

**Commission of Inquiry on Allegations
relating to the Hong Kong Institute of Education**

**Second Witness Statement by
Mrs LAW FAN Chiu-fun, Fanny**

1. I, Fanny LAW FAN Chiu-fun, former Permanent Secretary for Education and Manpower, make this statement in response to the oral evidence given by Professor Paul Morris in respect of the Second Allegation in the terms of reference of the Commission.
2. Professor Morris alleged that I had demanded the dismissal of four academic staff members on four occasions between 2002 and 2005. I shall deal with the allegations in chronological order.
3. As a start, I wish to reiterate that I never demanded the dismissal of any academic staff. I am fully aware that there are established procedures for staff appointment and dismissal in government and public bodies, including the HKIED, and the due process must be followed.
4. There are many critics in the community and EMB has made use of various channels to correct misconceptions and present the Administration's point of view. There was no reason to target four individuals or any of them.

30 October 2002

5. I called Professor Morris on the morning of 30 October 2002 in response to a press report on a seminar organized by the Institute the day before to promote small class teaching. I expressed regret that EMB was not invited to the seminar to provide a more balanced discussion of small class teaching and the way forward. At the time EMB was contemplating a pilot study to evaluate the cost-effectiveness of small class teaching and the critical success factors.
6. I clearly did not mention Mr Ip Kin-yuen and Mr Lai Kwok-chan in my telephone conversation with Professor Morris. Neither Ip nor Lai was mentioned in the newspaper report, and I was not aware of Ip's involvement until

much later when I received a copy of HKIEd's press release on the seminar. I only learned that Lai was handing out pamphlets at the seminar from Professor Morris' evidence at this inquiry.

7. On 4 November 2002, Mr Ip Kin-yuen informed me of a forthcoming seminar to share experiences on small class teaching with an official and a primary school principal from Shanghai. I welcomed the opportunity and encouraged my colleagues to attend the seminar on 19 November. A senior directorate officer also met with the Shanghai officials on the following day to learn from their experiences.

19 November 2004

8. Professor Morris alleged that I implicitly asked him to fire Dr Wong Ping-man during a brief conversation at the Institute's graduation ceremony on 19 November 2004. I deny having done so. It was a ceremonial occasion, not suited for any serious discussion.
9. Moreover, I do not know Dr Wong, and had no idea about his role in HKIEd, until his name surfaced in connection with the present inquiry. EMB's record shows that Dr Wong has been very helpful and his views on professional development of teachers are well respected and adopted by the Advisory Committee on Teacher Education and Qualification of EMB.

End of November 2004

10. I have no recollection nor record of having called Professor Morris in or about November 2004.
11. Between 19 October 2004 and 18 January 2005, EMB launched a public consultation exercise on the reform of the academic structure for senior secondary and higher education (the 334 reform). EMB was keen to canvass public opinions on the reform proposals, which have far reaching implications for the further development of education in Hong Kong. Altogether EMB organised some 200 events to collect views and received over 3,000 written submissions.

12. Professor Cheng Yin-cheong published a series of commentaries on the 334 reform in a newspaper in November 2004. His views were largely constructive and in line with the Administration's initial proposals. He submitted these articles to EMB in response to the public consultation and many of his suggestions were adopted. For example, the liberal studies curriculum and time allocation were reduced to make available more curriculum space for other learning experiences. His views about teacher workload in one of the articles in the series had been articulated on other occasions and were well known in the field; there were no surprises.
13. Notwithstanding Professor Cheng's criticisms of the education reform in general, he was supportive of EMB's initiatives on the professional development of principals and had helped to promote the controversial School Development and Accountability framework. He was a member of the Steering Committee on Principals' Professional Development from 2002 to 2006, and was commissioned by EMB to organize training for aspiring principals. He can best be described as a critical friend. I have never requested Professor Morris not to employ him.

21 April 2005

14. I called Professor Morris on 21 April 2005 to find out from him the number of teaching staff who had applied to join the Voluntary Departure Scheme (VDS), as I knew that applications were closed on 18 April. The same question had been asked by Kesson Lee of UGC a few days before, and the answer had not been forthcoming. The number of staff who had joined the VDS was of interest to the Government and UGC because HKIEd had a target of retiring 65 lecturers. If the number of volunteers was small, more staff would have to be laid-off under the Compulsory Retirement Scheme (CRS). These were ex-civil servants who had been transferred from the former colleges of education to HKIEd when the latter was established. There would be financial implications in terms of pension payment if a large number of former civil servants had to be retired under the CRS. HKIEd had wanted these transferred staff to receive pension immediately upon retirement and the Government had been instrumental in helping HKIEd to process this matter expeditiously.
15. The two schemes were brought to my attention in January 2005. I supported

the HKIED's initiative and helped to obtain the approval of the CRS by the Secretary for Civil Service. Hence, I had full knowledge of the terms and conditions of the two schemes. The VDS was open to teaching staff on the HKIED superannuation scheme, whereas the CRS was designed for ex-civil servants with pension entitlement.

16. I did not ask that Mr Ip Kin-yuen and Professor Cheng Yin-cheung be included in the VDS staff list. It was not possible to add names to the VDS list after the deadline for application, which was 18 April 2005. Moreover, no one could force a person to join a "voluntary" retirement scheme.
17. In the case of Ip, I was fully aware that he was not eligible for the VDS as he was on contract terms of employment with the HKIED. I knew this because he was seconded to the former Education Department in 1999 to be a member of my advisory team. As the secondment was a pioneering arrangement, I personally negotiated the terms with HKIED and processed his case at the time. A letter from Ip Kin-yuen dated 8 April 1999 disclosed his terms of employment with the HKIED. [EMB12/16-222]
18. I confirm that I did not ask or even suggest to Professor Morris that Mr Ip Kin-yuen, or Professor Cheng Yin-cheung, should be included in the list for the VDS or that they should otherwise not be employed by HKIED. I would not have done so in any event given that I was fully aware that Ip did not qualify for the scheme.

I confirm that all the matters stated in this statement are true and correct to the best of my knowledge, information and belief.

Dated this *11th* day of April 2007.



Mrs LAW FAN Chiu-fun, Fanny