

中華人民共和國
香港特別行政區政府
政務司司長辦公室



CHIEF SECRETARY
FOR ADMINISTRATION'S OFFICE
Government of the Hong Kong
Special Administrative Region
of the People's Republic of China

28 June 2010

The Hon Miriam Lau Kin-ye, GBS, JP
Chairman, House Committee
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear ~~Chairman~~, *Miriam*,

I have written to the Legislative Council (LegCo) several times during this term to register our grave concern on the repeated use of offensive or insulting language by Members against public officers during meetings of the Council and its committees. Despite the efforts made by the President and your goodself, I regret to note that individual Members continue to challenge the Rules of Procedure by using grossly improper and offensive language against public officers. The most recent occasion was at the Special Meeting of the Food Safety and Environmental Hygiene Panel held on 21 June 2010, where a Member used grossly offensive language against a public officer and that the latter's request for a ruling by the Panel Chairman was not handled.

Public officers, whether politically appointed officials or civil servants, are committed to explaining government policies and to answering Members' questions at meetings of the Council or its committees. Even if Members disagree with the government policies or the explanations provided by the public officers at the meetings, in no way should public officers be subject to language abuse, untruthful allegations or become the target of unruly behaviour.

We understand that at present, the chairman of a panel does not have the power conferred under Rules 44 and 45 of the Rules of Procedure to order a Member using offensive and insulting language to withdraw from a meeting. However, as stated in paragraphs 3.33 and 3.34 of the Handbook for Chairman of Panels, the chairman of a panel may order the Member using offensive and insulting language to withdraw or to stop using the relevant expression. If the Member concerned refuses to do so, the chairman can suspend the meeting to let the controversy die down and/or seek the view of the panel on how the controversy should be dealt with. We expect chairmen of panels and committees to adhere to the guidelines for conducting meetings.

To avoid public officers being subject to offensive and insulting language which we consider to be totally unacceptable, we would make clear that if any Member uses such language against public officers at meetings of panels or committees, the public officer concerned will request the chairman to make a ruling. If the Member refuses to withdraw the relevant expression or continues to use the expression despite the ruling of the chairman, or if the chairman does not properly handle the ruling request, the public officer concerned will request to formally put on record his/her dissatisfaction. The public officer concerned may also seek to defer discussion to another occasion where the atmosphere would allow for more rational discussion and leave the meeting thereafter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Henry Tang', written in a cursive style.

(Henry Tang)
Chief Secretary for Administration

c.c. President, Legislative Council
 Chairman, Food Safety and Environmental Hygiene Panel