

**Submission in relation to Education for Non-Chinese Speaking
Children with Special Education Needs in Hong Kong on 3 April 2008**

I write in my capacity as a parent of a mentally and physically disabled child in Hong Kong.

I urge the Government to consider providing effectively for the basic right to education of a particularly vulnerable group of children: non-Chinese speaking children with disabilities. I believe these children are victims of *de facto* discrimination and that they are not given equal opportunities (compared with other children in Hong Kong) to fully develop their individual potential on a non-discriminatory basis.

This is even though Hong Kong has embraced core concepts of human rights and introduced laws to safeguard some of those rights, including the right to education and the right to non-discrimination. In recent years the Government has spent considerable resources on education, integration and racial discrimination issues but most of those efforts have aimed at integrating non-Chinese speaking children into the Chinese education system.

However well intended these efforts, if the truth be told, non-Chinese speaking children with normal or above average intelligence continue to struggle with Chinese as a medium of instruction. Most importantly for today, these efforts have not helped disabled non-Chinese speaking children. For moderately or severely disabled children, attempts to integrate them into education in a language not their own, are bound to fail. As at today:

- there is no free education for moderate to severely disabled, non-Chinese speaking (resident) children;
- there is very limited provision of **paid** services for these children (Sarah Roe has 60 places in total) but they are segmented, inefficient and offered on a costly and reserved basis; and
- a number of children are (or will be) in limbo because non-Chinese speaking special needs education is not available.

This *de facto* discrimination against disabled non-Chinese speaking children is exacerbated by the Government increasing spending on educational reform, medium of instruction, and integration for Chinese speaking children with disabilities as well as the Government's recent attention to providing education for able non-Chinese speaking children.

I first thought this could be an inadvertent oversight in the implementation of Hong Kong's education and human rights policies but having read the paper the Administration prepared for today (LC Paper No.CB(2) 1465/07-08(02)), I now think that the Government may be in denial that discrimination exists against the non-Chinese speaking children with special needs. For example, the paper notes that there are public sector schools and a variety of support services for non-Chinese speaking children with special education needs, as well as 15 English School Foundation schools and 38 International Schools which provide an alternative in the Hong Kong Educational system. Two observations immediately come to mind:

1. Teaching a non-Chinese speaking special needs child in a language that neither the child nor his or her family understand is ridiculously far from the spirit of Hong Kong's obligations under various international treaties.
2. If that is so, there is really no free education which the non-Chinese speaking child with moderate to severe disabilities can benefit from.

Despite the implementation of certain legal safeguards aimed at protecting vulnerable groups in society, children who are both members of a minority group and severely disabled are not given

access to education. The Government provides only for them to learn in Cantonese, a language that their family members do not speak proficiently and that can only lead to failure or alienation. The fact remains that the lack of attention, funding and resources available to this group at the moment seems inequitably disproportionate when compared with provision for other children (able or not).

If the HKSAR is serious about equality and non-discrimination, or if we are to pride ourselves on being a *World Class City*, this unfortunate situation must be resolved as soon as possible. Leadership from the Government is essential to address the lack of co-ordination and the existing inefficient and fragmented services provided by private or charitable organizations. The Government can make a difference by ensuring that our policies are implemented in a way that truly reflects society's human rights obligations and truly help these children.

Eva Griffiths

Parent of a 6 year-old child with multiple-disabilities - a child blessed with a space at Sarah Roe.