

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2833/11-12  
(These minutes have been seen by the  
Administration and the Independent  
Police Complaints Council)

Ref : CB2/PL/SE

**Panel on Security**

**Minutes of meeting**  
**held on Tuesday, 5 June 2012, at 2:30 pm**  
**in Conference Room 1 of the Legislative Council Complex**

- Members present** :
- Hon James TO Kun-sun (Chairman)
  - Hon LAU Kong-wah, JP (Deputy Chairman)
  - Hon Albert HO Chun-yan
  - Hon CHEUNG Man-kwong
  - Dr Hon Philip WONG Yu-hong, GBS
  - Hon WONG Yung-kan, SBS, JP
  - Hon Emily LAU Wai-hing, JP
  - Hon Abraham SHEK Lai-him, SBS, JP
  - Hon Audrey EU Yuet-mee, SC, JP
  - Hon Andrew LEUNG Kwan-yuen, GBS, JP
  - Hon Cyd HO Sau-lan
  - Dr Hon LAM Tai-fai, BBS, JP
  - Hon CHAN Hak-kan
  - Hon WONG Kwok-kin, BBS
  - Hon IP Kwok-him, GBS, JP
  - Dr Hon PAN Pey-chyou
  - Hon LEUNG Kwok-hung
  - Hon WONG Yuk-man
- Members absent** :
- Dr Hon Margaret NG
  - Hon Timothy FOK Tsun-ting, GBS, JP
  - Hon CHIM Pui-chung
  - Hon Paul TSE Wai-chun, JP

**Public Officers : Item IV  
attending**

The Administration

Mr LAI Tung-kwok, SBS, IDSM, JP  
Under Secretary for Security

Mrs Millie NG KIANG Mei-nei  
Principal Assistant Secretary for Security

Mr TANG How-kong  
Director of Management Services  
Hong Kong Police Force

Ms Winnie CHIU Wai-yin  
Assistant Commissioner (Support)  
Hong Kong Police Force

Mr Duncan Stuart MCCOSH  
Chief Superintendent (Complaints and Internal  
Investigations Branch)  
Hong Kong Police Force

Independent Police Complaints Council

Mr Ricky CHU Man-kin  
Secretary-General

Ms Cherry CHAN Man-yi  
Legal Adviser

Item V

The Administration

Mr LAI Tung-kwok, SBS, IDSM, JP  
Under Secretary for Security

Mrs Erika HUI, JP  
Commissioner for Narcotics  
Security Bureau

Miss Mandy WONG  
Principal Assistant Secretary for Security (Narcotics) 2

**Clerk in attendance** : Mrs Sharon TONG  
Principal Council Secretary (2)

**Staff in attendance** : Ms Connie FUNG  
Senior Assistant Legal Adviser 1

Ms Rita LAI  
Senior Council Secretary (2) 1

Ms Michelle LEE  
Legislative Assistant (2) 7

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**I. Confirmation of minutes of previous meeting**  
(LC Paper No. CB(2)2172/11-12)

The minutes of the meeting held on 7 February 2012 were confirmed.

**II. Information paper(s) issued since the last meeting**

2. Members noted that no information paper had been issued since the last meeting.

**III. Date of next meeting and items for discussion**  
(LC Paper Nos. CB(2)2175/11-12(01) and (02))

3. Members agreed that the following items be discussed at the next regular meeting to be held at 2:30 pm on 3 July 2012 -

- (a) Briefing by the Secretary for Security on the Secretary's work plan for the year ahead;
- (b) Construction of a new ambulance depot at Choi Shun Street, Sheung Shui; and
- (c) Daya Bay Contingency Plan - Exercise Checkerboard; and
- (d) Police's crowd control arrangements in relation to public meetings and public processions.

Clerk

In respect of item (a), the Chairman asked the Clerk to liaise with the Head of

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the Chief Executive-elect's Office about inviting the Secretary for Security of the next-term Government to the meeting.

*(Post-meeting note: The regular meeting had been rescheduled for 4 July 2012 at 8:00 am.)*

4. Members noted that the Administration would separately submit information papers on the following two issues -

- (a) Service enhancement initiatives on the Automated Passenger Clearance System (e-Channel); and
- (b) Skeleton outline of the third report of the HKSAR under the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment.

*(Post-meeting note: The Administration's information papers on item (a) and (b) were circulated to members vide LC Paper No. CB(2)2452/11-12(01) and (02) on 27 June 2012 respectively.)*

**IV. Independent Police Complaints Council Report (Interim) on Complaint Cases Arising from the Visit by the Vice Premier Mr LI Keqiang**

(LC Paper Nos. CB(2)1891/11-12(01), CB(2)2175/11-12(03) and (04))

Briefing by the Administration and the Independent Police Complaints Council

5. Under Secretary for Security ("US for S") briefed members on the Administration's response to the release of the Independent Police Complaints Council ("IPCC") Report (Interim) on Complaint Cases Arising from the Visit by the Vice Premier Mr LI Keqiang ("the Interim Report"), details of which were set out in the Administration's paper.

6. Director of Management Services of the Hong Kong Police Force ("Director of MS") added that the Police had the responsibility to protect the personal safety of political dignitaries visiting Hong Kong. It was a great challenge and involved external, uncertain and complicated factors which could not be compared with the general crowd management operations. Police officers of different ranks involved in the planning and execution of the security operations were under immense pressure and faced great difficulties in discharging their duties. While people could comment on the performance of the Police officers in discharging their duties in the security

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operations, it was hoped that people could also understand the challenges and difficulties faced by the Police officers involved.

7. Secretary-General of IPCC ("Sec-Gen") said that IPCC released the Interim Report on 3 May 2012 and highlighted the following -

- (a) IPCC had endorsed the findings of the Complaints Against Police Office ("CAPO") on nine reportable complaints; and
- (b) IPCC would conduct comprehensive review to identify possible deficiency or room for improvement in the existing Police practices and procedures and make appropriate recommendations for better planning and execution of future security operations for political dignitaries and to reduce complaints arising therefrom.

Sec-Gen further said that after the release of the Interim Report, CAPO had responded to queries stated in Appendix 7 to the Interim Report. It was hoped that a final report would soon be made available to members of the public.

8. In response to the Chairman's request, Sec-Gen provided an update on the progress of the review of the investigation results of other complaints since the release of the Interim Report as follows -

- (a) IPCC was further studying the justification for footbridge closure and pedestrian clearance as part of the security arrangements during the visit of the Vice-Premier Mr LI Keqiang ("the Vice-Premier") and in particular a complaint of which the complainant had not provided the statement. The Police had provided some responses subsequently and they were being examined;
- (b) IPCC was further studying the Police's response to IPCC's suggestion to CAPO of conducting a comprehensive investigation on the removal of a male at Laguna City; and
- (c) IPCC was discussing with the Police about its request for CAPO to provide all relevant operational orders under the principle of confidentiality so as to allow IPCC to have a thorough and comprehensive assessment of the rationale behind the Police's actions in question, and whether its actions were proportionate to the nature of the security operations.

Discussion

*Case 13 - Removal of a male at Laguna City*

9. In response to Ms Emily LAU's enquiry, Sec-Gen clarified that there were two complaints which had taken place at Laguna City as provided in the Interim Report (i.e. case 13 and case 14).

10. Sec-Gen said that the male concerned (Complainant 13) had lodged a complaint with CAPO about being assaulted when he was removed by several plainclothes Police officers during the process. On the basis of Complainant 13 not providing a statement, CAPO classified the complaint as "Not Pursuable". However, IPCC disagreed with CAPO's classification since the incident had taken place at a public venue and it had been seen by some members of the public. In addition, there was news footage on the incident. Even though Complainant 13 had not provided his statement, IPCC had invited CAPO to conduct a full investigation based on the information available. Subsequently, the Police had made some responses which were being examined by IPCC.

11. Noting that Complainant 13 had attended an IPCC interview on 5 March 2012 as stated in paragraph 2.13.3iii of the Interim Report, Ms Emily LAU considered that the complainant had provided his statement and asked whether IPCC could proactively make a conclusion on the complaint.

12. Sec-Gen clarified that Complainant 13 did attend an IPCC interview and had a direct dialogue with members of the Serious Complaints Committee of IPCC. However, in terms of procedures, the content of the dialogue could not be regarded as a statement for the investigation of the complaint filed with CAPO. According to the regulation concerned, a complainant was required to provide a statement for a complaint lodged with CAPO. Under the IPCC Ordinance ("IPCCO"), IPCC was empowered to interview any person who might provide assistance to IPCC in considering the CAPO's investigation reports. After the interview, IPCC was of the view that CAPO was able to conduct a full investigation of the complaint and such view had been conveyed to CAPO.

*Case 14 - Reporters' encounters with Police at Laguna City*

13. Sec-Gen said that a reporter and a cameraman of a TV station alleged that they were obstructed by two Police officers when they filmed the removal of a male (Complainant 13) by a number of males in black suit at Laguna City on 16 August 2011. CAPO had classified the allegation as

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"Substantiated" and recommended a disciplinary review on the two Police officers concerned. IPCC agreed to such classification.

14. Given that the complaint was substantiated but CP still refused to make an apology for the incident which had brought about much discontent of members of the public, Ms Emily LAU asked whether IPCC would recommend the imposition of a penalty on CP.

15. While awaiting the results of the disciplinary review on the two Police officers concerned, Sec-Gen replied that the focus would be on whether there were sufficient justifications for the security operations concerned.

16. Mr WONG Yuk-man considered that CP's explanation of "a black object" in the case was ridiculous. Given that the relevant complaint was substantiated, Mr WONG said that the response of CP was very irresponsible and disappointing.

*Police complaints system*

17. Mr WONG Yuk-man expressed the view that there were constraints in the terms of reference of IPCC and it was necessary to conduct a review on IPCCO, in particular the limitation on the IPCC's functions to monitor the Police's investigation of reportable complaints and make recommendations on the procedures for handling complaints. Mr WONG considered that the Government should consider how to amend IPCCO from the policy point of view to enhance the effectiveness of IPCC.

18. US for S disagreed that the two-tier police complaints system under IPCCO was ineffective. He said that CAPO had conducted thorough investigations on the complaints so received and the findings were reviewed prudently by IPCC. As contained in the Interim Report, IPCC had raised a number of queries and CAPO was requested to make clarifications. Under IPCCO, IPCC could make recommendations to CP direct on the handling of complaints for consideration and follow-up action.

19. Regarding the effectiveness of the existing police complaints system, Director of MS said that 90% of the investigation on complaints was completed within four months and 94% of the investigation results were accepted by both the complainants and complainees. The existing complaints system had been proven to be effective since its implementation from mid-2009. The number of reportable complaints had dropped from some 3 270 cases in 2010 to some 2 760 cases in 2011, representing a reduction of 22% and 15% respectively as compared with the previous year. Such trend of reduction continued and a drop of 18% of cases was recorded for the first

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five months of 2012 as compared with the same period in 2011. On average, there were less than seven reportable complaints on each day (up to May) in 2012, which was considered as minimal as compared with more than 13 000 cases of contacts between the Police and members of the public everyday. Also, the nature of most of these complaint cases was categorized as minor. It was believed that the credibility and fairness of the complaints system were widely accepted.

20. Noting that some requested information on the complaints was not made available by the Police for IPCC's review of the investigation results, Mr WONG Yuk-man considered that it would hinder IPCC from performing its monitoring role. He queried whether it was done intentionally.

21. Director of MS responded that the Police had all along respected the role played by IPCC and its authority under IPCCO. Regarding IPCC's request for access to the relevant operational orders in relation to the security arrangements during the Vice-Premier's visit, the Police had concerns that the content of these operational orders involved sensitive information such as details of the Police's security operations and deployment of manpower. Such information was in effect restricted to participants of the operations in the Police. In order not to undermine the security operations and for the protection of the personal safety of political dignitaries visiting Hong Kong in future, the Police had reservations about making public the content of the operational orders. The Police would work out a practical option with IPCC to ensure that IPCC would be provided with sufficient information to make judgement on the findings of the complaint cases, while not undermining the effectiveness of the Police's security operations in future.

22. The Chairman expressed dissatisfaction that the Police had reservations about providing information as requested by IPCC. He was of the view that the Police could remind IPCC of the confidential nature of operational orders when providing such information. He pointed out that IPCC was a statutory body responsible for monitoring and reviewing the handling and investigation of reportable complaints by the Police. Whenever IPCC requested the Police to provide relevant information, the Police should act accordingly, including those confidential in nature. The exception should only be confined to those not permitted under the law. As an independent monitoring body, IPCC needed to ensure fairness for both the complainants and complainees and should be able to decide whether the information provided by the Police was sufficient for the monitoring work. He was concerned that the Police was resistant to providing information and being monitored.

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23. Director of MS responded that as a law enforcement agency, the Police respected the law, and would provide information according to the law. However, it had been specified in the law that under specific circumstances, information relating to the security of Hong Kong was exempted. He stressed that the Police had provided full assistance to IPCC in its reviewing work.

24. While most of the public meetings and public processions in Hong Kong were conducted peacefully and in an orderly manner, the Deputy Chairman pointed out that sometimes, a small number of radical demonstrators committed certain unlawful practices and even displayed provocative behaviour against frontline officers. There were occasions where some of these radical demonstrators were arrested and subsequently filed complaints against some Police officers. The Deputy Chairman asked how IPCC would handle the cases and make an impartial and fair judgement on the cases, and conveyed the message that sometimes both parties were responsible for the incident involved.

25. Sec-Gen responded that IPCC attached great importance to independent evidence in the review of the handling of complaints, including visual recordings and statement provided by independent parties, before drawing a conclusion. Members of IPCC would consider whether the behaviour of the complainees was reasonable having regard to the circumstances at scene. Review of the handling of complaints would undergo stipulated procedures. Investigation reports on reportable complaints submitted by CAPO would firstly be examined by IPCC Secretariat and a view on each case would be formulated. Most staff of IPCC Secretariat involved in such review were former members of the disciplined forces and had frontline experience in enforcing the law. Also, members of IPCC came from different backgrounds. They were independent and could represent members of the public. It was believed that concerns of the law enforcement officers and members of the public could be balanced. Whenever a view on a case was drawn, the relevant complainees would be invited to present their justifications so as to balance the view. It was hoped that an objective and fair conclusion of cases could be drawn.

26. Mr Abraham SHEK declared that he was one of the Vice-Chairmen of IPCC and the Chairman of the relevant committee on the review of the investigation findings. He stressed that IPCC was a statutory body which was empowered to monitor the work of CAPO. IPCC's review on the investigation findings would be conducted in an impartial and fair manner.

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*Security operations for the visit of the Vice-Premier*

27. Mr WONG Yuk-man was concerned that most of the complainees in connection with the security operation for the visit of the Vice-Premier were of junior ranks. He believed that orders for the Police's actions should have been given by the senior officers who should be held accountable for such orders.

28. The Chairman echoed the view of Mr WONG Yuk-man. He queried whether the pressure faced by the frontline officers during the security operations for the Vice-Premier's visit originated from their supervisors. He further queried whether the senior Police officers aimed at protecting the personal safety or the feelings of the Vice-Premier. He asked whether it had been specified in the operational orders that demonstrations should not be seen by the Vice-Premier.

29. Director of MS clarified that the security operations during the visit of the Vice-Premier were to protect his personal safety. He explained that the great pressure faced by the Police officers involved was that they might be criticized for either being over-sensitive or having wrongly assessed the situation, regardless of whether the security operation was successful. Considerations should therefore be given to the difficulties that they had faced. With respect to the substantiation of specific complaints, CAPO held the view that they were not related to the policy or procedures of the Police but inadequacies of the assessment of individual frontline officers in discharging their duties during the security operations. The Police had conducted a review on the policing arrangement and would make improvement where necessary, including strengthening the training to be provided to the frontline officers.

30. Mr LEUNG Kwok-hung expressed the view that there was political consideration in the security operations during the Vice-Premier's visit. He cited the security operation for the Fortune Global Forum 2001 held in Hong Kong as an example. He held the view that the Police should provide the requested information to IPCC.

31. Director of MS said that he did not have information on the security operation in relation to the Fortune Global Forum 2001 on hand. It was understood that the right of expression and the right of assembly were core values of Hong Kong. The Police was committed to safeguarding these rights as guaranteed under the Basic Law. In the past three years, some 4 200, 5 600 and 6 800 public meetings and public processions had respectively been held and over 99% of them were conducted peacefully.

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*Future policing arrangements*

32. The Deputy Chairman referred to the Police's review of the policing arrangements in relation to the visit of the Vice-Premier to Hong Kong in August 2011 ("the Review"), in which strategies for media engagement, and community expectation management for public meetings and processions were highlighted. He asked whether any new practices, on the basis of the experience gained from the Vice-Premier's visit operations, would be adopted to smoothen the operations in future.

33. Assistant Commissioner of Police (Support) responded that there were six main recommendations set out in the Review as the way forward for the Police to follow up in future operations. In anticipation of many forthcoming public activities celebrating the 15th anniversary of the establishment of the Hong Kong Special Administrative Region of the People's Republic of China, a Task Force with special duties had been set up for the planning of the corresponding police operations. Reference would be made to the six recommendations of the Review and communication would be initiated with the organizers of the activities as early as possible with a view to reaching common understanding on arrangements for public meetings, procession routes and crowd control so as to facilitate peaceful public order activities. If visits of political dignitaries were involved in the public order activities, the Police would make professional risk assessment and planning on the basis of the latest international situation and past experience. If the activities were to be held in private venues, the Police would discuss with the persons-in-charge the relevant security arrangements and the role to be played by the Police. Before the launch of the relevant security operations, information on the agreed security procedures and principles for execution would be disseminated to the people involved. Regarding communication with the media, meetings with the media had been held to discuss the arrangements on the facilitation of the media work. The Police Public Relations Branch would set up Media Liaison Teams to act as bridges for communication at scene between the frontline officers and the media so as to facilitate media reporting and reduce misunderstanding.

34. The Chairman enquired whether the core values of Hong Kong could be upheld in the security operations during the visit of political dignitaries and the festive occasions. Director of MS stressed that the nature of the security operations for protecting the personal safety of the political dignitaries were different from crowd control during local public order activities and the flexibilities involved were also different.

35. While agreeing that the nature of the security operations for protecting the personal safety of State leaders or international political dignitaries was

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different from crowd control during local public activities and the flexibilities involved were also different, Dr PAN Pey-chyou asked whether IPCC considered that different considerations should be given to the security operations concerned and the criteria for risk assessment.

36. Sec-Gen said that IPCC had all along communicated with CAPO and understood that different considerations should be given to the security operations concerned. He reiterated that it was necessary for IPCC to make reference to the operational orders and understand the rationale behind so as to make a fair and reasonable judgement.

37. Director of MS said that the Police had maintained a close and interactive relationship with IPCC since the enactment of IPCCO in 2009. There was exchange of views on the planning and execution of the security operations as well as on other areas of the Police's duties.

38. The Chairman asked whether consideration would be given to allowing a demonstrator or a media reporter, who had undergone security checking, to come close to a political dignitary in a security operation. Director of MS responded that it was the Police's responsibility to maintain the confidentiality of the travel route of the political dignitary concerned and to ensure that it would take the shortest time for the political dignitary to travel from one place to another.

**V. Public consultation on community-based drug testing**  
(LC Paper Nos. CB(2)2175/11-12(05) and (06))

39. US for S briefed members on the Administration's plan for a public consultation exercise on a community-based drug testing ("CDT") scheme, details of which were set out in the Administration's paper.

40. Dr PAN Pey-chyou expressed concern about the implementation of CDT and made the following enquiries -

- (a) given that it was an offence to inhale or possess a dangerous drug, whether it would be evidence for prosecution if it was confirmed that a person had taken drugs or was found in possession of some dangerous drugs;
- (b) the area for the application of scheme, in particular whether it would be within a school campus; and
- (c) whether a false positive result of drug-taking would be possible.

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41. Commissioner for Narcotics ("C for N") responded as follows -

- (a) the main objective of CDT was to identify drug abusers at an early stage so as to allow timely intervention with treatment and rehabilitation to reduce as far as practicable the adverse health impact on the drug abusers due to prolonged drug abuse. Prosecution against drug abusers was not the main objective. However, there were views about making use of prosecution as a deterrent. Whether prosecution against drug abusers would be initiated would be subject to the availability of evidence and the circumstances at scene;
- (b) it would be difficult to specify the exact circumstances or venues where the scheme would apply. It could not be ruled out that the Police might need to take follow-up action if drugs were reportedly found at a school. However, it was not the intention of the scheme to conduct compulsory drug testing at schools for identifying drug abusers; and
- (c) the Government Laboratory would be responsible for analyzing urine samples collected and their work in this respect had known to be reliable.

42. Dr PAN Pey-chyou considered that it would be a kind of interference with human rights if legislation was to be introduced to implement the CDT scheme.

43. US for S responded that concerns about protection of human rights were noted. The issue would be included in a consultation paper to be issued. The Government would adopt an open attitude and listen to public views before deciding on how to take forward the matter.

44. Dr LAM Tai-fai cautioned that in spite of signs of improvements in the drug scene, efforts in combating the drug problem should not be slackened. The reduction in the number of drug abusers might be a result of the publicity work on the adverse effects of taking drugs. However, it might also be possible that a number of young people had gone to the Mainland to take drugs. In addition, the increasing hidden nature of drug taking made it difficult for early identification of drug abusers.

45. US for S stressed that the law enforcement agencies were committed to combating the drug problem on different fronts, in particular at the immigration control points. Regarding young people taking drugs in the Mainland, US for S said that the situation was mitigated, partly due to the

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enforcement action taken by the Mainland authorities, and partly the collaboration between the relevant authorities in the Mainland and Hong Kong. C for N added that according to the information of the Central Registry of Drug Abuse ("CRDA"), there was a significant decline in the number of reported cross-boundary drug abusers.

46. While expressing appreciation of the Administration's open attitude of conducting consultation on the CDT scheme at a later stage, Dr LAM Tai-fai asked about the timetable for such consultation.

47. US for S said that the current plan was to launch consultation on the CDT scheme in the second half of 2012. Preliminary work for consulting Members of the Legislative Council and social workers had already started. It was hoped that views from different perspectives would be collected and included in the consultation paper for consideration by members of the public.

48. Noting that the increasingly hidden nature of drug taking had made it difficult for early identification of drug abusers, Dr LAM Tai-fai expressed concern about young people taking drugs at private parties on yachts. He asked whether the marine Police had sufficient manpower to tackle the problem.

49. US for S replied that it was more difficult to combat drug taking on yachts and the marine Police would rely on intelligence so received to launch operations at specific points. Overall speaking, efforts on publicity and education would be strengthened, in particular those towards parents. An enquiry hotline of the Narcotics Division had been in operation and its service would be enhanced. Also, a large-scale publicity event targeting at youngsters would be launched in June 2012 before the summer holiday started.

50. Referring to the decline in the number of reported drug abusers as recorded by CRDA, C for N said that apart from the number of cases reported by the law enforcement agencies, the number also included those reported by Non-Governmental Organizations that provided drug treatment and rehabilitation services. However, owing to the increasingly hidden nature of drug taking, it was getting more difficult to identify drug abusers at an early stage. Referring to paragraph 9 of the Administration's paper, she said that there were more than 100 cases of dangerous drug seizure at night entertainment venues in 2011 but there was no way to find out if the youngsters at scene had taken drugs. This in turn meant that no help could be offered to those who had actually abused drugs.

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51. Noting that members of the public would soon be consulted on CDT, Ms Emily LAU expressed the view that the Administration should not proceed with the scheme if there was much disagreement during the consultation. She enquired whether there were overseas practices in implementing similar scheme and whether the issue of interference with human rights and personal privacy could be addressed. Also, she asked whether the implementation of the scheme would be effective in combating drug-related crimes.

52. C for N responded that there were varying practices in different jurisdictions and when making a comparison with Hong Kong, one had to bear in mind the differences in legal systems. She said that for example in the United Kingdom, people who were arrested for having committed an offence and suspected of having taken drugs would be required to undergo a drug test.

53. The Chairman expressed concern about the lack of precedents in overseas justifications relating to CDT and noted that at present the Police could take enforcement action only where there was reasonable ground for believing that a drug offence had been committed.

54. C for N said that it would be specified in the consultation paper that Police officers could only require people to undergo a drug test when reasonable suspicion was formed. For example, a possible scenario was that the Police during a raid of a night entertainment venue found individuals with obvious signs of having taken drugs while there were drugs discarded on site.

55. Ms Emily LAU expressed the view that the Administration should not proceed with the CDT scheme if similar scheme had not been implemented in other countries. She was concerned that the scheme, if implemented, would give rise to problems in relation to human rights and personal privacy. She suggested that the overseas experience should be clearly specified in the consultation paper.

56. The Chairman echoed the view of Ms Emily LAU. He had great reservations about implementing CDT if it was not practised in other common law jurisdictions. Referring to paragraph 9 of the Administration's paper, the Chairman asked about the information on the cases of dangerous drug seizure at night entertainment venues with arrest. He was of the view that more resources and manpower should be deployed to tackle the problem.

57. US for S said that the Police had launched a number of operations to combat drug taking at entertainment venues and it had become increasingly

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difficult to tackle the problem. The Administration would however continue its multi-prong effort in tackling the drug abuse problem.

58. Noting that young people below 18 could be protected by a protection order under the Protection of Children and Juveniles Ordinance (Cap. 213), the Chairman enquired whether consideration would be given to adding a drug testing condition to the order under the Ordinance and appropriate rehabilitative treatment be provided if it was confirmed that a young person had taken drugs. He considered it less controversial and less objectionable in face of the general support for the view that a CDT scheme, if implemented, should apply to persons of all ages.

59. Principal Assistant Secretary for Security (Narcotics) responded that under the law, the application for a protection order to a Magistrate would take time given the due process involved. By the time that a protection order was granted, it might be too late to require the young person concerned to undergo a urine test as the drug content would have gone out of the body after two to three days.

60. The Chairman suggested that consideration be given to making improvement to the process where a temporary protection order could be issued and the young person concerned would be requested to undergo a drug test as soon as possible. He considered that such a practice would be less controversial.

61. Regarding the anti-drug publicity work, the Chairman expressed the view that the peers of young people taking drugs should have been aware of the drug taking habit of their friends. He suggested that the role played by these peers be strengthened in the publicity work. US for S said that the suggestion was a new perspective for combating the drug abuse problem and would be taken into consideration.

62. There being no other business, the meeting ended at 4:52 pm.