

For discussion
On 23 January 2018

Legislative Council Subcommittee on Rights of Ethnic Minorities

**Implementation and Review of the
Administrative Guidelines on Promotion of Racial Equality**

Background

The HKSAR Government is committed to eliminating racial discrimination and promoting equal opportunities for ethnic minorities (“EMs”). The Race Discrimination Ordinance (Cap. 602) (“RDO”), which came into full operation in July 2009, seeks to protect people against discrimination, harassment and vilification on the ground of race. The RDO provides that it is unlawful to discriminate in specified areas, including employment; education; provision of goods, facilities, services and premises; election and appointment matters of public bodies etc; arrangements in relation to barristers and membership of clubs. It is also unlawful to racially harass another person (i.e. engaging in unwelcome conduct, in circumstances in which a reasonable person would have anticipated that the other person would be offended, humiliated or intimidated by that conduct) in these fields.

2. In 2010, the Constitutional and Mainland Affairs Bureau (CMAB) issued the Administrative Guidelines on Promotion of Racial Equality (“the Guidelines”) (see **Annex A**) to provide general guidance to relevant government bureaux and departments and public authorities (hereafter referred to as “relevant authorities”) to promote racial equality and ensure equal access by EMs to public services in the key areas concerned, and to take this into account in the formulation, implementation and review of relevant policies and measures. The Guidelines cover the key public services which are particularly relevant to meeting the needs of EMs and facilitating their integration into society namely, medical, education, vocational training, employment and major community services.

Implementation and Review of the Guidelines

3. Different bureaux and departments and public authorities are responsible for implementing and monitoring the implementation of the

Guidelines in areas relevant to their purview. In accordance with the Guidelines, the relevant authorities have drawn up checklist of measures within their respective policy and programme areas that would assist in the promotion of racial equality, equal access to key public services and transparency of their work. The relevant authorities will draw up and issue updates on the contents of the checklists according to their respective programme areas where necessary. The checklists have been uploaded onto the CMAB website and available in six EM languages¹ (http://www.cmab.gov.hk/en/issues/equal_agpre.htm).

4. Since the promulgation of the Guidelines in 2010, the Government has kept its operation under review. Over the years, the scope of application of the Guidelines has been extended from 14 to 23 relevant authorities².

Provision of Interpretation Services to EMs

5. Relevant authorities have all along been providing specific services, such as interpretation services, to meet the practical needs of EMs under their respective policy areas, with a view to facilitating their integration into society, and ensuring equal access to public services.

6. Since the interpretation needs of EMs vary depending on what public services they sought, the relevant authorities will consider the actual situation and adopt suitable procedures to provide interpretation services to EMs in need.

7. The Home Affairs Department has commissioned the Hong Kong Christian Service to operate the Centre for Harmony and Enhancement of Ethnic Minority Residents (“CHEER”). Apart from a variety of basic services, the CHEER also provides general interpretation and translation services. These interpretation services consist mainly of instant telephone interpretation and enquiry services. Depending on the availability of resources, on-site interpretation or simultaneous

¹ The six EM languages include Bahasa Indonesia, Hindi, Nepali, Tagalog (Philippines), Thai and Urdu.

² The 23 B/Ds and public authorities are the Education Bureau, Social Welfare Department, Labour Department, Home Affairs Department, Employees Retraining Board, Vocational Training Council, Food and Health Bureau, Department of Health, Hospital Authority, Construction Industry Council, Office of the Government Chief Information Officer, Innovation and Technology Commission, Office of the Communications Authority, Housing Department, Hong Kong Observatory, Post Office, Legal Aid Department, Hong Kong Police Force, Correctional Services Department, Customs and Excise Department, Immigration Department, Fire Services Department and Registration and Electoral Office.

interpretation services can also be arranged. At present, there are 17 EMs working in the CHEER responsible for providing a variety of services, including interpretation and translation services.

8. In 2016-17, the CHEER handled 3 993 telephone interpretation and enquiry cases and 776 requests for on-site interpretation services. Almost all of the telephone interpretation and enquiry cases were handled instantly. Over 90% of on-site interpretation services were performed on the date requested by the user departments without the need for alternative scheduling. In 2016-17, 482 feedback from both EM users and relevant authorities were collected on the telephone interpretation and enquiry services, among which 76.6% strongly agreed and 23.2% agreed that they were satisfied with the service. As for on-site interpretation services, among 790 feedback collected, 67.0% strongly agreed and 32.4% agreed that they were satisfied with the service.

9. Interpretation and translation services in specialised or professional areas do not fall within the service scope of the CHEER. The relevant authorities may procure appropriate interpretation and translation services to meet their respective service needs in accordance with the Stores and Procurement Regulations. For instance, interpretation services covering 18 EM languages are provided in public hospitals and clinics under the Hospital Authority (HA) primarily through a service contractor, the HKSKH Lady MacLehose Centre (the Centre), part-time court interpreters and relevant consulates. At present, the Centre employs more than 100 interpreters who have all received training in medical-related knowledge as well as communication skills. Moreover, the Department of Health (DH) has also engaged the Centre to provide both telephone and on-site interpretation services to patients since 1 September 2017 as a pilot for one year, in addition to the ongoing interpretation services provided by the CHEER and part-time judiciary interpreters. DH will continue to monitor and review the usage of the interpretation services provided by the Centre and other service providers.

10. The HA has put in place guidelines on the arrangement of interpretation services. HA staff will contact the contractor's 24 hours call centre to arrange on-site or telephone interpretation services according to the needs of each case or upon request of patients. For scheduled services (such as medical appointment at the general outpatient and specialist clinics), patients may request the hospital/clinic concerned to arrange interpretation services in advance. For non-scheduled service (such as emergency hospital admission), hospital staff will arrange

immediate provision of telephone interpretation services or on-site interpretation services as soon as possible. The HA will continue to encourage the use of telephone interpretation services in Accident and Emergency Department and in-patient treatment.

11. CMAB will coordinate with relevant authorities to see whether there is room for improvement in the provision of interpretation services to EMs and explore the feasibility of drawing up standard guidelines and procedures for interpretation services. In this respect, CMAB has provided an additional allocation of \$3 million to the Ethnic Minorities Unit (“the EM Unit”) of the Equal Opportunities Commission in 2017-18. The EM Unit will embark on a series of initiatives for the purpose of promoting equal opportunities for EMs including the one on exploring the prospect of introducing accreditation for interpreters of EM languages.

New Measures to Support EMs

12. In 2017, a number of the relevant authorities have put in place new measures to support EMs. These include:

- (a) since November 2016, the Hong Kong Police Force has expanded its joint project with the CHEER entitled “TRANSLINK” to cover all 67 police report rooms and reporting centres. Under the project, instant telephone interpretation services in seven common non-ethnic Chinese languages, namely Urdu, Nepali, Punjabi, Hindi, Bahasa Indonesia, Thai and Tagalog, will be provided;
- (b) in February 2017, HA completed a revamp of the dedicated webpage for EMs. The webpage contains information about the HA and the accident and emergency service, as well as the addresses, telephone numbers and consultation hours of general out-patient clinics. In addition to the original five EM languages³, the content is also available in Thai, Bahasa Indonesia and Tagalog (Philippines), to facilitate more EMs to better understand the information provided by the HA. To cater for the needs of EMs in Hong Kong, the HA has set up a disease information webpage on Smart Patient Website (SPW) in 2016 which provides information on cancer, chronic diseases and other

³ The essential information given on the HA website is available in five EM languages, including Hindi, Nepali, Punjabi (Indian), Punjabi (Pakistani) and Urdu.

diseases in eight aforementioned EM languages. Examples of disease information include Coronary Heart Diseases, Chronic Renal Failure, Diabetes Mellitus, Dementia, Hypertension, Stroke, various Cancers and Mental Diseases. The HA will continue to enhance the SPW to improve the disease management and self-care abilities of EMs;

- (c) since May 2017, the Labour Department has engaged two Employment Assistants proficient in EM languages at the Kowloon West Job Centre in Sham Shui Po and the Employment in One-stop in Tin Shui Wai on a pilot basis to provide employment services for EM job seekers in partnership with experienced Employment Officers;
- (d) the Social Welfare Department has provided a Hotline Service <2343 2255> for EM callers to have instant access to telephone interpretation services in seven common EM languages so as to facilitate their welfare services enquiries; and
- (e) the Construction Industry Council (“CIC”) offers training courses and trade tests in English for EMs. In addition, the CIC has also set up the Ethnic Minority Service Team to enhance its services and support to EMs, including promoting the CIC’s services through regular visits to related organisations and publicity activities, as well as providing interpretation and translation services to trade test candidates and trainees, etc. In addition, the CIC has organised taster programmes for EMs studying in secondary schools to raise their awareness of the construction industry.

Assessment of Measures

13. In accordance with the Guidelines, the relevant authorities should consider taking appropriate steps to assess the impact of their policies and measures on racial equality or provision of equal access to key public services. These steps may include collection of relevant information and statistics, consultation with relevant stakeholders and other appropriate measures. Moreover, to facilitate assessment by the public, the relevant authorities should consider setting indicators and/or targets as appropriate.

14. The relevant authorities, having regard to their own policy considerations and needs, may collect data and statistics on the races of stakeholders and conduct related studies. In 2017, apart from reviewing the operation of the Guidelines, we have requested the relevant authorities to collect feedback from stakeholders in order to further improve the provision of their services. Such efforts include:

- (a) the HA conducts annual questionnaire surveys to garner the views of EM patients and its staff on the interpretation services provided by the service contractor. For the year of 2015-16, a total of 10 499 requests for interpretation services were handled by the Centre. Based on the results of a questionnaire survey conducted among a sample of 338 EM patients, it was found that service users were generally very satisfied with the interpretation services provided in hospitals and clinics (see survey results at **Annex B**);
- (b) the Employees Retraining Board collects feedbacks from trainees and training bodies through class visits, course evaluation surveys and course review questionnaires with a view to continuously improving the quality of the training and services for the EM groups. During the period from 2015-16 to 2016-17, about 560 trainees completed the dedicated courses for the EMs and 97% of them were satisfied with the training services. Training bodies are aware of the surveys of trainees' satisfaction and required to follow up trainees' feedback; and
- (c) the CIC conducted a survey among 380 EM practitioners in 2016 to collect information on the reasons and means of EMs joining construction industry, as well as their job duties and profile. The survey results would enable CIC to have a better understanding on the background of EM practitioners to arrange more suitable courses and service for them.

15. The CMAB will continue to request the relevant authorities to collect data and set indicators for the continuous improvement of services provision to EMs having regard to their own actual operational circumstances.

The Way Forward

16. The relevant authorities will maintain liaison with concern groups and EMs in order to understand the special needs of EMs and explore ways to improve services to EMs. The CMAB and relevant authorities will continue to keep the Guidelines under regular review, especially in the context of how to enhance existing measures and introduce new measures that would promote racial equality.

Advice Sought

17. Members are invited to note and provide comments on the paper.

**Constitutional and Mainland Affairs Bureau
January 2018**

Administrative Guidelines on Promotion of Racial Equality

1. INTRODUCTION

1.1 These Guidelines provide guidance to concerned Bureaux, Departments and other public authorities (collectively referred to as “relevant public authorities” hereafter), as listed in paragraph 1.5, to promote racial equality and ensure equal access to public services in the key areas concerned, and to take this into account in the formulation, implementation and review of relevant policies and measures. Relevant public authorities should take appropriate steps to implement these Guidelines.

Government policy on racial equality

1.2 The Government is committed to eliminating racial discrimination and promoting equal opportunities for ethnic minorities. The Basic Law, the Hong Kong Bill of Rights Ordinance (HKBORO) (Cap. 383) and the Race Discrimination Ordinance (RDO) (Cap. 602) provide the legal framework to prohibit discrimination on the ground of race (see **Annex** for an overview of the provisions relevant to the provision of public services).

1.3 In addition to compliance with the legal requirements, the Government has also been taking measures to promote racial equality with a view to ensuring that persons of different races have equal access to, and benefit from, resources and opportunities available in the society. This is achieved through public education and promotional activities, and strengthening support services to ethnic minorities. The introduction of these Administrative Guidelines is a further step to this end.

Purpose and scope of the Guidelines

1.4 These Guidelines provide guidance to relevant public authorities so that they would adopt the good practice of considering the promotion of racial equality as an integral dimension in the formulation, implementation and review of relevant policies and measures. They

should also take appropriate measures and initiatives to meet the objective taking account their relevant circumstances.

1.5 The Guidelines cover the key public services which are particularly relevant to meeting the special needs of ethnic minorities and facilitating their integration into the community, namely, medical, education, vocational training, employment and major community services. The relevant public authorities are Education Bureau, Social Welfare Department, Labour Department, Home Affairs Department, Employees Retraining Board, Vocational Training Council, Food and Health Bureau, Department of Health, Hospital Authority, Construction Industry Council, Office of the Government Chief Information Officer, Innovation and Technology Commission, Office of the Communications Authority, Housing Department, Hong Kong Observatory, Post Office, Legal Aid Department, Hong Kong Police Force, Correctional Services Department, Customs and Excise Department, Immigration Department, Fire Services Department and Registration and Electoral Office. The Administration will keep the scope of the Guidelines under review.

1.6 Guidance on promotion of racial equality in the area of employment is provided in the Code of Practice on Employment under the RDO, issued by the Equal Opportunities Commission (EOC). Relevant public authorities should refer to the Code for guidance on employment matters.

Coordination

1.7 The Constitutional and Mainland Affairs Bureau (CMAB) is responsible for coordinating and maintaining an overview on the implementation of the Guidelines in the Administration as a whole, including monitoring implementation of the Guidelines, collecting relevant information and publicising such information to the public. The relevant public authorities are responsible for implementing the Guidelines within their respective policy and programme areas.

2. GUIDING PRINCIPLES

2.1 The guiding principles governing the efforts of the relevant public authorities on promoting racial equality are:

- (a) steps should be taken to eliminate racial discrimination arising from the policies and measures of the relevant public authorities; and
- (b) equal access to public services for ethnic minorities should be taken into account during the formulation, implementation and review of relevant policies and measures.

2.2 These principles complement each other. For example, conscious consideration of the racial equality factor in providing public services may help the public authority concerned to avoid measures that may cause racial discrimination.

2.3 The Guidelines provide a systematic means to enhance awareness of these principles and to facilitate the relevant public authorities to meet the policy objective.

2.4 Sections 3 to 4 elaborate on the above guiding principles respectively. Section 5 provides guidance on the training requirements to achieve the objective. Section 6 elaborates on the reporting mechanism regarding the implementation of the Guidelines.

3. COMPLIANCE WITH LEGAL REQUIREMENTS ON RACIAL EQUALITY

Legal Framework

3.1 The Government has obligations under the Basic Law and the HKBORO to prohibit all forms of discrimination, including that on the ground of race.

3.2 Article 25 of the Basic Law provides that “All Hong Kong residents shall be equal before the law”. Article 26 of the International Covenant on Civil and Political Rights (ICCPR) similarly provides that “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law”. The Basic Law provides that the provisions of the ICCPR as applied to Hong Kong shall remain in force, and those provisions are implemented locally under the HKBORO. An act of racial discrimination by a public authority that contravenes the HKBORO may be challenged in the Court.

3.3 The RDO stipulates in detail what constitutes unlawful racial discrimination. The RDO provides that it is unlawful to discriminate on the ground of race in specified areas, including employment, education, provision of goods, facilities, services and premises. It is also unlawful to racially harass another person (i.e. engages in unwelcome conduct, in circumstances in which a reasonable person would have anticipated that the other person would be offended, humiliated or intimidated by that conduct) in these fields.

3.4 The EOC is the enforcement authority of the RDO. It is entrusted under the RDO with the functions and powers to work towards the elimination of discrimination and promote equality of opportunity and harmony between persons of different racial groups. In relation to racial discrimination, it has the power to handle complaints on unlawful acts, conduct conciliation and provide assistance accordingly under sections 78 and 79 of the RDO; conduct formal investigations under section 64 of the RDO; and obtain information in accordance with section 66 of the RDO. The EOC can make recommendations for changes in policies and procedures to a public authority, or recommendations to the Chief

Secretary for Administration on changes in the law or otherwise, in the light of the findings in its formal investigations.

Compliance with Legal Requirements

3.5 The Government has a responsibility to ensure that no racial discrimination would occur in the formulation and implementation of their policies and measures in accordance with the relevant legal provisions. The relevant public authorities should consider appropriate measures to assist their staff in gaining a proper understanding of such obligations, as well as the relevant roles and powers of the EOC.

3.6 It should be emphasized that the purpose of these Guidelines is to set out good practices for the relevant public bodies to promote racial equality in key service areas and to help raise awareness of the importance of racial equality. The relevant public authorities should take measures separately to ensure compliance with the legal requirements under the RDO. If they have any questions about the implementation of the RDO, they could seek advice from the Department of Justice or the EOC.

4. FORMULATION OF POLICIES AND MEASURES

Overview

4.1 On top of compliance with legal requirements, the relevant public authorities should take into account the needs, sensitivities and concerns of different racial groups in various stages of formulating and implementing relevant policies and measures to ensure that persons of different races have equal access to public services.

Key steps

4.2 The relevant public authorities should consider taking the following steps with regard to existing and new policies and measures:

- (a) identify the policies and measures that relate to key public services which are most relevant to the needs of ethnic minorities;
- (b) assess whether and to what extent these policies and measures may affect racial equality or provision of equal access to key public services, and consult relevant stakeholders as appropriate in the process;
- (c) consider whether any changes to existing or proposed policies and measures are warranted, and take measures to adopt such changes;
- (d) monitor the implementation of the changes; and
- (e) review the policies and measures concerned from time to time.

4.3 The following sections explain the stages in more detail.

(I) Relevant policies and measures

4.4 In identifying relevant policies and measures, the relevant

public authorities should pay particular attention to those which:

- (a) could affect different racial groups in different ways;
- (b) cover public services important to ethnic minorities; and
- (c) could cause concerns on racial discrimination.

(II) Assessment and consultation

4.5 For the assessment of whether policies and measures may affect racial equality or provision of equal access to key public services, the following factors should be taken into account:

- (a) how different racial groups are affected by the policy or measure;
- (b) whether the policy or measure benefits ethnic minorities or whether it has an adverse impact on racial equality. For instance, whether it puts some racial groups at a disadvantage, either directly or indirectly; and
- (c) whether the policy or measure meets the needs of ethnic minorities.

4.6 The relevant public authorities should consider appropriate steps to facilitate their assessment. These steps may include collection of relevant information and statistics, consultation with relevant stakeholders and other appropriate measures.

4.7 Generally, it is for the relevant public authorities to consider what organisations, parties and / or individuals need to be specifically consulted on particular issues. If ethnic minorities are likely to be affected, particular care should be taken to seek views from those who can appreciate the issue from their perspective as far as possible.

(III) Considering changes

4.8 If the assessment shows that the policy or measure may indeed have an adverse impact on racial equality or equal access to public services, the relevant public authorities should consider whether and how changes are to be made to the policy or measure. The following questions may be relevant:

- (a) what causes the adverse impact and how it can be addressed;
- (b) what steps can be taken to avoid the adverse impact; and
- (c) whether and what alternatives to the policy or measure in question are available for meeting the policy objective.

(IV) Implementing and monitoring changes

4.9 For changes identified for implementation, the relevant public authorities should keep in view the implementation progress, including the effect of such changes, to assess if they have achieved the intended outcome.

4.10 The relevant public authorities should consider appropriate measures to enhance the transparency in this regard. One of the means to achieve this is to draw up and publicise a checklist of measures that would assist in promoting racial equality and equal access to key public services. The checklist could include elements such as:

- (a) policies and measures relevant to racial equality and equal access to public services;
- (b) changes made or being planned to existing or new policies and measures;
- (c) actions to be taken to implement the changes; and
- (d) arrangements for monitoring the progress of implementation.

4.11 To facilitate assessment by the public, the relevant public authorities should consider establishing indicators and / or targets as appropriate. Such indicators and targets to be set should aim to achieve one or more of the following objectives:

- (a) promoting measures to eliminate unlawful racial discrimination;
- (b) stepping up measures to promote racial equality;
- (c) enhancing access to public services by ethnic minorities; and
- (d) gauging the effect of measures taken.

(V) Record and publicity

4.12 The relevant public authorities should keep proper records of the assessments and improvements made as a result. This would be useful for the purpose of monitoring and future reviews. They should also consider appropriate publicity arrangements to facilitate the public to understand their action taken to promote racial equality.

5. STAFF TRAINING

5.1 Staff training is an important aspect in the implementation of the Guidelines. The relevant public authorities should consider providing appropriate guidance and training to facilitate the understanding of the Guidelines among staff concerned.

5.2 The relevant public authorities should consider providing training to enhance staff sensitivity and understanding of race-related issues in general, including particularly their appreciation of cultural differences and their awareness of the special needs of members of the ethnic minorities.

5.3 CMAB will liaise with the EOC and the Civil Service Training and Development Institute (CSTDI) of the Civil Service Bureau to provide appropriate training for staff of the relevant public authorities on racial sensitivity and cultural diversity, which would facilitate their understanding of the RDO, these Guidelines, and relevant issues. The relevant public authorities should encourage relevant staff to attend the training sessions.

5.4 The relevant public authorities can also contact the EOC or the CSTDI as appropriate for assistance in arranging tailor-made training courses for their staff.

5.5 Based on information provided by the relevant public authorities, CMAB will facilitate arrangements for experience sharing in order to bring an overall benefit to the promotion of racial equality by the Administration as a whole by learning through the experiences of each other.

6. IMPLEMENTATION OF THE GUIDELINES

6.1 The relevant public authorities are responsible for implementing the Guidelines within their policy / programme areas to promote racial equality and ensure equal access to public services in key areas concerned. They should also consider appropriate arrangements to keep the progress of implementation under review.

6.2 The relevant public authorities should consider deploying resources as required to implement measures to promote racial equality and ensure equal access to public services in key areas concerned. In case additional resources are required and the resources cannot be absorbed by the relevant public authorities, consideration should be given to bidding for additional provision of resources in accordance with established procedures.

6.3 The CMAB coordinates and takes an overview on the implementation of the Guidelines in the Administration as a whole. It will monitor the implementation of the Guidelines and collect relevant information from the relevant public authorities, such as the checklists drawn up under paragraph 4.10. The CMAB will brief the Panel on Constitutional Affairs of the Legislative Council on the implementation progress and publicise the relevant information as appropriate. The CMAB will also keep the Guidelines under review.

6.4 The relevant public authorities concerned should consider additional publicity efforts on measures or improvements taken under their respective policy and service areas.

6.5 The relevant public authorities should each designate an officer to co-ordinate the implementation of the Guidelines within their organisations. These officers will be responsible for overseeing the internal arrangements for reviewing the relevant policies and measures, and performing the function of contact point within the Administration.

**Provisions of the Race Discrimination Ordinance
relevant to the provision of public services**

The Race Discrimination Ordinance (RDO) (Cap. 602) stipulates in detail what constitutes unlawful racial discrimination.

2. “Race” under the RDO is defined to mean a person’s race, colour, descent, national or ethnic origin (please refer to section 8 of the RDO for the legal provisions).

3. The RDO provides that it is unlawful to discriminate in specified areas, including employment; education; provision of goods, facilities, services and premises; election and appointment matters of public bodies etc; arrangements in relation to barristers and membership of clubs. It is also unlawful to racially harass another person (i.e. engages in unwelcome conduct, in circumstances in which a reasonable person would have anticipated that the other person would be offended, humiliated or intimidated by that conduct) in these fields.

4. Under the RDO, “discrimination” covers the following:

(a) *“Direct” Discrimination:* this refers to the case when one person (“the discriminator”) treats another person (“the victim”) less favourably than other people because of the victim’s race (see section 4(1)(a) of RDO); and

(b) *“Indirect” Discrimination:* even if the same requirements or conditions are applied to all persons regardless of race, “indirect” discrimination may result if such treatment has a disparate adverse impact on, or if it causes a disparate disadvantage to, people of a particular racial group, but cannot be shown to be justifiable irrespective of race (see section 4(1)(b) and 4(2) of RDO for the legal definition.)

Whether “disparate” adverse impact or disadvantage is caused is decided by comparing the proportions of people in different racial groups who can comply with the requirement or condition. If the proportion of people in a particular racial group who can comply is considerably smaller than other groups, the requirement or condition could be indirectly discriminatory, unless the requirement or condition can be shown to serve a legitimate objective and bears a rational and proportionate connection to the objective.

5. “Racial harassment” is defined under section 7 of the RDO. It covers, on the ground of race, unwelcome conduct (including oral and written statement) by which a person would reasonably be offended, humiliated or intimidated, or conduct which creates a hostile or intimidating environment for a person.

6. A number of government functions falls under the areas specified under the RDO as mentioned in paragraph 3 above. The area of provision of goods, facilities, services and premises is particularly relevant to public authorities providing key public services. It is explicitly mentioned under section 27 that the services of any department of the Government or any undertaking by or of the Government are examples of the facilities and services referred to in that section. As a result, discrimination by refusing to provide services to the victim, or refusing to provide services of the like quality, in the like manner and on the like terms to the victim as are normal in relation to other members of the public, would be unlawful.

7. Public authorities have a responsibility to ensure that no racial discrimination or racial harassment would occur in the formulation and implementation of their policies and measures in accordance with the relevant legal provisions. They should take steps to ensure that their staff understand fully the legal responsibility.

8. Legal advice should be sought in case of doubt regarding the legal framework and whether a specific policy or measure would contravene the legal provisions against racial discrimination and harassment.

9. Policies and measures in breach of the RDO would be unlawful. They could be challenged legally by means such as tort action in the District Court.

10. Under the RDO, the public has an additional avenue of the redress mechanism by making complaints to the Equal Opportunities Commission (EOC), the enforcement authority of the RDO. The EOC is entrusted with the functions and powers to work towards the elimination of discrimination and promote equality of opportunity and harmony between persons of different racial groups generally, among others. In relation to racial discrimination, it has the power to handle complaints on unlawful acts, conduct conciliation and provide assistance accordingly under sections 78 and 79 of the RDO, conduct formal investigations under section 64 of the RDO, and obtain information in accordance with section 66 of the RDO. The EOC can make recommendations for changes in policies and procedures to a public authority, or recommendations to the Chief Secretary for Administration on changes in the law or otherwise, in the light of the findings in its formal investigations.



Service Evaluation Form (For Patient)
Evaluation on the Performance of the Interpreters

Hospital : 7 Cluster

Department :

surveyed sample: 338 (Urdu , Hindi , Punjabi , Indonesian, Japanese, Korean & Nepali)

To what degree you are satisfied with the interpreter service in the following areas, please put a tick (✓) in the appropriate box.

Evaluation items		Rating						*Average scores in survey 2016 (N=338)
		Excellent (5)	Good (4)	Satisfactory (3)	Fair (2)	Poor (1)	Not applicable	
1	Punctuality	273	44	18	3	0	0	4.737
2	Responsibility	268	59	9	2	0	0	4.754
3	Attitude to Clients (patient)	262	61	13	2	0	0	4.725
4	Attitude to medical service providers	257	68	10	3	0	0	4.713