

**Panel on Security**

**List of follow-up actions**

(position as at 24 February 2010)

| <b>Subject</b>                                                                                                  | <b>Date of Meeting</b>                                         | <b>Follow-up action required</b>                                                                                                                                                                                                                                                                                                           | <b>Administration's response</b>                                                                                                                    |
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| 1. Admission Scheme for Mainland Talents and Professionals                                                      | 4 April 2003<br><br>(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 April 2009 to 30 September 2009 circulated vide LC Paper No. CB(2)128/09-10 on 27 October 2009. |
| 2. Powers of the Independent Commission Against Corruption (ICAC) to search for and seize journalistic material | 29 November 2004                                               | (a) The Department of Justice (DoJ) was requested to provide a response on -<br><br>(i) the basis on which DoJ, upon request from the court, referred the investigation of the press coverage of <i>habeas corpus</i> proceedings relating to a witness to ICAC;<br><br>(ii) why DoJ did not refer the matter to an independent committee; | Response awaited.                                                                                                                                   |

| Subject                                                                                                             | Date of Meeting       | Follow-up action required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Administration's response                                                                                                                                                |
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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. Rules and directions for the questioning of suspects and the taking of statements :<br/>Caution Statement</p> | <p>3 January 2006</p> | <p>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 (LEAs) when interviewing a suspect.</p>                                                                                                                                                                                                                                                                                                                                                                  | <p>Response awaited.</p>                                                                                                                                                 |

| Subject                                              | Date of Meeting | Follow-up action required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Administration's response                                                                                                                                                                                                                                                                                        |
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| <p>4. Problem of indebtedness of Police officers</p> | <p>-</p>        | <p>The Administration was requested to provide the following information on a half-yearly basis -</p> <ul style="list-style-type: none"> <li>(a) the number of Police officers with unmanageable debts together with a breakdown of reasons for incurring debts;</li> <li>(b) a breakdown of the number of incoming and outgoing Police officers with unmanageable debts;</li> <li>(c) a breakdown of the periods for which these officers had had unmanageable debts;</li> <li>(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</li> <li>(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.</li> </ul> | <p>Statistics for the period up to the second half of 2009 circulated vide LC Paper No. CB(2)741/09-10 on 12 January 2010.</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>Statistics for the period up to the second half of 2009 circulated vide LC Paper No. CB(2)741/09-10 on 12 January 2010.</p> |

| <b>Subject</b>                                                                                                                                                              | <b>Date of Meeting</b> | <b>Follow-up action required</b>                                                                                                                                                                                                                                                                                                            | <b>Administration's response</b> |
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| 5. 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.                |
| 6. Proposed Rules of Court and Code of Practice to be made for the United Nations (Anti-Terrorism Measures) Ordinance                                                       | 2 December 2008        | The Administration was requested to provide further information explaining whether and how the code of practice under the Organized and Serious Crimes Ordinance (Cap. 455) would be updated to ensure procedural consistency with the code of practice to be made under the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575). | Response awaited.                |
| 7. Results of study of matters raised in the annual report to the Chief Executive by the Commissioner on Interception of Communications and Surveillance (the Commissioner) | 3 March 2009           | (a) The Administration was requested to provide information on the progress of the review on LEAs' intelligence management systems and the timetable for completing the review; and                                                                                                                                                         | Response awaited.                |

| Subject                                                                                                                      | Date of Meeting | Follow-up action required                                                                                                                                                                                                                                                                                    | Administration's response |
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|                                                                                                                              | 7 December 2009 | (b) ICAC was requested to provide the Panel with the findings of the review conducted by the ICAC Advisory Committee on Corruption on the disciplinary case in which the Commissioner considered the disciplinary treatments of various offending officers unequal and disparate.                            | - Ditto -                 |
| 8. Police's handling of cases of violence against well-known personalities and civil servants in their performance of duties | 29 June 2009    | The Administration was requested to provide information on the number of complaints, arrests, prosecution and conviction on cases concerning criminal damage to publicity boards and banners of Legislative Council Members in the past two years, and measures adopted by the Police to combat such crimes. | Response awaited.         |
| 9. Review of the torture claim screening mechanism                                                                           | 1 December 2009 | The Administration was requested to revert to the Panel on the results of the review on the pilot scheme under which the Administration would provide publicly-funded legal assistance to torture claimants, once they were available.                                                                       | Response awaited.         |

| <b>Subject</b>                                                 | <b>Date of Meeting</b>                                                        | <b>Follow-up action required</b>                                                                                                                                                                                                                                                         | <b>Administration's response</b>                                              |
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| 10. Combating illicit cigarette activities                     | Meetings of the Bills Committee on Dutiable Commodities (Amendment) Bill 2009 | The Administration undertook to provide a progress report on the effectiveness of the Administration's efforts in combating illicit cigarette activities within six months to one year after the enactment of the Bill.                                                                  | Response awaited.                                                             |
| 11. Establishment of a rendition arrangement with the Mainland | 20 October 2009                                                               | The Administration was requested to provide a progress report on its discussions with the Mainland regarding the establishment of a rendition arrangement.                                                                                                                               | Response awaited.                                                             |
| 12. Election-related corruption reports                        | 20 October 2009                                                               | ICAC was requested to provide more detailed information about those 177 corruption reports received in the first nine months of 2009 which were related to the 2008 Legislative Council Election, including the nature and the course of action taken by ICAC in respect of these cases. | Response circulated vide LC Paper No. CB(2)910/09-10 (01) on 8 February 2010. |

| Subject                                                                           | Date of Meeting                                                                            | Follow-up action required                                                                                                                                                                                                                                                                                                                                                                                            | Administration's response                                                                                                             |
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| 13. Enhanced cooperation with the Mainland in combating cross boundary corruption | 20 October 2009                                                                            | ICAC was requested to provide more detailed information on how ICAC developed a closer working partnership with its counterparts in Guangdong and Macao, including the establishment of a joint working group to strengthen corruption prevention and educational support for small and medium enterprises (SMEs) operating in the Pearl River Delta and the research study on corruption risks faced by these SMEs. | Response circulated vide LC Paper No. CB(2)910/09-10 (02) on 8 February 2010.                                                         |
| 14. Statistics on Police's searches on detainees                                  | Meetings of the Subcommittee on Police's Handling of Sex Workers and Searches of Detainees | The Administration was requested to provide the Panel on Security with statistics on Level III(c) searches involving full removal of underwear conducted on detainees and the nature of offences involved on a quarterly basis.                                                                                                                                                                                      | Statistics for the period between 1 October 2009 and 31 December 2009 circulated vide LC Paper No. CB(2)848/09-10 on 29 January 2010. |
| 15. Replacement of emergency ambulances                                           | 1 December 2009                                                                            | <p>The Administration was requested to provide the following information -</p> <p>(a) the design and specifications of the vehicles used as emergency ambulances, and the reasons for taking 25 months to complete the whole process of procuring an ambulance;</p> <p>(b) the reason why a new ambulance</p>                                                                                                        | <p>Response circulated vide LC Paper No. CB(2)822/09-10 on 27 January 2010.</p> <p>Response circulated vide</p>                       |

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|                                                                                |                       | <p>had engine start-up problem;</p> <p>(c) the findings of the report of the user satisfaction survey, which sought to gauge the feedback and views from users of the emergency ambulance service, conducted in 2005 by the Fire Services Department (FSD);</p> <p>(d) information on the resource allocation exercises where bids submitted by FSD were not supported; and</p> <p>(e) information on how FSD would dispose of the aged ambulances.</p> | <p>LC Paper No. CB(2)822/09-10 on 27 January 2010.</p> <p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p> |
| <p>16. Manpower situation in the Independent Commission Against Corruption</p> | <p>5 January 2010</p> | <p>(a) The Administration was requested to provide the following information -</p> <p>(i) the number of posts in the public service which did not set any limit on the tenure or prescribe the retirement age;</p> <p>(ii) the arrangements for appointment of the</p>                                                                                                                                                                                  | <p>Response awaited.</p>                                                                                  |



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|                                                                               |                 | <p>Commissioner of ICAC in the fourth term of the Government of the Hong Kong Special Administrative Region, including the criteria adopted by the fourth-term Chief Executive for nominating the person for appointment and the tenure of office of the incumbent Commissioner; and</p> <p>(b) ICAC was requested to provide information on the total number of years lost due to the high wastage of officers appointed to the Commission Against Corruption Officer grade.</p> | Response awaited.                                                        |
| 17. Subsidiary legislation relating to the Castle Peak Bay Immigration Centre | 5 January 2010  | The Administration was requested to provide further information about the treatment of immigration detainees after the transfer of the management of the Castle Peak Bay Immigration Centre from the Correctional Services Department to the Immigration Department.                                                                                                                                                                                                              | Response circulated vide LC Paper No. CB(2)892/09-10 on 4 February 2010. |
| 18. Capital Investment Entrant Scheme (CIES)                                  | 5 January 2010  | The Administration was requested to provide a comparison of the switch of investments amongst the six                                                                                                                                                                                                                                                                                                                                                                             | Response awaited.                                                        |

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|                                                                 |                 | permissible asset classes over the years since the implementation of CIES.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                    |
| 19. Police's handling of public meetings and public processions | 2 February 2010 | <p>The Administration was requested to provide the following information -</p> <ul style="list-style-type: none"> <li>(a) detailed information about the Police's use of pepper spray in handling the demonstrators outside the Legislative Council (LegCo) Building on 16 January 2010;</li> <li>(b) a written response to the issues raised in the submission from the Hong Kong Human Rights Monitor (LC Paper No. CB(2)887/09-10(01));</li> <li>(c) information on whether prosecution had ever been taken against event organizers for having provided false or misleading information in a notice of intention to hold a public meeting or public procession; and</li> </ul> | <p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p> <p style="text-align: center;">- Ditto -</p> |

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|                |                        | (d) the findings of the Police's review regarding the event outside the LegCo Building on 16 January 2010. | Response awaited.                |

Council Business Division 2  
Legislative Council Secretariat  
24 February 2010