



**Submissions to the Legislative Council Panel on Public Service on
the Employment of Ethnic Minorities in the Civil Service (20 July, 2015)**

1. The recruitment of civil servants should be done in accordance with the principle of equal opportunities. This is enshrined in article 25(c) of the International Covenant on Civil and Political Rights, which states that every citizen shall have the right and the opportunity, without any distinctions of any kind such as race and language and without unreasonable restrictions, to have access, on general terms of equality, to public service in his country.
2. A racially diverse civil service will be more competent in serving Hong Kong, a cosmopolitan city. The Civil Service Bureau (“CSB”), which has the responsibility of maintaining the competence of the civil service, should also take the further step of liaising with the Education Bureau on ensuring that ethnic minority youths receive adequate training on language and other skills.

Language proficiency requirements

Slow progress in reviewing the language proficiency genuinely required of each post

3. There is a wide range of posts in the civil service. The proficiency in Chinese speaking, reading and writing genuinely needed for the performance of the tasks of each post varies. For degree specialist posts, as a general rule, applicants are required to pass the Chinese part of the Common Recruitment Examination. However, whether the tasks of these specialist posts truly require proficiency in Chinese speaking, reading and writing should be reviewed.
4. The Government does not seem to be sincere in its efforts to ensure the recruitment of civil servants conforms to the principle of equal opportunities. In the 2014 Policy Address, the Chief Executive announced that the CSB will make continuous efforts in reviewing the language proficiency



requirements (“LPRs”) of different posts and adjusting the requirements, where appropriate, to give ethnic minorities equal employment opportunities. According to the CSB paper prepared for the meeting of the panel in January 2014, the number of civil service posts which have relaxed the Chinese LPRs was 20, which only accounted for a very small proportion of the civil service. This number remained unchanged one year later, according to the CSB’s response to the Legislative Council Finance Committee in 2015. We urge the Government to lay down objectives and goals in relation to LPRs adjustments and set out stages or a timeframe for effective monitoring and assessment of the progress; and make genuine continuous efforts in adjusting LPRs accordingly.

Adult ethnic minorities lack Chinese language training opportunities

5. Very few non-manual labour government positions completely exempt Chinese language requirements. For ethnic minority adults who did not get the opportunity to study Chinese in school, civil service jobs are still not accessible to them because there are very few Chinese language training opportunities for adults. Although the Employees Retraining Board (ERB) and the Home Affairs Department (HAD), through ethnic minority support centres, provide scattered Chinese language classes for ethnic minorities, few provide Chinese training beyond the daily basics, thus not giving opportunity for ethnic minorities to progress in their Chinese learning and gain recognition. The CSB should work with other departments on improving adult and children Chinese language education.

Positions for ethnic minorities are mostly temporary or short-term contract

6. It cast doubts to the CSB’s commitment to creating a multiethnic civil service when most positions that aim at recruiting ethnic minorities (e.g. ethnic minority community liaisons and positions that value minority language skills) are not part of the civil service. Although some departments (such as LD, SWD, HAD and the Police Force) hire ethnic minorities to improve their services to ethnic minority residents, those positions are often



temporary or on short-term contract basis. For example, the Labour Department currently has an Employment Services Ambassador Programme for Ethnic Minorities, but the ambassadors only work and receive on-the-job training simultaneously for 6 months and cannot be employed by the Labour Department afterwards. The CSB should ensure ethnic minorities' equal access to both government contract and civil service positions.

Lack of clear information for ethnic minorities interested in joining the civil service

7. The adjustments to LPRs and recruitment requirements and formats are often released in government documents in a piecemeal manner and not promoted to the ethnic minority communities, making it difficult for ethnic minorities to access accurate civil service employment information. To ensure real equal opportunities for non-Chinese speaking candidates to join the civil service, the CSB should adopt reasonable measures to provide up-to-date recruitment information in a systematic manner, including provision of a list on its website containing the posts for which the LPRs and recruitment formats have been adjusted and the corresponding adjustments, and provision of a list of civil service grades or posts for which overseas Chinese language qualifications (e.g. the GCSE (Chinese)) and Applied Learning (Chinese) qualifications are accepted.

Overseas Chinese language qualifications may not satisfy individual departments' internal requirements

8. Although the Civil Service Bureau has the policy of accepting overseas Chinese language qualifications such as the GCSE and GCE ones in the recruitment process, in practice some individual departments have their own internal language assessments. This again underlines the importance of reviewing the genuine language proficiency required of all posts.

Recognizing the value of ethnic minorities such as proficiency in minority languages



9. The Police Force has taken the first step of hiring ethnic minorities as liaison assistants under non-civil service contract terms. The Social Welfare Department (SWD) has also announced the plan to hire ethnic minorities to facilitate its work in the Integrated Family Service Centres. More than a year has passed since its announcement; however, detailed arrangements have not been seen.
10. We hope that the SWD will step up its efforts to implement the plan; and that similar employment initiatives will be extended to other public bodies or department branches, such as public hospitals, clinics and maternal and child health centres, and job centres of the Labour Department, which particularly need staff members who understand the cultures and languages of ethnic minorities. The presence of ethnic minority staff will facilitate access of ethnic minorities to public services. However, these employment schemes should be reviewed on a regular basis and the real prospects for career advancement in the civil service for ethnic minorities should be assessed.

The lack of ethnicity data

11. The Government claims that it does not have the ethnicity data of the whole civil service because race is not a relevant consideration in the appointment and promotion of civil servants. However, as stated in the report of independent expert Gay McDougall to the United Nations Human Rights Council in 2009¹, in the field of education and minorities, there is a compelling need for accurate data that are qualitative and quantitative, disaggregated by sex, race, ethnicity and disability status in order to assess the necessary requirements in the development of education policies. We believe that, similarly, the Civil Service Bureau has the obligation to collect qualitative and quantitative data disaggregated by race about the civil service to ensure ethnic minorities are not underrepresented and to devise the

¹ “Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development”, Report of the independent expert on minority issues, Gay McDougall, 2009, A/HRC/10/11/Add.1.



relevant policies. In particular, the data should show the change in the appointment and promotion of ethnic minority civil servants after 1997.

Unison's demands and questions

12. Many ethnic minority youths aspire to serve the Hong Kong society as civil servants and generations have already been unable to fulfil their dreams because of the poor Chinese education. The United Nations Human Rights Committee also pointed out the importance of reassessing the Chinese proficiency required of each post. In this connection, ***will the Government provide the timeline for reviewing the language proficiency requirements of all posts and ensuring the internal language assessments of individual departments are in line with the genuine occupational needs of the respective posts?***

13. As the Government manages to claim in 2012 that a Pakistani lady is the first South Asian policewoman appointed since the handover, ***will the Government provide the racial profile of the whole civil service, including information on civil servants' length of service, education level, salary and promotion history?***

14. ***Will the Government provide the timeline for extending the scope of future surveys on the race profile of the civil service?***

15. ***What follow-up actions will the Government take in relation to the under-representation of ethnic minorities in the civil service as shown by the results of the survey conducted by the Civil Service Bureau in 2011?***

16. ***Will the Government provide the timeline for reviewing the need for appointing ethnic minority liaison assistants in all government departments and public bodies?***