

Whose Fault Is It



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The ABCs of Law



Deacons, a Hong Kong law firm with more than 165 years of history, continues to work closely with the Hans Andersen Club. The two organisations have now worked together since 2014, creating an education programme specially designed to help children to develop their knowledge of the legal system in Hong Kong, including some basic legal concepts such as contractual obligations, intellectual property rights, and to understand their rights and obligations as members of Hong Kong's community.

"The ABCs of Law" is an initiative of Deacons' corporate social responsibility programme, "Deacons Cares". As part of the programme, Deacons' volunteers lead interactive workshops, either at the Hans Andersen centres or Deacons' offices. Through drama, stories, interactive discussions and special learning kits, children are encouraged to participate and express their views. The programme reached another significant milestone in 2020 – Deacons' volunteers worked with an illustrator to create storybooks. This effort highlights the programme's ongoing commitment and desire to educate children on the different fields of law through the art of storytelling.

We are proud to be behind a programme that provides valuable opportunities for our children to explore the relationship between law and society, and learn about their own rights and duties.

Whose Fault Is It



In the beautiful village of Forest Lake lived Naughtie the little Monkey. Naughtie was active, but also reckless and impulsive. Whenever there was a chance to play, Naughtie would choose to have fun and enjoy himself first without caring about the safety and feelings of others. "Who cares!" is a phrase he often told everyone in the village.

Who cares!



Naughtie, you are running too fast!

One day, before school started, Naughtie was playing tag in the playground with the Ducksters, Quackie and Quackalina.

Haha! Come catch me if you can!

Naughtie ran excitedly, sometimes turning around to mock the Ducksters, who were running behind him. Suddenly, someone exclaimed "Ouch!". Piglet, who was just walking by, was knocked over by the running Naughtie.

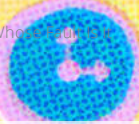


Ouch!
It hurts...
It hurts...

Naughtie only cared about not getting tagged by the Ducksters. He glanced at Piglet briefly. "Who Cares!", said Naughtie, as he continued running away.

Poor Piglet sat on the ground in pain.

Who cares!



Luckily, Freckles, the travel loving rabbit, quickly helped Piglet get back up on his feet, and brought him to the medical centre to dress the wound on his knee.



During the music lesson, Teacher Owl asked all students to bring their violins home to practice. The impatient Naughtie only thought about getting his own violin back, and pushed the Little Mouse siblings' violins onto the floor.





Waaaa... Our violins are broken!

Waa!

BAM!

BAM!

Oh no, Naughtie is so naughty!

Who cares!

The Little Mouse siblings told Teacher Owl about what had happened. The next day, Teacher Owl gathered Naughtie and the Little Mouse siblings in the classroom for a chat.

Naughtie broke our violins! He must compensate us!

No! If I pay for the violins, I will have no pocket money left!

Naughtie, doesn't your brother have a spare violin which he has not used for a long time?

Oh yes! My brother doesn't play the violin anymore, and his violin is kept in a good condition. Wouldn't it be a perfect solution if I gave his violin to the Little Mouse siblings?

While watching the three students bicker, Teacher Owl suddenly had a great idea...

That's not a bad idea! We have been using our violins for some time already. Instead of having you pay for new violins, we should reuse your brother's violin. That would also be more environmentally friendly!

Once they found out about the incident with the violins, Freckles and Sly Fox started discussing what Naughtie had done.

The accident could have been prevented if Naughtie were more careful. After all, shouldn't we take care of others too?

How could we possibly prevent accidents? Well, I think it does not matter as long as Naughtie is happy!



PAUSE & THINK:

Freckles and Sly Fox hold different opinions. Whom do you agree with?

After a long day, Naughtie went to have dinner with his parents and younger sister at Forest Lake Restaurant. Unfortunately, it seemed that Naughtie had not learnt his lesson.





Naughtie ran around the restaurant as fast as a rocket, pulling his younger sister after him.

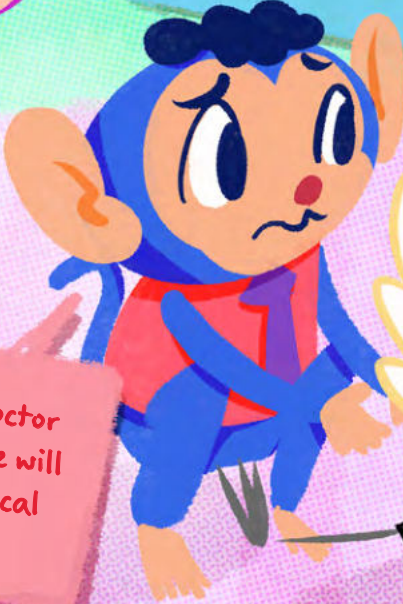
Don't worry! People will make way for us. We are just kids after all, nobody is going to blame us!



Naughtie ignored everything and rushed towards the fish tank. He crashed into the waiter, Black-faced Spoonbill, who could not respond quickly enough. Very thoughtfully, Black-faced Spoonbill tilted the tray towards himself so that the hot tea would not splash onto Naughtie.

Just ignore him! He poured the hot tea onto himself, why is it even our business? Sister, let's go and look at the fish!

Naughtie's parents came over immediately. They understood what had happened once they saw Black-faced Spoonbill lying on the floor.



Sorry! Sorry! It's our fault that we did not look after our children properly. Are you alright?

I think Naughtie has the responsibility to prevent the accident. He caused uncle Black-faced Spoonbill's injury. His behaviour is unacceptable!

I don't agree with you. Uncle Black-faced Spoonbill was careless too. Besides, it is difficult to avoid accidents in this small and crowded restaurant. We are just kids - we need not bear any responsibilities.



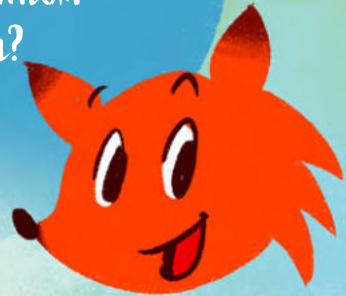
Please don't let your children run around in the restaurant. It's too dangerous! Children should also pay attention to the people around them. Fortunately, it's only my hand that's been injured this time.

Please visit a doctor immediately! We will pay for the medical fees. Sorry!



PAUSE & THINK:

Freckles and Sly Fox hold different opinions. Whom do you agree with?



Freckles knew the villagers of Forest Lake were unhappy with Naughtie, so she sought help from Old Spotty, the highly respected leader of the village.

After Freckles recounted the villagers' complaints about Naughtie, Old Spotty went to Naughtie to teach him the legal concept of **duty of care and its importance for children**.



All of us owe a duty of care to others in our daily lives. Every act we do may affect other people, and may even cause harm or loss to them. Therefore, we should not overlook how others feel and what risks they face just for our own convenience.

We have the **responsibility** to act carefully and not harm others.

But I am just a child. Do I also have a duty of care?



Of course you do!

The law is less stringent about the standard of care owed by younger children. However, as children grow up, the standard of care expected of them will gradually increase.





But...
if an accident
does happen, what
should we do?

Of course, accidents
may happen no matter
how careful we are.



When they do happen, other
than going to court to resolve
the conflict, we can also use
mediation so everyone
can be happy with the result.

It's just like how Teacher Owl
helped you and the Little
Mouse siblings find a
solution when the
three of you were having an
argument.

Naughtie understood what Old Spotty was saying and suddenly felt very ashamed. He immediately apologised to Piglet, the Little Mouse siblings, and Black-faced Spoonbill.



Everyone accepted Naughtie's apology and became good friends with him.

What is “duty of care”?

If we foresee that our actions may affect others, we must act with care so that we can reduce the risk of injuring other people or harming their property. This is what duty of care means in tort law.

The law is less stringent about the standard of care owed by younger children. However, as children grow up, the standard of care expected of them will gradually increase.

Of course, even if we act cautiously, we still cannot avoid accidents at times, even possibly injuring others or harming their property. When this happens, other than handling the dispute in court, we can use mediation to find a solution that everyone can accept. This is just like how a teacher helps students find a solution to their dispute.

Let's remember to act prudently in our daily lives and take care of ourselves and others!



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的近律師行

