

# Open Data Open Possibilities

**Disaggregated Data and its Potential for  
Corrective Justice in an Age of Inequality**

Puja Kapai

*Associate Professor, Faculty of Law*

*Convenor, Women's Studies Research Centre, HKU*

# Identifying & Plugging the Justice Gap

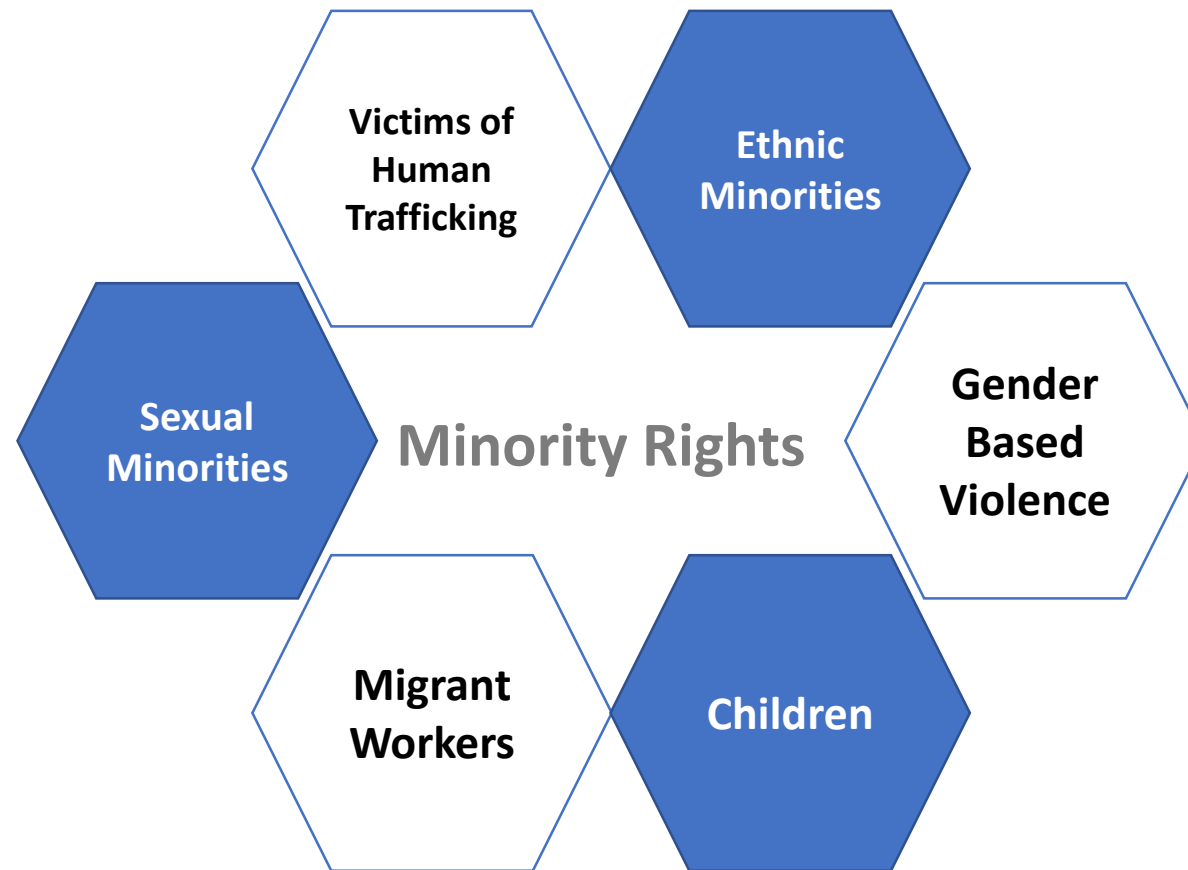
- Visualising & Recognising the Impact of Law, Policies and Systems on Lived Realities of different groups within the community
- Identifying Sites of Disadvantage and Marginality
- Recognising the Justice Gap – the Visible and Invisible
- Developing Targeted Legal, Policy, Social Justice Responses
  - Closing the Justice Gap
- Measuring Progress, Evaluating Impact of Policies & Measures
  - Refining Response Mechanisms to Narrow the Gap Further

# The Significance of Open Data

- What is the Data Telling Us?
- What does the Data NOT Tell us?
- What Does Absence of Data Tell us?
- The Importance of Disaggregated Data
- Intersectional Analysis; Targeted Recommendations & Interventions
- Ethical Concerns Underlying the Use of Data

# My Research Focus: The Rights of Minorities

INTERDISCIPLINARY  
QUICK  
TALKS



- ▶ Examine how legislation and policy frameworks ignore, discriminate against or exclude them from equal protection

# Addressing Hong Kong's Justice Gap: EMs

- Hong Kong's ethnic minorities comprise 8% of the population; ~4%, excluding Foreign Domestic Workers).
- Open Data sources
  - Quarterly general household survey size is not representative enough to convey reliable trends pertaining to such a small section of the population group
  - Population Census and By-Census Reports
  - Thematic Reports on Ethnic Minorities (2001, 2006, 2012, 2017)
  - Households with School Children of South Asian Ethnicities (2014)
  - Hong Kong Poverty Situation Report (2012 ff annual)
  - Poverty Situation Report on South Asians in Hong Kong (2014, 2016)
- Data Gaps Remain

# Mapping Data & Reframing How We Problematised

## What are our knowledge GAPS?

INTERDISCIPLINARY  
QUICK  
TALKS

### Status of Ethnic Minorities in Hong Kong 1997 –2014



Puja Kapai  
September 2015

<http://www.law.hku.hk/ccpl/pub/EMreport.html>

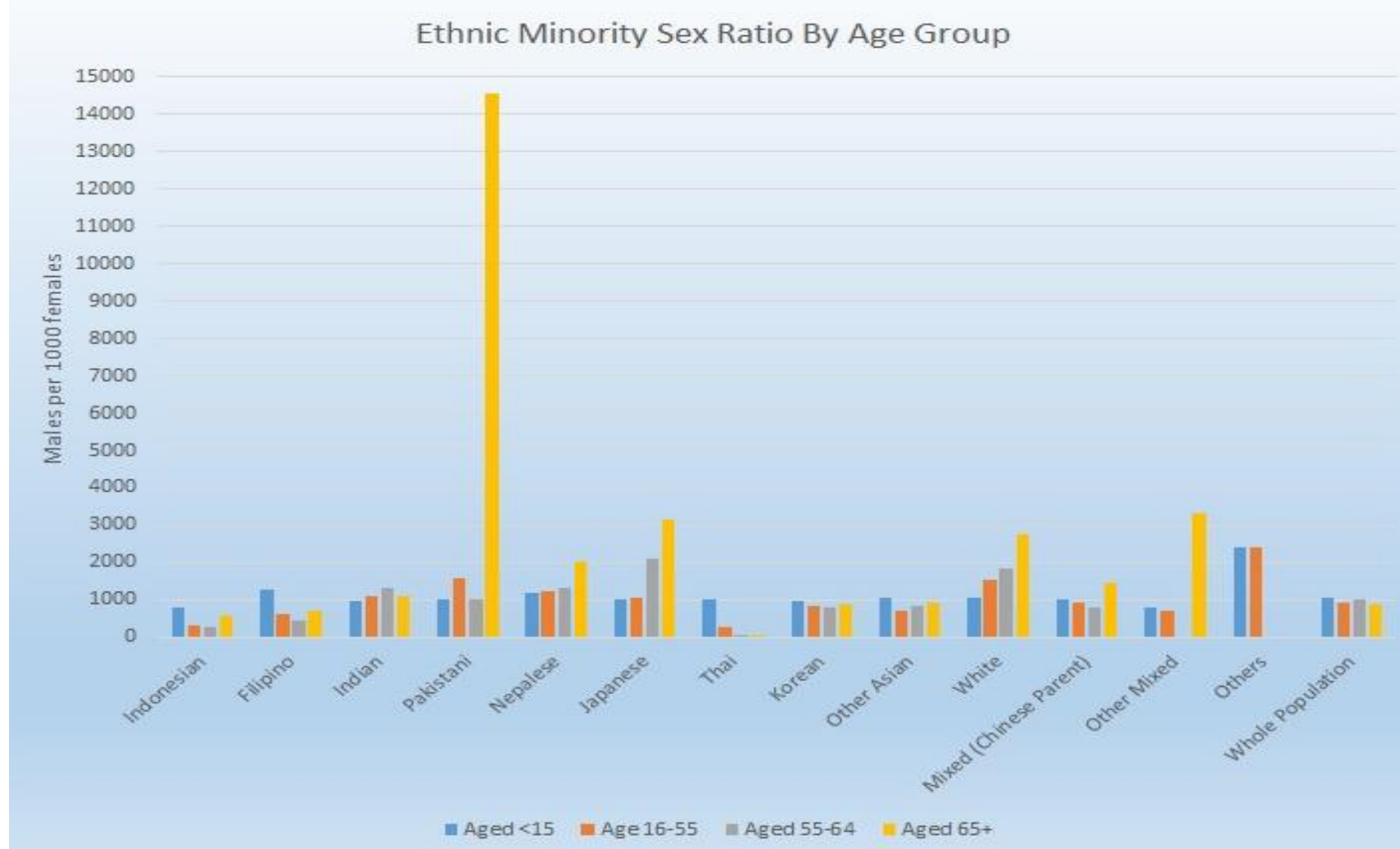
# Population by Age and Ethnicity



Ethnic Minorities are a source of talent now and for the future

Source: Key Demographic Data

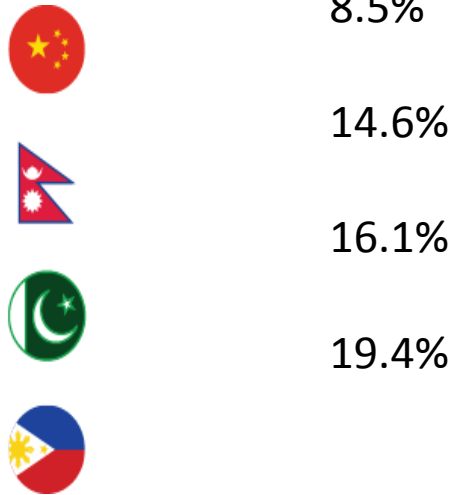
# Distribution by Gender, Age & Ethnicity



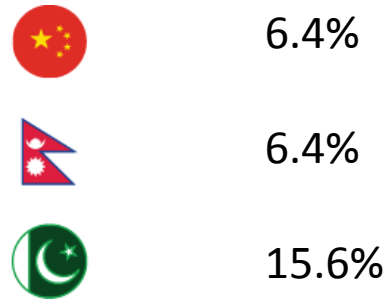


# Hong Kong's education system is failing ethnic minority children

## Age 3-5 Not in Kindergarten



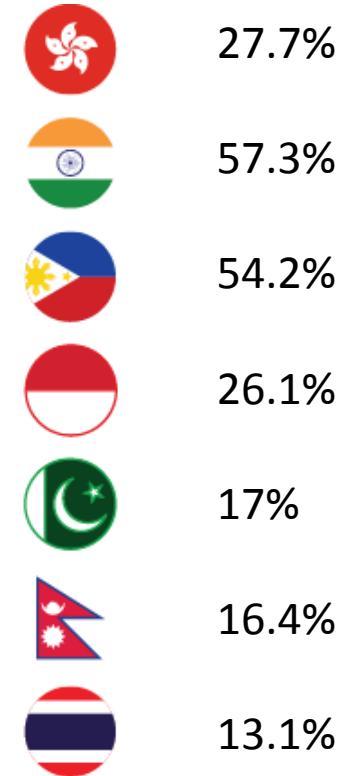
## Form 5 School Drop out



## Special Education Needs (SEN) drop out from Primary to Secondary

57%      vs.      5%  
(Ethnic minorities)      (Whole population)

## Post Secondary Education



Source: Education Chapter

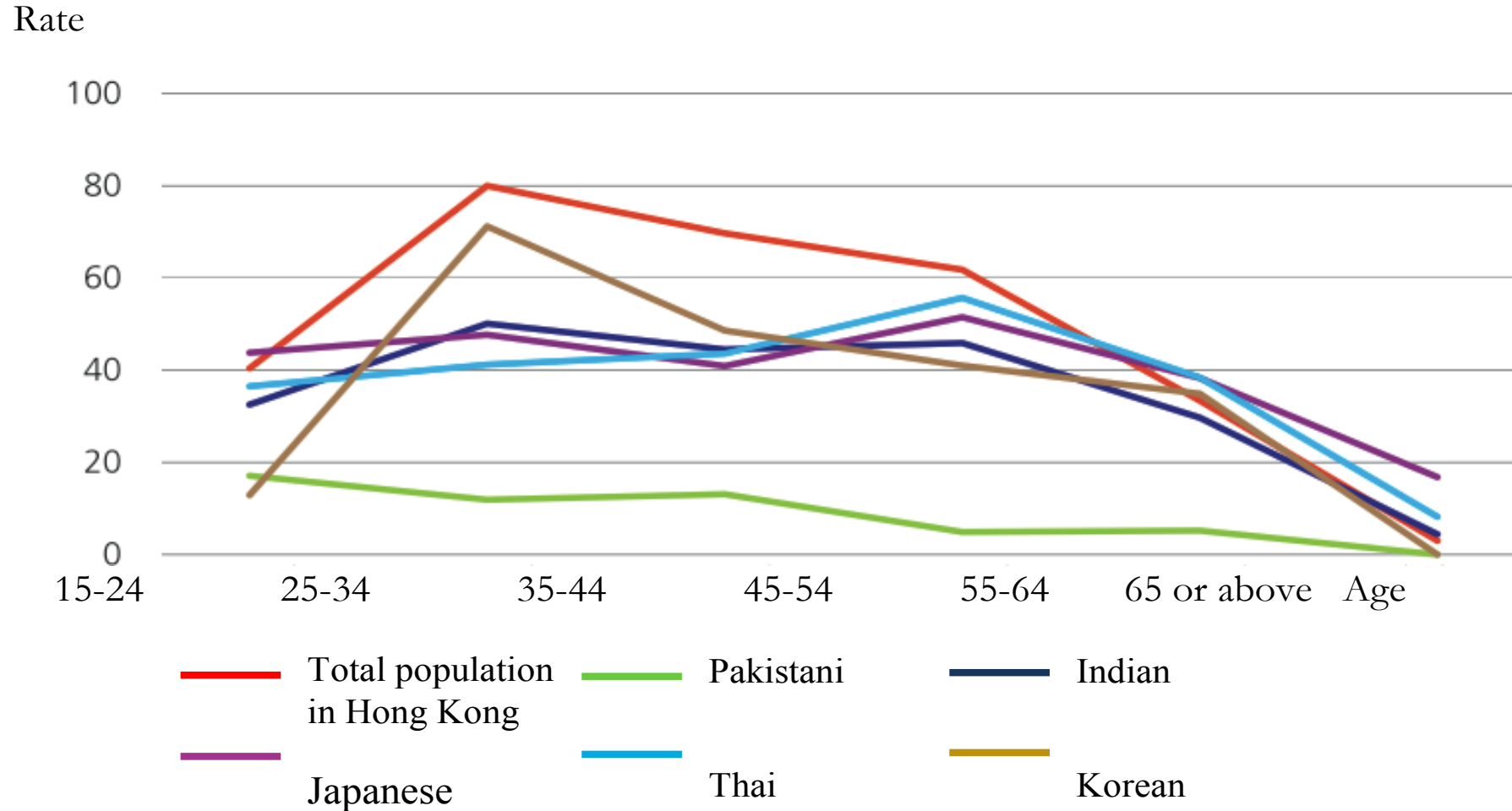
# % who received at least Post-Secondary Education by Ethnicity

Ethnicity	Percentage of people from within specific ethnic groups who received at least post-secondary level education
Japanese	79.4%
Korean	75.1%
White	73.9%
Indian	57.3%
Other Asian	51.4%
Filipino	54.2%
Chinese	23.9%
Pakistani	17.0%
Nepalese	16.4%
Thai	13.1%
Indonesian	26.1%
Whole Population of Hong Kong	27.7%

# Work Force Participation Rate among Female Ethnic Minorities by Ethnicity /Age

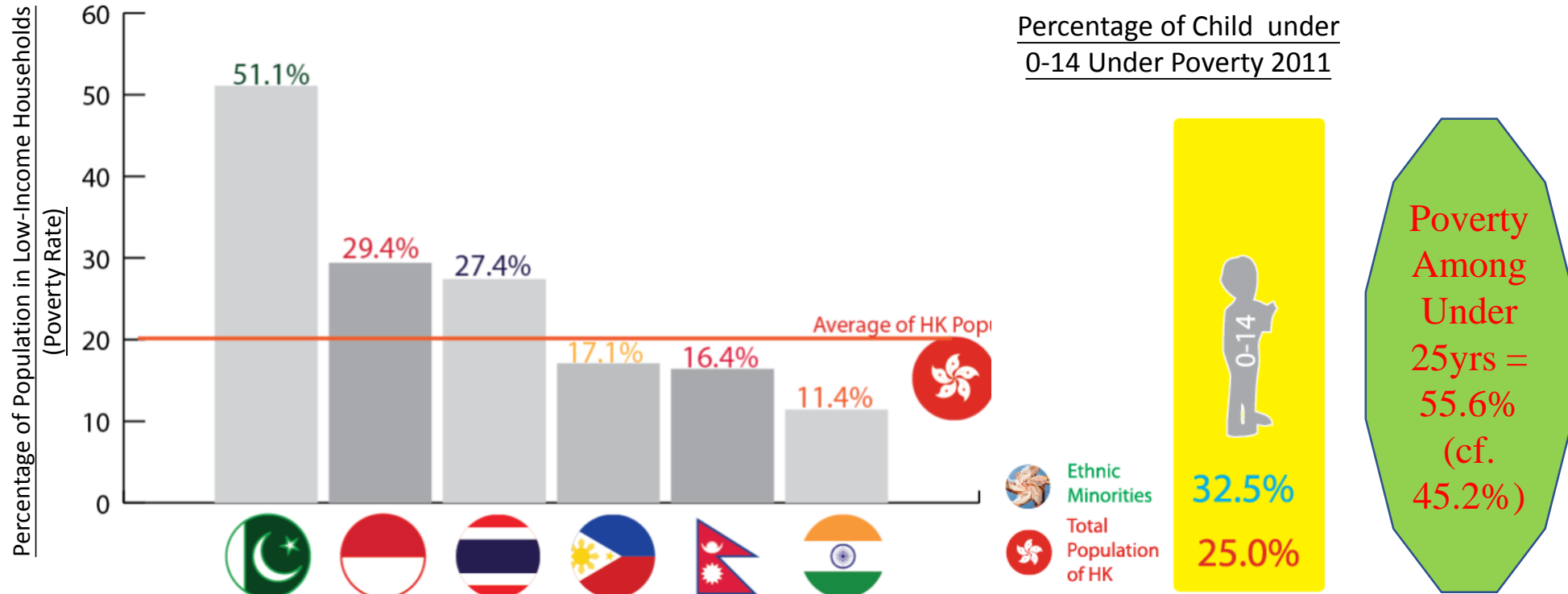
INTERDISCIPLINARY  
QUICK  
TALKS

*Work Force Participation Rate among Female Ethnic Minorities by Ethnicity and Age  
(excluding foreign domestic helpers)<sup>1</sup>*



<sup>1</sup> Reproduced from Hong Kong Council of Social Service, 'Ethnic Minorities in Hong Kong' (n 13).

# Poverty is a serious problem facing ethnic minorities- and so is child poverty



Source: Poverty Chapter

# Household size is important



# Bigger households have disproportionately low income

Median monthly household income by household size in 2011							
	1 person	% change ← →	2 persons	% change ← →	3 persons	% change ← →	4 persons or above
Pakistani	9,000	22.2%	11,000	9.1%	12,000	8.3%	13,000
Nepalese	11,500	65.2%	19,000	10.5%	21,000	22.4%	25,700
Indian	38,750	-1.9%	38,000	36.8%	52,000	-23.0%	40,000
Indonesian	5,000	100%	10,000	86.0%	18,600	61.3%	30,000
Filipino	10,000	95%	19,500	67.9%	32,750	-8.4%	30,000
Thai	9,000	44.4%	13,000	38.5%	18,000	14.4%	20,600
<b>Whole population</b>	8,500	88.7%	16,040	43.4%	23,000	21.7%	28,000

# Disaggregated Data & Applied Intersectional Analytical Framework

INTERDISCIPLINARY  
QUICK  
TALKS

- Highlighted the disparate impact of law and policy on minorities and a critical lack of equality
- Challenged traditional frames of assessment and underlying assumptions informing various measures & services to ethnic minorities as effective
- Challenged the status quo / belief that law and policy in Hong Kong guaranteed equality before the law regardless of race, ethnicity, or other status by providing evidence of weak nexus between those commitments and outcomes in practice

# Summary of the Impact

Steering Committee on EM Issues

Policy Commitments, Budgeting and Resource Allocation by Relevant Bureaus and Departments Responding to Recommendations

Legislative Council (LegCo) Subcommittee on EM Issues set up to examine several themes in greater depth. Referenced research findings and called on HKSAR Government to follow up on recommendations in the report

Applied intersectionality framework is being increasingly recognised as an important benchmark for effective policy-making and handling ethnic minority issues

Raising community/public understanding about ethnic minorities (EMs) and issues impacting them & enhancing understanding

Prompted review and reassessment of existing laws, policies, capacity building and service delivery towards EMs across many areas, including violence against women, poverty, education, employment and healthcare – from intersectional perspective

Propelled NGOs to conduct research to collect data to work towards evidence-based resource allocation & solutions.



# THANK YOU

