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EQUAL OPPORTUNITIES COMMISSION



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EQUAL OPPORTUNITIES COMMISSION

GUIDE DOGS: A Practical Guide



Guide Dogs: A Practical Guide

Press Conference

9 May 2024



Background

- According to the Census and Statistics Department, there were around **47,600** persons with seeing difficulty in Hong Kong in 2020, which is equal to a prevalence rate of 0.6% among the total population.
- In the past five years, the EOC has received **seven** complaints from persons with visual impairments that they were discriminated against due to being accompanied by a guide dog and **refused services or access to premises as well as during job recruitment process.**



Background

- **Discrimination against the use of guide dogs by persons with disabilities (“PWDs”) without justification may be unlawful** under the Disability Discrimination Ordinance (“DDO”) in Hong Kong, which prohibits both direct and indirect discrimination against PWDs on the ground of their disability.
- The EOC strongly believes that PWDs should enjoy equal rights to participate in society in **public domains**, such as equal access to premises and provision of goods, services and facilities.



Right to Accessibility

United Nations Convention on the Rights of Persons with Disabilities

- According to Articles 9 and 20, which focus on accessibility and personal mobility respectively, States Parties shall take effective measures to facilitate access by PWDs to **live assistance like use of guide dogs**, in order to foster the independence and full participation of PWDs in all aspects of life.
- States Parties should also ensure that **appropriate training be provided** to stakeholders and staff working with PWDs in relation to the matter.



Right to Accessibility

Disability Discrimination Ordinance in Hong Kong

- The DDO offers protection to persons with different forms of disability, including visual impairments, hearing difficulties, autism and epilepsy, etc. The DDO **prohibits** both **direct and indirect discrimination** against PWDs in **applicable fields** such as **access to and management of premises, goods, services and facilities, and employment**, etc.
- **Direct discrimination** occurs when, on the ground of disability, a PWD (e.g. a person with visual impairment) is treated less favourably than another person without a disability in similar circumstances.



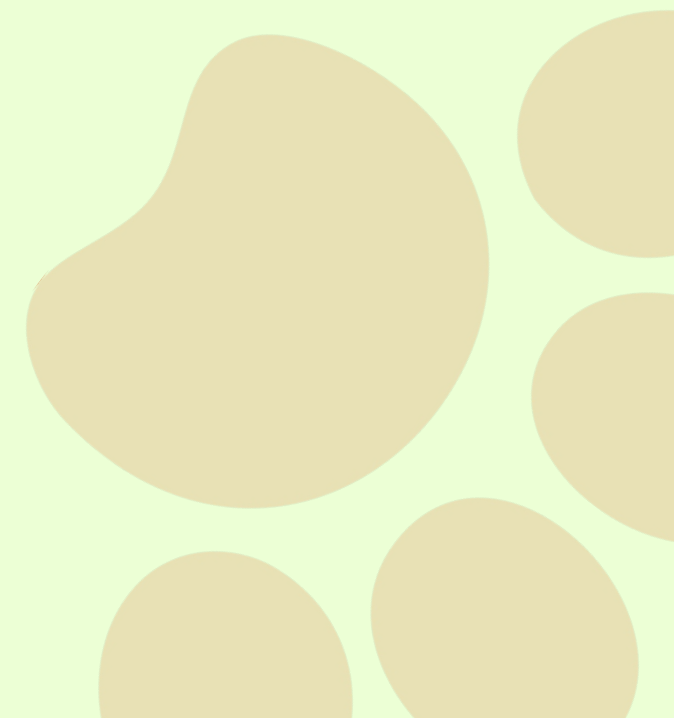
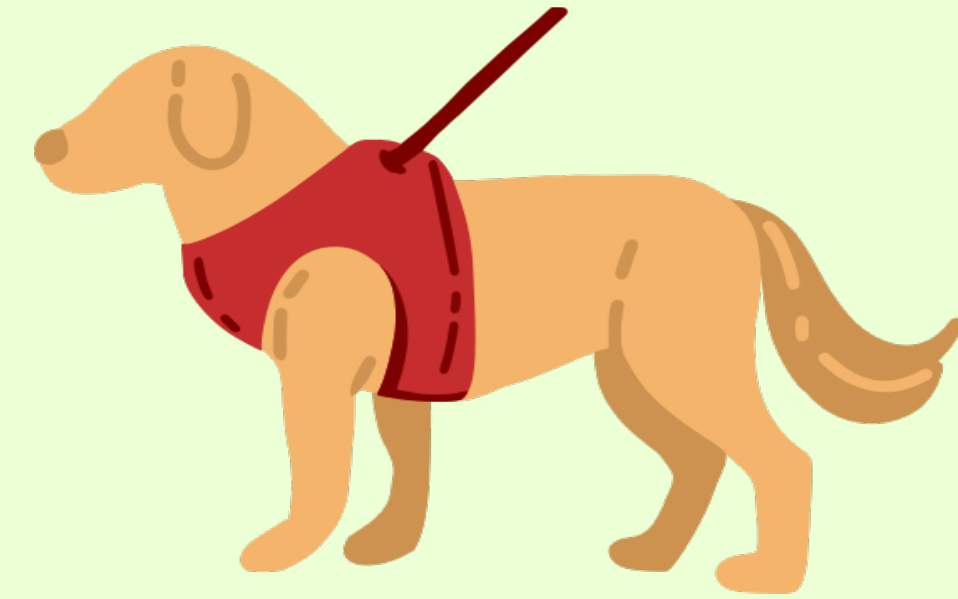
Right to Accessibility

Disability Discrimination Ordinance in Hong Kong

- **Indirect discrimination** involves **applying a seemingly neutral condition or requirement** on everyone (e.g. a blanket ban on bringing animals into a premise), but such condition or requirement is **disproportionately detrimental** to PWDs (e.g. persons with visual impairments using guide dogs) and the application of such condition or requirement is **not justified**.
- While there is currently no express provision in the DDO specifying that a refusal of the use of guide dogs is direct discrimination, a **discrimination claim may still be lodged if a PWD is being indirectly discriminated against during the use of guide dog**.

Definition of Guide Dogs

- Guide dogs are trained to perform tasks for persons with visual impairments. This can be seen as their “job” as they are **individually trained to behave properly in public and faithfully follow directions from their users.**
- Aside from guide dogs, there are other types of dogs which receive dedicated training for providing services for other types of PWDs. They are collectively called “service dogs”.





Definitions or Legal Protection in Other Jurisdictions

- Some jurisdictions have implemented laws and regulations that define and protect the use of **service dogs, including guide dogs**. For instance:
- In **Mainland China**, the **Law on Building a Barrier-free Environment** came into effect in September 2023, offering legal protection for PWDs using service dogs in specific public domains like **hotels, cinemas, sports facilities, libraries, shopping malls, public transport and relevant transportation facilities**.



Definitions or Legal Protection in Other Jurisdictions

- The **Administrative Methods of Air Transport for Persons with Disabilities** issued by the Civil Aviation Administration of China defines **service dogs** as “dogs specialised to provide assistance for persons with disabilities to live and work, including **assistance dogs, hearing dogs and guide dogs**”.
- In **Australia**, the **Disability Discrimination Act 1992** protects the rights of assistance dog users in **access to public places, accommodation, education, employment and goods, service and facilities**.
- Other common law jurisdictions, such as **Canada, New Zealand, the United Kingdom and the United States**, provide protection in similar public domains through their anti-discrimination legislation.

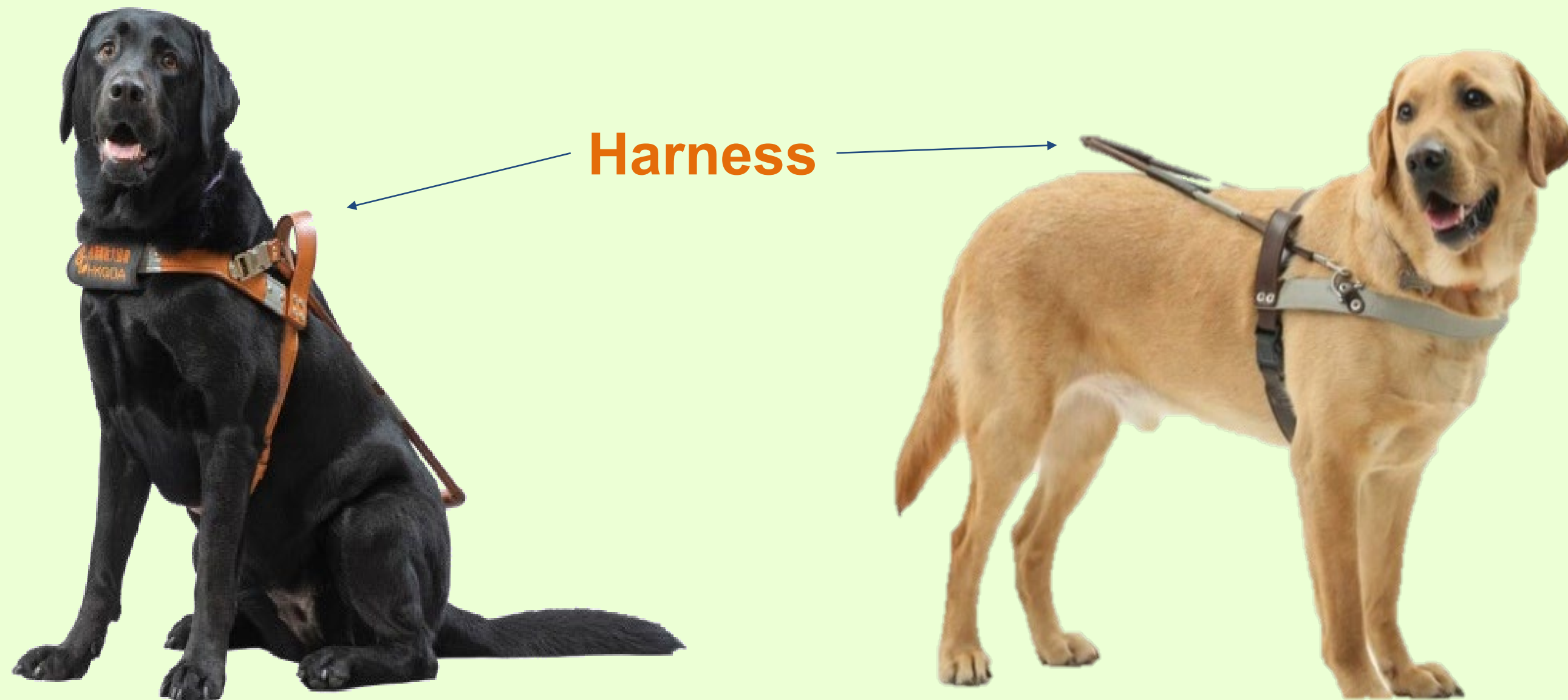


Situation in Hong Kong

- As of April 2024, there are **over 50 trained guide dogs in service** in Hong Kong, while the International Guide Dog Federation recommends one guide dog for every 100 persons with visual impairments.
- Currently, there is a limited extent of legal protection for PWDs' use of guide dogs in some designated public domains, such as **access to food premises and boarding of the MTR, franchised buses and the Peak Tram**.
- However, there is no such legal protection in other public domains, such as education and employment.

How to Identify Guide Dogs?

- The **trained guide dogs** provided by two local NGOs are equipped with **harness** for identification





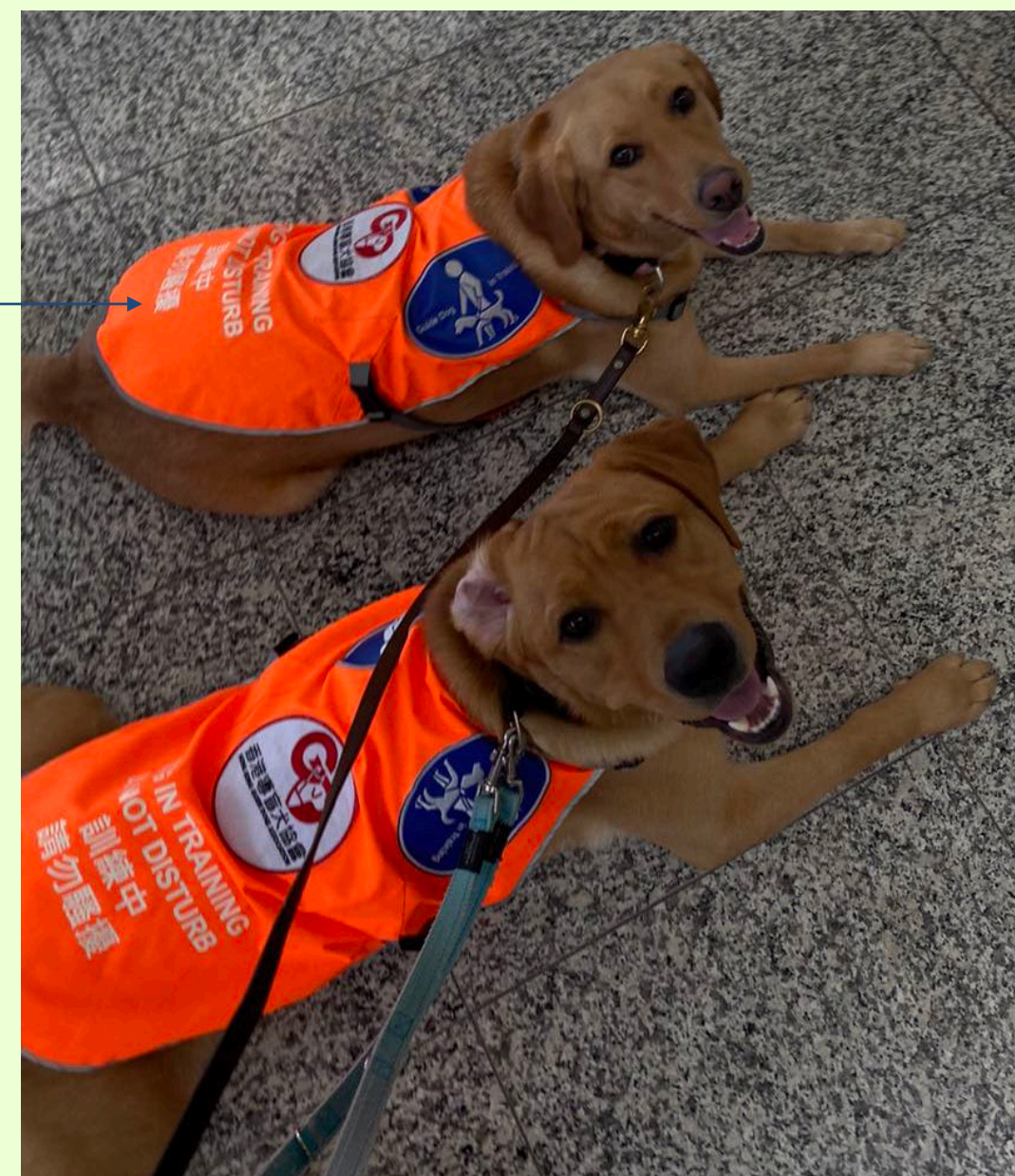
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How to Identify Guide Dogs?

- **Guide dog puppies and guide dogs-in-training wear jacket and/or vest**



Vest



Identification Documents of Guide Dog Users





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Issued by Hong
Kong Guide Dogs
Association
(HKGDA)

Issued by Hong
Kong Seeing Eye
Dog Services
(HKSEDS)

 香港導盲犬協會 Hong Kong Guide Dogs Association	Guide Dog Name 導盲犬名字 : [REDACTED] AVID : [REDACTED] GDA No. : [REDACTED] DOB : 5 Nov 2017 Breed/品種 : Labrador /拉布拉多 Gender/性別 : Male/男 Color/顏色 : Black/黑色 Guide Dog Qualification Date/ 8 August 2019 導盲犬畢業日期:	  *If found this card, please contact us. *如有拾獲此卡，請聯絡本會。 Tel: [REDACTED]
 [REDACTED] and qualified as Guide Dog User with Guide Dog [REDACTED] on 8 July 2020 [Signature] [REDACTED] Chairperson (Service Development & Support Committee) Management Board Member 21 Sep 2023 Date Issued		

 HONG KONG SEEING EYE DOG SERVICES 香港導盲犬服務中心	香港導盲犬服務中心 Hong Kong Seeing Eye Dog Services
導盲犬 Seeing Eye Dog Name : [REDACTED] Chip #: [REDACTED] Owner: [REDACTED] Phone: (852) [REDACTED] 	Particulars of Dog Name : [REDACTED] Breed : Labrador Retriever Sex : Male Colour : Black Date of Birth : 05/Jun/2021

Identification Documents of Puppy Raisers or Boarders



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 香港導盲犬協會 HONG KONG GUIDE DOGS ASSOCIATION		 香港導盲犬協會 HONG KONG GUIDE DOGS ASSOCIATION	
Guide Dog In Training 訓練中導盲犬: Ace	SAMPLE	Puppy Name 幼犬名字: Ace	
AVID No. [Redacted]		Gender / 性別: Male / 男	
Boarder 導盲犬寄養家庭		D.OB/出生日期: 15 Nov 2020	
		Colour / 顏色: Yellow / 金黃色	
		Breed / 品種: Labrador Retriever / 拉布拉多尋回犬	
		* Please contact us if you found this card * 如有拾獲此卡 請聯絡本會	
			Tel. [Redacted]

Issued by
HKGDA

 HKSEDS HONG KONG SEEING EYE DOG SERVICES 香港導盲犬服務中心	
寄養家庭	Puppy Walker
[Redacted]	
Phone : (852) [Redacted] E-mail : services@seeingeyedog.org.hk 香港 新界 打鼓嶺 蓮麻坑路 300 號 300 Lin Ma Hang Road, Ta Kwu Ling, New Territories, Hong Kong	

香港導盲犬服務中心 Hong Kong Seeing Eye Dog Services

陪同或為盲人或視障人士提供服務的導盲犬豁免於香港法例第 132X 章、第 230A 章、第 265B 章、第 388B 章、第 483A 章、第 556B 章、第 556H 章以及第 1156A 章及相關附屬條例。

Guide dogs accompanying or acting as service dogs for blind or visually impaired persons are exempted from Hong Kong Ordinances Chapter 132X, 230A, 265B, 388B, 483A, 556B, 556H and 1156A and related subsidiary legislation.

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HKSEDS

Identification Documents of Guide Dog Trainers



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訓練員 Trainer



Phone : (852) [REDACTED]
E-mail : services@seeingeyedog.org.hk
香港 新界 打鼓嶺 蓮麻坑路 300 號
300 Lin Ma Hang Road, Ta Kwu Ling,
New Territories, Hong Kong.



香港導盲犬服務中心
Hong Kong Seeing Eye Dog Services

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**Issued by
HKSEDS**

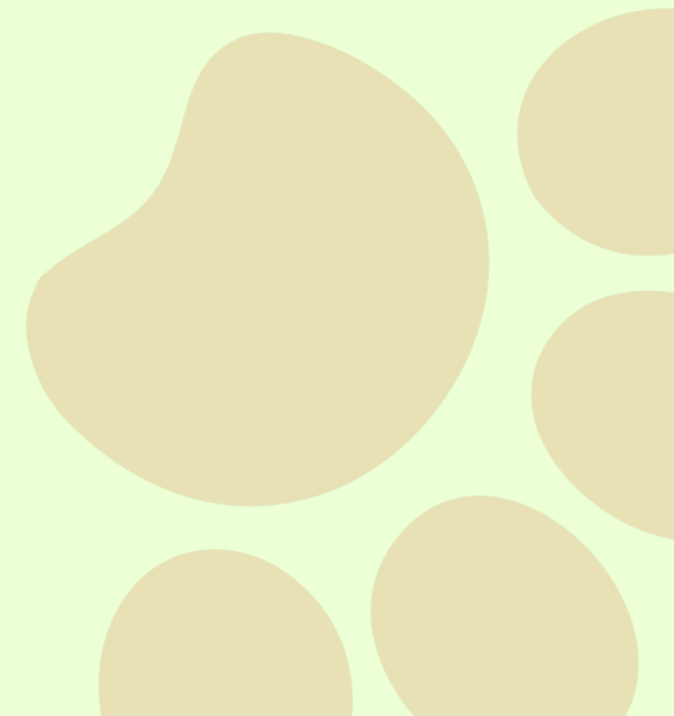


**Issued by MTR
Corporation**



How to Identify Guide Dogs?

- Besides visual identification, individual operators or managers can ask questions tactfully, when in doubt, to **clarify whether the dog is a guide dog** and its trained task(s) in assisting persons with visual impairments.
- However, we may wish to **avoid unnecessary inquiries about a person's disability** or asking for demonstration of trained tasks by the guide dog.





Interviews with Guide Dog Users

In October 2023, the EOC conducted one-on-one interviews with four guide dog users to solicit their views on using guide dogs in different public domains, and suggestions for improving support.

Personal Views on Guide Dogs

- All interviewees expressed **positive feedback** on the functions of guide dogs. They became **more independent** than before and **more confident** about going out without bumping into people or accidentally knocking goods off the shelves when using their white cane.
- All interviewees preferred bringing their guide dogs to less crowded places while **avoiding crowded and dirty places**.



Interviews with Guide Dog Users

Positive Encounters when Using Guide Dogs

- All interviewees mentioned receiving support from their guide dogs in various public domains. The majority emphasised the significance of their guide dogs in **public transport**.
- To facilitate the use of guide dog in the interviewees' daily lives, one interviewee **asked for support by getting colleagues' understanding in the workplace**.

My guide dog knows what to do when we go to Diamond Hill Station for train transfers. When we arrive at Diamond Hill Station, it follows the crowd and guides me to the correct platform for changing trains to urban areas.

*I enquired with the company if they would be open to having one of the NGOs providing guide dog services to give a briefing at the office so that all of our colleagues could learn how to interact with guide dogs. In the end, **my supervisors attended the briefing**.*



Interviews with Guide Dog Users

Negative Encounters when Using Guide Dogs

- Some interviewees encountered discrimination by service providers in some public domains. In particular, many of them were **refused service** or treated less favourably by **taxi drivers** by **charging them with \$5 additional charge**.

*Hailing a taxi is a thorny issue because I can't reason with the drivers. It is common for taxis to **refuse to stop** when they see a guide dog.*

*I was once **refused service** by **three New Territories taxi drivers** at a railway station..... One driver said he was afraid of dogs; another claimed to be allergic to dogs. I was really angry at that time, but eventually, he admitted that he had no allergy towards dogs and reluctantly agreed to take us to our destination.*



Interviews with Guide Dog Users

Negative Encounters when Using Guide Dogs

- An interviewee reported experiencing unwelcoming treatment at **restaurants**.

*There are times when restaurants **reject us by claiming falsely** there are **no seats available**, assuming we won't notice because of our visual impairment. The person I travelled with **didn't see anyone waiting, and no queue ticket was distributed or called.***



Interviews with Guide Dog Users

Enhanced Support for Guide Dog Users

- To support guide dog users in different public domains, some interviewees raised some tips and shared some practices implemented by their employers.

*After I informed my supervisor, the company took the initiative to **allocate a suitable area for my guide dog to rest** whenever it accompanies me to the office. The company designated an area for me without me having to make a specific request.*

*It is crucial for us to carefully consider how we communicate the point about avoiding disturbances to guide dogs. We must ensure that the message **does not discourage people from approaching and talking with individuals who are accompanied by guide dogs**, as this could potentially lead to their social isolation.*



Interviews with Guide Dog Users

Enhanced Support for Guide Dog Users

- An interviewee considered that **guide dog puppies and guide dogs-in-training** were equally important as working guide dogs because every guide dog **had to go through socialisation and advanced training**, which took place in **public areas**.

*I believe that guide dog puppies should be protected under the DDO too. I have heard that **puppy raisers often face rejection**, such as being criticised or denied transportation. This is all because of the absence of legal protection.*

Practical Tips for All Stakeholders in Different Public Domains



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The EOC proposes the following practical tips for protecting the rights of guide dog users in public domains, for the reference of **managers of premises, service providers and employers**, etc.:

- ✓ **Allow** guide dog users and their guide dogs to **enter facilities, premises, and transport vehicles**.
- ✓ **Post notices or stickers** in conspicuous places to **clearly indicate** that guide dog users and their guide dogs are **allowed** for entry.
- ✓ **Provide reasonable accommodations** to guide dog users such as reserving sufficient space for the guide dogs to rest next to their users.



Practical Tips for All Stakeholders in Different Public Domains



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- ✓ **Avoid imposing extra fees** on guide dog users because they are accompanied by their guide dogs.
- ✓ Provide **comprehensive training** to **staff, including frontline, back-office and contract workers**, to raise their awareness of guide dogs, including how to interact with guide dog users and remind them of the organisation's policy and acceptance of guide dogs.
- ✓ Under **reasonably practicable** circumstances, **allow puppy raisers, boarders or trainers** to bring their guide dog puppies or guide dogs in training into different facilities, premises and transport vehicles **for training**.
- ✓ **Develop measures to prepare for potential conflicts** between guide dog users and people who are allergic to dogs in shared spaces.

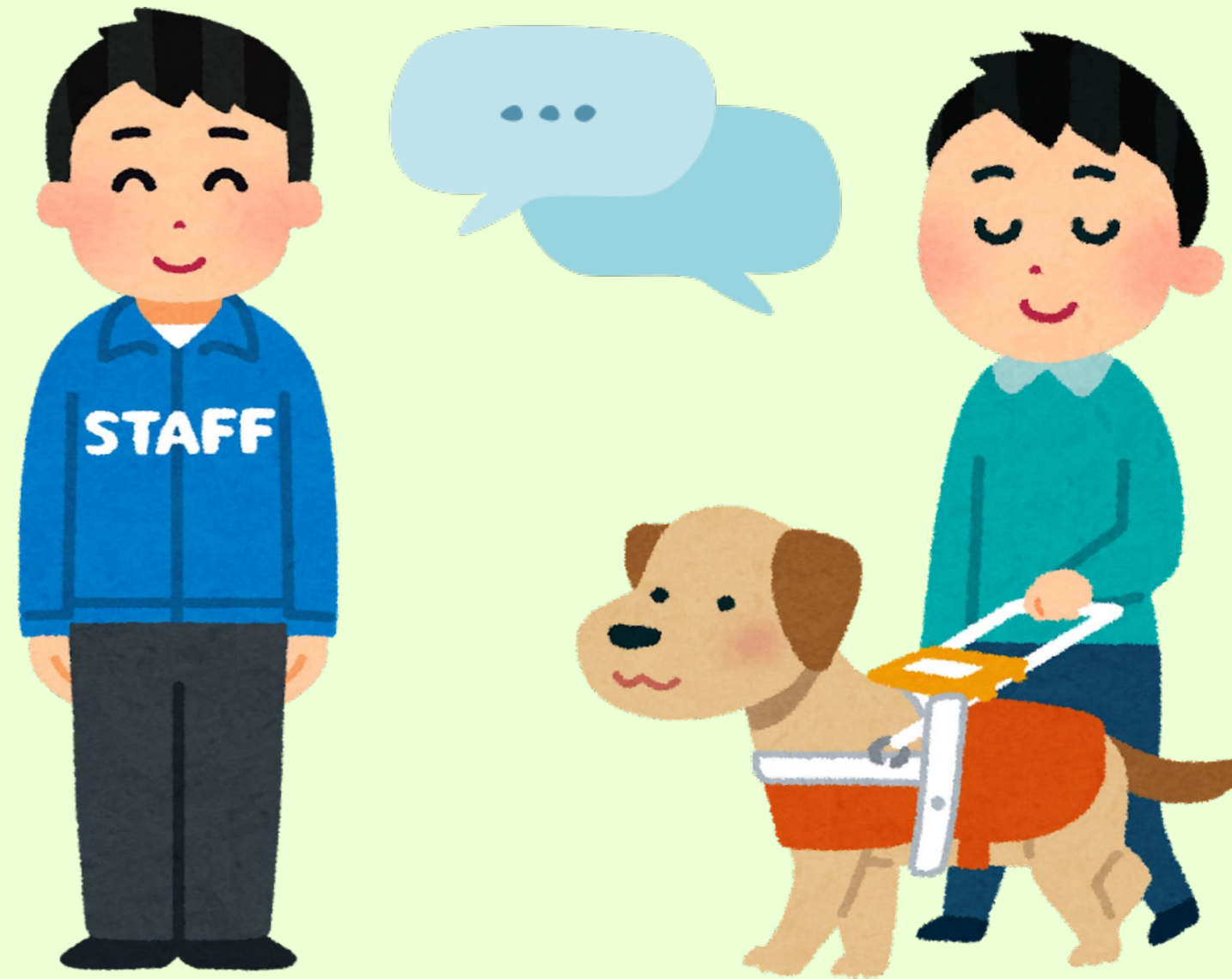
Practical Tips for Transport Sector



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All types of public transport

- ✓ Frontline staff should **only communicate with guide dog users** when providing assistance and should avoid interfering with or petting their guide dogs.

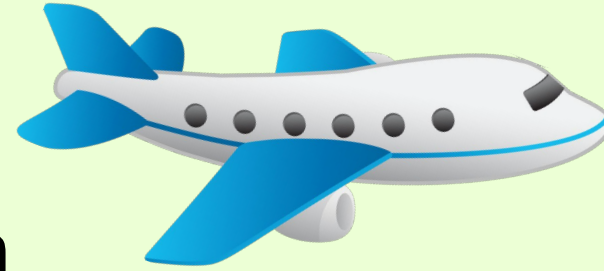


Practical Tips for Transport Sector



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Airline operators



- ✓ **Proactively alert** passengers who have indicated to travel with guide dogs about destination regulations and the required documentation before departure.
- ✓ **Avoid** arranging guide dog users and their guide dogs in a **row adjacent to an emergency exit**.
- ✓ Accommodate **large guide dogs on the cabin floor by the user's feet**, while smaller guide dogs could be placed on the user's lap, which is suitably restrained with a harness attached to the user's seat belt for safe take-off, landing and in turbulence.
- ✓ If the standard washroom is insufficient for both guide dog user and the guide dog, cabin crew **may allow** them to **use the washroom with more space** at premium class.

Practical Tips for Transport Sector



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Train Operators

- ✓ Educate passengers to **reserve space** for guide dog users and encourage those sitting next to them to allow for more space for the guide dog.
- ✓ Ensure frontline staff at stations **wear high-visibility jackets** to help visually impaired customers distinguish them from others, especially in busy stations.
- ✓ Provide assistance to guide dog users when boarding the train by **guiding** them to the appropriate compartment (if needed).



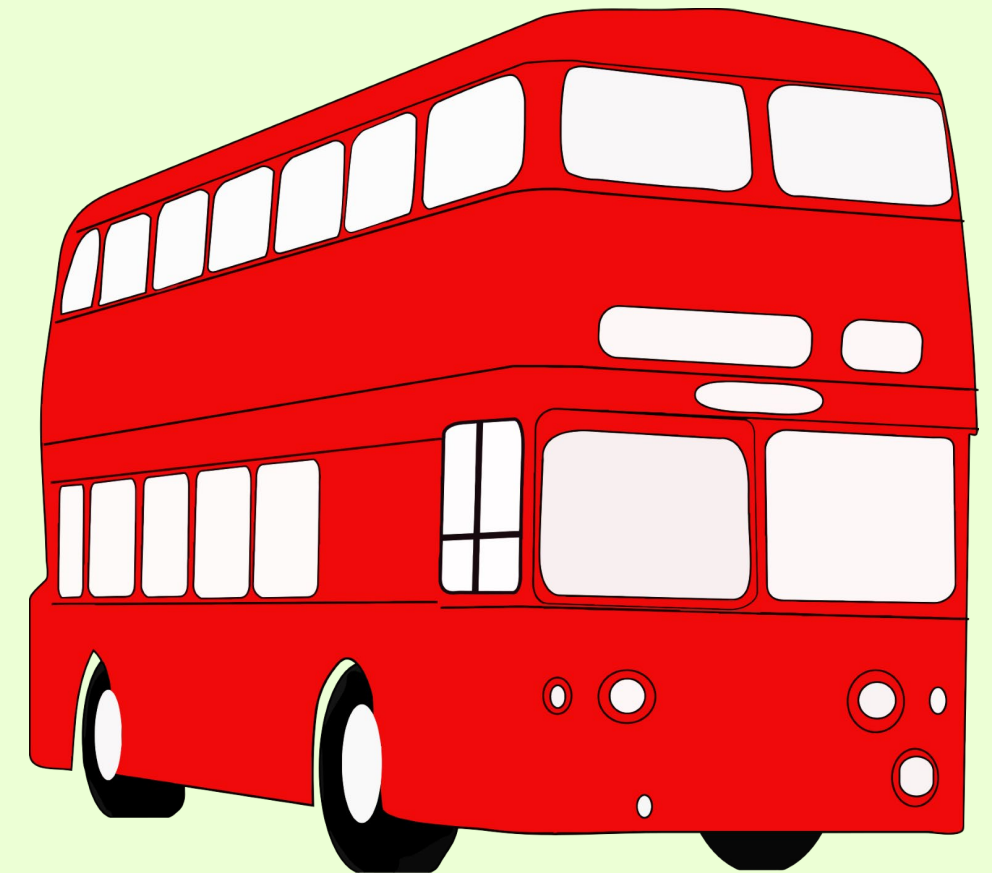
Practical Tips for Transport Sector



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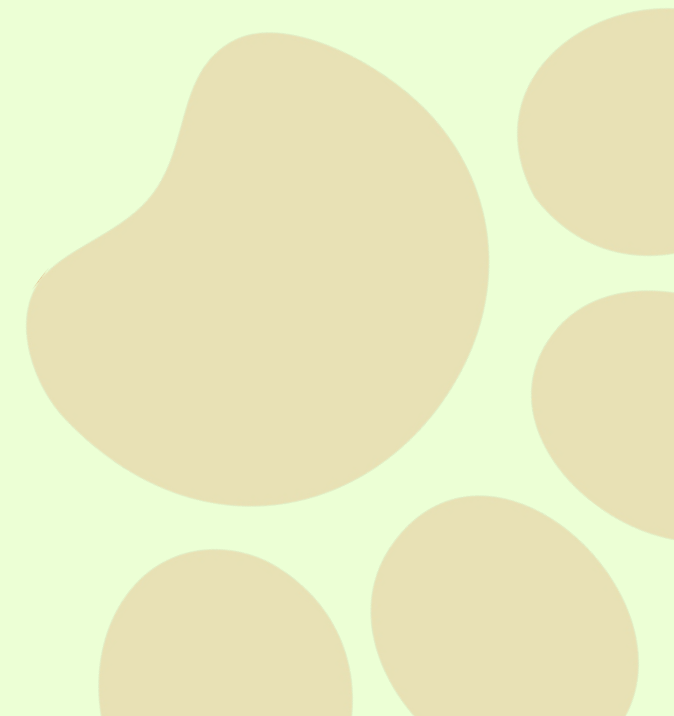
Bus drivers

- ✓ **Park close to the curb** and remind guide dog users of potential aisle obstacles.
- ✓ Ensure guide dog users and their guide dogs are **seated before departure**.
- ✓ **Offer assistance** to guide dog users, such as confirming their intended stops.



Minibus drivers

- ✓ Under **reasonably practicable** circumstances, **allow** guide dog users and their guide dogs to **get on the minibus**.



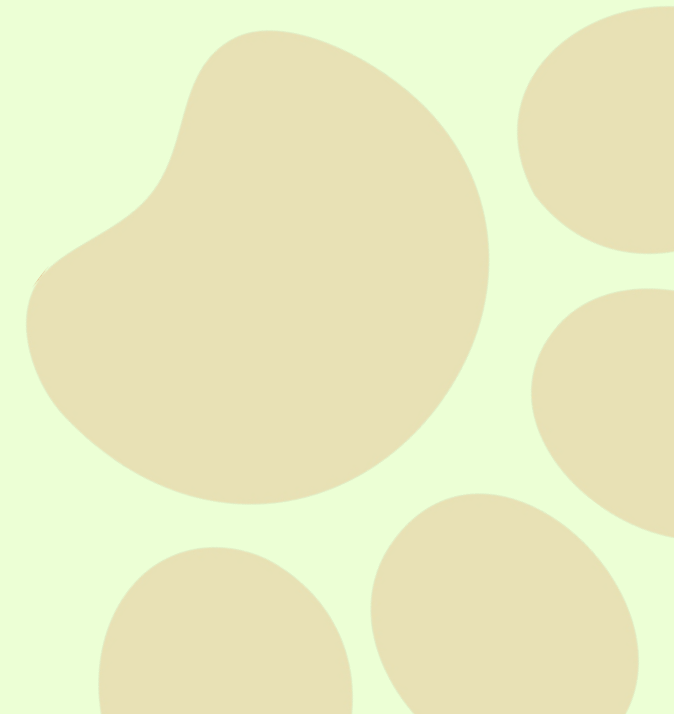
Practical Tips for Transport Sector



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Taxi drivers

- ✓ Suggest guide dog users **sit at the back**.
- ✓ Suggest guide dog users keep their guide dogs in the footwell underneath them.
- ✓ Attend to the comfort of the guide dog users and their guide dogs before starting the journey, such as **checking** if the **taxi's ventilation and temperature** are suitable for them.



Practical Tips for Restaurants and Hotels



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- ✓ Allow guide dog users to **temporarily place their guide dogs under the dining tables** until they have completed taking meals at self-service food lines, counters or buffet areas, if any.
- ✓ **Avoid providing guide dog users with inferior services**, such as denying them access to certain areas of a restaurant, cafe, or bar, or limiting them to an area where persons without disability are typically permitted.
- ✓ Allow guide dog users to reserve any available room in hotels, just like other hotel guests, **without limiting them to rooms designated as “pet-friendly”**.

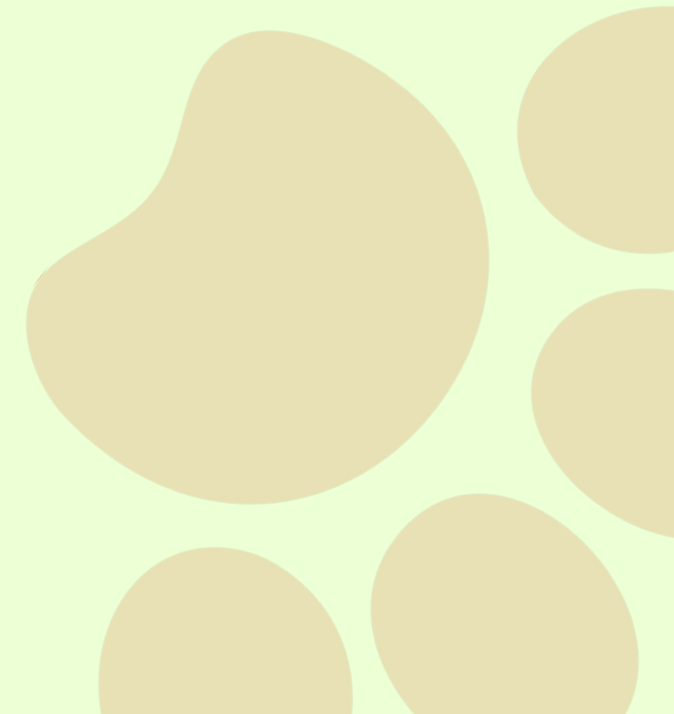


Practical Tips for Managers of Premises



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- ✓ Handle any problems related to guide dogs **in the same way as other non-disability issues**. For example, if a manager of a premise receives a complaint about a guide dog's barking, he/she should handle it in the same way as handling a complaint about loud music.
- ✓ **Ask disability-related information** only as needed to **ascertain the accommodation needs** of people accompanied by guide dogs.

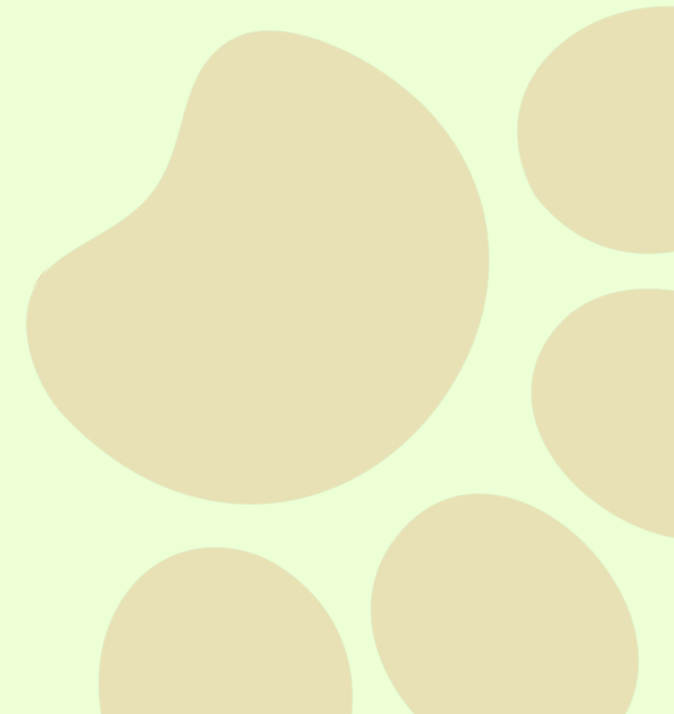
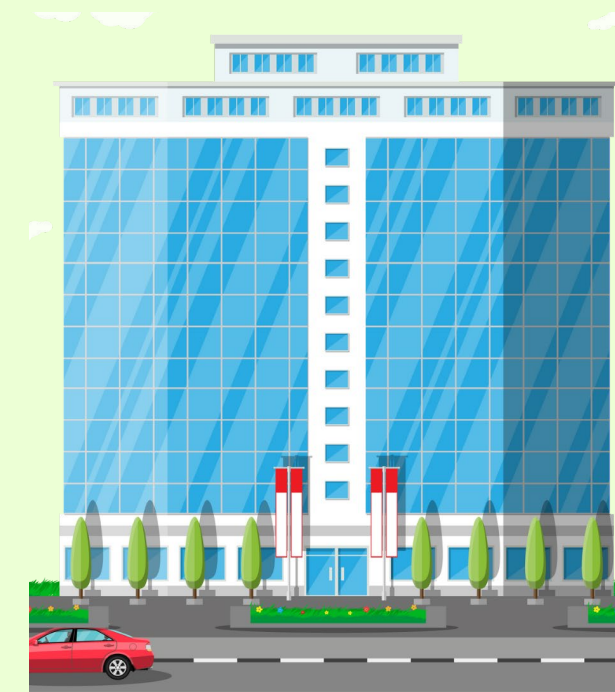


Practical Tips for Managers of Premises



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- ✓ **Avoid sharing** personal information related to guide dog users' disabilities with other residents or occupiers.
- ✓ **Enhance training for frontline staff (e.g. security guards)** to increase their awareness and acceptance of guide dogs.

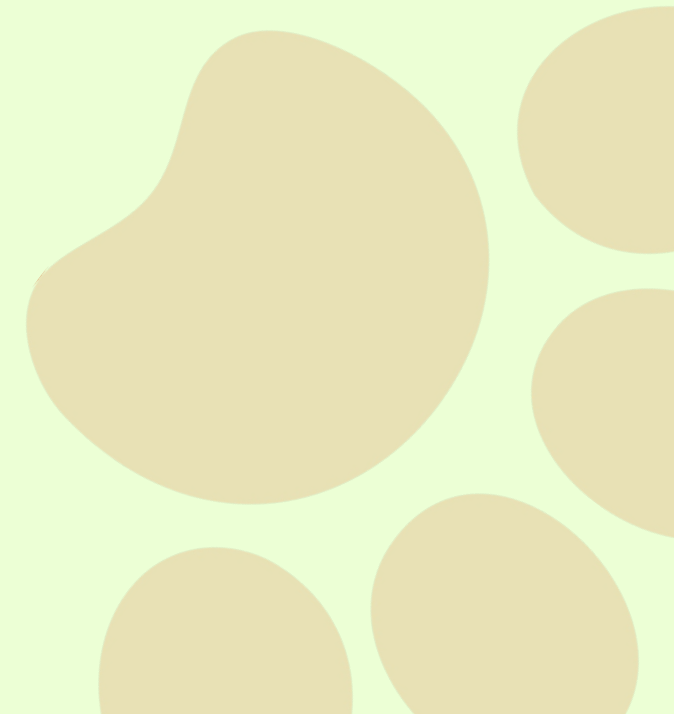




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Practical Tips for Employers

- ✓ Create a **barrier-free accessible path** of travel.
- ✓ Consult guide dog users on the location of their seats with a view to facilitating their movement. With **mutual agreement and consent**, employers may assign guide dog users to seats that are **convenient, away from areas with high traffic and/or noisy**.
- ✓ Allow guide dog users, whether they are **job applicants or employees**, to **bring their guide dogs to the workplaces**

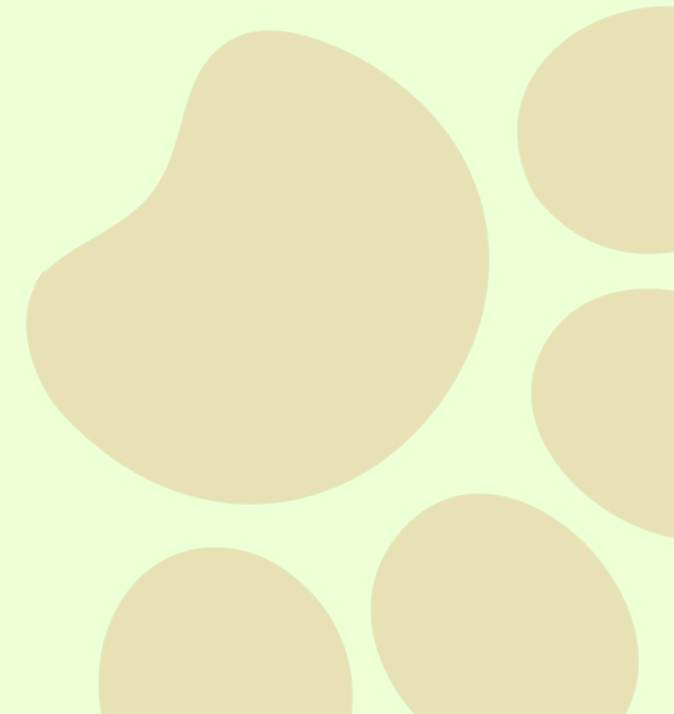




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Practical Tips for Employers

- ✓ **Adjust work schedules** of guide dog users to include short breaks to care for the guide dogs' basic daily needs, such as taking the guide dogs outside for a break.
- ✓ **Designate a space for the guide dog** and its bed. The resting area is advised to be located in a draught-free space and positioned near its user's desk or workbench.





Three Don'ts and One Do

Don't Reject	Do not reject but accept that guide dogs can have free access to public places, private/public estates and public transport.
Don't Disturb/ Pet	<ul style="list-style-type: none">• Do not touch, pet or annoy a working guide dog without the consent of the user.• Do not catch the attention of a guide dog by making noises or gestures.
Don't Feed	Do not feed or coax a guide dog.
Do Enquire	Do enquire if your help is needed whenever you find a person with a guide dog lingering or hesitating in the streets. In addition, if you would like to touch or take a photo of the guide dog, do ask for the user's consent first.



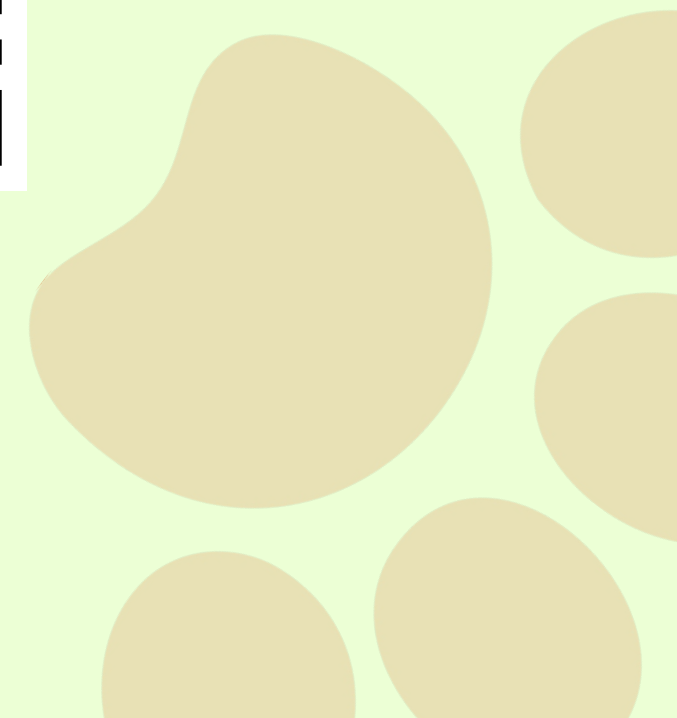
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Sharing by a Guide Dog User

Ms. Koonie CHAN



Full Guide





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Q & A

