

**Subcommittee on Rights of Ethnic Minorities
Issues Relating to Ethnic Minority Women
(including Poverty and Employment Issues)**

Submission from the Equal Opportunities Commission

Purpose of the Paper

This paper sets out the Equal Opportunities Commission's (EOC's) views to the Subcommittee on Rights of Ethnic Minorities (the "Subcommittee") regarding issues related to ethnic minority (EM) women.

The Diversity of EM Women

2. According to the 2016 Population By-census, 76.5% of the EM population was females¹. The high female proportion was due to the fact that over half of the EM population was composed by foreign domestic workers (FDWs). When FDWs were excluded, 49% of the EM population was made up of females.

3. It is important to recognise that the EM population is not a single collective group but one that is heterogeneous with a lot of diversity within. This also applies to the EM women population.

4. "South Asian" as the largest non-Chinese ethnic group (excluding FDWs) is a collective term to denote people predominantly from Pakistan, India and Nepal. They are often seen as a homogenous group but in fact there are significant differences among them and the issues they face. Taking women employment as an example, the labour force participation rate (LFPR) varied vastly among women of different ethnicities. The LFPR of Nepalese women was considerably higher at 63.2% as compared to Pakistani women at 19%, while those of Indian women was a moderate 44.1%. Cultural factors have a

¹ Census and Statistics Department (2017), *2016 Population By-census Main Results*, p. 29.

bearing on the LFPR with many Pakistani women opting not to work due to cultural considerations.

5. As we have highlighted earlier, one must not forget FDWs as the largest EM group, who face issues of a different nature. In addition to race discrimination, they are more vulnerable to sexual harassment, given their unique position as live-in employees; and discrimination in employment related to disability, pregnancy etc., just as other employees.

6. In view of the above observation on diversity, it is essential that any recommendations be tailored to the specific needs of communities and not just to “ethnic minorities” which is a broad brush approach. Some suggestions related to this are made below.

Recommendations: Employment & Poverty of EMs

7. The EOC has submitted recommendations on employment issues and poverty problem of EMs to the Subcommittee on 9 January, 13 February, 12 June and 10 July 2017 as well as 27 March 2018². Most of the recommendations were relevant to both genders, such as widening the employer base in the private sector by conducting promotional campaigns; critically reviewing the language proficiency requirements of Government job vacancies so as to remove unjustifiable barriers for EMs to join the civil service; intensifying language support in vocational training and in-service training; strengthening post-school career support for EM youth, etc.

Access to Financial & Welfare Support

8. Since it is more common in some ethnic groups such as Pakistani and Sikh that women are full-time housewives, taking care of the children and managing household finance, one of EOC’s key recommendations to the Government in our past submissions, particularly relevant to EM women, was

² Legislative Council Paper Nos. CB(2)551/16-17(01), CB(2)797/16-17(01), CB(2)1591/16-17(01); CB(2)1833/16-17(01) and CB(2)1125/17-18(01).

to improve their access to various finance alleviation schemes by stepping up the efforts on disseminating information, especially in EM languages; and proactively providing interpretation services in dispensing financial welfare and employment support. Some actions have been taken, such as hiring EMs as employment assistants by the Labour Department and appointing a designated officer in each district by the Social Welfare Department (SWD) to render internal support for providing welfare services for EMs³. However, there is still a pressing need for the Government to work on our previous recommendations for standard protocols in offering interpretation services to EMs and intensive training to strengthen the cultural sensitivity of their staff.

Provision of childcare services

9. The Poverty Situation Report on Ethnic Minorities 2016 showed that, on average, South Asian household size (3.0 persons) was larger than that for the overall Hong Kong population (2.7 persons)⁴. The average number of household members in the Pakistani population was found to be even higher at 3.9 persons, as they tended to have more children. More than one-fourth of Pakistani households had 3 children or more. A consequence of this is that many Pakistani women are tied down with housework and child care and therefore unable to attend self-help or educational sessions, including language classes organized by NGOs and Support Service Centres for EMs, let alone look for employment opportunities. They are also less likely to go for health checks or parent meetings in schools. Cultural taboos too restrict many from stepping out of the house much. Given this, their opportunities to receive valuable information not just in relation to services, but also healthcare, legal protection, children's education etc. are restricted. Having childcare facilities which are culturally compatible to their requirements, may help at least those women who are keen to receive such information and upgrade their skills, step out of the house. It is recommended that additional funding be provided for NGOs to set

³ Policy 21 Limited and Centre for Civil Society and Governance, The University of Hong Kong (2018), *A Study on Ethnic Minorities' Awareness and Satisfaction towards Selected Public Services*, p. 45.

⁴ Census & Statistics Department (2018), *Hong Kong Poverty Situation Report on Ethnic Minorities 2016*, p. vii.

up childcare facilities to enable mothers attending courses to leave their children for a few hours.

Recommendations: Domestic Abuse, Disputes & Violence

10. In recent years, NGOs have repeatedly drawn EOC's attention to the growing trend among EMs of seeking help for domestic violence. As mentioned in our submission to the Subcommittee on Strategy and Measures to Tackle Domestic Violence and Sexual Violence (under the Panel on Welfare Service) in October 2015, we highly recommend that the SWD collect systematic data on EM domestic violence cases as this is essential in analysing the nature of the problems and thereby tailoring solutions accordingly⁵.

Access to Support Service Information

11. The foremost issue for EM victims, potential victims and help seekers is the lack of information and awareness about help services available for them. There is also very low awareness and often, misinformation with regard to their rights, the relevant laws and processes concerning these matters. While efforts have been made by the SWD and its associated units to provide materials in EM languages, as well as extending the telephone hotline services in EM languages to 24 hours, we see that many EM women are not even aware that there is such a hotline or that they can approach the SWD or an Integrated Family Service Centre for help. Active, extensive and tailor-made outreach needs to be undertaken in order for this basic information to be disseminated. For example, providing information on the website has limited impact for many women of the Pakistani community as they do not have the ability or practice of going on the internet. For them, word of mouth would be the most effective means of getting information. For the Nepalese women, as many of them work and are also more active participants in support centre activities, reaching them through these channels would be effective.

⁵ Legislative Council Paper No. CB(2)2172/14-15(02).

Counselling Services

12. When victims or potential victims come into contact with a service provider, the barriers of language and culture make genuine help seeking difficult. While interpretation services may be called in, it has been repeatedly brought to our notice that using an interpreter while providing counselling or when trying to understand the issue or incident is not the most effective as details are lost and so are emotional cues. The need for EM social workers and EM adjunct service providers cannot be overemphasized. The Government must make an effort to recruit more qualified social workers or counselling professionals who can speak an EM language; and encourage more tertiary institutions to accept EM students to study Social Work or counselling-related subjects.

Legal Service

13. Access to legal advice and legal professionals by EM women is another gap that has been brought to the EOC's notice. In situations of domestic strife, EM women sometimes wish to get legal advice related to divorce, property, child custody or visa regulations, but are not aware of where to seek this advice. The EOC recommends that this information also be included during outreach through all channels possible.

Recommendation: Access to Healthcare by FDWs

14. FDWs are the most sizable EM women's group that is contributing to our society but often sidelined in the discussion. While FDWs can fully access Hong Kong's public health system while they are employed and holding valid work visas, this entitlement gets taken away once the visa is no longer valid. This appears fair except in cases where FDWs may have been unfairly dismissed and have pending cases, which force them to stay on in Hong Kong (with visa extensions granted on special request by the Immigration Department) but without employment and more seriously, without access to free healthcare, which could be a grave necessity on occasion. The EOC recommends that an

exception be made for FDWs to be allowed public healthcare when they have a labour or employment case pending and are unable to leave Hong Kong despite termination or cancellation of contracts.

Conclusion

15. Recognising that women may face different issues and therefore need different interventions is the first step towards improving the situation. Add to the mix race, culture and language, and the issues as well as the solutions get more complicated. However, with adequate support and the right systems in place, it is possible to provide effective services for all those in need, while keeping in mind specific requirements of each different group. We urge the government to support all service providers, including NGOs working with EMs and FDWs, to make provisions and enable them to offer effective services for all.

Equal Opportunities Commission
June 2018