

9<sup>th</sup> February 2007

Dear Teachers and Students at Li Po Chun United World College,

The Board is aware of the recent debates in the College regarding the proposed definition of marriage in the new staff Employment Contract. Clearly, there are diverse opinions among staff and among students on the question of marriage, including the issue of same-sex marriages, and indeed there are diverse views within the community as a whole.

Members of the College Board may or may not have personal views, either for or against, on the question of same-sex marriages. Collectively, however, the Board has a responsibility to act in accordance with what it perceives to be the best interests of the College. As a principle, the Board does not support discrimination and indeed it would be easiest simply to allow everyone to do whatever they felt like doing without any consequences. However, the Board is charged with a responsibility for the welfare and protection of the entire College community, and it takes seriously the trust which parents from many diverse backgrounds have placed in the College for the safety and welfare of its students.

A school, whether a UWC or not, cannot exist in isolation from the community. This is particularly the case with LPCUWC which depends so much on donors and other supporters from the community. The Board has a responsibility to ensure that such community support is not put at risk over any matter in which there is as yet clearly no community consensus. Quite simply, the Board would be negligent in its responsibility if it allowed an “anything goes” attitude on matters affecting the welfare of its students, or if it adopted a position which was at variance with the prevailing law of the land.

In view of the foregoing points, the Board has resolved that the definition of marriage in the staff Employment Contract should clearly reflect Hong Kong’s law. Current law in Hong Kong precludes same-sex marriages. Specifically, same-sex marriages are not recognised in Hong Kong for the purpose of receiving government benefits. For example:

- The Immigration Department does not provide dependent visas to same-sex couples in the same way they are given to opposite-sex spouses.
- Same-sex couples cannot apply for public housing in Hong Kong, even if they have a marriage certificate issued in a foreign jurisdiction.
- The same-sex spouse of a Hong Kong civil servant is not entitled to civil service medical benefits.
- There is no legislation in Hong Kong providing specific protections for same-sex couples.

The government's position vis-à-vis same-sex couples is a reflection of what it perceives to be the socio-moral values and family ethics of the Hong Kong community as a whole. The Matrimonial Causes Ordinance (Cap. 179) makes it clear that the Hong Kong courts do not recognise same-sex marriages, and under the Matrimonial Causes Ordinance, it is unambiguous that a marriage is one between a man and a woman.

The previous wording of the College's employment contract for teaching staff reflected the wording used in some of the Hong Kong ordinances. Given that the Hong Kong government and courts do not recognize same-sex marriages, the original wording of the old/current contract did not, nor was it intended that it would, ever recognise same-sex marriages as some have suggested. The changes made to the new employment contract are merely a clarification of the former contract by reflecting the wording used in the Marriage Ordinance (Cap. 181) and the Matrimonial Causes Ordinance.

As stated above, the College, whether a UWC or not, cannot exist in isolation from the local community. It must be remembered that the College is not an independent, profit-making educational institution. It is a Direct Subsidy School which depends on government grants and subsidies, as well as other donations, for its survival. The Board has a responsibility to take government views into account. As stated, the government considers its position vis-à-vis same-sex couples reflects socio-moral values in Hong Kong. The Board shares that view.

Notwithstanding the views that some teachers may hold, they have a responsibility to act in accordance with the views of the parents (as well as the financial sponsors of the College) as a whole. Given what the Board perceives to be the views and socio-moral values of the Hong Kong community as a whole, and given also that a large percentage of the College's students are from Hong Kong (as well as less liberal countries), the Board is concerned that some parents may be sensitive about their children boarding in a school which openly recognizes same-sex marriages.

The UWC colleges promote and teach international awareness and understanding of different cultures, political perspectives, etc. This includes: (i) understanding that certain cultures may not share your views on issues such as same-sex marriages; and (ii) taking those views into account where appropriate.

The Board appreciates that this is a sensitive issue that evokes strong opinions on both sides of the argument, recognizing that a broad consensus view does not exist. The Board does not intend to impose a particular stand on the matter, but feels obliged to respect the prevailing legislation and community standards in Hong Kong, whatever they may be at the time.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Li Yuet-ting', written in a cursive style.

(Dr) LI Yuet-ting

Chairman