

The Audit Commission ("Audit") conducted a review to examine barrier-free facilities at government premises. Apart from examining the efforts of the Labour and Welfare Bureau ("LWB") (being the policy bureau) on the matter, Audit selected the Food and Environmental Hygiene Department ("FEHD") and the Leisure and Cultural Services Department ("LCSD") to examine their provision and management of barrier-free facilities.

2. In line with the provisions of the Disability Discrimination Ordinance (Cap. 487), which is binding on the Government, it is the established policy of the government to provide barrier-free facilities for persons with disabilities, thereby facilitating them to live independently and fully integrate into the community. In addition, barrier-free facilities could benefit the elderly. From 2011-2012 to 2017-2018, the actual expenditure totalled \$1.07 billion had been spent by the Architectural Services Department under a Retrofitting Programme for upgrading barrier-free facilities at government premises/facilities ("the Retrofitting Programme").¹

3. The Committee noted the following findings from the Director of Audit's Report:

- LWB convened a Task Force in June 2010 to co-ordinate follow-up actions on the recommendations made by the Equal Opportunities Commission on the improvement of accessibility for publicly accessible premises, but only 18 bureaux/departments ("B/Ds") joined the Task Force. Among the follow-up actions, 15 B/Ds were requested by LWB to make assessments on the need to upgrade their barrier-free facilities, and 3 692 premises/facilities managed by 13 departments were included in the Retrofitting Programme. Some B/Ds with premises under their management having frequent public interface might not have been requested to make assessments and thus were not included in the Retrofitting Programme;
- in September 2016, LWB requested all B/Ds to review their respective operational practices and procedures to ensure accessibility to services

¹ The Equal Opportunities Commission conducted access audits on publicly accessible premises including that owned, managed or maintained by eight government departments in December 2006 and issued a formal investigation report in June 2010 with recommendations on the improvement of accessibility. The Retrofitting Programme was worked out in December 2010 involving premises/facilities of 13 managing departments to follow up on recommendations made by the Equal Opportunities Commission.

and facilities for persons with disabilities and complete the review before end of 2016, so that the first annual return could be sent to LWB before end of 2017. LWB also informed all B/Ds that it would get in touch with them on the proforma of the annual return in early 2017 and the exact return date. Eventually, LWB took 1.5 years (from September 2016 to April 2018) to prepare the proforma of the annual return, and the date for return of the completed proforma was set for April 2019;

- starting from April 2011, LWB submitted quarterly progress reports of the Retrofitting Programme to the Legislative Council. After June 2014, LWB ceased to submit further progress report as all the improvement works under the Retrofitting Programme had been completed and the enhancement works were the ongoing work of the relevant departments. Audit discovered that a total of 103 premises/facilities were taken out from the Retrofitting Programme without providing reasons in the progress reports;
- the Buildings Department ("BD") set up a Technical Committee on Design Manual ("DM"): Barrier Free Access ("Technical Committee on DM") in June 2014 with an aim to keep DM under regular review, but BD had not taken timely actions to update the "Design Manual: Barrier-Free Access 2008" ("DM 2008") after endorsement of some amendments by the Technical Committee on DM.² Proposed amendments for 28 items for improving DM 2008 had been submitted to the Technical Committee on DM in December 2015 and yet to be discussed as at June 2018;
- FEHD and LCSD had not maintained a complete and updated list of barrier-free facilities for the 1 741 and 1 949 venues under their respective management. In particular, all music centres, all District Leisure Services Offices and 907 recreation and sports venues under LCSD were not included in the list;
- Access Officers ("AOs")³ of FEHD and LCSD should conduct regular audit checks and take timely follow-up actions as required to ensure the

² BD is responsible for updating a DM concerning barrier-free access which was first published in 1984. In December 2008, BD promulgated DM 2008 which set out the design requirements of barrier-free access and facilities for persons with disabilities.

³ According to the memorandum issued by LWB, an AO should be appointed for each venue under B/Ds' management to serve as the first point of contact on accessibility issues at the venue.

provision of suitable barrier-free facilities. However, LCSD did not specify the time interval for conducting the access audits while FEHD requested access audits to be conducted on an annual basis. Access audits were not carried out for some venues and some of the DM 2008 requirements were not included in the access audit checklists for checking. Audit site visits to 20 FEHD and 30 LCSD venues found deficiencies in 14 (70%) FEHD venues and 26 (87%) LCSD venues in the provision, maintenance and control of barrier-free facilities;

- information about accessibility of some venues managed by FEHD and LCSD was not fully provided on their websites;
- B/Ds were required to assess the training needs and organize tailor-made seminars/workshops for AOs and venue-based staff. As of 30 June 2018, 52 out of 101 AOs of FEHD and 183 out of 347 AOs of LCSD had not attended seminars on accessibility issues;
- FEHD and LCSD did not regularly compile complaint statistics and highlight potential deficiencies in the provision and management of barrier-free facilities;
- of the 5 139 works orders issued by the Architectural Services Department for carrying out retrofitting works under the Retrofitting Programme, there was delay in completing 414 (8%) works by contractors, of which the delay of 30 works orders was particularly long (ranging from 730 days to more than 1 095 days);
- 15 venues under LCSD had incidents involving slippery tactile guide paths. While remedial works had been carried out in these venues, the issue of slip resistance requirements on tactile guide path was still being reviewed since it was first reviewed by the Technical Committee on DM in September 2014; and
- as of September 2018, retrofitting works for barrier-free facilities at 14 public toilets had not been completed six years after being transferred from the Retrofitting Programme to FEHD's Public Toilet Refurbishment Programme.⁴

⁴ FEHD has implemented the Public Toilet Refurbishment Programme since 2000 to give a new look to public toilets with enhancement in design and facilities. Priority is given to toilets that are aged or with high daily usage or at tourist spots.

4. The Committee did not hold any public hearing on this subject. Instead, it asked for written responses regarding the criteria on selecting B/Ds to join the Task Force and the Retrofitting Programme; the implementation of the Retrofitting Programme and the updating of DM 2008; the lists of barrier-free facilities under the management of FEHD and LCSD; access audits conducted by FEHD and LCSD; and duties and training of AOs. The replies from **Secretary for Labour and Welfare, Director of Buildings, Director of Food and Environmental Hygiene, Director of Leisure and Cultural Services, Director of Architectural Services** and **Commissioner for Transport** are in *Appendices 35 to 40* respectively.

5. The Committee wishes to be kept informed of the progress made in implementing the various recommendations made by Audit.