

IN THE MATTER OF THE COMMISSION OF INQUIRY
ON ALLEGATIONS OF IMPROPER INTERFERENCE
WITH ACADEMIC FREEDOM
AND INSTITUTIONAL AUTONOMY
AT THE HONG KONG INSTITUTE OF EDUCATION

STATEMENT OF SIMON SIK ON IP

I, Simon Sik On Ip, of Room 602, Baskerville House, 13 Duddell Street,
Hong Kong, DO SAY as follows:-

1. In 1994, I was appointed by the Hong Kong Government to be Chairman of the Provisional Governing Council of the Hong Kong Institute of Education ("HKIED"). Subsequently when the HKIED was formally established by statute, I was appointed its Founding Council Chairman. I served as Council Chairman until my term of office expired on 24th April 2003.
2. The HKIED was established in accordance with the recommendations of Education Commission Report No.5 ("ECR5"), the objectives of which

were to merge five teacher training colleges which were then under the management of the Government through the Education and Manpower Department and to set up an autonomous and independent university level institution dedicated to teacher training and teacher education. The intention was that Hong Kong should be served by an all-graduate and all-trained teaching profession and ECR5 concluded that the establishment of the HKIED would be the best way of achieving this. At that time, the University of Hong Kong and the Chinese University of Hong Kong had their own Faculties of Education but the policy makers of the day did not think it appropriate to merge the then 5 teacher training colleges with either of those Faculties of Education. Successive Secretaries for Education and Manpower supported an autonomous and independent HKIED until about mid 2002, shortly after the commencement of the second term of Mr. Tung Chee Wah as Chief Executive of the Hong Kong SAR Government.

3. In or about June or July 2002, there had been reports in the media as well as rumours circulating within the education sector that Professor Arthur Li, who would be appointed Secretary for Education and Manpower, would press for a merger of some of the universities in Hong Kong. The Chinese University of Hong Kong, The Hong Kong University of Science and Technology and the HKIED had been specifically named as candidates for a merger. Up to that point, I had not received any direct approach from

Professor Li ~~the Government~~ on this issue. These media reports and rumours were

causing considerable disquiet within all levels of the HKIED i.e. the Council, senior management, staff and students.

4. Consequently, I decided to arrange a meeting with Professor Li to try to ascertain precisely what were the Government's intentions concerning a merger of the HKIED with another university. I hosted a lunch for Professor Li on the 19th July 2002 in the dining room of Messrs. Johnson Stokes & Master of which I was then the Senior Partner. The lunch was also attended by Mr. Alfred Chan, the then Deputy Council Chairman and Mr. Anthony Wu, the then Council Treasurer. Following the lunch, I made a brief note of our discussions as an aide memoire encapsulating the substance of our discussions and I hereby produce a copy of that note marked "SSOI-1". I do not know what level of detail the Commission wants, but I will be happy to elaborate on those discussions if required.

5. In the letter of 24th March 2007 from Messrs. Wilkinson & Grist to me, I was asked to provide my impression and reaction to what was said or discussed at this lunch meeting. In answer to that request, I would say this. I confess to being annoyed by the abrupt and radical change of Government policy without any rational basis for change and particularly without proper consultation or discussion with any of the parties concerned. I would have expected such an important policy change to be based on a very thorough explanation of the reasons followed by an exhaustive consultation of the parties affected as well as the education sector generally. Instead, it was presented as a *fait accompli*. I felt that if the HKIED was to be absorbed into the education faculty of another

university, then everyone who had been involved with the establishment of the HKIED as an autonomous and independent university level institution since its inception in 1994 (including many people in Government) would have wasted much of their time and effort.

6. I do not now recall any other specific occasion when I discussed the issue of merger with Professor Li personally. However, up to the time of my retirement from the Council in April 2003, the question of a merger was very much a live issue. I cannot now recall the dates but I remember the Council discussing it on many occasions. The Council remained strongly opposed to a full merger but was willing to consider different models involving close collaboration with other universities including the provision of joint courses and the awarding of joint degrees. I am no longer in possession of Council minutes or records and therefore cannot produce any copies to the Commission.

DATED this 27th day of March, 2007.



Simon Sik On Ip

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AND INSTITUTIONAL AUTONOMY
AT THE HONG KONG INSTITUTE OF EDUCATION

STATEMENT OF SIMON SIK ON IP

DATED this 27th day of March, 2007



"Keith Ho"

30.03.2007 10:43

Please respond to kho

Urgent

Return Receipt

To: "Charling Li"

cc:

Subject: FW: Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education

From: Simon IP

Sent: Friday, March 30, 2007 10:31 AM

To: kho

Subject: RE: Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education

Dear Mr. Ho,

I thank you for your letter of 28th March 2007. I am sorry I was unable to respond to your request before 5 p.m. on 29th March 2007 as I am currently not in Hong Kong and was travelling when your letter was received by my office. I hope the slight delay of this reply has not caused the Commission too much inconvenience.

In answer to your request, I would say as follows:-

1. Please refer to my note dated 19th July 2002, which is exhibit 'SSOI-1' to my Statement of 27th March 2007. In paragraph 3 line 3, my note reads: "He said that it was going to happen and it was better that the parties co-operated". This clearly meant to me that a decision had already been made and would be implemented if necessary over the objection of the HKIED. Also, in this context, Professor Li further said words to the effect that if the HKIED did not give its consent and cooperation to a merger, then it would be raped.
2. I remember very clearly Professor Li using the word "raped". Although I considered the use of such emotive and immoderate language as totally inappropriate, I did not record it in my note for I did not think it was of any particular importance or relevance at the time. Further, I thought that such comments were best ignored.
3. From what was said by Professor Li, I formed the clear impression that Government had decided to change its policy towards the HKIED and that the issue was not open to consultation or discussion. From the Government's standpoint, it was only a matter of implementation and the affected parties were expected to proceed with such implementation. Hence my reference in paragraph 5 of my Statement of 27th March 2007 to the policy change being presented as a *fait accompli*.

If you require any further information, please do not hesitate to let me know. However, please bear in mind that I shall be out of Hong Kong until 16th April 2007.

Yours sincerely,

Simon Ip

From: Keith Ho

Sent: Wednesday, March 28, 2007 3:22 PM

To: ssoip

Subject: Re: Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education

Dear Dr. Ip,

Please see the attached.

190-1

Yours faithfully,

Keith Ho
Wilkinson & Grist

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Wilkinson & Grist Solicitors & Notaries

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Paul Liu

寄件者: Keith Ho |
寄件日期: Tuesday, April 3, 2007 14:50
收件者: 'Paul Liu'; 'florencechan'
主旨: FW: Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education

From: Simon IP
Sent: Tuesday, April 03, 2007 2:41 PM
To: khor
Subject: Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education

Attn: Mr. Keith Ho, Messrs Wilkinson & Grist

Dear Mr Ho,

Re: Commission of Inquiry on Allegations relating to The Hong Kong Institute of Education

Thank you for your letter of 2nd April 2007. I would answer your questions as follows:

1 Following the lunch meeting with Professor LI on 19th July 2002, I gave Professor Morris a full briefing on the matters discussed at that meeting but I cannot now remember exactly when this occurred. It would however have been as soon as I was able to do so in view of the importance of the matter.

2 I cannot now remember specifically informing any other member of the Institute of the matters discussed at the said lunch meeting although I am sure that as soon as practicable after the said lunch meeting I would have reported formally to the Council on the substance of those discussions.

I note that the Commission is likely to wish to call me as a witness. I confirm that I shall be in Hong Kong for the rest of April after my return and will be available to attend as a witness during that period. I do however have a number of meetings and I would appreciate being given some advance notice of when I will be required to attend before the Commission so that I can make alternative arrangements.

Yours sincerely,

Simon Ip

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ATTENDANCE NOTEFriday, 19th July, 2002Re: HKIED - Merger

Alfred Chan, Anthony Wu and I had lunch with Arthur Li today to talk about the rumours of Government wanting a merger between the Chinese U and the HKIED.

Li said that C.H. Tung has decided to merge the Chinese U and the HKIED. He denied that it was his own idea and that he was also being pushed by Fanny Law. Tung wants to show himself as a strong leader and come up with some decisive action.

Li said that he did not think the merger proposal was motivated by financial reasons. He did not think that a merger would save money. However, he could not state what good reasons would argue in favour of a merger. He said that it was going to happen and it was better that the parties co-operated. He said that as far as he was aware, his former colleagues at the Chinese U were also not keen on the idea.

We told him that if a merger would benefit the HKIED and the teacher education as well as improve education generally in Hong Kong, there would be no reason for the HKIED Council to oppose a merger proposal. However, we would have to be satisfied that there were advantages. We did not think that a merger should be pursued for financial reasons and we reaffirmed the Council's opinion that the existing model was best for Hong Kong.

Li offered to attend a Council Meeting to explain his ideas. It was also agreed that Professor Morris and Professor King should have a preliminary exchange of views to see if there was any common ground.

Simon Ip

SSOI/sci