion Guides & Audit Checking Form -

In-depth Interview Discussion Guidelines

Total Estimated Time: about 60 minutes

| Tasks | Aims |
|--|--|
| 1. Warm up (5 min.) <ul style="list-style-type: none"> ➤ To introduce research company, moderator and purposes of the study ➤ Individual opinion wanted, no pressure and hard feeling ➤ To explain the setting of one-way mirror, audio-recording and emphasize confidentiality | <ul style="list-style-type: none"> - Moderator will explain the purposes of the EOC's study, i.e. to have a better understanding of discrimination faced by ethnic minorities (EM) in seeking services and securing an accommodation in Hong Kong. Findings will be useful for the Government / relevant stakeholders to review and formulate corresponding policy for redressing discrimination against the EM groups. |
| 2. Introduction (5 min.) <ul style="list-style-type: none"> ➤ Interviewee's self-introduction (local EM resident) <ul style="list-style-type: none"> ■ name ■ age ■ ethnicity ■ years of living in Hong Kong ■ occupation ■ family status ■ social network (e.g. whether the network will stick to his / her own EM group) ■ monthly personal income ■ other specialties | <ul style="list-style-type: none"> - Establish the rapport and seek good understanding of respondent's profile and background for analyzing the findings. |
| 3. Encounters of being discriminated (30 min.) <p>Details of the incident</p> <ul style="list-style-type: none"> ➤ As we understand, there was an "unhappy" incident (avoid using the term discrimination at the beginning of the interview so as to minimize stress to the interviewee) happened before. | <ul style="list-style-type: none"> - To explore in detail about the interviewee's experiences of being discriminated |

Study on Discrimination against Ethnic Minorities in the Provision of Goods, Services and Facilities, and Disposal and Management of Premises

| Tasks | Aims |
|--|------|
| <p>➤ First of all, let us start with some background information about that incident...</p> <ul style="list-style-type: none"> ✧ When did the incident happen? ✧ What type of company /shop was it? ✧ What types of goods / services you were seeking with that company / shop? ✧ Who did you deal with at that time? (Probe: Shop manager, sales person, customer service personnel, etc.) <p>➤ Now, will you briefly tell me what happened at that time?</p> <p>➤ Probe details of the case, e.g.</p> <ul style="list-style-type: none"> ✧ What exactly did that person say / do that made you feel that you were being discriminated? ✧ Have you ever visited company /shop at different time / on different days, and the same situation was encountered again? ✧ Have you ever visited other shops / outlets of the same company, and the same situation was encountered again? ✧ Did you observe somehow better treatment for local Chinese people? <p>Reaction / action taken</p> <ul style="list-style-type: none"> ➤ What was your reaction when the incident happened? ➤ Did you take any immediate action about it (e.g. you argued with the person(s) involved, reported to his/her superior? Or you just kept silent?) ➤ [If keeping silent at that time] What were your concerns? ➤ Did you tell someone close to you (e.g. family members, friends, colleagues, etc.) about it? Why or why not? ➤ [If yes] What were the reactions of your family members, friends and colleagues? Did you get any support from them? ➤ Did you seek some professional support, such as social workers, psychologists, religious / community groups, etc? Why or why not? ➤ [If yes] What feedback did you get from those professionals / groups? <p>[Probe on other incidents, if any]</p> | |

Study on Discrimination against Ethnic Minorities in the Provision of Goods, Services and Facilities, and Disposal and Management of Premises

| Tasks | Aims |
|--|--|
| <p>4. Lodge a complaint to government department / commission (5 min.)</p> <ul style="list-style-type: none"> ➤ Do you know you can lodge a complaint to the government department / related organization? ➤ Do you know which department / related organization is responsible for it? ➤ Have you lodged a complaint? Why or why not? ➤ What kind of support do you expect to get from the government department / related organization? ➤ What do you expect the government department / related organization to do in order to protect / safeguard EM from discrimination in such situations? | <ul style="list-style-type: none"> - To find out whether the interviewee is aware of the channels for lodging a complaint and if he/ she has any concern of lodging a complaint to the Government / EOC |
| <p>5. Change in attitudes after the discrimination (5 min.)</p> <ul style="list-style-type: none"> ➤ Do you think the incident of discrimination against EM is commonly happening in Hong Kong? ➤ After the incident, what changes did it make on your living? ➤ Did it affect your <ul style="list-style-type: none"> ✧ family life? ✧ social life? ✧ your accommodation arrangement? ✧ your shopping habit? ✧ your personality, such as trust and confidence in others? ✧ other areas? ➤ If yes, in what ways? | <ul style="list-style-type: none"> - To explore the impacts of discrimination on the interviewee |
| <p>6. Perception of Racial Discrimination in Hong Kong (5 min.)</p> <ul style="list-style-type: none"> ➤ Do you consider racial discrimination is serious in Hong Kong? Why or why not? ➤ Which service area / industry do you consider that you have faced the most serious racial discrimination in Hong Kong? ➤ Any suggestions on the measures that the government should take to eliminate racial discrimination in the service sector? | |
| <p>7. Wrap up (5 min.)</p> <ul style="list-style-type: none"> ➤ Any further comments / suggestions made by the interviewee on the issue? ➤ Any additional questions from the interview observer(s) / the interviewee? | <ul style="list-style-type: none"> - To re-iterate that confidentiality is kept and only aggregated data will be released to the public |

Focus Group Discussion Guidelines – Providers of Goods / Services

(6 – 8 respondents in each group)

Total Estimated Time: about 90 minutes

| Tasks | Aims |
|--|--|
| <p>1. Warm up (5 min.)</p> <ul style="list-style-type: none"> ➤ Introduction of the research company, moderator and purposes of the study ➤ Individual opinion wanted, no pressure and hard feeling ➤ Explain the arrangements of one-way mirror, audio- / video-recording and emphasize confidentiality and anonymity ➤ Each respondent briefly introduces himself / herself (nature of company business, company size, number of shops / outlets, etc.) | <ul style="list-style-type: none"> - Moderator will explain the purposes of the EOC's study, i.e. to have a better understanding of discrimination faced by ethnic minorities (EM) in seeking services and securing an accommodation in Hong Kong. Findings will be useful for the Government / relevant stakeholders to review and formulate corresponding policy for redressing discrimination against the EM groups. - To establish the rapport |
| <p>2. Encounters of local EM Customers in Business Operation (30 min.)</p> <ul style="list-style-type: none"> ➤ What kind of local EM customers do you consider most difficult to serve? Why do you say so? ➤ If EM customers are not mentioned, probe the following: <ul style="list-style-type: none"> ✧ Do you have any local EM customers? How often are they patronizing your services / visiting your shops? ✧ When you saw local EM customers walking into your shop, did you or your staff feel reluctant to serve them? ✧ Have you / your staff encountered any difficulties in serving these local EM customers? ✧ Is communication in fluent Cantonese / English a key concern for you / your staff to serve these local EM customers? What are other concerns? ✧ As compared to other foreign EM customers / local Chinese, do you consider it more / less difficult than to serve the local EM customers? Why do you say so? | <ul style="list-style-type: none"> - To have an overview of how goods / services providers perceive racial discrimination in their industry |

Study on Discrimination against Ethnic Minorities in the Provision of Goods, Services and Facilities, and Disposal and Management of Premises

| Tasks | Aims |
|--|--|
| <ul style="list-style-type: none"> ➤ If there is mentioning of treating the local EM customers less favorably than local Chinese, ask: <ul style="list-style-type: none"> ✧ Do you think it is a common practice in your industry that people would treat local EM customers less favorably than local Chinese? ✧ What are the main reasons that people would treat the local EM customers differently? ✧ Have you ever considered that your company will be accused of racial discrimination? Why or why not? ➤ If there is no mentioning of treating the local EM customers less favorably than the local Chinese, ask: <ul style="list-style-type: none"> ✧ What would you do if you observe your staff / colleague treating the local EM customers less favorably than local Chinese? ✧ Would you take the lead talking to the staff or reporting the case to supervisors / management board? Why or why not? | |
| <p>3. Incidents of racial discrimination (15 min.)</p> <ul style="list-style-type: none"> ➤ Have your employees ever been complained of discriminating against local EM customers? If yes, give a brief account of the incident of discrimination. ➤ How were these complaint cases handled? Were they handled informally or formally? Was the third-party mediation required? ➤ Are there any measures taken by your company to prevent such incidents of discrimination from happening again? | <ul style="list-style-type: none"> - To explore the incident of racial discrimination occurred and how goods / services providers handled the complaint cases |
| <p>4. Reactions towards complaints of discrimination experienced by local EM customers (20 min.)</p> <ul style="list-style-type: none"> ➤ [To quote some cases mentioned from EM of in-depth interviews / audit checks] Here are some cases that we would like to seek your views: <p>Case 1 Case 2 Case 3 : :</p> <p>For each case, ask:</p> <ul style="list-style-type: none"> ➤ What are the reasons do you think the providers of goods / services having such act? | <ul style="list-style-type: none"> - To solicit views of the goods / services providers on some complaints of discrimination considered by EM of in-depth interviews / audit checks |

Study on Discrimination against Ethnic Minorities in the Provision of Goods, Services and Facilities, and Disposal and Management of Premises

| Tasks | Aims |
|--|---|
| <ul style="list-style-type: none"> ➤ Do you think that there is any negative impact on the company? Why and why not? ➤ Do you think that this case is actually discrimination against EM? Why and why not? ➤ If this case happens in your shop / company, how would you handle? ➤ What measures do you think the providers of goods / services can be taken to prevent such case from happening again? | |
| <p>5. Overview of racial discrimination in Hong Kong (15 min.)</p> <ul style="list-style-type: none"> ➤ Do you consider racial discrimination serious in your industry? How about in Hong Kong? Why or why not? ➤ Do you think the occurrence of racial discrimination was mainly due to <ul style="list-style-type: none"> ■ Skin color ■ Body odour ■ Cultural differences ■ Outlook i.e. wearing their own traditional clothing ■ Language ■ Educational background ■ Social status ➤ What do you think the Government should do to prevent the occurrence of racial discrimination? ➤ As an employer, what do you think you should do to prevent the occurrence of racial discrimination in your company? <ul style="list-style-type: none"> ✧ Train up and educate employees by means of briefing sessions / talks / seminars against discrimination? ✧ Any others? | <ul style="list-style-type: none"> - To solicit views on possible ways taken by the Government and goods / services providers to redress discrimination against EM |
| <p>6. Wrap Up (5 min.)</p> <ul style="list-style-type: none"> ➤ Any further comments / suggestions made on the issue? ➤ Any additional questions from the observer(s) / the respondents? | <ul style="list-style-type: none"> - To re-iterate that confidentiality is kept and only aggregated data will be released to the public |

Audit Check Guidelines

Important Notes:

- Enumerators should act as Mystery Shoppers and need to visit specified shops / companies, acquiring the goods and services as required.
- Enumerators should memorize all detailed information during the evaluation process and mark down the details **AFTER** the evaluation.
- During the evaluation process, enumerators **ARE NOT ALLOWED** to take out the recorder and jot notes, so as to avoid raising the company's suspicion that will affect the results of the evaluation.
- After the evaluation, enumerators should try to complete the evaluation form with some details immediately.

Scenarios:

For each of the scenarios, mystery shoppers will approach the goods / services providers and ask for services. Mystery shoppers should pay special attention to the conversations, facial expression and attitudes of the shop sales / service staff / managers and report the findings objectively after conducting the visit.

| |
|---|
| <p style="text-align: center;">Accommodation</p> <p>Ask the real estate agency about rental of a flat for a family of 3-4 persons. Information collected would include: location, cost, neighborhood, documents required for signing the tenancy agreement, deposit and rental fee paid in advance, etc.</p> |
| <p style="text-align: center;">Retail</p> <p>Walk around the shop, try to choose some products, and ask the shop sales for trying on the products (e.g. clothing). Before purchasing the products, ask the shop sales about the details of product (e.g. size, colour, etc.) as well as the refund / return policy / delivery arrangement provided by the shop.</p> |
| <p style="text-align: center;">Restaurant</p> <p>Before patronizing the restaurant / fast food store, ask the store manager about the ingredients of food in relation to some traditional customs or religious reasons. Try to choose a seat near to the door / main entrance and see if the service provider would reject. When ordering the dish, ask the service provider to give suggestion, and observe his / her attitude. During the meal, observe if there is any less favorable treatment, e.g. serving the food in a rush and pushing the mystery shopper to pay the bill.</p> |
| <p style="text-align: center;">Personal Services</p> <p>Ask the frontline staff about subscribing their services and see if they would reject. These service providers will include businesses of massage, hair dresser, fitness club, etc.</p> |
| <p style="text-align: center;">Financial Services</p> <p>Ask the bank tellers about the requirements of opening a bank account. Information collected would include: documents required, what if some information is missing, etc.</p> |

Employment Services

Assuming that the mystery shopper has a university degree / diploma and wishes to find a clerical job, yet he / she does not possess relevant working experience in Hong Kong. Ask the recruitment agency about the requirements of applying for a job in Hong Kong, the interviewing procedures and see if the agency would claim that they have no suitable job opportunity offering, etc.

Education

Assuming that the mystery shopper has a child aged about 3 – 4 years old. In order to prepare for entering primary school, the mystery shopper would make enquiry about the tutorial lessons for his/her kid, such as schedule of lesson, fees, language used in class, mixture of races in class, etc.

Transport

The mystery shopper would take the taxi services by waiting nearby a local Chinese to identify if taxi drivers will pick the passengers selectively.

The mystery shopper will also make an enquiry to the MTR customer service counter / bus terminus to ask for the route of going to a specific destination.

Marking Sheet

Name: _____

Date: _____

Start Time: _____

Finish Time: _____

| Record the Type of Services: | |
|-------------------------------------|---|
| Accommodation | 1 |
| Retail | 2 |
| Restaurant | 3 |
| Personal services | 4 |
| Financial services | 5 |
| Employment | 6 |
| Education | 7 |
| Transport | 8 |

1. State the purpose of visit

| | Examples of the conversation |
|--------------------|--|
| Accommodation | "I want to rent a flat for my family with 3 / 4 persons" |
| Retail | "I am looking for a dress" |
| Restaurant | "I want to book a table at ..." |
| Personal services | "I want to join the service plan for massage" |
| Financial services | "I want to open a bank account" |
| Employment | "I want to apply for a job" |
| Education | "I have a child aged 3. I want to look for some tutorial lessons / interest classes for him / her" |
| Transport | "I want to go to ..." |

Spot the initial reaction of the shop sales / service staff / manager, such as whether they greet the shoppers warmly, are willing to give help / provide service (e.g. pass to other staff to handle), etc.

| | |
|---------------------------------------|--|
| Greetings | |
| | |
| | |
| Willingness to help / provide service | |
| | |
| | |
| Other comments | |
| | |
| | |

Study on Discrimination against Ethnic Minorities in the Provision of Goods, Services and Facilities, and Disposal and Management of Premises

2. Make enquiries

| | Examples of the conversation |
|--------------------|---|
| Accommodation | "How large is the flat?", "What is the location?", "No. of rooms?" |
| Retail | "Do you have other colour / size?" Request for trying on the clothes and see whether the sales are willing to help. |
| Restaurant | "I want to order the dish ..., but due to some traditional customs / religious reasons, I cannot take ..., so I ..." |
| Personal services | "Should I bring my own towel or you will provide?" |
| Financial services | "For the proof of residential address, if I am just staying with my friends/relatives temporarily, what should I do?" |
| Employment | "How many job vacancies of... are opening?" |
| Education | "Do you have other ethnic minority students?" |
| Transport | "I am not so sure about the Chinese name of the place, can you help me?" |

Spot the reaction of the shop sales / service staff / manager e.g. whether they are patiently listening to the enquiries; whether they show empathy to the shopper, etc.

| | |
|--|--|
| Reaction towards the enquiry | |
| | |
| | |
| Being patient to listen to the enquiry | |
| | |
| | |
| Proactive to offer help | |
| | |
| | |
| Other comments | |
| | |
| | |

Study on Discrimination against Ethnic Minorities in the Provision of Goods, Services and Facilities, and Disposal and Management of Premises

3. Make special requests / raise some concerns

| | Examples of the conversation |
|--------------------|---|
| Accommodation | "Any problem with the landlord / neighbors if I cook smelly food?" |
| Retail | "In case I consider the product not suitable, any refund or exchange?" |
| Restaurant | "Can I change my table and sit over there...?", "Can you help me to add some tea?" |
| Personal services | "Can I choose all my appointments on public holidays?" |
| Financial services | "I have heard that people can apply for a credit card without any income proof, can I apply?" |
| Employment | "Can I use my full name, which contains more than 30 letters?" |
| Education | "Am I able to attend a few lessons and observe how it is going?" |
| Transport | "Still not sure how to get to my destination, can you elaborate in detail?" |

Spot whether the shop sales / service staff / managers are willing to handle your requests / concerns and observe whether their conversation, tone of voice, attitude, facial expression, etc., suggesting that they are discriminating against you.

| | |
|-------------------|--|
| Tone of voice | |
| | |
| | |
| Attitude | |
| | |
| | |
| Facial expression | |
| | |
| | |
| Other comments | |
| | |
| | |

4. Ending

Observe whether the shop sales / service staff / managers end the conversation politely or in a rush and observe whether they offer further assistance on other aspects.

| | |
|----------------|--|
| Ending | |
| | |
| | |
| Other comments | |
| | |
| | |

5. Overall Evaluation

Rethink the whole process you have carried out, please rate the following aspects based on a rating of 10 means “Excellent” and 1 means “very poor”.

| | Excellent | | Good | | Fair / Average | | Poor | | Very poor | |
|----------------------------|-----------|----------|----------|----------|----------------|----------|----------|----------|-----------|----------|
| Greetings | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Willingness to help | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Patience | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Proactive to offer help | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Tone of voice | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Eye contact | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Facial expression | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Courtesy | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |
| Overall Performance | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |

6. Hints on Racial Discrimination

Based on your perception throughout the whole process, do you observe any hints that you were being discriminated based on your RACE ONLY?

| | |
|------------------------|---|
| Yes, to a large extent | 1 |
| Yes, to a small extent | 2 |
| No, not at all | 3 |

Please elaborate your answer with more details and give supporting reasons why you had such views.
