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Judicial Review of the 'Education (Amendment) Ordinance 2004'

1. The Catholic Diocese of Hong Kong is disappointed with the decision handed down by the Court of Appeal.

2. The Catholic Diocese of Hong Kong and its legal advisors will study the Judgment in detail before taking any follow-up action.

3. The Catholic Diocese of Hong Kong reaffirms:
   (a) We totally agree to and accept the principle and practice of school-based management in line with the spirit of democracy, accountability and transparency. However, we do not agree to the Government adopting the Incorporated Management Committee (IMC) as the sole model for the management of all aided schools.

   (b) Adopting the 'IMC' as the sole model for the management of all aided schools is tantamount to
      (i) negating a global trend of pluralism towards a diversified and multi-faceted school education system;

      (ii) marginalizing the School Sponsoring Bodies (SSBs) and sacrificing the partnership and trust which has been built up over the past decades between them and the Government;

      (iii) aggravating the potential incidence of politicizing the management of schools, at the expense of the vision and mission of education as keenly espoused by individual SSBs.

   (c) Since Government Schools, fully financed by public funds, as well as Direct Subsidy Scheme Schools, are exempt from establishing IMCs, one does not see why aided schools cannot enjoy the same privilege.

   (d) With the passing of the 'Education (Amendment) Ordinance 2004', the Government will no longer be providing school education in collaboration with the SSBs, but is simply causing the SSBs to devolve their management authorities upon the IMCs.

4. Irrespective of the result of the Judicial Review, the Catholic Diocese of Hong Kong will continue to
   (a) maintain its zeal and enthusiasm in providing a time-honoured school education service for the community, striving to ensure that all its schools will be genuine Catholic schools that comply with the directives of the Catholic Church in upholding its traditional values and spirit;

   (b) be a partner of the Government in providing quality school education;

   (c) implement school-based management with the establishment of School Executive Committees (SECs) as recommended by the Education Commission Report No.7, September 1997 in all Catholic schools, appointing representatives of different stakeholders with shared vision and mission as members.

If one day our schools are not able to operate in accordance with the vision and mission of the Catholic Church, they will lose their Catholic identity and will no longer be genuine Catholic schools.

3 February 2010