

**Panel on Security**

**List of follow-up actions**  
(position as at 12 October 2009)

<b>Subject</b>	<b>Date of Meeting</b>	<b>Follow-up action required</b>	<b>Administration's response</b>
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 2008 to 31 March 2009 circulated vide LC Paper No. CB(2)1435/08-09 on 29 April 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 -  (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;  (ii) why DoJ 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>

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3. Provision of emergency ambulance service	7 June 2005	The Administration was requested to provide information on the implementation of a priority despatch system in overseas countries.	The relevant information was provided in Chapter Two and Annex A to the consultation document entitled "Ambulance Services : Medical Priority Dispatch System" issued by the Security Bureau on 3 July 2009.
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 (LEAs) 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>Statistics for the period up to the first half of 2009 circulated vide LC Paper No. CB(2)2184/08-09 on 10 July 2009.</p> <p>- Ditto -</p>

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		<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>(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.</p>	<p>- Ditto -</p> <p>- Ditto -</p> <p>Statistics for the period up to the second half of 2008 circulated vide LC Paper No. CB(2)646/08-09 on 13 January 2009.</p>
6. 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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7. Police's practices regarding handling of searches of detainees	14 October 2008	The Administration was requested to provide a written response to the suggestions referred to in the report of the Subcommittee on Police's Handling of Searches of Detainees.	Response in the Administration's paper entitled "Report on Stage Two of the Review on the Police's Practices regarding the Search of Detainees" (LC Paper No. CB(2)1706/08-09(01)) circulated to members on 1 June 2009.
8. 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.

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9. Assistance provided by the Administration to Hong Kong residents encountering problems outside Hong Kong	2 December 2008	The Administration was requested to provide a paper setting out the chronology of events in respect of the crisis in Thailand which resulted in hundreds of Hong Kong residents stranded in Bangkok, including information on when the government decided to arrange chartered flights, government officials involved in the decision of sending or not sending chartered flights, the total amount of public money spent on the evacuation and information on the review to be conducted by the Security Bureau.	Requested information set out in the Administration's paper entitled "Review of Travel Alert and other Assistance to Hong Kong Residents Travelling Abroad" for discussion at the meeting of the Panel on 6 July 2009 (LC Paper No. CB(2)2054/08-09(10)) issued on 3 July 2009.
10. Pilot scheme on Express e-Channel	6 January 2009	The Administration was requested to provide the Panel with the findings of the review on the pilot scheme to be conducted in the second half of 2009.	Response awaited.
11. Concluding observations of the Committee Against Torture on the second periodic report of the Hong Kong Special Administrative Region under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	3 February 2009	The Administration was requested to provide the following information -  (a) with regard to participants of unauthorized public meetings or public processions arrested for assaulting Police officers -	Response circulated via LC Paper No. CB(2)2245/08-09 on 17 July 2009.

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		<ul style="list-style-type: none"><li data-bbox="1167 280 1648 596">(i) to advise the criteria adopted by the Police for determining whether an offender should be prosecuted in accordance with the Offences Against the Person Ordinance (Cap. 212) or the Police Force Ordinance (Cap. 232);</li><li data-bbox="1167 644 1648 801">(ii) to provide the number of prosecutions instituted in the past five years by the Police under Cap. 212;</li><li data-bbox="1167 849 1648 1043">(iii) to explain under what circumstances offenders would be charged by the Police for assault on Police officers;</li><li data-bbox="1167 1091 1648 1474">(iv) to advise whether DoJ had issued any guidelines on the application of the two Ordinances mentioned in (i) above in prosecutions against assaulting Police officers and if so, to provide the Panel with the guidelines; and</li></ul>	

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		(b) the Administration's response to the suggestion of extending the retention period, from two years to six years, for copies of the purposefully designed Custody Search Form (Pol. 1123) which had been served on the detainees.	Response circulated vide LC Paper No. CB(2)2245/08-09 on 17 July 2009.
12. Results of study of matters raised in the Annual Report 2007 to the Chief Executive by the Commissioner on Interception of Communications and Surveillance	3 March 2009	<p>The Administration was requested to provide -</p> <p>(a) information on the progress of the review on LEAs' intelligence management systems and the timetable for completing the review; and</p> <p>(b) its response to the issues raised in the submission from the Hong Kong Bar Association on the Commissioner's Annual Report 2007.</p>	<p>Response awaited.</p> <p>Response circulated vide LC Paper No. CB(2)1819/08-09 on 10 June 2009.</p>
13. Replacement of fixed-wing aircraft of the Government Flying Service (GFS)	5 May 2009	<p>The Administration was requested to -</p> <p>(a) provide a more detailed breakdown of the expenditure items as referred to in Annex A to the Administration' paper (LC Paper No. CB(2)1419/08-09(03));</p>	Response circulated vide LC Paper No. CB(2)1734/08-09 on 2 June 2009.

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		<p>(b) explain further GFS's unique operational requirements which necessitated extensive modifications to the two proposed jet planes and the subsequent certification work for installation of different types of mission equipment;</p> <p>(c) advise how it disposed of obsolete aircraft, including the two existing fixed-wing Jetstream 41 (J-41) aircraft upon the commissioning of the new aircraft by 2013; and</p> <p>(d) explain why the estimates of the non-recurrent expenditure of the replacement project showed an increase of about \$600 million over the last replacement exercise when the two existing J-41 aircraft came into service in 1999.</p>	<p>- Ditto -</p> <p>- Ditto -</p> <p>- Ditto -</p>
<p>14. Latest development in the provision of rehabilitative services by the Correctional Services Department (CSD)</p>	<p>5 May 2009</p>	<p>The Administration was requested to -</p> <p>(a) provide information on measures taken by CSD to encourage adult prisoners to apply for vocational training offered for them;</p> <p>(b) advise whether and how CSD</p>	<p>Response circulated vide LC Paper No. CB(2)2288/08-09 on 27 July 2009.</p> <p>- Ditto -</p>

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		<p>would strengthen the vocational training for adult prisoners with remaining sentences of two years or more;</p> <p>(c) provide information on the number of offenders who were disabled, the nature and degree of their disability, and the existing rehabilitative services provided for disabled offenders; and</p> <p>(d) provide the rationale and justifications for not providing non-local inmates and prisoners with the opportunity to receive vocational training, and advise whether the Administration would review its existing policy.</p>	<p>- Ditto -</p> <p>- Ditto -</p>
<p>15. Progress on implementation of recommendations of the Task Force on Youth Drug Abuse</p>	<p>5 May 2009</p>	<p>The Administration was requested to provide information on entertainment venues or black spots in the Mainland where Hong Kong young people had been arrested for taking drugs, including the number and location of these premises.</p>	<p>Response circulated vide LC Paper No. CB(2)2146/08-09 on 8 July 2009.</p>

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16. Installation of closed-circuit television (CCTV) cameras in public places	2 June 2009	<p>The Administration was requested to provide a response on -</p> <p>(a) whether there would be standard guidelines on the installation of CCTV systems in public places for use by all District Councils; and</p> <p>(b) whether the Police had considered employing CCTV systems to address the problem of objects being thrown from height onto the Mong Kok Pedestrian Precinct, and its conclusion in this regard.</p>	Response circulated vide LC Paper No. CB(2)2428/08-09 on 2 September 2009.
17. Discretion of the Director of Immigration in the processing of contract renewal applications from foreign domestic helpers (FDHs)	2 June 2009	The Administration was requested to provide information on how it followed up the case where an Under Secretary used his business card as financial proof in support of his FDH's contract renewal application after the case came to light and was widely reported by the media.	Response awaited.

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18. 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.
19. Proposed amendments to the Import and Export Ordinance to enhance control over smuggling at sea	29 June 2009	The Administration was requested to provide supplementary information on the situation where fishing vessels were modified as cargo vessels and used for smuggling purpose, and advise whether the Administration would consider introducing legislative amendments to tackle the problem.	Response circulated vide LC Paper No. CB(2)2364/08-09 on 11 August 2009.
20. Review of the torture claim screening mechanism	29 June 2009 & 6 July 2009	(a) The Administration was requested to provide more detailed information on humanitarian assistance currently provided to torture claimants and asylum seekers released on recognizance, including the nature, level and form of support for these people;	Response in the Administration's paper entitled "Torture Claim Screening Mechanism : Latest Progress (LC Paper No. CB(2)2514/08-09(01) circulated to members on 23 September 2009).

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	6 July 2009	<p>(b) The Administration was requested to provide -</p> <ul style="list-style-type: none"><li data-bbox="1167 400 1653 756">(i) a breakdown of the average time required for assessing torture claim cases by the nature of the applications, i.e. cases where the claimants had made both refugee and torture claims versus those who only lodged torture claims;</li><li data-bbox="1167 807 1621 1206">(ii) supplementary information regarding the Administration's discussion with the two legal professional bodies and the Duty Lawyer Service in respect of the provision of legal services through the Duty Lawyer Scheme to torture claimants; and</li></ul>	<p>- Ditto -</p> <p>- Ditto -</p>

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		<p>(iii) the rationale and justifications for not extending the 1951 United Nations Convention relating to the Status of Refugees to Hong Kong and developing its refugee status determination procedures, and the Administration's views towards the suggestion of extending the Refugee Convention to Hong Kong.</p>	<p>Response awaited.</p>
<p>21. Proposed introduction of the Medical Priority Dispatch System</p>	<p>6 July 2009</p>	<p>The Administration undertook to provide the Panel with -</p> <p>(a) the findings of an analysis on some 10 000 emergency calls received in 2008, which sought to ascertain whether there was abuse of emergency ambulance service; and</p> <p>(b) more detailed information on the number of patients who would benefit from and the potential benefits brought about by the new dispatch system.</p>	<p>Response circulated vide LC Paper No. CB(2)2607/08-09 on 7 October 2009.</p> <p>- Ditto -</p>

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22. 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.
23. Law enforcement against illegal car racing	29 September 2009	The Administration was requested to provide a written response on enforcement against speeding on the roads where there was confusion over the applicable speed limits.	Response awaited.