

政府總部
香港下亞厘畢道



GOVERNMENT SECRETARIAT
LOWER ALBERT ROAD
HONG KONG

本函檔號 OUR REF: SBCR LM 3/09

來函檔號 YOUR REF: CB2/PL/SE

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4 May 2009

Mr Raymond Lam
Clerk to Panel on Security
Legislative Council
3rd Floor, Citibank Tower
3 Garden Road
Hong Kong

Dear Mr Lam,

Panel on Security

Thank you for your letter dated 14 April 2009, requesting the Administration to provide a copy of the report of the Police's investigation into the death of a Nepalese in an open fire incident in Hung Hom on 17 March 2009.

Section 10 of the Police Force Ordinance (Cap. 232) stipulates that the Police have a duty to take lawful measures to assist coroners to discharge their duties and exercise their powers under the Coroners Ordinance (Cap. 504). The Coroners Ordinance also provides for the Police to assist coroners to carry out investigation. The Police are hence performing their statutory duty in assisting the coroner to investigate the case. The Police will submit a detailed report to the coroner in accordance with section 9 of the Coroners Ordinance upon completion of the investigation.

Section 13 of the Coroners Ordinance stipulates the procedure for a "properly interested person" to request from the coroner various documents (including the Police's investigation report on the death of a person) in the

possession of the coroner. "Properly interested person", as defined in section 2 and Schedule 2 of the Coroners Ordinance, includes the family of the deceased, Government departments which are concerned with the death of the deceased, and other specified parties. In view of the specific procedure stated by section 13, the Police should not provide copies of their investigation report. The Panel may wish to consider separately whether to apply to the coroner for the report.

Yours sincerely,



(Apollonia Liu)

for Secretary for Security

c.c. ACP(Support) (Mr Austin Kerrigan)

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