



K. 6/115 amended

Rule of Law Education Project (ROLE)

Mr Benny Y. T. Tai - Associate Professor
Professor Johannes Chan- Professor
Miss Karen Kong- Assistant Professor
Miss Liu Wenting Isabella - Assistant Research Officer

Department of Law, Faculty of Law
25 May 2016

Background to the ROLE

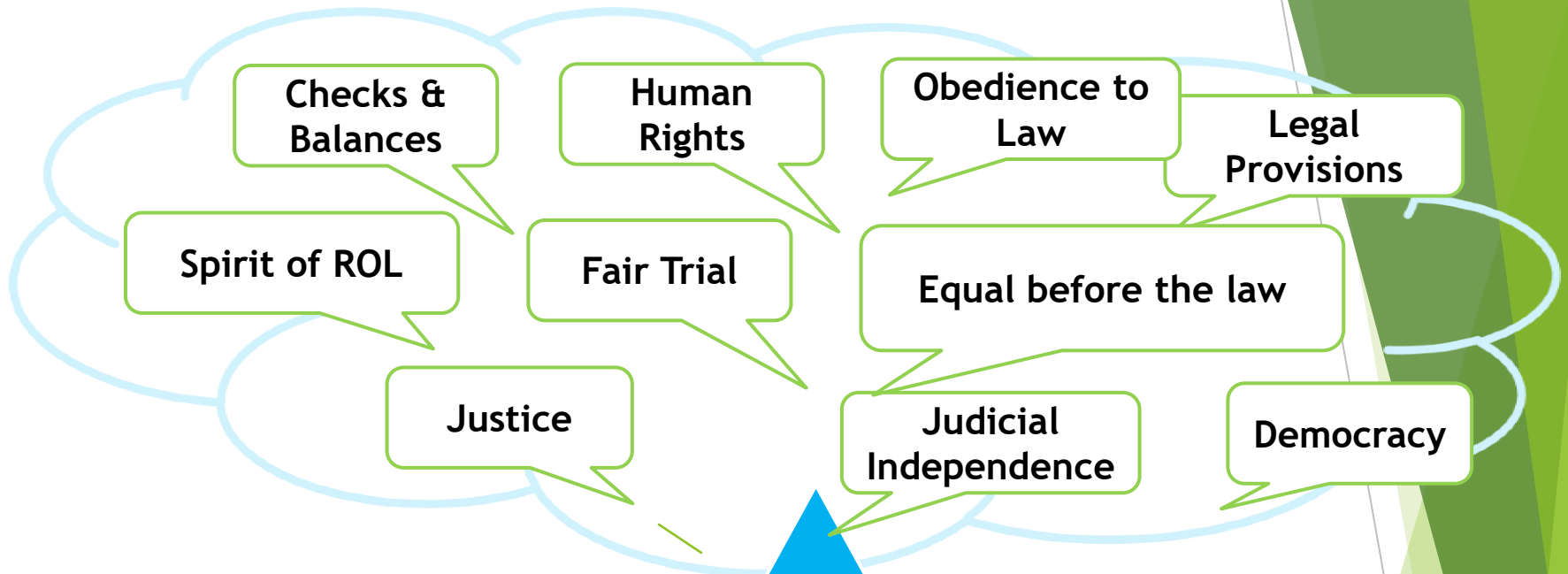
- ▶ Rule of law became one of the compulsory topics of Liberal Studies Subject for secondary school students when new DSE curriculum was launched in 2009.
- ▶ ROLE was launched in April 2012 in response to the increasing demand of the teachers who are required to teach the rule of law.
- ▶ ROLE has been one of the KE initiatives of the Faculty of Law, under the supervision of the Associate Dean (Research), partnering with legal scholars, practitioners, NGO leaders, education experts, legislators and senior Liberal Studies teachers to promote topics concerning the rule of law in the community.
- ▶ The vision of ROLE is to ensure the status of Hong Kong as an international city and one of the major financial centres by enhancing citizens' understanding of the rule of law.
- ▶ The project facilitates communication between legal academics and the general public.

Summary of the Impact

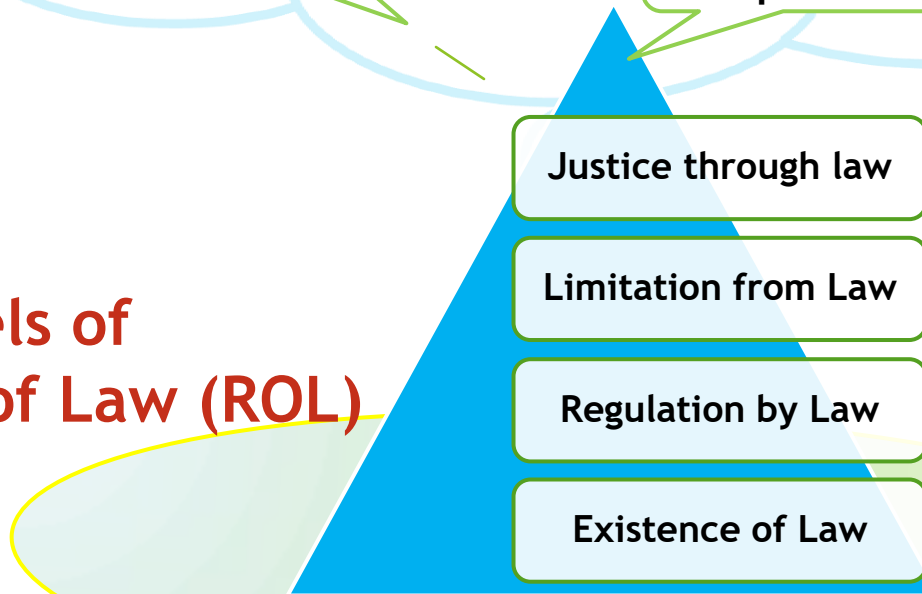
Engagement with

- ▶ Secondary Schools- 21 Post-exam Rule of Law Seminars for more than 1000 secondary schools students
- ▶ Liberal Studies Teachers- 350 teachers from more than 80 secondary schools
- ▶ General public- ROLE Website with 43,785 users and 91,272 page views, Facebook page with 1507 followers, 51 educational videos on YouTube channel with 9391 views, popular book in 2013 Hong Kong Book Fair
- ▶ Legal Practitioners- take part in the management committee, provide training for teachers, write articles for the ROLE website
- ▶ Publishers of Liberal Studies Textbooks-All publishers incorporated our opinions in the revision of the textbooks
- ▶ NGOs- Cooperation with Professional Teachers' Union, The Society of Rehabilitation and Crime Prevention and Amnesty International Hong Kong in different ways

Underpinning Research



Four Levels of the Rule of Law (ROL)



Benny Y.T. Tai, 法治心：超越條文與制度的法律價值 *The Passion for Rule of Law: Values beyond Legal Text and Legal Institutions* (Hong Kong Educational Publishing Co., 2012) [Chinese]

Underpinning Teaching & Learning



- ✓ Partnering with **education experts from EdUHK and headmistress of secondary school**, we provide training to university students to design interactive learning activities concerning the rule of law.
- ✓ After the training, our students not only have gained a better understanding of the rule of law, they are also able to convey the knowledge to lay person in plain language.

Underpinning Teaching & Learning

- Meet with our students at least once a month
- Guide them to research on the topics they choose
- Train them with the skills to convey legal knowledge to laymen in plain language
- Training for skills to handle big lectures and small workshops



106 university students participated

- 92% are Law students
- 8% are students from other Faculties:
 - Architecture Engineering
 - Arts
 - Marketing and Statistics Geography
 - Translation and Counselling Dentistry
 - Nursing

Underpinning Teaching & Learning



Police Powers



Judicial Review



Kung Yunming Case on Social Welfare rights



Same Sex marriage?

Rule of Law Teaching Plans Designed

and more to come

Engaging the Secondary Schools

University students conduct learning activities on the rule of law in secondary schools



- LS teachers are engaged in deciding the formats of the teaching and learning
- 1000+ Secondary school students are engaged in the learning activities tailor-made for them



Impacts Achieved

“The seminar has advanced my understanding of the rule of law.”

“The seminar inspires me to think more on the rule of law.”

“It is very interesting, should organise more activities of this kind.”



Positive comments from S4 to S5 students who participated

Engaging the Liberal Studies Teachers

I. Knowledge Based Seminars

(Interpretation of the Basic Law, Judicial Review, Police Powers, etc.)



II. Teaching Skills Workshops

(The teachers are trained to design teaching kits for the rule of law and receive feedbacks on the spot)



Impacts Achieved

350 Teachers from more than **80** schools attended our training.

Most of them agree that our trainings have :

- Enhanced their understanding
- Inspired them with teaching methods
- Strengthened their confidence to teach the rule of law

Extracts of the comments from teachers:

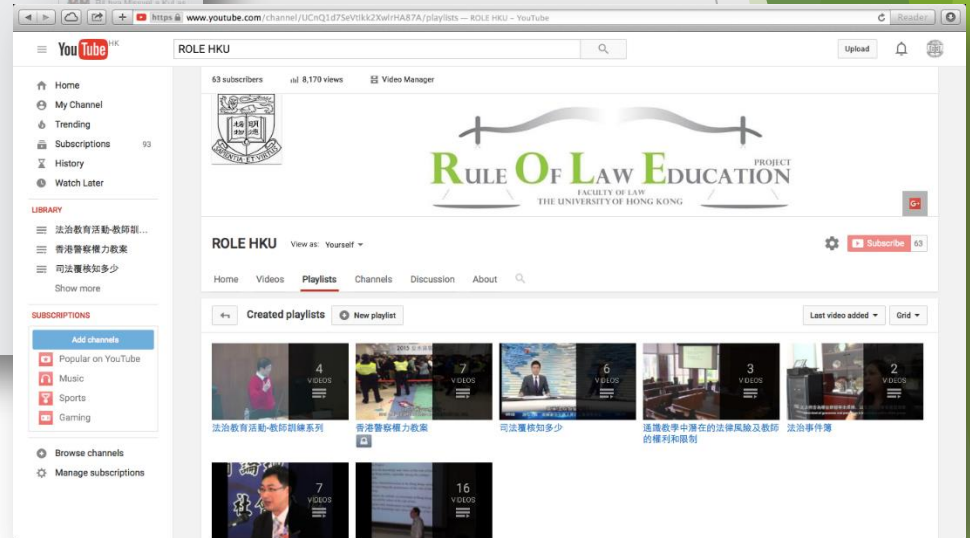
"The training is a great help to frontline teachers."

"Looking forward to more seminars on different rule of law topics of this kind."

"The case studies in the training has enhanced my understanding of the rule of law and has improved my confidence in teaching the rule of law to my students. The training has affirmed my conviction to the rule of law."



Multiple Ways to Interact with the Public- Internet



Impact achieved

Facebook page - 1507 followers, each post reaches 859 people in average

YouTube channel- 51 videos, 66 subscribers, 9397 views

ROLE Website - 43,785 users, 91,272 page views

Engaging the public

- Publication in RTHK Blog for Liberal Studies



- ▶ 港人的法律意識 (Hong Kong People's Conception of Law)
http://www.liberalstudies.hk/blog/ls_blog.php?mode=showThread&id=2838&mother_id=862
- ▶ 與「憲」相關的通識概念 (Concepts Regarding the Constitution in Liberal Studies)
http://www.liberalstudies.hk/blog/ls_blog.php?mode=showThread&id=2025&mother_id=862
- ▶ 違憲裁決的突破：「以法達義」 (The Breakthrough of Judicial Review: Justice Through Law)
http://www.liberalstudies.hk/blog/ls_blog.php?mode=showThread&id=1783&mother_id=862
- ▶ 法治不只是指「守法」 (Rule of law is not just law obedience)
http://www.liberalstudies.hk/blog/ls_blog.php?mode=showThread&id=1648&mother_id=862
- ▶ 公民抗命與法治 – 從馬丁路德金說起 (Civil Resistance and Rule of Law- Starting From Martin Luther King)
http://www.liberalstudies.hk/blog/ls_blog.php?mode=showThread&id=1538&mother_id=862
- ▶ 香港法治的未來 (The Future of Rule of Law in Hong Kong)
http://www.liberalstudies.hk/blog/ls_blog.php?mode=showThread&id=2742&mother_id=862

Engaging the public

- Popular Book

We published a book on the rule of law education with ten authors and the target readers are members of the general public. The book was sold out quickly on the first day it came out in the 2013 Hong Kong Book Fair. We realise there is a strong demand in the community for knowledge of the rule of law. As a leading law school in Hong Kong and beyond, the Faculty of Law has a social responsibility to conduct research on the rule of law education and publish accessible materials for the benefit of the general public.



Engaging Legal Practitioners

- Organised seminar for lawyers
- Invited lawyers as speakers in seminars for LS teachers
- Involved lawyers in the Management Committee for ROLE



Engaging the Publishers

- All quoted our Rule of Law Theory
- All Liberal Studies Textbooks are reviewed
- All accepted our suggestions of revisions
- All publishers changed the contents because of our suggestions



Textbook Review

Impacts Achieved

In 2014 and 2015, we presented our review opinions in the annual PTU Symposiums for liberal studies. This symposium attracts more than 300 teachers in each year. The textbook review and cooperation with PTU will continue to be one of our main tasks.



<https://www.hkptu.org/ls2016>

<https://www.hkptu.org/ls2015>

<https://www.hkptu.org/ls2014>

Textbook Review

Engaging the NGOs



Cooperation with AIHK in social media strategies



Yearly Presentation in Symposium for Teachers since 2014

香港善導會
The Society of Rehabilitation and Crime Prevention, Hong Kong

RULE OF LAW EDUCATION
香港大學法律學院法治教育計劃

合辦

法院義工訓練

警察權力與法治

香港警察權力是否過大？甚麼是選擇性執法？警察應不應該選擇性執法？
面對相反意見的市民在公眾場合起衝突，警察應該扮演甚麼角色？
甚麼是警誡？甚麼是指認？甚麼是現場模擬？
甚麼叫警誡供詞？警察可否強制採取市民的毛髮、唾液等？.....

2016年6月11日（星期六） 示威暴力 權利

上午9:30至下午12:30 招徠嘍囉 搜 三

香港大學百周年校園 鄭裕彤教學樓11樓 學術會議廳
(港鐵香港大學站C出口)

內容：法治教育工作坊及講座

講者：香港大學 法治教育計劃導師及法律學院首席講師 張達明律師

報名：請於5月15日或之前致電2567 8530
或電郵至 ckwong@sracp.org.hk 聯絡黃先生

查詢：法院社工服務 2567 8530(黃先生)

網址：<http://sracp.org.hk/tc/services/cswws.html>

備註：如有需要，請自備飲用水

拘捕 離警 警隊條例 截停及搜身

Training 30 to 40 community workers for SRACP on 11 June 2016

Media Coverage

- SCMP
- Sing Tao Daily
- Ming Pao Daily
- Oriental Daily
- The Sun
- Apple Daily

港大辦工作坊 提升教師法治概念

新高中通識教育科六大單元中的「今日香港」，涵蓋主題「法治和社會政治參與」，香港大學法律學院及教育學院合辦「法治與通識教育」講座和工作坊，協助該科教師從法治角度出發，分析雙非等社會議題，以及設計教案。有份負責的港大法律學院副教授戴耀廷坦言，如認為「可用酷刑搜集證據」，希望工作坊可加強中學的法治教育。

港大法律學院及教育學院早於去年年初籌劃「法治與通識教育」講座和工作坊，並成立十人小組，包括律師、兩所學院的教授、中學教師及公民組織代表，設計講座及工作坊的內容，至今共舉辦3次講座，約一百名教師參與。有份負責的法律學院副教授戴耀廷指，講座以雙非及港珠澳大橋等時事議題作引子，與教師互相討論法律及司法覆核等法治問題。

有助教授通識教育

戴耀廷表示，部分通識教育科教師的法治概念有偏差，對此感到失望，「他們認為可用酷刑搜集證據，反映他們將維持社會秩序的重要性凌駕於人權之上。」他又以司法覆核為例，指這是法治社會的基本要素，惟與教師討論港珠澳大橋環評報告的爭議時，個別認為社會不應存在司法覆核。

不少教師均兼教通識教育科，部分或未曾參與相關課程，戴耀廷透露，講座及工作坊將於四月起，協助教師設計有關法治的教案，「這類教案應帶點趣味，且能培養學生自主地領會法治社會的重要性。」他又指，正構思開發網站，上載教案，供其他教師參考。

記者 李詠欣



■港大法律學院副教授戴耀廷指，部分通識教育科教師的法治概念有偏差。 李詠欣攝

指法治掌握有偏差 戴耀廷為通識教師「補課」

【本報專訊】新高中通識課程及不少社會議題，但港大法律學院副教授戴耀廷稱，不少通識教師對法治的理解有偏差，包括贊成以酷刑取得證據，甚至反對司法覆核制度等，情況令人失望。他擔心連帶學生也接收偏差信息。港大法律學院去年與教統局合辦「法治教育計劃」，首階段推出講座及工作坊，透過時事議題分析及討論，在師生心中播下法治種子。

有教師贊成酷刑取證

戴耀廷表示，開課前，先與校長、教師交流了解情況，發現原來不少教師對法治的掌握有偏差，其中包括以酷刑取得證據是否適當這項。他說，「很意外，竟然有相當數量老師贊成」。他解釋說，這種做法在人權保障上不可接受，亦不符合法治精神。另外，在港珠澳大橋司法覆核事件，戴耀廷指有老師想法與部分市民一樣，認為「搞到每人無好多少事」。他坦言對結果感到失望，擔心學生的接收亦受老師影響而出現偏差。

他估計老師欠缺相關資料，另外亦與輕視法治價值的重要性有關。在首階段的法治教育計劃，去年舉辦了3次講座及工作坊，透過時事分析及討論，糾正教師或有的偏差，以及加強他們對法治的正確認識，共吸引逾100人參加。

以雙非堵路事件刺激思維

戴耀廷表示今年仍不斷推出課程，繼之前以「如何處理雙非子女問題」為題，日後亦會討論如他早前提出的中環「堵路」爭取普選權思維，刺激師生思維。他稍後將籌募經費建立網站，把法律學者就時事議題的訪問「足本」上綱，供師生參考。

戴耀廷開班 傳揚法治由教師開始

【本報訊】香港法治正被實力量靜靜衝擊，早前他演講人場中環爭取普選的律師戴耀廷認為，人對「法治」的認識嚴重不足，卻與學術上的法治教育有落差。他呼籲對法治的認識如有偏差，好能教育下一代正確認識法治的法律權利。去年中至今，戴耀廷與中大法律學院合辦過三次「法治教育計劃」通識講座，增進法治知識，而由教師對學生，讓公眾更認識正確的法治觀念。

【本報專訊】港大法律學院副教授戴耀廷表示，法治教育計劃，在去年6月、10月及今年1月共九次中大舉辦講座，上課地點有港大、已累積100名中學教師出席。

舉辦該課程的起因，是近新高中通識課程包含法治議題，但不時會到各級中學的教師及學生講解法治的戴耀廷發現，不少教師和學生對法治的認識有不同程度偏差，他希望對法治議題好初期，糾正其偏差。

「法治不只應持社會秩序」

戴耀廷指出，香港早期的研究多偏重，多著眼於法治有秩序，但無考慮到法治的價值或意義，包括對基本人權的保護。令他感到遺憾的是，港人對基本法治的要求及建設沒有高起點，甚至只停留在最低要求，但其實「法治的價值是維持社會秩序，更重要的是保障基本人權，維護憲制管治者權力，以達到公義」。

近十、二十年來，法治的價值已逐漸被重視，但不少教師認為此舉是為警察及公眾資源。戴耀廷以港珠澳大橋司法覆核一案為例，處理港珠澳大橋司法覆核的影響評估是有關為由而行使法律權利，卻被外界質疑，就港珠澳大橋的公民權利受損，「但司法覆核是基本自由的保障，以司法覆核，應認為是正面價值而並非破壞法治的價值」。

戴耀廷表示，「法治教育計劃」課程由多名大律師、事務律師及教育學院教授戴耀廷與行政學系副教授戴耀廷參與設計，課程會引用多項爭議性議題作例子，例如法律上是否應容許香港地產及地產公司。

他稱，現正籌募資金成立計劃，然後有繼續課程上載教案，以供更多教師利用；再下一步把有關法治議題，由香港範圍擴大至中國及全球討論，期望香港教師能認識法治的價值，可教育九十年代後的一代人。

通識老師「補習」 增進法治認知

【本報訊】新高中通識科着重批判思考，雙非學生具爭議性的法律議題時通識科老師都感到，與該科老師溝通，以公民生命方式爭取普選的香港大學法律學院副教授戴耀廷，過去一年組織十人小組，為近百名中學通識科老師提供「法治教育」，他認為，教師對法治認知有偏差，對教師只認同有法必依的基本法治感失望，「法治不只應持社會秩序，仲要達到公義，以政權力制衡」。

戴耀廷去年六月起，與香港教育學院學者、律師等十人組成團隊，為中學通識科教師提供法治教育「補習班」。九個月內舉辦了三場講座，合共為近百名教師講課。雙非、人權等問題成為教材，但戴認為過程中，中學教師對法治的認知只屬初階層。以港珠澳大橋司法覆核案件為例，大部分老師看眼司法覆核耗費大量公帑，但他指出如果沒有司法覆核，就不成法治地區，「大部分老師對法治的要求好基本」。

望帶出更多反思

戴耀廷又以酷刑取證為例，有老師認為可以接受，有助維持社會秩序，但當時法律應同時保障人權。他認為，世界各地對於法治教育均有不同程度的缺失，港地並非「特別差」。他期望日後可以準備更多教案，甚至查閱坊間通識科教材有否出現問題，協助老師端正偏見。

會否將「堵路」這種具爭議性的公民抗命作為教材，戴耀廷表示不排除討論價值「高階法治」，但並非要求老師認同觀點，只是希望帶出反思，「唔係唔需要公民抗命……當當時可作超越法律，去到公義（層面）睇討論」。

■戴耀廷（畫面）曾為近百名中學通識科老師提供「法治教育」。

EDUCATION

Liberal studies teachers 'biased against law'

Julie Ho
jolie.ho@scmp.com

A University of Hong Kong law professor, who helped host a workshop to educate liberal studies teachers, says he believes too many of them are biased against the rule of law.

Dr Benny Tai Yiu-tung, an associate professor of law and the convenor of a steering committee for the rule-of-law education project, said he realised that some liberal studies teachers had insufficient legal knowledge, as became apparent during their attendance of the project's workshops.

As an example he cited a judicial review of the Hong Kong-Zhuhai-Macau bridge project, which a resident, concerned about its environmental impact, sought and was granted in 2010.

Approval of the application led to substantial delays in the HK\$30 billion project, which has since gone ahead and is now due for completion in 2016.

"Many teachers, like the general public, thought that the judicial review had led to the loss of a lot of money ... they even doubt

ed whether there should be a judicial review," he said. "But a judicial review is an essential tool for the legal system to restrict the abuse of power."

In another case, he said some teachers were unsure whether it was unacceptable to use torture to obtain evidence. "I feel a little bit disappointed [about these biased perceptions]," Tai said.

The project is co-organised by HKU's law maker who represents the education sector, supported the initiatives of the workshop. "Law and order concerns the concepts of human rights, litigation procedures and the core value of Hong Kong," he said. "To teach students, teachers need to have clear understanding about these concepts."

He also said that teachers varied in their abilities to teach the new and broad curriculum introduced in 2009, which is compulsory for all secondary students.

The rule-of-law education project is co-organised by HKU's faculty of law and the Hong Kong Institute of Education. About 100 teachers have joined the three workshops, held in one place last year. The next one will be held in April.

戴耀廷開班教通識老師法治

【本報訊】新高中通識科著重批判思考，雙非學生具爭議性的法律議題時通識科老師都感到，與該科老師溝通，以公民生命方式爭取普選的香港大學法律學院副教授戴耀廷，過去一年組織十人小組，為近百名中學通識科老師提供「法治教育」。他認為，教師對法治認知有偏差，對教師只認同有法必依的基本法治感失望，「法治不只應持社會秩序，仲要達到公義，以政權力制衡」。

戴耀廷又以酷刑取證為例，有老師認為可以接受，有助維持社會秩序，但當時法律應同時保障人權。他認為，世界各地對於法治教育均有不同程度的缺失，港地並非「特別差」。他期望日後可以準備更多教案，甚至查閱坊間通識科教材有否出現問題，協助老師端正偏見，會否將「堵路」這種具爭議性的公民抗命作為教材，但並非要求老師認同觀點，只是希望帶出反思，「唔係唔需要公民抗命……當當時可作超越法律，去到公義（層面）睇討論」。

雙非人權成教材

戴耀廷去年六月起，與香港教育學院學者、律師等十人組成團隊，為中學通識科教師提供法治教育「補習班」。九個月內舉辦了三場講座，合共為近百名教師講課。雙非、人權等問題成為教材，但戴認為過程中，中學教師對法治

Impacts Achieved

Beneficiaries-

- ▶ 350+ Liberal Studies Teachers
- ▶ 80+ Secondary Schools
- ▶ 1000+ S4 to S5 Students
- ▶ All Liberal Studies Textbook Publishers
- ▶ 3 NGO (AIHK, SRACP, PTU)
- ▶ 30 to 40 Community Workers
- ▶ Potentially All Hong Kong citizens

