

THE COMMISSION OF INQUIRY ON ALLEGATIONS RELATING TO
THE HONG KONG INSTITUTE OF EDUCATION

Witness Statement of Professor Paul Morris

I, PAUL MORRIS, of 10 Lo Ping Road, Tai Po, New Territories, Hong Kong will say as follows:-

1. I am President of The Hong Kong Institute of Education ("HKIED" or "Institute"), a post which I have held since April 2002.

BACKGROUND

2. I came to Hong Kong in 1976 as a Lecturer in Education at The University of Hong Kong ("HKU"). After promotion to Senior Lecturer and Reader, I was promoted to Chair Professor of Curriculum Studies in 1997. During my period at HKU, I was the elected Dean of the Faculty of Education from 1986 to 1993 and a member of the Government's Education Commission from 1988 to 1993. My Deanship at HKU saw the Faculty double in size, the introduction of undergraduate programmes for primary school teachers, a significant increase in research postgraduate student numbers, a strengthening of the research culture, the establishment of the Department of Speech and Hearing Sciences, the Physical Education and Sports Science Unit, and the In Service Teacher Education Programme ("INSTEP").

3. My scholarly pursuits include curriculum and policy analysis, teacher education, comparative education and civic education. I have an extensive record of publications in these areas and my research has been funded by the Research Grants Council, the Standing Committee on Language Education and Research, and the Education Department. I have supervised a large number of PhD and MEd students. I am a member of the Editorial Panels of the *Cambridge Journal of Education* and *Curriculum Perspectives*, a member of the International Advisory Board of the *Research Papers in Education*, and the Associate Editor of the *Journal of Education for Teaching*.

4. In the year of 2000, I took no-pay leave from HKU to take up the post of Deputy Director (Academic) at the HKIEd. The basic task I was given was to upgrade the HKIEd to a university-level institution. After numerous attempts by the Council of HKIEd to find a replacement for Professor Ruth Hayhoe (who was the then Director of the HKIEd), I was invited to apply for the post of Director (later the title was changed to President) - to which I was subsequently appointed in 2002. Thus I resigned from my superannuable post at HKU to take up a five year contract at HKIEd.

THE INSTITUTE'S ROLE – AN AUTONOMOUS INSTITUTE OF EDUCATION

5. The Institute's role as defined in the Hong Kong Institute of Education Ordinance, Cap. 444 enacted in 1994 is to "provide teacher education and facilities for research into and the development of education". This role has been confirmed and elaborated by the University Grants Committee ("UGC") in 2004 when they undertook the role differentiation exercise between the eight UGC-funded institutions (File A: Document

32). The role given to the Institute is shown below:

- *Offer a range of programmes leading to the award of certificates, degrees and postgraduate diplomas, which provide suitable preparation for a career in education and teaching in the pre-school, school and vocational training sectors;*
- *Also offer a series of programmes which provide professional education and development for serving teachers in these sectors;*
- *Nurture through all its programmes knowledgeable, caring and responsible teachers who will serve the needs of Hong Kong schools;*
- *Pursue the delivery of teaching at an internationally competitive level in all the taught programmes that it offers;*
- *Deliver degree programmes relating to secondary education whenever possible through strategic collaborations with other local tertiary institutions;*
- *Provide a source of professional advice and development, and of research in education, as appropriate, to support the pre-school, school and vocational training sectors in Hong Kong;*
- *Maintain strong links with the community, and in particular the schools and the teaching profession;*

- *Pursue actively deep collaboration in its areas of strength with other higher education institutions in Hong Kong or the region or more widely so as to enhance the Hong Kong higher education system; and*
- *Manage in the most effective and efficient way the public and private resources bestowed upon the institution, employing collaboration whenever it is of value.*

6. The Institute was created in 1994 through the disestablishment of the previous five colleges of education as recommended by the Education Commission Report No. 5 ("ECR5"). In recommending the establishment of the HKIED, ECR5 stated that "*the status of the Colleges of Education, compared with other institutions of higher education, was administratively and academically anomalous because they were run directly by the Government; their staffing, equipment, management and funding reflected Civil Service systems and procedures rather than what was academically desirable or necessary*" and that "*the most positive option was to upgrade the Colleges of Education into an autonomous Institute of Education*" (File A: Document 33). Therefore, one of the goals in establishing the HKIED was to create an institution in which staff were not constrained by the limitations of employment in the Civil Service.
7. In 1996, the HKIED joined the UGC (File A: Document 34). The funding responsibility for the HKIED was transferred from the Education and Manpower Bureau ("EMB") to the UGC. As one of the eight institutions under the UGC, the HKIED has become a statutorily autonomous institution that is bound by the UGC's Notes on Procedures.

These procedures state that the higher education institutions funded through the UGC enjoy academic freedom and institutional autonomy in five main areas – (a) selection of staff; (b) selection of students; (c) curricula and academic standards; (d) acceptance of research programmes; and (e) allocation of funds within the institution (File A: Document 35). The following extracts of the Notes on Procedures relating to institutional autonomy are pertinent:

“..... the essential point is that the institutions are legally entitled to freedom of action in managing their affairs within the restraints of the laws of Hong Kong.”
(para. 1.21)

and

“The institutions have unfettered rights in the selection, promotion, and dismissal of staff.” (para. 1.22(a))

It should be noted that on joining the UGC, the Secretary General of UGC confirmed that personnel matters (other than salaries), including recruitment, promotion, deployment or dismissal of staff are matters within institutional autonomy and it is not appropriate for the UGC to involve itself directly in these matters in respect of the UGC-funded institutions (File A: Document 36). The formal transfer of vote controlling responsibilities for the HKIED from Secretary for Education and Manpower (“SEM”) to the Secretary General of UGC took effect on 1 December 1996 (File A: Document 37). In 2004, HKIED was granted self-accrediting status by the Government. This means that

the Institute has the authority to approve new programmes and change existing programmes internally instead of having to rely on external accreditation agencies.

8. Further details of the history of the development of the Institute and the transformation that has taken place since 1994 are elaborated in my self-review document, which I have submitted to the Commission previously (File A: Document 1). Essentially the HKIED has been transformed from a post-secondary tertiary institution offering only sub-degree programmes to a self-accrediting university-level institution which offers graduate and postgraduate programmes. Our graduates are now, according to an independent survey by The City University of Hong Kong, preferred by schools (File A: Document 38 and Document 39) and this is reflected in their very high employment rates (99.6% in 2006).

DEALINGS WITH PROFESSOR ARTHUR LI, SEM

9. When Professor Arthur Li was Vice Chancellor of The Chinese University of Hong Kong ("CUHK"), he publicly proposed on a radio programme on 30 March 2002 (File A: Document 2) a merger of CUHK, The Hong Kong University of Science and Technology ("HKUST") and the HKIED. On 3 April 2002, HKIED issued a press release stating that it had no plan to merge (File A: Document 40). Subsequently on becoming the SEM Professor Arthur Li made clear that one of his goals was to reduce the number of tertiary institutions and he specifically promoted the merger of CUHK and HKUST, and then The Hong Kong Polytechnic University and The City University of Hong Kong. With regard to the former, he publicly stated in a gathering with the

press on 4 October 2002, which was widely reported the next day, that "The Government has the power and I will make the final decision" and his strategy would be "starting with diplomacy and following up with troops". (File A: Document 4)

10. Although the focus in the earlier period of his tenure as SEM was on the CUHK/HKUST merger, Professor Arthur Li also promoted the merger of HKIEd after he became SEM and this gained some public attention. .

11. I am not aware of any Government policy to reduce the number of higher education institutions in Hong Kong. In fact, subsequent to Professor Arthur Li's attempts to reduce the number of universities, the then Chief Executive took the opportunity of a speech made at a banquet to celebrate CUHK's 40th Anniversary on 6 December 2003 to confirm the Government's policy. He stated:

"... .. I do not believe that eight institutions are too many for Hong Kong. What is important is that they fulfil their different roles. On the question of institutional integration, let me say that integration can only happen if integration is to the benefit of the community as a whole and let me emphasize, only if both parties are willing. There is no intention on the part of Government to force institutions to integrate." (File A: Document 3)

12. The UGC also subsequently embarked on a review of institutional integration in the university sector. Their report, published in March 2004 and often referred to as the Niland Report, provides both a very clear definition/explanation of the types of

integration and analysis of their costs and benefits. Prior to the publication of that report the term 'merger' was often used in its most generic sense, which included (full) merger, federation, deep collaboration and loose affiliation. The report reviews the different models and concludes:

The emphasis in this report is on the Deep Collaboration model, rather than on other approaches, particularly those involving merger or federation. (P.50) (File A: Document 41)

Thus the report does not recommend mergers and therefore neither the UGC nor the Government has a policy to promote mergers. After the report, the separate definitions were used, and in this statement I use the terms as defined in the Niland Report. "Merger" is clearly defined as "an amalgamation of two or more separate institutions that surrender their legally and culturally independent identities in favour of a new joint identity under the control of a single governing body". It is contrasted with "Federation", "Deep Collaboration" and "Loose Affiliation". "Federation" is defined as an institutional integration that "draws universities closer together while preserving certain autonomy to the partner institutions". "Deep Collaboration" is defined as a less extensive form of integration where "the partner institutions agree to merge functions in designated areas". "Loose Affiliation" is defined as a model that "promotes some of the benefits of a closer working relationship while preserving a high degree of autonomy and independence for each partner".

13. In my initial dealings with Professor Arthur Li, which were cordial and friendly, he strongly promoted a merger between HKIEd and CUHK, and was encouraging me to initiate it. However, when I did not do as he desired, his tone subsequently became more threatening insofar as his basic proposition was that HKIEd would be made unviable if I did not accede to his request. These views have been communicated to me over many years at lunch and dinner meetings and during telephone conversations.

15. Professor Arthur Li's comments generated substantial concern within the HKIEd community and consequently Dr. Simon Ip, founding Chairman of the Council, arranged a lunch meeting in his offices (of Johnson, Stokes & Master) on 19 July 2002 between the Council Officers and Professor Arthur Li (still Vice-Chancellor of CUHK and then SEM designate). The other Council Officers of HKIEd who attended the lunch meeting were Mr. Alfred Chan (the then Deputy Chairman of the Council) and Mr.

Anthony Wu (the then Treasurer of the Council).

18. Soon after becoming SEM, and following a tea gathering with the media in October 2002, Professor Arthur Li was also reported to have made very derogatory comments in public about HKIEd. This resulted in Dr. Simon Ip writing to him to express his strong displeasure. Professor Arthur Li denied having made those comments. (File A: Document 4).

19. Subsequently Dr. Simon Ip invited Professor Arthur Li to attend the Council meeting of the Institute on 28 November 2002. Prior to that meeting, Professor Arthur Li, Dr. Alice Lam (the Chairman of the UGC), Dr. Simon Ip and I had lunch in the Institute's Lodge. At the Council meeting, Professor Arthur Li stayed for about one hour and apart from Council members, some students and staff were also invited. The relevant extract from the minutes of that meeting have been provided to the Commission (File A: Document 5). Essentially Professor Arthur Li suggested that the Institute should reconsider its current status and consider forms of integration, deep collaboration and merger, and said that resources would be available to support a merger if that was what was decided. Subsequently the Council considered its position with regard to a merger and basically concluded that it was open as to pursuing forms of collaboration and agreed to form a task force to consider the future development of the Institute. The future of the HKIED had been discussed in Council meetings ever since and the formal position of the Council was that HKIED did not seek a full merger with another institution. Extracts of the relevant minutes of the Council meetings are at File A: Document 43.

22. On 8 October 2003, I wrote an email to Dr. Thomas Leung and Mr. Alfred Chan to report my interaction with Mrs. Fanny Law (File A: Document 6). Mrs. Fanny Law and I exchanged angry words concerning the way in which EMB had presented the results of the Language Proficiency Assessment Test (LPAT) so that it was falsely concluded and reported by the media that all the failures were HKIEd graduates. The purpose of the email was to keep them fully informed of the situation prior to the lunch they were about to have with Mrs. Fanny Law and Professor Arthur Li.
23. A follow-up meeting between Dr. Thomas Leung, Mr. Alfred Chan, the SEM and PSEM was arranged in October 2003 to try to improve the poor relationship between HKIEd

and senior officials of EMB.

“The First Allegation” in the Terms of Reference of the Commission of Inquiry

26. When Professor Arthur Li called me, Professor Bernard Luk was in my office. He stayed in my office and listened to my side of the telephone conversation. I relayed to him what Professor Arthur Li said after I finished the phone call. I also reported it to a number of other colleagues including Professor Phil Moore, Ms. Katherine Ma and Ms. Doreen Cheng (my secretary).
27. Subsequent to the internal discussions concerning the phone call on 21 January 2004, I contacted Dr. Thomas Leung and explained the situation. A meeting was arranged with Professor Arthur Li at the Central Government Offices, which took place on 23 February 2004. The meeting was attended by Professor Arthur Li, Dr. Thomas Leung, Mr. Anthony Wu, Professor Bernard Luk and myself. At the meeting, Professor Arthur Li reiterated that the HKIED should merge with CUHK. He explained that this would improve the student quality and allow ^{costs} cuts to be reduced. I explained again my concerns about a merger.

30. Following this conversation, I spoke to a number of colleagues about the phone call and I specifically requested Professor Phil Moore to follow up on a specific concern that arose from the Conference, namely that the website which had been established following the Conference should ensure that it was not an official part of the HKIED website or sponsored by the HKIED. It was important for the website to be seen to be organized and established by the Conference itself. Professor Phil Moore subsequently spoke to Professor Cheng Yin Cheong (Centre Director of the Centre for Research and International Collaboration) and some email correspondence on this matter resulted (File A: Document 8). I informed a number of senior colleagues about this and I believe they included Professor Bernard Luk and Ms. Katherine Ma.

32. On 8 April 2004, I quickly organized an unscheduled meeting of the Senior Management of the HKIED to brief them about the lunch with the SEM. The written notes taken by Ms. Dora Mak, the Secretary of the Senior Management Meeting, have been submitted to the Commission (File A: Document 9). I also understand that another participant at that meeting, Professor Anna Kindler (the then Dean of the School of Creative Arts, Science and Technology) has provided evidence to the Commission of Inquiry. The other participants at that meeting were Professor Bernard Luk, Professor Lorna Chan (the then Dean of the School of Early Childhood Education), Dr. Peter Storey (the then Acting Dean of the School of Languages in Education) and Ms. Agnes Tam (the then Acting Vice-President (Resources and Administrative Services)).

33. Given the ongoing pressure and the damage being done to the Institute, we actively began to explore more thoroughly the possibilities of deep collaboration with other universities, including the possibility of a federal arrangement. This was something I was willing to consider pursuing if the necessary safeguards were put in place to preserve key aspects of our autonomy. I was of the view that UGC should play a facilitating role and I was in regular contact with Sir Brian Fender, an overseas member of the UGC, who took a supportive role throughout (File A: Document 10 – an email to Sir Brian on 18 May 2004 shows my own position). On 20 April 2004, Dr. Edgar Cheng, the Council Chairman of CUHK, arranged a dinner at which Professor Ambrose King (the then Vice Chancellor of CUHK), Professor Kenneth Young (Pro-Vice-Chancellor of CUHK) and Professor John Lee (Dean of Faculty of Education of CUHK) and Dr. Thomas Leung, Professor Bernard Luk and myself attended. This took place at the China Club and we broadly discussed the forms of deep collaboration.
34. On 24 April 2004, Dr. Thomas Leung secretly organized a retreat, via the Council Secretariat, at the Beas River Country Club. At this retreat, he made a very strong statement that the HKIEd needed to merge because if it did not, EMB had indicated that, in Dr. Thomas Leung's words, it would die "a death by a thousand cuts". His proposal for a merger was rejected by the 40 to 50 people who attended the retreat. Consequently the Senior Management were asked to organize a second retreat on 5 June 2004 at which the conclusion was once again that the HKIEd would not pursue a merger and it would be open to looking at other forms of collaboration other than a full merger. Participants who played a key role in the second retreat included Mrs. Angela Cheung, Professor Amy Tsui and Mr. Alfred Chan. The first two were external members of

Council who were leaving the Council.

“The Third Allegation” in the Terms of Reference of the Commission of Inquiry

37. Subsequently, the HKIED suffered a number of severe cuts to student numbers and resourcing, which resulted in a major argument between the Institute and senior officials from EMB in LegCo in January 2005. These cuts were conveyed to us by the UGC, who always stated that they were based on the advice of EMB or the Administration. A number of other decisions concerning the HKIED demonstrate that every opportunity has been taken to implement the threats to “punish” or “rape” the HKIED. The details concerning these have been accurately documented in Professor Luk’s testimony to the LegCo Panel of Education on 28 February 2006 (File A: Document 11). I will only elaborate on the most recent decision by way of illustration. We were informed that there were no planned changes to our student intake in the “roll-over” year of 2008-09. Subsequently, we have been advised by UGC, acting on EMB’s instructions, to stop the intake to our BEd (Secondary) course for teachers of Art, Music and PE in the “roll-over” year. The rationale given for this decision is that in the year of 2012 only, there will be a projected surplus of secondary school teachers and that Art, Music and PE are not “core” subjects (File A: Document 44). The decision will require us to lay off more staff. It can be seen that they plan to destroy our capacity to provide a course, whose graduates are very popular in schools, on the basis of a predicted surplus in a single year. It has also been clear that this instruction, and others which have negatively affected the HKIED, were based on decisions made at the most senior level of EMB. I believe the UGC understands the irrationality of this (and many other decisions) and is sympathetic, but their hands are tied on matters related to teacher education numbers. A full understanding of the history of the decisions affecting the HKIED’s student numbers can best be provided by Dr. Lai Kwok Chan, the Head of Strategic and Academic Planning.

39. Subsequently, on 31 January 2005, a meeting was arranged for Mrs. Fanny Law, Professor Bernard Luk, Professor Phil Moore, Dr Thomas Leung and myself at the Ernst & Young's conference room in Hutchison House to discuss the funding cuts. Ms. Susanna Cheung, who was responsible for teacher education matters in EMB, was also present and took notes of that meeting.

41. On 6 November 2005, Professor Arthur Li indicated in public that EMB would support the upgrading of Shue Yan College to a university (File A: Document 46). Both Professor Arthur Li and Mrs. Fanny Law publicly indicated that they would not support the retitling of HKIED (File A: Document 47). The Students' Union of the HKIED planned to hand a petition to Professor Arthur Li when he came to the Graduation Ceremony on 18 November 2005. Professor Arthur Li, who had promised to attend the Graduation, did not turn up and I gather he encouraged Dr. Alice Lam not to attend. However she did attend the dinner in the evening for the Honorary Graduates.
42. Professor Arthur Li phoned my office on 16 November 2005 to inform me of his decision not to attend the Graduation Ceremony. I was in another office at the time and my secretary informed me and I phoned back immediately. Given the increasing severity of the situation and the hostility of the two most senior officials of EMB to the HKIED, I decided to tape record this conversation and the tape/transcript is at File A: Document 12. I have not tampered with the tape recording in any way.
43. Professor Arthur Li was extremely agitated and at times close to apoplectic. I tried to be calming. He claimed that HKIED staff (specifically the Communications Office and Dr. So Kwok Sang, the Registrar) and the students were attacking him personally. He said he would not attend the Graduation Ceremony because of the students' planned action, and accused us ("you people") of inciting students to march. He also said he would retaliate if people attacked him. He said if we continued to press for university title, he

would set up a Committee to decide the future of HKIEd – whether it should be merged into another university or disbanded altogether. He reiterated his views that self-accrediting status was not connected to university title. I repeated my views that they were separate processes, but of course we desired university title.

44. I subsequently checked the press summaries from 6 to 16 November 2005 and I could not find any indications to suggest that Professor Arthur Li had been insulted or attacked personally by Dr So Kwok Sang or the students.

DEALINGS WITH MRS FANNY LAW, PSEM

45. In my dealings with Mrs. Fanny Law, she did not actively pursue a merger between HKIEd and another institution. Most of the issues that I had to deal with arising from my interactions with Mrs. Fanny Law related to her intolerance of anyone who voiced views contrary to her own and her pressure for me to sack staff who had voiced such opinions. This relates to “The Second Allegation” of the Terms of Reference of the Commission. On a number of occasions over my period as President, Mrs. Law contacted me to exert pressure on me to dismiss staff. Below I report incidents which I can recall.
46. Earlier in my period as President in 2002, Mrs. Fanny Law was reported in the newspapers stating that the HKIEd did not use its resources properly. I subsequently wrote to her and said that the Institute would not be responding this time to her comments publicly, but I was deeply concerned that she was making derogatory

comments about the HKIED which were inaccurate and damaging. She responded and the correspondence has been submitted to the Commission (File A: Document 13).

47. The impression I had was that, whilst Mrs. Fanny Law subsequently refrained from making public comments of such a nature against the HKIED, she took every opportunity to be critical of the HKIED.

“The Second Allegation” in the Terms of Reference of the Commission of Inquiry – Mr. Ip Kin Yuen and Dr. Lai Kwok Chan

48. On 29 October 2002, my colleagues including Mr. Ip Kin Yuen (then Lecturer in the Department of Educational Policy and Administration) had organized a seminar/mini-conference to promote Small Class Teaching. This was held at the Institute and involved some external speakers, including Mr. Cheung Man Kwong from the Professional Teachers' Union. The seminar was covered in *Sing Tao* the next day and the coverage emphasized the desire of the participants to see class size in Hong Kong reduced (File A: Document 14). This is/was contrary to Government policy.

50. On that same day, the Institute had a press conference in which Dr. Lai Kwok Chan promoted the need for Government to stick to its promise of achieving an “all graduate, all trained” teaching profession (File A: Document 15). In the press conference, he basically argued that the Government was reneging on that policy and that many other countries had already managed to ensure that teachers were trained before they took up employment. This was quite widely reported in the media the next day.
51. On 31 October 2002, I received an angry letter from Mrs. Fanny Law who thought it was objectionable that we organized such an event without first checking with her (File A: Document 16). She wrote, “*I am most disappointed to read about HKIEd’s press conference which was widely reported this morning. It is objectionable for the Institute to compare Hong Kong with other countries out of context of their overall teacher education and training policies. It is also unnecessarily provocative to portray the proposal to require new teachers to receive teacher training within three years as reneging on the Chief Executive’s policy commitment. The high profile manner in which the Institute has chosen to respond to ‘Ming Pao’s’ report* (File A: Document 48)

(without first checking the accuracy and nuances with me) is sensational, unnecessary and damaging to the partnership between the Institute and the Administration.” I responded to Mrs. Law on 4 November 2002 and this is also in File A: Document 16.

52. On 7 October 2003, Mrs. Fanny Law called me concerning our students' objections to raising the Grade Point Average (“GPA”) requirement for graduation and opined that the students were unprofessional in the views they expressed. I took the phone call as an opportunity to raise my concern as to the way EMB had reported the LPAT results that resulted in an assumption in the media that all the teachers who failed were HKIED graduates. On 8 October 2003, I wrote an email (File A: Document 6) to Dr. Thomas Leung and Mr. Alfred Chan to report my phone call with Mrs. Fanny Law in anticipation of an upcoming lunch they were having with her.

“The Second Allegation” in the Terms of Reference of the Commission of Inquiry– Dr. Wong Ping Man

“The Second Allegation” in the Terms of Reference of the Commission of Inquiry – Professor
Cheng Yin Cheong

56. There was a confrontation between myself and Professor Arthur Li in LegCo on 11 January 2005, and between myself and Mrs. Fanny Law in LegCo on 7 February 2005 concerning the cut in the HKIEd's resources for the triennium of 2005-08 (File A: Document 49).
57. On 5 March 2005, I received an email from Professor Magdalena Mok which was a copy of a series of correspondence between herself and Mr. Michael Stone, Secretary General of UGC. In that correspondence (File A: Document 19) Professor Magdalena Mok expressed her concern that after Mrs. Fanny Law had asked her for a copy of the research proposal which she had submitted to the UGC for application of Research Grants Council funding and she had declined, Mrs. Fanny Law had then, without the knowledge of Professor Magdalena Mok, approached the UGC to obtain a copy. Fortunately, the Senior Research Administrator of UGC contacted Professor Magdalena Mok to seek her permission to pass on the research proposal. Professor Magdalena Mok was, in my view, very rightly concerned that after declining Mrs. Fanny Law's access to her proposal, she had then tried to obtain it through another route.

59. It has recently come to my attention that Professor Magdalena Mok also received a phone call from Mrs. Fanny Law requesting her to sack Mr. Ip Kin Yuen. When Professor Magdalena Mok objected to the request and said she was not in a position to influence his employment, Mrs. Fanny Law stated that, if necessary, she would contact the President.
60. I have not addressed the cases of two other staff. I believe they have submitted evidence to the Commission. These are Dr. Victor Lai Ming Hoi of the Department of Creative Arts and Physical Education and Dr. Pang I Wah of the Department of Educational Policy and Administration. I have not elaborated on these cases because I am not aware of their status in this inquiry. Should they be accepted, I will elaborate my experience with their cases. However, as File A: Document 20 shows, I kept Dr. Thomas Leung fully informed of the situation with regard to Dr. Pang and I also raised the matter in a Heads of University Committee ("HUCOM") meeting (File A: Document 21).

61. I would normally inform some of my senior colleagues (including Professor Bernard Luk, Professor Phil Moore and Ms. Katherine Ma) whenever Mrs. Fanny Law tried to exert pressure on me to sack staff. But of course I cannot clearly recall exactly when I related the message to which particular colleague.

Further Pressure to merge via Dr. Thomas Leung, Chairman of HKIED Council

62. From around the time we confronted EMB about the budget cuts in the 2005 triennium, Professor Arthur Li and I had little direct communication. However, Dr. Thomas Leung actively took on the role of trying to ensure the merger of the HKIED with CUHK. He was, in my view, acting as an agent for Professor Arthur Li. The arguments were the same as Professor Arthur Li's and the goal was to get me to initiate it. My failure to do so resulted in my non-reappointment as President.

63. Dr. Thomas Leung became Chairman of the Council in April 2003. Professor Arthur Li has for some time been encouraging Dr. Thomas Leung to merge the HKIED and around the time of his reappointment as Council Chairman in 2006, Dr. Leung told me that he agreed to accept reappointment for only one year and the task he had been given by Professor Arthur Li was to implement the merger of the HKIED with CUHK. Despite the fact that the Council has never formally supported a merger, Dr. Thomas Leung has constantly encouraged me to initiate and implement it. He intimated to me a number of times throughout 2006 that both my future and that of the HKIED depended on a merger being implemented. On 10 June 2006 (see paragraph 73(vi) below), this connection was made very explicit.

64. Primarily as a response to the pressure to merge and the damage that had been inflicted on the HKIEd, we did develop an agreement on Deep Collaboration with CUHK. The key phrase from that agreement is shown below:

The collaboration is to be developed for the academic and professional enhancement of teacher education in Hong Kong and the region, and is not meant for resource saving purposes. The discussions between the two institutions will first focus on two triennia (2005-08 and 2008-11), during which various levels of cooperation, other than a full merger, will be developed. (File A: Document 45)

65. That agreement was signed on 9 July 2005 and was the result of very extensive and intensive negotiations with CUHK and latterly with UGC. UGC's main input into the exercise was to request an insertion of a phrase that specified that resources were to be protected if certain milestones were achieved. While these milestones were not clearly specified, my own interpretation of that condition was that it was designed to result in a merger.
66. After the signing of the Joint Agreement, things were relatively calm until Professor Arthur Li indicated in November 2005 that he would support the upgrading of Shue Yan College to a university (File A: Document 46). He also was reported to have banned the retitling of the HKIEd - giving the reason that there are too many universities in Hong Kong now and it is not too good to have single-discipline institution upgraded to a university (File A: Document 47). The staff and students of the Institute were very

annoyed by this as Shue Yan College had not achieved self-accrediting status and was perceived to be in a much earlier stage of development than the HKIED.

67. Consequently, at the Graduation Ceremony on 19 November 2005, the issue of HKIED and university title was at the fore. Professor Arthur Li and Dr. Alice Lam were invited to the ceremony, but they pulled out at the last moment. Various parties, especially the Honorary Graduands, supported HKIED's quest for university title when asked by the media. However, Dr. Thomas Leung, in discussion with the media, said that it was not absolutely necessary for HKIED to become a university and that university title could be obtained in other ways, and also he would not rule out the possibility that HKIED might ultimately merge with other universities. These statements were a surprise to Senior Management and Ms. Katherine Ma, who was then given the task of trying to advise Dr. Thomas Leung of the consequences and implications of his statements. As predicted, the media coverage the next day reported Dr. Thomas Leung as pouring cold water on and not supporting university title (File A: Document 22), and we had to arrange subsequent briefings with the media for him to try to retrieve the situation.
68. Staff and students were annoyed by Dr. Thomas Leung's inconsistency and deviation from Council's policy. At the next meeting of the Council on 24 November 2005 (File A: Document 43), the students requested the item concerning university title to be on the agenda and two student representatives joined the meeting. The students advised the Council that many students were very concerned about and disturbed by the recent press news which reported that the Chairman had indicated that the Institute might merge with CUHK after three years. Dr. Thomas Leung responded that the press coverage was

wrong because his message had been taken out of the right context and he shifted his stance to the view that it was worth exploring a federal system. The Council subsequently issued a press statement and established a Task Force on University Title.

69. On 1 December 2005, Dr. Thomas Leung attended a Staff/Student Forum organized for him to clarify his stance on retitling and merger. On 2 December 2005, Dr. Thomas Leung had press interviews with five newspapers and he was reported to have again said that he would not rule out merging with other universities (File A: Document 23). The period since December 2005 has essentially involved the Senior Management of HKIEd defending the Council's formal position that it does not pursue a merger but would consider other forms of integration, such as a federal arrangement.
70. Over 30 meetings were held between my colleagues and colleagues in CUHK to try to establish the final result of the joint collaboration exercise. The discussions were about what would happen after the six-year period that the joint collaboration agreement covered. The colleagues involved in those discussions were Professor Bernard Luk, Professor Phil Moore, Ms. Katherine Ma, Dr. Lai Kwok Chan, Mr. Norman Ngai and Professor Louisa Lam (Associate Vice-President).
71. I kept Dr. Thomas Leung informed of developments with regard to discussions with CUHK. For example, in an email dated 27 March 2006 (in anticipation of an upcoming lunch he was going to have with Professor Arthur Li and Mrs. Fanny Law and Mr. Pang Yiu Kai, Treasurer of Council), I gave him a full briefing and tried to discourage him from pursuing a merger. I also clearly outlined the key issues facing the HKIEd (File A:

Document 24).

72. In parallel, I personally was under substantial pressure from Dr. Thomas Leung and Professor Arthur Li to merge. The context in which this pressure was exerted was in face-to-face meetings over breakfast, lunch and dinner. The basic message was a consistent one that if the HKIED did not agree to a merger, then it would be made unviable. Throughout these discussions, I maintained the position that I was willing to consider some form of federal arrangement that protected the key aspects of autonomy, but I was not willing to support a merger. Dr. Thomas Leung's position was inconsistent and seemed to be influenced by the context in which he was operating and whom he had last spoken to.

75. Subsequently, the review of my performance as the President was undertaken effectively by the Chairman, Vice Chairman and Treasurer of the Council and I have separately written my views on that presidential review exercise and these are reproduced in File A: Document 28. I was most upset by the first draft of my review which attempted to maximize divisiveness amongst staff by categorizing comments according to their ethnic origin. Independently, the Academic Board twice passed resolutions supporting my reappointment. The Students' Union did a survey which showed 60% of the students supported my re-appointment and 10% did not.
76. On 1 December 2006, I made a presentation to the HKIEd Council to summarize my performance and my self-review (File A: Document 1) in which I made the point that I had to defend staff's academic autonomy and I had declined to keep my own position by pursuing a merger which is against my conscience as an educator. During the meeting, I informed the Council about my breakfast meeting on 10 June 2006 and the subsequent telephone call in which Dr. Thomas Leung told me that my reappointment would be dependent on my willingness to implement a merger. The transcript of the relevant part of the Council meeting, which was audio-recorded, is in File A: Document 29.
77. On 25 January 2007, the Council, after excluding internal members despite legal advice that it was acceptable for them to be in attendance, decided not to renew my appointment as President. Dr. Leung was, I believe, acting under the guidance of Professor Arthur Li. I understand now that the Council, after reviewing my performance

and failing to produce minutes of that meeting on 25 January 2007, plans to revisit the matter to decide whether my performance was satisfactory (File A: Document 50 and Document 51).

78. On 26 January 2007, Dr. Thomas Leung and other external members came to a forum arranged by the Council Secretariat. The meeting was attended by over 1,000 students and staff, who demanded that Dr. Thomas Leung step down. Subsequently, the Students' Union had a referendum, which showed that 86% of students did not have confidence in him.

Communication Channels

79. The Terms of Reference of this Commission ask for advice on the relationship between EMB and HKIED. Three points are pertinent here.
80. Firstly, we have consistently attempted to use the established mechanisms to communicate with the Administration. That mechanism essentially requires that we operate through the UGC. Even prior to my taking up the post of President, the then Council Chairman, Dr. Simon Ip, wrote to the Chair of UGC on matters related to student numbers and he was informed that the appropriate channels should be used (File A: Document 30). These were the Teacher Education Sub-committee of UGC and the Advisory Committee on Teacher Education and Qualifications ("ACTEQ") of EMB. The former has not met for many years. In 2002, the Government changed the membership of ACTEQ to exclude representatives from the teacher education providers.

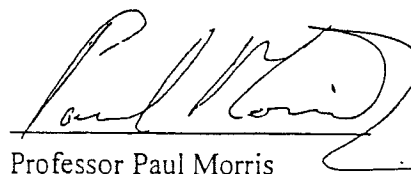
So there are no formal channels for us to communicate with EMB. The HKIEd and other teacher education providers wrote to Professor Arthur Li in April 2005 to raise our concern (File A: Document 31).

81. Secondly, given that we are responsible to UGC, it is appropriate for us to communicate directly with them. However in all our discussions with UGC concerning resources and student numbers, they responded that their decisions are based wholly on the advice of EMB. This has allowed EMB to use UGC as the messenger to implement decisions to “rape” and “punish” the HKIEd.

82. Thirdly, the SEM has a representative on the HKIEd Council. This arrangement provides the Administration with the opportunity to make an input to the processes of policy making and to advise the Institute on its development. To my knowledge, whilst I have been the president, that opportunity has not been used. The contribution of SEM’s representative has been conspicuous by its absence.

The contents of this statement are true to the best of my knowledge and belief.

Dated this 23rd day of March 2007


Professor Paul Morris