

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

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

1. I, Fanny LAW FAN Chiu-fun, former Permanent Secretary for Education and Manpower (PSEM), make this statement to provide further evidence to assist the Commission in this Inquiry.
2. In the course of this Inquiry, many allegations were expanded and new matters raised to which I would like to respond. For the sake of saving time, I hereby set out my response to these matters in writing. A list of acronyms used in EMB documents can be found in EMB 14/1235-1240 for easy reference.

CAREER HISTORY

3. I graduated from the University of Hong Kong (HKU) in 1975 and joined the civil service in the same year. Throughout my 32 years of public service, I have worked in 14 departments, and have served with dedication and commitment in every position.
4. Between 1985 and 1987, I was the Administrative Assistant to the Chief Secretary, having worked for Sir David Ford and Sir David Akers-Jones. Prior to the handover of Hong Kong to China, I was the Director of the Chief Executive's Office from mid-December 1996 to end of July 1997.
5. I went to Harvard University with government sponsorship, and obtained a Master Degree in Public Administration at the J F Kennedy School of Government in 1990. I was honoured to receive the title of Littaur Fellow for leadership and academic distinction. I became an official Justice of the Peace in 1992 and received the Gold Bauhinia Star award in 2003.
6. I joined the former Education Department (ED) as the Director of Education in November 1998, became the Secretary for Education and Manpower (SEM) in July 2000, and the PSEM following the introduction of the Accountability

System in July 2002.

7. In January 2003, the Education and Manpower Bureau (EMB) was merged with the then ED. The purpose was to streamline procedures, improve communication, enhance efficiency and ensure that implementation details are taken into consideration in formulating policies.
8. Between 2003 and 2005, I enrolled in a two-year part-time Master of Education (MEd) programme at the Chinese University of Hong Kong (CUHK), at my own expense, as I wished to have a better understanding of the core issues of education, i.e. curriculum and teaching, to get to know frontline teachers, and hopefully to strike a common chord with them.

FAMILIARITY WITH HUMAN RESOURCE MANAGEMENT (HRM) SYSTEMS AND DISCIPLINARY PROCEDURES

(a) The Civil Service

9. I worked in the Civil Service Branch (CSB) for close to four years from June 1990 to April 1994. Between June 1992 and April 1994, I led a comprehensive review of the HRM systems in the civil service, working side by side with a consultant from Coopers and Lybrand, a Ms Caroline Paxton, who was attached to CSB for this assignment.
10. The purpose of the review is to develop an integrated and strategic HRM framework that moves away from merely administering the Civil Service Regulations to managing people as an asset. I visited Australia in 1992 to learn about its public sector reform and called on Professor Robert Wood at the University of Western Australia. He is an international expert in public administration and has assisted the Australian Government in reforming its public service.
11. The review covered policies and practices on recruitment and appointment, performance management and career development, succession planning, staff discipline and exit. The output of the review was an over-arching HRM handbook, and a set of manuals on individual HRM functions. Together with the consultant, I conducted a series of briefings for heads of departments and

departmental secretaries. Managing non-performers and more effective disciplinary action were two key issues of concern to departments. An extract from the procedural manual on Discipline is in [EMB14/1103-1120].

12. Through this exercise, I gained first-hand knowledge of the due process for performance management and staff discipline in the civil service, which are founded on the principles of natural justice. These include the rule against bias and the right to a fair hearing.
13. For more serious disciplinary charges, an independent inquiry officer or committee will be appointed. The officer has the right to be heard and to make representations on the charges made against him. If he is aggrieved by any disciplinary decision, he may make representations to the Chief Executive (CE). The way in which a disciplinary case has been processed may be open to judicial scrutiny if the officer feels that there has been a miscarriage of justice and decides to seek redress through the court.
14. I was personally involved in the process of dismissing a government school teacher whose performance first deteriorated below the acceptable level in late 2002. She evaded assigning homework and was slow in marking students' work. In one year, she failed to mark and return the assignments to her S5 students even after the Hong Kong Certificate of Education Examination (HKCEE) was over. Due to lack of writing practice, her students' language proficiency was adversely affected. She was also weak in time management and work organisation. The school therefore put her under close supervision.
15. The teacher was given 12 months to improve her performance, but her performance was erratic, relapsing from time to time despite continual guidance from her supervisor. She was notified in September 2004 that she was being considered for retirement in the public interest, and she made representations against the decision on five occasions, claiming repeatedly that her performance was affected by health. Three medical boards were convened to address her claims. Her case was reviewed by an independent panel for three times before it was passed to CSB for a decision. Finally in March 2007, on the advice of the Public Service Commission, CSB decided to retire the teacher in the public interest¹. The entire process from September 2004 to March 2007 took about 30 months.

¹ In other words, the teacher is entitled to pension payment immediately upon leaving the civil service.

16. This case is somewhat extreme but serves to illustrate that the process for removing an officer from the civil service is elaborate and may take years. In the simpler cases, where the officer is less defiant, the process may still take 6 to 12 months.

(b) Tertiary Institutions

17. Having been SEM for two years, I know very well that staffing matters are within the autonomy of tertiary institutions. Every university has its own procedures for termination of staff appointment which may vary from institution to institution, but the basic principles of natural justice apply.
18. During my term as SEM, there was a case concerning a CUHK lecturer who was accused of habitually beating up his wife. The Police was called in and the case was widely reported in the media. In his capacity as Vice-Chancellor, Prof Arthur Li appointed an independent Committee to investigate the complaint and a number of witnesses were called to give evidence before the Committee. The lecturer was allowed to make representation in defence. The Committee found the lecturer guilty and recommended dismissal. His appeal to the Vice-Chancellor was dismissed. The case was then referred to the University Council for a final decision. There was protracted deliberation and finally the Council upheld the decision to dismiss the lecturer.
19. My experience in CSB and as SEM puts beyond doubt that it is utterly impossible for a single person in a tertiary institution, be it the Head of the institution or any other member of the management, to dismiss staff, not to mention at the behest of EMB. It never crossed my mind that I could demand the President of HKIEd to dismiss his staff by making a phone call, nor did I ever attempt to do so. Furthermore, writing articles that criticise government policies could not possibly constitute a reasonable ground for laying a charge against an academic.

COMMUNICATION

20. I am a forthright person and I prefer open and direct communication. If I see any problem or have any disagreement, I would approach the person concerned

directly to resolve any differences. My style is to tackle the issue, not the person.

21. It is my conviction that in a pluralistic society, opinion leaders should be responsible in exercising their freedom of speech to facilitate an informed discussion. I believe academics, who enjoy a high status in the community, should be objective, evidence-based and intellectually rigorous and honest. In particular, teacher educators should set an example for their students who would become role models for our next generation.
22. Occasionally when I came across newspaper articles and reports, which contained gross inaccuracies or misunderstanding, and if I happened to know the writer, I would call him or her to try to clear up the misunderstanding, narrow the differences and hopefully establish some common ground. If the writer had good suggestions, I would follow-up with my colleagues.
23. I appealed to various stakeholders in education, including Prof Paul Morris and others at the HKIEd, to be more positive and constructive in facing the many challenges of the education reform and not just paint a gloomy picture of the teaching profession and education in Hong Kong in general. This would deter young people from becoming teachers and undermine the confidence of parents in the education system of Hong Kong.
24. This was my recurrent theme in many of my conversations with teachers, principals and academics, including Prof Morris, in private meetings and social occasions.

RELATIONSHIP WITH THE HKIEd

25. I have always regarded the teacher education institutions (TEIs), in particular HKIEd which specializes in teacher education, as partners in the education reform, as we rely on them to shape the attitude of teachers and equip them with the knowledge and skills to cope with the demands of the curriculum reform. They have day-to-day contact with teachers, hence a major influence on how they think and see the reform.
26. As the former Director of Education, I had regular liaison meetings with the

former Director of HKIED, Prof Ruth Hayhoe, in 1999 and early 2000. Our relationship was very good.

27. When Prof Morris became acting Director in April 2002, we maintained a cordial working relationship. I appreciated his efforts to upgrade the institution, and we shared the vision of developing HKIED into a centre of excellence on teacher education and continuing professional development. I have given my full support to the Institute's Management-Initiated Retirement Scheme (MIRS) which Prof Morris was driving behind the scene.
28. Throughout the years, I continued to support the HKIED in many ways. Far from being hostile to the HKIED, I have promoted the image of HKIED, for example, by:
 - (a) facilitating the establishment of the HKIED Jockey Club Primary School (the School) to provide a research base and a practical training ground for HKIED's students, and promoting its trilingual language education practices to other schools [W1/24/214];
 - (b) upgrading the certificate course in early childhood education to the degree level through a mixed mode of funding [EMB3(2)/70D/328-9 & EMB3(2)/71/329];
 - (c) securing government support for the Compulsory Retirement Scheme (CRS) in 2005 which paves the way for institutional upgrading;
 - (d) funding HKIED's Centre for Assessment Research and Development (CARD) and the Centre for Learning-study and School Partnership (CLASP) which, in his self-review, Prof Morris proudly presented as one of his significant achievements during his presidency [ML-A1/1/8];
 - (e) rendering personal endorsement of and support for the Learning Study project with the vision of developing HK into a regional centre of excellence on learning study;
 - (f) making positive comments about the performance of HKIED graduates in the English Language Exit Examination which Prof Morris noted with thanks [EMB14/1121-1126];

(g) participating in various HKIED projects and functions, including the Outstanding Educator's Award, local and international conferences, graduation ceremonies, and meetings with students and teachers.

29. I would like to mention in particular my whole-hearted support for the School and Prof Lo Mun-ling's Learning Study project throughout my tenure in education.

(a) The Hong Kong Jockey Club Primary School

30. The School was planned and developed during my time as SEM and started to operate in September 2002. I had a number of discussions with Prof Hayhoe and her deputy, Dr K C Pang, at the time over the school design and development. Our vision was to develop a model school that exemplifies the values of the education reform and the best teaching practices, and provides a research base to inform policy formulation and teacher education.

31. HKIED recruited an experienced educator and English language expert, Dr Doris Au, from Canada to be the principal. I visited the School in September 2003 and was impressed by the professionalism of the principal, the commitment of the teachers and, most of all, the language education policy and practices. The School created an effective trilingual environment both inside and outside of the classroom. As I mingled with students in the playground, I was impressed by their willingness to communicate in English, Putonghua and Cantonese, in response to the language that I used.

32. Since the visit, I have promoted the language policy and teaching practices at the School among my colleagues and primary school principals. I also arranged for English teachers from the mainland to be attached to the School for training. Furthermore, beginning in 2005/06, EMB started a pilot project among six primary schools in the Shamshuipo district to emulate the teaching practices at the School. One of the purposes is to demonstrate that children with relatively weak family support could still learn the languages well with good teaching practices, suitable motivation and a conducive school environment.

(b) Learning Study

33. I got to know Prof Lo Mun-ling in 1999 when I visited the Education Faculty of HKU in my capacity as the Director of Education. Prof Lo (then Dr Lo) was in charge of a Unified Professional Development Project sponsored by EMB's Quality Education Fund which first introduced learning study² into the training of mentor teachers. Between 1998 and 2004, she received a total of \$34 million from EMB for various teacher development projects which all consist of an element of learning study.
34. I am a staunch supporter of learning study because the core issue of education reform is to change the mindset of teachers so as to influence the way they teach and help students learn. Experience elsewhere shows that too often, education reform stops at the door to the classroom. I have attended many of the events relating to Prof Lo's learning study projects to show support, helped publicize her book on catering for individual differences, and supported her application to the HK Jockey Club for funding [EMB14/1127-1136].
35. With a track record of success in supporting teachers since 1999, EMB signed a further contract with Prof Lo for a three-year project on Variation for the Improvement of Teaching and Learning (VITAL) in December 2004 at a total cost of \$28 million. The funding decision was made before the Legislative Council (LegCo) examined the UGC funding for the 2005-08 triennium. With continuous funding support by EMB, Prof Lo has established herself as the authority on learning study in Hong Kong and made her name internationally through research papers and conferences.
36. I am therefore saddened to see in this Inquiry the string of emails which Prof Morris had sent to the Council officers over the years, criticizing me behind my back and accusing me of negativity towards the HKIED, notwithstanding the extensive support that I have given to the Institute over the years. If he had been more open and had spoken to me directly about anything he thought was going wrong, at least I would have an opportunity to explain. Many of the incidents he cited were based on hearsay or had arisen out of misunderstanding.

THE SECOND ALLEGATION

² Learning study produces research lessons that reflect the teaching practices advocated in the curriculum reform, in terms of content, pedagogy, student learning, assessment, and the integration of values and attitude across the curriculum.

(a) Dr Wong Ping-man

37. I do not recall having interacted with Dr Wong Ping-man. I also do not recall ever having any conversation with Prof Morris about Dr Wong, nor can I think of any reason for mentioning Dr Wong at HKIEd's graduation ceremony on 19 November 2004.
38. Since the provision of particulars of the Second Allegation which include the name of Dr Wong, I have done a bit of research on Dr Wong. I read his articles [ML-G/4] and noted the similarities between his views on professional development of teachers and what EMB has been doing.
39. Then I found that Dr Wong was actually involved in the work of the Advisory Committee on Teacher Education and Qualification (ACTEQ). He was also one of the coordinators of the EMB-commissioned primary principals' training programmes, and has helped in training school managers and primary school curriculum leaders. Please see the summary at [EMB12/21/547-549]. I have no reason to be "not happy that HKIEd employed him" as Prof Morris has alleged in his evidence.
40. As for the occasion, the BEd (Primary) graduation was the second session in the afternoon of 19 November, beginning at 4 pm. I recall it was beginning to get dark by the time the official part of the ceremony was over. We had to rush to the other side of the open ground to take photographs with the graduates. The programme was tight and there was hardly any time for casual conversation. It was a happy occasion and there was no reason for me to speak negatively about anyone.

(b) Dr Lai Kwok-chan

(c) **Mr Ip Kin-yuen**

44. I knew Mr Ip Kin-yuen as early as in 1999 when I was the Director of Education. I do not recall who introduced him to me. He struck me as being dedicated and active in the education field. He also has good connections in Hong Kong and overseas. Furthermore, his background in education management and leadership, and comparative and international education, was relevant to the work of ED.
45. At the time, I was keen to promote interflow of personnel among TEIs, schools and ED to develop better understanding and empathy with each other's role and viewpoint. I therefore invited Mr Ip to be seconded to ED for a year, in the 1999/2000 school year. As he was the first academic seconded to ED, and it was my personal initiative, I took it upon myself to negotiate the terms of secondment with the HKIEd at the time, and I knew Mr Ip was on contract terms of employment [EMB12/16/222].
46. Mr Ip joined a Decision Support Group which I set up in 1999 as a think tank to advise me on the critical issues in education. In addition to Mr Ip, there was one secondary school principal, and two young and upcoming ED officers. One of the subjects which we discussed a lot was school leadership. Mr Ip prepared a paper on principals' recruitment and training in response to a consultation document that ED published in early 1999. I valued his input in the Decision Support Group.
47. After the one-year secondment, Mr Ip returned to the HKIEd, and played an active role in principal training, involving in many projects commissioned to the HKIEd by ED/EMB and other activities of ED/EMB. Please see the summary at [EMB12/23/555-557].

48. Mr Ip and I maintained a cordial relationship but we were not really close friends. We probably saw each other 2 to 3 times a year mainly at social gatherings or dinners when there were overseas visitors. We kept in touch through email [EMB11/2/14-18] or the phone from time to time. He provided useful contacts for my visit to Shanghai in April 2000, and I attended his wedding in October 2001. At Mr Ip's invitation [EMB11/2/16], in late 2002, I wrote a foreword for a book that Mr Ip had intended to publish following a series of seminars for vice-principals commissioned by ED [W1/7/37-3 to 37-4].
49. In 2002, when Mr Ip's contract with the HKIEd was up for renewal, he applied to a number of schools as the principal. At the time, he looked for more job security, having just set up a family. I wrote a number of reference letters for him, but unfortunately, he did not succeed in his applications. I knew he renewed his contract with the HKIEd as a result.

(i) Small class teaching

50. It has been suggested that I did not support small class teaching and that, after joining the Government, Prof Arthur Li was unduly influenced by civil servants and began to retreat from his dream of small class size. This is far from the truth.
51. I am fully aware of the potential benefits of small class teaching. However, given the huge investment involved, the inconclusive findings of overseas research on the effectiveness of small class teaching [EMB11/14/150-152], and the bitter experience in California where the Government made a big splash in reducing class size and ended up not having enough trained teachers [EMB14/1137-1138], the Administration considered it prudent to pilot small class teaching in Hong Kong before making such a major policy decision, so as to ensure cost-effective use of public funds at a time when there were competing claims for resources. We must put in place the necessary conditions to assure the success of such a major investment in education.
52. In the wake of a declining student population, the Professional Teachers' Union (PTU) advocated small class teaching in schools that were under-enrolled, so that they would not have to be closed down. This was a political agenda of the PTU, as it was considered as an expedient way to resolve the problem of surplus

teachers. However, to the EMB, small class teaching was a policy issue of far-reaching implications and had to be considered and studied as a separate issue from that of the surplus teachers. We were aware of differences of views among educators on the most effective way to improve teaching and learning. For example, some have argued that reducing the teaching load of teachers would allow more time for teachers to prepare their lessons. This would enhance the quality of teaching and the benefit would outweigh that of reducing class size. Others have suggested that schools should be given the flexibility to deploy resources and adjust class size to suit the needs of different learning activities, i.e. improve the teacher-to-student ratio rather than stipulate a uniform class size.

53. The two approaches involved different strategies in the allocation of resources. Implementing small class teaching in under-enrolled schools would keep more schools in operation, whereas providing more resources for schools with high enrolment would reduce the workload of teachers in these schools and enable the education reform to proceed as planned at a time when resources were tight. The Administration took the view that such a major policy commitment on small class teaching should not be taken lightly without first establishing its cost-effectiveness, and that small class teaching should not be linked to the problem of surplus teachers for political reasons. Public interest must come first.
54. I visited Shanghai in August 2003 and met with the principal and teachers of one of the pioneering schools³ to learn from their experience in implementing small class teaching and, in particular, the problems faced by the teachers. In September 2003, EMB launched a pilot project on small class teaching in 37 primary schools, and arranged for teachers from these schools to visit Shanghai in March 2004 and March/April 2005 respectively for experience sharing. The Inspector General of Shanghai also offered some advice and observations on small class teaching in a personal letter to me dated May 2005 [EMB14/1139-1141].
55. It has further been suggested that to conduct a pilot study is a delaying tactic. This is not true. Rather it is a responsible and professional approach to policy formulation. As a civil servant, it is my duty to safeguard the cost-effective use

³由上海市教育委員會特邀總督學張民生主任陪同，訪問上海靜安區教育學院附屬小學，現改名幸福四平路小學。

of public money. It is also my firm conviction that education policies should be evidence-based and data-driven, hence we engaged consultants from the University of Cambridge to advise on the design of the pilot study on small class teaching. The consultants produced the second interim report in November 2006, the findings of which were reported to the LegCo Education Panel in February 2007 [EMB14/1142-1151].

(ii) Phone call on 30 October 2002

(iii) Mr Ip's articles

67. In December 2003, Mr Ip published a series of articles in his newspaper column about teacher morale and workload in which he made sweeping statements such as “每次見到同行，幾乎清一色的無精打采，無論大中小幼特，士氣都低落到極點”。“所增加的工作，十居其九是爲了應付教育當局的新措施”。“爲了生存，除了應付教統局愈來愈多的公文之外，很多中小學把愈來愈多的時間精力花在公關和宣傳之上”。

73. Mr Ip continued to call me, sometimes for assistance, and I have continued to help him where I could. For example, he sought my support for a work permit for one of his students from the Mainland who would like to teach in Hong Kong. The school that wished to employ her had encountered difficulty with Immigration Department requiring proof that there was no suitable local candidate for the job. Mr Ip said in evidence that he understood that the matter was resolved as there was a change in policy. This was only partially true.

What Mr Ip did not know was that I spoke to the principal and also assisted in explaining his student's case to the Immigration Department, following which the student's application was approved. As a result, I was thanked by the principal of the school which eventually hired Mr Ip's student.

74. Mr Ip and I also maintained a professional dialogue on small class teaching. For example, he was invited to speak at a seminar on small class teaching organized by HKU in November 2004 [EMB11/14/139-142]. We greeted and talked to each other during the coffee break. Further, he was invited to the Conference on Learning Effectiveness and Class Size in May 2005 [EMB11/14/139-143 & 147-157]. EMB also participated in a number of seminars on small class teaching organized by the HKIEd in 2004 and 2005. Thus, while it is true that I have not continued to take the initiative of calling Mr Ip after the incident in December 2003, my relationship with him remained cordial and I have neither snubbed him nor ceased to render assistance to him, where necessary.

(iv) Prof Magdalena Mok

75. Prof Mok and I went to the same secondary school. We were classmates from S1-7. I joined HKU and she attended CUHK, and then went to the UK. Later on she spent a long time in Australia. We re-connected when she returned to Hong Kong and joined HKIEd in 1999. We have known each other for over forty years.
76. I have always treated her as a friend, and from time to time I sought her advice on educational matters, as student assessment is her area of expertise. We occasionally met in alumni activities, but not very often. I usually turned up at these gatherings when there were classmates visiting from overseas.

(d) Prof Cheng Yin-cheong

86. I first knew Prof Cheng through his work on school-based management, which is one of his areas of academic interest. He is a leader in the field and was closely involved in the school management initiative in Hong Kong. In 1999, the former ED reviewed the policy on school-based management with further devolution of resource management decisions to schools. Prof Cheng's views had influenced the review and the further development of school-based management in Hong Kong. At one time, he was also a member of the QEF Steering Committee and we used to meet at some of the QEF functions.
87. Prof Cheng organized the first Principals' Conference in March 2004 which drew a lot of criticisms about the pace of the education reform and the workload on teachers, in particular language teachers. The paper which Prof Cheng presented at the Conference was published in Ming Pao in six parts between March and April 2004 [EMB9/13/18-28]. There were other critics at the Conference, and I responded with a two-part article in Mingpao in April 2004

[EMB14/1152-1155]. This was an example of open and rational debate.

88. Prof Cheng is not a prolific writer. He published another series of articles in November 2004 and submitted them to EMB in response to the public consultation on the 334 reform which took place between 19 October 2004 and 18 January 2005. Altogether 3,280 submissions were received encompassing a wide range of views. Prof Cheng was supportive of the 334 reform, and his views were largely constructive. The final report of the 334 reform has adopted most (6 out of 8) of Prof Cheng's suggestions, for example, implementation of the 334 reform was postponed by one year to the 2009/10 school year to allow more time for preparation; introduction of career-oriented curriculum to provide more choice for students; reducing the time allocation for liberal studies; increasing the time allocation for other learning experiences to include art, physical education and community service for all-round development of students; provision of curriculum electives to cater for individual differences; and upholding international recognition of the new public examination.
89. Among the series of articles he published in November 2004, he rehearsed his "bottleneck" thesis which, by then, was already well-known in the education field. This was to support his suggestion that the existing 5-year secondary curriculum should be spread over six years under the new senior secondary structure, thereby reducing the pressure on both teachers and students. This view, however, was not echoed by the majority of respondents, including Prof Morris who supported the new senior secondary curriculum which he considered to be the key to the success of the 334 reform.
90. Prof Cheng has been supportive of EMB in the areas of principals' training and school improvement. For example, he defended the school development and accountability framework despite strong objection from some schools and teachers. He was a member of the Steering Committee on Principals' Professional Development, and the Advisory Committee on Quality Assurance Inspection. Please see the summary at [EMB12/22/551-553].
91. I have no recollection or record of having called Prof Morris in or about November 2004, and I have never asked him not to employ Prof Cheng. As explained above, I was well aware that the dismissal of an academic staff (such as Prof Cheng) would have involved a due process, and it was not something which could have been procured even by Prof Morris. There was no ground of

which I was aware for which Prof Cheng could have been dismissed. Writing articles in newspapers was certainly not a valid ground for invoking disciplinary proceedings against him.

(e) Phone call on 21 April 2005

PERCEIVED HOSTILITY TOWARDS HKIED

99. Prof Morris alleged that EMB had taken every opportunity to criticize and project a negative image of the HKIED. The instances he cited include the SCMP report on 11 May 2002 [ML-A1/13/167], the release of the Language Proficiency Assessment for Teachers (LPAT) results, the publication of teaching vacancies, criticisms of HKIED in private meetings, and negative reactions to the Principals' Conference. I shall deal with them one by one.

(a) SCMP report

100. The subject has been thoroughly explored during cross-examination. I regret that Prof Morris has treated this incident as a deliberate attempt on my part to criticize HKIED, despite the very cordial exchange of letters following the incident [ML-A1/13/165-169]. To my mind, Prof Morris had accepted my apology and that was the end of the matter. If he had made known his wish for me to clarify my comments in public, I would have obliged at the time.

(b) LPAT

101. Much of Prof Morris' negativity towards EMB in general and me in particular appears to have stemmed from his view as to the way the LPAT results were released. Hence, I wish to set out more fully the background to what Prof Morris considered a highly controversial issue and HKIED's involvement in the development of LPAT.

102. In order to raise the quality of language teaching, the Education Commission in its Report No. 6 (March 1996) recommended that benchmark qualifications

should be specified for all new teachers and that serving teachers should be required to acquire the new qualifications within a specified period of time. ACTEQ therefore set up a Task Force on Benchmarking (the Task Force) to work out the details. The Task Force engaged two groups of consultants: one from HKU and CUHK, and the other from HKU and HKIED to develop benchmarks on the minimum proficiency standards for teachers of English and Putonghua respectively. The consultants submitted their final reports in August 1996. A pilot assessment exercise was carried out from October 1998 to February 1999, based on which ACTEQ submitted its recommendations to SEM (Mr Joseph Wong at the time) in August 1999.

103. It is noteworthy that HKIED was closely involved in the development of the language benchmarks and in the design of the assessment. HKIED was also party to ACTEQ's decisions on the benchmarking requirements as follows:

- (a) The then Deputy Director, Dr K C Pang, was HKIED's representative on ACTEQ. He was also a member of the Task Force which designed the LPAT.
- (b) Eight hundred teachers took part in the pilot assessment, including graduate and undergraduate, in-service and pre-service teacher trainees, as well as pre-service sub-degree teacher trainees at the HKIED.
- (c) On the recommendation of the Task Force, ACTEQ decided to adopt the same benchmarks for primary and secondary English language teachers. ACTEQ considered that all English language teachers ought to be able to understand, correct and explain their students' mistakes.
- (d) To be benchmarked, a teacher must score a minimum level of 3 out of 5 in all five papers because ACTEQ considered that English teachers should possess all-round proficiencies in reading, writing, speaking, listening and classroom language. Teachers of senior posts should attain higher benchmark levels.
- (e) Anyone with five passes, including English language, at one or more sittings in the HKCEE may take the LPAT⁴. Copies of the writing and

⁴ The *Notes for Persons Entering for the LPAT* and the *Syllabus Specifications* are publicly available on the HKEAA website: www.hkeaa.edu.hk.

speaking papers of the LPAT English language papers for March 2006 are in [EMB14/1156-1177].

- (f) Serving teachers may meet the benchmark requirements by: (1) taking the LPAT test, (2) undergoing training with built-in assessment, or (3) seeking exemption if the teacher already possesses a qualification in English language.
104. EMB was careful in drafting every press release on LPAT results to ensure that only factual information was released, always highlighting the positive aspects. For example, in 2003, the first year in which the results of self-claimed teachers were published, we highlighted the fact that “both the number of candidates attempting the papers and the number attaining the Language Proficiency Requirement have increased substantially”, although the passing rates for both the writing and speaking papers were below 50% [EMB12/19/395-398]. However, we could not stop the media, principals and the PTU, from speculating, and criticizing the HKIEd [EMB12/19/406-441].
105. Since 2001 when the first LPAT was administered, EMB was under constant pressure from the community, in particular parent organizations, and the media to disclose more information on the LPAT results, distinguishing between serving teachers and non-teachers. At the time, to serve the interests of its members who are serving teachers, the PTU claimed that most of the candidates who failed the LPAT were student teachers or non-teachers since anyone with five passes in the HKCEE could attempt the LPAT. An editorial in Mingpao dated 3 June 2002 urged the Government to disclose details of the LPAT results for the following reasons “由於這個考試公開讓所有人參加，因此絕對會出現「街外人」拖低老師的及格率。正因如此，政府絕對有責任端正視聽，把參加基準試的教師的總體成績公諸於世，及早還教師一個清白。” [EMB14/1178].
106. The community, in particular parents, had legitimate concerns about the relatively low passing rates, in particular for the two papers on writing and speaking. The Administration was obliged to take prompt and effective action to raise the quality of language teachers and English language education to maintain Hong Kong’s position as a world city and international financial centre.

107. The year 2003 was special in three aspects. First, it was the first year in which candidates were invited to declare on a voluntary basis whether they were serving primary or secondary school teachers. Second, new teachers who joined the profession in the 2001/02 school year must be benchmarked by August 2003. Third, beginning in 2003, two LPATs were administered each year. In that year, there was strong demand from the community for EMB to disclose how many new teachers could meet the benchmark and to provide a breakdown of the LPAT results between primary and secondary school teachers.
108. It turned out that 333 out of 643 new English teachers failed the March 2003 LPAT, among them 266 were primary teachers. One newspaper disclosed that a primary school which started operation in 2001/02 had nine new English teachers who were HKIEd graduates and they all failed the LPAT. The story hit the headline drawing criticisms from various quarters, including the PTU, towards the HKIEd. This was something beyond EMB's control. There was no malice or bias against the HKIEd on the part of EMB.
109. Prof Morris blamed me for not defending HKIEd in the wake of public criticism about the quality of HKIEd graduates. It would not be appropriate for the Administration to say that not all of the teachers who failed the LPAT were graduates from HKIEd. To do so would invite pressure to reveal the LPAT results by institution which would further fuel the debate, and would not help to improve the image of HKIEd since its own survey showed that the majority of the teachers who failed were its graduates [ML-A1/6/120].
110. We did not breakdown the LPAT results by institution or the educational background of the candidates because EMB did not have the information and did not want to label a particular group of teachers. HKIEd wrote to EMB in September 2003 to request that the LPAT results be disaggregated for candidates with a degree or sub-degree qualification. However, since the purpose of LPAT is not to find out which institution or teacher education programme produces teachers with better language proficiency, such personal information is not considered essential data relevant to the assessment.
111. Prof Luk, in his evidence, criticized EMB for releasing the passing rates of primary and secondary school teachers separately, and this was considered to be prejudicial to HKIEd which is the major training provider of primary school teachers. To my knowledge, HKIEd has never raised this with EMB or the

HKIED Council. At the 37th Council meeting on 26 February 2004, the Council heard that “despite the still low passing rate among all LPAT candidates, unfair criticisms against the Institute had not been repeated.....as a result of the Institute’s comprehensive communication plans targeted at various stakeholders groups and because of the less negative approach of the EMB in announcing the results”.

112. In fact, there was no difference in the way the LPAT results were announced in December 2003, compared to June 2003 or before. The press release adopted the same format, and a breakdown of the LPAT results between primary and secondary school teachers was provided on request by the media. The Institute’s proactive communication plan was the key in changing the public perception of the HKIED, and this was the right thing to do.

(c) Dissemination of Teaching Vacancies

113. Prof Morris took issue with the way EMB published teaching vacancies in early 2003, citing it as another example of information being provided in a way which had a very negative impact on the HKIED, because of media speculation that few HKIED graduates were able to find a job [I/Day 7/103:4-104:22].
114. At the time, the Administration was faced with the problem of surplus teachers due to the declining student population. To help these teachers find employment, EMB agreed with the PTU a package of measures including a priority appointment period (PAP), during which all teaching vacancies could only be filled with surplus teachers, and dissemination of teaching vacancies on EMB’s website [EMB7/25/215-218]. Schools were required to report to EMB all full-time and part-time teaching vacancies, including vacancies being filled by temporary teachers, temporary vacancies of one-year duration or more, and anticipated vacancies arising from additional classes, creation of new posts, retirement and resignation of serving teachers etc, occurring from 1 February to the end of the school year. The reporting requirement practically covered all teaching positions in schools.
115. The dissemination of teaching vacancies on EMB’s website was to facilitate surplus teachers in finding new employment. The website was meant for surplus teachers, not fresh graduates. To my knowledge, there was never any complaint about the arrangement on dissemination of teaching vacancies. I

was surprised to hear about this in the course of the inquiry.

116. Given the widespread publicity on the problem of surplus teachers at the time, it was only natural that students would think twice whether to go into education. HKIEd was not singled out for disadvantage. If HKIEd considered that the media had misconstrued the employment prospects of HKIEd students, the Institute should have refuted the speculation with employment statistics on its graduates.

(d) Criticisms of HKIEd in private meetings

117. The allegations were all based on hearsay and gossips. Since I had never worked in school and did not have first-hand information on the performance of HKIEd graduates vis-à-vis graduates from other TEIs, any negative comments about HKIEd graduates would have been put to me by school principals in the first place. These could well be justified comments, since sub-degree graduates had limitations and were less well prepared compared to graduates. I never encouraged principals to criticize the HKIEd and would not do so. The criticisms arising from the LPAT results were initiated by the principals themselves.
118. As regards the three visiting professors, I do not know Prof Robin Alexander. In his statement, Prof Alexander confirmed that he had never spoken to or corresponded with me [W2/17/57-58].
119. Prof John Elliot also said that I did not speak to him directly [W2/14/45-46]. Whatever he might have told Prof Morris was quoted out of context. My remarks at the First Annual Conference of Learning Study set out a vision on the development of a centre of excellence on Learning Study in Hong Kong. I believed that a self-standing Centre, not attached to any higher education institution, would stand a better chance of trawling expertise from the eight UGC-funded universities and other sectors of the education community, both in and outside of Hong Kong. This would enable the Centre to provide a more comprehensive range of services catering for all levels of education and key learning areas. The proposition was not to relocate the Centre to another higher education institution. The reference to Prof Morris [W2/9/27-6 to 27-7] was made in jest as the video record shows.

120. As regards Prof Ainscow, I did not have lunch with him. We met for about 45 minutes on 30 November 2005 at which an expert team of three consultants on special education reported to me their findings on the effectiveness review on resource management of special schools in Hong Kong. The consultants concluded that special schools in Hong Kong were generously resourced but the student learning outcome was not commensurate with the resource input. Classroom teaching was the weakest part in the overall score. I echoed the consultants' views with my own observation in the classroom during school visits. The consultants recommended that teachers of special schools should have access to high quality courses that keep them up to date with the best practice and that EMB should review the training provision as a matter of priority. HKIED was, and still is, the major provider of such training. Remarks on the shortcomings of special education in Hong Kong, and the quality of training programmes at the HKIED, if any, would have originated from the consulting team.

(e) Principals' Conference

121. Prof Morris alleged that EMB was angry about the negative publicity from the Principals' Conference held at the HKIED in March 2004 and, as a result, I (as PSEM) had drawn up a "list of punishments" for HKIED. This is totally untrue. The notion that the PSEM could "punish" HKIED is a far-fetched one. It also reflected gross misunderstanding of how the Government works.

122. At the Principals' Conference, participants were unhappy about various education improvement measures being introduced apparently without due consideration of the aggregate impact on schools and teachers. They also criticized the appointment of businessmen as the chairperson of various education advisory committees as "amateurs leading the professionals".

123. The strong reactions were somewhat unexpected and I spoke to some of the speakers at the Conference to get a feel of the sentiment among the school principals. My colleagues and I also met with the main school councils, including primary, secondary and special schools in April, June and September respectively, to consider ways of reducing teacher workload and improving communication between EMB and frontline educators.

124. In May 2004, EMB set up an online column called "Insiders' Perspectives" for

officers to explain government policies, and arranged three weekly newspaper columns for principals and teachers to share good teaching practices. In mid-2005, EMB introduced another online column "Clear the Air" to respond to any mis-reporting in the media on the same day.

125. Furthermore, we offered two briefings on the education reform in general and the curriculum reform in particular for the students, including both serving and potential teachers, of each of the TEIs in the latter part of 2004. The purpose was to have a direct dialogue with teachers so that they fully understand the rationale behind the reforms and what are expected of them as teachers. The TEIs, including HKIEd, welcomed the initiative and the briefings were well-received [EMB14/1179-1189].

126. To address the problem of teacher workload, EMB launched a comprehensive review of the Code of Aid to simplify the administrative procedures and rationalise the provisions, and established an Education Development Fund in 2004 with an injection of \$550 m to support schools in implementing the curriculum reform. In the same year, the SSE/ESR procedures were simplified and a decision was made not to publish the findings for the first round of inspections. This has helped to reduce the pressure on teachers.

127. In September 2005, we provided additional teachers over a three-year period for primary schools to implement "specialised teaching"⁵ in the three core subjects of English, Mathematics and Chinese, so that these teachers can concentrate on one subject and teach it well. This helped to reduce the workload on teachers and enhance their professional development by focusing their attention on the curriculum and pedagogy in one subject.

128. So, far from drawing up "a list of punishments", EMB has taken positive steps to improve communication and introduce concrete measures to reduce the workload of teachers.

INVOLVEMENT IN MEETINGS ON DEEP COLLABORATION

⁵ In primary schools, teachers often have to teach three or more subjects to three or more classes. The workload of a teacher who teaches English say to three classes at the same level (one set of teaching materials) would be less than another teacher who teaches English to two classes at two levels and Chinese to another class at a different level (three sets of teaching materials).

129. The UGC's report on the Higher Education Review (the Sutherland Report) published in March 2002 [EMB5(1)/1/1-92] started the discussion on merger which, at the time, was a loose concept referring to institutional collaboration to concentrate resources and strengthen the competitiveness of higher education in Hong Kong in the globalised world.

130. As the then SEM, I endorsed the recommendations in the Sutherland Report and could see the merits of more collaboration and role differentiation among universities. I went round the universities with the then SG/UGC to meet academic staff to obtain their feedback on some of the more controversial recommendations in the Sutherland Report, e.g. role differentiation and credit accumulation and transfer system to promote student mobility between institutions.

(a) Lunch with Dr Simon Ip on 11 June 2002

131. In response to Prof Li's public remarks on institutional merger, HKIEd produced a response which Dr Simon Ip, the then Council Chairman, sent me a copy. We had lunch on 11 June 2002 in which the issue of a possible "merger" with a comprehensive university was raised [EMB5(1)/4/124-129]. I did not have any preconceived notion on how Lord Sutherland's recommendations should be followed up and suggested that the matter should be pursued further with UGC and the new SEM when he was appointed.

132. After Prof Li assumed office as SEM, we had discussed the future landscape of higher education, and I could see the merits of some form of merger between different tertiary institutions. Prof Li has never told me that only a full merger in the Niland sense was acceptable from his point of view.

133. I was not involved directly in any of the discussions with UGC, HKIEd or CUHK over deep collaboration, but SEM kept me in the picture from time to time.

(b) Lunch with Dr Thomas Leung and Mr Alfred Chan on 14 October 2003

134. Dr Thomas Leung and Mr Alfred Chan, the Council Chairman and Deputy Chairman of the HKIEd, invited SEM and myself to lunch on 14 October 2003 at which a number of issues were discussed, such as LPAT and the VDS/CRS for

academic staff. The issue of “merger” was also raised, as noted in my email file report of the same date [EMB5(1)/14/162]. I did not understand the reference to “merger” as something other than merger in a loose sense. Moreover, the details of the “merger” referred to by Dr Leung and Mr Chan were not discussed.

135. The UGC had in March 2003 set up the Institutional Integration Working Group (IIWG) under Prof John Niland to study the feasibility of institutional integration in the university sector of Hong Kong in general and the pros and cons of an integration of CUHK and the Hong Kong University of Science and Technology (HKUST) in particular. Dr Leung expressed a wish to have some early indication of the likely scenarios on the future development of the HKIED, including the possibility of some form of merger with the CUHK. The discussion was exploratory and the term “merger” was used loosely.

(c) Lunch with Dr Thomas Leung and Mr Pang Yiu-kai on 21 March 2006

136. Prof Li invited Dr Thomas Leung and Mr Pang Yiu-kai, the Treasurer of HKIED, to lunch and asked me to join. As there is no record of the lunch, the discussion was probably insignificant. If I were asked to reconstruct what had been discussed, I could only say that Dr Leung and Mr Pang could have updated Prof Li on the progress on the deep collaboration with CUHK since the agreement was signed in July 2005 and Prof Li could have enquired whether there were plans for any more joint programmes in the next academic year.

INSTITUTIONAL REVIEW (IR)

137. In early 2003, HKIED’s attitude towards the issue of “merger” was to keep an open mind. It set up a Task Force to consider the future role and positioning of the HKIED in the light of the recommendations in the Sutherland Report that institutions should be encouraged to promote collaboration and strategic alliance.
138. On 28 February 2003, Prof Morris wrote to Dr Alice Lam, the UGC Chairman, to suggest that “the optimal means for any further consideration of the questions relating to collaboration and integration would be best initiated by the UGC”. He further recommended that UGC should facilitate such discussion. This was

a proactive move and positive gesture on the part of the HKIED towards institutional collaboration and integration. The letter was copied to SEM [EMB5(1)/9/152].

139. In response, Dr Lam congratulated the HKIED for taking the initiative and encouraged Prof Morris to be "brave" [EMB5(1)/10/153]. SEM also endorsed the initiative. A letter in reply was drafted suggesting that UGC should take forward Prof Morris' idea. It appears that this draft reply was not sent out and was overtaken by events. In March 2003, UGC set up the IIWG to study the feasibility of institutional integration in the higher education sector in Hong Kong.
140. In view of HKIED's initiative and willingness to consider institutional collaboration and integration, EMB did not wish the IR to pre-empt the deliberations of the HKIED's Task Force and the IIWG. For example, if the HKIED should decide to explore merger with another university, or a federated system with degrees being granted by another university, it would acquire self-accrediting status automatically without having to go through an IR.
141. EMB appreciates that self-accrediting status gives an institution the incentive to develop a suitable quality assurance process, and will engender within the institution a greater sense of responsibility for the programmes that it offers, and offer more flexibility for the institution to develop new programmes.
142. We had reservation about granting university title to HKIED at the time, and were concerned that the IR might raise expectation that university status would follow immediately. First, the sub-degree teacher education programmes of HKIED would only be phased out completely by the end of 2004/05. Second, in 2003, only a small proportion⁶ of its academic staff had a doctoral degree. A large number of its academic staff were transferred staff of the former colleges of education whose qualifications and skills do not match the requirement of a full-fledged university. Third, whether HKIED should develop into a university of education with a single focus on teacher education, a comprehensive university with education playing a leading role, or a university federated with another university is a strategic issue on which the UGC should offer advice to the Administration. Each of these options entails a different path in the further

⁶ In his self-review, Prof Morris disclosed that in 2002 only about 40% of staff possessed a doctoral degree.

development of the HKIED.

143. We were aware that UGC had decided to go ahead with the IR. We simply drew attention to the Secretary General (SG) of the UGC, Mr Peter Cheung, the Administration's concerns and left the decision to the UGC. At the time, Mr Cheung was about to be posted out of the UGC Secretariat. He later confirmed that the granting of self-accrediting state would not immediately lead to a university title, and that the strategic issue concerning the institutional collaboration and integration of HKIED should be considered in the context of the Niland study. With this understanding, the IR went ahead in October 2003 as scheduled [E2/35/256-257].

144. Prof Morris alleged that there was an attempt on the part of EMB to defer the IR as a means to force a merger. He drew this inference from his telephone conversation with SEM who stressed the need to have the new SG/UGC involved in the process, whereas his enquiry showed that previous SGs were not directly involved in the IRs [ML-A2/597-598]. Prof Morris' allegation is misconceived. What appeared from the information received, not least from Prof Morris himself, was that HKIED at that time was very keen to pursue merger discussion and was asking for UGC to take the lead. There was no inkling that any such initiative would have to be forced. With regard to the IR, Prof Morris might have overlooked the difference in circumstances between the HKIED and such other institutions. The previous IRs pre-dated the Sutherland Report and the issue of institutional collaboration or integration did not arise. Furthermore, the other institutions were set up as a university from the start and did not have the same historical baggage as the HKIED, which inherited the programmes and staff from the former colleges of education. Having regard to Prof Morris' request for UGC to take the lead in any merger discussion, it was reasonable at the time to think that the new SG/UGC could have some valuable input in the matter.

STUDENT NUMBERS

145. Prof Morris and Prof Luk alleged that EMB had cut HKIED's student numbers as a means to force a merger. This is not true. Within the civil service, there are established rules and procedures for processing the triennial funding. Every decision on student numbers was justified and supported by existing policies.

146. The projection of teacher demand strictly follows the methodology devised by the Working Group on the Supply and Demand of Teachers (the Working Group), and endorsed by ACTEQ in December 2002. There is no perfect manpower projection model. There might be differences of opinion within the Working Group but, at the end of the day, ACTEQ had to decide and, once the decision was made, we should allow the system to be tried out and then reviewed in the light of experience.
147. The merit of the methodology is not the issue for this Inquiry. Suffice to say that Dr Lai would like to factor in yet-to-be determined policies in manpower projections, and to discount surplus teachers and teachers who rejoined after leaving the profession in the supply projection [E2/47/297-300]. EMB could not agree as to do so would lead to over-supply of teachers.
148. The Working Group, of which Dr Lai was a member, was disbanded on completion of the task for which it was set up. It was unnecessarily speculative of Dr Lai to suggest that he might have been removed from the Working Group because he spoke out against EMB on the "all graduate, all trained" policy on 30 October 2002. This was not so.
149. We all recognize the limitations of manpower projections, but they are a useful indication of the trend to help us minimize subject mismatch and reduce waste, given the cap of 14,500 first year first degree (FYFD) places per annum.
150. EMB advises UGC on the global manpower requirements by level, programme and key learning areas (KLAs). The final total provision and allocation among TEIs are decisions for the UGC. EMB is not consulted and is only informed when the UGC Chairman copied to the SEM her recurrent grant recommendations to CE. For the 2004/05 rollover year, the UGC provided indicative student number targets by institution and level, i.e sub-degree, FYFD, undergraduate senior year, taught post-graduate (TPg) and research post-graduate (RPg) places [U1/28/349-353]. For the 2005-08 triennium, in addition to the indicative overall student number targets by institution and level [U3/105/165-166], EMB also obtained comparisons of the allocation of places between primary and secondary education [U3/105/168] and by KLAs [U3/105/169-170]. The Administration accepted the UGC's recommendations on student number targets in full for the 2004/05 rollover year and the 2005-08 triennium.

(a) 2004/05 Triennium

151. To support his assertion that something untoward went on between EMB and UGC behind the scene, Prof Morris referred to an email exchange between myself and SG/UGC on student number targets for the 2004/05 rollover year on 9 October 2003 [EMB3(1)/53/165-167].
152. This took place after UGC had decided on the funding allocation among institutions and before UGC's recommendations were submitted to the Executive Council. In the course of preparing the Policy Committee paper, I noticed that the additional FYFD places allocated to HKIEd for the last phase of upgrading of sub-degree teacher training places seemed to have come out of two institutions only, i.e. HKU and HKUST, with HKU alone losing 130 places.
153. HKU is highly popular, and has the largest number of international students which gives it the ambiance of a world-class university. Furthermore, the Higher Education Review has emphasized the importance of size for competitiveness, and recommended that Hong Kong should concentrate its resources to nurture a few world-class universities. Against this backdrop, I could not understand why UGC should cut the FYFD numbers of HKU, but not, for example, PolyU and CUHK's student numbers, hence the question. The last two sentences of my message pointed out that although the overall student numbers of HKU and CUHK are comparable, HKU has a higher number of post-graduate students, including taught postgraduate places which are progressively becoming self-financed.
154. I asked because I wanted to be assured that there was no oversight, and to prepare myself for possible questions when the UGC's recommendations were discussed in the Policy Committee meeting, which SG/UGC would not attend.
155. Instead of answering my question directly, SG/UGC started off by explaining the reason for the increase in FYFD places for HKIEd. This might have misled Prof Morris to think that I was querying the increase in FYFD places for HKIEd. An earlier email from Irene Young already explained this, and I had no qualms at all about the upgrading of sub-degree places for HKIEd. Indeed, the complete phasing out of sub-degree places marks a milestone in implementing the "all graduate, all trained" policy.

156. SG/UGC missed my point in the penultimate sentence of my message, which was subsequently resolved over the phone. First, he explained that it was HKU's wish to have more post-graduate places instead of FYFD places. Second, CUHK had given up some teacher education places, but this was more than offset by the increase in FYFD places in nursing, hence a net increase for CUHK. Third, all the post-graduate places included in the table were UGC-funded and did not include any self-financed places, so HKU's numbers were not as adversely affected as I had originally thought.

(b) Projection of teacher demand by KLAs

157. The decision to project teacher demand by KLAs was agreed in ACTEQ and was welcomed by the TEIs at the time. In his submission to UGC in December 2002 [E2/24/127], Dr Lai said, "we welcome the Government's efforts to make available projections of demand/supply by subject areas".

158. The need arose from two considerations. First, the curriculum reform which emphasizes teaching for understanding requires teachers to have a strong foundation in subject knowledge in order to be able to explain the underlying concepts to students.

159. Secondly, it was necessary to address the problem of subject mismatch which became apparent in 2002 when there were a large number of surplus teachers and a serious shortfall of English language teachers at the same time.

160. Projection of teacher demand by KLAs was introduced for the first time in the 2004/05 rollover year. It was recognized at the outset that the more refined the projections, the less accurate they would be, hence the numbers were intended to be indicative and subject to discussion among UGC, TEIs and EMB. In fact, TEIs were given flexibility to redeploy numbers at the meetings on 19 February 2004 and 16 June 2005 [EMB3(2)/65/262-263].

161. What Dr Lai described as "roller coaster" projections were largely a transitional phenomenon in moving from a supply-led projection model, which Prof Morris called the "staff welfare model", to a demand-led model that is based on the actual needs of schools [IE4/16]. It was necessary to make up for the cumulative shortfall over the years in the supply of teachers for certain KLAs.

It also reflected the sharp decline in student numbers which began in 2001 and was beginning to affect secondary schools.

162. The sudden surge in demand for English language teachers was the result of the LPAT and SCOLAR's recommendations⁷ [EMB11/6/26]. We hoped to redeploy the FYFD numbers from subject areas where there were surplus teachers to make up the shortfall of subject-trained English teachers.
163. The Administration's advice on manpower requirements represents the "wish list" which is subject to change following discussion among UGC, the TEIs and EMB. The UGC has the discretion to deviate from the Administration's advice. Past record shows that the final student number targets recommended by UGC were never exactly the same as the Administration's advice. For the 2004/05 rollover year, for example, the Administration proposed zero provision of full-time Postgraduate Diploma of Education (FT PGDE) for the non-core subjects, due to anticipated surplus of teachers, and UGC decided to allocate a small number (8-12) to these subjects.

(c) 2005-08 Triennium

(i) Early Childhood Education (ECE) places

⁷ In June 2003, the Standing Committee on Language Education and Research (SCOLAR) recommended, among other things, that starting from 2004/05, new language teachers should hold at least a BEd degree majoring in the relevant language subject, or both a first degree and a postgraduate diploma in education (PGDE) majoring in the relevant language subject. Those who do not have the recommended qualifications should acquire them within 3 to 5 years of their entry into the profession.

(ii) Tendering of ECE places

(iii) Further upgrading of KG principals and teachers

184. As of September 2005, there were about 1,000 KGs and 150,000 students. Of some 11,000 KG teachers, about 24% had obtained C(ECE) and another 22% were attending a course in C(ECE). Only about 230 KG principals and teachers had a degree qualification.

185. EMB embarked on an overall review of ECE in September 2005 to map out a strategy for the further development of pre-primary education in Hong Kong. There was regular dialogue with KG operators, parents, frontline teachers, legislators and academics throughout the process. As the review was to provide input to CE's policy address, the recommendations were disclosed on a strictly need-to-know basis.

186. In October 2006, CE announced a voucher scheme for pre-primary education to be introduced from the 2007/08 school year, and new policy targets to upgrade the qualification of KG principals and teachers. It is widely recognized that attracting good students into the teaching profession is the key to raising the quality of ECE. As the Government was poised to invest about \$2 billion more

¹⁰ The cost of each fte at the sub-degree level as advised by UGC is \$125,848. The C(ECE) is a two-year programme and the QKT one-year. The total cost of three cohorts of C(ECE) and QKT is $[(3 \times 2 \times 112 + 3 \times 1 \times 153) \times \$125,848] = \$142.3$ million. According to UGC, the net savings from the overall reduction of ECE places for the 2005-08 triennium are only \$107 million because of reduction in the student number for some programmes and increases in others.

per annum in ECE, upgrading the quality of the ECE teaching force became the top priority.

187. The goal is to upgrade all KG principals to the degree level. From the 2009/10 school year, all new principals must have a degree in ECE. Serving principals will be encouraged to obtain a degree, but no deadline was set.
188. The entry qualification for new KG teachers will be raised to C(ECE) from the 2007/08 school year. Serving teachers are expected to obtain the C(ECE) qualification within five years.
189. The voucher with a face value of \$13,000 in 2007/08 and progressively increasing to \$16,000 in 2011/12, includes a provision for teacher development at \$3,000 per child per annum in the first two years, and \$2,000 per annum over the next two years. In other words, for each group of 15 students entitled to the voucher, the teacher may receive a training subsidy of \$150,000 for professional upgrading over 4 years $[(\$3000 \times 2 + \$2000 \times 2) \times 15]$. By 2011/12, the entire voucher value of \$16,000 will be used to subsidise parents.
190. Using the voucher, teachers will choose the course that suits them best. There was feedback from the ECE sector demanding more flexibility and diversity in the training programmes to suit the varied needs of ECE teachers, given their diverse backgrounds and qualifications. The Administration's role is to facilitate the provision of a diversity of programmes, in terms of duration, core domain, electives (e.g. multiple intelligences¹¹, special educational needs, child development and creative learning) and modality (e.g. part-time, full-time, day release and weekend) for teachers to choose.
191. To professionalise the ECE teaching force, we also considered it necessary, for the sake of quality assurance in the free market, to develop a framework of core competencies and continuing professional development ladder as a reference for training providers in designing their programmes and determining the admission requirements, e.g. prior knowledge on child development. For example, learner

¹¹ Howard Gardner's theory of multiple intelligences says that each person has a unique blend of seven intelligences, including, linguistic, spatial, logical-mathematical, musical, bodily-kinesthetic, interpersonal and intrapersonal. intelligences

¹⁴ At present, only one-third of S5 students can progress to S6 and S7. Under the 334 academic structure, all S5 students will progress to S6. In the transitional years, i.e. 2011/12, the S6 population will be expanded from 33% to 100% of S5 students, while the S7 students still exist. In other words, in that year, the S6/7 student population is doubled.

diversity was considered an essential component of ECE teacher education but this was not covered in sufficient depth in many of the existing programmes. To follow up the initiative, EMB set up a task force in December 2005, involving the major ECE training providers, including the HKIED.

192. Prior to CE's announcement, EMB had to assure that there would be sufficient training places to meet the vastly expanded demand for professional upgrading of ECE principals and teachers over five years. The existing provision of about 1,000 in-service C(ECE), 160 BEd (ECE) and 16 PGDE (ECE) places per annum is not sufficient to cope with the anticipated demand. These include UGC-funded, EMB-commissioned and self-financed places provided by HKIED, VTC, HKBU and Polytechnic University (PolyU).
193. As the policy objective was to move towards upgrading of ECE principals and teachers to the degree level, the existing universities should be engaged. For the 2008/09 rollover year, 36 BEd (ECE) places will be available for bidding among UGC-funded institutions. Hence, in May/June 2006, I met with HKU, CUHK and PolyU to explore the scope and capacity for expanding the provision of ECE programmes. The reasons for inviting these three universities were to open up new channels for training ECE principals and teachers, and to attract better quality students.
194. Due to UGC's policy on role differentiation, PolyU had started phasing out its ECE programmes from 2005. PolyU's programmes were highly regarded and popular among ECE teachers. I therefore sounded out PolyU whether its staff would be willing to join the HKIED, for example, so as to retain the ECE expertise to meet the anticipated increase in demand for professional upgrading. However, PolyU's feedback at the time was not favourable.
195. The three universities, i.e. HKU, CUHK and PolyU, are more interested in degree and post-graduate programmes. For example, HKU concentrates on PGDE and MEd, and caters for non-Chinese speaking KG teachers. CUHK is interested in first degree and TPg programmes, and has proposed to collaborate with PolyU to provide a range of inter-disciplinary modules and electives. The three universities will redeploy existing student numbers to meet the ECE demand or operate self-financed programmes.
196. We did not involve the three existing ECE training providers, namely HKIED,

VTC and HKBU, as we already know the expertise and capacity available in these institutions, and their limitations. We also expect them to continue to be the major providers of certificate courses for which there is an increasing demand for upgrading among serving teachers due to the new policy targets set out in para. 185 above. At present, the bulk of the students at these three institutions are serving teachers who, for historical reasons, may not be able to advance beyond the QKT or C(ECE) levels. To upgrade the teaching force, we need to attract more new entrants with higher potential.

197. The reason for seeking UGC's approval to allow PolyU to continue to provide ECE programmes for three more years is to maximize existing expertise to meet the anticipated increase in training demand. Through the joint programme with CUHK, we hoped to retain and gradually transfer the its academic staff with expertise to CUHK. Although PolyU has begun to phase out its ECE programmes from 2005/06, it still has senior year students and has spare capacity.

198. The proposed joint programme with CUHK on Child Psychology and Development is self-financing. It is debatable whether UGC's approval is necessary. Nonetheless, to play safe, PolyU requested EMB to obtain UGC's assurance that it would not be penalized for departure from its role statement because of operating a self-financed ECE programme. UGC's express approval was duly obtained.

(iv) FYFD places

199. There was an overall increase in FYFD places for primary education and reduction in secondary education for the 2005-08 triennium. This is to reflect the changes in demographics. The HKIEd has benefited from the increase in FYFD (Primary) places. The reduction in HKIEd's share of FYFD and PGDE places for the secondary sector was the decision of UGC.

200. The education reform emphasizes teaching for understanding and self-directed learning. This requires that teachers themselves must have a strong foundation in the subject knowledge, as well as the ability to explain difficult concepts to students in a way that they can easily understand. The professional jargon is pedagogical content knowledge. (A good English speaker may not be a good English teacher.). This gave rise to the proposal to run 2+2 programmes or

early admission to PGDE, which comprise two years of subject training coupled with two years of teacher education. The decision to go down this route is based on the teacher competencies required to meet present-day needs. It was not designed to disadvantage the HKIEd.

201. In his oral evidence, Dr KC Lai questioned the justification for increasing the overall provision of BEd (Sec) places from 1030 to 1050 despite the declining population. This is because, on UGC's advice, we had to increase the provision of BEd places from 630 to 700 in 2005/06 to even out the FYFD places across the three years of the triennium. Since secondary teachers require a stronger foundation in subject knowledge, EMB advised that 10 more places could be allocated to each of the six KLAs, other than English and Chinese, in 2005/06. For 2006/07 and 2007/08, the overall provision of BEd (Sec) would be reduced from 350 in the first start letter to 330 in the second start letter.

202. Dr Lai also mentioned a 60% reduction in the BEd (Eng) programmes. However, the table on approved intake for HKIEd prepared by UGC for the purpose of this inquiry shows an increase in student numbers for both the BEd (Primary) and BEd (Secondary) in English programmes the 2005-08 triennium, compared to 2004/05 [UA/180-1].

(v) Professional Upgrading Courses (PUC)

203. On a number of occasions, the UGC Secretariat has advised that there should be a clear differentiation of funding for award-bearing programmes and in-service professional upgrading courses. The former should come under UGC and the latter EMB. The TEIs also expressed a similar view at the meeting on 19 February 2004 [EMB3/65] that there should be separate funding sources for award-bearing and in-service professional upgrading courses. This matter was discussed internally within EMB and I agreed that PUCs should continue to be funded through the UGC mechanism subject to there being qualitative and quantitative assurances in respect of the PUC programmes in question.

204. The decision to reduce the PUC places from 478 in 2004/05 to 350 places per annum in the 2005-08 triennium has taken into account a host of factors. These include the enrolment situation of HKIEd's PUC courses, the demand for in-service training in other areas for which HKIEd does not have the expertise, and budgetary constraints. The Administration's advice was accepted by UGC

and HKIED reached agreement with the UGC that it was satisfied with the 350 PUC places allocated to it for this triennium.

205. This decision was taken independently of other decisions on student numbers. We only became aware of the cumulative effect of the various cuts on HKIED when we received the recommendation from C/UGC on the funding allocation for the 2005-08 triennium.

(vi) Meeting with TEIs on 19 February 2004

206. Prof Luk said in his witness statement that I “started the discussion by promising a great deal of flexibility, so much was taken back or reserved by her in the course of the meeting, that by the end it was not at all clear how much she had conceded”. This is a very negative and unjustified interpretation of the outcome of a meeting which was considered “helpful” by UGC and welcomed by other TEIs.

207. To recapitulate, the meeting agreed to allow TEIs the flexibility to move student numbers among different programmes as the output figures were more important than the input numbers. TEIs were also assured that the resources for teacher education would be ring-fenced and would not be taken away even if some programmes were under-enrolled.

208. More specifically, TEIs may use PGDE places to go with “2+2” or “early entry PGDE” cooperative ventures, move student numbers between BEd and PGDE, FT and PT PGDE places, and among KLAs. However, given the significant shortfall of teachers for English, Chinese, Mathematics and Technology, TEIs were requested to adhere to the indicative numbers for these KLAs *as far as possible*. These, I would have thought, provide the TEIs with a lot of flexibilities and were welcomed.

(d) 2008/09 Rollover Year

209. The basic premise for a rollover year is no significant change in the overall student numbers. However, 2012 is a special year in which there will be a surplus of about 1,200 secondary school teachers after the double cohort year¹⁴

for the 334 reform. Based on the supply and demand projections, EMB has proposed zero provision of BEd places in the areas of art, music and physical education for 2008/09. It was made clear at the meeting between EMB and HKIEd on 15 November 2006 that the zero provision was for one year only [U8/194/177].

210. As in previous years, the Administration's advice on manpower requirements is based on the agreed methodology for teacher demand projection. The preliminary advice sets out a "wish list" which is subject to change, taking into account practical difficulties on the part of the TEIs in delivering the student numbers requested. The process is on-going.

ALLEGED INTERFERENCE WITH ACADEMIC FREEDOM

(a) Contract terms for EMB-commissioned projects

211. Prof Luk alleged that the contract terms of EMB-funded projects, in particular, EMB's exclusive rights over research instruments and materials, final control over the course contents and the choice of speakers, and the videotaping of lessons amount to infringement on academic freedom by economic means.

212. There are legitimate purposes for each of the contract terms. For example, retaining the rights over course materials and videotaping of training sessions are necessary for the purpose of developing self-learning packages and for teachers who may have missed some of the training sessions. The reservation of the right to determine the course contents and speakers is for quality control, which in practice is rarely exercised but is necessary safeguard in a legal document.

213. If the funding comes from the public purse, it is legitimate that the Government, as the guardian of public resources, should secure such rights as are necessary to maximize public interests in the deployment of such resources. A fair-minded person will exercise common sense in interpreting the contract terms. We have not encountered any problem, or received formal complaint that these contract terms are unnecessarily restrictive so much so that they would infringe on academic freedom and adversely affect the academic validity of the research. Nor have we ever rejected any request for publishing the research findings. However, EMB would have concern about any premature publication of the

research findings that might prejudice the policy making process.

214. HKIEd has brought up the matter to HUCOM¹⁵ which ruled that EMB's contract terms do not infringe on academic freedom. Government legal advice also confirmed that the requirement for video recording is no more than what is necessary and proportionate for the attainment of the legitimate purpose. There is no evidence from past experience to suggest that the rights to freedom of expression and communication of those who participated in the training sessions have in any way been restricted.

215. Furthermore, the contract terms in no way target the HKIEd. Institutions have the free choice whether to bid for the project with full prior knowledge and agreement of the conditions. With a total reserve of over \$800 million as at the end of 2005/06 academic year, it would be over-stating the case to suggest that HKIEd had to succumb to economic pressure in bidding for such contracts.

216. Prof Luk mentioned rumours that some research contracts given to other institutions provide for a right on the part of EMB to demand a change in the conclusion [T/Day 16/33:15-17]. This is simply not true.

(b) Request for Prof Mok's Research Grant Committee (RGC) proposal

217. Prof Magdalena Mok alleged that I had tried to get hold of her RGC proposal on self-directed learning through the UGC Secretariat after she had turned down my verbal request, and that this would infringe on her intellectual property. She further insinuated that I wanted to use the information for my MEd thesis. The allegation is groundless as my thesis is on a totally different subject, which is textbook development [EMB13/971-47 to 971-49].

218. In the wake of a 33% cut in HKIEd's funding for the 2005-08 triennium, EMB undertook to consider alternative funding from EMB's EDF¹⁶ to alleviate the impact of the funding cuts. Allocation of funds from the EDF is not subject to competitive bidding. Project proposals are vetted by an Advisory Committee

¹⁵ The Committee of Heads of Institutions (HUCOM) comprises the president/vice-chancellor of the eight UGC-funded institutions.

¹⁶ There are five areas of support, namely principals' network, professional development schools, secondment of teachers, and university-school partnership programmes (USP). The USP aims to invite academics to reach out to schools and provide on-site professional support geared to the needs of the schools. An advisory committee comprising academics and frontline educators vets applications based on professional judgement and track record.

comprising academics, frontline educators, lay persons and EMB officials. All project proposals have to demonstrate past successes in helping schools to implement the education reform with positive student learning outcome. So far, with the exception of Prof Mok's project, all other university-school partnership projects funded by the EDF have been piloted under the Quality Education Fund and have proven to be effective and popular among schools.

219. Prof Mok put up a funding application for a Project on Assessment initially at a total cost of \$49 million plus 15% administrative overhead. This is a huge sum. EMB is duty-bound to examine the proposal thoroughly to assure that money would be well spent, even though we were under pressure from LegCo to provide alternative funding for HKIED. In her proposal, Prof Mok revealed that the project would build on the research she had undertaken in the past five years in the area of assessment, which includes the self-directed learning project funded by RGC and HKIED. Hence, I asked for sight of the RGC report to establish a track record in support of the funding application.
220. Prof Mok said that the track record of academics would comprise their publications. This may be the case in the academic world, but not in school education. To justify funding for school-based professional support without open tender, we needed evidence of improved teaching and learning arising from school-based support services, and not a list of publications in local or international journals. Prof Mok has clearly misunderstood what we meant by track record from our point of view.
221. Although Prof Mok rejected my verbal request for information on her RGC project (apparently without fully understanding the funding criteria), I could not simply take her words for it. EMB still had to go through the motion to get an official reply in writing, as we were answerable to the funding committee. I reckon that going through the UGC, which oversees the RGC, and for the UGC to formally put the request to Prof Mok for her personal consent was a proper and above-board procedure. We did not withhold from her the fact that the request had come from EMB.
222. Prof Mok claimed that on my request, she had already submitted the results of her study to my former colleague, Mr Andrew Poon, in December 2004. I only received her proposal on the Project on Assessment in January 2005, and could not possibly have asked for a report on her previous work without first seeing her

project proposal.

223. More recently, colleagues retrieved a journal article on "Validation of Scores from Self-Learning Scales for Primary Students using True-Score and Rasch Measurement Methods" which she sent to Mr Andrew Poon without any indication that the article should be submitted to me. Mr Poon simply filed away the paper which I retrieved after receiving a copy of Prof Mok's witness statement. One of the conclusions of the paper is disappointing in that "the scales may not be able to separate reliably the highest students, practical utility of the scales in the classrooms can be compromised".
224. The Advisory Committee would think twice if this journal article was used as the track record to support the funding application. Despite Prof Mok's repeated refusals to provide any evidence of practical experience in supporting schools, the Advisory Committee approved \$35 million over three years. This was an exceptional arrangement which showed that every benefit of the doubt had been given to HKIEd and to Prof Mok in the handling of the funding application.
225. As a post-script, it is noteworthy that the first year of Prof Mok's project was highly problematic, both in terms of administration and the quality of the school support team. About ten schools withdrew from the project in the first year, as they found Prof Mok's approach to be too theoretical and not helpful to teachers.

(c) Collaboration between two projects

226. In her witness statement, Prof Mok claimed that I had asked her to pass the self-learning scale to Prof Lo for her to implement so that EMB only had to fund one project. She again twisted my intention.
227. What happened was Prof Lo's Learning Study also involved regular assessment to see if students have learned better as a result of a different way of teaching. Indeed, "teaching-learning-assessment-feedback" is a continual cycle. Assessment is necessary to gauge how well students have learned for both summative and formative purposes.
228. Since Prof Mok and Prof Lo are colleagues, I asked if the two of them could join hands to provide a "one stop" or "through train" service for schools, linking learning study with student assessment, so that Prof Lo could also incorporate

the element of self-directed learning into her project. I did not suggest that Prof Mok should simply hand over the self-learning scales to Prof Lo, but rather had hoped that they could work out between themselves the modus operandi for collaboration. What transpired from the discussion was that there was strong resistance on the part of some academics to share information with each other, and in the light of such a protective attitude I no longer pursued the suggestion.

(d) The “notorious” meeting on 3 February 2005

229. For the 2005-08 triennium, EMB undertook to consider alternative funding to alleviate the impact of the UGC funding cut on HKIEd. In response, HKIEd produced five proposals at a total cost of \$246 million [EMB14/1190-1228]. Three of the proposals were clearly ill-conceived and lacked implementation details and deliverables to justify the funding application. For example, a one-page proposal on “Professional Support for English Medium Teachers and Schools” claimed \$44.1 million over three years.
230. Two proposals submitted by Prof Mok and Prof Lo respectively were examined in earnest by EMB’s professional staff. Together they cost \$100 million. At the so-called “notorious” meeting on 3 February 2005, we questioned the scale, capacity and sustainability of the project, and critically examined the justification for the proposed budget. When EMB challenged the figures, the response was a veiled threat that HKIEd could not therefore guarantee that their students would not take to the street.
231. This attitude was contrary to what Prof Morris said, in his evidence, that every project had to be justified on professional merits. Nonetheless, EMB staff stood by their professional judgment and turned down Prof Lo’s project which was unrealistically ambitious, and divorced from the reality that there is a scarcity of expertise on Learning Study [EMB14/1229-1234]. Furthermore, she had just been granted \$28 million in December 2004 for the VITAL project which would only begin in the 2005/06 school year.
232. The meeting lasted over three hours. There was heated debate but no impoliteness. As I was late for another appointment, I had to leave in a hurry to receive a visitor from Shanghai when my secretary knocked on the door to remind me of my next appointment. I did not “walk out” or “slam the door”.

OTHER ISSUES

(a) "All graduate, all trained" policy

233. The "all graduate, all trained" policy was discussed in ACTEQ on 7 October 2002. Members considered that untrained teachers with good academic background should be allowed to join in the teaching profession, and required to receive initial teacher training within, say, two to three years. Prof Lo Mun-ling from HKIEd, who was present at the discussion as a member of ACTEQ, did not disagree with the suggestion.
234. Indeed, in my discussion with principals over the "all graduate, all trained" policy in 2002, many opposed the strict enforcement of the pre-service teacher training requirement because of concern about the quality of the graduates from HKIEd. At the time, the sub-degree programmes were not yet completely phased out. Even at the primary level, there was a strong voice among some principals that they should be allowed to employ degree holders without teacher training.
235. At the meeting with Prof Morris on 16 October 2002, I explained ACTEQ's position and the Administration's difficulties. HKIEd believed it was a good time to enforce the policy on pre-service teacher training when there were surplus teachers. However, the Administration was concerned about the quality of teachers and the financial implications.
236. In the 2001/02 academic year, the average Hong Kong Advanced Level Examination scores of full-time first year students of the HKIEd was 1.87¹⁷ for the best two subjects, plus the Chinese and English Languages, i.e. between Grade D and E. I must add that the quality of HKIEd intake has improved over the years as the sub-degree programmes were gradually phased out and the image of HKIEd enhanced.
237. Having explained the constraints and concerns to Prof Morris at a closed door meeting, I was annoyed that he should find it necessary to call a press conference on 30 October 2002 to accuse the Administration of renegeing on the "all graduate,

¹⁷ The scores for Grade A, B, C, D, E are 5,4 3.2.1 respectively. Therefore, an average score of 1.87 is somewhere between D and E.

all trained" policy, in response to a newspaper report on the Administration's latest thinking [ML-A1/15/173-186].

238. I chose to write to Prof Morris [ML-A1/187-188], instead of having an open debate in the media, as I knew he was extremely sensitive to any negative publicity on the HKIED. The SCMP report in May 2002 which had misquoted me and invited a strong backlash from Prof Morris, was a case in point. Notwithstanding my apology to him and his statement that my letter was a 'gracious reply', he continued to think that the SCMP report was a deliberate move on my part to discredit the HKIED.

(b) Encouraging HKIED staff to leave

239. From the time when I was the Director of Education, I encouraged the interflow of staff among the ED, schools and TEIs so as to build bridges and develop better understanding among the three parties, and to link theory with practice.

240. Every year, EMB seconded accomplished teachers both from within Hong Kong and the Mainland to support schools in implementing the curriculum reform. Relatively few academics are willing to give up their research work and be seconded to EMB. Mr Ip Kin-yuen was the first.

241. I have a lot of respect for Prof Lo Mun-ling, an experienced teacher educator with frontline teaching experience, whose research work focuses on the core issue of teaching practices in the classroom. EMB has funded her work on the training of mentor teachers and learning study, and I see the potential of Hong Kong developing a centre of excellence in Learning Study to serve the Mainland and other Asian countries.

242. However, a Centre for Learning Study situated within HKIED would be limited by the expertise available in the Institute, and would not be able to cover the full range of the curriculum, for example the majority of subjects at the secondary level. Hence, I have suggested that the Centre should be free-standing and independent which, I believe, would serve Hong Kong better.

243. I put the idea to Prof Lo when she applied for EMB funding for her VITAL project in 2004. However, she expressed a clear preference to remain within a tertiary institute as her main interest is in research, hence I did not pursue further.

As stated above, the reference to Prof Morris at the Annual Conference on Learning Study was made in jest.

244. As regards my private conversation with Prof Lo after the ACTEQ meeting in December 2005, it was simply a personal enquiry whether she would apply for the deanship of Faculty of Education of HKU because Prof Mark Bray would retire in March 2006. I thought she might be interested given her background in HKU. This had nothing to do with the future of HKIEd.

245. As regards Dr Vivian Heung, I only met her once when she came to my office, together with some consultants to report on the effectiveness review on resource management of special schools in Hong Kong. The quality of teaching and learning in special education was singled out as a major weakness which called into question the quality of training for teachers of special schools.

246. Dr Vivian Heung was a member of the inspection team. She was most helpful and committed, as she visited most of the schools under review. I have no recollection that I encouraged her to leave HKIEd, and it was impossible for me to invite her to join EMB as there was no suitable opening for someone of her status. As the focus of the meeting was the findings from the effectiveness study, any suggestion that Dr Heung might contribute more to the development of special education in Hong Kong could only be to offer advice to EMB in following up the recommendations in the review report.

(c) Membership of ACTEQ

247. TEIs were not represented on ACTEQ at its inception. In the mid-1990s, they were brought in as ex officio members. However, institutional representatives, albeit appointed "in personal capacities", at times of critical decisions, tended to lose their objectivity and speak on behalf of institutional interests.

248. In 2000/01, there was heated debate in ACTEQ over a study on teacher competencies conducted by the Ontario Institute for Studies in Education (OISE) which saw a split between the TEIs and other members on ACTEQ, including school principals and lay members. The TEIs put the blame on school culture as the main reason for the unsatisfactory performance of some teachers, whereas principals blamed TEIs for not having properly prepared potential teachers for

the reality of life in school. The meetings became confrontational and members were frustrated.

249. In 2002, the pros and cons of having institutional representatives on ACTEQ were discussed with the new Chairman, Professor Cheng Kai-ming. The Chairman took the view that ACTEQ is a policy advisory body that deals with the profession as a whole and teachers as individuals. It is not the forum for discussing institutional issues and has no legitimate relations with the TEIs. Institutional issues should be taken up directly with UGC or EMB. Hence there is no need to have ex officio institutional members on ACTEQ.

250. However, ACTEQ values the input of teacher educators in its deliberations, hence Prof Lo Mun-ling, a member of the HKIEd, was appointed in her personal capacity as another teacher educator, in addition to the Chairman.

251. To maintain a dialogue with the TEIs, the Chairman of ACTEQ initiated a round table meeting with all TEIs from time to time to keep them informed of developments within ACTEQ and to listen to their views. However, the institutional representatives at the round table discussions were often administrators rather than teacher educators and the meetings did not serve their intended purposes. As a result, fewer round table meetings were held in recent years.

252. Other channels of communication were instituted instead. In recent years, the endeavours within ACTEQ were design of policies for teacher development, focusing on the continuing professional development (CPD) of teachers (which led to a report by the end of 2003) and internship for first year teachers (which led to the first pilot in 2005). Various TEI members participated in the steering committees or the working groups for both the CPD and Internship. In the most recent exercise of piloting the Internship, there are also institutional members participating in the rather intensive research activities. They are individual professionals who work on teacher education, and are not administrators sent by the respective institutions.

253. Deliberations on Initial Teacher Education started by the end of 2005. This subject directly concerns the TEIs. Hence, ACTEQ invited institutional heads to nominate members to form a Working Group to ponder upon initial teacher education. ACTEQ held at least three rounds of discussion, at various junctures

of the policy deliberation, with members of the institutions to sound out initial thinking and/or potential recommendations. These have been very fruitful discussions.

254. Since 2003, after the Working Group on Supply and Demand of Teachers has developed a methodology for teacher demand projections, ACTEQ no longer bothers itself with the detailed projections every year. The proper channel for discussion of student numbers should be through UGC with EMB.

255. ACTEQ receives periodic reports from EMB on the overall trend of teacher supply and demand, and the discussion focuses more on strategic issues, such as the future direction of teacher education and CPD, and measures to attract and retain good teachers.

(d) Luncheon in Toronto

256. I visited Detroit and Toronto between 20 and 28 May 2002 in my capacity as the Director of Education. The purpose was to learn about the National Board Certification system in the United States and the education system in Canada, including professional development of principals and teachers, quality assurance systems, IT in education, funding and accreditation of universities, community colleges and continuing education [W2/7/21-3 to 21-8].

257. I arrived in Toronto from Detroit on the morning of 23 May, checked into Inter-Continental Hotel and joined the Secretary for Constitutional Affairs' luncheon at Park Hyatt Hotel at 12.30 pm. I had no recollection of any details of the luncheon as it took place seven years ago, and because it was a social event, incidental to and not being the core part of my visit. There were many guests at the luncheon, and I had no impression of Professor Luk at all.

258. The official record shows that Professor Luk was not seated on my table. Even if three of the guests with reserved seats at my table did not turn up, Professor Luk could not possibly have sat next to me for protocol reasons. There were more important guests on my table, including the Consul General of the People's Republic of China and the Consul General of USA in Toronto [EMB13/958-960].

259. Prof Luk's account of events at the luncheon was also seriously wrong in that I did not leave early since my next appointment was within five minutes of walking from the luncheon venue, and Mr Eddie Cheung of the Toronto Office accompanied me to the meeting. Both of us left after seeing all the guests off. Mr Donald Tong did not make any announcement of my early departure in the middle of the lunch [W2/7/20 to 21-2]. Furthermore, I did not have any official meeting with the Minister of Education, Ms Jane Ecker, during my visit. She dropped by to say hello during my meeting with her colleagues on 25 May [W2/7/21-1 to 21-2].
260. The offensive remarks which Professor Luk attributed to me were preposterous and incredible. First, I would not criticize Hong Kong teachers particularly given that he was a complete stranger whom I met on the first occasion, and at an official function hosted by the Hong Kong Government, in particular given my position as the SEM (designate) at the time. Secondly, ten days before the Toronto visit, I gave a speech at CUHK praising HK teachers for their dedication [EMB13/948-955]. This was a true reflection of how I felt about Hong Kong teachers.
261. During my visit to Toronto, I met a group of HKIEd students who were attending an English immersion programme at York University. They came to meet me at OISE to share with me their experiences at York and their views of the immersion programme. I was impressed and, on return to HK, decided to make immersion learning a mandatory part of pre-service English language teacher education.
262. I did not and would not criticize Hong Kong teachers as stupid nor would I have asked Prof Luk to tell me something bad about Hong Kong teachers. Indeed, whatever Prof Luk would have said about Hong Kong teachers would have been outdated and irrelevant to me, since he had left Hong Kong since 1991 and I had been closely involved with education in Hong Kong since 1998.

CONCLUSION

263. I am deeply saddened to see the negativity and hostility of the senior management of HKIED towards EMB and myself which this Inquiry has unveiled. Over the years, gossips, inferences and suspicion have grown into mistrust and antagonism. They fly in the face of the values that we promote in education. That this should happen in a teacher education institution is most regrettable.

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 14th day of May 2007



Mrs LAW FAN Chiu-fun, Fanny