

立法會
Legislative Council

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LC Paper No. CB(2)2520/04-05
(The minutes have been seen by
the Administration)

Panel on Security

**Minutes of meeting held on Tuesday, 7 June 2005
at 2:30 pm in the Chamber of the Legislative Council Building**

- Members present** : Hon James TO Kun-sun (Chairman)
Hon Albert HO Chun-yan
Dr Hon LUI Ming-wah, JP
Hon Margaret NG
Hon CHEUNG Man-kwong
Dr Hon Philip WONG Yu-hong, GBS
Hon Howard YOUNG, SBS, JP
Hon LAU Kong-wah, JP
Hon CHOY So-yuk
Hon Audrey EU Yuet-mee, SC, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon LEUNG Kwok-hung
- Members attending** : Hon LEE Cheuk-yan
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon LI Fung-ying, BBS, JP
Hon WONG Kwok-hing, MH
Dr Hon KWOK Ka-ki
Hon Ronny TONG Ka-wah, SC
Hon Albert Jinghan CHENG
- Members absent** : Hon Daniel LAM Wai-keung, BBS, JP (Deputy Chairman)
Hon WONG Yung-kan, JP
Hon CHIM Pui-chung

Public Officers : Item IV
attending

Mr Ambrose S K LEE
Secretary for Security

Mr Michael WONG
Deputy Secretary for Security 3

Mr Johann WONG
Administrative Assistant to Secretary for Security

Item V

Mr Stanley YING
Permanent Secretary for Security

Mrs Jennie CHOK
Deputy Secretary for Security 2

Mr KWOK Jing-keung
Deputy Director of Fire Services

Mr MAK Kwai-pui
Chief Ambulance Officer

Attendance by : Item V
invitation

Hong Kong Fire Services Department Ambulancemen's Union

Mr WAT Ki-on
Chairman

Mr LO Lap-yip
Secretary

Clerk in : Mrs Sharon TONG
attendance Chief Council Secretary (2)1

Staff in : Mr LEE Yu-sung
attendance Senior Assistant Legal Adviser 1

Mr Raymond LAM
Senior Council Secretary (2) 5

Ms Sandy HAU
Clerical Assistant (2) 1

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I. Confirmation of minutes of previous meeting
(LC Paper No. CB(2)1717/04-05)

The minutes of the meeting held on 15 April 2005 were confirmed.

II. Information papers issued since the last meeting
(LC Paper Nos. CB(2)1483/04-05(01), CB(2)1628/04-05(01),
CB(2)1657/04-05(01), CB(2)1660/04-05(01), CB(2)1696/04-05(01) and
CB(2)1769/04-05(01))

2. Members noted that the following papers had been issued since the last meeting -

- (a) Further response from the Independent Commission Against Corruption regarding staff turnover and renewal of employment agreement;
- (b) Additional information provided by the Administration regarding a case on 16 June 2004 where seven Mainlanders were suspected of having committed criminal offences in Hong Kong, and allegations that Mainland public security officials had taken enforcement actions in Hong Kong;
- (c) Administration's response on the implications of the ruling of District Court Judge SWEENEY on 22 April 2005 regarding surveillance on the work of law enforcement agencies;
- (d) The Independent Commission Against Corruption's response on the implications of the ruling of District Court Judge SWEENEY on 22 April 2005 regarding surveillance on its work;
- (e) Paper on issues relating to the use of the Frontier Closed Area; and
- (f) Paper provided by the Administration on the employment of foreign domestic helpers.

III. Date of next meeting and items for discussion

(LC Paper Nos. CB(2)1740/04-05(01) and (02))

3. Members agreed that the following items would be discussed at the next meeting to be held on 5 July 2005 at 2:30 pm -

- (a) Notification mechanism between the Mainland authorities and the Hong Kong Special Administrative Region Government and assistance to Hong Kong residents detained in the Mainland;
- (b) Issues relating to allegation of Mainland public security officials taking enforcement actions in Hong Kong; and
- (c) Policy governing the employment of foreign domestic helpers.

4. Members agreed that members of the Panel on Manpower would be invited to join the discussion on the item referred to in paragraph 3(c) above.

5. Regarding the item "Revision of fees and charges for services not directly affecting people's livelihood under the purview of Security Bureau" proposed by the Administration, members agreed that the Administration should be requested to provide an information paper on the item, and if necessary, the item could be discussed by the Panel in October 2005.

IV. Notification mechanism between the Mainland authorities and the Hong Kong Special Administrative Region Government and related issues

(LC Paper Nos. CB(2)1774/04-05(01), CB(2)1784/04-05(01) and CB(2)1779/04-05(01))

6. At the invitation of the Chairman, Secretary for Security (S for S) briefed Members on the assistance provided by the Administration to Hong Kong residents detained in the Mainland and the reciprocal notification mechanism between the Mainland authorities and the Hong Kong Special Administrative Region (HKSAR) Government (the notification mechanism).

Notification mechanism

7. Ms Audrey EU asked about the Mainland authority responsible for notifying the Hong Kong side of the detention of a Hong Kong resident for offences relating to state secrets.

8. S for S responded that under the notification mechanism, the Mainland Notification Unit, which was the Ministry of Public Security, should notify the Hong Kong Notification Unit as soon as practicable of the imposition of criminal compulsory measures on Hong Kong residents. While the average notification time

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was about three weeks in the past, the Mainland Notification Unit was able to notify the Hong Kong Notification Unit within 10 days of detention in the majority of cases in the past two years.

9. Ms Audrey EU asked what the Administration would do if no notification was received within 10 days. She said that a notification period of 10 days was too long.

10. S for S responded that under such a situation, the Hong Kong Notification Unit would contact the Mainland Notification Unit. He said that some time might be taken for notification because –

- (a) the Mainland authorities concerned might have to investigate whether there was such a detention;
- (b) the Mainland had a vast geographical size; and
- (c) there were many authorities empowered to detain or arrest persons in the Mainland.

11. Mr LAU Kong-wah asked about the longest notification time taken in the past. S for S responded that the notification time had exceeded three months in some cases.

12. Mr Albert HO expressed concern about the length of time taken before the Mainland side notified the Hong Kong side of the compulsory measure imposed on Mr CHING Cheong. He asked whether the Administration would seek to shorten the notification time to seven days.

13. S for S responded that the notification time had already been shortened in comparison with that in the past. The Administration would discuss with the Mainland side how the notification time could be further shortened.

14. Ms Audrey EU asked about the length of time taken for the Mainland side to notify the Hong Kong side in cases related to state secrets.

15. S for S responded that there was no separate statistics on the notification time for cases related to state secrets.

Assistance provided and actions taken by the Administration in cases of Hong Kong residents detained in the Mainland

16. Referring to the case of CHING Cheong, Mr LEE Cheuk-yan asked whether it was Mr CHING Cheong's wife or the Mainland authorities who informed the Administration that Mr CHING was detained in the Mainland.

17. S for S responded that he was not in a position to disclose details about the case, especially given that Mr CHING's family had requested that the case be dealt

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with in a low-profile manner. He stressed that the Administration was very concerned about the case. The Acting Chief Executive had asked the Security Bureau (SB) to provide assistance as far as possible to the family concerned in accordance with the principle of “one country, two systems” and the established procedures.

18. Mr LEE Cheuk-yan asked whether the Administration would, besides conveying the requests and appeals of the family of detainees, raise with the Mainland authorities any unlawful detention of Hong Kong residents in the Mainland. He also asked whether there was a mechanism for the Administration to request Mainland monitoring body to intervene in cases where Mainland authority was in breach of rules or procedures.

19. S for S responded that under the “one country, two systems” principle, the Administration should not interfere with the law enforcement and judicial process in the Mainland. If there were complaints from the family concerned about suspected breach of rules or procedures by Mainland authorities, the Administration would, through the Office of the HKSAR Government in Beijing (the Beijing Office), convey the complaint or appeal of the family concerned to the higher level Mainland authorities responsible for monitoring the Mainland authority in question or the Hong Kong and Macau Affairs Office for follow-up. The Beijing Office would keep track of the response of the relevant Mainland authorities.

20. S for S said that as the legal systems in the Mainland and Hong Kong were quite different, it might not be appropriate to apply common law principles to determine whether Mainland authorities had acted in accordance with Mainland laws. He added that it would be unwise to interfere with law enforcement in the Mainland. If Hong Kong could interfere with law enforcement in the Mainland, the Mainland could also reciprocally interfere with law enforcement in Hong Kong.

21. Mr LAU Kong-wah asked whether any Mainland authorities had been found contravening the rules and regulations on detention period. S for S responded that whether there was such contravention had to be determined by Mainland courts.

22. Mr CHEUNG Man-kwong said that although the Administration had stated that the notification period was less than 10 days in most cases, there were 42 days between 22 April 2005 when Mrs CHING reported the detention of Mr CHING Cheong and 3 June 2005 when Mrs CHING received notification about the case. According to Mainland laws, the law enforcement authorities were required to inform the family of the detainee within 24 hours the reasons for detention and the place of detention. He asked whether the Administration had taken actions, besides conveying the requests and appeals of Mr CHING’s family, to protect the legal rights to which Mr CHING was entitled in the Mainland.

23. S for S responded that the Administration was not in a position to disclose information about the case. He stressed that the Administration was very concerned

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about each and every case, and would make every effort to provide assistance to the detainee or his family members in accordance with the existing mechanism.

24. The Chairman asked how the Administration provided assistance to a detainee or his family members. S for S responded that if a Hong Kong resident was detained in the Mainland for breach of Mainland laws and his family considered that the detention had exceeded the maximum detention period permitted under Mainland laws, the Administration would provide the family with a booklet on the imposition of compulsory criminal measures in the Mainland. Where the family was still in doubt, the Administration would suggest the family to engage a Mainland lawyer to provide legal advice and represent the detainee.

25. Ms Emily LAU asked whether the Mainland authorities had informed the family of Mr CHING the reasons for detention and the place of detention within 24 hours.

26. Deputy Secretary for Security 3 (DS for S3) said that under the Criminal Procedure Law of the People's Republic of China, law enforcement authorities were required to inform the family of the detainee of the reasons for the detention and the place of detention within 24 hours, unless it was not feasible to do so or that such notification would adversely affect investigation.

27. Ms Emily LAU considered that the Administration should examine whether the reasons for not informing the family concerned of Mr CHING's detention within 24 hours fell within the exceptions under section 64 of the Criminal Procedure Law.

28. DS for S3 responded that he was not in a position to disclose details about the case. He reiterated that the Administration would convey any requests and questions raised by the family of detainees to the monitoring authorities in the Mainland.

29. Mr LEUNG Kwok-hung asked whether the Administration was aware of the detention of Mr CHING Cheong before a spokesman of the Ministry of Foreign Affairs said that Mr CHING was a spy and whether the Executive Council had discussed the case. He also asked whether the Administration had contacted Mrs CHING and assisted her to engage a lawyer in the Mainland.

30. Mr CHEUNG Man-kwong considered that although the meeting was originally scheduled to be held in the last Friday, the Administration had requested deferring the meeting merely to wait for the Mainland side to deliver its notification. He queried whether the Administration had really made every effort to provide assistance to Mr CHING and his family. Ms Margaret NG asked whether the Administration would proactively follow up requests for assistance from the family of detainees.

31. S for S reiterated that he was not in a position to disclose further information

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about the case. He said that the Administration had been maintaining contact with the family concerned and had made every effort to assist.

32. Ms Emily LAU said that the case of CHING Cheong had aroused much concern both in the local and international communities. She considered that the Administration should inform Members of the actions it had taken in the case, especially given that Mrs CHING had not requested the Panel not to discuss the case. She asked when the Administration received a request for assistance and when the Administration contacted the Mainland authorities in the case concerned.

33. S for S responded that all requests for assistance regarding Hong Kong residents detained in the Mainland were dealt with expeditiously in accordance with established procedures and there was no exception in the case of CHING Cheong. Where the Administration had learnt from avenues outside of the notification mechanism that a Hong Kong resident was detained in the Mainland, enquiries would also be made with the Mainland side.

34. The Chairman asked about the number and level of contacts made by the Administration with the Mainland authorities in the case of CHING Cheong. S for S reiterated that he was not in a position to disclose further information about the case.

35. Mr Ronny TONG questioned why the Administration refused to provide information about the case of CHING Cheong. He said that under Article 73 of the Basic Law (BL73), Legislative Council (LegCo) Members could raise questions on the work of the Government. Under BL64, the Administration had a responsibility to answer questions raised by LegCo Members.

36. S for S responded that the Administration was very concerned about the case. The Administration respected the constitutional role of LegCo Members. However, it was not the Administration's established policy to discuss individual cases at Panel meetings. Communications and discussions between the Mainland and the Administration were made on the understanding that matters discussed would not be disclosed. The disclosure of information about the case involved the privacy of the detainee concerned. The family of the detainee had requested the Administration to handle the case in a low-profile manner.

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37. Mr Ronny TONG requested the Administration to provide information on the actions it had taken in the case of CHING Cheong. S for S agreed to consider the request, having regard to the views of the family of Mr CHING.

38. Ms Emily LAU asked whether the Administration would consider disclosing more information about the case in a closed meeting.

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39. S for S responded that he had to seek legal advice before giving a response. He said that it was not the Administration's practice to discuss individual cases at

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Panel meetings.

40. The Chairman said that the Panel had held closed meetings with the Administration on a number of occasions. So far, there had not been any leakage of confidential information provided by the Administration at closed meetings.

41. Mr Albert CHENG and Mr LAU Kong-wah asked whether residence under surveillance was being imposed on Mr CHING. Mr Albert CHENG also asked whether the Administration had tried to look into the offences suspected to have been committed by Mr CHING, the compulsory measure imposed and the scheduled period of court trial.

42. S for S responded that the relevant notification document had been delivered to the family concerned. However, the Administration was not in a position to disclose details about the case, especially given that the family concerned had requested that the matter be dealt with in a low-profile manner.

43. Miss CHOY So-yuk asked about the time taken for the Administration to process a request for assistance before the Administration liaised with the Mainland authorities on the matter. She also asked whether there was any performance pledge in respect of the handling of such requests.

44. S for S responded that requests for assistance were dealt with expeditiously as far as practicable. There was no exception in the case concerned.

45. Miss CHOY So-yuk expressed concern that there were reports that some Hong Kong residents had been detained in the Mainland for the purpose of assisting in investigations conducted by disciplinary committees in the Mainland. Such detention sometimes lasted for one to two years and visits by the family of the detainee were not allowed. S for S invited Miss CHOY to refer the case to the Administration for follow-up.

46. The Chairman asked whether the detention of Hong Kong residents for assisting in the investigations conducted by disciplinary committees in the Mainland was covered in the notification mechanism. S for S replied in the negative. The Chairman requested the Administration to consider extending the notification mechanism to cover such detention.

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47. Mr LAU Kong-wah said that Mr CHING Cheong had been detained for more than 37 days, which was the maximum detention period under the Mainland laws. He asked whether the Administration had raised the matter with the Mainland authorities.

48. S for S responded that there were reports of Mrs CHING having stated that residence under surveillance had been imposed on Mr CHING Cheong. DS for S3 added that such a measure would normally be imposed for a period not exceeding six

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months.

49. Mr Howard YOUNG pointed out that officials of Embassies in the Mainland could visit their respective residents detained or imprisoned in the Mainland. He asked whether the family members concerned or HKSAR Government officials could visit the detainee in the Mainland. Mr Albert HO and Ms Margaret NG considered that the Administration should discuss with the Mainland authorities with a view to reaching a consensus on allowing HKSAR Government officials to visit detainees in the Mainland.

50. S for S responded that visits by family members to the detainee could be allowed, if consent was given by the relevant Mainland authorities. A number of requests from the families of detainees had been referred to the relevant Mainland authorities and visits had been allowed in some cases. The Administration had raised with the Mainland authorities whether HKSAR Government officials could visit Hong Kong residents under detention. So far, no positive response had been received. The Mainland side had indicated that the role of the Beijing Office could not be compared with that of an Embassy. He undertook to raise with the Mainland authorities again on allowing HKSAR Government officials to visit detainees in the Mainland.

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51. Ms Margaret NG asked whether persons detained for offences relating to state secrets were allowed to engage lawyers to represent them only if consent was given by the Ministry of State Security and whether the hearings were conducted in closed sessions.

52. DS for S3 responded that under the Mainland laws, the engagement of a lawyer by the detainee and any meeting between the detainee and his lawyer required the consent of the investigating authority in cases involving state secrets.

53. Mr Ronny TONG asked whether the Administration would engage a lawyer in the Mainland to provide legal advice to the family of a Hong Kong resident detained in the Mainland, if there was suspected breach of rules or regulations on the part of Mainland authorities.

54. S for S responded that the Administration would provide information on the contact addresses and telephone numbers of law societies in the Mainland as published in the 《全國律師協會及有關部門通訊錄》 to the family members concerned so that they might consider seeking legal advice. However, the Administration would not engage lawyers for the family concerned. He added that it was the Administration's policy to provide legal aid to cases taking place in Hong Kong only.

55. The Chairman said that according to the background brief prepared by LegCo Secretariat, members had asked the Administration to consider providing legal aid to Hong Kong residents detained outside Hong Kong when assistance provided to Hong

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Kong residents detained in the Mainland was discussed by the Panel. He requested the Administration to provide a written response on the matter.

56. Mr CHEUNG Man-kwong moved the following motion –

“本委員會要求特區政府向中央政府反映港人對程翔事件的高度關注，並全力確保程翔事件得到公平、公正和盡速的處理。”

(Translation)

“That this Panel requests the HKSAR Government to convey to the Central People’s Government the grave concern of Hong Kong people about the case of Ching Cheong, and make every endeavour to ensure that the case will be dealt with in a fair and just manner as expeditiously as possible.”

57. Ms Emily LAU and Mr Ronny TONG, who were non-Panel Members, expressed support for the motion.

58. The Chairman put the motion to vote. Seven members voted in favour of the motion and no member voted against it. The Chairman declared that the motion was carried.

V. Provision of emergency ambulance service

(LC Paper Nos. CB(2)1740/04-05(05), CB(2)1725/04-05(01),
CB(2)1699/04-05(01) and CB(2)1797/04-05(01))

59. At the invitation of the Chairman, Permanent Secretary for Security (PS for S) briefed Members on the Administration’s paper on the adequacy of emergency ambulance service (EAS), the measures being implemented and possible options being considered by the Administration. He informed Members that the average number of times for which an ambulanceman was deployed to provide EAS within a 12-hour shift in 2000, 2001 and 2004 were 4.9, 5.2 and 5.7 respectively.

60. At the invitation of the Chairman, Mr WAT Ki-on presented the views as detailed in the submission from the Hong Kong Fire Services Department Ambulancemen’s Union (the Union).

61. Referring to the measures being studied by the Administration, Mr Albert CHENG said that –

- (a) a charge should not be introduced for EAS, which involved the saving of lives;

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- (b) it would be very difficult to determine whether a case was urgent or not under a priority despatch system; and
- (c) according to his own experience, the Global Positioning System (GPS), which was deployed in the Third Generation Mobilising System (TGMS), could not accurately identify one's location in Hong Kong.

62. PS for S responded that the Administration had not arrived at any conclusion regarding the introduction of a priority despatch system and a charge for EAS. He informed Members that under the priority despatch system adopted in the United Kingdom, there was a response time target of eight minutes for 75% of cases where there was immediate threat to life, 14 minutes for 95% of cases of serious injuries or illnesses, and no response time target for non-serious injuries or illnesses. In Singapore, a charge of about HK\$780 might be charged for cases found to be not urgent. He stressed that the Administration would study overseas experience before considering whether such systems should be introduced in Hong Kong.

63. Mr WONG Kwok-hing questioned why there had only been an addition of one ambulance between 2000 and 2004, although the number of emergency ambulance calls had increased by 16.7% during the same period. He also questioned why additional resources had not been allocated for the procurement of more ambulances to meet the increased demand. He considered that a priority despatch system and an EAS charge should not be introduced in Hong Kong.

64. PS for S responded that the main problem with the provision of EAS was the shortage of manpower rather than ambulances. To address the problem, a total of 92 ambulancemen would be recruited in 2004-06. Chief Ambulance Officer (CAO) added that between 1999 and 2004, the Administration had procured eight additional ambulance-aid motorcycles (AAMCs), 12 ambulances for the Urgent Care Fleet (UCF) and two mobile casualty treatment vehicles.

65. Mr WAT Ki-on said that AAMCs could only bring about improvements to the response time performance of ambulances. The mobile casualty treatment vehicles were used for on-site triage treatment and rescue command. UCF was used for the transfer of patients from one hospital or medical institution to another.

66. The Chairman asked about the function of AAMCs. CAO responded that AAMCs, which were equipped with paramedic ambulance equipment, were particularly useful in cases where early treatment was of paramount importance and in areas affected by traffic jams. The early arrival of an AAMC at a scene could help stabilising the condition of the patient in the first instance and shortening the time taken for sending the patient to the nearest hospital.

67. Mr Andrew CHENG said that the higher increase in the number of emergency ambulance calls than the increase in population was mainly due to the aging of the

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population. He expressed concern that the introduction of an EAS charge might discourage those in genuine need from using EAS. He considered that a priority despatch system would not be viable, as different people might have different perception about the seriousness of injury or illness and whether a case was urgent. He asked whether the Administration would allocate more resources to increase the number of ambulancemen and ambulances.

68. PS for S responded that there was an adequate number of ambulances. He said that requests had been made for additional ambulancemen manpower in 2004-06. In 2005-06, the Administration would recruit 64 ambulancemen by open recruitment. After deduction of the number of ambulancemen expected to leave EAS and taking into account in-service recruitment, there would be a 1.3% increase in manpower over that in 2000. Where necessary, a request for the recruitment of more ambulancemen would be submitted to the Panel chaired by the Chief Secretary for Administration and the Financial Secretary.

69. Mr Andrew CHENG asked whether ambulancemen would be deployed to perform overtime work to address the manpower shortage problem. PS for S responded that such suggestions would need to be discussed with staff, but the Administration would need to consider if it would be appropriate to require ambulancemen to perform overtime work after finishing a 12-hour shift.

70. Mr Andrew CHENG said that, given the poor performance of TGMS, he might consider requesting the Director of Audit to conduct a value-for-money audit on TGMS.

71. PS for S responded that TGMS was designed to enhance the mobilisation of ambulances. Although teething problems were encountered during the initial phase of commissioning of TGMS in the New Territories Fire Command, some of the problems had been resolved.

72. Ms LI Fung-ying asked about the Administration's position regarding the Union's request that EAS should be detached from the Fire Services Department (FSD) and become a separate disciplined service.

73. PS for S responded that the detachment of EAS from FSD could not address the problem of the mismatch between demand and resources. On the other hand, additional resources might be incurred in the provision of administrative and clerical support. Additional resources might also be needed for the procurement of, say, another TGMS, which was currently used for both fire and EAS services.

74. Ms LI Fung-ying said that the Administration should provide a response to the issues raised in the submission from the Union. She asked whether the 64 ambulancemen to be recruited in 2005-06 represented the net increase in the number of ambulancemen after deducting the number of ambulancemen who left EAS during the same period.

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75. PS for S responded that as about 30 ambulancemen were expected to leave EAS, the net increase in 2005-06 would be about 34 ambulancemen.

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76. Ms LI Fung-ying questioned whether the net increase in ambulancemen manpower could meet with the additional demand for EAS arising from the opening of Disneyland and development of Lantau Island, the increased number of visitors associated with the Individual Visit Scheme and the international conferences to be held in Hong Kong, as well as the opening of new ambulance depots. The Chairman requested the Administration to provide its quantitative analyses of the additional demand for EAS arising from the factors referred to by Ms LI and advise whether the net increase in manpower could meet with such increased demand.

77. Deputy Director of Fire Services (DDFS) informed Members that after the financial turmoil in 1997, additional demand had to be met within existing resources as far as possible. He said that 43% of the patients conveyed by ambulances were semi-urgent or non-urgent cases where the patient had to wait at Accident and Emergency (A & E) Departments of the Hospital Authority (HA) before receiving medical attention. It was necessary to ensure that EAS was provided to those in genuine need of the service.

78. Mr LEE Cheuk-yan expressed disappointment that the Administration had focused its attention on the suppression of demand rather than seeking more resources to meet the increased demand in matters involving the rescue of lives. He expressed concern that some urgent cases might be wrongly classified as non-urgent cases under a priority despatch system.

79. PS for S responded that as made clear in the paper, the three directions being pursued by the Government included not only studying the feasibility of introducing a priority despatch system and a charge for EAS, but also the possibility of seeking additional resources for EAS. He said that there were weaknesses with the existing despatch system in that ambulance calls were dealt with on a first-come-first-served basis without any priority given to urgent cases such as those involving heart attack.

80. Mr LEE Cheuk-yan expressed concern about reports that a Deputy Commissioner of Police (DCP) had found during a visit to the Fire Services Communication Centre that telephone operators deliberately avoided answering incoming calls in order to keep down the response time. DDFS responded that no DCP had visited the Fire Services Communication Centre.

81. Mr LEE Cheuk-yan expressed concern about reports that the response time performance of EAS had dropped to about 80% and the despatch time had increased from some 10 seconds to a few minutes after the introduction of TGMS.

82. DDFS responded that the Second Generation Mobilising System had reached the end of its serviceable life and maintenance was increasingly difficult. TGMS had

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thus been introduced to replace the existing system. Teething problems were encountered during the initial phase of commissioning of TGMS in the New Territories. The fact that there were many high-rise buildings in Hong Kong had made it difficult to determine the location of a vehicle with GPS alone. The new system also required regular input of information by ambulance crew. As FSD had been working closely with the contractor to fine-tune the system and relevant staff members had gained more operational experience, substantial improvement had been made. This could be reflected in the overall response time performance improving from 83.7% in March 2005 to 89.7% in April 2005. The Chairman requested the Administration to provide statistics on the response time performance in the New Territories before and after TGMS came into operation.

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83. Referring to a newspaper report, Mr LEE Cheuk-yan asked whether the Administration was seeking legal advice on the interpretation of provisions in the Fire Services Ordinance (FSO) (Cap. 95) for the purpose of examining whether non-urgent cases could be handled by persons who were not ambulancemen.

84. DDFS responded that under FSO, FSD was tasked to assist any person who appeared to need prompt or immediate medical attention. According to HA's categorisation, 43% of the ambulance conveyances were semi-urgent or non-urgent cases. FSD had a responsibility to ensure that EAS was provided to persons in genuine need of the service. He pointed out that priority despatch systems had been successfully implemented in the United States for over 20 years. He undertook to provide members with information on the implementation of priority despatch systems in overseas countries.

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85. Mr LEUNG Kwok-hung considered that the Administration should not introduce a priority despatch system. He expressed concern that the Administration was reducing expenditure on welfare and public service to control expenditure. The fact that 43% of the patients conveyed by ambulances had to wait at HA's A & E Departments before receiving medical attention might only reflect a shortage of resources in HA. He said that the 12-hour shift of ambulancemen should be revised to eight-hour shift and the number of ambulance crew should not be reduced from three ambulancemen to two.

86. PS for S said that an ambulancemen's normal shift pattern was "two day-shifts, one night-shift and two day-offs". The switch from a 12-hour shift to an eight-hour shift was in fact one of the options recommended in the report on a consultancy study conducted in 2001. The Administration had been discussing options with the staff and would continue to do so.

87. Mr WONG Kwok-hing expressed concern that the Administration had not addressed the problem of inadequate meal time for ambulancemen.

88. CAO responded that the Administration had been maintaining dialogue with the Union on meal time arrangements. He informed Members that a new meal time

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arrangement had been put on trial between 1 January and 14 February 2005. Under the arrangement, ambulancemen were allowed to take their meal breaks in turn between 11:30 am and 2:30 pm. During the period, about 6% of the ambulancemen had made request for a compensatory meal break, which meant that 94% of the ambulancemen had the opportunity to take a half-hour meal break. After TGMS was introduced in the New Territories in March 2005, the Union had agreed to defer further trials on the new arrangement until TGMS was fully operational.

89. Mr WONG Kwok-hing questioned why only 85% of the establishment for ambulancemen was filled. He asked why ambulancemen had so many grievances in comparison with firemen.

90. PS for S responded that the establishment only reflected the ceiling for manpower. With the Government-wide initiatives to control expenditure and recruitment in the past few years, the actual manpower employed was restrained by the resources available. He informed Members that in the past five years, the financial resources allocated to SB had decreased by 5.5% and that allocated to FSD had decreased by 1.5%. As regards the actual manpower of FSD, the number of civilian staff had decreased by 23% and fire-fighting staff by 0.5%, whereas the number of ambulance staff had increased by 3.2%. He said that he had looked into the grievances of ambulancemen and noted that they arose mainly from historical reasons. He stressed that the Administration would consider seeking additional resources for EAS, if necessary, through its resource allocation exercise.

91. Mr LEE Cheuk-yan said that the demand for EAS in the first five months of 2005 had increased by 8.8% over the corresponding period in the previous year. He asked whether the Administration would seek further addition to the number of ambulancemen to be recruited.

92. PS for S responded that requests for additional manpower had to be made through the Administration's relevant resource allocation exercise. The Administration had a responsibility to ensure appropriate use of public money.

93. Mr LEE Cheuk-yan asked about the timetable for completion of the Administration's study on a priority despatch system for EAS. He also asked whether the Administration had fully implemented the recommendations in the consultancy report of 2001.

94. PS for S responded that the study on the priority despatch system was expected to be completed by September 2005. Regarding the recommendations in the consultancy report of 2001, those regarding the introduction of UCF, staggered shift, and the full provision of paramedic ambulance service through training up certain ambulance personnel to Emergency Medical Assistant II level had been fully implemented. The Administration was discussing with the staff regarding the recommendation of implementing an eight-hour shift.

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95. Mr WAT Ki-on said that some ambulancemen to be recruited would only fill vacancies arising from the retirement of ambulancemen. He said that besides the introduction of an eight-hour shift, the consultancy report of 2001 had recommended an increase in the number of ambulancemen, the addition of 29 ambulances and the further addition of 10 ambulances. All these had not been implemented. He disagreed with the Administration's view that 94% of ambulancemen could take a half-hour meal break. He pointed out that many ambulancemen could not take their lunch breaks until 3:00 pm to 5:00 pm in the afternoon. He said that the Union's request for detaching EAS from FSD was unrelated to the problem of inadequate resources.

96. Mr LEE Cheuk-yan suggested that the Panel should follow up the subject matter. Mr WONG Kwok-hing said that the Panel should request the Administration to come up with a solution on the meal break arrangements for ambulancemen.

97. The Chairman said that as there was not a quorum, the matter would be decided later.

98. There being no further business, the meeting ended at 6:15 pm.