



**Hong Kong Unison submission to Policy Address consultation 2018
on equality and education of ethnic minorities of Hong Kong**

Introduction

1. Hong Kong Unison ('Unison') is a local non-governmental organization that serves ethnic minority residents in Hong Kong. We aim at eliminating all forms of racial discrimination in Hong Kong through policy advocacy, and we focus on fighting for equal and equitable education rights for ethnic minority children.

Equal Rights

2. In view of the Discrimination Law Review recommendations submitted by the Equal Opportunities Commission in March 2016, the Constitutional and Mainland Affairs Bureau **should announce the timetable within the year on amending the Race Discrimination Ordinance** based on priority recommendations made by the Equal Opportunities Commission (EOC) **especially regarding bringing the Government's exercise of powers and performance of functions expressly within the purview of the Race Discrimination Ordinance.**
3. Public authorities do NOT have statutory obligations to promote equality and to eradicate discrimination. The current Administrative Guidelines on Promotion of Racial Equality do not apply to all Government departments and public bodies and enforcement by the Government is weak. A **public sector equality duty** should be introduced to ensure all ethnic minority residents enjoy the rights, opportunities and entitlements given to their Chinese peers.
4. The contract of the current Chairperson of the EOC is due to expire in 2019. The selection of the new chairman of the EOC should comply with the Paris Principle¹.
5. The EOC should report to the public within the year on the conclusions of the recent review of all aspects of its functions led by an independent legal expert and specifically, the proposed recommendations for reform in rendering the institution compliant with the Paris Principles, improving its effectiveness in handling cases and discharging its statutory obligations including the use of self-initiated investigations.

Promotion of early integration

6. Under the 2017/18 Free Quality Kindergarten Education Policy, kindergartens which admit eight or more non-Chinese speaking students (NCS) children will receive a grant to support NCS children in Chinese learning and early integration. The Education Bureau ('EDB') should ensure the **accountability and effectiveness of the grants** by making the funding report public. EDB should also **closely monitor kindergartens' compliance with the**

¹ <https://www.un.org/ruleoflaw/files/PRINCI~5.PDF> Accessed 7 Aug 2018

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Kindergarten Administration Guidelines to facilitate the teaching and learning of the ethnic minority children. The English version of the Guidelines should be made available no later than December 2018.

7. The EDB should regularly **monitor admissions** in kindergartens by setting up a policy for all kindergartens to **collect data on admissions** throughout application and selection procedures. The data should be disaggregated by ethnicity, sex, district, home language, use of interpretation services during interviews, etc. The EDB should track how many children and parents utilize interpretation service, such as arranging a friend or relative to accompany them, finding an interpreter through CHEER, etc.
8. The EDB should require kindergartens to include school-based support measures for NCS children in **kindergarten profiles** so that NCS parents can make appropriate choices during school selection.
9. The EDB should conduct a study on NCS students' language development in the kindergarten and primary education stages in comparison to native Chinese speaking students to study the achievement gap between the two groups.
10. Ethnic minority children in mainstream kindergartens will become a norm. The Government should make pre-service professional development mandatory for kindergarten teachers to develop their skills and ability to cater to the diverse needs of NCS children. Such training should be provided in early childhood education programmes as well as for in-service teachers. Regarding the EDB training targets with the provision of NCS grants, the government should review the content, length and format of the current Basic Course and its effectiveness to see if it fully prepares teachers to teach NCS students in the classroom.

Chinese education of ethnic minorities

11. Although the Government launched the “Chinese Language Curriculum Second Language Learning Framework” (“CSL Framework”) in September 2014 and provided a recurrent funding of HK\$200 million annually to support ethnic minority children learn Chinese, Unison is concerned about the **transparency and effectiveness of the support and funding**. To date, the Chinese proficiency of many locally born and raised ethnic minority students remains at mainstream primary two level after twelve years of education in Hong Kong. The EDB is due to release a review on the effectiveness of the Learning Framework three years after its implementation, however there is still no news on when the review will be completed and when the results will be shared with the public. The EDB should **announce the CSL Framework review results and the evaluation framework within 2018**.
12. **There should be a real Chinese as a Second Language Curriculum and stage learning objectives** for NCS children at primary education, especially for those locally born NCS students who have the same starting point of Chinese learning since kindergarten, so that



they can step up their Chinese proficiency in a targeted way, with the goal of integrating successfully into mainstream Chinese class before secondary school.

13. A working group on ethnic minority education, with stakeholders as committee members, should be set up under the newly established Steering Committee to oversee research and development, implementation and monitoring of a Chinese as second language policy including curriculum and teaching strategies, teachers' training, teaching materials, and benchmarking to ensure NCS students have the maximum opportunity to become proficient in Chinese and achieve the levels of Chinese literacy that are expected of all students in Hong Kong.
14. In her election manifesto, the Chief Executive said she would consider "*establishing a professional ladder for primary and secondary school teachers, recognising teachers with expertise in certain subjects, and encouraging teachers to acquire specialised skills in teaching Chinese as a second language and students with special educational needs (SEN), etc.*" To prepare mainstream teachers work with NCS students and improve teaching effectiveness, the EDB should determine qualifications, develop **teacher professional development framework**, and establish consistent and specific guidelines on pre-service teacher education and in-service training to address the needs of non-Chinese students. The Education Bureau should consider incremental credit for relevant qualifications.
15. For schools that adopt PMIC (using Putonghua as a medium of instruction to teach Chinese language), separate Cantonese Chinese classes should be set up for ethnic minority students to enable them to cope with future integration in the local community.
16. Alternative Chinese qualifications such as GCSE should only be a remedial measure for new arrival NCS students and a **short-term measure for local-born NCS students**; the Government should discuss with tertiary institutions to enhance transparency on the criteria and mechanisms for the admission of students using alternative Chinese qualifications, and to provide different levels of Chinese language class allowing NCS students improve their proficiency in tertiary education.

Racial integration in the education system

17. The Government should formulate a **language policy** in education to help NCS students thrive in mainstream schools and master subjects that use Chinese as the medium of instruction. The EDB should make it clear that the funding under the Learning Framework can be used for supporting NCS students' learning in other subjects which are taught in Chinese.
18. The EDB should **eliminate the *de facto* racial segregation** in the public education system by formulating desegregation policy with timetable to improve the Chinese to ethnic minority student ratio in schools which are over-concentrated with ethnic minority students,



so as to ensure the integrative environment in schools.

19. In the Primary One allocation system (POA), parents checking Box 7 “cannot use Chinese as learning medium” on the form are directed to choose from a list of schools in Appendix 3 which have high concentration of ethnic minority students. This shows that EDB is indirectly facilitating the *de facto* racial segregation in schools. The EDB should **revise this box 7 and Appendix 3 in the Application Form for Admission to Primary One** to avoid misleading NCS parents to schools which already have a high concentration of ethnic minority students.

Facilitate social inclusion

20. The Government should set up a dedicated unit to coordinate the various Chinese language courses for adult ethnic minorities (e.g. those organized by the Employees Retraining Board, Vocational Training Council, Labor Department, and NGOs), to provide systematic and progressive Chinese learning for them. Courses held by different training bodies should have a coherent progression ladder for learners to smoothly transition to advanced levels.
21. Tertiary institutes should provide Chinese learning of different levels for local NCS students enrolled in their institute to continue to improve their Chinese abilities.
22. **Review and improve full-day initiation** class for NCS students by providing adaptive curriculum on topics such as personal growth, social acclimatization and basic learning skills in both Cantonese and English, in order to let them integrate into local society and education system before enrolling in a suitable school. Attendance should be made compulsory for all new arrival NCS students to facilitate their early integration in local schools.
23. The Immigration Department should **collect information of ethnic minority new arrivals** and distribute them to ethnic minorities support centres in different districts overseen by the Home Affairs Department. These centres should provide ethnic minorities with crucial information such as acclimatization courses, job-matching services, language courses, support groups and different activities. Support Service Centres for Ethnic Minorities should also provide **outreach services to ethnic minority new arrivals**, and conduct periodic surveys, to ensure their needs are being catered and can enjoy the equal rights and access to all kind of social services.

Work of the Steering Committee

24. The Steering Committee should coordinate and communicate among government departments in order for various bureaux and departments to attain a uniform understanding of the situation of ethnic minorities and challenges facing them, and devise workable and effective measures accordingly.
25. We call on the Steering Committee to address the root causes of the problems facing the ethnic minority communities; the short-term and stop-gap measures currently in place have been largely ineffective. The Steering Committee should lead the government to find **new**



and genuine solutions to eradicate these long-standing problems. Regarding long-standing problems facing the ethnic minority community, the Steering Committee may take reference from overseas best practices to develop solutions.

26. To ensure progress is made in a timely manner and the desired outcomes are achieved, the Steering Committee should formulate **short-term and long-term plans with concrete objectives, milestones, timetable and key performance indicators** (KPIs).
27. The Steering Committee must be committed to gathering views from a wide base of ethnic minorities covering different racial, ethnic, religious, socio-economic, age, professional, education backgrounds in order to maximize the representation of ethnic minority views in the Steering Committee. The Steering Committee should actively reach out to the ethnic minority community and concerned groups, and arrange regular consultation to maximize community participation and to make best use of existing networks in order to create policies that truly reflect the needs of the community.
28. The work of the Steering Committee and the \$500 million allocated to the purpose should be made **accountable and transparent** to the community. Meeting documents and minutes should be available in English at the least and uploaded to a designated website for the public to monitor the progress of the Steering Committee and to evaluate its effectiveness.

August 2018