

LCQ1: Handling confrontations on campuses of tertiary institutions

Following is a question by the Hon Tony Tse and a reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (October 31):

Question:

In recent years, there were several incidents in which demonstrations staged on campus by students of tertiary institutions developed into confrontations. In those incidents, some students broke into and occupied offices or conference rooms of the institutions concerned, swearing at and jostling teaching staff, barring them from leaving, and even obstructing ambulance personnel from sending the injured to the hospital for treatment. There are comments that the failure of the institutions concerned to report such incidents to the Police in a timely manner caused the confrontations to escalate, thereby increasing the odds of teaching staff being subject to insults and injuries as well as emboldening trouble-makers in future to make bolder moves. In this connection, will the Government inform this Council:

(1) whether it knows the number of incidents in the past five years in which demonstrations on campuses of tertiary institutions developed into confrontations, as well as the number of teaching staff, security staff and other persons who sustained injuries in those confrontations;

(2) of the number of confrontations referred to in (1) which were handled by police officers; among such cases, the respective numbers of those which were reported to the Police by the institutions concerned and by other persons, and those in which the Police took the initiative to intervene; whether police officers are authorised to enter the campuses without prior consent of the institutions concerned to take law enforcement actions; if so, of the circumstances under which they will do so; and

(3) whether the Education Bureau and the Police will step up communication with and provide additional support to tertiary institutions, including assisting the institutions in reviewing the adequacy of their security measures and manpower on campus, as well as issuing guidelines on the circumstances under which the institutions and their teaching staff should report to the Police for assistance as well as those under which the Police should take the initiative to enter campuses to take law enforcement actions?

Reply:

President,

The Education Bureau (EDB) noted a number of incidents of confrontation in post-secondary institutions in recent years, some of which involved students expressing their views in an irrational manner. The EDB expressed regret over such incidents and reiterated that any physical or verbal

violence is unacceptable.

Hong Kong is a free and open society. Anyone who wishes to voice his opinions should express them in a lawful and peaceful manner. While freedom of speech is protected by the Basic Law, the exercise of such freedom is not completely without restrictions. We need to respect the rights of others and abide by the law when exercising our freedom of speech. Freedom of speech, academic freedom and institutional autonomy should not be used as the disguise or excuses for advocating improper expressions or behaviour. The community, in particular, holds high expectations of tertiary students.

All University Grants Committee (UGC)-funded universities are autonomous bodies established pursuant to their own Ordinances. The UGC's Notes on Procedures state that UGC-funded universities enjoy autonomy in the development of curricula and academic standards, selection of staff and students, initiation and conduct of research, internal allocation of resources, etc., and they are accountable for their decisions in these matters. The handling of incidents of protests and confrontations on campuses is also an internal affair of institutions. In view of the significant funding each university receives from the Government and members of the community, as well as the importance of higher education to the development of society as a whole, it is incumbent upon the Government and the community at large to have a legitimate interest in the operation of the universities. Therefore, while the Government and the UGC attach great importance to safeguarding institutional autonomy, universities are also expected to remain committed to transparency and accountability in their operation to ensure that universities' activities and operation serve the best interests of students and the community.

In face of the isolated incidents of protests and confrontations on campuses, the EDB believes that the institutions, which are equipped with good governance, are able to deal with the opinions of various stakeholders appropriately and ensure that the decisions made are in the best interests of students and the society. The institutions have the responsibility as well as the ability to deal with incidents that occur on their campuses properly, including isolated incidents of protests and confrontations. The EDB encourages the institutions to maintain close communication with students who should express their views in a rational manner through proper channels.

My reply to the question raised by Hon Tony Tse is as follows:

(1) The EDB does not maintain data on incidents of protests which have developed into confrontations on the campuses of post-secondary institutions. In response to Members' requests, we have made enquiries with various post-secondary institutions. According to the information provided by the institutions, over the past five years (i.e. from January 1, 2014 to October 15, 2018), there were 11 incidents of protests and confrontations on the campuses of local post-secondary institutions, in which a total of 14 teaching staff and two other persons were wounded.

(2) The Police do not maintain relevant statistical figures on post-secondary institutions. To these institutions' best knowledge, assistance was rendered

by police officers in four of the above 11 incidents, in which one case was reported to the Police by the institution, two were reported by the teaching staff and one was reported by other people.

Post-secondary institutions are responsible for their own security matters, which are executed by their staff or security guards hired by them. With regard to the demonstrations on campuses, generally speaking, the Police will not intervene. It is only upon receipt of requests for assistance in handling incidents relating to public safety and public order, shall the Police, after liaising with the institutions, enter campuses to render assistance.

(3) Generally speaking, each institution has its own internal mechanism, rules and procedures to deal with emergency incidents that occur on its campus, including seeking assistance from law enforcement agencies as appropriate. Moreover, the Government also maintains contact with post-secondary institutions over various matters and offers them support and advice as and when necessary. In fact, the institutions have gained considerable experience over the years in handling incidents of confrontations with appropriate responses, demonstrating professionalism in ensuring that students can study in a safe and orderly environment, are taught professionally and are offered counselling as needed.

The Police will continue to maintain close liaison with post-secondary institutions through district commanders or Police community relations officers. Where necessary and upon receipt of requests for assistance, the Police will, after liaising with the institutions, enter campuses to render appropriate assistance so as to ensure public safety and public order.