



廉政公署

INDEPENDENT COMMISSION AGAINST CORRUPTION

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Your Ref.: CB2/PL/SE

Tel No. 2826 4409

26 April 2011

Legislative Council,  
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Hong Kong.

**BY FAX (2509 0775)**  
**& BY POST**

(Attn: Mr. Raymond LAM)

Dear Mr. LAM,

**Panel on Security**

I refer to your letter of 14 April 2011 addressed to Mr. Timothy TONG Hin-ming, Commissioner concerning an outstanding follow-up action arising from a special meeting of the Panel on Security held on 29 November 2004.

I have reviewed this matter and have consulted the Department of Justice on the issues raised by the Panel on Security as set out on the list attached to your letter. The response of the Commission is as follows :-

Regarding item 2(a), the Department of Justice considers that it will be more appropriate for the Panel to approach it direct for a response.

In connection with item 2(b), the investigation by the ICAC resulted in a number of persons charged with various offences. The case had undergone a full trial before the District Court (DCCC 298/2005 refers), in full compliance by the prosecution with the legal duty of disclosure to the accused. Information in

to be continued . . .

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respect of the matter can be gleaned from the Reasons for Verdict given by the learned trial judge and the various judgments of the appellate courts in the ensuing application for review of sentence by the Secretary for Justice and (cross-)appeals. References to the relevant decisions of these proceedings (available for public inspection at the Judiciary's official website) are listed in Annex A.

Your attention in this matter is very much appreciated.

Yours sincerely,



( SO Ping-hung )  
for Commissioner  
Independent Commission Against Corruption

Encl.

Annex ATrial & Appeal History

<u>Case Number</u>	<u>Judgment Date</u>
FACC 3/2009	16/11/2010 28/06/2010
FACC 4/2009	28/06/2010
FACC 5/2009	16/11/2010 28/06/2010
FAMC 16/2009	14/05/2009
FAMC 17/2009	14/05/2009
FAMC 18/2009	14/05/2009
CAAR 8/2006	14/07/2009 21/05/2009 12/02/2009
CACC 248/2006	23/10/2009 14/07/2009 21/05/2009 12/02/2009
DCCC 298/2005	14/06/2006