

Panel on Security

List of follow-up actions
(position as at 14 October 2008)

| Subject | Date of Meeting | Follow-up action required | Administration's response |
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| 1. 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 October 2007 to 31 March 2008 circulated vide LC Paper No. CB(2)1660/07-08 on 18 April 2008. |
| 2. 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 <i>habeas corpus</i> proceedings relating to a witness to ICAC; (ii) why D of J did not refer the matter to an independent committee; | Response awaited. |

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| | | <p>(iii) whether there was any conflict of interest with ICAC carrying out the investigation work;</p> <p>(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 -</p> <p>(i) information which were relevant to the case but not provided to the court, if prosecution was instituted in respect of the case; and</p> <p>(ii) all information relevant to the case, if prosecution was not to be instituted in respect of the case.</p> | <p>Response awaited.</p> <p>Interim responses circulated vide LC Paper Nos. CB(2)1159/05-06 and CB(2)917/06-07 on 16 February 2006 and 19 January 2007 respectively.</p> |
| <p>3. Provision of emergency ambulance service</p> | <p>7 June 2005</p> | <p>The Administration was requested to provide information on the implementation of a priority despatch system in overseas countries.</p> | <p>Response awaited.</p> |

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| 4. 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. |
| 5. Problem of indebtedness of Police officers | - | <p>The Administration was requested to provide the following information on a half-yearly basis -</p> <p>(a) the number of Police officers with unmanageable debts together with a breakdown of reasons for incurring debts;</p> <p>(b) a breakdown of the number of incoming and outgoing Police officers with unmanageable debts;</p> <p>(c) a breakdown of the periods for which these officers had had unmanageable debts;</p> <p>(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</p> | <p>Statistics for the period up to the first half of 2008 circulated vide LC Paper No. CB(2)2720/07-08 on 12 August 2008.</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p> |

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| | | (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. | Statistics for the period up to the first half of 2008 circulated vide LC Paper No. CB(2)2720/07-08 on 12 August 2008. |
| 6. Fourth and Fifth Reports of the People's Republic of China under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment - Part Two : Hong Kong Special Administrative Region | 5 December 2006 | The Administration was requested to provide - (a) a written response to the issues raised in the submissions from the Society for Community Organization and the Hong Kong Human Rights Monitor; (b) information on the offences committed by detained asylum seekers and torture claimants and the length of period, especially the longest period, for which such persons had been detained; (c) information on the number of persons granted refugee status and the number of such persons who had settled overseas among the cases referred to in paragraph 13 of the Administration's paper (LC | Response circulated vide LC Paper No. CB(2)2429/07-08 on 26 June 2008. - Ditto - - Ditto - |

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| | | <p>Paper No. CB(2)496/06-07(01));</p> <p>(d) information about the situation of abuse of the existing mechanism by torture claimants;</p> <p>(e) a response on whether the Police officers concerned in the case of <i>The Hong Kong Special Administrative Region v Chuen Lai-sze and others</i> should have been prosecuted under the Crimes (Torture) Ordinance, and advise the Panel of any follow-up actions taken by the Police in view of the case;</p> <p>(f) a response from a legal point of view on the statement that lawful sanctions should be subject to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;</p> <p>(g) statistics on deaths in official custody; and</p> | <p>Response circulated vide LC Paper No. CB(2)2429/07-08 on 26 June 2008.</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p> |

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| | | (h) information about the percentage of staff of the Immigration Department who had undergone training in handling torture claims. | Response circulated vide LC Paper No. CB(2)2429/07-08 on 26 June 2008. |
| 7. Review Report on the use of handguns in the Hong Kong Police Force | 8 January 2008 3 June 2008 | (a) The Administration was requested to provide information about cases of marine Police officers dropping their guns in 2007; and (b) Referring to the Administration's response circulated in April 2008, members requested the Administration to provide further information regarding whether any negligence on the part of any Police officers or any other causes were identified in the two gun dropping cases. | Response circulated vide LC Paper No. CB(2)1659/07-08(01) on 18 April 2008. Response circulated vide LC Paper No. CB(2)2374/07-08 on 20 June 2008. |
| 8. Review of the Quality Migrant Admission Scheme (the Scheme) | 19 February 2008 | The Administration was requested - (a) to provide the application form for the Scheme; (b) to provide information on the reasons for success/failure of different categories of applicants, the average score and profile of | Response circulated vide LC Paper No. CB(2)2553/07-08 on 9 July 2008. - Ditto - |

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| | | <p>successful applicants under the original Scheme;</p> <p>(c) to provide information on the process of selection of applicants by the Advisory Committee on Admission of Quality Migrants and Professionals and the selection criteria;</p> <p>(d) to provide a comparison of the number of applications received and number of successful applicants before and after the implementation of the revised Scheme; and</p> <p>(e) to gather, through the Scheme, information on why talents were attracted/not attracted to Hong Kong and provide members with the findings.</p> | <p>Response circulated vide LC Paper No. CB(2)2553/07-08 on 9 July 2008.</p> <p>- Ditto -</p> <p>- Ditto -</p> |
| 9. Review of the Frontier Closed Area | 19 February 2008 | The Administration was requested to provide a timetable for releasing Sha Tau Kok town from the Frontier Closed Area when submitting its funding request for the secondary boundary fence and associated works to the Finance Committee. | Response awaited. |

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| 10. Police's practices regarding handling of searches of detainees | 10 April 2008 8 July 2008 | (a) The Administration was requested to provide the findings of the Police's exploration of the possibility of acquiring equipment to assist Police officers in conducting searches of detainees, with a view to minimising the need for complete removal of clothing during body searches; and (b) The Administration was requested to provide a response to the Subcommittee on Police's Handling of Searches of Detainees on the various issues raised by members on the Police's handling of searches of detainees. | Response awaited. Response circulated vide LC Paper No. CB(2)2598/07-08(02) on 12 July 2008. |
| 11. Civil claims against law enforcement agencies | 10 April 2008 | The Administration was requested to provide - (a) statistics on civil claims against individual law enforcement officers; (b) a breakdown of cases settled with compensation paid between those settled in court and those settled out-of-court; | Response circulated vide LC Paper No. CB(2)2671/07-08 on 21 July 2008. - Ditto - |

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| | | <p>(c) a brief summary for each of the cases settled with payment of compensation in the Annex to the Administration's paper (LC Paper No. CB(2)1060/07-08(05));</p> <p>(d) the judgments delivered by the court in cases settled with the payment of compensation in the past 10 years;</p> <p>(e) information on the disciplinary proceedings instituted, if any, in the respective cases referred to in paragraph (d) above and whether the findings of the disciplinary proceedings differed from those of the court proceedings; and</p> <p>(f) information on the reasons for incorporating a confidentiality clause in each case of settlement with payment of compensation and explain why the principle of transparency was overridden in such cases.</p> | <p>Response circulated vide LC Paper No. CB(2)2671/07-08 on 21 July 2008.</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p> |

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| 12. Youth drug abuse | 10 April 2008 | The Administration was requested to refer to the Research Advisory Group for consideration the need to conduct a further review on acupuncture therapy, particularly its effectiveness in the treatment of psychotropic drug abuse, and revert to the Panel. | Response circulated vide LC Paper No. CB(2)2554/07-08 on 9 July 2008. |
| 13. Policy and measures for enhancing the safety of sex workers | 5 May 2008 | <p>The Administration was requested to provide -</p> <p>(a) information on the number of "one sex worker apartment" operated illegally and those operated without contravening the laws of Hong Kong;</p> <p>(b) information on the number of sex workers in Hong Kong and their characteristics; and</p> <p>(c) information on the manpower deployed by the Police for undercover operations involving "one sex worker apartment" and the number of such operations.</p> | <p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p> |

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| 14. Review of legislation relating to "one-woman brothel" | 8 July 2008 | <p>(a) The Administration was requested to provide statistics on cases of two sex workers providing sex service in one apartment in the previous year, and the number of prosecutions as well as the rate of successful prosecution in respect of these cases; and</p> <p>(b) The Security Bureau was requested to consider taking the lead to review, in conjunction with other relevant bureaux, legislation relating to "one sex worker apartment" and provide the Panel with a response.</p> | <p>Response awaited.</p> <p>- Ditto -</p> |
| 15. Processing of entry applications | 6 May 2008 | <p>The Administration was requested to -</p> <p>(a) explain why the immigration authority was not bound to give explanations when refusing the entry of visitors; and</p> <p>(b) provide information about the number of persons refused entry into Hong Kong in 2008 and whether many persons were refused entry in April and May of 2008.</p> | <p>Response awaited.</p> <p>- Ditto -</p> |

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| 16. Refusal of some immigration detainees to collect meals | 3 June 2008 | The Administration was requested to provide information on an incident at the Castle Peak Bay Immigration Centre at the end of May 2008 where some immigration detainees refused to collect meals. | Response circulated vide LC Paper No. CB(2)2267/07-08 on 12 June 2008. |
| 17. Monitoring mechanism on intelligence agencies | 3 June 2008 | The Administration was requested to study the research report on the parliamentary monitoring mechanism on intelligence agencies in selected places prepared by the LegCo Secretariat and provide a written response on the applicability of overseas monitoring mechanisms in Hong Kong. | Response awaited. |
| 18. Prison development | 3 June 2008 | The Administration was requested to provide information on the total number of persons on remand and details of rehabilitation services that were currently provided at various penal institutions. | Response awaited. |

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| 19. Anti-smuggling work of the Customs and Excise Department | 8 July 2008 | <p>The Administration was requested to -</p> <p>(a) explore the feasibility of applying the Radio Frequency Identification technology to enhance poultry traceability, and revert to the Panel before the end of the 2007-2008 session; and</p> <p>(b) provide information on the division of responsibilities between government departments in customs and public health clearance of food imported from the Mainland at Man Kam To Boundary Control Point.</p> | <p>Response circulated vide LC Paper No. CB(2)2666/07-08(02) on 21 July 2008.</p> <p>Response circulated vide LC Paper No. CB(2)2666/07-08(01) on 21 July 2008.</p> |
| 20. Provision of rehabilitation services by the Correctional Services Department (CSD) | 8 July 2008 | <p>The Administration was requested to -</p> <p>(a) provide the number of young offenders who had stayed in the employment after securing gainful employment within one month of their discharge, and the average period of their employment;</p> <p>(b) conduct a comprehensive review of CSD's work in the provision of rehabilitative services, with a view to strengthening CSD's</p> | <p>Response awaited.</p> <p>- Ditto -</p> |

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| | | <p>rehabilitative services and programmes for offenders, and revert to the Panel on the outcome of the review no later than July 2009;</p> <p>(c) coordinate with the Civil Service Bureau to provide the Panel with statistics in July 2009, setting out the number of applications received from ex-offenders since July 2008, with a breakdown by policy bureaux/government departments and ranks, and the success rate of offenders getting a job in the civil service; and</p> <p>(d) review whether electronic monitoring of prisoners could be adopted in Hong Kong, and to submit a report on its study in this regard to the Panel in July 2009.</p> | <p>Response awaited.</p> <p>- Ditto -</p> |