

A Statement by Ms Katherine Ma Miu-wah

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Dear Members of the Commission,

1. My name is MA Miu-wah, Katherine. I have the pleasure of submitting a statement pertaining to the Commission's inquiry on the allegations relating to The Hong Kong Institute of Education.
2. I was employed by The Hong Kong Institute of Education ('HKIEd') between 1 August 2002 and 26 November 2006. I was appointed as Head of External Relations, and subsequent to the renaming of the department in 2003, Director of Communications and Institutional Advancement. My responsibilities included, among others, strategic counsel on communication issues to the Senior Management, internal and external communications, media relations, fundraising, etc.
3. Before I provide detailed information pertaining to the investigation by the Commission, I would like to outline my relations with the parties involved in the case in question.

Relations with the parties involved in the inquiry

4. I reported directly to Professor Paul Morris, President of The Hong Kong Institute of Education ("the Institute") and, by natural extension, worked closely with the Senior Management Team, including the Vice Presidents and Associate Vice Presidents. The Senior Management took communications seriously and often sought for timely, strategic and contextual communication advices from me. During my tenure, the Institute had to manage a lot of difficult and sensitive issues, and communications became a key part of consideration in the decision making process. In this connection, the President Professor Paul Morris and the Vice President (Academic) Professor Bernard Luk often asked me to go to their offices and gave me rather detailed background briefs on issues that were vital to the Institute's development, including those which were sensitive and confidential. They treated me as a trusted member of staff that could preserve confidentiality.
5. I know neither Professor Arthur Li, the Secretary of Education and Manpower ("SEM") nor Mrs Fanny Law, the then Permanent Secretary of Education and Manpower (PSEM") personally. We only met briefly when

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there were institutional activities to which they were invited as guests.

Declaration of my capacity as a witness when providing this statement

6. I have left the Institute on 26 November 2006 and have since worked in another University Grants Committee-funded institution as Director of Communications. I hereby declare that this statement, and any other subsequent statement(s) or provisions of information to the Commission are and will be made in personal capacity and they have no relation to the University that I serve now.

Information relating to the merger issue

Focus of the inquiry

7. Merger has been an ongoing issue that was discussed in various ways during my four-year tenure in HKIEd. There were different individuals or groups who advocated or rejected a merger between HKIEd and another institution. This is not the crux of the matter of this inquiry. The focus of the Inquiry is whether there has been any improper interference by any Government official(s) with the institutional autonomy of the Institute, and in this case, forcing a merger through the use of power and resources. My statement will be centred on this point.

Background of the merger issue

8. I have never been involved in any meeting with the SEM directly. However, as the pressure to merge with another institution had always been the single most difficult issue that the Institute faced between 2002 and 2006, the President Professor Paul Morris had been giving me briefings about meetings and contacts between him and the SEM, between him and the Council Chairman, and between him, other related parties with the SEM.
9. The first account came in August 2002, during my first month in the office. Professor Morris told me at length about the background of the development.

10. According to Professor Morris, Professor Arthur Li expressed his interest in seeing a merger between CUHK and HKIEd with the then Director of HKIEd Professor Ruth Hayhoe in April 2002 at a dinner occasion at CUHK when Professor Arthur Li was the Vice Chancellor. Professor Li also told Professor Morris his wish to see HKIEd merging with CUHK in his capacity as SEM-designate in summer 2002 (around June or July),
11. Professor Morris also briefed me the Council's deliberation on the merger issue, which was summarised in a paper in June 2002 "The Question of a Merger of the HKIEd with a Comprehensive University: An Initial Response" (Exhibit KMa-1) which outlined various issues surrounding merger. That became the reference point which the Institute based upon when responding on merger-related enquiries.
12. On 4 October 2002, a number of journalists contacted me for a response to the SEM's remarks made at a tea gathering with journalists. He was reported as saying that he wished to see CUHK and HKUST merge together, and also for HKIEd to be merged into the super-university. He was also reported as saying that he would pursue this "first in a gentleman-like manner, and then by force". The President and I discussed and the HKIEd issued a statement (Exhibit KMa-2) in the evening of the same day basically reiterating the Council's stance.
13. Some time in early 2003, the President told me that there was an occasion a few months back when the SEM met the three Council Officers at that time. They were Dr. Simon Ip, Chairman, Mr. Alfred Chan, Deputy Chairman and Mr. Anthony Wu, Treasurer. The President told me that the merger issue was brought up in the discussion. The President did not tell me the detailed discussions except that Dr. Ip and Mr. Chan (I cannot recall if Mr Wu was included) were very upset about the meeting, and he said that they were "fed up" with the Government's "bullying".
14. In April 2003, Dr. Simon Ip sought to retire from the Council, and was succeeded by Dr. Thomas Leung. Mr. Alfred Chan retired from the Council in 2004, and was succeeded by Mr. Eddie Ng.
15. In April 2004, the President informed me that the Council Chairman Dr.

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Thomas Leung was planning for a retreat involving Council members, key staff, and representatives of staff and students.

16. Shortly before the 24 April 2004 Retreat, the President told me and a few senior staff that the Chairman has drawn up an agenda that focussed on merger as the way forward for the HKIEd. The President managed to stop him from doing so and revise the agenda to become more open-ended which broadly addressed the long term development of the Institute.
17. In anticipation of the possibility that the Chairman might push hard on the merger, and in view of the fact that some participants were new to the Institute and hence might not be familiar with the Council's stance on merger, I suggested to the President that I would prepare a set of PowerPoint slides which outlined the Council's stance and the Institute's public statement on the merger issue, as a "standby" material. I brought along the PowerPoint file as standby but it was not used. (Exhibit KMa-3)
18. At the Retreat, the Chairman made a long speech which conveyed the urgency of a big and fundamental change. He has made references to merger. The Chairman went on and said if HKIEd remained as it was then, HKIEd would be experiencing a 'death by a thousand cuts'. A few lay Council members responded that they did not understand what he wanted to get at. One of them, Mrs Angela Cheung, said she was surprised to see this retreat become a venue to discuss merger. Members generally agreed that the agenda should be devoted to discuss the long term development of the Institute in an open-ended fashion.
19. In the second Retreat on 5 June 2004, participants discussed and unanimously agreed that they were against a full merger. It was recorded in a report submitted to the Council as records. The Chairman asked me to draft a short brief to be included in an internal publication "Staff Bulletin" (Exhibit KMa-4) that the Institute would explore 'deep collaborations' with other institution(s) within the parameters as agreed at the Council Retreat on 5 June 2004.
20. In 2005, I was involved in a series of preparatory meetings between

CUHK and HKIEd with a view to establishing an agreement of deep collaborations. My key role was to draw up communication plans with key stakeholders including staff, students, alumni groups, school community and the media, etc. I was also responsible for the document compilation and editing, as well as the liaison with the CUHK team regarding the documents.

21. Throughout the preparation, the two teams discussed a lot about the visions of the two institutions and the dynamics on campus. It was very clear that the two campus communities did not prefer a merger. Hence the guiding principles and the formal agreement, which were approved by the respective Councils of CUHK and HKIEd, contained clear stipulation that "merger is not part of the discussion" and that various levels of cooperations, "other than a full merger" would be developed in the two triennia 2005-08 and 2008-11.
22. Before the agreement was signed, the Chairmen and heads of two institutions have been in contacts with the Chairman of the University Grants Committee (UGC), with a view of seeking the UGC's support of the initiative of deep collaboration which UGC openly advocated and encouraged.
23. The UGC suggested a condition to be added in paragraph 11 of the agreement that the UGC resources devoted to teacher education in each institution to be at least preserved "conditional on the meeting of specific milestones, agreed with the UGC" for the deep collaboration. CUHK and HKIEd agreed.
24. Shortly before the agreement was to be formally signed, Professor Morris told me and members of the HKIEd working group that the SEM, through the Chairman of UGC, asked for the reference of 'other than a full merger' contained paragraph 9 of the agreement to be taken out. It was rejected by both institutions.
25. The Deep Collaboration Agreement was signed on 9 July 2005 by the President of HKIEd and Vice Chancellor of CUHK and the two institutions issued a joint statement to signify the event.

26. On 23 August 2005, the President gave a briefing to me and Vice President (Academic) Professor Bernard Luk. The President said the Council Chairman Dr Thomas Leung relayed the SEM's comments that there was no significant progress of the deep collaboration since it was signed in July. He indicated that he wanted to see "change of governance" (merger), or he would "squeeze HKIEd". (Exhibit KMa-5)
27. We discussed possible strategies and actions. We decided to arrange for the two Council Chairmen and institutional heads to meet, among other action items.
28. On 2 September 2005, there was a scheduled meeting between the two working parties on deep collaborations from HKIEd and CUHK on CUHK campus (Exhibit KMa-6). The two teams followed on a number of proposed ideas, ranging from 2+2 joint programme, a joint Town Centre, Joint RPg places, sharing of hostels, etc.. Towards the end, it was reported that the two Council Chairmen and the two heads of the institutions had a meeting. CUHK's Vice Chancellor was called by the SEM who raised the merger idea. CUHK Council Chairman indicated that the two institutions should stick to their 'no merger' position.
29. On 3 September 2005, the President of HKIEd and the Vice Chancellor of CUHK sent a joint letter to the UGC outlining a number of joint initiatives as a result of the progress of the discussions on deep collaborations.
30. In November 2005, the SEM made a statement in support of Shue Yan College to be named as a university, while he said naming HKIEd a university was not appropriate, citing various reasons. Students' sentiment were very strong on campus and some student leaders contacted my office, which was in charge of the planning of the Graduation Ceremony and Honorary Doctorate Degree Presentation on 18 November 2005 that they would take some actions on the day to draw the audience's attention to their quest for a university title. My team and I advised them that the campus community must ensure that the Graduation Ceremony would not be disrupted, and that Honorary Doctorate recipients and guests would not be embarrassed.
31. In anticipation of the heightened journalists' interest, I have advised the

Council Chairman and the senior management on the media response strategy, especially in respect of the Institute community's aspiration for HKIEd to be named a university. I've talked to the Chairman over the phone and he said he was prepared to answer the media if being approached. He said his position was that HKIEd has accomplished a lot and has matured to a stage ready for university title.

32. There were a large number of media journalists turning up at the Ceremony on campus on 18 November 2005. After the ceremony, most approached the President who threw his strong support for Institute community's quest for a university title. Some gathered around the Council Chairman Dr Thomas Leung to get his comments on university title.
33. I heard Dr Leung tell the press that there were different ways to achieve this and merger was one of the means. He would not rule out the possibility of HKIEd merging with another institution. I was surprised by and worried of his response which was vastly different from what the management, staff and students advocated. I tried to shorten his interview by reminding him a lunch at the Institute's Lodge with Lord Sutherland of the UK, who was one of the recipients of the honorary degrees, but Dr. Leung insisted to elaborate his views.
34. At the lunch which was attended also by the President, his wife Esther Morris, and the Vice President (Administration) Mr Norman Ngai, Dr. Thomas Leung expressed a very negative sentiment towards the SEM and PSEM in respect of their ways of handling HKIEd. I was again surprised by his strong views, and could not gather what he was thinking. My observation was that he was under constant and significant pressure from the EMB. He seemed to be torn between being supportive of the significant progress of the Institute in its upgrading process and pressure from the Government for HKIEd to undergo a radical change.
35. After lunch, a number of media journalists called me up as they would like to seek HKIEd's clarification if the Council, or more specifically, the Council Chairman, had changed the stance against a merger. I quickly called the Chairman who has left the campus, told him the journalists' enquiry, and advised him that the possible bad press arising from his

statement. I also suggested to him that perhaps a press statement should be issued to clarify the matter and contain the damage. He said he did not see any need of doing so.

36. The press reports on the next day (November 19) focussed on the Chairman's showing 'cold shoulders' to the Institute's pursuit. I faxed all the press reports to the Chairman. He reverted by saying that he found the press reports generally accurate in reporting his views, so there was no need to follow up on that day.
37. His comments immediately drew sweeping concerns in the Institute especially from among the students. A few days after the event, the Chairman indicated to the students that the journalists might have misunderstood the meaning of the word 'merger' when he said so. He asked me to arrange media briefings in early December to explain himself again. On that day, he spoke very positively of the Institute's significant progress and indicated a strong support to its quest for university title.

#### The merger issue and the President's reappointment

38. In early 2006, there were a number of heads of UGC-funded institutions who had their terms of contracts coming close to an end. It became a frequently-asked question by journalists as on the President's re-appointment review process as Professor Morris' term would end in September 2007.
39. The Council established a President Reappointment Review Committee in April 2006. Between April and early November 2006, the Committee, convened by the Council Chairman, has not met
40. Meanwhile, a number of journalists enquired on the progress of the review process and the Committee's working schedule. Pressure on HKIEd to respond to the progress of the Committee built up.
41. I've reported the Chairman Dr. Thomas Leung for a few times the heightened media interests and sought his advice of the progress of the review and when the Committee would meet. He told me that there was no need to give specific answer to the press.



42. In parallel, the President gave me a number of briefings. The updates were centred on the pressure of merger, and subsequently the President's reappointment, and its relations with his willingness to drive for a merger. I sensed that the issue would linger on so I jotted down hand written notes kept in a file locked up in my office for reference.
43. On 28 March 2006, the President told me, Professor Phil Moore and Dr K C Lai that a meeting was set up between the SEM, PSEM, Council Chairman, Deputy Chairman and the President.
44. Later on, the President gave a debriefing regarding the 29 March meeting at the Hong Kong Club. The PSEM was not present at the dinner. On HKIEd side, the Chairman Dr Thomas Leung, Treasure Mr. Y K Pang and the President were involved.
45. At the meeting, the SEM told the President and other participants that HKIEd's case was discussed at ExCo earlier on. The Chief Executive was critical of HKIEd and proposed three options including 1) merger, 2) HKIEd becoming a postgraduate school, and 3) closing down HKIEd. The SEM said he would arrange another meeting involving all present at the meeting and CUHK Council Chairman Dr Edgar Cheng and UGC Chairman Alice Lam. (KMa Exhibit-7)
46. On 08 May 2006, the President gave me another briefing (KMa Exhibit-8). He said the SEM quoted the CE as saying that he wanted to see a merger.
47. Also, the Council Chairman Dr. Thomas Leung told him that the President's job would be at stake if not agreeing to pursue a merger.
48. He also recounted a dinner that took place some time in April 2006 involving HKIEd and CUHK parties. He described the meeting as 'disturbing'. He said the "federal model" was discussed but the Vice Chancellor of CUHK proposed that it would be best for HKIEd to be merged with CUHK. The President said there were three possible interpretations of CUHK's stance: 1) CUHK genuinely preferred a merger, 2) CUHK was acting upon SEM's pressure, and 3) CUHK deliberately

proposed a 'take-over' format of merger which they expected HKIED to say no. Under this circumstance, CUHK would not be blamed of the eventual outcome.

49. He also said that he had talked to Sir Brian Fender, a UGC member from the UK, who was an advocate for the federal model. Vice President Professor Bernard Luk had talked to another UGC member Mr Irvin Koo who indicated that the UGC did not have a discrete stance on HKIED's merger issue.
50. The President also indicated that a meeting was scheduled to be held soon between the two Council Chairmen and two heads.
51. On 12 May 2006, the President gave me a debrief of a dinner on May 10 involving himself, the Council Chairman Dr Thomas Leung, Council Treasurer Mr Y K Pang, CUHK Council Chairman Dr Edgar Cheng and CUHK Vice Chancellor Professor Lawrence Lau (Exhibit KMa-9).
52. According to the President, CUHK presented their proposed way forward: CUHK would focus on the graduate school of teacher education while HKIED would focus on undergraduate studies. HKIED teaching staff would become teaching fellows while some faculty staff can join the graduate school to supervise PhD students if they're qualified. HKIED Chairman and Treasurer briefly talked about the federal model but conceded when CUHK discreetly said no to it.
53. The President also told me that the Council Chairman indicated that he wanted a 'non-politicised re-appointment of the President. He hinted that the President's willingness to arrange a merger would be made a condition for his reappointment. The President said he told the Chairman that: "I will not do this". I asked him what his plan would be. He said he would indicate to the Council in the June 2006 meeting that he would not agree to it (a merger) and he would not resign. The Council would then have to decide not to re-appoint him and they had to explain why.
54. On 10 June 2006, the President had a meeting with the Chairman (Exhibit KMa-10). The President said he understood from the Council

Chairman that the SEM has suggested the President to tell the Institute staff a merger plan. The Chairman indicated that if the President was willing to do it, the Chairman would stand beside him (at a staff forum to announce such a plan). If not, the Chairman would step down from the Council in April in the following year. I shared with the President my observation of the Chairman often being torn between two minds: his conscience and the task given to him to push for a merger which was not welcomed. I recounted the Chairman's unpredictable behaviours as I saw over the years

55. On June 20, there was a meeting between Council Chairman Dr Thomas Leung, Treasurer Mr Y K Pang and the President (Exhibit KMa-11). According to the President, the Chairman has told the SEM the President's decision not to take on the merger task. The SEM said the task was in line with the Chief Executive's view. SEM was reported to have said: "If you don't believe it, you can call the CE's office." Dr Thomas Leung thought he was 'bluffing' so he did call up the CE's office and requested Mr John Tsang, the Director of the Chief Executive's Office, to arrange a meeting with the Chief Executive directly.
56. The issue appeared to be very acute and that it was kept as a secret knowledge to only very few people. I advised the President to consider sharing the broad picture of the challenges that he faced with the management, including all Deans and Heads without giving out full details and any confidential information, so that any subsequent development could be understood in context by internal stakeholders.
57. I made the advice based on the long-standing belief that internal communication in an organisation should be treated as a priority. It was also in line with the senior management's past practices of briefing Deans and heads on pertinent matters affecting the development of the Institute. Likewise many staff forums and student forums were held when there were major developments, such as the introduction of voluntary departure schemes, funding cut and deep collaboration initiatives, etc. The contextual understanding by the wider management team was vital in deciding the way forward. Also, such practice conveys a sense of trust and respect to internal stakeholders.

58. The President held a meeting on 26 June 2006, attending by around 20 participants (Exhibit KMa-12). He told the Deans and heads that the deep collaboration with CUHK went on, but: "pressure on a merger has increased. I'm indicating I'm not willing to lead a merger", "I decline to take on the task of merger" and "pressure is on the Council, and through the Council, on me." He explained to the participants the reasons why he was against a merger and that he was willing to discuss a federal arrangement. The President encouraged all participants to hold out and to keep up with the Institute's good work and to give nobody an excuse to criticise the quality of the students and the Institute. He did not mention any details of the pressure he faced regarding his re-appointment being associated with the merger task. This is despite the fact that a participant asked him a question relating to his re-appointment.
59. In July 2006, the President was injured and went on leave for a surgery and recovery.
60. In the meantime, following on the discussion in June, the Chairman managed to confirm a meeting with the Chief Executive which would be held on 4 August 2006 (Exhibit KMa-13).
61. To prepare for the meeting, the Chairman requested the President to give him a brief in the morning of 4 August before his meeting with the Chief Executive.
62. Since the President has almost lost his voice temporarily after an operation, he asked me to join him in the pre-meeting so that I could explain the factual data.
63. At the pre-meeting, we tabled a number of facts and figures to prepare the Chairman. The explanation of the facts, figures and observations was mainly done by me. Based on the information tabled, the Chairman and the President agreed to convey a few key messages to the Chief Executives. They included 1) the problems that HKIEd faced in education related programmes was not unique to HKIEd. 2) The problems were in general common to all Teacher Education Providers (TEPs) in UGC-funded institutions, and 3) a merger with CUHK would not solve problems such as student admission scores.

64. After the Chairman's met the Chief Executive, the Chairman phoned up the President, and the President debriefed the Vice President (Academic) Professor Bernard Luk. Both the President and the Vice President gave me a debrief, the content of which were exactly the same.
65. According to their accounts, the Chairman told the President that the meeting went very well. The Chief Executive appeared to be very positive and listened to his views which he presented according to the pre-meeting agreement. He told the Chief Executive that teacher education was a Hong Kong problem, not just a HKIEd problem. A merger would only relocate the problem and merger would not work politically.
66. The Chairman said the CE asked him his views about the SEM. The Chairman said he told the CE that the SEM was "not an honest broker".
67. Basing upon the Chairman's account, we observed that what the SEM said about the Chief Executive was not tallying with what the Chairman heard from the Chief Executive directly
68. On 20 September 2006, I asked the President the latest situation as the Council would meet on September 28 (Exhibit KMa-14).
69. He first debriefed me a meeting between him and the Council Chairman and Treasurer around a week before September 20. The meeting was after another meeting between the Council Chairman, the SEM and the CUHK Council Chairman. At the meeting, it was heard that a merger, in the form of take-over, was favoured not just by the SEM but the Government as a whole. It would not be pushed through until after the March 2007 election for the Chief Executive.
70. The President said he had made himself clear to the Council and related parties that he would not lead a merger. He said: "I indicated that I'm willing to contribute until I have to go against my conscience', If the Council decides on merger, I will not seek a contract renewal'.
71. The Council Chairman indicated to the President that the President's

review process would be engineered to a conclusion of having to go for an open search for the President, and that the process would not be seen as having any reference to the candidates' view on merger.

72. On 28 September 2006, the Council met. The agenda did not include any item relating to the President's Reappointment Review Committee, which was set up in April. The Council Chairman proposed to discuss the item at A.O.B. (Any Other Business) following requests of some staff Council members arising from their concerns of a lack of progress of the review process.
73. There were rather heated exchanges between the Chairman and some staff Council members. The Council Chairman was questioned by a staff Council member regarding the absence of any meeting of the Committee for 5 months and that there was not even a set of criteria being drawn up and communicated for evaluating the incumbent President. The Chairman verbally drew up a list of criteria but was immediately challenged for the haphazard approach. A student Council member proposed that the incumbent President's views on the University title and HKIEd's relations with CUHK should be required to be made known, as part of the review process. The Chairman said it would be strange if these were made criteria of the President's re-appointment.
74. When the Council meeting was over, I planned to approach the Chairman to seek his advice on how to respond to media enquiries regarding the progress of the President's reappointment review. When I walked near to his seat, I heard him inviting a number of staff to come close to him for a chat. The people that had gathered around him included 4 staff Council members (Dr Leung Yan Wing, Dr Wong Ping Ho, Dr Lai Kwok Chan and Mr Victor Cheng), acting Council Secretary Ms Sarah Wong and her deputy Ms Connie Wong. I stood in the circle and joined the discussion.
75. The Chairman said it was a precious chance to gather colleagues around him to talk 'heart to heart'. He told the group around him that he was proved to be right in warning that HKIEd would die 'a death of a thousand cuts' at the 2004 Retreat. It was evidenced in the 2005 funding cut. He went on complaining the President Professor Paul Morris and Vice

President (Academic) Professor Bernard Luk for their personality 'problems' which had resulted in a bad relation with the Government. He also said he saw a local-expatriate divide in the Institute. He went on with remarks that HKIEd must undergo major changes in order to survive. He said the Institute must be open-minded to all sorts of possibilities including merger. On this, he said merger would involve some changes such as identity, format of graduation certificates and campus arrangement, etc. He emphasised that the Institute needed leaders who could lead changes. I responded that personality 'problems' should not be said to be the main cause of the challenges faced by the Institute. There were basic principles that we should adhere to. And I gently brought up, as a reminder, that there were clear stipulations of no full merger, and a six-year period of relatively little change in governance in the deep collaboration agreement signed between HKIEd and CUHK in July 2005.

76. As it turned out, the Presidential Reappointment Review Committee had not met until November 2006 since it was established in April 2006. This is rather unusual among the higher education institutions which have gone through similar review processes. This is also not an effective way to ensure stability of the management of a public organisation.
77. The case of lack of progress of the President's reappointment or otherwise drew a lot of speculation but the Council Chairman did not make any effort in driving for progress nor communicating on issues that had hindered the progress, despite being asked by staff and students. He also stone-walled any questions from journalists which I have reported to him duly. The 6-7 months of inaction coincided with the meetings and contacts among the Chairman, the President, and reportedly, the SEM and other related parties.
78. All the briefings that I referred to in this statement were conducted in a confidential manner. From time to time, I felt strongly that because of the lack of information of such a sensitive matter, staff members, including those who were working closely with the senior management, felt lost and the situation apprehensive.
79. I have all along been aware of the fact that the briefings that the

President gave me contained confidential and sensitive information. Hence, I've never shared the information with anyone until the moment when the Commission of Inquiry asked for information pertaining to the relevant allegation.

Information relating to a Government official's request for HKIEd to issue a statement to condemn surplus teachers

80. In the few years before 2004, the Institute will-be-graduates' fear to find jobs because of the surplus teachers' priority placement of jobs has always been an issue that the management has to tackle. After some discussion, the Management established a general consensus that it would not make public statements against the incumbent teachers in order to help will-be-graduates to obtain jobs. It's because it is felt that the issue had more to do with government policy, and also the fact that a number of incumbent teachers were the Institute's own past graduates.
81. In June 2004 (I cannot recall the exact date), Acting President Professor Bernard Luk requested to meet me in his office. At that time, the surplus teachers' actions to protest against the Government has become an issue widely reported by the press.
82. Professor Luk told me that the SEM had tried to contact Professor Morris, and when finding that he was on leave, the SEM soon talked to him over the phone. He said the SEM would like the Institute to make a statement to condemn surplus teachers were went on protest. I told him that I was puzzled that the SEM would have such a suggestion. Professor Luk went on to say that the SEM indicated that this would be in line with the interest of our fresh graduates. I replied that I could not understand how the Institute could do so because it was very unusual for an Institute to take on such a high profile on this contentious issue which might dampen our relations with the teaching profession. He said he told the SEM on the phone that he could not do so because both parties were our own past students.
83. I asked Professor Luk if I should do anything (such as issuing statement, revising our response strategy to enquiring press on this matter, etc). He told me to continue with our usual business and would not have to do



anything special arising from the SEM's phone call.

Information relating to the attempts by a senior Government official to ask the President to dismiss some staff members of the Institute

84. Throughout the four years that I served the Institute, the President Professor Paul Morris has told me for several times (I cannot recall how many) that there was a senior official who has asked him to dismiss members of the staff for various reasons, including what they said, wrote or did. The names of the staff members that I have heard of included Mr. Ip Kin-yuen, a lecturer in the Education Policy and Administration, Professor Cheng Yin-cheong, the Director of the Centre of Research and International Collaboration, and Dr. Lai Kwok-chan, the Head of Strategic Academic Planning (the exact titles may not be entirely correct). I had very close working relationships with each of them. Professor Morris told me at a few instances that it was Mrs Fanny Law, the ex-PSEM who initiated contacts to him and asked him to dismiss them, every time when such a contact was made.
85. The earliest case I could recall was concerning Mr. Ip Kin-yuen. The time that Professor Morris told me of the case was around 2003. Professor Morris told me that Mrs Fanny Law, the ex-PSEM has personally contacted him to ask him to dismiss Mr Ip. I told him that I was very surprised because I was told by other colleagues that Mr Ip had been seconded to work in the EMB a few years back and was very much liked by Mrs Law. I asked him what made Mrs Law initiated such a request. He said the ex-PSEM was not happy with Mr Ip's continued commentaries and active initiatives in organising various workshops and research on small class teaching. In fact, there were activities which I was requested to help in terms of publicity.
86. Professor Cheng Yin-cheong was also mentioned by Professor Morris as a staff member that the ex-PSEM wanted him to dismiss. I cannot recall when he told me the news.
87. Separately, Professor Cheng Yin-cheong told me that he was invited by a Chinese newspaper to write article series to provide contextual analysis of the education reforms for which was was obliged if he had time. He was

widely known as a high profile critic of the reforms and the Government officials who drove the reforms.

88. I also recalled that Professor Morris said that Government was not happy with the First Principal's Conference, organised by the Institute on 19 March 2004 and a number of school related bodies (such as the Subsidised Primary School Council and the Subsidised Secondary School Council), of which Professor Cheng was a key organiser. I understood that it was the first of its kind and it attracted over 1,000 principals and education related scholars. My department was asked to take care of the venue decoration and media relations.
89. I did not attend the Conference, but subsequently learned that a number of speakers including at least one from HKU were widely quoted by the press, and the conference was described as a grievance forum by the media.
90. A while after the conference (I recalled it was around late March to early April), I recalled the President tell me that the EMB was very unhappy about the outcome of the conference, and started to draw up 'a list of punishment'. One of them included the plan to undermine the Institute's leading role and share of teacher training in early childhood education. I was very surprised and I briefed the President that the most vocal and critical opinion actually came from scholars from other universities. I described our Institute's role as 'one of the organisers' and the venue owner'. Before the event, since I was involved in media relations preparation, I did not notice any planned action to make the conference as a platform to embarrass the Government. I also asked the President whether someone should tell Professor Cheng Yin-cheong especially in view of future activities. He said no because it would exert undue pressure on him and the conference organisers.
91. The third name that I was aware of as being named was Dr Lai Kwok-~~chan~~. He had been following Government's earlier policy of "All Gradates, All trained", first promulgated by the then Chief Executive but was somewhat not realised in Government's subsequent policies. He was also a keen policy advocate of small class teaching. Dr Lai and Mr Ip initiated to set up a small class teaching research and development

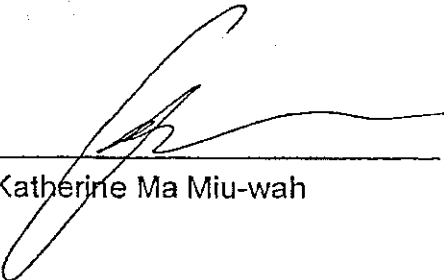
centre. I was helped to promote the Centre through various channels and assist in fundraising.

92. While I cannot recall the date when the President told me of the request by the PSEM, I recalled that I asked who exactly made such a request when a new name arose. His answer was Mrs Law, the then PSEM. I recalled I asked Professor Morris what we should do with the named staff, specifically, whether it would be desirable to tell them. He said telling them would only cause fear and pressure upon them. He said more than one time: "I have rejected Fanny's request right away". At about the second or third time I heard of such development, I shared with the President that I found such actions even more serious than the "Robert Chung Incident", meaning that it contravened with the academic freedom that higher education institutions and their academic staff are entitled. He agreed. We had discussed for a few times what to do with the ongoing situation. We came up with a few ideas including informing the University Grants Committee and the Council Chairman. He did not say conclusively yes or no. We both doubted the effectiveness of such a move given the fact that the Council Chairman was appointed by the Chief Executive, usually on recommendation by the SEM, and that the UGC was not acting as very much like a buffer between the Government and the UGC-funded institutions as it was supposed to be. I did recall that during a breakfast meeting in around January 2005 between the Council Chairman, the President, Vice Presidents, Associate Vice President and myself, when we were discussing the funding cut by the Government, the President brought up the repeated interference of academic autonomy by Mrs Law to the Council Chairman. I could not recall the Chairman's reaction on spot and I had no knowledge if he had done anything to address this issue.
93. According to my recollection, such instances of staff being named to be dismissed ceased to come to my knowledge in the last 12 months of my service in the Institute. I also recalled that I have asked the President to make notes of these happenings for future references in case of need. I'm not sure if he had done so or not.

A Statement by Ms Katherine Ma Miu-wah

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The Statement is prepared by Katherine Ma Miu-wah on the 16<sup>th</sup> of April, 2007.



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Katherine Ma Miu-wah