

# 香 港 人 權 監 察

## HONG KONG HUMAN RIGHTS MONITOR

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### **Submissions to the LegCo Panel on Education**

26 January 2006

The Hong Kong Human Rights Monitor considers the University not simply a place for the quest of knowledge and for educating our next generation, but also as the conscience of the society: a place for academics, students and other members of the University to contribute their views and services to society to promote social justice, proper policy and good governance. It is for these reasons that society contributes public funds to universities.

To discharge their important duties mentioned above, it is imperative for our universities to create and maintain a free and pluralistic environment for all its members and, thereby, for society as a whole. Respect of academic freedom is the most important prerequisite for any university to discharge its duties to society.

Protection of tenure is essential to the protection of academic freedom. Attacks on such a system by whatever means are attacks on academic freedom and therefore are breaches of duty to society. Therefore, if such attacks are not stopped by the universities themselves, society has to step in and have them checked.

In respect to the recent controversy regarding Hong Kong Baptist University's attempt to terminate the employment of six long-serving tenured academics, Human Rights Monitor is extremely concerned about the adverse implications of these cases on the contractual and other rights of these tenured academics and more importantly on the tenure system which is essential to academic freedom in Hong Kong.

Human Rights Monitor does not agree with the Baptist University's claim, "there is no connection between the changeover to New Pay Reward Structure (NPRS) and academic freedom". When the University considers it right to terminate the six tenured long service academics, it is itself a serious attack on the tenure system. Any "tenure" system or "substantiation status" which survives that change to the new system will not be secure any more.

Human Rights Monitor is glad to see the University's resolution on 23 January 2006 to retain the six academics according to their respective contractual status and its assurance: "The University will definitely uphold academic freedom in all its teaching and research work." (see enclosed)



香港浸會大學  
HONG KONG BAPTIST UNIVERSITY

行政副校長暨秘書長  
Vice-President(Administration) & Secretary

李兆鎔  
Andy S. C. Lee

25 January 2006

**By post and by fax (2802 6012)**

Mr. Law Yuk Kai  
Director  
Hong Kong Human Rights Monitor  
4/F., Kam Tak Building  
20 Mereer Street  
Sheung Wan, Hong Kong

Dear Mr. Law,

Thank you for your letter dated 23 January 2006 addressed to Prof. Ng Ching Fai, our President and Vice-Chancellor. Prof. Ng has asked me to reply on his behalf.

In response to your concern on the matter of academic freedom, I would like to clarify and re-affirm that there is no connection between the changeover to New Pay and Reward Structure ("NPRS") and academic freedom because the substantiation status of all academic/teaching staff is retained under the NPRS. The University will definitely uphold academic freedom in all its teaching and research work.

With the interest of maintaining harmony within the University campus and enabling the University to move forward with NPRS, a Special Council Meeting of the University has been held on 23 January 2006. The Council has passed a special resolution on the retention of the existing substantiation status and salary levels of those six academic staff members according to their respective contractual terms under NPRS. In this connection, the Council also decided to adjourn the committee which was set up to consider conclusion of the appointment of those six staff members.

We would like to thank you for the concern you have shown in this matter.

Yours sincerely,

Andy S. C. Lee

Vice-President(Administration) & Secretary