



聾健司法平等



**EQUAL ACCESS TO JUSTICE FOR PERSONS
WHO ARE DEAF AND HARD OF HEARING**

指引摘要 Highlights of the Guide



平等機會委員會
EQUAL OPPORTUNITIES COMMISSION



平等機會委員會（平機會）是負責執行香港的《殘疾歧視條例》和消除殘疾歧視的法定機構，堅信殘疾人士在法律面前應享有平等的權利，並能有效地尋求司法公正。

尋求司法公正（又稱獲得司法保護）本身是一項在《殘疾人權利公約》中清楚列明的基本權利。當中第13條規定締約國應當確保殘疾人士在與其他人平等的基礎上，有效獲得司法保護，包括通過提供程序便利和適齡措施。

近年，有報道指聾人和聽障人士在複雜法律程序的不同階段中，因誤解或溝通不當而面對障礙。因此，平機會制定了本指引，提供與聾人和聽障人士溝通的指導原則，以及就不同訴訟過程，提出可行和適當的便利措施建議。

本指引旨在為聾人和聽障人士以及參與司法程序的不同人士提供實用工具，以促進司法程序中各方的溝通，並在長遠而言，實現所有人能平等地尋求司法公正的最終目標。

閱讀指引全文



觀看香港手語版
指引摘要



As a statutory body tasked with implementing the Disability Discrimination Ordinance and eliminating disability discrimination in Hong Kong, the Equal Opportunities Commission (EOC) strongly believes that persons with disabilities should enjoy equal rights before the law, and have effective access to justice.

Access to justice is a fundamental human right recognised by the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Article 13 of the UNCRPD requires state parties to ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations.

In recent years, people who are deaf and hard of hearing (DHoH) have reportedly encountered barriers in Hong Kong at different stages of the complicated legal process due to misunderstanding or miscommunication. The EOC, therefore, prepares this Guide to provide some guiding principles for communicating with DHoH persons, as well as possible appropriate accommodation measures during different stages of legal proceedings.

This Guide aims to serve as a practical tool to facilitate communication between different parties in the judicial process and to achieve the ultimate goal of equal access to justice for all in the long run.

Read the full text
of the Guide



Watch highlights of
the Guide (Hong Kong
Sign Language Version)



如何與聾人和聽障人士有效地溝通？

聽障的情況和程度因人而異。雖然部分聾人和聽障人士懂得並使用手語或唇語，但亦有部分人不會使用這些方法溝通。以下是一些溝通注意事項和原則，有助我們與聾人、聽障人士和手語傳譯員溝通：

說話之前：

- **照明**：確保你身處的位置光線充足，讓聾人和聽障人士可以清楚地看到你的面部。
- **噪音**：找一個安靜的地方，關掉或遠離任何環境噪音，特別是當溝通對象正在使用助聽器時。一些微細的噪音，如翻紙聲和風聲，有可能分散部分使用助聽器的聾人和聽障人士的注意力。
- **注意**：說話前引起對方的注意，你可先向他們輕輕揮手。
- **視覺**：與聾人和聽障人士面對面，保持良好的眼神接觸。直接與對方對談，而不是對手語傳譯員、口語唇讀傳譯員或即時字幕員說話。移除你和對方之間的障礙物以保持清晰視線。
- **距離**：與對方保持一至兩米的短距離；這是讀唇及使用助聽器的最佳距離。



How to Effectively Communicate with DHoH Persons?

Hearing loss is unique to each person and the degree of hearing loss varies. While some DHoH persons know and use sign language or lip-reading/speechreading, some others may not use those means to communicate. Having said that, there are some general tips and principles while communicating with DHoH persons and the sign language interpreter involved:

Before you speak:

- **Lighting** : Make sure you are in a well-lit area and the DHoH persons can see your face clearly.
- **Noise** : Find a quiet area, turn off or move away from any background noise, especially if the person is using a hearing aid. Some slight noise, such as paper-flipping and wind-blowing, can be very distracting for some DHoH people who use hearing aids.
- **Attention** : Always attract the attention of the persons before speaking. You may gently wave your hand in front of them.
- **Visual** : Face the DHoH persons and keep good eye contact. Address the persons directly, not the interpreter, lip speaker, or speech-to-text reporter. Remove any obstacles between you and the individual to provide a clear sight line.
- **Distance** : Keep a short distance, says one to two metres, from the persons. It is the optimum distance for lip-reading and the use of hearing aids.

說話時：

- **使用自然和正常的說話方式。** 不要大聲叫喊、喃喃自語或使用誇張的方式說話。不要向對方戴有助聽器的一方大叫。
- **避免使用複雜字詞及用語**，如雙重否定句。
- **使用完整及連貫的句子**，而非短語。它們易於讓聽障人士和手語傳譯員理解。
- **讓對方看清楚你的嘴巴**，手不要遮擋着面部。
- 若有多人參與對話，**請輪流說話**。
- **有需要時，嘗試用另一種說法複述內容。**
- **給對方一點時間消化你所說的話。**
- 若基於公共衛生原因而須佩戴口罩，**請使用透明口罩**。



說話以外的溝通方法：

- 務必詢問對方是否需要使用**輔助工具和服務**，例如手語傳譯。
- 有需要時詢問對方採用其他溝通方法是否會較為便利，例如**使用筆和紙或透過電子設備以文字交談**。
- 如有需要，使用**圖像、視覺輔助工具和手勢**以協助溝通。

When you are speaking:

- **Use a natural and normal speaking pattern.** Do not shout, mumble, or exaggerate. Do not shout at the side of the DHoH persons with hearing aids.
- **Avoid complex terms and languages**, such as double negative statements.
- **Use complete and coherent phrases** rather than short phrases. They are easier for both DHoH persons and sign language interpreters to understand.
- **Keep your mouth clear.** Do not put your hands in front of your face.
- **Take turns to talk** if there is more than one person in a conversation.
- **Repeat and rephrase** if necessary.
- **Allow time** for the person to process what is being said.
- **Use a transparent / clear face mask** if face masks have to be worn due to public health reasons.

Methods other than speech:

- Always ask if the person needs any **auxiliary aids or services**, such as sign language interpretation.
- Ask if another method of communicating would be easier, for example, **a pen and paper or typing with a mobile device**.
- If needed, use **pictures, visual aids and gestures** to aid the communication.

與聾人和聽障人士溝通的常用輔助工具和服務



由於聾人和聽障人士群體十分多元，與他們溝通時，務必緊記並沒有一套適用於所有人的溝通方法。在提供任何輔助工具和服務之前，應先詢問每一名聾人和聽障人士的需要，並找出適當的便利措施。常見輔助工具和服務包括：

手語傳譯

- 手語是一種使用視覺及手勢的語言，透過同時結合雙手、雙臂及/或身體的形態、方向、位置和動作，加上面部表情來傳意。
- 世界各地都沒有通用的手語。混合使用不同種類的手語乃十分常見。
- 我們不能假設手語傳譯是所有聾人和聽障人士都需要的唯一可行及充分的便利措施。
- 我們有時候需要結合不同輔助服務，如同時使用手語傳譯和即時字幕，以有效地與聾人和聽障人士溝通。
- 我們須確保手語傳譯員懂得該人所使用的手語形式及變體，並能與該人有效地溝通。



Common Auxiliary Aids and Services for Communication with DHoH Persons



It is crucial to bear in mind the diversity of the DHoH community and there is no "one-size-fits-all" method while communicating with DHoH persons. Before offering any auxiliary aids and services, always ask about the needs of and identify the appropriate accommodation measures for each and every individual DHoH person. Some common auxiliary aids and services include:

Sign language interpretation

- Sign language is a visual-gestural language that conveys meaning by simultaneously combining shape, orientation, location and movement of the hands, arms and/or body, and facial expressions.
- There is no universal sign language in the world. Mixed use of different forms of signing variants is common in the daily life of DHoH persons.
- One must not assume that sign language interpretation is the only possible and sufficient accommodation measure needed by all DHoH persons.
- A combination of support services, such as sign language interpretation with live-captioning, is often required for effective communication.
- It is necessary to also ensure that the sign language interpreter knows the form or variant of sign language used by the person concerned and can effectively communicate with that particular person.

聆聽輔助設備

- 聆聽輔助設備是透過使用麥克風、發射器、接收器和耳機，為使用者擴音和淨音，並降低環境噪音的設備。
- 最常見的聆聽輔助設備包括無線調頻系統（俗稱FM機）、紅外線系統和環線感應系統。
- 展開正式司法程序之前，須確保聾人和聽障人士的聆聽輔助設備運作良好，沒有故障或受信號干擾。
- 聆聽輔助設備的標誌：



國際暢通易達標誌
(聽覺受損)
International Symbol of
Access for Hearing Loss



聆聽輔助設備：替代標誌
Assistive Listening Devices:
Alternative Symbol



環線感應系統
(「T」掣) 標誌
Symbol of Induction Loop
(T-coil)

即時字幕員

- 即時字幕員是經過培訓的專業人員，能實時轉錄談話內容，以便聾人和聽障人士可以即時在手提電腦、熒幕或適當的設備上閱讀轉錄的文字。對於不懂手語但能閱讀文字的人而言，轉錄文字尤其實用。



Speech-to-text reporters

- Speech-to-text reporters are trained professionals who transcribe what is being said in real-time, so that DHoH persons can read it immediately on laptops, screens, or appropriate devices. This is particularly beneficial to those who can read written Chinese or English, but do not know how to use sign language.

與聾人和聽障人士溝通的常見誤解



誤解

✗ 助聽器可百分之百完全恢復聾人和聽障人士接收聲音的能力。

✗ 與聾人和聽障人士溝通時，文字能取代手語。

✗ 所有聾人和聽障人士都會讀唇語。我說話時只要直接看着他們即可。

✗ 所有聾人和聽障人士都不能說話。

事實

✓ 助聽器主要是擴音設備。部分聾人和聽障人士在嘈雜的環境中會選擇關掉助聽器，因為助聽器會擴大所有聲音，包括會不斷分散他們注意力的環境噪音。

✓ 雖然部分聾人和聽障人士能透過文字表達自己及接收資訊，但非全部人都可以。這取決於他們的語文水平。

✓ 部分聾人和聽障人士熟練讀唇，但也有些人不會讀唇。

✓ 千萬不要假設聾人和聽障人士不能說話，這其實是社會長期以來的誤解。部分聾人和聽障人士能用聲音說話，只是選擇不說，也有部分人傾向使用手語溝通。

Common Myths of Communicating with DHoH Persons



Myth

✗ Hearing aids can fully restore the abilities of DHoH persons to perceive sounds.

✗ Written text can replace sign language while communicating with DHoH persons.

✗ All DHoH persons read lips. I just have to look at them directly while speaking.

✗ All DHoH persons are mute.

Fact

✓ Hearing aids are mainly devices that amplify sounds. Some DHoH persons may choose to switch off their hearing aids in a noisy environment as the devices amplify all sounds, including background noises that will distract them constantly.

✓ While some DHoH persons can express themselves and understand information through written text well, some of them might not, depending on their language proficiency.

✓ Some DHoH persons are skilled lip readers, but some others are not.

✓ Never assume that DHoH persons cannot speak. Some of them can speak with voice, but choose not to, some others prefer to use sign language to communicate.

參與司法程序時，聾人和聽障人士 可參考以下建議：

- 盡早通知你的律師或法庭你需要甚麼輔助工具和服務。
具體說明你需要的工具和服務的類型。
- 在聆訊日提早到達法庭，與法庭核實你所需的輔助工具和服務是否運作正常。
- 如有需要，在聆訊開始時要求與手語傳譯員、即時字幕員或口語唇讀傳譯員作短暫交流，以確保雙方能有效地互相溝通。
- 聆訊期間，若輔助工具失靈或服務出現問題，應立即通知法官或你的律師。

閱讀指引全文



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When participating in the judicial process, DHoH persons may:

- Inform your lawyer or the court of your need for auxiliary aids and services, if any, as early as possible. Be specific regarding the type of aids and services you need.
- On the court hearing date, arrive early to check with the court whether the auxiliary aids and services requested are functioning.
- If deemed necessary, request to briefly communicate with the interpreters, speech-to-text reporters, or lip-speakers in the beginning of the hearing, in order to ensure you can communicate with one another effectively.
- During the hearing, do not hesitate to inform the judge or your lawyer, if the auxiliary aids and services are not functioning properly.

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SMS enquiry service for DHoH persons or persons with speech difficulties : 697 2566 6165 38

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本指引內容只供參考用途，不可視為法律意見。如有任何查詢或需更多資訊，請聯絡平等機會委員會。

All information contained in this Guide is for reference only, and it is no substitute for legal advice. If you have any enquiries or need further information, please contact the Equal Opportunities Commission.

2022年11月發布 Published in November 2022



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