Panel on Security

<u>List of follow-up actions</u> (position as at 9 October 2006)

Subject	Date of Meeting	Follow-up action required	Administration's response
Admission Scheme for Mainland Talents and Professionals	4 April 2003 (Joint meeting with the Panel on Manpower)	The Administration agreed to provide members with progress reports on the Scheme on a regular basis.	Progress report on the Scheme for the period from 1 November 2005 to 31 March 2006 circulated vide LC Paper No. CB(2)1988/05-06 on 12 May 2006.
Interception of communications and covert surveillance	10 June 2004	 (a) to advise the year from which requests for interception of communications had to be approved by the Chief Executive on a case-by-case basis; and (b) to confirm whether internal guidelines had been issued to the law enforcement agencies on the requirement referred to in paragraph (a) above. 	Response awaited. - Ditto -

Subject	Date of Meeting	Follow-up action required	Administration's response
	7 March 2006	The Administration was requested to – (a) provide a written response on whether superintendents of police and Police officers involved in handling sensitive information were subject to the same integrity checking as that for panel judges; and	Response in LC Paper No. CB(2)1516/05-06(01) circulated on 23 March 2006.
		(b) provide information on posts where judges were subject to standard checking before appointment.	Response in LC Paper No. CB(2)1423/05-06(03) circulated on 15 March 2006.
	Meeting of the Bills Committee on Interception of Communications and Surveillance Bill	The Administration was requested to advise the Panel on Security whether any guidelines had been issued, after the relevant judgments had been delivered by the courts in Koo Sze Yiu and Leung Kwok Hung v Chief Executive of the Hong Kong Special Administrative Region, to law enforcement officers or within the Department of Justice regarding restrictions on law enforcement or presentation of evidence before the court.	Response awaited.

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3. Powers of the Independent Commission Against Corruption (ICAC) to search for and seize journalistic material	29 November 2004	 (a) The Department of Justice (D of J) was requested to provide a response on – (i) the basis on which D of J, upon request from the court, referred the investigation of the press coverage of habeas corpus proceedings relating to a witness to ICAC; (ii) why D of J did not refer the matter to an independent committee; and (iii) whether there was any conflict of interest with ICAC carrying out the investigation work. (b) ICAC was requested to consider providing the following after all legal proceedings in respect of a case involving the press coverage of habeas corpus proceedings relating to a witness was completed – 	Interim response circulated vide LC Paper No. CB(2)1159/05-06 on 16 February 2006.

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4. Provision of emergency ambulance service	7 June 2005	 (i) information which were relevant to the case but not provided to the court, if prosecution was instituted in respect of the case; and (ii) all information relevant to the case, if prosecution was not to be instituted in respect of the case. The Administration was requested to provide – 	
		(a) its quantitative analyses of the additional demand for emergency ambulance service 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, the opening of new ambulance depots, and advise whether the net increase in manpower proposed could meet with such increased demand;	Response awaited.

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		 (b) statistics on the response time performance in the New Territories before and after the Third Generation Mobilising System came into operation; and (c) information on the implementation of a priority despatch system in overseas countries. 	Response awaited. - Ditto -
5. Transfer of sentenced persons between the Hong Kong Special Administrative Region (HKSAR) Government and the Macau Special Administrative Region (MSAR) Government	Meeting of the Bills Committee on Transfer of Sentenced Persons (Amendment) (Macau) Bill	The Administration undertook — (a) to draw up internal guidelines for determining "close ties" with a place when more such cases have been established, and provide a copy of the guidelines to the Panel; and	Response awaited.
		(b) to inform the Panel of the progress of implementation of the Arrangement on Transfer of Sentenced Persons between the HKSAR Government and the MSAR Government one year after the Arrangement came into operation.	- Ditto -

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6. Civil celebrant of marriages	Meeting of the Bills Committee on Marriage (Introduction of Civil Celebrants of Marriages and General Amendments) Bill	The Administration was requested to report to the Panel on Security on the outcome of the Administration's review on the operation of the civil celebrant scheme one year after it has come into operation and whether other categories of persons, such as Justices of the Peace and LegCo Members, should be eligible for appointment as civil celebrants.	Response awaited.
7. Rules and directions for the questioning of suspects and the taking of statements: Caution Statement	3 January 2006	The Administration was requested to consider adding the sentence "You have the right to remain silent" to the beginning of the caution administered by law enforcement agencies when interviewing a suspect.	Response awaited.
8. Police cooperation on exchange of information in the detection of crime	3 January 2006	(a) consider providing past cases, with personal data excised in the information provided, where the Police released information to its counterparts in other jurisdictions for the detection of crime; and	Response circulated vide LC Paper No. CB(2)3019/05-06 on 13 September 2006.

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		(b) provide information on whether subversion was among the list of crimes excluded from the information exchange framework of Interpol.	Response circulated vide LC Paper No. CB(2)3019/05-06 on 13 September 2006.
9. Security arrangements for the Sixth Ministerial Conference of the World Trade Organization held in Hong Kong from 13 to 18 December 2005	7 February 2006	The Administration was requested to - (a) provide information on the prosecutions instituted against demonstrators when international conferences were held in other jurisdictions, and the outcome of such prosecutions;	Response circulated vide LC Paper No. CB(2)2362/05-06 on 12 June 2006.
		(b) provide the Panel with a copy of the statement made by the Secretary for Security in 1992 regarding the rules and directions for the questioning of suspects and the taking of statements; and	- Ditto -
		(c) advise whether there were guidelines on the use of force under different levels of disturbance.	- Ditto -

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Legislative proposals for the implementation of the co-location arrangement	7 March 2006	 (a) explain the issues considered by the Administration in coming up with its proposal to provide that the Chief Executive might by order modify or exclude any legislation in their application to the Hong Kong Port Area (HKPA); and (b) advise how the authorisation of the Central Authorities to enable certain areas in China that were outside Hong Kong to be declared 	Response awaited. - Ditto -
11. Police's undercover operations against vice activities	4 April 2006	as HKPA would be given. The Administration was requested – (a) to provide a response to the issues raised in the submission from Professor Simon YOUNG on the Police's undercover operations against vice activities; and	Response circulated vide LC Paper No. CB(2)3021/05-06 on 13 September 2006.

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		(b) to provide information, including the statements given in the cases concerned, on the number of cases involving operation of a massage establishment without a licence or operation of a vice establishment in 2005, the number of cases where service involving a complete course of masturbation had been provided, the type of persons prosecuted, the offence for which such persons were prosecuted, the Ordinances under which they were prosecuted and the results of such prosecution.	Response circulated vide LC Paper No. CB(2)3021/05-06 on 13 September 2006.
12. Problem of indebtedness of Police officers	-	The Administration was requested to provide the following information on a half-yearly basis – (a) the number of Police officers with unmanageable debts together with a breakdown of reasons for incurring debts; (b) a breakdown of the number of	Response awaited Ditto -
		incoming and outgoing Police officers with unmanageable debts;	

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		(c) a breakdown of the periods for which these officers had had unmanageable debts;	Response awaited.
		(d) the number of garnishee orders (i.e. notice of tax recovery) issued to Police officers and a breakdown of the amount of garnishee orders issued; and	- Ditto -
		(e) the number of Police officers who were at the same time receiving notice of tax recovery and repaying salary advances under Civil Service Regulation 618 and loans from the Police Welfare Fund.	- Ditto -
13. Situation of refugees, asylum seekers and torture claimants in Hong Kong	31 July 2006	The Administration was requested – (a) to provide a written response to the issues raised at the joint meeting of the Panel on Security and Panel on Welfare Services on 18 July 2006;	Response awaited.
		(b) to provide information about the number of asylum seekers and torture claimants in detention who had used fake passports;	- Ditto -

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		(c) information on the legal aid applications made by asylum seekers and torture claimants who wished to take or defend legal proceedings;	Response awaited.
		(d) to provide information on the number of asylum seekers and torture claimants under detention who had made legal aid applications, the nature of their applications, the number of rejected applications and the reasons for rejection; and	- Ditto -
		(e) to provide information on the number of children of refugees, asylum seekers and torture claimants in Hong Kong and the average number of months they had stayed in Hong Kong, whether education was provided to such children, and the meaning of "consideration length of time" in paragraph 11 of LC Paper No. CB(2)2747/05-06(01).	- Ditto -

Council Business Division 2
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