

Review on Interpretation Services for Ethnic Minorities in Hong Kong

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《有關香港少數族裔翻譯服務的研究》

中文總結

關注婦女性暴力協會(下稱協會)於2012年展開「凝·動」計劃,為少數族裔女性提供性別教育及性暴力受害人支援服務。我們在個案中發現少數族裔女性在求助時遇到有很大困難,較諸少數族裔男性,她們的教育程度較低,不懂英語或中文的比例較高,因此較難接收外界資訊,甚至不知道香港有專門為她們提供社會服務的機構。

有鑑於此,協會於2017年的5月至7日期間,經不同服務少數族裔的機構發放及共收回170份有效問卷,又邀請少數族裔、社工和翻譯員完成14個深入訪問,並分析這些第一手資料。由於我們無法取得法庭翻譯的第一手資料,因此又同時就着香港少數族裔翻譯使用者的意見及面對的局限完成了桌面研究。

本港除私人翻譯公司外,現時共有三所機構為公眾提供翻譯服務,包括聖公會麥理浩夫人中心的「翻譯通」,香港基督教服務處的「融匯—少數族裔人士支援服務中心」(下稱「融匯」),以及香港司法機構提供的法庭翻譯。其中「翻譯通」以社會企業形式運作,提供20種語言翻譯,承接了香港公立醫院的傳譯服務,每月處理400個個案。「融匯」則由民政局資助,提供7種語言翻譯,包括經政府部門預約的傳譯服務,以及電話傳譯、視象傳譯等。司法機構則在有預約需要時才以兼職形式聘請少數族裔翻譯。

在我們的調查中,有以下數點發現值得注意:

1. 超過2/3的受訪者認為翻譯者性別與服務使用者相同是重要的,換言之,不只涉及身體器官的醫療服務過程中需要相同性別的翻譯,其他的事宜亦同樣,否則服務使用者會感到尷尬。男性受訪者亦對翻譯者性別表達同樣的關注,顯示這不單是女性的需求,而是少數族裔的文化背景的獨特性。可以確定的是,少數族裔女性,特別在因為遭受家暴或性暴力而求助時,會更注意翻譯者性別。
2. 少數族裔語言翻譯的質素也是值得注意,特別是過去幾年出現多宗法庭翻譯出錯的案件。在對比司法機構翻譯組全職處理中英翻譯者與其他少數族裔語言兼職翻譯者,包括入職條件、薪酬、培訓及評估考核制度的差異後,不難發現兩者在福利待遇方面的差距足以直接影響到翻譯質素。法庭翻譯只要有一個字眼錯誤,其後果也可以是極為嚴重的,然而不穩定的工作量以及較低的時薪使得司法機構難以覓得少數族裔語言翻譯的人才。

3. 現時本港少數族裔社會服務由民政事務局統籌，少數族裔翻譯服務在早年被發現使用率偏低後，現已得到較大改善。不過，根據我們收回的問卷，170位受訪者當中只有41位曾經使用翻譯服務，比例仍然不足25%。由於在政府部門使用翻譯只能由該部門申請預約，有受訪者在訪談中表示要求政府部門(如：房屋署)提供翻譯服務被拒，這顯示前線工作人員對於少數族裔的語言障礙欠缺敏感，認為可利用簡單對話、身體語言或要求少數族裔帶來親友作翻譯充數。另一方面，整體的翻譯服務欠缺劃一標準，包括翻譯者入職條件、福利待遇、培訓進修以至升遷，都直接引致翻譯質素的參差。這些問題無法單靠提供服務的機構解決，作為問責的政策局，民政局理應全盤檢視本港少數族裔翻譯服務，收集服務使用者及所有持份者意見，繼而作出整體計劃及改進。

在風雨蘭的服務經驗中，很多少數族裔女性若不是出現極大危機，或兒女安全受到威脅時，否則都不會求助。相比本地女性，相比少數族裔男性，少數族裔女性面對多重的問題，既有父權文化的壓迫，亦有語言障礙以及資訊的缺乏。我們期望民政事務局能正視此問題，使少數族裔能無障礙地行使使用基本社會服務的權利。

SUMMARY

The Association Concerning Sexual Violence Against Women (the Association, or ACSVAW) launched the “We Stand” program in 2012 to provide gender education to ethnic minority women and support services to victims of sexual violence among them. In the cases that we handled, we found that ethnic minorities encountered greater difficulties in seeking assistance. Compared to ethnic minority men, their education level is lower and the proportion of them who do not know English or Chinese is higher, making it harder for them to receive information; and they do not even know that there are organizations in Hong Kong dedicated to providing social services to them.

In view of this, from May to July 2017, the Association distributed and collected 170 valid questionnaires from different organisations that provide services for ethnic minorities and invited ethnic minorities, social workers and translators to complete 14 in-depth interview. Analysis of such first-hand information was made. Unable to obtain first-hand information regarding court translations, a desktop study on the opinions and the limitations of local ethnic minorities as users of translation services was completed.

In addition to privately-owned translation companies in Hong Kong, there are currently three agencies providing translation services to the public, including “TransLingal” by the HKSKH Lady MacLehose Center, the “Centre for Harmony and Enhancement of Ethnic Minority Residents”(CHEER) by the Hong Kong Christian Service and court translation services provided by the local judicial authorities. Among them, “TransLingal” operates as a social enterprise, provides translation in 20 languages and undertakes interpretation services in public hospitals in Hong Kong. It handles 400 cases a month. CHEER is funded by the Civil Affairs Bureau and provides interpretation in seven languages, including scheduled translation services for government departments, telephone interpretation and video interpretation. As for the judicial agencies, ethnic minority language translators are only employed on a part-time basis when there is a need for an appointment.

In our findings, the following points were noticed:

1. More than two-thirds of respondents considered it is important that the translator’s gender is the same as that of the service user; in other words, a translator of the same gender is required not only for translation of medical services but for other matters too, otherwise the service user might feel embarrassed. Male respondents also expressed the same concern about the translator’s gender, indicating that this is

not only the demand of women but the uniqueness of the cultural background of ethnic minorities. It is certain that ethnic minority women pay more attention to the translator's gender, especially when seeking help for domestic violence or sexual violence.

2. The quality of minority language translations is also noteworthy, especially in the past few years when there were a number of court cases with erroneous translation. After comparing full-time Chinese-English translators of the Judiciary with part-time minority languages translators, including their differences in entry requirements, remuneration, training and evaluation system, it is not difficult to find that the difference in benefits is sufficient to have an impact on the quality of translation. Although a single error in court translation can result in extremely serious consequences, unstable workloads and lower hourly wages make it difficult for the judiciary to hire talents who are minority-language translators.

3. At present, social services for ethnic minorities in Hong Kong are coordinated by the Home Affairs Bureau and translation services for ethnic minorities have been greatly improved since they were found to have a low rate of use in early years. However, based on the questionnaires we collected, only 41 of the 170 interviewees used translation services, accounting for less than 25%. Given that translation services can only be applied for by government departments, interviewees indicated that their requests for translation services had been denied by government departments (such as the Housing Department). This shows that frontline workers lack sensitivity toward the language barriers for ethnic minorities, thinking that simple dialogues, body language, using relatives and friends as makeshift translators might suffice. On the other hand, the lack of a uniform standard for overall translation services, including entry requirements of translators, benefits, training and job promotion, has directly led to quality discrepancy. These problems cannot be solved solely by service providers. As an accountable policy bureau, the Civil Affairs Bureau should conduct a comprehensive examination of the translation services of ethnic minorities in Hong Kong and collect the views of service users and all stakeholders in order to make overall plans and improvements.

In the service experience of RainLily, many ethnic minority women do not turn for help unless there is a great crisis or the safety of their children is threatened. Compared with local females and ethnic minority males, ethnic minority women face multiple problems such as the oppression of a patriarchal culture, language barriers and lack of information. We hope that the Home Affairs Bureau can address this issue squarely so that ethnic minorities can exercise their right to basic social services without any problems.

INTRODUCTION

Association Concerning Sexual Violence Against Women kicked off a pilot project for female migrant workers (MW) and ethnic minority (EM) women called “WE Stand” Programme¹ in 2012. After three years, we have already served over 1,600 EM women by providing emotional support/counselling, accompaniment and education. A research report of the effectiveness of the WE Stand Programme was published to conclude our preliminary experiences of EM service. One of the recommendations in the report mentioned above is “to provide training to interpreters and other professionals”. Language barrier is not solely faced by MW or EM women, but also EM men. However, due to education level and cultural issue, it is harder for MW or EM women to seek help and gain access to public service compared with men. This obstacle makes EM sexual violence and/or domestic violence victims lapse into a more unfavourable and dangerous circumstance.

This paper aims to collect data and opinion from interpretation service users, mainly EM women, social workers and interpreters, to understand each group’s difficulties and the support they need; to draw on the experience of other multi-ethnic countries and reflect on Hong Kong’s situation; to identify its current shortcomings and make recommendations to the Government.

METHOD OF THE STUDY

Qualitative and quantitative data

The survey was conducted from May to July 2017. It was translated to Urdu and Nepali, thus there are three versions in different languages in total. The questionnaires were collected in hard copies and self-administrated online forms. They were distributed to 23 organizations that are working with MW or EM in Hong Kong. 170 questionnaires were collected, with 41 of the respondents having used interpretation service.

In-depth interview findings

In addition to the survey above, 14 in-depth interviews were also conducted, featuring 2 interpreters, 3 social workers focusing on ethnic minorities services and 9 ethnic minorities. All of the interviewees were introduced by or working with organizations that provide EM service. During the interview, they shared their experience, expectation and evaluation of the interpretation services and raised various issues.

Desk research

To supplement the information which could not be shown in the questionnaire and interview and to do a comparative study on other jurisdictions, we also adopted information from news sources, open data from official websites, annual reports of institutes as well as online data from other countries in this study.

SUMMARY OF CURRENT SITUATIONS

Background of ethnic minority's situation in Hong Kong

Hong Kong is a multi-cultural and multi-lingual society. By 2016, there are 342,198 non-ethnic Chinese in Hong Kong, accounting for 8% of the total population. By population, the biggest ethnicity group is Filipino (2.5%), followed by Indonesian (2.1%), White (0.8%), Indian (0.5%), Nepalese (0.3%), Pakistani (0.2%), Thai (0.1%) and Japanese (0.1%).²

The Hong Kong 2011 Population Census Thematic Report: Ethnic Minorities³ provides further statistics and insights into ethnic minorities in Hong Kong. 32.5% of ethnic minorities reside on Hong Kong Island, with 27.1% and 40.4% in Kowloon and the New Territories respectively. Within ethnic minorities, nearly half of Nepalese and about 40% of Indians and Thais reside in Kowloon. Nearly half of Pakistanis (49.4%) and Indonesians (48.7%) reside in the New Territories.

For Non-Chinese Asians, 73.8% of them have attended upper secondary or higher education. As for occupation, the majority (75.8%) of the working ethnic minorities is employed in "elementary occupations". The proportionality of elementary occupations is over 90% for Indonesians and Filipinos working females because most of them are domestic helpers. Because of the lion share of domestic helpers, nearly two-thirds of working ethnic majorities have monthly income from main employment less than \$4,000.

74.6% of ethnic minorities claimed that they can speak English and 51.8% speak Cantonese. For those who cannot speak English and Cantonese, language barrier is one of the major difficulties in integrating into Hong Kong society: from their daily life like purchasing food in the market and ordering food in the restaurant, to public service like filling in application form of public housing or CAAS, or enrolling in school. Interpretation services are vital to the EM community, in terms of living here as a Hong Kong citizen entitled to civil rights.

Existing interpretation services for ethnic minority

There has been rising demands for the interpretation services in EM languages in different areas. For instance, in the context of medical interpretation which is solely provided by TransLingual, the cases the centre handled surged⁴ from around tens of cases per month in 2010 to about 400 cases per month in 2014.

In recent years, there were increasing concerns over the qualities of interpreters as shown in different errors made by interpreters which resulted in quashing of convictions of defendants. The supply of interpreters who are proficient in rare EM languages such as Ilocano, Ilonggo, Wolof etc. is unstable⁵.

The languages barriers that EM have been facing are layer by layer, from getting access to community services to accessing court services. The huge language barricade hinders and even blocks the EM from getting access to the services they are entitled to from the very beginning at the community level, not to mention their access to court services and ultimately, access to justice.

Apart from commercial translation agencies, interpretation services for ethnic minorities are mainly provided by three sources: Government funded service centre - Centre for Harmony and Enhancement of Ethnic Minority Residents ("CHEER"), social enterprise - Hong Kong TransLingual Services ("HKTS") and Part-time Court Interpreters (PTCIs) in the Court Language Unit of the Judiciary.

SUMMARY OF CURRENT SITUATION

(a) Government funded service centre: CHEER

Centre for Harmony and Enhancement of Ethnic Minority Residents, known as “CHEER”, is a service unit under Hong Kong Christian Service and funded by the Home Affairs Department of HKSAR government. It currently offers telephone interpretation service (TELIS), simultaneous interpretation service (SIS), translation service (TS), proof-reading service (PS) and on-site interpretation service (OSIS) and Escort Interpretation Service (EIS) in 7 languages including Bahasa Indonesian, Thai, Tagalog, Hindi, Nepali, Punjabi and Urdu. Currently, there are 15 ethnic minorities working in CHEER.⁶

EIS, SIS, TS and PS are only provided on request from and paid by public service providers. If ethnic minorities need EIS, they must first make request to respective public service providers, who will later apply to CHEER. Direct individual request for EIS will not be accepted. TELIS may be provided on the instant during office hours of CHEER, but EIS is only available upon appointment.⁷

CHEER also cooperates with Hong Kong Police Force on project Translink to provide translation service in all report rooms.⁸ Therefore, ethnic minorities can utilize interpretation service provided by CHEER when reporting cases to the police.

To qualify as an interpreter at CHEER, applicants must attain certain degrees and be fluent in reading, writing, speaking and listening both English and at least one of the service languages. Applicants may need to undergo the Sexual Crime Conviction Record Check Scheme if necessary.⁹

In 2015-16, 3,206 TELIS and 701 OSIS cases have been provided by CHEER, with 618 TELIS and 664 OSIS used by government bureaux and departments and public organisations.¹⁰

(b) Social enterprise: TransLingual

Hong Kong TransLingual Services (HKTS) is a social enterprise founded by the Hong Kong Sheng Kung Hui Lady MacLehose Centre in 2010. It offers on-site interpretation, telephone interpretation, video-conferencing interpretation, written translation, proofreading and one-stop service from design, translation to professional consultation. Its translation services cover 20 languages.¹¹ It now has a team of 80 interpreters and provides services in more than 400 cases every month.¹²

HKTS is a main service contractor with the Hospital Authority in Hong Kong. HKTS received \$2.3 million and \$2.8 million from HA in 2012-2013 and 2013-2014 respectively, out of \$2.7 million and \$3 million HA interpretation services expenditure.¹³ In the financial year 2011-12, 2012-13, 2013-14, the HA received 20 and 12 and 3 complaints concerning interpretation services, representing less than 0.6%, 0.3% and 0.05% of all interpretation cases.¹⁴

On quality assurance, HKTS cooperates with local and overseas scholars and organizations. It collaborates with Centre for Translation of Hong Kong Baptist University, a professional third party, to provide trainings to interpreters and supervise the performance of interpreters.¹⁵ Additionally, HKTS adopts a discipline control system. Interpreters are rated by their performances. Misconduct and substandard performance will lead to deduction of marks or warnings.

SUMMARY OF CURRENT SITUATION

(c) Government institutions

The Court Language Section of the Judiciary recruits both full-time (“CI”) and part-time court interpreters (“PTCI”). The former mainly provide interpretation in English and Cantonese in court proceedings. Some can also provide interpretation in Putonghua and a few Chinese dialects. Currently, the Judiciary maintains 142 CIs and a register of over 340 PTCIs in 36 foreign languages and 18 Chinese dialects¹⁶. Unlike CI, PTCIs have no contractual relationship with the Judiciary, therefore the work is unstable. They usually get informed of the interpretation a week or one or two days before the trial, and the appointment might even be cancelled a day before the designated date. The requirement and training for the two positions are different as follows¹⁷;

	Full-time court interpreter	Part-time court interpreter
Academic qualification	A University degree holder or High diploma or associated degree holder or achieved certain grades in either HKCEE or HKAL exams.	A University degree holder or equivalents.
Entrance exams/ interviews	<ul style="list-style-type: none"> • Civil Service Bureau’s interpretation and translation tests; • A selection interview 	Oral and written test (Examiners are 1. Recruited from the embassy in corresponding languages; or 2. If method 1 fails, the part-time court interpreters who have at least five years of average services will be recruited as examiners)
Remuneration	Entry pay for a CISII: Master Pay Scale Point 14 i.e. \$24,700 ¹⁸	Hourly rate: \$287 ¹⁹ with a minimum payment of two hours. After the first two hours, the payment will be calculated on a half-hourly basis.
Language requirement	Proficient in Cantonese, English and Mandarin	Proficient in either Cantonese or English, other language(s)

	Full-time court interpreter	Part-time court interpreter
Training	<p>I. Technical skills</p> <ul style="list-style-type: none"> • Internal training and courses (outside or in Hong Kong) • Seminars and visits <p>II. Courses organised by external organisations</p> <ul style="list-style-type: none"> • Courses organised by CSTDI and other organisations <p>III. Management skills</p> <ul style="list-style-type: none"> • Courses about Leadership, performance management etc. • Organised by Civil Service Training & Development Institute and Human Resources Sub-section of Judiciary, <p>IV. Personal growth</p> <ul style="list-style-type: none"> • Team-building workshop • Pressure-handling workshop etc.. • Organised by Civil Service Training & Development Institute and Human Resources Sub-section. 	<ul style="list-style-type: none"> • Attend an induction class on court structure, court procedures and code of practice • Given handouts on various topics²⁰ including court systems in Hong Kong, oath/affirmation of interpreters and witness, specimen charges and brief facts, the different nature of sentences in the judicial system, glossaries for legal terms used in court proceedings and of the Land Tribunal • Given a “Basic Guideline for Part-time Court Interpreters” • Attend workshops for the interpreters to share the difficulties and how to resolve them
Supervision over the performance	<ul style="list-style-type: none"> • As to Senior Court interpreters, they are assessed regularly by the supervisors • Times of assessment depends on the performance, from a few times per year to 4 or 5 times per month • As to Junior Court Interpreters, a year-end assessment (court performance and written work) is conducted by experienced Senior Court Interpreter. 	<ul style="list-style-type: none"> • 4 assessments per month and record in the personal profile • Judge, court clerks and full-time Court Interpreters on duty in court comment on their performance • For those who are found incompetent, reprimand, verbal/ written warnings, temporary suspension of service or de-registration from the list may be applied on them. • As to proven misconduct (e.g. failure to declare personal interest, deliberate misinterpretation or mistranslation, acting dishonestly or in breach of the interpreter’s code of ethics etc.), he/she is also liable to be removed from the list of part-time interpreters.

SUMMARY OF CURRENT SITUATION

Existing Laws and Policies Regarding Language Accessibility

Access to basic civil rights relies on the right to information; access to information fundamentally relies on language accessibility. The right to interpretation service of ethnic minorities is connected with three rights:

- 1) Non-discrimination and equal treatment on the ground of language and race;
- 2) Access to public service; and
- 3) Access to justice, especially in the context of court interpretation.

These three rights are granted and protected by international convention as well as local law and ordinance. Hong Kong Government is under obligation to embed and implement relevant international convention into local law and policy.

(a) International Context

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) Article 5 emphasises State Parties undertake to prohibit and to eliminate racial discrimination and to guarantee the right to everyone. Then Article 5(a) mentioned “the right to equal treatment before the tribunals and all other organs administering justice”. There is no doubt that the HKSAR Government should take the responsibility to provide high quality interpretation service in the court for those who cannot speak, read or write Cantonese, Chinese and English, to ensure everyone can get fair trial without distinction to their race, national or ethnic origin.

Article 5(e) brings up another fundamental human right which should also be protected to all the people, despite their race. Economic, social and cultural rights included “rights to work”, “right to housing”, “right to public health, medical care, social security and social services”, “right to education and training”. Those social and economic rights should be implemented into local law; otherwise all are just empty words. Thus, the HKSAR Government should ensure those rights through the enactment of local legislation. Including but not only the Labour Department, Housing Authority, Hospital Authority, Social Welfare Department, Education Department should have policy to advance equal opportunity towards every single people.

(b) Local Context

In Hong Kong, a range of human rights are protected under the provisions of the Basic Law, the Hong Kong Bill of Rights Ordinance, and a variety of anti-discrimination laws. Government and private sectors in some instances are held accountable for the violation of certain rights pursuant to these domestic laws.

i. Constitutional Level

The domestic implementation of international human rights treaties is primarily through Article 39(1) of the Basic Law, the constitutional document of the HKSAR, which provides that the provisions of International Covenant on Civil and Political Rights (ICCPR) and International Convention on Economic, Social and Cultural Rights (ICESCR) as applied to Hong Kong shall remain in force and shall be implemented through the laws of HKSAR.

Basic Law

The non-discrimination principle and the right to access to justice are directly incorporated into the Basic Law. Article 25 provides that “all Hong Kong residents shall be equal before the law.” Article 35 provides that “Hong Kong residents shall have the right to confidential legal advice, access to the courts, choice of lawyers for timely protection of their lawful rights and interests or for representation in the courts, and to judicial remedies. Hong Kong residents shall have the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel.”

The rights and freedoms of ethnic minorities are guaranteed no matter with or without a resident status. Article 4 provides that “HKSAR shall safeguard the rights and freedoms of the residents of the HKSAR, and of other person in the Region in accordance with the law.” This provision ensures that the rights and freedoms of persons without a resident status, for example a domestic violence victim with a nullified dependent visa, would be protected equally in Hong Kong.

SUMMARY OF CURRENT SITUATION

Any laws that contravene the principle of non-discrimination and the right to access to justice embedded in Article 25 and 35 would be deemed unconstitutional. Article 11 in Chapter I, as a general principle, states that no law enacted by the legislature of HKSAR shall contravene this. Moreover, Article 39(2) of the Basic Law guarantees that rights and freedoms in the incorporated treaties shall not be undermined. It is provided that the rights and freedoms shall not be restricted unless as prescribed by law and that the restrictions shall be in accordance with the provisions of the international treaties that are in force in Hong Kong.

Hong Kong Bill of Rights Ordinance (BORO)

The Ordinance binds the Government and public authorities and those acting on behalf of them, according to Section 7.

The Hong Kong Bill of Rights is detailed in Section 8 of the BORO, incorporating rights and guarantees provided in ICCPR directly into Hong Kong legislation. Article 1 provides that the rights set forth in this Bill shall be enjoyed without distinction of race and sex. Article 2 provides that all persons are equal before the law and are entitled to the equal protection of the law without any discrimination on the ground of race and sex. Article 22 shields equal protection of the law, prohibiting any discrimination on the ground of race and sex. Article 23 endorses the rights of minorities in the cultural fields, especially religions and languages.

ii. Anti-discrimination Laws

Racial Discrimination Ordinance (Cap. 602) (RDO)

Parts 1 and 2 include the definitions and the scope of application of the Ordinance. Parts 3 and 4 address discrimination and harassment in specific fields such as employment, education, provision of goods, facilities, services and premises etc.. Part 5 specifies other unlawful acts such as discriminatory advertisements and vilification on the ground of race. Part 6 indicates the exceptions to the RDO. Part 7 lists out the functions and power of the EOC. Part 8 addresses on enforcement. Part 9 deals with miscellaneous provisions such as the regulation to empower the EOC to bring proceedings.

Section 3 of the RDO provides that the ordinance binds the government.

Section 8 of the RDO provides the definition of “race” as “in relation to a person, means the race, colour, descent or national or ethnic origin of the person.”

Section 9 of the RDO provides that an act is done for multiple reasons and when one of the reasons is the race of a person, the act is taken to be done for the reason of the race of the person.

Section 27 indicates discrimination against any person on the ground of their race in the provision of the goods, facilities or services.

The RDO prohibits some certain types of discrimination, including,

- Direct and indirect discrimination (section 4(1) of the RDO)
- Racial harassment (section 7 of the RDO)
- Discrimination by way of victimisation (section 6 of the RDO)
- Racial vilification (section 45 of the RDO)

Yet, the issue is that the effectiveness of the RDO in addressing discrimination faced by EM has been doubted since it was enacted. The number of complaints filed with the EOC under the RDO is low when compared to other issues. The data are as follows;

Ordinance	SDO	DDO	FSDO	RDO
Complaint investigation (first 6 months of 2017)	102	118	6	35
Complaint investigation (2016)	254	286	19	213
Complaint investigation (2015)	213	353	29	54
Application for legal assistance and legal actions [not granted] (cumulative figures since 20/9/1996)	308 [163]	470 [269]	25 [12]	12 [7]
Legal actions taken for cases granted with legal assistance (cumulative figures since 20/9/1996)	42	57	5	0

Source: EOC Statistics on Enquiries, Complaints and Legal Assistance²¹ for the period of 1/1/2017 to 30/6/2017 and 1/1/2016 to 31/12/2016 and 1/1/2015 to 31/12/2015

SUMMARY OF CURRENT SITUATION

The number of the complaint investigations related to the RDO has been low when compared to those related to Disability Discrimination Ordinance (Cap 487) and the Sex Discrimination Ordinance (Cap 480) (“SDO”).

In 2015-16²², there were only 5% out of 5,571 specific enquiries received by the EOC concerning the RDO. Only 8% out of 385 new discrimination complaints received by the EOC were related to the RDO. Only 8% (i.e. 52 complaints) out of 612 complaints²³ handled by the EOC were related to the RDO. There was only 1 case given Legal Assistance, when another 1 was rejected and 1 was under consideration. No legal action was taken for cases granted with legal assistance through EOC. There have been only 3 court cases²⁴ concerning racial discrimination since the Ordinance was enacted at the time of writing.

This evident contrast between the data of the SDO and RDO may suggest that the EM are not aware of their own rights and the limitations within the provisions diminish the incentive to bring legal actions under the RDO.

Official Languages Ordinance (Cap 5) (“OLO”)

Chinese and English are the official languages in Hong Kong. A judge or other judicial officer can use either or both. Section 5 (1) of OLO states that “A judge, magistrate or other judicial officer may use either or both of the official languages in any proceedings or a part of any proceedings before him as he thinks fit.” Any court in Hong Kong can use either or both official languages in any proceedings.

Nonetheless, the witness may address the court in any language. Section 5 (3) of OLO provides that “Notwithstanding subsection (1), a party to or a witness in any proceedings or a part of any proceedings may (a) use either or both of the official languages and (b) address the court or testify in any language.”

iii. Regulations and Policies

Administrative Guidelines on Promotion of Racial Equality (“the Guidelines”)

The Guidelines was issued in 2010 which provides guidance to relevant Bureaux, Departments and public authorities, aiming to promote racial equality and ensure minorities’ equal access to public services in key areas. The Guidelines serve to meet the special needs of ethnic minorities, facilitate their integration into the community, and enhance the transparency of the work of public authorities.

Under the Guidelines, checklists of measures are drawn up by public authorities in different sectors including communications and technology, education, employment, immigration, legal aid, medical and health, policing services, social welfare etc...

Each checklist identifies the responsible department(s) for the certain area of public service, and provides the examination of existing measures, assessment of future work and additional measures to be taken on the key issues of this area. Contact information for enquires, complaints, and feedback is also included.

One of the major concerns is that the Guidelines are of voluntary nature, which pinpoints that not every government department has to adopt. According to the Guidelines, there are only 23 Departments expressly adopting the Guidelines up in September, 2015.

The Statement on the Treatment of Victims Witnesses (2009) (“the Statement”)

The statement was issued by the Department of Justice in 2009. Paragraph 3.5 provides that the prosecutors should ask the court to arrange an appropriate interpretation service before the trial if he found it practicable and/or necessary.

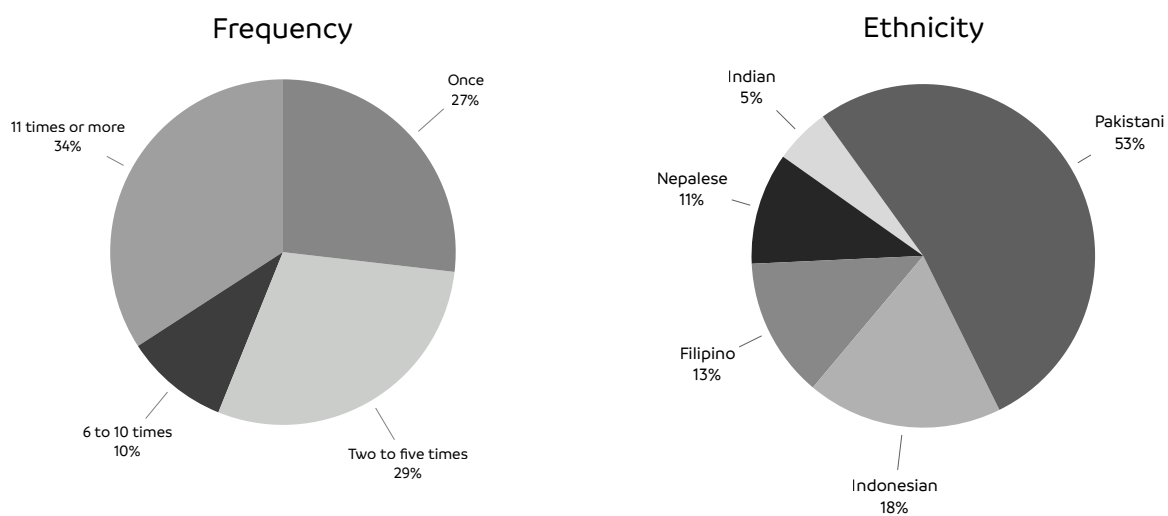
FINDINGS AND ANALYSIS

(a) Qualitative and quantitative data

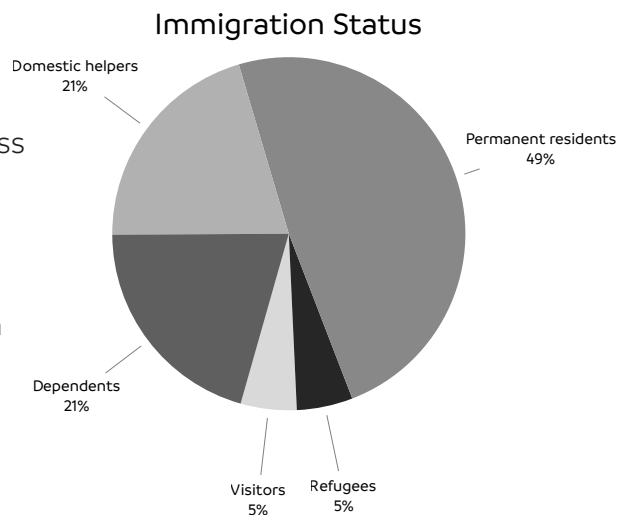
The survey was conducted from May to July 2017. 170 questionnaires were collected, with 41 of them having used the interpretation service. Even though the survey was voluntary and the data collected was not randomized, however, we believe that our study is taking a step forward to enhance the interpretation service for EM in Hong Kong.

Among 41 users, 11 used it once, 12 used it for 2 to 5 times, 4 used it for 6-10 times and 14 have used it 11 times or more.

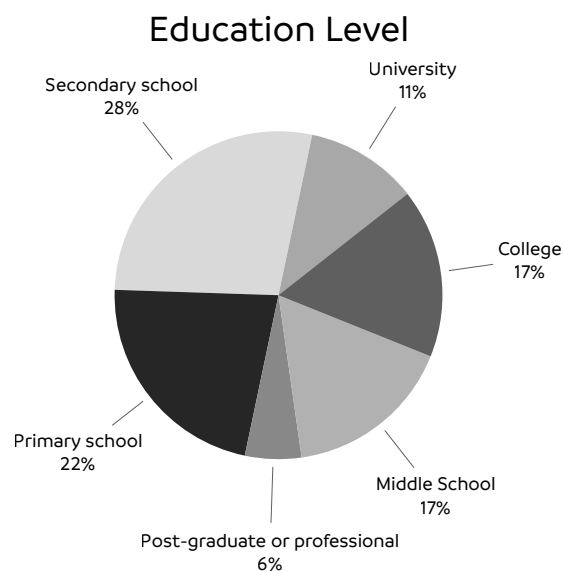
Since ACSVAW mainly targets at women, an overwhelming majority (92.7%) of the respondents are female.



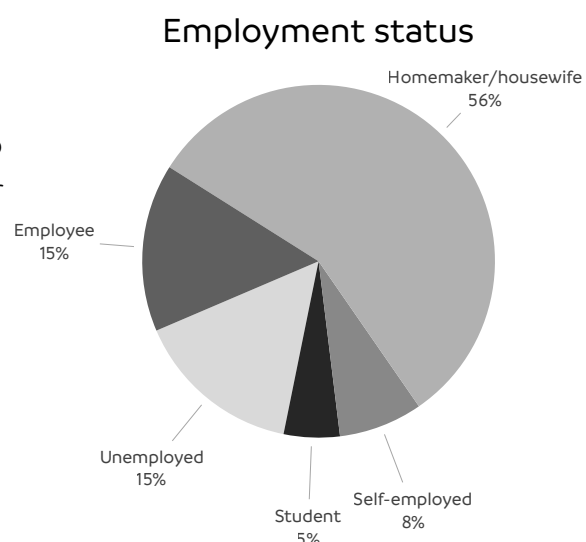
Among respondents who have used interpretation services, nearly half of them are Hong Kong permanent residents. For permanent residents, accessible and competent interpretation services guarantee their access to public service and justice on an equal footing with Cantonese and English speakers. 21% of them came to Hong Kong with a visa for domestic helpers and 20% of them hold a dependent visa. Most domestic helpers can speak basic English or Cantonese to communicate with their employees in daily working, but when it comes to public services like hospital and judiciary, they still have difficulties in understanding terminologies. Therefore, the need for ethnic minority interpretation cannot be underestimated.



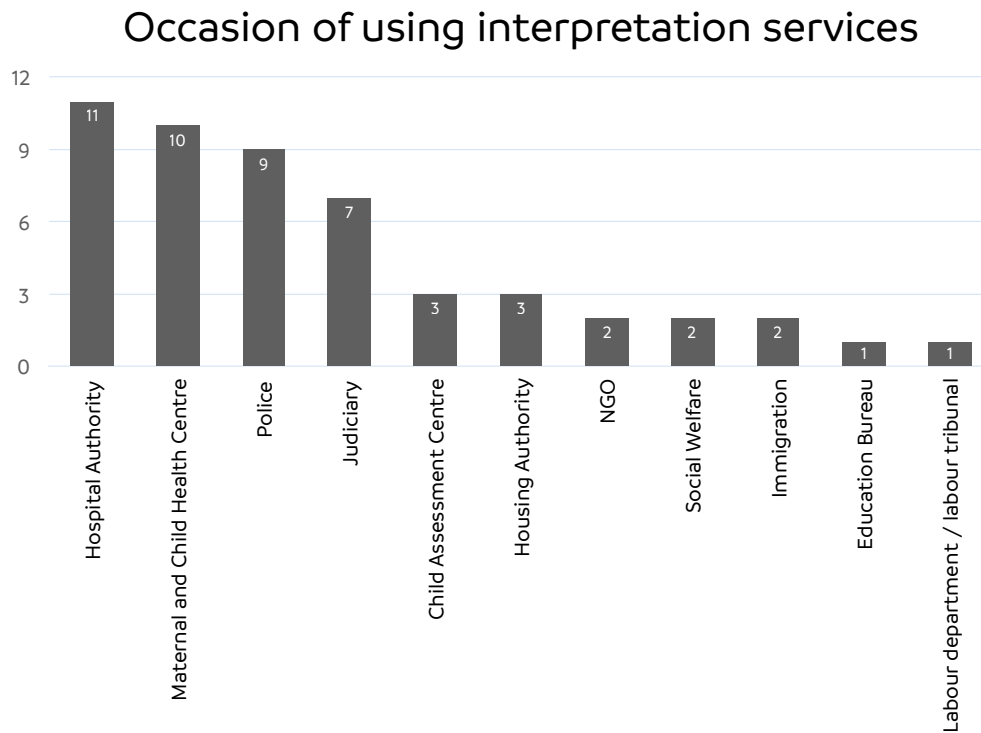
The result of education level in this study with majority interviewees being women, is far lower when compared with that of the whole EM population - 73.8% Non-Chinese Asians have upper secondary or higher education. For people of different education levels, they share the same need of interpretation services, no matter they received primary school education or are post-graduates or professional.



Statistics show that majority of the respondents who have used the interpretation services are homemakers or housewives.



FINDINGS AND ANALYSIS



Interpretation services are dominantly used in medical services, police and judiciary due to the complexity of the language utilized and high requirements on the accuracy of documents in such environments. Among government departments, the Hospital Authority is where the interpretation service is used most frequently.

As mentioned above in the introduction, HKTS and CHEER are

two major interpretation service providers. However, about 40% of the respondents do not know which organization the interpreter comes from. While it is possible that the client forgot such information after the interpretation, it means that either the interpreter failed to mention it in their self-introduction, or that the interpreter did not leave any information for the client. Without basic information like the organization that the interpreter belongs to, the client will be left helpless if he or she wants to initiate a complaint against the interpretation service.

About two-thirds of the interpretation services were arranged by government departments, followed by NGO and police. Government departments play a significant role in arranging interpretation service since many interpretation services, like on-site interpretation service, simultaneous interpretation service, translation service and proof-reading service of CHEER, are only provided on request from public service providers. Individual request for such services are not accepted. Therefore, the racial sensitivity and awareness for such need of the government determines whether ethnic minorities can have access to interpretation services.

About 55% of the respondents actively asked for interpretation service while the rest were offered such services. It partly reflects that government officials and other staff lack racial sensitivity to identify the need of interpretation services for ethnic minorities, or the procedure may not be sufficiently clear and standardized to offer guidelines when handling with ethnic minority cases.

While certain interpretation services are only accessible by government departments, ensuring there is sufficient guidance for government departments, police, judiciary and hospital is crucial to protect the basic rights of ethnic minority.

Compared to other kinds of interpretation services, on-site translation is overwhelmingly utilized. It shows a preference of on-site interpretation and insufficient utilization of other types of interpretation. In the case of on-site translation, where the interpreter meets the client in person and personal information is involved, a higher standard of confidentiality is required. Telephone translation perfectly fits in the need of short consultation in government departments. The low frequency of use indicates a possible underuse of the interpretation service and overuse of the alternative of friends or family members as interpreters. While there is a need to fill in forms when utilizing public services, i.e. applying for public housing in the Housing Authority, written translation service is severely underused.

Over two thirds of respondents were arranged interpreters of the same gender. Gender becomes a significant factor of interpretation services: only four respondents consider gender as an insignificant factor. Many ethnic minorities, regardless of their own gender, consider gender of the interpreter as a sensitive and prominent issue. They may not feel comfortable with an interpreter of different gender conveying important and confidential information. Especially in sensitive cases like sexual violence, it must be guaranteed that the interpreter is of the same gender as the client. It can be achieved when the applicant actively requiring an interpreter of the same gender, or organizations assign an interpreter of a certain gender after learning basic information and nature of the case.

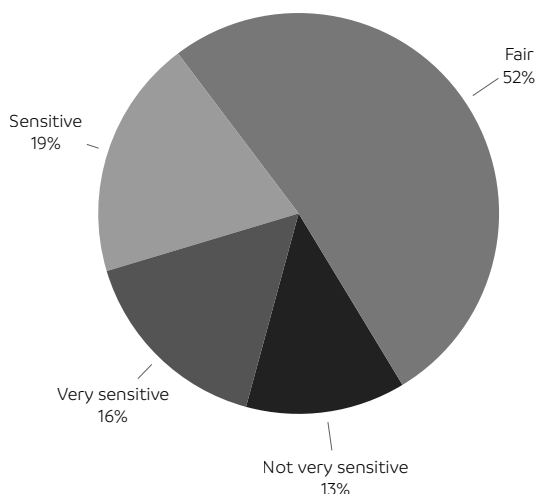
Accurate data of waiting time is absent. However, the waiting time could be greatly shortened if prior appointment is made. In case of emergency where no interpreter is available, ethnic minorities have to wait for nights or even longer for interpretation service. On such occasions, friends or relatives who understand some English or Cantonese might be invited to translate. This, however, is not considered a good practice. Close friends and family members may lack language competence and interpretation skills to convey the information accurately. Their participation will also influence the client, who might become unwilling to talk about private experience. Inviting the underage child of the client to be the interpreter is even more undesirable. In case of emergency where there is no available interpreter, using body language may be acceptable and somewhat helpful, but it should not appear on any other occasion.

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The majority of the respondents expressed confidence in the quality of interpretation. 14% of respondents thought the interpreter unprofessional in the service, 8% had no confidence about the competence of interpreters, only 6% felt the interpretation was neither very clear nor effective and only 3% felt that the other party did not understand what they originally meant.

By comparison, ethnic minorities expect more professional performance of the interpreters, for example clear introduction of their roles, responsibilities and confidentiality of interpretation services.

Sensitiveness to Circumstances

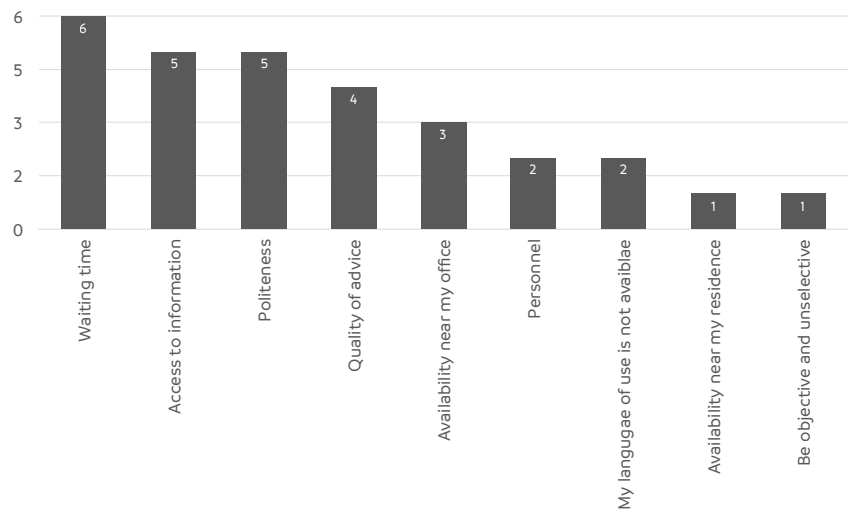


Only 35% of respondents considered the interpretation very sensitive or sensitive to their circumstances. Pertinence to the situation of ethnic minorities needs to be improved.

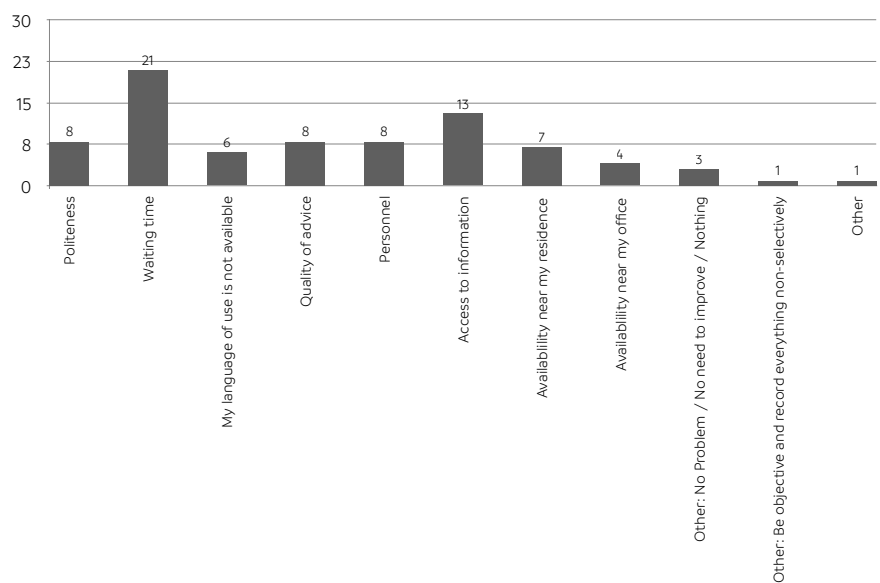
Regarding the subjectivity in the manner of the interpreter, the level of satisfaction is much lower. About 44% of the respondents worried that the interpreter would reveal his / her information to someone else; 35% of respondents said that the interpreter sometimes or always added his opinion into the interpretation, one even warned the client not to say something in court; 30% of respondents felt that they were not respected as an ethnic minority. Within the limited members of ethnic minority communities in Hong Kong, it is very likely that the interpreter and the client share some common contact, which poses threat to privacy. On the occasion of using such interpretation service, private and sensitive information is involved. Users must have confidence in the confidentiality of the interpretation service so that they could fully express themselves and convey the information needed. Interpreters should have a clear understanding of their role, which is to translate and only translate what the client says, but not to provide their own advice.

In terms of future improvement of interpretation services, for both users and general respondents, the three most expected improvements are waiting time, access to information and politeness. Quality of advice, personnel and availability near office or residence are also emphasized. In general, there needs to be more promotion of interpretation services so that ethnic minority communities are well informed of their rights; efficiency, trainings and supervision on interpreters need to be improved.

Future Improvement of Interpretation Services (User)



Future Improvement of Interpretation Services (All Respondents)



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(b) In-depth interview findings

In addition to the survey above, 14 in-depth interviews were also conducted, featuring 2 interpreters, 3 social workers serving mainly ethnic minorities and 9 ethnic minorities. During the interview, they shared their experience, expectation and evaluation of the interpretation services and raised various issues.

Quality of interpretation

All interviewees approved of the quality of interpretation, saying that it has helped facilitate communication between ethnic minorities and public services. Two concerns were raised.

Firstly, for certain languages like Bahasa Indonesian, its vocabulary is dynamic and constantly updating. Some interpreters may be born and grew up in Hong Kong, and thus learnt the language from their parents or grandparents. As a result, their vocabulary may not be the most updated one. Although it does not significantly undermine the quality of interpretation, out-dated expressions still pose challenge and increase the difficulty for the client to understand the interpretation. To update the vocabulary, a short training on the most frequently-used vocabulary will suffice.

The second issue concerns the interpretation of difficult terms such as judicial procedures and medical terminologies. When such expressions occur, to convey the full information, explanations that the layman could comprehend will be helpful to facilitate communication.

Interpreters' professionalism

The quality of interpretation can be assessed objectively. However, the subjectivity in the manner of the interpreter can have profound impact on the user experience of the client.

The first issue raised is attitude. The attitude of the interpreter varies from person to person. Some clients expect the interpreter to be warm and friendly. However, from the interpreter's perspective, it is understandable that their role is neutral, they do not take sides and there should not be personal emotion involved, especially in the context of police and judiciary. But politeness should still be measured as one the basic requirements. There was an individual case where, due to the impatient

and irritable attitude of the interpreter, the client did not dare to ask the interpreter to repeat the explanation and clarify confusion. The client pretended that the information was understood without asking to change for another interpreter or making complaints during the entire process. That went against the principal that interpretation is a major factor in empowering the client to express themselves and ensure effective communication.

The second issue is interpreter's subjective input into the interpretation, which works as a double-edged sword both for and against the client. There are clients getting useful advice from the interpreter during private talks in the interval of the interpretation, and there are also interpreters who "warned" the client not to mention certain information in the court. Subjective input into the interpretation is unacceptable: the interpreter serves as a bridge between two languages. While they are experts in case of language competence, they lack the expertise as social workers to advise the client in client's interests. When the interpretation session officially starts, the interpreter should only interpret what the client says in full without adding their own ideas or dismissing the client's words.

The third issue raised is privacy and confidentiality. It is impossible for the client to trust the interpreter without guaranteeing privacy and confidentiality. The internal code of conduct may list confidentiality as one of the principles. However, without transparent standard, clear complaint procedure and possible disciplinary actions, confidentiality is nothing more than an unreliable promise. Furthermore, it should also be mentioned in the interpreter's self-introduction, where they promise that everything interpreted will be kept confidential. The interpreter should also be self-cautious and not to talk about past cases. Interviewees mentioned that there were interpreters talking about interpretation experiences. Although the client's name was not specified, it still caused doubt about how personal information is protected.

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Frontline Government Workers

During the in-depth interview, one of the interpreters revealed that the biggest difficulty in interpretation service was the unfriendly attitude of the nurses and doctors in the hospital. While nurses and doctors undertake huge workload and high pressure, it must be understood that the interpreter was there to help with better communication with the patient and improve the experience of medical service. Therefore, they deserve respect. Since interpreters themselves are not medical professionals, they may seek explanation and clarification on behalf of the patient. Impatience will only lower efficiency and violate the interests of the patient.

In addition, there are still cases where certain government departments, like IFSC and CSSA, still refuse to provide interpretation services and ask the client to bring their friends or family members. It reflects the lack of cultural sensitivity and understanding on interpretation services.

Interpretation Organization and Policy

The in-depth interviews revealed several defects in the current interpretation service, which could not be ameliorated on an individual basis and require the improvement and efforts of the organization and policy-making authorities.

CHEER and HKTS only cover limited languages. While in recent years, more and more South Asians come to Hong Kong for better development, for example, Sri Lanka women working as domestic helpers in Hong Kong, the gap between the interpretation services and the need for them is still enlarging. There is a dearth of professional interpreters for South Asian and African languages.

The lack of a coherent system increases the difficulty of promotion and makes it more perplex for ethnic minorities to ask for help. CHEER, HKTS and the Judiciary recruit, manage and supervise interpreters separately. Interpreters are recruited by different standards, receive different trainings, observe different codes of conduct and are supervised by different authorities, when a unified recognition on interpretation skills and one effective channel are needed most.

Our interviews found that although interpreters were changed in case of emergency and extremely unsatisfactory interpretation and CHEER regularly collects feedback for its interpretation service, none of the interviewees have ever made or assisted any client to make a complaint about the services. For ethnic minorities, they

may not have sufficient awareness of their rights to be on equal footings with the majority when accessing public services. Therefore, when the government has already arranged an interpreter, they will consider it as good will, choose to put up with the interpreter regardless of the quality of interpretation and are not willing to “cause further trouble”. For social workers or NGOs helping ethnic minorities, even if they get the feedback from the client about the demerit of interpreter, there is no clear guide as to the complaint process, possible disciplinary actions or how long the process takes.

In our interviews, all ethnic minorities learnt about the existence of interpretation services only after they got in touch with the NGOs. The interpretation service is still comparatively unpopular among ethnic minorities. Interviewees suggested that promotion could be done by inserting information into ethnic minority newspapers, online promotion, sharing experience with friends or combining promotion with reach-out event of relevant NGOs. Promotion is important in that not only more ethnic minority can know the existence of such an option when they are in need, but also their deserved rights in accessing public service. The latter will increase the confidence of the ethnic minority to protect their own interests, like making complaints or asking for clarification in interpretation.

(c) Desk research findings

Data and information used in this section are sourced from the HKSAR Government websites, organizational official websites and online news.

Qualities of interpretation of PTCL

Since there are no PTCL or court interpretation service user is able to be interviewed in this study, we can only rely on open data and news to understand the situation. The qualities of the court interpretation services provided have been causing doubts by a number of professionals within the industry. Even a trainer of court interpreters publicly criticized the qualities of the services handling ethnic minority languages²⁵. The trainer even pointed out that sometimes the Judiciary even failed to find interpreters for some rare languages. For example, in 2010, a hearing of a murder case of a Mongolian was adjourned after the interpreter failed to turn up²⁶.

In addition, there have been a number of cases that involve wrong interpretation at courts, which directly affected the outcomes of trials and impeded the administration of justice. In 2013²⁷, a Pakistan as the plaintiff won his creating a bomb case in the

FINDINGS AND ANALYSIS

Court of Appeal since a court interpreter omitted some words while interpreting the charge sheet from English /Chinese to Punjabi.

Unlike CHEER and TransLingual, PTCI does not have a decent accreditation system for its recruitment. Without a unified standard and systems to recruit the interpreters in EM languages, qualities of court interpretation might plunge, which triggers injustice and crisis for the confidence in the legal system. When there is no proper channel to be qualified as an interpreter, the incentive for new bloods and talents is low. It is not a secret that PTCI 's shortage, especially uncommon languages like some languages of Africa.

Sector-Specific

The demands of interpretation in ethnic minority languages encompass different contexts such as medical service and court services etc... Yet, with the lack of supply of the interpreters in EM languages, some of the interpreters in rare languages might have to serve in different contexts.

As a result, they might not be able to specialise in one particular field, which might adversely affect their performance when each field involves a huge number of technical terms. As mentioned, the PTCIS are only given handouts about the legal procedures and legal terms without any comprehensive and sector-specific training and teaching over its technical terms and procedures, the interpreters might find a number of obstacles in doing better jobs. The problems of lack of substantive and comprehensive sector specifications and corresponding training may result in poor quality and accuracy of the interpretation services.

Although in the context of legal interpretation, there is already certain extent of specialised trainings, the qualities are still not highly satisfactory. The Judiciary recruits the court interpreters and provides the corresponding trainings by itself. Still, it is highly concerning²⁸ that the qualities, scope and quantities of the training for PTCIs are falling behind the standards due to its part-time nature and policy considerations.

In particular, the accuracy in interpretation of legal terms is crucial since they might determine the judgment of the legal practitioners and judges in making their decisions. For instance, in 2013, the High Court quashed the conviction of a Pakistani man jailed for creating a bomb because of errors made by an interpreter who wrongly interpreted the term "with intention to induce"²⁹.

In contrast, in the context of medical interpretation, the extents of training and opportunities of practices are far more extensive. TransLingual has cooperated with a professional body, the Centre for Translation at Hong Kong Baptist University, which offers certificate courses in medical interpretation and provides internship opportunities. This certification system and practical training have efficiently secured the qualities of the services.

On the other hand, there are also some limitations in the training provided for the community interpreters in NGOs (including those government-outsourced ones). They may be required to provide interpretation services to different government departments such as the Social Welfare Department, Police etc... These services also involve a number of specific terms used in each department. For example, there is a wide range of social security scheme launched by the Social Welfare Department such as Comprehensive Social Security Assistance (CSSA) Scheme and Support for Self-reliance (SFS) Scheme etc... In provision of interpretation services at police stations, the interpreters may have to acquire a basic understanding over some legal terms such as bails and legal procedures.

It is not to say that the interpreters have to know all the terms or glossary before providing the services; however, if the EM interpreters can be more familiar with the terms and the context by specialising in a particular sector like the development of court interpreters and hospital interpreters, it will greatly enhance the efficiency and qualities of the services in other departments as well.

Trainings

When compared to CI, the pre-employment and post-employment training of PTCIS are less comprehensive and falling behind the standards. In terms of effectiveness, it is highly doubtful if the PTCIS are able to acquire comprehensive understanding of our legal systems, numerous procedures within and legal terms when they are only given some glossaries of legal terms and several handouts about the legal system of Hong Kong and court procedures etc... Although there is an induction class for the PTCIS which introduces the procedures and structure of courts etc., the quantities of courses or seminars attended by the CIS are far more than that by PTCL.

In terms of the scope, the training for CIS is more systematic and all-rounded which covers 4 areas including technical skills, courses organised by external organisations, management skills and personal growth. In contrast, there is not such a classification of the training and all the training they have are induction class(es) and sharing

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session(s). The effectiveness, quantities and scope of the training for the PTCIS are already substantively lagging behind those for the CI, let alone the qualities of the training.

Lack of Resources

The resources allocation within the government might be uneven. A court interpreter trainer revealed that the possible reasons³⁰ for the tardiness of the government in setting up an accreditation system to PTCIs in EM languages is that it is costly and a matter concerning only the minority of the society. Similarly, resources allocated to the NGOs who are commissioned by the government are insufficient due to a number of reasons like rising rents³¹. Inadequate resources might pose hindrance to the recruitment of interpreters and in maintaining the qualities of services.

As to those NGOs that are commissioned by the government like CHEER, though the government indicated that there is a regular review³² of the performance of the NGOs and demands of the services to adjust the amount of government grants, the factors considered and the calculating methods are unknown. The lack of transparency makes it difficult to for the public to scrutinize.

With insufficient resources, the salaries of the interpreters are not high enough to attract talents. The hourly rate of part-time court interpreters is \$287³³ in 2016 while the community interpreters in TransLingual already charge an hourly rate of \$300 to \$800³⁴ (hinging on the urgency and nature of the services) in 2015. Although TransLingual takes 40% of the pay, the community interpreters might still have the higher possibility to earn higher salaries regarding the broader range of the hourly rate. Therefore, it creates little incentive for the talents and new bloods to be PTCIs, which may exacerbate the shortage of the supplies of PTCIs in EM languages.

The salaries of the community interpreters are even lower when compared to the above more specialised interpretation services. For instance, the hourly rate for the part-time interpreter generally is \$60 and the starting point of the salary for the full-time interpreter is \$12,000. For escort interpretation service, the hourly rate is \$100. The salaries are unappealing to attract new bloods and maintain the team of interpreters, which may result in a lack of steady supply of interpreters and finally may result in obstacles for the EM to get equal access to public services.

REFERENCE MODELS

(a) Australia

The Australian Government is implementing the Multicultural Access and Equity Policy, which strives to make all Australian Government programs and services fair, easy to access and simple to use³⁵. Under this policy, in Australia, interpretation in public service is provided by Translation and Interpretation National (TIS National) under the Department of Immigration and Border Protection. With more than 2,500 interpreters across Australia, it provides interpretation services in more than 160 languages³⁶. TIS National offers three kinds of interpretation services (immediate phone interpreting, pre-booked phone interpreting services and on-site interpreting) on a free-for-service basis simply by calling 131 450. It is easily accessible 24 hours every day and 7 days a week. Feedback for the interpretation service can be given by calling the same hotline.

Besides TIS National, the National Accreditation Authority for Translators and Interpreters serves as a non-government “quality assurance scheme” for the interpretation services in Australia.

To regulate the practice of interpreters, Australian Institute of Interpreters and Translators (AUSIT) issued the Code of Ethics³⁷, which binds all the interpreters and translators in Australia. The Code of Ethics lists out nine principles that should be implemented in the practice of interpreters:

- Professional conduct
- Confidentiality
- Competence
- Impartiality
- Accuracy
- Clarity of role boundaries
- Maintaining professional relationships
- Professional development
- Professional solidarity

To assist the government in handling cases where interpretation service is needed, the Department of Social Services of the Australian government issued an outline of procedures for Australian Government agencies³⁸. It offers instruction for government departments in procuring for both face to face or telephone interpretation services and interpretation services in public forums and during consultations. The

REFERENCE MODELS

outline contains guidance for each step of the interpretation, from preparing for an interpreter, booking an interview, before the interview, at the beginning of the interview, to during the interview.

For court interpreters, the application for interpretation service must be submitted a week before the hearing³⁹. Specifically, in New South Wales, it is required that “Interpreters for court and tribunal proceedings (including police interviews⁴⁰) must have at least a level 3 accreditation⁴¹ from NAATI”⁴², which reflects the high level of interpretation skills required for the interpretation in court.

(b) United Kingdom

The United Kingdom has an integrated legal framework to guarantee equal access to public service. National Register of Public Service Interpreters (NRPSI), established in 1994, maintains a public register of professional, qualified and accountable interpreters. There are around 1,900 interpreters in 100 languages on the National Register covering the whole country. The database is dynamic. Registrants’ details are regularly updated and new Registrants are recruited to satisfy the need of non-English speaking population.

NRPSI Bookings can be made online. The client can search for the nearest interpreter in their own language and make appointment using their personal account. Each interpreter will be issued an ID card every year, presenting their personal information. The client can scan the QR code on the ID card to verify the identity of the interpreter. The Code of Professional conduct is also available online for the public. If there is an allegation of misconduct, the client can complain by filing in the complaint form. The complaint process is regulated under the Disciplinary Framework and Procedures⁴³, which is detailed and available online.

NRPSI also appears to be attractive for competent interpreters. Being on the National Register serves as a guarantee of competency and professionalism and therefore enhances the clients’ confidence in the interpreter. NRPSI interpreters will be given higher priority and more considerations when the government decides to use interpretation service. There will be regular updates from NRPSI on the profession and maintaining interpretation standards. Clear standards, including passing recent qualifications, are set⁴⁴. Additionally, certain hours of public service interpreting experience in the UK are required for different status of NRPSI interpreters. It guarantees that NRPSI interpreters are familiar with the special requirement of public services and have accumulated terminologies in that context, therefore ensuring the quality of interpretation.

Apart from professional organizations, relevant public service providers also monitor and review the interpretation service. This is driven by the requirement to comply with legislations and other guidelines and also reflects the complete legal framework in the UK to guarantee equal access to public service.

In the case of the National Health Trust, the principle of equal access to health services is identified in The NHS Constitution, Equality Act 2010 and Health and Social Care Act 2012 (Section 13G).

Apart from legal standards, NHS has drafted 8 principles for high quality translation and interpretation services:⁴⁵

Principle 1 Access to services

Principle 2 Booking of Interpreters

Principle 3 Timeliness of Access

Principle 4 Personalised Approach

Principle 5 Professionalism and Safeguarding

Principle 6 Compliments, Comments, Concerns and Complaints

Principle 7 Translation of Documents

Principle 8 Quality Assurance and Continuous Improvement

In NHS England Accessible Information and Communication Policy⁴⁶, detailed advice for working with interpreters before session, during session, and after session is also provided to guide NHS staff where interpretation service is involved.

In England, to avoid the inadvisable practice of choosing close friends or family members over professional interpreters, where an individual wishes to have a family member as the interpreter, an informed signed consent independent of that family member is required⁴⁷. This effectively prevents the practice of having friends or family members as interpreters and respects the client's own will.

RECOMMENDATIONS

Language barrier of EM in Hong Kong has been raised in recent years. However, the response from the Government is still far from satisfaction. While the NGOs are trying very hard to provide good service for EM despite limitation, in terms of lack of funding and difficulty of policy implementation (if not no policy), the Civil Affairs Bureau should take a more proactive approach with racial and cultural sensitivity to remove the disadvantages of the EM in Hong Kong.

(a) Government's role of ensuring the rights of EM in Hong Kong

- (i) EM services should have a holistic planning rather than patchy fixes. The HKSAR Government, accurately, the Civil Affairs Bureau is the only and the most appropriate party to lead the change.
- (ii) The nature of the Administrative Guidelines on Promotion of Racial Equality should not be voluntary but compulsory to all government departments to enhance the enforcement and awareness among the frontline government officers towards the Guideline.
- (iii) Frontline Government officers should be trained on racial and cultural sensitivity for having a better understanding on the needs of EM. The Civil Affairs Bureau should ensure that there is an internal policy for handling EM cases in every single government department as well as review the implementation of policy. In the case of ethnic minorities, interpretation services are not an option that could be randomly deprived by government staff but a right of the client. There should be more politeness and respect towards the interpreter. EM's access to public services should be on equal footing with the linguistic majority.
- (iv) Funding and support to the NGOs who provide interpretation services should be raised, for better staff management and training, increase in interpreters' salary and benefits, setting up a complain mechanism, etc..
- (v) Promote interpretation services to ethnic minority communities in Hong Kong via newspapers, social media and friends' experience sharing, to inform ethnic minorities of their rights.
- (vi) A holistic review of the interpretation services for EM should be conducted. The review should involve all the stakeholders, including but not limited to EM service providers, users, social workers, interpreters, Government departments frontline officers and Hospital Authority frontline medical workers.

(b) Qualities of the interpretation services

(i) An accreditation system for interpreters in EM languages should be established. Provide regular trainings on communication skills, interpretation competence, professionalism, terms and terminologies. Offer a professional certification by collaborating with academic institutions in both Hong Kong and the home country of the language. This might also enhance the professional image of the interpreters, thus attracting more new bloods to become interpreters.

(ii) Establish industrial code of conduct and standardized procedure which binds all the interpretation service providers of public sectors to serve in a more professional manner. The code of conduct should also be available to the public, so that the client could assess whether certain principles are upheld. The standardized procedure should also include self-introduction which must include the interpreter's name, organization, responsibility, promise of confidentiality, as well as the operation of the interpretation service, and ways to file a complaint.

(iii) Establish a complaint mechanism. Provide information on the complaint procedure, handling mechanism, panel composition and possible disciplinary action.

(iv) Gender sensitivity is also essential in medical and home affairs service interpretation especially with cultural difference. Special trainings should be provided for interpreters who work in this sector.

(c) Long term development

(i) Set up regular review system to collect comments and suggestions from different stakeholders, in order to improve the service continuously and gradually.

(ii) Information provided by Government Departments such as Education Department, Labour Department, Social Welfare Department, Legal-aid Department, etc.. should have EM languages available or note for interpretation service. Currently, even the webpage of Race Relation Unit in Home Affairs Department does not have all main EM languages covered.

ENDNOTES

- ¹ “The effectiveness of the “WE Stand Programme for Migrant Workers and Ethnic Minority Women”. Leung Lai Ching and Rainlily. April 2015.
- ² Results of 2016 Population By-census, Table A104, from <http://www.bycensus2016.gov.hk/en/bc-mt.html>
- ³ 2011 Population Census Thematic Report: Ethnic Minorities, from <http://www.statistics.gov.hk/pub/B11200622012XXXXB0100.pdf>
- ⁴ “傳譯服務 解決溝通難題”. Ming Pao. 30th April 2015. http://www.mingpaocanada.com/tor/htm/News/20150430/HK-gfk2_er_r.htm
- ⁵ Poor quality of court translations puts justice at risk, expert warn. Austin Chiu and Stuart Lau. South China Morning Post. 14 October 2013. <http://www.scmp.com/news/hong-kong/article/1331100/poor-quality-court-translations-puts-justice-risk-experts-warn>
- ⁶ LCQ10: Provision of interpretation services for ethnic minorities, from <http://www.info.gov.hk/gia/general/201611/09/P2016110900483.htm>
- ⁷ Centre for Harmony and Enhancement of Ethnic Minority Residents, from <http://www.hkcs.org/gcb/cheer/cheer-e.html>
- ⁸ Project TRANSLINK extended to all report rooms, The Newspaper of Hong Kong Police Force, from <http://www.police.gov.hk/offbeat/1076/eng/4711.html>
- ⁹ I want to be Interpreter / Translator, CHEER, from <http://hkcscheer.net/interpretation-and-translation-services/i-want-to-be-interpretertranslator>
- ¹⁰ LCQ7: Provision of interpretation services and public services for the ethnic minorities, from <http://www.info.gov.hk/gia/general/201611/09/P2016110900479.htm?fontSize=1>
- ¹¹ These 20 languages are: Urdu, Hindi, Punjabi, Nepali, Thai, Bahasa Indonesia, Tagalog, Bengali, Vietnamese, Korean, Japanese, German, French, Sinhala, Arabic, Spanish, Portuguese, Malay, Taiwanese and Sign language.
- ¹² Break the Barriers / Hong Kong TransLingual Services, from <http://www.sie.gov.hk/en/what-we-do/case-sharing/detail.page?content=22>

- ¹³ Replies to supplementary questions raised by Finance Committee Members in examining the Estimates of Expenditure 2014-15, Director of Bureau: Secretary for Food and Health, from http://www.legco.gov.hk/yr13-14/english/fc/fc/sup_w/s-fhb-h-e.pdf
- ¹⁴ LCQ21: Interpretation services of Hospital Authority, from <http://www.info.gov.hk/gia/general/201410/15/P201410150649.htm>
- ¹⁵ Quality Assurance of Interpreters, Hong Kong Translingual Services, from <http://www.hk-translingual.com/new/en/page.php?id=25>
- ¹⁶ Revised Remuneration Arrangements for Part-time Interpreters Engaged by the Judiciary, Panel on Administration of Justice and Legal Services, Legislative Council, <http://www.legco.gov.hk/yr15-16/english/panels/ajls/papers/ajls20160523cb4-1036-1-e.pdf>
- ¹⁷ Legislative Council, Panel on Administration of Justice and Legal services—performance of court interpreters, LC Paper No. CB(2)1592/03-04(01), p. 2-5, Annex A & B, February 2004
- ¹⁸ Reply on enquiries to Court Language Section, Judiciary on 19th August 2016
- ¹⁹ Reply on enquiries to Court Language Section, Judiciary on 19th August 2016
- ²⁰ Legislative Council, Panel on Administration of Justice and Legal services—performance of court interpreters-- LC Paper No. CB(2)1592/03-04(01), February 2004
- ²¹ EOC Statistics on Enquiries, Complaints and Legal Assistance <http://www.eoc.org.hk/eoc/graphicsfolder/inforcenter/papers/statisticlist.aspx>
- ²² EOC Annual Report 2015/2016. P. 44-49. http://www.eoc.org.hk/EOC/Upload/AnnualReport/201516/EOC_AR2015_16.pdf
- ²³ Together with the cases carried over from 2014/15.
- ²⁴ Singh Arjun v Secretary for Justice, DECO 9/2011, 31 May 2016; Darryl Penrice v Chan Kwok Ji Eric IDSM, DCCJ 2893/2014; Dean Alexander Aslett v Lane Crawford (Hong Kong) Ltd, DECO 3/2013
- ²⁵ Poor quality of court translations puts justice at risk, expert warn. Austin Chiu and Stuart Lau. South China Morning Post. 14 October 2013. <http://www.scmp.com/news/hong-kong/article/1331100/poor-quality-court-translations-puts-justice-risk-experts-warn>
- ²⁶ Ibid.

ENDNOTES

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- 28 The training of PTCIs is discussed in the next part (c) training.
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- 31 Press release of the HKSAR, LCQ 20: Support for ethnic minorities. 2 March 2016. <http://www.info.gov.hk/gia/general/201603/02/P201603020549.htm>
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- 33 Reply on enquiries to Court Language Section, Judiciary on 19th August 2016
- 34 Success of translation service for ethnic minorities speaks for itself. South China Morning Post. 2nd March 2015. <http://www.scmp.com/news/hong-kong/article/1727073/success-translation-service-ethnic-minorities-speaks-itself>
- 35 Multicultural Access and Equity, from <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/multicultural-access-and-equity>
- 36 About TIS National, from <https://www.tisnational.gov.au/en/About-TIS-National>
- 37 AUSIT Code of Ethics and Code of Conduct, from http://ausit.org/ausit/documents/code_of_ethics_full.pdf
- 38 Outline of Procedures for Australian Government Agencies, from https://www.dss.gov.au/sites/default/files/files/foi_disclosure_log/12-12-13/procuring-interpreting-services.pdf
- 39 <http://www.fedcourt.gov.au/services/interpreters>
- 40 Guidelines on interpreting and translation, from http://www.legalaid.nsw.gov.au/__data/assets/pdf_file/0018/5832/Guidelines-on-interpreting-and-translation.pdf
- 41 There are three levels of NAATI interpreters: Professional interpreters (Level 3), paraprofessional interpreters (Level 2) and recognised interpreters (Level 1)

- ⁴² http://www.districtcourt.justice.nsw.gov.au/Pages/facilities_support/interpreters.aspx
- ⁴³ Disciplinary Framework and Procedures, National Register of Public Service Interpreters, from http://www.nrpsi.org.uk/downloads/NRPSI_Disciplinary_Framework_and_Procedures_22.01.16.pdf
- ⁴⁴ Qualifications and Experience Criteria for Entry onto the National Register of Public Service Interpreters, National Register of Public Service Interpreters, from http://www.nrpsi.org.uk/downloads/Qualifications_and_Experience_Criteria_for_Entry.pdf
- ⁴⁵ https://www.england.nhs.uk/commissioning/wp-content/uploads/sites/12/2015/03/it_principles.pdf
- ⁴⁶ <https://www.england.nhs.uk/wp-content/uploads/2016/11/nhse-access-info-comms-policy.pdf>
- ⁴⁷ Fazil, Q. (2015). Working with Interpreters for Spoken Languages. Diversity and Equality in Health and Care 12 (3), 126-129.

INTERPRETATION SERVICES USED BY ETHNIC MINORITY CLIENTS SELF-ADMINISTERED QUESTIONNAIRE

Informed Consent Form

You are invited to participate in a research study conducted by the Association Concerning Sexual Violence Against Women and Puja Kapai, Associate Professor at the Faculty of Law and Convenor of the Women's Studies Research Centre of the University of Hong Kong.

PURPOSE OF THE STUDY

This project explores the frequency, accessibility and quality of use of interpretation services for ethnic minority users in the Hong Kong Special Administrative Region (HKSAR). It is important that ethnic minority communities are able to access public services meaningfully and on an equal footing in Hong Kong.

We would like to understand user's experiences with such services and identify existing strengths or shortcomings. The knowledge gained from this project will be used to make recommendations to relevant service providers and authorities to improve the reach, quality and accessibility of interpretation services in Hong Kong.

POTENTIAL BENEFITS

Your responses would provide valuable information on the obstacles faced by ethnic minority users seeking assistance of interpretation services in accessing a range of rights, services and opportunities in Hong Kong.

PROCEDURES

Please help complete the questionnaire below regarding your experiences with interpretation services. The questionnaire will take approximately half an hour to complete.

Your responses will be completely anonymous as you are not required to give us your name unless you want to. In any case, all responses will be anonymised as we will use a random Research ID Code in our analysis.

You may choose not to answer any question if you do not wish to. You may simply move on to the next question or stop responding to the questionnaire at any time without any adverse consequence.

Any information obtained will remain strictly confidential and will be used strictly for research purposes only.

QUESTIONS AND CONCERNS

If you have any questions or concerns about the research, please feel free to contact Ms. Choi Suet Wah by phone at 26254016 or by email at swchoi@rainlily.org.hk.

CONSENT & SIGNATURE

I _____ (Name of Participant) understand the procedures described above and agree to participate in this study. If you do not mind being contacted for follow up interview, please provide the following:

Email: _____ Contact Number: _____

Signature of Participant

Date

Research ID:

Questionnaire

Thank you for your time and input into our research study on access to and quality of interpretation services provided to ethnic minority users. Please answer the questions below as fully as you can.

Note: for the purposes of this questionnaire, “ethnic minority” refers to any person who is a racial or religious minority and/or a recent immigrant to Hong Kong (excluding immigrants from Mainland China).

PART 1 - PERSONAL INFORMATION

1. Gender	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Other																																	
2. Please specify the age group you belong to.	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> 18 – 24</td> <td style="width: 50%;"><input type="checkbox"/> 55 – 65</td> </tr> <tr> <td><input type="checkbox"/> 25 – 34</td> <td><input type="checkbox"/> 65-75</td> </tr> <tr> <td><input type="checkbox"/> 35 – 44</td> <td><input type="checkbox"/> 75 Above</td> </tr> <tr> <td><input type="checkbox"/> 45 – 54</td> <td></td> </tr> </table>	<input type="checkbox"/> 18 – 24	<input type="checkbox"/> 55 – 65	<input type="checkbox"/> 25 – 34	<input type="checkbox"/> 65-75	<input type="checkbox"/> 35 – 44	<input type="checkbox"/> 75 Above	<input type="checkbox"/> 45 – 54																										
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3. What is your country of origin?																																		
4. Please specify the ethnic or racial group you belong to.	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><input type="checkbox"/> African</td> <td style="width: 33%;"><input type="checkbox"/> Hispanic</td> <td style="width: 33%;"><input type="checkbox"/> Pakistani</td> </tr> <tr> <td><input type="checkbox"/> Arab</td> <td><input type="checkbox"/> Indian</td> <td><input type="checkbox"/> Scottish</td> </tr> <tr> <td><input type="checkbox"/> Bangladeshi</td> <td><input type="checkbox"/> Indigenous</td> <td><input type="checkbox"/> Sinhalese</td> </tr> <tr> <td><input type="checkbox"/> British</td> <td><input type="checkbox"/> Irish</td> <td><input type="checkbox"/> Thai</td> </tr> <tr> <td><input type="checkbox"/> Cambodian</td> <td><input type="checkbox"/> Japanese</td> <td><input type="checkbox"/> Vietnamese</td> </tr> <tr> <td><input type="checkbox"/> Caribbean</td> <td><input type="checkbox"/> Korean</td> <td><input type="checkbox"/> Welsh</td> </tr> <tr> <td><input type="checkbox"/> Chinese</td> <td><input type="checkbox"/> Kurd</td> <td><input type="checkbox"/> West European</td> </tr> <tr> <td><input type="checkbox"/> East European</td> <td><input type="checkbox"/> Laotian</td> <td><input type="checkbox"/> Other (please specify):</td> </tr> <tr> <td><input type="checkbox"/> English</td> <td><input type="checkbox"/> Latin American</td> <td>_____</td> </tr> <tr> <td><input type="checkbox"/> Gypsy/traveler</td> <td><input type="checkbox"/> Nepalese</td> <td><input type="checkbox"/> Mixed (please specify):</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Northern Irish</td> <td>_____</td> </tr> </table>	<input type="checkbox"/> African	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Pakistani	<input type="checkbox"/> Arab	<input type="checkbox"/> Indian	<input type="checkbox"/> Scottish	<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Indigenous	<input type="checkbox"/> Sinhalese	<input type="checkbox"/> British	<input type="checkbox"/> Irish	<input type="checkbox"/> Thai	<input type="checkbox"/> Cambodian	<input type="checkbox"/> Japanese	<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Caribbean	<input type="checkbox"/> Korean	<input type="checkbox"/> Welsh	<input type="checkbox"/> Chinese	<input type="checkbox"/> Kurd	<input type="checkbox"/> West European	<input type="checkbox"/> East European	<input type="checkbox"/> Laotian	<input type="checkbox"/> Other (please specify):	<input type="checkbox"/> English	<input type="checkbox"/> Latin American	_____	<input type="checkbox"/> Gypsy/traveler	<input type="checkbox"/> Nepalese	<input type="checkbox"/> Mixed (please specify):		<input type="checkbox"/> Northern Irish	_____
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<input type="checkbox"/> Gypsy/traveler	<input type="checkbox"/> Nepalese	<input type="checkbox"/> Mixed (please specify):																																
	<input type="checkbox"/> Northern Irish	_____																																

5. Please identify the district in which you live:	<input type="checkbox"/> Central and Western (中西區)	<input type="checkbox"/> Kwai Tsing (葵青區)
	<input type="checkbox"/> Wan Chai (灣仔區)	<input type="checkbox"/> Tsuen Wan (荃灣區)
	<input type="checkbox"/> Eastern (東區)	<input type="checkbox"/> Tuen Mun (屯門區)
	<input type="checkbox"/> Southern (南區)	<input type="checkbox"/> Yuen Long (元朗區)
	<input type="checkbox"/> Yau Tsim Mong (油尖旺區)	<input type="checkbox"/> North (北區)
	<input type="checkbox"/> Sham Shui Po (深水埗區)	<input type="checkbox"/> Tai Po (大埔區)
	<input type="checkbox"/> Kowloon City (九龍城區)	<input type="checkbox"/> Sha Tin (沙田區)
	<input type="checkbox"/> Wong Tai Sin (黃大仙區)	<input type="checkbox"/> Sai Kung (西貢區)
	<input type="checkbox"/> Kwun Tong (觀塘區)	<input type="checkbox"/> Islands (離島區)

PART 2 – SOCIOECONOMIC, EDUCATION AND LINGUISTIC INFORMATION

6. How long have you been residing in Hong Kong?	
<input type="checkbox"/> Less than 1 year	<input type="checkbox"/> 6-10 years
<input type="checkbox"/> 1-2 years	<input type="checkbox"/> More than 10 years
<input type="checkbox"/> 3-5 years	
7. What is your immigration status?	
<input type="checkbox"/> Permanent Resident	<input type="checkbox"/> Immigrant Visa
<input type="checkbox"/> Refugee	
<input type="checkbox"/> Undocumented (in the territory without the permit or knowledge of immigration authorities)	Please specify type
	<input type="checkbox"/> Dependent
	<input type="checkbox"/> Imported or supplementary labour scheme
	<input type="checkbox"/> Domestic helper
	<input type="checkbox"/> Other: Please specify: _____
8. What is your level of education?	
<input type="checkbox"/> Primary school	<input type="checkbox"/> College
<input type="checkbox"/> Middle school	<input type="checkbox"/> University
<input type="checkbox"/> Secondary school	<input type="checkbox"/> Post-Graduate or Professional
<input type="checkbox"/> Trade school or apprenticeship / vocational training	
9. Please specify your economic activity status:	
<input type="checkbox"/> Self-employed	<input type="checkbox"/> Home maker / housewife
<input type="checkbox"/> Employee	<input type="checkbox"/> Student
<input type="checkbox"/> Unpaid Family Worker (family business)	<input type="checkbox"/> Retired
<input type="checkbox"/> Job-seeking	<input type="checkbox"/> Other (religious institution service, etc.)
<input type="checkbox"/> Unemployed	

10. Do you currently have paid employment?

- Yes
- No

11. If you answered “Yes”, please specify your occupational level:

- | | |
|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Professional (Doctor, Accountant, Lawyer, Nursing, Teacher, etc.) | <input type="checkbox"/> Service and Sales Workers |
| <input type="checkbox"/> Managerial & Administrative Support | <input type="checkbox"/> Craft (including construction workers, carpenters, food and beverage processors, jewellery and watch makers, craft workers in garments and textiles) |
| <input type="checkbox"/> Clerical | <input type="checkbox"/> Plant and Machine Operators and Assemblers |
| <input type="checkbox"/> Skilled Agricultural and Fisheries workers (including farm and animal | <input type="checkbox"/> Manual or Unskilled Labour |

12. If you answered “Yes”, please specify your average monthly income range:

- | | |
|------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> HK\$2900 or less | <input type="checkbox"/> HK\$11001 – HK\$12000 |
| <input type="checkbox"/> HK\$3000 – HK\$5000 | <input type="checkbox"/> HK\$12001 – HK\$14000 |
| <input type="checkbox"/> HK\$5001 – HK\$6000 | <input type="checkbox"/> HK\$14001 – HK\$16000 |
| <input type="checkbox"/> HK\$6001 – HK\$7000 | <input type="checkbox"/> HK\$16001 – HK\$20000 |
| <input type="checkbox"/> HK\$7001 – HK\$8000 | <input type="checkbox"/> HK\$20001 – HK\$25000 |
| <input type="checkbox"/> HK\$8001 – HK\$9000 | <input type="checkbox"/> HK\$25001 – HK\$30000 |
| <input type="checkbox"/> HK\$9001 – HK\$10000 | <input type="checkbox"/> HK\$30000+ |
| <input type="checkbox"/> HK\$10001 – HK\$11000 | |

13. Which language(s) do you speak? (You can choose more than one answer)

- | | | | |
|---------------------------------------------------|-----------------------------------|----------------------------------------|-------------------------------------|
| <input type="checkbox"/> Arabic | <input type="checkbox"/> French | <input type="checkbox"/> Punjabi | <input type="checkbox"/> Tagalog |
| <input type="checkbox"/> Afrikaans | <input type="checkbox"/> Hindi | <input type="checkbox"/> Sindhi | <input type="checkbox"/> Tamil |
| <input type="checkbox"/> Bahasa Indonesian | <input type="checkbox"/> Marathi | <input type="checkbox"/> Sign language | <input type="checkbox"/> Thai |
| <input type="checkbox"/> Bengali | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Sinhalese | <input type="checkbox"/> Urdu |
| <input type="checkbox"/> Cantonese | <input type="checkbox"/> Nepali | <input type="checkbox"/> Spanish | <input type="checkbox"/> Vietnamese |
| <input type="checkbox"/> English | <input type="checkbox"/> Pashtun | <input type="checkbox"/> Swahili | |
| <input type="checkbox"/> Others – please specify: | | | |
| <hr/> | | | |

14. Which of these languages do you speak most often?

- | | | | |
|---------------------------------------------------|-----------------------------------|----------------------------------------|-------------------------------------|
| <input type="checkbox"/> Arabic | <input type="checkbox"/> French | <input type="checkbox"/> Punjabi | <input type="checkbox"/> Tagalog |
| <input type="checkbox"/> Afrikaans | <input type="checkbox"/> Hindi | <input type="checkbox"/> Sindhi | <input type="checkbox"/> Tamil |
| <input type="checkbox"/> Bahasa Indonesian | <input type="checkbox"/> Marathi | <input type="checkbox"/> Sign language | <input type="checkbox"/> Thai |
| <input type="checkbox"/> Bengali | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Sinhalese | <input type="checkbox"/> Urdu |
| <input type="checkbox"/> Cantonese | <input type="checkbox"/> Nepali | <input type="checkbox"/> Spanish | <input type="checkbox"/> Vietnamese |
| <input type="checkbox"/> English | <input type="checkbox"/> Pashtun | <input type="checkbox"/> Swahili | |
| <input type="checkbox"/> Others – please specify: | | | |

15. Which of these languages are you able to read and write in?

- | | | | |
|---------------------------------------------------|-----------------------------------|----------------------------------------|-------------------------------------|
| <input type="checkbox"/> Arabic | <input type="checkbox"/> French | <input type="checkbox"/> Punjabi | <input type="checkbox"/> Tagalog |
| <input type="checkbox"/> Afrikaans | <input type="checkbox"/> Hindi | <input type="checkbox"/> Sindhi | <input type="checkbox"/> Tamil |
| <input type="checkbox"/> Bahasa Indonesian | <input type="checkbox"/> Marathi | <input type="checkbox"/> Sign language | <input type="checkbox"/> Thai |
| <input type="checkbox"/> Bengali | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Sinhalese | <input type="checkbox"/> Urdu |
| <input type="checkbox"/> Cantonese | <input type="checkbox"/> Nepali | <input type="checkbox"/> Spanish | <input type="checkbox"/> Vietnamese |
| <input type="checkbox"/> English | <input type="checkbox"/> Pashtun | <input type="checkbox"/> Swahili | |
| <input type="checkbox"/> Others – please specify: | | | |

PART 3 – SERVICE USE INFORMATION AND EXPERIENCE

16. How many times have you utilized interpretation services?

Please move on to Q35 if you choose "NEVER".

- | | | | | |
|------------------------------------|------------------------------------|-------------------------------------|-------------------------------------------|--------------------------------|
| <input type="checkbox"/> Only once | <input type="checkbox"/> 2-5 times | <input type="checkbox"/> 6-10 times | <input type="checkbox"/> 11 times or more | <input type="checkbox"/> Never |
|------------------------------------|------------------------------------|-------------------------------------|-------------------------------------------|--------------------------------|

17. In your most recent use of interpretation services, which government department did you deal with?

- | | | | | |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|--------------------------------------------------------------------|
| <input type="checkbox"/> Judiciary Department of Justice (Duty lawyer, legal aid) | <input type="checkbox"/> Police | <input type="checkbox"/> Immigration | <input type="checkbox"/> Social Welfare (IFSC, CSSA, LIFA, etc.) | <input type="checkbox"/> Housing Authority |
| | <input type="checkbox"/> Hospital Authority (outpatient / in ward) | <input type="checkbox"/> Department of Health (Health Clinic and Centre for out-patient GP service and for elderly) | <input type="checkbox"/> Customs and Excise | <input type="checkbox"/> Education Bureau (Student Finance Office) |
| | <input type="checkbox"/> Maternal and Child Health Centre | | <input type="checkbox"/> Child Assessment Centre | <input type="checkbox"/> Other (please specify): _____ |

18. Which interpretation service provider did you use? (If you used the interpretation service more than once, please indicate the latest experience)

- | | | | |
|----------------------------------------------------------|----------------------------------------------------------------------|------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Hong Kong TransLingual Services | <input type="checkbox"/> CHEER
<input type="checkbox"/> TRANSLINK | <input type="checkbox"/> Judiciary | <input type="checkbox"/> Other (please specify):
_____ |
| | | | <input type="checkbox"/> Do not know |

19. Who arranged the interpretation services for you at that time?

- | | | | |
|---------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <input type="checkbox"/> NGO
_____ | <input type="checkbox"/> Government Department
_____ | <input type="checkbox"/> Friend
<input type="checkbox"/> Family Member
<input type="checkbox"/> School | <input type="checkbox"/> Other:
_____ |
|---------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------|

20. When did you utilize the interpretation service?

Month __ Year __

21. Did you ask for interpretation facilities or were you offered?

- | | |
|----------------------------------|----------------------------------------|
| <input type="checkbox"/> I asked | <input type="checkbox"/> I was offered |
|----------------------------------|----------------------------------------|

22. What type of interpretation service or translation service did you use?

- | | |
|------------------------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> On-site interpretation | <input type="checkbox"/> Written translation |
| <input type="checkbox"/> Video-conferencing interpretation | <input type="checkbox"/> Proofreading |
| <input type="checkbox"/> Telephone interpretation | <input type="checkbox"/> One-stop service |
| <input type="checkbox"/> On-site interpretation | |

23. Was the interpreter of the same sex as you?

- Yes
 No

24. Was this important to you?

- Yes
 No

25. How long did you wait for the interpretation service??

- | | |
|-------------------------------------|----------------------------------------|
| <input type="checkbox"/> Not at all | <input type="checkbox"/> _____ Minutes |
| <input type="checkbox"/> ___ Hours | <input type="checkbox"/> _____ Days |

26. During the interpretation process, did you feel you had sufficient privacy around you or in the setting?

- Yes
- No
-

27. During the interpretation process, did you feel the confident about the competence of the interpreter(s)?

- Yes
- No
-

28. During the interpretation process, did you feel that the interpreter was professional in his / her services to you? For example, did s/he introduce themselves to you and explain clearly their role and responsibilities to you?

- Yes
- No
-

29. During the interpretation process, were you worried that the interpreter would reveal your situation to anyone else? Please explain in detail.

- Yes
- No
-

If you answered 'Yes' for Qs 26-29, please provide details:

30. Did you feel that your interpreter's translation of the information you communicated was being clearly or efficiently conveyed to the other party?

- | | | |
|------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Yes, very clearly and efficiently | <input type="checkbox"/> No, not very clearly and efficiently | <input type="checkbox"/> Somewhat clearly and efficiently |
| | <input type="checkbox"/> Additional Comments:
_____ | |

31. Do you think that your views were understood by the other party? Please rate and comment.

- | | |
|------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> Additional Comments:
_____ |
| <input type="checkbox"/> No | |

32. Did you feel at any time that s/he expressed any of his/her own personal opinion in the content s/he interpreted?

Yes, always Sometimes Not much Not at all

What were these opinions about:

_____ _____ _____ _____

33. Did you feel that the interpreter provided his/her service in a manner that was sensitive to your feelings / needs or circumstances? Please rate and comment.

Very sensitive Sensitive Fair

Not very sensitive Very insensitive

Additional Comments:

-

34. As an ethnic minority who cannot speak English and/or Chinese, did you feel you were dealt with in a respectful and dignified manner throughout the process of interpretation?

Yes

No

Please state any additional comments you may have about this:

35. Did you feel at any time that you were refused access to a public service by a person in authority or from a service provider in Hong Kong because of your racial or ethnic background?

Yes

No

36. If you answered “Yes”, where did this happen? (You can choose more than one answer)

- | | |
|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <input type="checkbox"/> At the workplace | <input type="checkbox"/> When dealing with courts or legal services |
| <input type="checkbox"/> At a job interview | <input type="checkbox"/> When dealing with medical services providers |
| <input type="checkbox"/> On the streets or another public venue (school, public transportation, park, restaurant) | <input type="checkbox"/> When dealing with social service providers |
| <input type="checkbox"/> In the media | <input type="checkbox"/> When crossing the immigration checkpoint into Hong Kong |
| <input type="checkbox"/> When dealing with the police | <input type="checkbox"/> Other: |
| <input type="checkbox"/> When requesting interpretation services | _____ |

37. If you answered “Yes”, how frequently has this happened?

- Only once 2-5 times 6-10 times 11 times or more Never

38. Did you feel any time that you were refused access to a public service by a person in authority or from a service provider in Hong Kong because of your religion?

- Yes
 No

39. If you answered “Yes”, where did this happen? (You can choose more than one answer)

- | | |
|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <input type="checkbox"/> At the workplace | <input type="checkbox"/> When dealing with courts or legal services |
| <input type="checkbox"/> At a job interview | <input type="checkbox"/> When dealing with medical services providers |
| <input type="checkbox"/> On the streets or another public venue (school, public transportation, park, restaurant) | <input type="checkbox"/> When dealing with social service providers |
| <input type="checkbox"/> In the media | <input type="checkbox"/> When crossing the immigration checkpoint into Hong Kong |
| <input type="checkbox"/> When dealing with the police | <input type="checkbox"/> Other:
_____ |

40. If you answered “Yes”, how frequently has this happened?

- Only once 2-5 times 6-10 times 11 times or more Never

41. How did the incidents you experienced make you feel and what impact did the experience have on you? (You can choose more than one answer)

- | | |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Angry | <input type="checkbox"/> Stressed |
| <input type="checkbox"/> Upset | <input type="checkbox"/> You started experiencing anxiety attacks |
| <input type="checkbox"/> Fearful | <input type="checkbox"/> You developed dependency on drugs or alcohol |
| <input type="checkbox"/> Ashamed | <input type="checkbox"/> You contemplated suicide |
| <input type="checkbox"/> Anxious | <input type="checkbox"/> Other effects that you have experienced (please specify):
_____ |
| <input type="checkbox"/> Afraid for your children | |
| <input type="checkbox"/> You developed sleeping problems | |
| <input type="checkbox"/> You developed an eating disorder | |

42. Are you aware of any laws, constitutional provisions or legal guidelines in Hong Kong that protect you against discrimination?

- Yes
 No

43. Please tick the box next to the names of the laws and government bodies that you have heard of.

- Race Discrimination Ordinance
- Bill of Rights Ordinance
- Hong Kong Basic Law
- Equal Opportunities Commission
- Ombudsman

44. Please describe ONE good or positive experience of using the interpretation service.

Please move on to the last “Additional Comments” if you have never utilized interpretation services.

45. Please tick any of the following to identify what needs to be improved in any of services you have accessed through the provision of interpretation facility.

- Politeness
- Waiting time
- My language of use is not available
- Quality of advice
- Personnel
- Access to information
- Availability near my residence
- Availability near my office
- Other: _____

Additional Comments:

Thank you very much for completing this questionnaire.

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ABOUT US

Association Concerning Sexual Violence Against Women (The Association)

Established on 8 March 1997, the Association was set up by a group of individuals who came together to promote women's rights, support gender equity and with particular concerns about women facing sexual violence. The Association aims to urge both the government and general public to address issues relating to gender-based violence; to assist the victims to fight for their rights; and provide support to help victims lead a life of self-confidence and dignity. Our missions and beliefs are:

PROMOTE GENDER EQUITY STRIVE FOR ZERO SEXUAL VIOLENCE

MISSIONS

- 1 Rally public support to fight against sexual violence
- 2 Advocate for anti-sexual violence policies
- 3 Support women who have experienced sexual violence

BELIEFS

- 1 Everyone should enjoy basic human rights and dignity, and be free from any forms of infringement or discrimination
- 2 Every women should enjoy rights of freedom and liberty
- 3 Society should provide a social environment with gender equity, respect and non-violence, and support women who have experienced sexual violence

RainLily

Established in 2000, RainLily is Hong Kong's first one-stop rape crisis centre. Services include immediate and follow-up medical treatment, process support throughout the legal procedure, free legal clinic and counselling.

RainLily's crisis intervention services are provided to more than 2000 sexual violence victims, and we receive over 2,000 calls each year.

Anti480

Anti-Sexual Violence Resource Centre

Established in 2005, Anti480 believe that education can correct the public's misunderstanding about sexual violence, so that the victims of sexual violence can recover in a safe and friendly environment.

Anti480 organises educational activities in campuses and communities. The resource centre also provides local and overseas materials related to sexual violence and gender equity.

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