

OFFICIAL RECORD OF PROCEEDINGS

Thursday, 30 October 2014

The Council continued to meet at Nine o'clock

MEMBERS PRESENT:

THE PRESIDENT

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

DR THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, G.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, S.B.S., J.P.

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, B.B.S., M.H.

PROF THE HONOURABLE JOSEPH LEE KOK-LONG, S.B.S., J.P., Ph.D.,
R.N.

THE HONOURABLE JEFFREY LAM KIN-FUNG, G.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, G.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, S.B.S., J.P.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CYD HO SAU-LAN, J.P.

THE HONOURABLE STARRY LEE WAI-KING, J.P.

DR THE HONOURABLE LAM TAI-FAI, S.B.S., J.P.

THE HONOURABLE CHAN HAK-KAN, J.P.

THE HONOURABLE CHAN KIN-POR, B.B.S., J.P.

THE HONOURABLE WONG KWOK-KIN, S.B.S.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE WONG YUK-MAN

THE HONOURABLE CLAUDIA MO

THE HONOURABLE MICHAEL TIEN PUK-SUN, B.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

THE HONOURABLE NG LEUNG-SING, S.B.S., J.P.

THE HONOURABLE STEVEN HO CHUN-YIN

THE HONOURABLE FRANKIE YICK CHI-MING

THE HONOURABLE WU CHI-WAI, M.H.

THE HONOURABLE YIU SI-WING

THE HONOURABLE GARY FAN KWOK-WAI

THE HONOURABLE MA FUNG-KWOK, S.B.S., J.P.

THE HONOURABLE CHARLES PETER MOK, J.P.

THE HONOURABLE CHAN CHI-CHUEN

THE HONOURABLE CHAN HAN-PAN, J.P.

DR THE HONOURABLE KENNETH CHAN KA-LOK

THE HONOURABLE CHAN YUEN-HAN, S.B.S., J.P.

THE HONOURABLE KENNETH LEUNG

THE HONOURABLE ALICE MAK MEI-KUEN, J.P.

DR THE HONOURABLE KWOK KA-KI

THE HONOURABLE KWOK WAI-KEUNG

THE HONOURABLE DENNIS KWOK

THE HONOURABLE CHRISTOPHER CHEUNG WAH-FUNG, S.B.S., J.P.

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE SIN CHUNG-KAI, S.B.S., J.P.

DR THE HONOURABLE HELENA WONG PIK-WAN

THE HONOURABLE IP KIN-YUEN

DR THE HONOURABLE ELIZABETH QUAT, J.P.

THE HONOURABLE POON SIU-PING, B.B.S., M.H.

THE HONOURABLE TANG KA-PIU, J.P.

DR THE HONOURABLE CHIANG LAI-WAN, J.P.

IR DR THE HONOURABLE LO WAI-KWOK, B.B.S., M.H., J.P.

THE HONOURABLE CHUNG KWOK-PAN

THE HONOURABLE CHRISTOPHER CHUNG SHU-KUN, B.B.S., M.H., J.P.

THE HONOURABLE TONY TSE WAI-CHUEN, B.B.S.

MEMBERS ABSENT:

THE HONOURABLE FREDERICK FUNG KIN-KEE, S.B.S., J.P.

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN, S.B.S., J.P.

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE PAUL TSE WAI-CHUN, J.P.

THE HONOURABLE LEUNG CHE-CHEUNG, B.B.S., M.H., J.P.

THE HONOURABLE MARTIN LIAO CHEUNG-KONG, S.B.S., J.P.

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE LAI TUNG-KWOK, S.B.S., I.D.S.M., J.P.
SECRETARY FOR SECURITY

MR JOHN LEE KA-CHIU, P.D.S.M., J.P.
UNDER SECRETARY FOR SECURITY

CLERKS IN ATTENDANCE:

MR ANDY LAU KWOK-CHEONG, ASSISTANT SECRETARY GENERAL

MISS FLORA TAI YIN-PING, ASSISTANT SECRETARY GENERAL

MISS ODELIA LEUNG HING-YEE, ASSISTANT SECRETARY GENERAL

MR MATTHEW LOO, ASSISTANT SECRETARY GENERAL

MEMBERS' MOTIONS

PRESIDENT (in Cantonese): Good morning. The meeting now resumes.

PRESIDENT (in Cantonese): Members' motions. Proposed resolution under Article 75 of the Basic Law.

Members who wish to speak on the motion will please press the "Request to speak" button.

I now call upon Mr TAM Yiu-chung to speak and move the motion.

PROPOSED RESOLUTION UNDER ARTICLE 75 OF THE BASIC LAW OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA

MR TAM YIU-CHUNG (in Cantonese): Good morning, President and Members. In my capacity as Chairman of the Committee of Rules of Procedure (CRoP), I move that the proposed resolution on amending the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region (RoP), as printed on the Agenda, be passed, so as to reflect the existing practice relating to adjournment of the Council due to the lack of a quorum.

According to the existing Rule 17(3) of the RoP, if the attention of the Chairman in committee of the whole Council is drawn to the fact that a quorum is not present at the meeting, he shall direct the Members to be summoned. If after 15 minutes have expired, a quorum is not then present the Council shall be resumed and the President shall count the Council. If a quorum is not present the President shall adjourn the Council without question put.

The above arrangement was adapted from the Standing Orders of the former Legislative Council of Hong Kong, which was based on the practice of the United Kingdom Parliament. Unlike the United Kingdom Parliament where resumption of the House from a committee of the whole House entails a change of the Chair, resumption of the Council from a committee of the whole Council in the Legislative Council does not require a change of the Chair.

The CRoP notes that it has all along been the practice of the Council that after the quorum bell has been rung for 15 minutes in a committee of the whole Council and a quorum is not then present, the Council is resumed and so is the President, and the President adjourns the Council without ordering a headcount again. In this connection, the CRoP proposes to amend Rule 17(3) of the RoP to reflect the existing practice of the Council.

On 10 October, the CRoP consulted the House Committee on the abovementioned issue and the latter agreed with the relevant proposals.

Thank you, President.

Mr TAM Yiu-chung moved the following motion:

"RESOLVED that the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended as set out in the Schedule.

Schedule

Amendment to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

1. Rule 17 amended (quorum)

Rule 17(3) —

Repeal

"the President shall count the Council. If a quorum is then present the Council shall again resolve itself into committee but if a quorum is not present".

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr TAM Yiu-chung be passed.

PRESIDENT (in Cantonese): Does any Member wish to speak?

MR TANG KA-PIU (in Cantonese): I certainly support the content of this Resolution as it only involves a technical amendment. As a novice of this

Council and having been stranded here for two years, I really have a feeling of being stranded. If all of us are engaged in rational discussion before proceeding to vote, we will be able to serve the community with one heart and mind. However, I notice that some members have made frequent attempts to slow down deliberations by requesting headcounts. Apart from causing delays, their filibustering will even drag down the whole Legislative Council, and yesterday's meeting is a good case in point. Thus, I am more than happy to give my support to this amendment; and as a Legislative Council Member — although I am not a member of the CRoP — I would also like to voice my expectations of any future amendments made to Rule 17 of the RoP. I can see that the two Members who are going to filibuster are now listening to my speech.

Just now, Mr TAM Yiu-chung, Chairman of the CRoP mentioned that the practice and procedures of the Legislative Council are modelled on that of the United Kingdom Parliament. Not long ago during the summer recess of this Council, I read a book on the operation of the United Kingdom Parliament. The Parliament ...

PRESIDENT (in Cantonese): Mr TANG Ka-piu, your speech should be directly related to the motion moved by Mr TAM Yiu-chung.

MR TANG KA-PIU (in Cantonese): I understand, President. But can you be a bit more patient ...

PRESIDENT (in Cantonese): Please do not stray from the question.

MR TANG KA-PIU (in Cantonese): ... We all want to find a way out of this predicament, am I right? It is not the practice of the United Kingdom Parliament to make headcounts, and not every single piece of legislation requires further examination by a committee of the whole House. However, in face of the current predicament, it is necessary to amend the RoP. The several Members who have resorted to filibustering always said that they would keep on filibustering so long as there are functional constituencies in the Legislative Council. Nevertheless, under the current separate voting system, functional constituencies have sometimes become their protective shield ...

PRESIDENT (in Cantonese): Mr TANG Ka-piu, you have strayed from the question. Please speak on Mr TAM Yiu-chung's motion.

MR TANG KA-PIU (in Cantonese): I see. Can we request a headcount at any time? This is really open to discussion. Though the current amendment is not related to requesting a headcount at any time, as I have said, I would like to voice my expectations of the future amendments made to the RoP. Regarding the issue of requesting a headcount at any time, even the ...

PRESIDENT (in Cantonese): Mr TANG, I have to remind you once again. The motion under discussion is about making amendments to the RoP, and it has nothing to do with the practice of doing a headcount at any time. Please speak on the motion.

MR TANG KA-PIU (in Cantonese): President, I am really displeased. In the debate on the adjournment motion proposed by a Member yesterday, some Members were allowed to talk about things that are miles away from the subject. However, today, when I talk about my expectations of the RoP, which is in fact related to Rule 17 of the RoP, I am forbidden to do so. I shall say no more, thank you.

MR WONG YUK-MAN (in Cantonese): President, as your party is so big and there is also a caucus, members who are responsible for policy research should do more homework and get themselves well versed in the subject.

PRESIDENT (in Cantonese): Mr WONG Yuk-man, please speak on the motion.

MR WONG YUK-MAN (in Cantonese): I am well versed in the subject. I am a member of the Committee of Rules of Procedure (CRoP), and I am also one of the Members being targeted.

Members of the pro-establishment camp have proposed to amend Rule 17 of the RoP for more than once in recent years. As making quorum calls is

a common tactic adopted in filibustering — please allow me to respond to Mr TANG Ka-piu first — the requests to amend Rule 17 on the quorum requirement are made to deal with filibustering. Certainly, another reason is that by lowering the quorum requirement, the chance for meetings to be aborted because of the lack of a quorum, just as what happened a week ago, can be reduced ...

PRESIDENT (in Cantonese): Mr WONG Yuk-man ...

MR WONG YUK-MAN (in Cantonese): I will continue to talk about ...

PRESIDENT (in Cantonese): Mr WONG Yuk-man, please hold on. As I have reminded Mr TANG Ka-piu a while ago, this amendment has nothing to do with the threshold on quorum or the issue of making quorum calls.

MR WONG YUK-MAN (in Cantonese): I understand but I have yet to finish. You are so impatient. I have indeed prepared a three-page speech and I am now speaking on Rule 17(3) ...

PRESIDENT (in Cantonese): Please do not stray from the question.

MR WONG YUK-MAN (in Cantonese): ... Regarding Rule 17(3), do not interrupt me right away, buddy. Of course I know the subject well, but since he has made that comment, I definitely have to fight back.

Article 75 of the Basic Law provides that the quorum for the meeting of the Legislative Council of the Hong Kong Special Administrative Region shall be not less than one half of all its members. Annex II to the Basic Law provides that the passage of motions introduced by individual members of the Legislative Council shall require a simple majority vote of each of the two groups of members present. Any proposals made to revise the RoP will be futile. Members of the pro-establishment camp who attempt to amend Rule 17 can drop the idea forever.

It is worth mentioning is that according to Standing Order (SO) 10 of the Standing Orders of the former Legislative Council before 1997, the quorum of the Council and of a committee of the whole Council shall consist of 20 Members (including the President and Chairman of a Committee of the whole Council). In the past, the quorum of the former Legislative Council consisted of a smaller number of Members, and the percentage was one third of Members, which was also lower than the current requirement of 50% of Members to form a quorum. It has also been pointed out by the Legislative Council Secretariat that the quorum requirement of other parliaments is lower than that of Hong Kong.

The same issue has been discussed at previous meetings of the CRoP and this motion is related to Rule 17(3) of the RoP. The proposed resolution moved by Mr TAM Yiu-chung on behalf of the CRoP seeks to make a technical amendment to Rule 17(3) of the RoP which basically will not lead to any controversies, thus I do not see the urgency to make attacks so soon. The amendment seeks to repeal the following wordings in Rule 17(3) (I quote): "the President shall count the Council. If a quorum is then present the Council shall again resolve itself into committee but if a quorum is not present".

President, the original Rule states that, "[i]f the attention of the Chairman in committee of the whole Council is drawn to the fact that a quorum is not present, he shall direct the Members to be summoned. If after 15 minutes have expired, a quorum is not then present the Council shall be resumed and the President shall count the Council. If a quorum is then present the Council shall again resolve itself into committee but if a quorum is not present the President shall adjourn the Council without question put." The amendment we are discussing today seeks to repeal the lines that I have just quoted, which is basically not significant.

The proposed resolution moved by Mr TAM Yiu-chung on behalf of the CRoP is not related to the remarks made by Mr TANG Ka-piu just now. I was interrupted by the President when I responded to Mr TANG's comments shortly after I began to deliver my speech. As a matter of fact, there is a context to my speech and Members have to familiarize themselves with the subject and refrain from speaking for the sake of speaking.

Mr TANG Ka-piu, the proposed amendment to Rule 17(3) will not bring any substantive changes to Rule 17. We cannot amend the quorum requirement

just because meetings are frequently aborted these days. The Basic Law has clearly stated that the quorum of the meeting shall consist of one half of all the Legislative Council Members. Even if an amendment is made, it will be voted down during division. It is just that simple. Since Mr TANG likes to talk about the Basic Law, I can tell him that the Basic Law clearly states that it requires one half of all Legislative Council Members to form a quorum, right? Hence, the current amendment will not lower the quorum as stated in Rule 17, and neither will it help eradicate further abortion of meeting due to the absence of a quorum. Don't ever think about this. I advise you to drop this idea. Being a member of the CRoP, I will ward off all such proposals. Mr WONG Kwok-kin will surely do the same.

PRESIDENT (in Cantonese): Mr WONG, you are repeating the contents of your speech.

MR WONG YUK-MAN (in Cantonese): The quorum of a committee of the whole Council will remain to be not less than one half of all its Members. The amendment to Rule 17(3) only obviates the need for the President to count the Council when it is resumed as a quorum is not present. President, the amendment under discussion merely seeks to save your time and effort to count the Council and prevent you from losing temper, and you are actually a bit short-tempered today. The proposed amendment also touches upon the relationship between the Council and the committee of the whole Council under Article 75 of the Basic Law. President, I wonder whether the quorum requirement is also applicable to other meetings of the Legislative Council. I can further elaborate on this point to enhance the knowledge of other Members. Buddy, some Members are not familiar with the RoP.

It is stipulated in Article 75 of the Basic Law that the quorum for the meeting of the Legislative Council of the Hong Kong Special Administrative Region shall be not less than one half of all its members. Article 75 does not specify which meetings of the Legislative Council will be subject to the above requirement. As the resolutions made by the various panels of this Council do not carry any legal force and are not binding, such panels are not bound by the quorum requirement. This is understandable. But President, the Finance Committee is responsible for scrutinizing and approving public expenditure proposals, the power of which is equal to that of the Council and a committee of

the whole Council, and it is also empowered to approve the Budget. Besides, all Legislative Council Members (excluding the President) are members of the Finance Committee, why then is the quorum of the Finance Committee different from that of the Council and the committee of the whole Council? It should be noted that the Finance Committee is not excluded from the application of Article 75 of the Basic Law.

Rule 17 of the RoP was drawn up in accordance with SO 10 of the Standing Orders of the former Legislative Council. SO 10(1) of the Standing Orders provided for the quorum of the Legislative Council and of a committee of the whole Council, and the same requirement was adapted by Rule 17 of the RoP. As regards Rule 17(3) covered in the proposed resolution, it was also adapted from SO 10(3) of the Standing Orders of the former Legislative Council, which provided that "[i]f the attention of the Chairman in committee of the whole Council is drawn to the fact that a quorum is not present, he shall act as provided in paragraph (2) of this order, save that if he is satisfied that a quorum is not then present the Council shall be resumed and the President shall count the Council. If a quorum is then present the Council shall again resolve itself into committee but if a quorum is not present the President shall adjourn the Council without question put." Rule 17(3) of the RoP was exactly modelled on SO 10(3) of the Standing Orders of the former Legislative Council, and the same requirement has remained unchanged to date. It is only until now that the Rule is called for amendment.

The RoP, which has been made by the Legislative Council on its own, shall not contravene the Basic Law in any case. For this reason, Rule 17 of the RoP is not sufficient in proving that Article 75 of the Basic Law is only applicable to the Council and a committee of the whole Council. The requirement that the quorum for the meeting shall be not less than one half of all the Members may also be applicable to the Finance Committee. By the same token, the practice and procedures determined by the Finance Committee subject to Rule 71(13) of the RoP shall not be contrary to the above requirement. The amendment set out in the proposed resolution reminds me, as a member of the CRoP and a Member of this Council, why the quorum requirement is only applicable to the Council and a committee of the whole Council, but not the Finance Committee? Paragraph 14 of the Finance Committee Procedure provides that the Chairman and eight members shall form a quorum ...

PRESIDENT (in Cantonese): Mr WONG, I reckon that the Finance Committee Procedure is also not related to Mr TAM Yiu-chung's motion.

MR WONG YUK-MAN (in Cantonese): I understand, but ...

PRESIDENT (in Cantonese): Please stop making lengthy remarks.

MR WONG YUK-MAN (in Cantonese): We are now discussing the RoP and the quorum. Regarding the proposed amendment, why the Finance Committee or a committee of the whole Council ... This is simple enough; I just want to point it out for your reference, right? I certainly have to present my arguments, and that is why I have to spend one or two minutes more on giving explanation. President, you cannot interrupt my professional speech just because you did so to Mr TANG Ka-piu earlier ... This is not fair. I have not finished yet!

PRESIDENT (in Cantonese): Mr WONG Yuk-man, please do not stray from the question.

MR WONG YUK-MAN (in Cantonese): Although on the face of it, the above analysis is not directly related to the proposed resolution, one should understand the relationship between the historical background of Rule 17 of the RoP and the requirement stipulated in Article 75 of the Basic Law, so that we can determine the appropriateness of the proposed amendment. President, is this point relevant? I shall stop now.

MR IP KWOK-HIM (in Cantonese): President, Mr WONG Yuk-man mentioned earlier that he was a member of the Committee of Rules of Procedure (CRoP), I am also a member of the CRoP, and we have held numerous discussions on the RoP. The Democratic Alliance for the Betterment and Progress of Hong Kong supports the amendment proposed by Mr TAM Yiu-chung on behalf of the CRoP. As some Members have said just now, the amendment in question is purely technical in nature and we all find the proposal reasonable. However, on the issue of making quorum calls mentioned by Mr TANG Ka-piu as well as

Mr WONG Yuk-man's discussion on Rule 17 of the RoP and Article 75 of the Basic Law, I do not agree to some of the arguments raised.

Mr WONG specially mentioned the Finance Committee and further elaborated his views on Article 75 of the Basic Law which provides that "[t]he quorum for the meeting of the Legislative Council of the Hong Kong Special Administrative Region shall be not less than one half of all its members". The proposed amendment under discussion at the moment is related to the situations where the Council is resumed from a committee of the whole Council or *vice versa*. The CRoP has also started to conduct some studies on whether the meeting of a committee of the whole Council is tantamount to the Council meeting as stipulated in Article 75 of the Basic Law. I think it necessary for the CRoP to look into this issue which in fact will be dealt with at the forthcoming meeting.

I will not spend too much time on responding to Mr WONG Yuk-man's earlier discussion. What I would like to mention in particular is that are there any differences between the Finance Committee, a committee of the whole Council and the Council in actual operation? I think my answer is in the affirmative.

Thank you, President.

MR KENNETH LEUNG: President, I have visited many overseas parliaments and I think the requirement for a quorum is necessary as it is the primary responsibility of law makers to attend meetings.

I have listened to Mr WONG Yuk-man's comment on Article 75 of the Basic Law. Article 75 of the Basic Law provides that "[t]he quorum for the meeting of the Legislative Council of the Hong Kong Special Administrative Region shall be not less than one half of all its members". I have discovered a dichotomy in Rule 17(1) of the Rules of Procedure which provides that "[t]he quorum of the Council and of a committee of the whole Council shall be not less than one half of all its Members including the President or Chairman". I think there is a moot point whether Article 75 of the Basic Law does intend to cover a committee of the whole Council. And I think this is a moot point that the Committee on Rules of Procedure should look into.

Of course, I have also listened to Mr WONG Yuk-man's speech concerning the Finance Committee. But in my humble view, Mr WONG Yuk-man's interpretation of the intention of Article 75 of the Basic Law may have gone a bit too far. Although I can see that some of our colleagues are concerned about filibustering by certain Members in this Council, I do want to reiterate that filibustering is a right which needs to be protected for the minority interest in this Council. I support the Committee on Rules of Procedure to explore further the interpretation of Article 75 of the Basic Law, and whether the applicability of Article 75 should be extended to a committee of the whole Council. From time to time, the Council shall resolve itself into a Committee of the whole Council during the Second Reading debates on bills having important legal consequences, and I do hope the Chairman of Committee on Rules of Procedure will look into this issue in further detail.

I support Mr TAM Yiu-chung's proposal for amending Rule 17(3) of the Rules of Procedure. Thank you.

PRESIDENT: May I remind the Honourable Kenneth LEUNG that the High Court has ruled that filibustering is not a right protected by the Basic Law.

MR DENNIS KWOK (in Cantonese): President, on behalf of the Civic Party, I speak in support of the technical amendment under discussion. However, this amendment in fact will give rise to other technical problems. Why do I say so? As all of you may be aware, before the Council meeting was aborted last week, one of the Members from the Hong Kong Federation of Trade Unions was almost able to enter the Chamber if one more second was given. He had past the first wooden door and if one more second was given, he would be able to enter the Chamber. As the amendment seeks to repeal the wordings set out in the proposed resolution, should a similar situation occur in future, that is to say, if a Member is one second late after the summoning bell has been rung for 15 minutes, nothing can be done to prevent the meeting from being aborted. If no change is made to the relevant Rule, according to the existing RoP, if a Member is only one second late, the President will have to count the Council again, and this Member can still enter the Chamber at that juncture and will be included in the headcount in this case. This is my understanding.

However, if such wordings are deleted, a Member who is only late for one second will not be able to "save" the meeting from being aborted. Despite the technical nature of this amendment, it will still affect the operation of the Legislative Council. I hope all the Members will bear this in mind.

Thank you, President.

PRESIDENT (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

PRESIDENT (in Cantonese): Mr TAM Yiu-chung, you may now reply.

MR TAM YIU-CHUNG (in Cantonese): President, although it is a technical amendment and the practice has all along been adopted by this Council, we still hope to reflect such a practice in the RoP.

After I have proposed such an amendment, the media has also shown great concern, the reason is that the number of quorum calls is just too many in recent Council meetings; hence people think that this amendment may bring about a new scenario. I know that Mr TANG Ka-piu might have a lot to say but he was going a bit too far in making his speech. It does not matter, if he wants to raise his views, he can, through submission or other forms, present his views directly to the CRoP. Insofar as the abovementioned issue is concerned, the CRoP has actually discussed on a number of occasions, but it is difficult to forge a consensus. I hope the CRoP will continue to follow up and discuss the issue at future meetings. Thank you, President.

PRESIDENT (in Cantonese): I now put the question to you and that is: That the motion moved by Mr TAM Yiu-chung be passed. Will those in favour please raise their hands?

(Members raised their hands)

PRESIDENT (in Cantonese): Those against please raise their hands.

(No hands raised)

Mr CHAN Chi-chuen rose to claim a division.

PRESIDENT (in Cantonese): Mr CHAN Chi-chuen has claimed a division. The division bell will ring for five minutes.

PRESIDENT (in Cantonese): Will Members please proceed to vote.

PRESIDENT (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

Functional Constituencies:

Dr LAU Wong-fat, Mr Abraham SHEK, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr WONG Ting-kwong, Ms Starry LEE, Mr CHAN Kin-por, Mr IP Kwok-him, Mr NG Leung-sing, Mr Steven HO, Mr Frankie YICK, Mr YIU Si-wing, Mr MA Fung-kwok, Miss CHAN Yuen-han, Mr Kenneth LEUNG, Mr KWOK Wai-keung, Mr Dennis KWOK, Mr Christopher CHEUNG, Mr POON Siu-ping, Mr TANG Ka-piu, Ir Dr LO Wai-kwok and Mr Tony TSE voted for the motion.

Geographical Constituencies:

Mr CHAN Kam-lam, Mr LEUNG Yiu-chung, Mr TAM Yiu-chung, Mr WONG Kwok-hing, Mr Ronny TONG, Mr CHAN Hak-kan, Mr WONG Kwok-kin, Mrs Regina IP, Mr Alan LEONG, Mr Michael TIEN, Mr James TIEN, Mr WU Chi-wai, Mr CHAN Chi-chuen, Mr CHAN Han-pan, Dr Kenneth CHAN, Miss Alice MAK, Mr SIN Chung-kai, Dr Helena WONG, Dr Elizabeth QUAT, Dr CHIANG Lai-wan and Mr Christopher CHUNG voted for the motion.

Mr WONG Yuk-man abstained.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that among the Members returned by functional constituencies, 22 were present and 22 were in favour of the motion; while among the Members returned by geographical constituencies through direct elections, 23 were present, 21 were in favour of the motion and one abstained. Since the question was agreed by a majority of each of the two groups of Members present, he therefore declared that the motion was passed.

PRESIDENT (in Cantonese): Two motions under the Legislative Council (Powers and Privileges) Ordinance.

PRESIDENT (in Cantonese): Mr WONG Yuk-man and Mr Andrew LEUNG have respectively given notice to each move a motion under the Legislative Council (Powers and Privileges) Ordinance. As both motions are about issues relating to the recent people's assemblies, this Council will proceed to a joint debate on the two motions.

I will first call upon Mr WONG Yuk-man to speak and move his motion, and then call upon Mr Andrew LEUNG to speak; but he may not move his motion at this stage.

After the joint debate, this Council will first put to vote Mr WONG Yuk-man's motion. Irrespective of whether Mr WONG Yuk-man's motion is passed, Mr Andrew LEUNG may move his motion.

The joint debate now begins. Members who wish to speak on the two motions will please press the "Request to speak" button.

I now call upon Mr WONG Yuk-man to speak and move his motion.

MOTIONS UNDER THE LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) ORDINANCE

MR WONG YUK-MAN (in Cantonese): President, how can blatant violence by thugs be allowed under the eyes of police officers? The street occupation movement, commonly known as Umbrella Revolution, led by students and spontaneously participated by the public, has mushroomed all over Hong Kong over the past one month, leaving a bright page on Hong Kong people's peaceful fight for democracy.

On 28 September, the Police fired tear gas at protesters who carried no aggressive weapons in the vicinity of Connaught Road Central, Queensway, Hong Kong City Hall and Chater Road. People then spontaneously occupied the intersection between Nathan Road and Argyle Street in Mong Kok (some areas in Admiralty and Causeway Bay were also occupied by protesters), and they built up barricades for long-term fight. The Occupy movement has been going on for one month, and the charging acts in the occupied area in Mong Kok are far more serious than those in the occupied area in Admiralty. Facing endless violent attacks by anti-Occupy persons in an organized manner, the occupiers are still unyielding and highly motivated.

At a Legislative Council meeting in April 2012, I pointed out in my speech regarding the motion to disqualify Mr LEUNG Kwok-hung from office: "In a country controlled by the totalitarian Chinese Communist Party, the road of non-violent civil disobedience movement is bound to be treacherous and perilous. Advocates of non-violent struggle have put themselves in a disadvantaged, passive and under-privileged position and exposed themselves to the peril of violence, with the wishful thinking that the opposite side would act according to rules and regulations. If the other party is cruel and unmerciful, having no qualms about moral judgment, it will only continue to perpetuate its evil deeds fearlessly, such that the non-violent side will only be sacrificing in vain." The SAR Government is an authoritarian regime. Apart from bearing the pepper spray and batons of police officers, protesters in Mong Kok also have to face vehicles ramming into the crowds, attacks from triad members with weapons, as well as the occasional throwing of objects from a height in nearby buildings. Yet, they still continue with their fight by adopting brave measures such as setting up road blocks and putting on simple protective gears. The fact they are no longer willing to be mistreated and disregarded by those in power also represents a sort of civil awakening. People who fight for democracy should all be pleased to see their success.

Discontented with the injustice in the establishment, young people in Hong Kong take part in this courageous Occupy movement, freeing themselves from the previous mode of political participation in the form of sit-ins and demonstrations, and engaging in the fighting for the justice of Hong Kong society and their own future. I hereby call on young people staying in Mong Kok to persevere until the very end: we must save our Hong Kong on our own. We, people in fifties and sixties, or even more senior in age, really have no right to decide your future, as well as the constitutional development of Hong Kong.

Following LEUNG Chun-ying's successful election as the Chief Executive, triad members have constantly appeared in pro-government rallies, such as the anti-filibustering rally outside the Legislative Council Complex in May 2012, and the Tin Shui Wai community forum in August 2013. Commentator LIAN Yi-zheng directly pointed out that LEUNG Chun-ying is "the product of a red patriarchy (the Communist Party) and a triad matriarchy (triad groups)", which is indeed the stereotype in our eyes.

Since the start of the Umbrella Revolution, the Police have tried in vain to clear the occupied sites several times. In the noon of 3 October, a bunch of thugs rushed to the occupied areas at the intersection between Nathan Road and Argyle Street in Mong Kok, and thundering with threats, they wantonly destroyed the tents and banners on the scene. Furthermore, some of them, with weapons in hand, attacked the occupiers and even molested female occupiers in chaos. Police officers on the scene were initially indifferent to the violence; only when a number of people were injured and tumbled over did they start building a human chain to separate the thugs and the occupiers. By asking the occupiers to leave, the Police cleared the site in a disguised manner. Many occupiers were badly battered, including secondary school students. While the acts of the thugs were hideous, the Police's blatant connivance at violence had fully tarnished their image painstakingly built over the past several decades as "people's servants".

Following the inception of the Independent Commission Against Corruption in the 1970s, the dedication of most police officers to their duties and their impartial enforcement of law had enabled them to succeed in shaking off their notorious reputation as "licensed thugs". Since the handover of sovereignty in 1997, however, the Police have time and again targeted at assembly participants through the use of excessive force and the abuse of prosecution procedure, and this, coupled with a series of appalling incidents involving the abuse of power or the violation of the law, has adversely affected

the image of the Police. People who harbour resentment against the Police are on the increase. The "clearance of scene through police and triad collaboration" in Mong Kok on 3 October proves that the Police have become a downright instrument to suppress dissenting views. "Black cop" will become the collective memory of Hong Kong people in the coming decades, and there will be no trust whatsoever between the Police and the public.

The SAR Police enjoy law-enforcement power and lawful force, but such power and force do have a limit and must be subject to restraint. The task of the Police to maintain law and order can only be carried out by taking remedial actions in the aftermath rather than taking pre-emptive preventive measures. Taking pre-emptive preventive measures means the adoption of every conceivable measure, and subsequently the oppression of human rights, the harassment of the people and the infringement upon people's basic rights. Taking precaution is a common and aggressive form of the abuse of power in Hong Kong, while another form of the abuse of power is passive and selective law enforcement, which is tantamount to law-enforcement officers arbitrarily selecting the time to exercise their power. As practices such as partiality, collusion, extortion and even bribery will naturally arise, police power will change from a public instrument to a private instrument in the long run.

The Complaints Against Police Office is a body where investigation is conducted by peers; the Independent Police Complaints Council is a "toothless tiger", and the general public have no channel whatsoever to prevent, as well as check and balance the Police's abuse of power, abuse of force, selective law enforcement and double standards. When the personal safety of the occupiers in the Mong Kok incident came under serious threat, police officers did not enforce the law immediately and they tacitly approved the situation to deteriorate, this was exactly an abuse of power in the form of selective law enforcement, which is tantamount to depriving people of their rights to express their views, and thus endangering their personal safety.

According to media reports, the Police knew beforehand that triad groups from the New Territories would storm the occupied areas in Mong Kok, but there was no obvious police deployment in Mong Kok. Only plainclothes officers of the Emergency Unit of Kowloon West Region and Crime Kowloon West Regional Headquarters as well as uniformed patrol officers of the Mong Kok Police District were on duty. This was in stark contrast to the police deployment in the occupied areas in Admiralty. Police officers in Mong Kok allowed the

thugs to charge into the occupied areas and attack the occupiers and no immediate actions were taken to stop the violence. Afterwards, some injured people were even arrested in Kwong Wah Hospital by police officers on charges of fighting in a public place and escorted to the Mong Kok Police Station. On that night, the police officers were lenient towards the anti-Occupy persons but harsh towards the occupiers. The Police have obviously applied double standards and are partial towards the thugs.

Many people, including writer CHOW Suk-ping, a winner of the Biennial Awards for Chinese Literature, stepped forward bravely and besieged the thugs in an effort to support the occupiers. In her online article, she described her personal observation. According to her, a suspected attacker, being besieged by members of the public, was escorted by several officers to leave the scene; such a scene was inconceivable. Many of my volunteers participating in the Mong Kok assemblies had also witnessed similar "let go" incidents. Supposedly, police officers should arrest those suspects, but they now escort them to leave the scene. Even if the Police have not colluded with the triads, they will be condemned for shielding criminals.

The *Wall Street Journal* of the United States interviewed a Hong Kong police officer. He said that the Police generally harboured hatred against the protesters, many police officers applauded the thugs' assaults on the protesters and ridiculed blood-soaked protesters. At this point, I think of some Members like Mrs Regina IP and her like. As she was the former Secretary for Security, she has the same mindset, so she is very popular among police officers. If she speaks when attending a dinner hosted by the Junior Police Officers' Association of the Hong Kong Police Force, she will get a big round of applause, and so do I when I speak to the students. But she must be reasonable. Her most ear-piercing remarks are: "Should we fire tear gas in a park?" and "The Police have not used excessive force in law enforcement". Did Mrs IP make any observation on the scene? I was once hit by a tear gas canister. Did she make any observation on the scene? Did she observe the firing of tear gas on that day? Was she on the scene when assaults took place in Mong Kok?

All officials are alike nowadays. No one considers you dumb if you remain silent. Just like their superiors, officials make slips of the tongue whenever they speak, as if their tongues were twisted. Even Dr KO Wing-man, who has such a high popularity rating, made the following nonsense: "Does it make sense for those breaking the law to request the Police to take

law-enforcement action?" Buddy, we are talking about two different concepts. I would like to ask Dr KO, if a smoker suffers from cancer, will he refuse to treat him on the ground that he gets cancer because of smoking? Is this a tenable argument? He speaks illogically and confuses right and wrong to such an extent. As the Police themselves have power, they must be highly scrupulous and prudent, and take law-enforcement action in accordance with the law.

In the interview with the *Wall Street Journal*, the aforesaid officer pointed out that police officers did not refuse to help the protesters, only that they wanted the protesters to get a few more punches. When antagonism towards protesters prevails in the Police and the Commissioner of Police TSANG Wai-hung has been determined to crack down on assemblies and protests since his taking office, we can no longer trust that the Police can maintain their professionalism and impartiality at the time of law enforcement.

In recent years, more and more retired inspectors and constables participate in activities held by the periphery organizations of local communists. In July, a police union even expressed its approval of police officers participating in the anti-Occupy Central signature campaign in a private capacity. Under such an atmosphere and the pressure from colleagues, can front-line officers who are generally junior still maintain political neutrality and impartiality? Certainly not, and this can be inferred from common sense.

The "clearance of scene through police and triad collaboration" was followed by the imposition of extrajudicial punishment in the Tamar Park and the connivance at the assaults on reporters in a "blue ribbon" assembly. The former was an abuse of power involving torture, in which the Police privately imposed pain and harm on unresisting and unconvicted suspects. And the latter involved selective law enforcement that was similar in nature with the Mong Kok incident. Police power has become a private instrument to be utilized by police officers at various levels according to their personal will. This is a reflection of the dereliction of duty on the part of Hong Kong's law-enforcement agencies and disciplinary forces.

On the second day following the incident, Secretary for Security LAI Tung-kuok held a press conference, at which he indicated that among those arrested, eight were of triad background, and he refuted the allegation of "clearance of scene through police and triad collaboration" as excessive, unreasonable, fabrication, and extremely unfair to police officers enforcing the law with professionalism on the scene. At the Legislative Council meeting on

15 October, a Member raised an urgent question on the incident, asking whether the Police made inadequate efforts in collecting intelligence or sluggish deployment of police manpower, and why the Police did not forthwith arrest the attackers. The Security Bureau replied that it was extremely difficult for the Police to ensure the safety of people on the scene in a crowded and chaotic situation; the top priority was to avoid the deterioration of the situation and to escort those whose personal safety was at stake out of the scene; and 52 people had been arrested.

The Secretary for Security's lengthy reply did not address the question concerning the collection of intelligence and the deployment of police manpower, and also failed to provide a clear account of the background of the 52 suspects arrested. If the Police were able to deploy sufficient manpower on that day, they should have been able to put the situation under control, prevent the violence and arrest the thugs on the scene. The Secretary's reply also circumvented the fact that police officers escorted the attackers out of the scene on that day. How can he dispel Hong Kong people's query concerning "police and triad collaboration" by merely uttering words such as "extremely unfair" and "fabrication"?

At the special meeting of the Panel on Security, the Secretary for Security played a few video clips. Such clips are selective, and I also wonder whether the Secretary is involved in falsification. The Secretary purposely selected clips to play up the incident, and if the Secretary was really involved in falsification, he might lose his office. However, this situation only happens in democratic places. In a place like Hong Kong, officials will not take accountability and step down, they will only be promoted and subsequently make a fortune. The Secretary does not need to step down, so he should not be scared, and he can continue to put up a condescending look. As the power is vested in the Secretary, he can do whatever he likes. Fortunately, however, Hong Kong still has a relatively independent judiciary, or otherwise people like us will be at stake. Upon the conclusion of the movement, a large number of people will stand trial in court. We will still be able to survive, or otherwise we will lose our life. We are all aware of this point.

Right before the meeting of the Panel on Security on Monday, the Secretary still adopted an arrogant attitude, saying that "police work is no business of yours". He had not made specific reply and had not seriously handled the incident concerning the "clearance of scene through police and triad collaboration". Is such an official qualified to be the Secretary for Security?

To monitor the Government is the responsibility of the Legislative Council, this Council must therefore invoke the Legislative Council (Powers and Privileges) Ordinance to appoint a select committee, and request the Government to provide the public with an account of the particulars of the incident, including the intelligence and deployment of the Police on that day, their assessments on the Mong Kok situation, their judgments on the situation on the scene, orders made by commanders to front-line officers, and the reasons for police officers escorting the attackers out of the scene. As the incident involved the personal safety of people participating in assemblies and protests, and a case involving human life is of utmost importance, people's representatives supporting or opposing the Occupy movement are all duty-bound to monitor and balance the Police's power on behalf of the people.

PRESIDENT (in Cantonese): Mr WONG, please move your motion.

MR WONG YUK-MAN (in Cantonese): I move my motion.

Mr WONG Yuk-man moved the following motion:

"That this Council appoints a select committee to inquire into the police's handling of the triad gangs' attacks on citizens rallying in Mong Kok on 3 October 2014; and that in the performance of its duties the committee be authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to exercise the powers conferred by section 9(1) of that Ordinance."

PRESIDENT (in Cantonese): I now propose the question to you and that is: That the motion moved by Mr WONG Yuk-man be passed.

MR ANDREW LEUNG (in Cantonese): President, I would like to make a brief account on the relevant discussions of the House Committee in my capacity as Chairman of the House Committee.

At the meeting on 10 October, the House Committee discussed the proposal put forward by Mr Jeffrey LAM to seek the authorization of the Legislative Council to appoint a select committee for the comprehensive

investigation into the incident of large-scale illegal occupation of roads in the various districts since 28 September.

Members in support of the proposal opine that participants of the Occupy movement have been illegally occupying the main arteries of the various districts for a long time, causing severe traffic congestion, disrupting the daily lives of the general public, and inflicting enormous economic losses on many businesses. In addition, clashes between the supporters and opponents of the Occupy movement endanger social order and safety. The occupation of roads, which is illegal in nature, has given rise to deep divisions within the community and caused great impact on Hong Kong. Road blockage even affects emergency vehicle services and threatens the safety of the public. Traffic congestion severely affects the operation of the transportation and logistics industry, and brings a halt to the works of some construction sites. Tourism, convention and exhibition, retail and dining industries in the occupied areas suffer great losses. The incident also attracts overseas attention and makes overseas investors stay alert to Hong Kong. Given the significant public interest involved, it is thus necessary for the Legislative Council to conduct a comprehensive investigation into the causes, planning and funding sources of the incident as well as the approach adopted by the Government. The primary targets of the investigation include the relevant organizers, the Police and the Government, so as to clarify the various doubts about the incident.

On the other hand, some other Members oppose this proposal. They believe that the powers under the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) should not be invoked to investigate civic activities. These Members also query whether the scope of the investigation is too extensive. And, since a large number of people participate in this movement, the number of witnesses to be summoned will be so large that they opine that this proposal is not feasible. In addition, there are also views that given the unprecedented crisis Hong Kong is facing, if the Legislative Council initiates an investigation into the incident at this juncture, more troubles will be stirred up and the proposal is thus not appropriate.

The House Committee ultimately voted for the arrangement that I would move a motion concerning the proposal of Mr Jeffrey LAM in my capacity as Chairman of the House Committee at the Legislative Council meeting.

President, the following is my personal opinions.

On 28 September, large-scale illegal occupation of roads took place in Hong Kong and Kowloon, and the incident has been going on for over one month. This is the largest unlawful incident since the reunification in which people violate the law *en masse*, and possibly the most serious crisis faced by Hong Kong following the establishment of the SAR Government. Since the establishment of the Legislative Council, incidents that involved the invocation of the P&P Ordinance for inquiry had significant bearing on Hong Kong, such as the new airport, SARS, the LEUNG Chin-man incident and the Timothy TONG incident. The long-term impacts of the Occupy movement on Hong Kong society as a whole and on the 7 million people of Hong Kong are by no means less significant than those of the incidents I just mentioned. As a member of the public, I am very worried about the situation of various occupied areas as reported by various media every day. I can see that people's lives are affected; the economy, in particular small and medium enterprises and small businesses, are affected, and society has been torn apart due to this large-scale unlawful incident.

According to media reports, the various large-scale violent charging acts over the past one month or so have been instigated through online discussion forums where protesters were called on to assemble at a certain time and in a certain place. Furthermore, scenes of violence during the charging have made most people, born and raised in Hong Kong, extremely worried. We once thought that police officers could disperse the protesters, but the outcome was exactly the opposite, and the number of protesters assembled is on the increase. The protesters blocked the main arteries, such that all vehicles, including fire service vehicles and ambulances, had to seek permission for passage, otherwise they had to make a detour. The protesters also used barriers to block the access roads to the Central Government Offices, so that civil servants and outsourced employees could not go to work. Without the protesters' permission, no one could pass through. The protesters had become the commanders in the occupied areas. More worrisome still, when police officers delivered food and drinking water into the occupied areas, and even when law-enforcement officers in the occupied areas had to be taken to hospital, they had to get the approval of the illegal occupiers who conducted an examination. Seeing such acts of defiance against law-enforcement officers, we cannot help asking: Is Hong Kong going to be plunged into anarchy?

Some say with righteous indignation that the movement is initiated by the people. I note from the press that many people spontaneously deliver supplies to

the occupied areas; but on the other hand, we also see loads of supplies being constantly delivered to some occupied areas. Furthermore, we learn that people are lured to the occupied areas through various channels, and there is even a price list. Colleagues in my company even mentioned that some people intended to pay them to go to Mong Kok.

There is one other disturbing fact, as we see from television and other media that young people participating in the Occupy movement not only disregard injunctions handed down by the Court, but also indicate that they will not withdraw from the occupied areas despite knowing they are breaking the law. An academic even came out and told young people that there is no challenge to the rule of law from merely disobeying a civil court order, and that the rule of law is only threatened when there is disobedience of an actual order of committal for contempt of court. I was very worried upon hearing such remarks. As stated in its statement issued recently, the Hong Kong Bar Association (HKBA) views with dismay recent calls for open defiance of injunctions granted by the Court. The HKBA also emphasizes that independence of the Judiciary and respect for the dignity and authority of the Court are fundamental tenets of the concept of the rule of law. When deliberate defiance of a court order is committed *en masse* as a combined effort, a direct affront to the rule of law will inevitably result. Open calls to the public to disobey a court order applicable to them would undoubtedly constitute an erosion of the rule of law. Such mass disobedience and calls for disobedience have overstepped the mark which can be reasonably tolerated.

Since its inception, Hong Kong's success lies in the rule of law. Such success is a hard-earned achievement of our ancestors and has been safeguarded by generations of Hong Kong people with dedication and efforts. Many Hong Kong people and I are aware that in the process of democratization, the rule of law is and will be an indispensable part, and it is also the most important cornerstone of our path to democracy. How can we damage the rule of law and shaken the cornerstone of our path to democracy at this most important juncture of Hong Kong's democratization?

Over the past one month, we have witnessed how Hong Kong police officers have dedicated to their duties. Occupy supporters and opponents clashed severely in Mong Kok on many occasions, with chiding, scuffles and even blood shedding. In order to calm down and separate people from both sides in the clashes, front-line officers were sandwiched between them and thus became the punching bag on which both sides vented their anger. As

law-enforcement officers, they exercised the highest degree of tolerance towards illegal incidents and protesters breaking the law, so as to prevent the situation from deteriorating. When facing with continuous verbal abuse and provocation in these days, they made no retort but were accused of not enforcing the law and being partial. Some protesters even used this as a pretext to attempt to charge at police stations and stir up chaos. In order to prove to themselves and others that their illegal acts were taken for seeking the so-called "justice" and manifesting "civil disobedience", the protesters continuously charged at police cordon lines and even challenged the bottom line of law-enforcement officers. However, when these protesters were reviled and even stormed by another group of protesters, the former sought help from the Police, and our front-line police officers performed their duties as usual to protect those people who previously abused and insulted them.

Many Members have repeatedly criticized the approach adopted by the Government and the Police since the outbreak of the Occupy movement. Undoubtedly, the approach adopted by the Government and the Police in handling the unprecedented social chaos and illegal road blockage may not have been perfect, but I believe the commanders and officers on the scene have tried their best to assess and adopt appropriate measures to handle different situations.

From the development of the incident, it is evident that the movement has run counter to the idea of peaceful protest as initially advocated by the initiators of Occupy Central. Hong Kong is a place run by the rule of law, and Hong Kong society and people will absolutely not allow anyone to disrupt social peace in an organized and premeditated manner. The motion I am going to move in a moment in my capacity as Chairman of the House Committee is a neutral subject, so the Business and Professionals Alliance for Hong Kong and I would like to express our endorsement and support. As legislators, we are duty-bound to exercise the power conferred on us under the law to conduct an investigation and provide the public with a clear account.

As for the motion moved by Mr WONG Yuk-man, I must point out that if we only focus on law enforcement by the Police on isolated incidents, police officers and protesters may not be treated in the fairest manner. For this reason, we will not support his motion.

President, after a series of twists and turns, the Hong Kong Federation of Students (HKFS) and the Government have made an important step forward.

The two sides conducted the first round of dialogue that was witnessed by the public, and they exchanged views on constitutional reform. The Government also indicated that it was sincere in holding a second round of dialogue with the HKFS. I hope that the two sides can, with the greatest sincerity, refrain from setting any pre-conditions for future dialogues, cast off burdens and move an important step forward in the process of democratization. Finally, I hereby urge Occupy Central protesters to withdraw peacefully and return a peaceful Hong Kong to our Hong Kong people.

Thank you, President.

SECRETARY FOR SECURITY (in Cantonese): President, Mr WONG Yuk-man and Mr Andrew LEUNG have respectively moved motions today under the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to appoint a select committee in relation to Occupy Central. I will first speak on Mr WONG's motion and then the motion to be moved by Mr LEUNG.

Mr WONG Yuk-man's motion

Mr WONG Yuk-man moved a motion to appoint a select committee to inquire into "the police's handling of the triad gangs' attacks on citizens rallying in Mong Kok on 3 October 2014".

Unlawful assemblies in Mong Kok

Since 29 September this year, occupiers have been occupying the road space in the intersection between Nathan Road and Argyle Street in Mong Kok for an unlawful assembly, which has effectively blocked the traffic. As we all know, Mong Kok is one of the most crowded area in Hong Kong, thriving with business activities and traffic. The stretch of Nathan Road occupied by the protesters is teeming with shops and residential premises, as well as a major transport hub in Kowloon. Such prolonged unlawful occupation has resulted in road blockages and serious traffic congestion, resulting in substantial nuisances for business operators and residents in the neighbourhood. In the past, the Police repeatedly warned participants of the unlawful assembly that their illegal acts of road blockage would intensify the grievances of local residents and increase the chance of confrontations. Meanwhile, the Police issued solemn statements repeatedly about Mong Kok being a high risk area as large-scale

unlawful assemblies would provide an opportunity for trouble-makers to stir up troubles. The Police also repeatedly appealed to the protesters to leave peacefully so that order in the district could be resumed as soon as possible.

Confrontations on 3 October

In the afternoon on 3 October, incidents occurred around the intersection between Nathan Road and Argyle Road in Mong Kok with surging crowd size gathering within a very short span of time. A great number of ubiquitous confrontations and physical scuffles took place at different spots of the scene. People with different views were locked in a deadlock, and chaos ensued with confrontations breaking out incessantly.

Given the sudden nature of events on that day, the Police made contingency arrangements immediately to handle the chaos and deployed police officers to maintain order. Within a short time, the Police deployed manpower for reinforcement from various Regions in Hong Kong, Kowloon and New Territories. But as roads were blocked by obstacles installed by participants of the unlawful assembly, some police officers must even take the MTR in order to get to the scene, which had delayed the time needed for reinforcement.

On that day, police officers were far out-numbered by participants of the unlawful assembly. A spate of confrontations occurred among people with different views, and chaos ensued. At that time, the Police's top priority was to ensure the safety of people on the scene. Hence, police officers on the spot adopted effective measures to separate people with different views, take control of the scene and maintain order. On that day, the Police adopted decisive measures to form a human chain and a buffer zone to separate the two sides. Not only did they physically separate the two sides, but they also endeavoured to make way to escort those who needed assistance, who wished to go away, who were in risks or who were injured to leave the scene, lest severe casualties might be resulted. The SAR Government affirms the Police's handling of the incident.

I absolutely disagree with the view expressed by Mr WONG Yuk-man that the Police had turned a blind eye to the illegal acts on 3 October. In fact, as we can see clearly from live telecasts and media reports, police officers on duty that day had been protecting members of the public courageously and selflessly. Mr WONG's saying is not only extremely unfair to those police officers who faithfully performed their duties on the scene, but also an insult to the Police

which has been enforcing the law with professionalism. I have to reiterate that the Police has never abused its power or enforced the law selectively, or conniving at or turning a blind eye to any blatantly unlawful acts. In fact, the Police will always handle violent or illegal acts in accordance with the law and without bias to either side. The handling of mob confrontations in Mong Kok on 3 October is no exception. During the operation on that evening, the Police arrested 19 persons, eight of whom identified with triad background were suspected of assaulting police officers, participating in unlawful assemblies and fighting in public places.

The Police have been handling the entire occupation incident with utmost tolerance and restraint. Nobody wants to see the happening of any large-scale confrontations or too many persons getting injured. Nonetheless, it does not mean the Police will tolerate any violence or actions to storm the Police. The Police will take enforcement actions against such acts in a determined manner.

Combating triad crimes by the Police

All along, the Police have all along attached great importance to triad-related crimes, and the combat of triad activities has been one of its operational priorities. Throughout the years, the Police have endeavoured to fight against triad crimes in a fair, just, impartial and undaunted manner. On the enforcement front, the Police have always adopted a holistic approach in combating triads and their activities. From January to August this year, a total of 1 194 cases of triad-related crimes were recorded, and 1 775 persons were arrested by the Police.

Mr WONG's motion

Regarding Mr WONG's motion, I call on Members to vote against it for three major reasons as follows.

- (1) Pending judicial proceedings concerning the criminal cases

As I said earlier, the Police will not tolerate any unlawful acts, particularly acts of violence. Since the unlawful Occupy Central assemblies began on 26 September, confrontations among people with different views have happened in different locations of unlawful assemblies, and the Police are actively following up the illegal acts

concerned, including the mob confrontations which took place in Mong Kok in 3 October. As at 27 October, a total of 119 persons were arrested for suspected cases of common assault, fighting in public places, assaulting police officers, indecent assault, intimidation, criminal damage, and so on. The Police do not rule out further arrests. The Police will seriously follow up, in accordance with the law, any case in which there is sufficient evidence for suspected offences.

Regarding persons arrested by the Police during the mob confrontations arising from the unlawful assemblies in Mong Kok on 3 October, some were identified with triad background. The Police will continue to conduct in-depth investigation including their motive and whether any organizational acts are involved. Given the imminent judicial proceedings concerning some criminal cases, the appointment of a select committee by the Legislative Council to inquire into the Police's handling of the incident on 3 October could prejudice any future trials. Hence, the Administration does not agree with the motion to appoint a select committee.

(2) Statutory monitoring role of the Independent Police Complaints Council (IPCC)

If any person is dissatisfied with the Police's enforcement work, he can lodge a complaint with the Police's Complaints Against Police Office (CAPO). On the Police's actions and handling in relation to Occupy Central, as at 27 October, the CAPO has received 1 303 complaints against police officers, including concern cases about the Police's handling of the incident in Mong Kok on 3 October. The CAPO is following up those cases according to the established mechanism and procedures. The IPCC will also review the reportable complaints in accordance with the statutory procedure.

The IPCC is an independent statutory body dedicated to the monitoring and reviewing of the handling of complaints against police officers by the CAPO. The IPCC will scrutinize every reportable complaint independently and fairly in accordance with the evidence. Due to the high level of public attention on the complaints arising from Occupy Central and its related activities, as

well as the serious nature of allegations in some complaints, the IPCC has decided to pass any related reportable complaints to its Serious Complaints Committee to follow up. The CAPO must report to the IPCC on the progress of its investigation of the relevant complaints on a monthly basis.

In view of the above, the Administration holds that it would be more appropriate for the independent statutory the IPCC to follow up the complaints about the Police's handling of the matter. In this regard, the Police will fully support the work of the IPCC.

(3) Panel on Security

Regarding the Police's handling of Occupy Central and the related incidents, the Legislative Council has, since its resumption on 15 October to date, asked five urgent oral questions, six ordinary oral questions and five written questions, as well as held one adjournment debate on the matter. On 27 October, the Panel on Security held a special meeting for an in-depth discussion on the handling of large-scale unlawful assemblies by the Police. In the course of these questions, debates and meetings, the Administration has provided Members with a large amount of detailed information covering extensive areas, including the principles governing the handling of assemblies by the Police, the principles governing the use of force by the Police, and the handling of confrontations among crowds with different views. As a matter of fact, the Police's handling of public order events has been discussed by the Panel on Security time and again. If Members have any views on the Police's handling of unlawful assemblies, they can state the same in the context of the Panel on Security.

President, given the above reasons, the Government opposes the motion for the Legislative Council to appoint a select committee to inquire into the confrontations in Mong Kok on 3 October by invoking the P&P Ordinance.

Motion to be moved by Mr Andrew LEUNG

President, I will now speak on the motion to be moved by Mr Andrew LEUNG.

Rule of law being undermined by Occupy Central

Occupy Central *per se* is an unlawful assembly, and it has been going on for over a month. To date, the incident is still developing. Dissenting voices from different sectors in society have become stronger and stronger as they demand the students and protesters to leave the scene. But so far, no positive response is forthcoming.

On 20 October, the High Court granted interim injunctions restraining the protesters from occupation of certain passageways in Mong Kok and outside CITIC Tower in Admiralty, and obstructing the actions taken by the plaintiffs and their agents to remove the obstacles. Nonetheless, the relevant crowds ignored the court orders, deliberately obstructed the execution of the injunction orders, and used it as a bargaining chip in political negotiations. Subsequently, the defendant put up a defence. Although the hearings were completed this Monday, the Judge has yet to hand down his judgment on the relevant applications. Hence, it is not appropriate for me to make any further comments here. The Government will pay close attention to the Court's judgment. Before the Court hands down its judgments, the Police will only intervene if there is any disruption to public order and public safety, or when criminal contraventions have occurred.

I also note that the Hong Kong Bar Association has issued a statement, expressing dismay about recent calls for open defiance of injunctions granted by the Court in relation to the occupation of certain areas in Mong Kok and Admiralty. The statement reads, (and I quote): "... on this occasion and on the facts before us, publicly advocating or endorsing mass disobedience of court orders unquestionably erodes the Rule of Law and sets a bad precedent ... it is wrong to think that just because civil disobedience is a philosophical concept and people pursue it for a political cause, it is thereby wholly immunized from objective comments from a 'Rule of Law' perspective under the excuse 'political matters are to be resolved politically'. That would be to create a 'Rule of Law no man's land' entirely self-defined by the participants." (End of quote) The Bar Association also points out that, (and I quote): "... such mass disobedience and calls for disobedience have overstepped the mark which can be reasonably tolerated". (End of quote)

Aftermath of Occupy Central takes time to ascertain

Just now, Mr Andrew LEUNG said that Occupy Central had created far-reaching impacts on the businesses and economy of Hong Kong. The Government agrees with his analysis. The Financial Secretary has already indicated publicly that the Government is now collecting the relevant statistics in order to assess the actual impacts of this incident on the economy. According to initial data, retail and catering industries in the relevant areas are most adversely affected, with a remarkable impact felt on their businesses. A few days ago, the Financial Secretary said that although financial and economic data were not the only benchmark of Hong Kong's success, the impact on our economy was not just about movement of numbers, but the viability of small business owners as well as the livelihood of wage earners, including the well-being of tens of thousands of families. We cannot underestimate the impacts. As Occupy Central is still going on, it would be difficult to review comprehensively the medium- and long-term impact of Occupy Central on the economy. But the Government will closely monitor the situation. In fact, Occupy Central has seriously undermined the rule of law, people's livelihood, the business sector and the economy. It has also brought about side-effects in many other areas. The overall impact has yet to be ascertained.

Mr Andrew LEUNG's motion

President, every citizen of Hong Kong should reflect on the grave impact caused by Occupy Central on society. The motion to be moved by Mr Andrew LEUNG seeks to conduct a comprehensive inquiry into the incident of the breaking out of large-scale unlawful occupation of roads in a number of districts since 28 September, as well as the impacts. The Government can fully understand the request. Nonetheless, I would like to raise the following three points for Members' consideration.

- (1) As Occupy Central is still going on, the Police are dealing with illegal acts and making arrests day in day out. The Police are endeavouring to follow up the unlawful cases which happened during Occupy Central. Judicial proceedings for some cases involving criminal offences have already begun or will soon begin. If the Legislative Council appoints a select committee to inquire into the problems arising from Occupy Central, including the Police's handling of public order and safety, it may affect the trial of the relevant cases in future.

- (2) Occupy Central affects Hong Kong's economy, people's livelihood as well as various trades and industries. The impact of our economy can only be assessed more accurately after more statistics and data become available. Recently, civil claims for compensation from affected parties such as eating places, travel agencies, supermarkets, tour buses operators, professional drivers, as well as the retail and wholesale sectors have emerged. In time, these cases will be heard by the Court. I think it will take some time before the impact of Occupy Central on these trades and industries can be ascertained more accurately.
- (3) Occupy Central not only affects people's livelihood seriously, but it also undermines the rule of law seriously. These days, the Police have been performing its duties with utmost restraint and tolerance because nobody wants to see the happening of any large-scale confrontations or people getting injured because of these confrontations. Nonetheless, it does not mean the Police will tolerate any violence or actions to storm the Police. The Police will take law-enforcement actions against such acts in a determined manner. As Occupy Central is still going on and the situation can change rapidly every day, the Government is still handling the incident. At this stage, all parties are still concentrating on how to resolve the matter or prevent the situation from deteriorating.

President, I will give a response after listening to the speeches of Members. Thank you, President.

PRESIDENT (in Cantonese): I now call upon Members to speak.

MR WONG KWOK-HING (in Cantonese): President, I speak in support of Mr Andrew LEUNG's motion and oppose Mr WONG Yuk-man's motion. Why do I oppose Mr WONG Yuk-man's motion? That is because he has a conflict of roles in moving this motion. While he takes the lead to break the law, he makes use of his authority to move a motion and speak nonsense. He is in fact a thief crying thief. Therefore, I strongly oppose Mr WONG Yuk-man's motion.

For the past month or so, front-line police officers have been dedicated to discharging their duties of maintaining law and order round the clock. Despite the fact that they have been subjected to humiliation and hardships, they have not raised any complaints. For this, I express my deepest respect to them. President, over 1.5 million people signed in the signature campaign launched by the Alliance for Peace and Democracy in early August. That was the mainstream public views. To express support for the Police in taking strict law-enforcement actions, the Alliance launched another signature campaign a few days ago. In just a few days, over 1.09 million signatures have been collected, which strongly reflects the mainstream views in society. This is also a token of the people's support to the Police. As this signature campaign will last until 2 November, I take this opportunity to urge those who have not signed yet to do so in these few days. They can sign their names at street stations or via the Internet to express their views.

President, this is the most serious social and political incident that has ever happened since Hong Kong's reunification. We need to conduct an inquiry to understand the nature of this incident, and by doing so, it is conducive to ensuring lasting political stability in Hong Kong and the principle of "one country, two systems" can truly be implemented.

President, on 27 October, *Sing Tao Daily* widely reported, with pictures and essays, that this incident is related to the subversion of foreign powers by the United States; and a total of 12 stratagems were employed. Other media also covered similar stories. After reading the articles, I found that the fourth and eighth stratagem are related to how the United States Government and some so-called non-governmental bodies in the United States buy over with money the opposing forces, politicians and intellectuals in their target places or countries to engage in subversive activities. In this incident, all these 12 stratagems have been applied in Hong Kong in the past month or so. An inquiry is thus warranted.

President, in Chapter 11 of the book titled 《泛民收錢實錄》 (*A Record of Money Received by the Pan-democratic Camp*), it gives a clear account of the relation between foreign forces and the Occupy Central movement. The heading of Chapter 11 is "CHU Yiu-ming + Hong Kong Democratic Development Network (Occupy Central movement + promotion of referendum)". Let me quote the content, "CHU Yiu-ming + Hong Kong Democratic Development

Network (HKDDN) received \$900,000 from Jimmy LAI, and Jimmy LAI spent over \$3 million to launch the 22 June referendum. In the two batches of files disclosed by a certain shareholder of the Next Media, it has been revealed that Jimmy LAI has become increasingly targeted in giving out political donations. Apart from the traditional pan-democratic political parties and individuals, the Occupy Central organizers have become a new force and received the most donations". This is indeed an apt description. It is further stated in the book that, "According to the first batch of confidential documents, the Hong Kong Civic Education Foundation Ltd (HKCEF) set up by CHU Yiu-ming and CHAN Kin-man, initiators of Occupy Central, received two donations of \$200,000 in April 2013 and March 2014 respectively, and in September 2013, and the HKDDN received \$500,000. (Note: the bank account of the HKDDN has been used by Occupy Central to collect donations and the two share the same account (HSBC No. XXX). The Occupy Central website also clearly states that the name of the account holder is the HKDDN.) CHU Yiu-ming sent a note to Jimmy LAI on 30 July 2013 to thank him for his generous donations to the HKCEF, and in the reply note dated 1 April 2014 from Jimmy LAI to CHU Yiu-ming, it was written that "This cheque is a token of my goodwill." (End of quote)

President, from the facts disclosed in the book 《泛民收錢實錄》, it is evident that the background leading to this serious political and social incident is not simple at all. Foreign forces are indeed orchestrating various activities behind the scene, and the traditional pan-democratic political parties and individuals have also received money. Some days ago at the meeting of this Council, I quoted the remarks of a shareholder of the Next Media made on 20 July 2014. According to that shareholder, the Civic Party had received \$3 million; Tanya CHAN \$500,000; Ms Claudia MO \$500,000; Mr Alan LEONG \$300,000; the Democratic Party \$5 million; Martin LEE \$300,000; Mr James TO \$500,000; four political parties \$9.5 million; Mr LEE Cheuk-yan received two donations amounting to \$1.5 million; Mr LEUNG Kwok-hung received two donations amounting to \$1 million; the HKDDN \$500,000; Joseph ZEN received two donations amounting to \$6 million; Mrs Anson CHAN received three donations amounting to \$3.5 million; Joseph CHENG \$300,000; CHU Yiu-ming received two donations amounting to \$400,000. A total of \$32.8 million had been given out. This sum did not include the \$13 million received over the years by the Hong Kong Confederation of Trade Unions to which Mr LEE Cheuk-yan belongs.

President, today is the best time for the abovementioned pan-democratic political parties and Members to come clean. They can make use of the 15 minutes speaking time to tell people of Hong Kong whether they had accepted the money; when they received the money; how the money was spent; why they, as Members, had not declared the amount received to the Legislative Council; and whether their acceptance of the money had anything to do with their planning and promotion of this illegal occupation movement. They should give a clear account. After they have come clean and if Members accept their explanation, we will not support Mr Andrew LEUNG's motion as it is not necessary to conduct an inquiry since they have divulged everything. However, if they continue to conceal the facts and refuse to take advantage of the opportunity today to reveal the truth, I think the Legislative Council should undertake the social responsibility to form a select committee to conduct an inquiry and reveal the whole truth to society. I now challenge the pan-democratic political parties and Members to their face and ask them to give a clear account of the whole incident.

President, regarding this illegal movement, the 22 June referendum is a critical event. In the 22 June referendum, the options on the nomination methods of the Chief Executive election to be put to vote had been screened. The option proposed by the so-called moderate democrats had been discarded, leaving the options with civil nomination as the core. This so-called referendum subsequently led to students boycotting classes and the occupation movement that lasts more than a month. Some days ago, a university academic revealed in an email that the incident was not that simple. He questioned why all the donations were made anonymously and he pointed out that the results of the survey financed by the donations were fraudulent as 140 000 ballots were fake.

President, I read all major newspapers published yesterday. Some newspapers covered the story on the front page; as for other newspapers, though the story was not covered on the front page, it was still given a full coverage on the second page. The wordings used were frightening. How can we not conduct an inquiry? *The Sun* reported before the 22 June referendum, Occupy Central organizers secretly donate \$1.45 million to the University of Hong Kong (HKU), and though concealed by Benny TAI for a long time, it was finally exposed that the donation was handed out by CHU Yiu-ming. In *Sing Tao Daily*, it was reported on the front page that Benny TAI launched the Occupy Central movement by secretly donating \$1.45 million to the HKU and his anonymous donation violated the rules. In *Sing Pao*, it was reported that Benny TAI anonymously donated \$1.45 million to finance the Occupy Central

movement and refused to reveal the source of donation. In *Wen Wei Po*, it was reported that Benny TAI secretly donated money to promote the Occupy Central movement and had handed out four donations totalled \$1.45 million, and Robert CHUNG launched the referendum after receiving \$800,000. In *Hong Kong Daily News*, the headline is "Tai secretly donates money to promote Occupy Central"; giving four anonymous donations to HKU totalling \$1.45 million.

I believe there are no reasons that Members of the pan-democratic political parties have not read the above news reports. I have only presented a few newspapers published yesterday but not all. These newspapers are of various scales and I have no particular order in my presentation. I just show Members these reports to tell them that this is a very serious matter involving black box operation. Please tell me why the result of the 22 June referendum was fraudulent and why there was a difference of 140 000 ballots between the actual number of people voted and the result. How can Robert CHUNG of the Public Opinion Survey Centre of the HKU act like that? How could those people promote and incite this political movement which affected the lives of over 7 million people with a fraudulent referendum result? Why were they silent about the statement made by the Hong Kong Bar Association on 8 October that the political reform should be discussed within the framework of the Basic Law and the decision of the Standing Committee of the National People's Congress? Why did they encourage people to violate the court injunction *en masse* after the Bar Association and the Law Society had pointed out that the current situation was extremely precarious and called upon everyone to obey the law and uphold the core value of Hong Kong, that is, the rule of the law? Please examine your own conscience and tell the truth.

Lastly, I call upon the people still remaining on the streets to go home. They have all been misguided.

MRS REGINA IP (in Cantonese): President, I oppose Mr WONG Yuk-man's motion, the reasons have been pointed out by the Secretary for Security. Regarding the incident in Mong Kok which Mr WONG requests for an inquiry, as many criminal offences may be involved, the Police will conduct investigations accordingly; and if Mr WONG is dissatisfied with the Police's handling of the incident, he can complain to the Independent Police Complaint Commission. There is really unnecessary for the Legislative Council to step in. I support Mr Andrew LEUNG's motion because in my view, there are three major areas

stated in his motion that are worth inquiring into, namely the organization behind the scene, funding sources and even the Government's handling of the incident.

President, first of all, the Chief Executive has recently commented that external forces were involved in the Occupy Central action. I wish to express some personal views on this point. The President said that he did not see any sign of such external forces. First, let us look at the legislation, such as the Public Order Ordinance, Crimes Ordinance and Societies Ordinance which I am more familiar with. Terms such as "forces" and "collusion" are not used in local law. If a person is merely influenced by foreign ethos or ideology, he has not breached the laws in Hong Kong. The only exception is that in the Societies Ordinance, there is a provision prohibiting the operation of a society that has a connection with a foreign political organization or a political organization of Taiwan, but the offence will only be established when the definition of political organization and political connection, as stated in the Ordinance, are met. It can thus be concluded that the problem related to foreign forces or external forces is very complicated, and it is not purely a legal issue.

I think that the Government's handling of the Occupy Central movement has much room for review. For instance, as the Occupy Central organizers have been advocating the movement for more than a year, has the Government underestimated the impact of the movement? We heard about the concept of itinerant occupation long ago, has the Government anticipated that the movement can mobilize so many people, occupy so many places, and carry on for such a long time? Moreover, what is mode of occupation today? They occupy the places under the banner of peace and democracy but what is their real objective?

Mr WONG Yuk-man has just quoted an interview published in the *Wall Street Journal* and I also wish to quote an article published in *Washington Post* on 28 October. The President also knows that the *Washington Post* is a leading newspaper in the United States. In that article, an academic pointed out that the protest movement in Hong Kong represents a new global trend by the name of Square Movement. Although the Occupy Central action in Hong Kong stresses peace and democracy, its nature is no different from that of the Square Movements in Kiev Ukraine, Cairo and Syria, the aim of which is to overthrow the government. Another feature of such movement is that the organizers incite the local residents by exploiting their grievances against society and political development. With the opening and reform of China and its great economic development, Hong Kong has lost its economic or psychological edge, and people are particularly discontented.

In recent days, I have met many Occupy Central participants, including young people, and I understand they have many deep-rooted grievances against society. The academic points out that Occupy Central organizers manipulate people's grievances and incite this Square movement. Although Hong Kong is, by nature, not a violent community and incidents such as looting, arson and window-breaking have not occurred, the nature of this movement is the same as that of the violent Square Movement in Cairo, Ukraine or Syria, which is to overthrow the Government. I hope that the Secretary will take note of this new mode.

I also wish to quote the views of a British academic. He told me that similar situation has also arisen in the United Kingdom. Some people make use of some international issues and adopt some seemingly universal values to put forward certain ambiguous arguments to confound the people and localize such sentiments, turning them into a malady. He said that this malady cannot be rooted out easily. Even after the Occupy Central incident comes to an end, people may easily be mobilized year after year to take to the streets again under the banners of democracy, the environment, or animal protection. Hence, the Secretary must pay close attention to how this movement is organized, orchestrated and financed and the Legislative Council should also conduct a thorough inquiry into this incident.

President, recently I have been sworn at whenever I enter or leave the Legislative Council Complex. Many people also said to me, "Mrs IP, I come here on my own initiative and I even bring my own water." I do not deny or doubt that many kind-hearted people have been moved by the students' pure aspirations and come forth, but there are also many organized activities behind the scene. Take for example this photo taken by a member of the public on 2 October. Yes, it was 2 October. President, although you do not have very good eyesight, I still hope you can see it. It showed that some people stole the Police's mills barriers and moved them to Canton Road to barricade the road. Is it an organized act? As reported by many newspapers, these people are financed by political parties. For example, the *Asia Magazine*, published by the major owner of *Ming Pao Daily*, quoted the words of Mr YAN Sun-kong, Vice-President of the People Power. He said that he had bought various supplies through Taobao in September, such as four mobile toilets, 2 000 urine bags, 1 000 raincoats and 1 000 loaves of bread. He also organized a 50-strong picket, in anticipation of various problems after Occupy Central began. This shows the involvement of political groups and the provision of funding, but what is the source of such funding? If political parties in the form of societies are

involved, have they violated the Societies Ordinance? President, take a look at these sharpened bamboo sticks, how dangerous they are. These bamboo sticks have been sharpened and may cause injury and even death. Is the movement peaceful? Who lays the cement blocks? Are they laid by kind-hearted people? According to some press reports, Mr LEE Cheuk-yan's Hong Kong Confederation of Trade Unions incited certain construction workers to sharpen the bamboo strips and lay the cement, the work they are most familiar with. Is it true? I would like to ask Mr LEE Cheuk-yan to respond later on. If the reports are fabricated, he can deny, right?

MR LEE CHEUK-YAN (in Cantonese): Mrs Regina IP is accusing another Member of having an improper motive. She makes it sound terrifying, accusing me of having an improper motive. It sounds like I purposely sharpened the bamboo strips to get people hurt. I now demand Mrs Regina IP to take back this accusation in accordance with Rule 40(5) of the Rules of Procedure.

PRESIDENT (in Cantonese): Mr LEE Cheuk-yan, I do not think what Mrs Regina IP said just now has breached the Rules of Procedure. Mrs IP is just quoting the contents of some reports. Mr LEE, you also have the chance to speak later to refute the accusation that you consider inconsistent with the fact.

MR LEE CHEUK-YAN (in Cantonese): President, I hope that you will reconsider your view because if every Member quotes from news reports to accuse other Members of having improper motives, the Rules of Procedure will only exist in name.

PRESIDENT (in Cantonese): I do not consider there is any suggestion of motive in Mrs IP's speech just now. Mrs IP, please continue.

MRS REGINA IP (in Cantonese): President, you made a sound judgment. I just brought up the problem and have not drawn any conclusion. That is why I point out that we need an inquiry. Also, there are large quantities of supplies and a lot of stations have been set up to provide supplies. How can individual kind-hearted members of the public manage to do so? Besides, someone talks about liaisons with foreign parties, right? President, you have not surfed the

Internet, that is why you are not aware of many events that take place on the Internet. The following are facts. On 7 October, Mr CHIOU Iu-bing, a supporter of Taiwan independence and assistant professor of the Faculty of Social Development of the National Pingtung University of Education, spoke on the major stage in Queensway about the inspiration brought by the Sunflower Student Movement to the Umbrella Movement. I think the Government should find out how many supporters of Taiwan independence had come to Hong Kong, what kind of contacts the Sunflower Student Movement organizers had with local groups in Hong Kong and what kind of training and exchange of ideas had been held in the past year. It should be made known to the public whether they are the external forces. They may not violate the law but we should find out what influence they have on Occupy Central participants in Hong Kong.

We know that members of pan-democratic political parties are actively involved in Occupy Central, which is a fact. For example, I asked Mr Kenneth CHEN, Secretary General of the Legislative Council Secretariat, whether many protesters had stayed overnight in the Legislative Council Complex. Mr Kenneth CHEN admitted that about 300 people had stayed on the 8th, 9th and 10th floors and The Legislative Council Commission (LCC) had discussed this matter. I asked why he would allow so many outsiders to come in and stay overnight in the Legislative Council Complex, which I think is totally ridiculous. The Secretary General said something to the effect that he was just an employee and he only executed the decision made by LCC. As long as LCC has not changed the rules, he could not stop those people. He also told me that in Ms Cyd HO's office alone, about 40 to 50 people had stayed overnight and Ms Cyd HO also admitted that. I do not know if that is true, but political parties are actively involved in Occupy Central.

Moreover, I can see that members of various political parties have played an active role in the occupied areas. For example, a few days ago, on 25 October, Mr TAM Tak-chi of the People Power appeared in the occupied area in Mong Kok, so did Mr Christopher LAU Gar-hung, and members of the Neighbourhood and Workers Service Centre were also present. All political parties are involved. When students decided to postpone the Square referendum, Mr Alan LEONG of the Civic Party was there accompanying the students to explain and bow to the public. Does that mean the Civic Party is also one of the Occupy Central organizers? We are anxious to understand the situation, but have not arrived at any conclusions yet.

Another point is that some people incite others to join the Occupy Central movement through the Internet. The President is too busy to surf the Internet and thus fails to notice this point. Many netizens belong to the younger generation. Actually, many activities are ongoing on the Internet. For example, there are constantly criticisms on the Internet against the Government, accusing it of breaking promises, not heeding public views and being incompetent, and demanding the stepping down of LEUNG Chun-ying. There are also many posts portraying a negative image of the Security Bureau, the Police and other disciplinary forces. Some netizens unceasingly criticize and smear the Police. There is also a lot of information demonstrating how to break through the police cordon. Some would dig up the personal particulars or private information of police officers. It is learnt that the netizens find out the identities of the police officers by comparing the identification numbers and names of the recipients of the Hong Kong Police Long Service Medal published in the gazette with those of the police officers at the occupation sites captured on camera.

The propaganda tactics mainly target at young people, such as using a lot of slogans and Infographic. Sentimental words are used to whip up sentiments, advocate the autonomy of Hong Kong, smear the pro-establishment politicians and depict the grievances of the protesters. There are also many other information on the Internet, such as the "Occupy Central revolutionists' resistance map", listing the strongholds in the occupied sites, locations of the exits, washrooms, MTR stations and rallying spots, as well as deployment of the Police, and so on. The tools used are open websites such as Twitter, Google Map and FireChat, which has suddenly become very famous. But now they no longer use FireChat. It is learnt that newer software programmes and chips are now available.

Software programmes such as Telegram Messenger, Hack Code Mobile, Twitter and Zello PTT Walkie-Talkie are also used. Such programmes were widely used during the Ukraine revolution. They allow one-to-one communication and other channels can also be set up to enable communication among 1 000 persons, which are suitable for communication among small groups. Besides, many maps and digital screen locks are put to use. Apart from the new media networking social platforms that are open to the public, people also use some closed platforms. These platforms can be readily open and closed. Once they are detected, they can start new platforms. Therefore, President, all these involve very meticulous deployment.

Therefore, I think an inquiry should be conducted into the aforementioned matters, in particular, as I have said earlier, some seemingly universal values mingled with very specious justifications have taken root in Hong Kong and become a malady which will relapse anytime. Even if the Occupy Central movement is put down today, next year or anytime in the future someone would incite people to take to the streets again in pursuit of some unrealistic goals, while their real purpose is to overthrow the Government. This calls for great concern. Therefore, President, I support Mr Andrew LEUNG's motion that calls for the Legislative Council to invoke the Legislative Council (Powers and Privileges) Ordinance to inquire into the cause, development and effect of the Occupy Central incident and the organizations behind the scene.

Thank you, President.

MR WONG TING-KWONG (in Cantonese): President, in the first part of my speech, I will speak in support of Mr Andrew LEUNG's motion that a select committee be appointed to conduct a comprehensive inquiry into the incident of unlawful occupation of roads.

Despite all the flowery rhetoric used in his speech just now, Mr WONG Yuk-man cannot gloss over the fact that Occupy Central is illegal. The illegal Occupy Central action has been going on for over a month now. Meanwhile, a number of major roads in Admiralty, Mong Kok, Causeway Bay and Tsim Sha Tsui have been blocked by protesters, who at one point even escalated the action and besieged the Chief Executive's Office, the Central Government Offices and the Legislative Council, seriously affecting people's livelihood, the economy and the operation of government departments. As a result, many bus routes have been diverted or suspended. Classes of kindergartens, primary schools and secondary schools in the Central and Western District and Wan Chai were once suspended. Inconvenience has been caused to people going out or at work, with their livelihood jeopardized. Residents near the occupied areas have been suffering a lot from noise nuisance. Emergency services have been disrupted. The operation of the Government was once almost paralysed as civil servants were unable to go to work. Some retailers, eateries, shops and banks have been unable to do business. The business of taxis and minibuses has dropped drastically. A number of countries have issued travel alerts against Hong Kong, triggering withdrawals from package tours, cancellations of hotel room bookings, and exhibitors calling off their trips to Hong Kong for exhibitions. Foreign

investors have adopted a wait-and-see attitude. The international reputation of Hong Kong has been tarnished, and the economic loss incurred is inestimable. As people's lives have been severely disturbed, various trades and industries have been unable to operate normally, and small business operators have been in dire straits, there has been seething public discontent, which has in turn spawned numerous confrontations and violent clashes between supporters and opponents of Occupy Central in the streets of Mong Kok and on Queensway. The Police's impartial enforcement of the law has, however, attracted unreasonable criticism. Fierce scuffles between police officers and members of the public have resulted in injuries to many people, as well as chaotic scenes that have gone out of control. All these have led to social division, polarization of public opinion, and discord among families and friends. Not only have students' studies been impeded, but more importantly, the foundations of the rule of law have been undermined.

Apart from causing unprecedented social destruction, the Occupy Central action has also evolved and deteriorated, thus making me all the more suspicious of the political motives behind. According to the initial planning of Occupy Central, it was anticipated that there would be 10 000 people participating in the illegal action, which had been glorified as a fight for universal suffrage with love and peace. At the end of September, representatives of the Hong Kong Federation of Students kicked off the action with a class boycott. The Occupy Central Trio then announced the official start of the action ahead of time, and incited students and members of the public to join this movement of civil disobedience. Subsequently, the assembly swiftly spread to other districts, and mushroomed across the city. As things developed, members of radical groups waded in, taking advantage of the students' enthusiasm for democracy and pulling the wool over the eyes of the general public. They repeatedly charged at the police cordon lines, snatched mill barriers, set up barricades, and wantonly stirred up trouble, with a view to forcing Chief Executive LEUNG Chun-ying to step down, and striving for the so-called civil nomination and the reversal of the decision of the Standing Committee of the National People's Congress (NPCSC). Dubbed the Umbrella Revolution by the Western media at the outset, the movement is literally a replica of the colour revolutions orchestrated in various countries by foreign forces. The purpose of a colour revolution is to overthrow the ruling regime and then prop up a pro-Western regime locally, so as to achieve its global strategic objectives. Therefore, given those radical Occupy Central protesters' demand that the Chief Executive of the SAR Government be replaced, which denies the NPCSC's constitutional power and blatantly challenges the SAR and Central Governments' capacity to govern and determination to administer

Hong Kong in accordance with the law, it is conceivable that they are attempting to enable agents of foreign forces to stand as candidates for the office of Chief Executive by way of civil nomination, with the objective of usurping the power to rule Hong Kong.

The suspicion that the Occupy Central action was orchestrated by foreign forces is reinforced by the growing number of its participants, its expanding scale, the adequacy of the organizers' manpower, and the inexhaustible supplies. One cannot help harbouring doubts about the source of such supplies. Earlier on, it was revealed that some people closely connected with the United Kingdom and the United States had made donations to the democratic camp, the Occupy Central initiators and certain political parties. Recently, some netizens have also uncovered that over the past 20 years, the American Center for International Labor Solidarity, funded by the National Endowment for Democracy (NED) under the Department of State of the United States, has donated over \$10 million to certain trade unions in Hong Kong to stage-manage the container terminal labour dispute and the Occupy Central action. In a recent interview given to Fox News, Michael PILLSBURY, an incumbent consultant at the Department of Defense of the United States, admitted that some staff of the Consulate General of the United States in Hong Kong were involved in the planning and promotion of democracy in Hong Kong, and millions of dollars of funds had been provided through the NED. In the circumstances, there is reasonable cause to suspect that such funds are the monies used by foreign forces to aid the so-called Umbrella Revolution. They have been manipulating and engineering the action behind the scenes to interfere with the governance of Hong Kong, thereby dealing a blow to the Chinese Government.

In addition to the orchestration by Western forces and the backstage preparations by the opposition camp, which has close ties with the United States and the United Kingdom, the Occupy Central action is also characterized by the shadow of Taiwan's pro-independence elements. SHIH Ming-teh, a Taiwan independence activist, has imparted experience to the opposition camp. What is more, in October last year, the Occupy Central initiators went to Taiwan and openly invited SHIH Ming-teh to drum up support for Occupy Central. Two years ago, some Hong Kong student leaders specially visited Taiwan to seek the advice of WANG Dan, Chairman of the New School for Democracy, on the organization of student movements in order to learn from his experience. These students also have a close relationship with the leaders of Taiwan's Sunflower Student Movement, so they can co-ordinate with each other from afar.

Furthermore, the Occupy Central organizers have been using slogans that carry a strong sense of Hong Kong independence, such as "We master our destiny", "Hong Kong issues to be resolved by Hong Kong", and "Reclaim the future that belongs to us". Their thoughts and doings are detrimental to national unity. We have to be vigilant.

President, the long-drawn-out Occupy Central action has a widespread impact on society, calling into question the substantive purpose of the action. Radical and violent moves have brought the action to the verge of a riot. It cannot drag on like this. Otherwise, Hong Kong will be plunged into grave peril and driven to the brink of ruin. Therefore, the Legislative Council is obliged to conduct a comprehensive inquiry into the incident, so that the Government may resolve the problem expeditiously.

President, as regards Mr WONG Yuk-man's motion, I am against it. The reason why Hong Kong is one of the world's safest cities with the lowest crime rates is that we have a law-abiding society, and this is what Hong Kong people have all along been proud of. As we often pointed out in the past, Hong Kong's success hinges on a number of key factors, with the most important one being the spirit of the rule of law. It enables people in and outside our country to have full confidence in Hong Kong, and is the cornerstone of the continuous development and progress of Hong Kong society.

But, recently, Hong Kong society has changed. Some people have egged on members of the public to violate the law *en masse* in a bid to achieve certain ulterior motives. They have unlawfully occupied public roads, on which they have barbecued, cooked, and played mahjong and table tennis. They have used government-owned mills barriers, road signs, litter bins and whatnot as obstacles to block the roads, turning a blind eye to the injunction orders made by the Court. They have even stolen electricity from roadside lamp-posts, as well as water, for people assembling unlawfully to use. All these are the deeds of those currently taking part in the illegal Occupy Central. What is more shameful is that, having obtained the legal advice of "not abiding by the law" from people purportedly well-versed in the law, they have brazenly violated the law, and yet tried to evade criminal liability. This has seriously undermined the rule of law of Hong Kong society.

More unfortunately, the Police, who are responsible for maintaining social order and combating crimes, are set against people deliberately breaking the law, and are even caught in the middle between these people and those affected by Occupy Central. In the midst of the recent large-scale protests, police officers

have been working long hours, and have been subjected to provocation, insults and personal abuse with offensive language from time to time. I suspect that some of these law-breakers have intentionally created disturbances with the aim of challenging the Police's enforcement power. From some video clips on social networking websites, we can see that police officers mediating in conflicts in the unlawful assemblies were targeted and besieged by trouble-making crowds, while the persons involved in the conflicts managed to make a clean getaway from the scene unnoticed with the aid of their accomplices or other members of the public. Besides, there is a picture circulated on the Internet showing a police officer subduing a protester in Mong Kok, and the staff number of the officer was also disclosed. A bunch of netizens then sprang into action to dig up information on the officer's background, uploaded photographs of his 12-year-old daughter to the Internet, and made disturbing remarks. Someone even made an intimidating statement threatening to chop off one arm and one leg of the girl. Such acts as uploading others' information to the Internet for launching personal attacks, advocating bullying in schools, and subjecting police officers and their families to unnecessary nuisances and personal safety concerns, are utterly despicable. As a matter of fact, in recent years, front-line police officers have often had to deal with large-scale demonstrations and marches, in which some demonstrators have vented their discontent on police officers. Quite a number of police officers have been injured due to their handling of public activities, and they have come under heavy pressure.

Some people have accused the Police of not doing their utmost to enforce the law, and even letting the assailants go. I consider this extremely unfair to the police officers who have faithfully discharged their duties. Worse still, some people have denounced the Police as "black cops". Such seriously irresponsible accusations are extremely hurtful to police officers. I challenge the accusers to produce evidence. They should not tar all police officers with the same brush, and must not fabricate facts, make slanderous accusations or deliberately create conflicts between the Police and the public.

President, in my view, the Police have not done anything inappropriate in their law-enforcement actions against the unlawful occupation of roads so far. Their performance has been outstanding, and they have been dedicated and devoted to their duties. Therefore, it is not necessary to appoint a select committee to inquire into the Police's handling of the assembly in Mong Kok on 3 October.

President, I so submit.

MR IP KWOK-HIM (in Cantonese): President, the Occupy action has been going on for more than a month now. The nature of the whole movement has changed. Occupy Central has partially paralysed Hong Kong; a cause of love and peace is on the verge of turning into a riot; civil disobedience has degenerated into defiance of the law; and a fight for universal suffrage has become a demand for the Chief Executive to step down. The whole movement has spun out of control. Nonetheless, the student leaders are intoxicated with triumph. Their negotiation demands are divorced from political reality. They insist on not retreating, and have even gone so far as to say that they expect a bloody ending. As for the Occupy Central initiators, they have gone back on their word. They once boldly remarked that they would fight to the bitter end, but two days ago, they announced their withdrawal from the firing-line and return to university teaching, leaving behind the awful mess of the Occupy action. They certainly owe the public an explanation. Where is this never-ending political chaos going to lead Hong Kong?

Over the past month, the community has been torn apart, the rule of law has been eroded, and the economy and people's livelihood have regressed. The entire Occupy action is no longer simply a fight for democracy. Rather, it is an attempt initiated by a handful of people with ulterior motives to throw Hong Kong into disorder, and their ultimate objective is to stage a colour revolution in Hong Kong. Every time the Occupy action is condemned as essentially a colour revolution, some protesters invariably dismiss such comments as scaremongering. However, we must recognize the fact that whether or not the Occupy action is a colour revolution is not decided by those protesters who genuinely fight for democracy, but is decided by the backstage manipulator of this movement.

The Occupy Central organizers have kept stressing that the Occupy action is a spontaneous mass movement. But judging from its capacity to mobilize and organize, as well as its finances and resources, which are all beyond imagination, there is reason to believe that some unknown people or organizations have been manipulating, orchestrating and providing financial support behind the scenes. It seems that the Occupy Central organizers and the student organizations are just pawns placed on the front stage. It is the "black hand" behind them that is the pivot of the mayhem.

President, the Occupy action started in the small hours of 28 September. On the night of that day, according to rumour, there was this interlude that I would like to share with Members: churches in the areas of the Central District,

Wan Chai and Causeway Bay were said to have, one after another, received a phone call from a Christian church member with an American background, who requested the churches to open their halls for accommodating protesters in need of temporary shelter. Some of the churches agreed to co-operate, while some rejected the request. On the morning of the next day, that is, 29 September, the co-operating churches received another phone call from that churchman with an American background. This time, he asked them the number of protesters taking temporary shelter in their halls, in order to facilitate the arrangements for food delivery. Shortly afterwards, truckloads of supplies including box meals, drinks and dry rations reached the churches concerned in succession.

The truthfulness of this rumour remains to be ascertained. But then, some information on the Internet can, more or less, serve as proof that this rumour is not baseless. For instance, after the Occupy action was kicked off, a notice was posted on the Facebook page of the Student Union of The Chinese University of Hong Kong listing the names and addresses of a number of churches, informing student protesters that they could go to these churches to rest, collect food or receive first aid. The churches listed include Chinese Methodist Church and Our Lady of Mount Carmel Church in Wan Chai; China Congregational Church and St. Mary's Church in Causeway Bay; and Sen Lok Christian Church in Shau Kei Wan. This list was clearly set out on the Internet. There are actually a number of other churches on the list, but I am not going to cite them one by one here.

It was sensible and reasonable for these churches to offer assistance to the protesters on humanitarian grounds. But strangely enough, the actions taken by these churches were concerted, as if there was a co-ordinator among them. If that was the case, was this co-ordinator the rumoured churchman with an American background? If so, why did this churchman with an American background intervene in the incident in such an active manner, and why was he able to arrange so many supplies for support within such a short span of time? Let us not forget that the start of the Occupy action was announced suddenly ahead of time, so theoretically no one was prepared for it. Yet, this churchman with an American background seemed to have everything in the palm of his hand, providing support behind the scenes step by step according to plan.

In fact, similar things are also happening in the three occupied areas. Large quantities of supplies are transported by trucks to the three occupied areas in Admiralty, Causeway Bay and Mong Kok for replenishment at regular times

every day. I have not seen this in other places, but I have witnessed this in Admiralty. At half past eight, on the sixth floor, I can clearly see trucks entering the occupied area in Admiralty for direct uploading and unloading of goods. Even police cars and other vehicles cannot go in, but these trucks just go straight into the area without a hitch. I do not know why, but that location is in a state of anarchy. What actually happens is that upon the arrival of these trucks, the area is replenished with large quantities of supplies, including not only dry rations and snacks, but also cling film, umbrellas, tents, and so on, to name but a few. That is why the tents we see out there are all very neat and nice. Who bought these supplies? Where did the money used for buying these supplies come from? According to information disclosed on the Internet, it was an institution funded by the United States that placed the orders and arranged the deliveries. If that is the case, it can be said that the shadow of the United States is everywhere in the Occupy action.

The opposition camp has all along denied the interference of foreign forces in the Occupy action. However, facts speak louder than words. Recently, many independent American websites and commentators have pointed out that the United States Government or related organizations have been manipulating, orchestrating and financing this Umbrella Revolution in Hong Kong behind the scenes. For example, Tony CARTALUCCI, a geopolitician, has recently published a few articles in succession, in which he has not only pointed out that the United States has been financing the Occupy action in Hong Kong behind the scenes, but has also contended that the Occupy action is not really aimed at striving for democracy, as it is an attempt by Western countries such as the United States and the United Kingdom to implement a "soft re-colonization" programme in Hong Kong. This so-called "soft re-colonization" programme is to support agents of Western forces in assuming the reins of government in Hong Kong, so as to usurp the power to rule here.

Tony CARTALUCCI has also pointed out that the approach and strategy adopted in the Occupy action in Hong Kong are very similar to those adopted in the anti-government subversion activities covertly engineered by the United States in various places in the world. This reminds me of a short video clip made by a Ukrainian girl early this year when serious anti-government conflicts broke out in Ukraine. In the video, which has gone viral on the Internet, she implored the international community to support the revolution in her country. Likewise, when the Umbrella Revolution broke out in Hong Kong, we happened to see a similar short video clip in which the protagonist, a Hong Kong girl

instead of a Ukrainian girl, asked the international community to support the ongoing civil disobedience movement in Hong Kong. So, by careful observation and analysis, we will note that the shadow of colour revolutions is everywhere in the Occupy action in Hong Kong.

At the Oslo Freedom Forum recently held in Norway, some attendees even candidly admitted it was an open secret that Occupy Central was a premeditated action, the covert planning of which started almost two years ago; 1 000 Occupy Central activists had received training before they took action, with the objective of challenging the Chinese Government. In addition, an American political scientist has written an article stating that a number of people involved in the Occupy Central action, including Benny TAI and Audrey EU, had time and again attended forums and events organized by the National Endowment for Democracy and the National Democratic Institute under the Department of State of the United States; whereas other core participants in the Occupy action, including Jimmy LAI, Joseph ZEN, Martin LEE, CHAN Kin-man and Joshua WONG, had all along maintained a good relationship with the Department of State of the United States, and had undergone training there. According to the article, the United States has long been infiltrating Hong Kong's political arena, with a view to turning Hong Kong into a base for foreign forces to subvert China.

If the contents of the aforesaid article are all true, then the Occupy action in Hong Kong is no longer simply a fight for democracy, but a colour revolution. Its objective may be not merely to usurp the power to rule Hong Kong, but more importantly to use Hong Kong as a bridgehead to trigger internal social unrest in China, undermine its political environment or even subvert its regime, so as to disrupt the pace of China's rise. Since the outbreak of the Umbrella Revolution, the Western media led by the United States have been giving it unusually prominent coverage. In its reporting, CNN International has even asserted that this revolution can democratize China. This exactly shows the true intention of Western countries, which is focused on overthrowing the Chinese communist regime.

Therefore, in this connection, the Democratic Alliance for the Betterment and Progress of Hong Kong supports Mr Andrew LEUNG's motion that a select committee be appointed under the Legislative Council (Powers and Privileges) Ordinance.

Thank you, President.

DR HELENA WONG (in Cantonese): President, I speak in support of Mr WONG Yuk-man's motion to appoint a select committee to inquire into the police's handling of the triad gangs' attacks on citizens rallying in Mong Kok on 3 October 2014.

The matter involves serious accusations against the Police — unfortunately, the Secretary for Security is leaving the Chamber now — and the question of whether the Police has co-operated with the triads. According to members of the public who were on the scene and from the footage of the television broadcasters, police manpower in Mong Kok on that day was inadequate. Besides, when some anti-Occupy Central protesters and triad members attacked participants of the peaceful assembly, the police manpower on the scene was inadequate and police officers who provided reinforcement arrived very late. Even after these officers arrived, some people complained that they apparently either just looked on and let the culprits attack violently the people, or effected clearance violently. Some members of the public tried very hard to chase the culprits, apprehended them and handed them to the Police. But surprisingly, the Police just released them, causing great public resentment. Therefore, we urge this Council to appoint a select committee under the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to inquire into this matter in order to ascertain whether the complaints of the public are substantiated.

When the Secretary for Security talked about the matter earlier, he said, first, the Police are investigating the matter; second, it is most appropriate for the Independent Police Complaints Council (IPCC) to follow up and investigate the complaint against the police officers. However, we have to understand that if a member of the public makes a complaint against the Police, it will be dealt with by the Complaints Against Police Office (CAPO). The CAPO will conduct investigations to find out if the complaint is substantiated, well supported by evidence or fabricated, and then classify it into different categories. The finding will then be reviewed by the second tier in the mechanism (that is, the IPCC). Certainly, the Independent Police Complaints Council Ordinance (IPCCO) has now come into force, but the monitoring mechanism was also consisted of two tiers in the past. Does the establishment of the IPCC mean that we do not have to invoke the P&P Ordinance to make inquiries?

President, I have to declare that I am a member of the IPCC. Yesterday, Mr IP Kwok-him said in this Council that some members of the public have

questioned the presence of some Occupy Central supports in the IPCC. Although Mr IP has not mentioned any names, I want to declare that I am probably one of those IPCC members who support Occupy Central. Certainly, another IPCC member who supports Occupy Central is also in the Chamber, so are there other IPCC members who belong to the pro-establishment camp.

What Mr IP Kwok-him said is right, and perhaps he is familiar with the complainants. The IPCC has recently received nearly 4 000 email complaining that Dr Helena WONG and Mr Kenneth LEUNG, as IPCC members, have worn a yellow ribbon or an umbrella pendant in public, as I have done so today, to show our support for Occupy Central. The complainants doubt whether Mr LEUNG and I could conduct any inquiry fairly and independently if we are to remain as members of the IPCC. The complainants have therefore demanded our resignation from the IPCC or withdrawal from participating in the inquiries concerned, so that the IPCC can make a fair decision. However, I do not understand why Mr IP Kwok-him has left out one particular fact, that is, although there are two IPCC members who support Occupy Central, there are obviously other IPCC members who are against Occupy Central, including Mr Lawrence MA of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) who is a barrister. He has been criticized by the Hong Kong Bar Association for using foul language.

Mr Lawrence MA, an honorary legal adviser to an anti-Occupy Central group, is also an IPCC member and opposes Occupy Central. Besides, Ms Ann SO of the Kowloon Federation of Associations who has just been appointed as a member of IPCC is also strongly against Occupy Central. We have to understand that the Chairman, the three Vice-chairmen and all of the 24 members of the IPCC are appointed by Chief Executive LEUNG Chun-ying under the recommendation of the Security Bureau. The tenure of the appointment is two years and like other committees, a member can remain in office for a maximum period of six years.

Honourable colleagues, Mr LEUNG and I are now serving the IPCC for the second term and our tenure will expire in late December. Before Occupy Central broke out, a staff member of the Security Bureau telephoned me and said, "Dr Helena WONG, are you willing to serve the IPCC for another term?" At that time, I had a big struggle because the Chief Executive appointed a new person to replace former IPCC Chairman Mr JAT Sew-tong after his term of office was completed.

Since the new Chairman assumed office, we have different practices. According to past practices, whenever there was an important assembly, whether it is the 4 June rally or the 1 July march, the IPCC would send some of its members or staff to the site to observe the situation. However, since the new IPCC Chairman appointed by LEUNG Chun-ying assumed office, such arrangement has rarely been made. Before Occupy Central broke out, I asked a few times at meetings of the IPCC whether we had to discuss that issue so that proper arrangements could be made to avoid having many complaints against the Police.

The functions of the IPCC is not only restricted to reviewing whether a decision made by CAPO after its investigation is fair; according to section 8(1)(c) of the IPCCO, the IPCC should also identify any fault or deficiency in any practice or procedure adopted by the police force that has led to or might lead to reportable complaints, and making recommendations to the Commissioner of Police or the Chief Executive in respect of such practice or procedure. Therefore, I have asked the Chairman of the IPCC time and again to conduct a special urgent meeting to discuss how to deal with confrontations and complaints against the Police arising from Occupy Central and to explore ways to minimize the number of complaints. However, before and after the firing of tear gas, and even after some police officers have been recorded to kick and punch peaceful protesters and assault members of the public who have already been subdued and arrested in front of the camera, the Chairman of the IPCC still refused to conduct a special urgent meeting to deal with the problems.

Surprisingly, someone has now mobilized some anti-Occupy Central people in a high-profile manner to lodge a large number of complaints through emails against IPCC members Dr Helena WONG and Mr Kenneth LEUNG for being unfair. On the other hand, has anyone ever raised any doubt about the appointment of a Hong Kong member of the National Committee of the Chinese People's Political Consultative Conference as Chairman of the IPCC and some "LEUNG's fans" and anti-Occupy Central people as members of the IPCC? Since these people have dominated the IPCC, we are just playing a window dressing role, but Mr IP Kwok-him cannot even bear with that. He insisted on getting rid of Helena WONG and Kenneth LEUNG and sent emails behind our backs to request for discussion on whether an inquiry should be conducted against these two members. Isn't this outrageous?

I telephoned the IPCC Chairman yesterday and made a serious complaint because this relates to the problem of procedural injustice. If a member requests to set up a committee to inquire into the complaints against certain IPCC members, this is firstly beyond the scope of the functions conferred on the IPCC under the IPCCO because the IPCC should conduct inquiries or deal with investigations about complaints against the Police and not complaints against IPCC members.

Second, when the IPCC sends email to its members, it cannot take out two members in question from the mailing list, excluding them from receiving the email and then "deal with" them. President, we are not criminals. I make such disclosure to tell the Secretary for Security that the reasons given by him cannot stand. Furthermore, he must know that according to the IPCCO, the IPCC basically does not have any power to investigate. The power to investigate rests with the CAPO and the IPCC can only review the findings made after investigation by the CAPO. The IPCC does not have full investigation powers and we can only occasionally interview the relevant parties of cases which we consider having serious problems. The IPCCO currently in force does not provide the IPCC with full investigation powers. Hence, the reasons and arguments mentioned by the Secretary for Security cannot stand and therefore I support Mr WONG Yuk-man's motion to invoke the P&P Ordinance to conduct a full inquiry into the matter so as to deal with the incident in Mong Kok.

President, I have paid a few visits to Mong Kok, including staying there overnight on two occasions. I stood there and talked with some participants of the assembly. Many of them complained to me not only about the incident on 3 October, but also incidents which occurred in the early hours of 17 and 18 October. According to them, although they had not charged at the police cordon lines and were stayed on the pavement, they were assaulted by the Police. One of them is a news reporter who showed me his injuries. There were marks on his back caused by batons. He could not understand why he was assaulted even though he had not charged at the police cordon lines. Although the Secretary for Security showed us a video clip at a meeting of the Panel on Security, I told him that the clip was seriously fraudulent. By that, I mean that the Secretary has deliberately shown us the footage which is advantageous to the Police and the Security Bureau, but such unfair tactic cannot even deceive primary school students.

President, I strongly oppose the proposal of drawing the "imperial sword" by pro-establishment Members. As Members may know, since I joined the Legislative Council, Members from the pan-democratic camp have proposed to invoke the P&P Ordinance to inquire into a few important issues which concern the public, including the incident of Mr Franklin LAM, the unauthorized building works of the Chief Executive, the licensing issue regarding the Hong Kong Television Network Limited and the recent allegation that the Chief Executive has received a bribe of \$50 million. Surprisingly, Members from the pro-establishment camp said in the meeting that the Chief Executive received the \$50 million in accordance with the terms of a valid contract which stipulates that he has to provide service to a private company. However, Chief Secretary Carrie LAM said yesterday that he has not provided any service. Whether the Chief Executive has provided any service or not, the contract is still legally valid. If pro-establishment Members consider our matter to be so important, why have they refused to inquire into the allegation that the public officer with the highest ranking (that is, the Chief Executive) has received a bribe of \$50 million? Besides, Mr WONG Kwok-hing was holding some sort of a casebook just now saying that it contains a record of the money received by the pan-democratic camp or a certain political party. President, the Democratic Party has all along supported the enactment of legislation on political parties. If such legislation is enacted, the funding sources of all political parties will be disclosed. By then, the DAB will have to tell us the source of the \$100 million-plus that it receives annually and the Hong Kong Federation of Trade Unions will also have to disclose its sources of finance.

Furthermore, in response to the Member's quotation from the casebook, I also found an article in a magazine titled "Secret information on the Green and Blue Devils". Members request to inquire into the background of the organizations involved in Occupy Central and their sources of finance, and so on, but in fact, the P&P Ordinance should not be invoked to inquire into members of the public and organizations. These people are stupid idiots. They often tell lies to deceive themselves and others. They say that the colour movement has been directed by external forces and magnify the issue continually. As the students have already said, they are not staging a colour movement and they have no intention to overthrow this regime or the system of "one country, two systems". The students only demand genuine universal suffrage without screening and the abolition of functional constituencies. It is true that donations have been received and an electronic referendum was held. That is because the Government does not have a system for holding a referendum, and hence an

electronic referendum has its value. We want dialogue, but they pay no heed; we held an electronic referendum, but the Government ignored the results. People then took to the streets because the Standing Committee of the National People's Congress has shut the door on genuine universal suffrage.

President, I hope that Members of the pro-establishment camp will not apply double standards and only accuse others of receiving money. Why don't they inquire whether there is any collusion among the blue-ribbon campaigners, the Caring Hong Kong Power, the green ribbon campaigners and the triads? It has been widely reported that some people are paid \$1,000 per hour to do certain work and they remove road barriers at a certain hourly rate. The Police have done nothing to stop them, and when these people assaulted some reporters in an assembly, they shook hands with the Police. President, I think Hong Kong has entered into an era when right and wrong are totally distorted, and black and white are no longer differentiated.

MR DENNIS KWOK (in Cantonese): President, after hearing Members' speeches for so long, I think the debate today has lost its focus. Why do I say so? Today, we are discussing whether the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) should be invoked to appoint a select committee to conduct an inquiry. Leaving aside what exactly is to be inquired into, if Members read the wording of Mr Andrew LEUNG's motion as printed on the Agenda, they will find that the scope of inquiry is so wide that it almost covers everything which concerns Occupy Central. Just now, some pro-establishment Members criticized Occupy Central and alleged that external forces are involved. We have heard such comments before. If today we discuss a motion on Occupy Central, they can very well make such comments, and they absolutely have the liberty to criticize Occupy Central. But the problem is, we are now discussing whether the P&P Ordinance should be invoked, and may I ask them to focus on what they want to inquire into.

Mr IP Kwok-him said earlier that they have to inquire into the students who have participated in Occupy Central, the universities, and certainly some political parties as well as non-governmental organizations. I am shocked to hear him say that even churches and churches with American background have to be inquired into. I do not mind telling Members that the church I go to every Sunday is run by Americans and they can inquire into it too. The church is located in Quarry Bay and I can give you the address later. Does the

pro-establishment camp want to conduct a McCarthyism inquiry like the one conducted in the United States in 1950 to inquire into those who do not fall into the category of "love the country, love Hong Kong" and all the supporters of Occupy Central? Or worse still, do they want to start a Spanish Inquisition to inquire into all the people and organizations concerned, including churches with American background? What do they really want? I hope the pro-establishment Members can tell us later what they actually want to inquire into. Do they understand the history and rationale behind the enactment of the P&P Ordinance?

President, allow me to talk about the background and history regarding the enactment of the P&P Ordinance. President, I certainly know that most of the Members present and, in particular, the pro-establishment Members are senior in age than me. They have more experience in serving the Legislative Council and have a deeper understanding of the history and traditions of the Council. Nevertheless, if Members do not mind, I will talk about these matters.

After the Joint Declaration was signed in 1984, "Hong Kong people ruling Hong Kong and a high degree of autonomy" has become the guiding principle of administering Hong Kong after 1997 and the basis on which Hong Kong is to develop. Elections to the Legislative Council were held in 1984-1985 and the Council underwent some fundamental changes in its functions. The Legislative Council Secretariat, which was independent of the executive, was then set up. Meetings of the Council were no longer conducted behind closed doors, but were held openly for the media and the public to observe. Government officials were no longer ex-officio Members of the Legislative Council, they could no longer vote at meetings and the Governor of Hong Kong ceased to be President of the Legislative Council. The purpose of these changes was to turn the legislature, which used to serve only a window-dressing purpose, into one which is independent of the executive. The Legislative Council became responsible for checking, balancing and monitoring the powers of the executive, it was given a solemn constitutional role and the new establishment marked the implementation and further development of the principle of separation of powers. In any society in which the rule of law prevails, any power has to be exercised in accordance with the law. Thus, the Hong Kong Government had not only given the Legislative Council independence and credibility, had also conferred upon it the statutory power to monitor the Government. Therefore, the Government proposed to enact the P&P Ordinance in 1985. That is the background information in brief.

In recent years, the Legislative Council has invoked the P&P Ordinance to inquire into a number of issues. Besides, the P&P Ordinance has given certain powers and privileges to Legislative Council Members, including the privileges of freedom from interference, assault, obstruction and molest, and immunity from civil and criminal proceedings for any words used in the Legislative Council. These powers and privileges conferred are to ensure that Members will not be checked or controlled by the executive in performing their responsibilities of monitoring the work of the Government and participating in in-depth debates on government policies, so that the Legislative Council can perform its important role of checking and balancing the powers of the Government and monitoring its work. Furthermore, the public powers of the Legislative Council have all along been conferred for it to exercise its role of monitoring the Government and checking and balancing its powers. Therefore, the Legislative Council must exercise these powers in relation to the executive and public authorities with public powers.

If the P&P Ordinance is invoked to inquire into ordinary citizens, churches, non-governmental organizations and students who do not have public powers, it is an *ultra vires* act and an abuse of power. Perhaps the pro-establishment Members may say that the rationale and original intention of enacting this legislation in the days of the British Hong Kong Administration are no longer important because they are only part of history, and we have to act according to the Basic Law now and should not follow another set of rules. However, the proposal of the pro-establishment Members actually does not respect the Basic Law. If we look at Article 73 of the Basic Law, the 10 functions of the Legislative Council stipulated are: first, to enact, amend or repeal laws; second, to examine and approve budgets introduced by the government; third, to approve taxation and public expenditure; fourth, to receive and debate the policy addresses of the Chief Executive; fifth, to raise questions on the work of the government; sixth, to debate any issue concerning public interests; seventh, to endorse the appointment and removal of the judges of the Court of Final Appeal and the Chief Judge of the High Court; eighth, to receive and handle complaints from Hong Kong residents; ninth, to pass a motion of impeachment of the Chief Executive and tenth, to summon, as required when exercising the abovementioned functions, persons concerned to testify or give evidence.

As we can see, the functions conferred upon the Legislative Council are all related to the exercise of public powers. If we have to further classify the

functions, apart from the seventh function (that is, to endorse the appointment and removal of the judges of the Court of Final Appeal and the Chief Judge of the High Court) which is different, all other functions are to be performed in relation to the administration of the Government and the exercise of its public powers. Those are the responsibilities of the Legislative Council. Since none of the provisions require the Legislative Council to inquire into people outside the Government who do not have public powers, or incidents or acts not related to the exercise of public powers, is conducting such an inquiry one of the functions of the Legislative Council? If we inquire into all matters in relation to Occupy Central, are we fulfilling our constitutional responsibility? If someone lodges a complaint to our Public Complaints Office, Members who receive the complaint can only ask the authorities concerned to provide replies or hold them accountable, they cannot inquire into members of the public.

The pro-establishment Members may cite the Lehman Brothers incident to say that the Legislative Council had made an inquiry into the banks to understand how the Lehman Brothers-related Minibonds became available in the market. However, we have to bear in mind that the focus of that study and inquiry was whether there was dereliction of duty on the part of the Hong Kong Monetary Authority, the Securities and Futures Commission and other relevant authorities, and whether adjustment or changes could be made in future policies to prevent any recurrence of similar incidents. The banks which were involved in the inquiry were certainly private organizations, but we have to understand that a bank can only operate after it has obtained a public banking licence under the Banking Ordinance and as such, they have a role to play. The current proposal is different. The subjects of the inquiry are students, non-governmental organizations and churches. Some people may say that a church, like a bank, can only operate after it has obtained a licence, but that will be a fallacious argument. Churches, non-governmental organizations and students are ordinary members of the society who do not belong to the Government. If we conduct an inquiry into them, we will be acting beyond the constitutional functions of the Legislative Council and ignoring the original intention of the P&P Ordinance.

When we propose to invoke the P&P Ordinance, many pro-establishment Members say it is an "imperial sword" which cannot be drawn arbitrarily. Of course, I dare not show off my knowledge of Chinese History in front of the President. However, my assistant, who has some knowledge in Chinese History, has done some research on the history and background of the imperial sword and

has written down the information for me. He said that the idea of imperial sword originated in the Western Han Dynasty. It was originally called the "horse chopping saber". As the story goes, a state official at that time asked the Emperor to give him an imperial sword because he considered that all other state officials neither helped the Emperor nor cared for the people. What purpose did the imperial sword serve? It was supposed to kill treacherous state officials to create a deterrent effect on the others. This story was recorded in the collected biographies of *Yang Hu Zhu Mei Yun* of the book *Han Shu* and Members can read it in their own time. Since then, the imperial sword has been regarded as a valuable tool to kill self-indulgent rulers and malicious state officials. Anyway, the sword has never used to kill ordinary members of the public, non-governmental organizations, students, and certainly not churches, whether they have American or Chinese background.

If the pro-establishment Members want to use the allusion of the imperial sword again, they should bear in mind that it was originally intended to kill self-indulgent rulers and malicious state officials. At present, we have a self-indulgent ruler and what was alleged of him? He was alleged of concealing from shareholders and Board of Directors of his company in signing a contract with another party to receive an illegal commission or benefits of \$50 million. Why is this allegation against him not inquired into? Why not inquiry into his deed? If we use the imperial sword to inquire into and kill members of the public but not the self-indulgent ruler, we would have totally failed to understand our constitutional functions and we would have failed to monitor the work of the Government on behalf of the people. On the contrary, we would be monitoring the people on behalf of the upper echelons of society and the Government which is not one of the functions of Legislative Council Members.

As a Member mentioned earlier that some people have openly contravened an order of the court, I have to state clearly on behalf of the legal sector that we have to respect court orders, no matter how much we dislike them. That is one aspect of the rule of law and a very important principle. I think no one will tell others that they can pay no respect to court orders.

Finally, I have to state clearly that this motion regarding the P&P Ordinance lacks justification and focus and should therefore be negated.

MR LEE CHEUK-YAN (in Cantonese): On behalf of the Labour Party, I speak in support of the motion moved by Mr WONG Yuk-man under the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to inquire into the Police's handling of the incident in Mong Kok, but I oppose Mr Andrew LEUNG's motion to inquire into the organization and funding sources of Occupy Central.

I can hardly imagine that the Legislative Council would degenerate into such a state. It is lamentable for us to debate on these motions moved under the P&P Ordinance. The Legislative Council should monitor the Government, but now we are not monitoring the Government's administration or monitoring whether it has abused power. This Council has become a national security intelligence agency of the Communist Party of China (CPC), inquiring into non-governmental organizations' fight for democracy. We have crossed the line and have taken up national security functions. As we all know, many national security personnel have come to Hong Kong to collect information at public squares. Many people are willing to chat with them because there is nothing to hide. How can we imagine that the Legislative Council has to take up national security functions and assist in collecting information and writing reports? Should the Legislative Council take up such duties?

May I ask pro-establishment Members, what do we cherish most in Hong Kong? We cherish our freedom, including the freedom of speech, the freedom of association and the freedom of assembly. We enjoy these freedoms under "one country, two systems". While the public are exercising these freedoms, the civil organizations are subjected to inquiry. Some said that people have violated the law in exercising their freedoms. But Occupy Central participants have expressly stated that the movement is a civil disobedience movement, it is illegal and the Police will make arrests and conduct investigations. They have also given details of their organization or how to participate, and they have not concealed anything. All the participants in the Occupy Central movement know that they are participating in illegal assemblies. For those participating in illegal assemblies, they can be handled in accordance with the laws of Hong Kong. Why would the Legislative Council degenerate into such a state, having to inquire into these incidents?

In fact, the pro-establishment camp, the CPC and the SAR Government are unwilling to believe that Hong Kong people are now infuriated. They made up stories about intervention of external forces inciting people to participate in

Occupy Central. This is a serious insult to Hong Kong people and to those who participate in this movement, saying that all of them are ignorant and have been deceived. This is absolutely not the case. As we all know, this is an insult to all participants as other people may think that we lack independent thinking and have been instigated and incited. Hong Kong people is definitely not so! The civil society in Hong Kong is extremely mature; we can make judgments on our own and we come forth because of our love for Hong Kong. Please do not insult Hong Kong people or make up stories to discredit the whole movement or even say there are external forces.

Just now, a number of pro-establishment Members have made up various stories. For instance, Mrs Regina IP quoted news reports to accuse us, saying that the Hong Kong Confederation of Trade Unions (CTU) asked construction workers to erect bamboo scaffolding and poured cement in the occupied areas. She has treated the CTU unjustly for no reason. Such sorts of acts have never happened. We have never asked any worker to do so. Please do not wrong us. They have wronged me many times. For example, they have, for no reasons, accused me of discussing with bus unions to block the roads with vehicles. I have not said a word; they simply wronged me. They also accused me of inciting container terminal workers to go on strike, and each worker would be given \$10,000. That is absolutely not true! Did container terminal workers go on strike? They did not. Did I ask them to go on strike? Workers have the freedom to participate in strikes. They also wrong us for paying money to workers. How ridiculous! They just made up stories and treat us unjustly.

All our deeds are open and aboveboard. We have co-operated with trade unions in the United States to fight for minimum wage for labour organizations in the past 20 years. The CTU has issued a statement admitting that the work is related to labour interests. The CTU has contacts with international trade unions and other trade unions, what is wrong with that? Has Hong Kong come to a state that only allows capitalists to invest in Hong Kong but forbids non-governmental contacts? Capitalists can engage in shares and funds speculation but the general public cannot do anything. Does "one country, two systems" only involve capitalism? Is it true that people can only invest in funds and engage in shares and property speculations but they cannot have contacts with foreign countries?

They will certainly mention Jimmy LAI's donations, including the \$1.5 million donation given to me. I had explained very clearly that I accepted the \$1.5 million donation on behalf of the Labour Party, and I had already handed

over the full amount to the Labour Party. The Committee on Members' Interests of the Legislative Council is now investigating or discussing whether the interests should be declared. If the amount should be declared and I have made a mistake, I would readily accept the decision. Nevertheless, please do not casually wrong me, saying that I have personal interests. I have repeated this point many times.

A lot has been said about other donations by Jimmy LAI, including the donations to the Hong Kong Democratic Development Network, political parties and many other people. Those are personal donations, is there any problem? Why do we not inquire into the \$60 million donation received by the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) at a dinner party? Where did the \$60 million come from? Did the \$60 million come from the CPC? How much has the CPC given to the DAB, the Hong Kong Federation of Trade Unions (FTU) or the pro-establishment camp through certain bodies? Is ZHANG Xiaoming's painting really so good that it is worth \$5 million?

Please keep your eyes open and look at the situation in Hong Kong. Do not blow up certain issues infinitely, but narrow down certain issues infinitely or just ignore them. If we are to inquire into Occupy Central, why not also inquire into anti-Occupy Central? There is a price list for anti-Occupy Central activities; people who participate in protests or who beat up other people are paid different amounts of money. Why not inquire into these matters? Of course, I do not support conducting an inquiry because I always think that the P&P Ordinance should not be invoked to inquire into these matters. Illegal acts should be investigated by the Police. If Members think that we should inquire into Occupy Central, why do we not inquire into anti-Occupy Central? Both involve civil organizations.

I really hope that Members would not go so far as to infringe on the most fundamental freedom of Hong Kong people, including freedom of association and freedom of demonstration. If we are to inquire into the funding sources of Occupy Central organizations, Honourable colleagues should really go to the occupied areas and take a look. Many people donate supplies every day; do we have to investigate each one of them? Indeed, a lot of people donate supplies and we are deeply touched. Many people donate box meals, soup, fruits, goggles and masks. Is an inquiry needed for all such supplies? If so, we need to find witness, and the inquiry may take more than 10 years because a large number of people are involved.

We should admit that this is really a spontaneous movement. Please do not insult Hong Kong people or make up stories for the CPC. What is the real cause of this Occupy Central movement? The real cause is that the National People's Congress (NPC) has shut the doors on universal suffrage. These three doors include: each candidate for the office of Chief Executive must have the endorsement of more than half of all the members of the nominating committee; only two to three candidates can be nominated, and members of the nominating committee shall come from the four major sectors. This is the fundamental reason. Just ask the occupiers why they have come out. The reason is that they want genuine universal suffrage. We can see the words "I want genuine universal suffrage" if we look up from places under the Lion Rock.

We have repeatedly asked the NPC not to shut the doors. The pan-democrats have held numerous press conferences in this Complex and the issue has been raised numerous times in this Council. We have asked the NPC not to overstep the authority and forcibly make a decision concerning the amendments to the Chief Executive election. I have said repeatedly that the NPC should only confirm whether the amendments should be made instead of making the decision. The NPC has made the decision despite our warning that it should not do so. We have reminded the CPC and we have clearly stated that such a decision would instigate Occupy Central. Please admit that the real cause of Occupy Central is the NPC's decision to shut the doors, which have driven many members of the public to come out and strive for genuine universal suffrage. Hong Kong people are really furious! Why have we been completely deprived of our autonomy and the right to determine our constitutional system? This is the first reason.

The second reason why people have come out is certainly related to what LEUNG Chun-ying has done. Honestly, the Police's unreasonable acts had aroused public indignation. They detained Joshua WONG for 40 hours for no reason. People came out to protect the students but the square to stage protest was enclosed for no reason. As people were not allowed to go inside the square, they occupied the roads. The Police subsequently fired tear gas; but after some time, the protesters returned and they insisted to stay. We were all infuriated by the Government's act. Therefore, we will hang in here, hoping to have some real changes.

The occupiers really hope that Hong Kong can make changes and they want genuine democracy. But LEUNG Chun-ying's sophistry has provoked people. He said, without cause, that those earning less than \$14,000 a month

were not eligible to vote, and if they people could vote and were eligible to nominate candidates, the consequences would be serious for our society would be tilted towards the poor. In other words, he admits that the existing system favours the rich because members of the Election Committee come from four major sectors and some Legislative Council Members come from functional constituencies. Hence, our society tilts towards the rich and has lost its balance. That is why we have to fight for genuine universal suffrage. I would like to thank LEUNG Chun-ying for explaining on our behalf why we have to fight for genuine universal suffrage. Our society tilts towards certain group of people and the Government despises people with a monthly income of less than \$14,000. Have people with a monthly income of less than \$14,000 not made any contribution to Hong Kong? He later said that the religious and sports sectors have not made economic contribution to our society, which also made people furious.

An inquiry is needed because of LEUNG Chun-ying and an inquiry is not needed because people are really very angry! Why have Hong Kong people been deprived of their most basic rights? So, I hope Honourable colleagues would understand and they should not distort all the problems, and ... President, you are right in saying that you fail to see any external forces. Basically, the movement is triggered not due to external forces, but the basic social conflicts and social factors. However, some Honourable colleagues think that we are affected by external forces; they fail to note that the real causes are social factors and social conflicts. Hong Kong and the CPC have been misled into thinking that this movement is not caused by social conflicts but external forces.

However, we should resolve political issues by political means. To resolve these issues by political means, the NPC decision to shut the doors should be properly handled. If this critical issue is not handled, the social conflicts in Hong Kong will remain unresolved. Hong Kong people just want to have the genuine right to vote and the right to stand for election, which are the basic rights as promised in the Basic Law. The United Nations has also clearly stated that the existing system and recommendations put unreasonable restrictions on the right to stand for election. Therefore, we should ensure that the right to stand for election will not be unreasonably restricted. This is the only request of Hong Kong people. The authorities should not use the excuse that some people have instigated a colour revolution. Nobody wants to overthrow the Government; we simply want to get back our entitled right to universal suffrage.

Today's motions on invoking the P&P Ordinance have distorted the whole incident. Hence, we hope to address the problem of social conflict which is a basic factor. Hong Kong people simply want to have the right to universal suffrage and genuine democracy. The Government should return the power to the people and let us resume our entitled right.

Thank you, President.

MR RONNY TONG (in Cantonese): President, I have been a Member of this Council for 10 years and I persistently hold the view that we have not fully used our powers to serve the public. In particular, we have not properly invoked the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to make reasonable inquiries into important incidents in society so as to allow the voices of the public to be heard.

President, it has recently been disclosed that LEUNG Chun-ying has secretly received large sums of money, but this Council unexpectedly considered an inquiry unnecessary. This is the best example. I can hardly imagine that I have to stand up today and oppose invoking the P&P Ordinance. President, the reason for my opposition is not because my views on the P&P Ordinance have changed but because the sophistry of this Council has reached a hopeless state.

President, I have either been sitting in this Chamber or staying in my office upstairs this morning and I have listened carefully to the remarks and arguments made by Honourable colleagues sitting on this side. Not too many pro-establishment Members spoke this morning. So far, Members who have spoken keep saying that a large-scale unlawful incident has occurred. This is the sophistry.

President, I have looked up the Basic Law but I cannot find in what areas our powers overlap with those of the Police. It is clearly stated in a number of provisions in the ordinances of Hong Kong that the powers of any organizations shall not overlap that of the Police, and the Public Order Ordinance is one of the ordinances. President, Occupy Central is a major incident, and it can even be described as the most serious incident since the inception of Hong Kong. However, the problem does not lie in Occupy Central itself but in the process of democratic development in Hong Kong. In this dispute, what we have to face is not just the democratic development of Hong Kong, but also how the rule of law can be safeguarded and how to stop society from being torn apart and divided, so as to maintain our unity and solidarity. We can hold discussions and debates on

these issues; but if we have to inquire into the exercise of basic rights by the people, I believe that this line cannot be crossed.

President, the Occupy action can only have two possibilities. First, somebody is guilty of a criminal offence; second, nobody is guilty of an offence, and there is no midway. President, if somebody is guilty of a criminal offence, should the Legislative Council inquire into the case? What are the consequences if the Legislative Council inquires into the case? When pro-establishment Members spoke on Mr Andrew LEUNG's motion, they mentioned issues such as organization and planning, and funding sources. Yet, there are legal provisions in this aspect. I would particularly like to draw Members' attention to section 5 of the Public Order Ordinance. It provides that if any society are organized or trained for the use or display of physical force in promoting any political object, or in such manner as to arouse reasonable apprehension that they are organized or trained, these members shall be guilty of an offence.

In other words, if it is believed that the Occupy action is an organized act and has unlawful objective, purpose or intention, the Police can conduct an investigation. President, what will be the consequences if the Legislative Council also exercises its powers to inquire into the action? First, this will certainly affect the Police's investigation powers, but more importantly, this may directly affect the prosecution decisions to be made by the Police or the Department of Justice. We should not do these two things casually. If I remember correctly, Article 27 of the Basic Law specifies that all prosecution decisions shall not be affected by the acts or views of any other people ... I am very sorry, that it is Article 63 but not Article 27. President, Article 63 reads, "The Department of Justice of the Hong Kong Special Administrative Region shall control criminal prosecutions, free from any interference." Nevertheless, the biggest problem is that, if anyone is guilty of a criminal offence, the Police and the judicial department must handle the case independently, free from any interference. How should they handle the case if no criminal offence is involved? President, I believe this is an issue of greater concern.

Article 27 of the Basic Law expressly specifies that "Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike." President, how should Hong Kong people exercise their freedom of association, of assembly, of procession and of demonstration? People associate for conspicuous objectives; a number of people will not suddenly get together and associate unknowingly.

They will also not assemble by accident or suddenly take a wrong way and participate in a demonstration. These things will not happen.

President, in other words, the exercise of these powers involves several factors, including organization and funding. Without these two factors, I do not see how people may associate or how they can organize others to participate in assemblies, demonstrations or processions. In exercising their basic powers, if people organize actions and raise funds, they have not violated the law, should we also inquire into these cases? President, if they have violated the law, I agree that investigation is warranted. As specified in the provision of the Public Order Ordinance cited earlier, the Police have sufficient powers and justifications to conduct investigations. But if the persons concerned have not violated the law ... so far, apart from arresting a few persons for disorderly conduct and unlawful assembly, the Police have not taken actions against organized crimes in this case.

If we are to inquire into the most basic rights exercised by ordinary people, including the rights of association, of assembly, of demonstration and of procession for reason that their acts are organized; does this mean that an inquiry is needed for well-organized actions while less well-organized actions can be spared? The problem is, if we are more pressing to exercise these rights, it means that the relevant acts are rather serious and well organized, and there are various funding sources. Is there a greater need for us to inquire into these cases?

President, what will be the results of our inquiry? I think the most reasonable projection is that the Legislative Council would conduct an inquiry and summon the persons concerned to ask them why they exercised their most basic rights and the rights conferred by the Basic Law. Members of the public will feel oppressed. I think we are creating white terror and we are telling them that they should be more careful; if they organize assemblies, associations, demonstrations and processions again, they may be investigated. A more frightening projection is that, after the completion of the inquiry by this Council, we do not know whether the report will be submitted to the Police, thereby affecting and requesting law enforcement by the Police. Even if the Police do not want to enforce the law, this Council will exert pressure on them. Is this going to happen? Will provisions of the Basic Law exist in name only?

President, we must ask ourselves what the basic function of the Legislative Council is. Obviously, the basic function of this Council is to monitor the

Government. Why should we monitor the Government? It is because the Basic Law specifies that the Government shall be accountable to the Legislative Council. President, directly elected Members and non-elected Members are accountable to members of the public. Members of the public are not accountable to the Legislative Council but the Legislative Council is accountable to them. Can we ask the public to come to the Legislative Council to answer our questions, and tell us why they have taken or not taken certain actions? We should be accountable to the public. Is this not putting the cart before the horse?

No wonder we have low popularity. This Council has not inquired into incidents which should be investigated, but it has indicated the intention to inquire into those incidents that should not be investigated. This Council has not inquired into the Government's maladministration or the unlawful acts of officials, but we are going to inquire into the acts of ordinary people. President, what kind of Council do we have? Why do we have to spend so much time discussing something that I believe even a 10-year-old child would understand?

President, as I mentioned earlier, the most serious challenge is to test the basic wisdom of every people of Hong Kong and our commitment to society. Being engaged in politics, I firmly believe that our responsibility is not to deepen antagonism but to solve problems. If we use some false reasoning to coerce Hong Kong people, hoping that they will not exercise the freedom of assembly, of association, of demonstration and of procession as protected under the Basic Law, this will only intensify confrontation and social division without solving the existing problems. Will Honourable colleagues from the pro-establishment camp consider how they can make more efforts for the development of democracy in Hong Kong? Why do we not, on behalf of Hong Kong people, inquire into the Government's blunders in administration and stance, and find out its deficiencies? Why do we not spend time on more meaningful things? Why do we have to become tools for political vetting?

President, I totally cannot understand and I feel very sorry! We sometimes think that we would never do certain things but we are eventually forced to do so. I have never imagined that I would stand up here and oppose invoking the P&P Ordinance to inquire into certain incidents. Unfortunately, I am forced to do so today. I would vote against Mr Andrew LEUNG's motion without hesitation.

Thank you, President.

MR JAMES TIEN (in Cantonese): President, Honourable colleagues. First of all, I want to say that today is the first time that I do not speak in the capacity as Chairman of the Liberal Party but as a Legislative Council Member of the Party. Yet, I believe the views to be expressed are certainly the Party's longstanding position.

Concerning the two motions proposed by Members, the Liberal Party considers that Mr WONG Yuk-man's motion to invoke the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to inquire into the police's handling of the public assemblies in Mong Kok on 3 October is too narrow in scope, and it would be incomprehensive to inquire into this incident alone. Contrarily, the motion proposed by Mr Andrew LEUNG in the capacity as Chairman of the House Committee with the endorsement of all Members is related to a series of problems that have arisen since 28 September, including organization and planning, funding sources, the Government's handling of the incident and "all other related issues" as stated in the last sentence. As the phrase "all other related issues" also covers investigating the Police, as suggested by Mr WONG Yuk-man, the Liberal Party had indicated our support for the remarks made by Mr Andrew LEUNG at the House Committee meeting on that day. Today, we continue to support the motion proposed by Mr Andrew LEUNG but not the one proposed by Mr WONG Yuk-man.

President, since the start of the recent Occupy Central movement, the Liberal Party has, on the first day we learnt about the incident, which is about one year ago, projected that the movement will have profound negative effects. Yet, we anticipated that only Central, the financial centre, as well as shops, hotels and restaurants in its vicinity would be implicated, and consequently affecting the income of members of the trade. However, I think many Members had never dreamed that the movement would developed to such a large scale, and even extended to Causeway Bay and Mong Kok, causing serious impacts and such impacts are not short term in nature. We are very concerned if the recent movement will cause long-lasting harms to the hard-earned success of this world-class city in respect of international reputation, finance and people's livelihood. President, this is indeed the important point that we would like to highlight.

In our view, the most controversial issue at present is constitutional reform and democratization in Hong Kong. During the Hong Kong British era, Hong Kong had freedom and the rule of law, but not democracy. Today, in the fight for democracy, we notice that the balance between freedom and the rule of law in

the community has been seriously upset. Why do I say so? As Legislative Council Members, especially in my case, I have been a Member for 22 years, we are duty-bound to consult members of the public or the trade after the Government has introduced a policy or a legislation, and after collecting the views, we have to examine the relevant legislation. Once the law is passed, people must comply, no matter they agree or not. The passage of legislation requires striking a balance between freedom and the rule of law; and any legislation passed will affect freedom. For example, the banning of idling vehicles with running engines has affected drivers and the total ban on smoking has deprived people of their freedom to smoke. Yet, in the absence of regulation, social order may be disturbed. I therefore consider that Hong Kong has performed well in dealing with freedom and the rule of law.

Regarding the controversial democratic procedures in question, the mode of electing the Chief Executive will be changed from the present election by 1 200 people to universal suffrage. The difference in views lies in whether anyone can nominate or run in the election of the Chief Executive; whether the Chief Executive must love the country and Hong Kong, and whether approval of the nominating committee must be obtained to become a candidate. I think all Hong Kong people, Honourable colleagues, as well as Occupy Central supporters and opponents should thoroughly discuss these issues.

The Liberal Party absolutely respects that under the principle of "one country, two systems", we can only achieve the so-called "high degree of autonomy" at its fullest, but this is definitely not a state of near-independence. It is suggested that we have to adopt overseas election methods, but such election methods are only implemented in independent countries and are therefore not applicable to Hong Kong. Of course, there are no other places in the world which practises the so-called "one country, two systems" and from which we can draw reference. Hence, is it possible for Hong Kong to achieve "high degree of autonomy" while respecting the sovereignty of "one country"? I think this is another issue.

However, we are very concerned about the recent fight for universal suffrage has caused dissension in the whole society. Does greater freedom mean weaker rule of law? While the rule of law certainly includes law enforcement by the Government, certain law-enforcement actions are not necessarily taken by police officers. This is particularly the case in the business community, where commercial activities are usually governed by the Securities and Futures Commission or the Hong Kong Exchanges and Clearing Limited under the

Companies Ordinance. Nonetheless, to most members of the public, they rely on the Police to take day-to-day enforcement actions. Certainly, the Police must act in accordance with the law in enforcing the law. While some people criticize the Police for being too stringent, others accuse the Police for not taking actions. In the end, the matters have to be settled in court; and the Court is the ultimate independent power under the separation of powers. The Court will rule who is right or wrong, and ultimately, it may not necessarily find the Government or the people arrested by the Police guilty.

With the operation of this framework for so many years, we think Hong Kong has achieved the desired result. However, recently, it has been brought to our attention that such mode of operation is being challenged. First of all, as many people have questioned, if police officers will issue fixed penalty tickets for parking on the streets, and the relevant government departments (not the Police) will take law-enforcement actions against unauthorized building works (UBWs), even if it is a small trellis in the backyard, then how come no law-enforcement actions have been taken by the Government via police officers to remove the numerous tents put up in Mong Kok, Causeway Bay and Central? While Occupy Central supporters argue that this is civil disobedience and it falls outside the purview of the Police, others criticize the Police for not enforcing the law. But when police officers enforce the law, the assembly participants claim that the Police have no reason to do so for they are engaging in civil disobedience. The protesters even accuse the Police of their forcible or forceful clearance. The fact is, it is very difficult for the Police (especially front-line police officers or superintendents) to deal with the intense emotions of people on the scene. Why do we recently worry that Hong Kong's rule of law has been challenged? Because though the Court has granted injunction orders and the applicants, with the injunction order in hand, requested for clearance of the scene, police officers could only act as referees. Why would this happen? Given that the granting of injunction orders is permitted under the law, the Police are obliged to provide assistance to the party issued with the injunction orders, but not only separating the two parties as in this case. I am not well versed in the legal proceedings, so the few barristers present may correct me where necessary. Worse still, granting of injunctions alone is insufficient, arrest orders are also required before the case can be dealt with.

The society has been divided to such a stage that has aroused our serious concern. The social disorder that stemmed from the fight for the election method of the Chief Executive has resulted in serious division and dissension in society, which are unlikely to end within a short period of time. When Hong

Kong was hit by the outbreak of SARS and negative asset problem in 2003, with unemployment rate reaching as high as 8% to 9%, the problems could be dealt with in only six months. We are now gravely worried that society will be further divided. Here, I sincerely request colleagues from the pan-democratic camp, as elected Members, to think twice over this non-co-operative movement. If Members do see eye-to-eye on certain issues, they should kindly co-operate. President, the Legislative Council has recently wasted a lot of time on debates, headcounts and the so-called "filibustering" motions, which were ultimately passed with unanimous support and met no opposition. These are indeed attempts to stall government actions, so that nothing can be done. But they will not do any good to the development of Hong Kong or our exercise of effective monitoring over the Government as elected Members. Members of the public now have a feeling that the entire framework is collapsing. While there are problems with law enforcement of the Government and law enactment of the Legislative Council, non-compliance of laws by members of the public does not seem to be a problem at all. If this situation continues, we are very worried that Hong Kong will become a city with third-rate administration.

When the administration encounters serious problems, our students and children will feel the impact after one or two decades. The problems in hand will not be resolved in a few years' time. Therefore, in connection with this motion — President, I will soon give the conclusion — we consider that the focus should be placed on "all other related issues" because besides tackling the problems raised by other Members in their earlier speeches, we should also thoroughly examine why there are serious social resentment among young people. We may invoke the P&P Ordinance and invite them to this Council, so as to facilitate our understanding of the situation.

Numerous student supporters are now gathering at Mong Kok and Causeway Bay, and as the Secretary has mentioned in his speech the other day, they have different background. The term "different background" best describes them, they may be affected by external forces or they may not. Or, after waiting for public rental housing units for five to six years, they have now channeled their anger into support for the students. Some of them may come from the disadvantaged groups, who are dissatisfied with the Government's welfare, education or healthcare policies. Instead of invoking the Ordinance to look into the "related issues", I suggest that we should examine why so many people are dissatisfied with Hong Kong nowadays. Of course, the findings may prove that some people may belong to certain organizations, but this is not difficult to deal

with as there must be some reasons for their participation. What actions should be taken is another question of concern, but we have at least identified the reasons. Our concern is why so many people have come out from the community, and this is precisely what this Council should look into. The Government may as well hear what they say and draw a conclusion in the future, with a view to soliciting support from Members of the pan-democratic camp for its future administration and addressing the widespread resentment of the community at large. This is something worth looking into.

Thus, President, the Liberal Party supports the motion proposed by Mr Andrew LEUNG. Thank you.

MS CLAUDIA MO (in Cantonese): President, after hearing that Mr James TIEN and his Liberal Party — though he is no longer the Chairman — still supports the motion proposed by Mr Andrew LEUNG to inquire into the protesting action organized by members of the public and the community on their own initiative, I feel utterly disappointed. Given Mr James TIEN's stubbornness to hold fast to what is good, I think he will either not to go ahead or go the whole hog. But the truth is this is subject to certain conditions. Certainly, it appears to the outsiders that he is more loyal to the Liberal Party than to the National Committee of the Chinese People's Political Consultative Conference.

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

After listening for the whole morning, I notice that Members from the pro-establishment camp like highlighting one point ...

(Mr LEUNG Kwok-hung stood up)

DEPUTY PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, I cannot hear you.

MR LEUNG KWOK-HUNG (in Cantonese): I think a quorum is not present.

DEPUTY PRESIDENT (in Cantonese): Which rule of the Rules of Procedure are you invoking?

MR LEUNG KWOK-HUNG (in Cantonese): Rule 17(2).

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Ms Claudia MO, please continue with your speech.

MS CLAUDIA MO (in Cantonese): For the whole morning, I have been listening to Members from the pro-establishment camp giving nonsensical speeches which they thought were magnificent. Their speeches can actually be summarized in one word "money", merely accusing certain people or political parties of pocketing a certain sum of money. But can we likewise ask how many hundreds of millions of dollars the Hong Kong Federation of Trade Unions and the Democratic Alliance for the Betterment and Progress of Hong Kong have pocketed from the Chinese Communist Government over the years? They are so rich that they only have money in their eyes; they are so poor that they only have money in their mind.

Deputy President, one of the student leaders, Joshua WONG, recently wrote an article for *New York Times*, in which he directly pointed out that — of course, he wrote in English — "Our peaceful democracy demonstration has demolished the myth that Hong Kong is a city of people who care only about money". He said the myth that Hong Kong people care only about money has been demolished by the peaceful democracy demonstration. In this article written by an 18-year-old student to a foreign media organization, money is not the point, nor his prime concern. Of course, according to the logic and practice of Members from the pro-establishment camp, nothing will be done without money. Does the principle of human relations prevail in this world? Is it possible to convince them in a civilized way? They only care about money.

The title of Joshua WONG's article is "Taking back Hong Kong's future", meaning to regain the future. This is said by an 18-year-old home-grown young man, we should better listen and take a look. Some people may say that the article written for a foreign media organization is precisely an evidence of external forces, but does this logic hold water? I will leave this to the public to comment. However, such remark is so weird that instead of getting furious, people just laugh. As depicted in a photo taken by a newspaper reporter, a student leader was holding a gold iPhone, allegedly given by an American. This is even more naïve than a "kiddo" as the allegation is totally groundless. It is extremely shameless for such unsubstantiated, unfounded and unattested allegation to be made so arbitrarily in this solemn Chamber.

Since many people tended to quote from newspaper reports when asked to give evidence, I would like to share with Members a report published in the Sunday edition of *South China Morning Post* on 5 October. I was deeply impressed by the report. We have not quoted from foreign newspapers which represent external forces. Let us hear what was reported in a local newspaper. A 19-year-old student surnamed LAM living in the New Territories told a reporter that he has turned down an offer of \$500. He was asked to go to Mong Kok to demolish things, make noise, shout or take whatever action to stir up trouble. What does that mean? What is the purpose? "They want us ..." — Who are "they"? They refers to the triads, according to the 19-year-old student as reported in the *South China Morning Post* — "They want us to make trouble" — in Mong Kok — "so that the Police have an excuse to stop the protest and arrest people." How about that? Why have I not seen these reports being quoted? Is it because people have queries about the report written by that newspaper reporter? Or, has the integrity of the *Sunday Post* been called into question? This is customized information that has hit the nail on the head, but no one has mentioned at all.

Mrs Regina IP indicated her wish to run in the 2017 Chief Executive Election on some occasions, but denied on the others. She also accepted interviews by foreign media organizations, but has selectively quoted reports from the *Washington Post*, pointing out that demonstration in Hong Kong is terrible and has become a part of the world development called the "Square Movement". Both Kiev and Cairo are also related to this movement, which involves the use of violence to overthrow the government. I really cannot see the logic. If a person is afraid of contracting lung cancer, the first thing to do is to quit or stop smoking but not has his lungs removed. Our freedom of protest

and of demonstration is not only recognized by the Basic Law, but also by the international human right conventions. The peaceful demonstration outside is still ongoing. When she talked about something that has yet to happen, she selectively quoted from the reports of the *Washington Post*. Why didn't she quote the article of young Joshua WONG published in *New York Times*? Why didn't she quote the remarks of CNN, saying that Hong Kong police "partner with local mob". In American English, the word "mob" refers to triad society. Given that she has selectively quoted from newspaper reports, I will follow suit.

Many people find the scope of Mr WONG Yuk-man's motion too narrow, but if we really inquire into the matter, we may do justice to the Police. Members nonetheless did not do so. At present, not only Hong Kong media and people, but also international media think that there are serious problems with Hong Kong's Police, especially in view of the conflict in Mong Kok. On the question of whether the Police have colluded with the triad society and become "black cops", we normally use terms such as "suspected", "alleged" or "supposed", instead of making a solid accusation. If the investigation fails to find any conclusive evidence — given that the so-called "benefit of doubt" will be granted under the rule of law spirit — the case will be unsubstantiated, which means that there is no problem with the Police at all. However, the Police refused to admit that there are "bad apples" in every profession, and there may be unsatisfactory or substandard officers in the Police. Nor did they undertake to "learn from experience", or "find it shameful" such that they will "act in accordance with the law". The Police have adamantly denied and vowed that what they did was right. They have not made the slightest mistakes. Do they feel that their conscience is clear over all Hong Kong people?

Mr WONG Kwok-hing has repeatedly quoted from certain publications or "leftist newspapers", and admitted that he has deliberately quoted from these selected publications. So what can we say? He even named ... Sorry, the meeting is now chaired by the Deputy President as the President is having a meal. Deputy President, regarding Mr WONG Kwok-hing, I hope that there can be some rules to regulate the loudness of Members' voices when they speak as our hearing might be impaired. Does the President know that I have to put on ear puffs? My remark is by no means an exaggeration because he voice is too loud. What is the point of this? Does he intend to shatter this Council? This is basic "decency". There is no corresponding Chinese rendition for the word "decency", which can be construed as sense, protocol or knowledge about human relations. I understand that this is irrelevant to the motion. I think the Deputy

President may be very shocked to hear that I have also spoken in such a loud voice, but certainly I am not as loud as he.

Deputy President, we always heard people (including LEUNG Chun-ying) saying that the incident involves external forces. It is only that he has used "外部" and "外國"¹ interchangeably from time to time, but I think "外部" is in the typical Mainland style. Furthermore, he accepted television interviews on a selective basis but dared not hold any press conference in Hong Kong. He would gratefully accept interview invitations from media organizations having friendly relations, and then stressed time and again the presence of "external forces". The word "external" covers the meaning of "外部" and "外國". When he was asked what kind of external forces were involved, he withheld from disclosing any detail except "... different countries in different parts of the world". What was he trying to say ...

DEPUTY PRESIDENT (in Cantonese): Ms MO, please refrain from using "cocktail" language.

MS CLAUDIA MO (in Cantonese): I am quoting from him ...

DEPUTY PRESIDENT (in Cantonese): If you are making a quote, you should state that this is a quote, so as to let the interpreters know that you are not using "cocktail" language.

MS CLAUDIA MO (in Cantonese): Okay. I now quote in English, "different countries in different parts of the world". This is the exact quote if my memory does not fail me, meaning different countries in different corners of the world. What does it mean? It means that if you are asked who has done unjust to you, you said it is someone at a certain corner. What are you saying? When he was asked when he would disclose the external forces involved, he replied that he would disclose when appropriate. Is this moment still not appropriate? This Council is obliged to monitor the Government and safeguard the interests of the general public, how come he still refuses to disclose in the face of such serious accusation? He should expeditiously say it out loud and clear.

¹ Both "外部" and "外國" carry the same meaning as "external".

Some people like quoting from foreign media reports, which are indeed remarks previously made by other people. So does LEUNG Chun-ying. He has selectively accepted interviews by the *Financial Times* of the United Kingdom as well as the *Wall Street Daily* and the *New York Times* of the United States. And yet, there are also well established newspapers in Hong Kong, so why didn't he do them a favour? How come he is so "external"? Will this arouse doubts?

It was reported that he had highlighted the involvement of external forces before the movement took place. Likewise, according to Mrs Regina IP, the Square Movement — I may misinterpret her remarks, so please feel free to correct me. From what I have heard, I was given an impression that the current movement, also recognized by foreigners as the Square Movement, is a world trend, just like the irresistible democratic development. If it is not nipped in the bud, the movement launched under the theme of democracy this year will be followed by another launched under the theme of environmental protection next year, and then animal rights for the year after next. Is this possible? I cannot help asking her, "Mrs IP, is that possible?" Does she find animal rights an absurd topic? A person should not be regarded as a human being if he does not even have the fundamental love for animals. Why did she distort the spirit of the entire movement in this way?

I particularly oppose the motion proposed by Mr Andrew LEUNG to inquire into the circumstances surrounding this civil movement. It is ridiculous and utterly unacceptable. The investigation should find out why the Government has failed to deal with the problem, from the political perspective in particular, but not pinpoint at Hong Kong people. Thank you.

DEPUTY PRESIDENT (in Cantonese): Does any other Member wish to speak?

(Mr LEUNG Kwok-hung stood up)

DEPUTY PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, what is your point?

MR LEUNG KWOK-HUNG (in Cantonese): A quorum is not present. Please do a headcount according to Rule 17(2).

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(Mr CHAN Chi-chuen put an open umbrella on the table)

DEPUTY PRESIDENT (in Cantonese): Is Mr CHAN Chi-chuen present? If not, can our staff take away the umbrella? Otherwise, I cannot see Mr LEUNG Kwok-hung for my sight line has been obstructed.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Mr Alan LEONG, please speak.

MR ALAN LEONG (in Cantonese): Deputy President, I speak in support of Mr WONG Yuk-man's motion and oppose the motion proposed by the Deputy President in the capacity as Chairman of the House Committee.

Deputy President, first of all, I must state clearly, my reading of the incident is that most front-line police officers or police officers are victims, except those who use excessive power. The Umbrella Movement outside is a political movement that has to be resolved by political means, but the Police are definitely not the agency to deal with political issues. This is tantamount to asking someone who does not speak English to be an English interpreter, or someone who does not cook to prepare a meal for you. Such acts are equally absurd. Given that both the Chinese Communist Government and the SAR Government have refused to compromise and acted in bad faith, police officers were sandwiched between people in power and members of the public. In this sense, the Police are also victims.

As we have seen on 28 September, the Police fired 87 tear gas canisters at unarmed protesters who could only hold on umbrellas, and the number of tear gas

canisters fired has even outnumbered that fired against the Korean farmers. Also, take a look at the 1967 Riot in Hong Kong. When were tear gas canisters fired? They were only fired when banks and goldsmith shops were attacked or home-made bombs were planted, meaning that tear gas was only used when public security was seriously endangered and the protesters were not unarmed. We therefore consider that this case is very serious and investigation is warranted to ascertain who decided to fire so many tear gas canisters and what procedures were followed.

Certainly, we have also seen from television footages that during the clearance operation of the East Wing Forecourt of the Central Government Offices not far from here, some young female students cried out loud when being dragged along the ground by Riot Police. We will also not forget the cases in which six to seven police officers imposed extrajudicial punishment in a dark corner, and peaceful protesters in Mong Kok were allegedly being beaten up or even sexually assaulted by people suspected of having triad background. Since police actions should have been taken earlier, people suspected the existence of connivance. Worse still, as reported by some foreign media, police officers in Mong Kok said that they did not refuse to help, but merely withheld action to leave the protesters beaten for a little longer. These images are still fresh in my memory.

Equally disappointing is the Independent Police Complaints Council (IPCC). In fact, the IPCC is currently the final arbitrator for the complaint mechanism against the Police, operating as a mediator between members of the public and the Police with its credibility. However, as we can see, the IPCC has not performed this function over the past month. Instead, as reported in news reports, IPCC members have pointed their fingers at one another, denouncing their support of the "yellow ribbons" or "blue ribbons"², which is utterly disappointing.

Deputy President, why should an investigation be conducted? Why would I support Mr WONG Yuk-man's motion? First of all, we must understand the nature of this movement. Deputy President, this is a tug-of-war between the past and the future, and the major contestants are young people of the next two generations. Deputy President, I think you should have walked past the Umbrella Square on the way from this Council to the MTR station, or *vice*

² "Yellow ribbon" symbolizes Occupy Central supporters whereas "blue ribbon" symbolizes Occupy Central opponents.

versa, and you may share my observation that the average age of the participants in the Umbrella Square mainly falls between 15 and 25. May I ask if Hong Kong can afford to lose people of these two generations? If these future masters of the coming 50 years do not have any expectation of Hong Kong, China, the SAR and the nation, they will not see any light at the far end of this dark tunnel. This is an awful outcome and we should not let this happen.

Apparently, the current outbreak of public sentiment is attributable to the failure of the Chinese Communist Government to iron out the outstanding contradictions and differences found in the "two systems" under the "one country, two systems" principle since the reunification 18 years ago. After learning the nature of this movement and its causes, we should then gain a better understanding of the Police being caught in the middle. Who has made the Police a victim? Who is manipulating the incident behind the scene with ulterior motives? As this is a political issue, it is certainly appropriate for this Council to exercise the power conferred by the Legislative Council (Powers and Privileges) Ordinance to dig into the matter and find out the cause.

It is reasonable for young students to expect that they can have a decisive say after the reunification. Deputy President, you may recall that when the Basic Law was promulgated in the 90s, Hong Kong people had also cherished a hope that they could stop being second-class citizens to becoming Chinese people who could hold their heads up high and become masters under the five-star red flag. However, as evident from the White Paper and the 31 August Decision made by the National People's Congress, the Chinese Government has apparently gone back on its words, kicked us out and acted in bad faith by turning the principles of "one country, two systems", "high degree of autonomy" and "Hong Kong people ruling Hong Kong" into "one country, one system", "low degree of autonomy" and "Beijing people ruling Hong Kong". This is precisely why young people (our masters of the next two generations) in the Umbrella Square are so infuriated. They must fight for their own future.

Yesterday, there was one big news. Former Chairman of the Liberal Party, Mr James TIEN, was stripped of his seat on the Chinese People's Consultative Conference for speaking words from his heart and calling on LEUNG Chun-ying to consider resigning from the post of Chief Executive. That is all he has done. What has become of Hong Kong today? Hong Kong has become a place where no one can speak the truth. Worse still, people cannot just keep their mouth shut for fear of offending the Chinese Communist

Government or saying things not pleasing to its ears. Deputy President, you may recall the English press release published by the Xinhua News Agency about five days ago, which called on Hong Kong tycoons who had visited the "big boss" in Beijing to stand up against the Occupy movement. It turns out that remaining silent is not acceptable either. In other words, in Hong Kong, people can only say things that are pleasing to the ears of the Chinese Communist Government. Coupled with the three doors created for the 2017 Chief Executive Election on 31 August, in a word, all candidates must secure nominations from the Communist Party of China. How can they secure nominations? They should neither tell the truth nor remain silent, and can only say something pleasing to the ears of the Chinese Government. This is the present plight and the reason why young people of the next two generations are willing to sacrifice their comfortable life at home to take part in the Umbrella Movement. We must protect the students for they are the masters of the next two generations. Why shouldn't an investigation be conducted to see if LEUNG Chun-ying has manipulated or controlled the actions behind the scene? I remember that he held a press conference on 28 September, and the Police fired tear gas canisters after the press conference ended. Was he behind the scene? Deputy President, investigation is therefore definitely necessary.

As to why I do not support the motion proposed by the Deputy President to conduct an inquiry into the incident, many Members have already explained and so I am not going to repeat. I want to make use of the remaining time to briefly respond to the question of striking a balance between freedom and the rule of law as raised by Mr James TIEN in his speech. First of all, I ought to say at the outset, any order issued by the Court must be complied with by members of the public under principle of the rule of law. Notwithstanding that, complying with the law is just a part of the rule of law, but not the whole part. Deputy President, the pinnacle of the rule of law spirit is to attain justice through law, and for all to see that justice is done. When the law fails to attain justice, we should first seek amendment under the system to enable it to attain justice again. But if the system does not allow us to do so or if all our attempts fail under the high-handed measures, or the situation has gone so far that anyone telling the truth will be removed from office, we should then seek other alternatives.

I observed that the Secretary for Justice, represented by a barrister, informed the Judge at a court hearing held early this week that the Police are ready to execute the civil injunctions upon the Court's request. Although I have worked as a barrister for 30 years, I have never heard of such an absurd act. The

Police should definitely enforce the law if this is a criminal case, but why would the Police request the Court to give a green light for them to carry out clearance operations in civil cases? What kind of move is that? Let me tell you, Deputy President, this is precisely an attempt of the LEUNG Chun-ying Government to manipulate the Court under the protection of Secretary for Justice Rimsky YUEN. Not daring to order the clearance operation himself, LEUNG Chun-ying has used a Judge as the amulet, and this should be scorned. One last thing that I must say is that members of the public (*The buzzer sounded*) ... must comply with the Court orders.

DEPUTY PRESIDENT (in Cantonese): Mr LEONG, your speaking time is up.

MR LEUNG YIU-CHUNG (in Cantonese): Deputy President, following the Police's abusive use of tear gas to deal with peaceful assemblies, some people pointed out that the Police were suspected of colluding with the triads to open up the roads and clear the scenes. On 3 October, the two peaceful assembly areas in Mong Kok and Causeway Bay were concurrently being violently stormed in an organized manner. A group of fierce-looking men beat up assembly participants, just like showdowns by triad gangs. However, at that time the Police acted like onlookers, doing nothing and conniving at the thugs' arrogance, and as a result, the situation in Mong Kok had gone out of control. The confrontation led to bloodshed, tarnishing the Occupy movement which has gained worldwide recognition as extremely peaceful. At least 37 people were injured, many of them were young students. The Hong Kong Federation of Students (HKFS), which had planned to start a dialogue with Chief Secretary for Administration Carrie LAM condemned the act and immediately shelved the dialogue with the Chief Secretary. Deputy President, Mr WONG Yuk-man's motion requests this Council to appoint a select committee to inquire into the Police's handling of the above incident under the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance). I support the motion.

Deputy President, some people say that it does not matter whether the Police have properly handled the situation, people who unlawfully occupy the roads start the trouble and they should be blamed. Deputy President, on the face of it, this argument sounds reasonable, but should we also identify the causes of the problem? In dealing with a case, we cannot just examine the results without looking into the cause. For instance, in a murder case, can we just conclude that

the killer is wrong without looking into the reasons leading to the murder? We should not address the problem in this way and we must identify the causes.

Road occupation is without doubt unlawful and nobody will evade or deny this fact. As the initiators of the Occupy Central movement have repeatedly stated, people are engaging in civil disobedience. Deputy President, what is civil disobedience? Civil disobedience is a solemn way that people express their independent existence. In situation where people cannot fully participate in politics, they have the right to defend their own legitimate interests by adopting methods outside the legal system. The adoption of methods outside the legal system is a violation of the existing legal system. This action is not only for the benefit of personal interests but also for the interests of society as a whole and this practice is not unique in Hong Kong. I believe we all know that such situations happened in many countries in the past. GANDHI's civil disobedience is most well-known. GANDHI fought for the interests of the general public and he was ultimately successful. In addition to GANDHI, in the 60s, students in the United States opposed the Vietnam War and they advocated civil rights for the blacks. As a result of their occupation of schools, the rights of women and the blacks had been widely recognized. They also inspired the community to reflect on the Vietnam War. Therefore, similar civil disobedience actions are of great significance, with the purpose of stimulating the community's concern for and reflection on certain incidents.

Deputy President, what are the factors that triggered the Occupy action? Initially, young people from Scholarism wanted to return to the civic square in front of the Central Government Office. Since the opening of the square, the authorities have allowed people to hold assemblies and protests there, and large-scale public assemblies had also been held. In the anti-national education incident, a large number of people gathered in the civic square and the roads outside the square for several nights in a row, and people had peacefully expressed their wishes and aspirations. Through peaceful actions, they succeeded in expressing their aspirations and forced the Government to back down. We often see many different groups of people coming to the square to submit protest letters or petitions to government departments or officials. The square is for public use, but unfortunately, the SAR Government suddenly closed the square without consultation, denying public access and depriving the public of their right to use this public facility. When young people returned to the square that night, the Police unexpectedly used force and pepper spray against them, and even made some arrests. Thus, the crowd was infuriated.

Deputy President, when we criticize the Occupy action, why do we not criticize the SAR Government for unreasonably depriving people of their civil rights? In order to return to the civic square, the HKFS and Scholarism organized assemblies, and during the assemblies, they continuously condemned the Government for depriving them of their rights. In view of the large number of participants on that night, the Occupy Central initiators immediately announced the launching of the Occupy movement. The objectives of the Occupy movement are to fight for civil nomination rights in the 2017 Chief Executive Election and to request the Government and the Standing Committee of the National People's Congress (NPCSC) to withdraw the decision made on 31 August so that people could truly have the rights for universal suffrage, including the right to make nomination and the right to vote. Civil nomination is of utmost importance. People also demanded Chief Executive LEUNG Chun-ying to step down because he did many things to the disadvantage of Hong Kong, he told many lies and has formulated inappropriate policies. Therefore, people asked LEUNG Chun-ying to step down.

This action voiced the aspirations of the community; unfortunately, on the night the Occupy action started, the Police fired many tear gas canisters at the protesters. The Police also threatened to shoot and used violence to disperse the protesters. As a result, the protests spread to Mong Kok and Causeway Bay that night, and later spread to Tsim Sha Tsui. Since a large number of participants used umbrellas to shield themselves from the Police's pepper spray that night, this action was later called the Umbrella Movement.

Deputy President, this movement is really an Umbrella Movement instead of an Umbrella Revolution as alleged by some people. The word "revolution" represents a change of dynasty or regime by overthrowing the existing regime. But as I said earlier, this movement is actually not intended to overthrow or change the existing regime. Hong Kong people only want genuine democratic universal suffrage and we want to have nomination rights for electing the Chief Executive. Members of the public are also asking the incompetent Chief Executive to step down. This movement is not a revolution at all; therefore, the authorities should not use violence to suppress the movement.

Nevertheless, we have witnessed the suspected use of violence by the Government or the Police, and even the suspected use of gang-related violence to suppress this movement. We find this practice hardly acceptable. Yet, the Government or the Police are only suspected to have made such acts, we do not have evidence to prove the validity of such allegation. In order to restore the

reputation of the Police, I think we should set up a task force to conduct investigations so as to clear the Police's name and reputation which has been built up painstakingly over the years.

As pointed out by a colleague earlier, the P&P Ordinance mainly empowers this Council to summon officials or witnesses to give evidence, so as to inquire into the misconduct of the Government or officials. I think this is what we should do. However, in my view, the motion proposed by the Deputy President on behalf of the House Committee is really unacceptable and disgusting! The motion requests for a comprehensive inquiry into the movement, including its organization and planning, and funding sources.

Deputy President, I think this approach not only constitutes an abuse of power but also turns the Legislative Council into FBI. What roles should this Council play? Since LEUNG Chun-ying has assumed office, my strongest feeling is that this Council has become a rubber stamp for the LEUNG Chun-ying regime. Owing to the support from pro-establishment Members, many things that are unreasonable or should not be done had been done. This Council has unexpectedly become FBI; will it become CIA in the future? What should this Council do? Should this Council really become a machine for suppressing the people? Shouldn't we monitor the operation of the Government? This really made me feel very sad.

Deputy President, in this Umbrella Movement, a group of young people are fighting for a democratic system not only for their own future but also for this generation, and contributing to the overall development of society. While their behaviour can be improved, I hope this Council would support rather than attack their spirit. In proposing to inquire into the funding sources of the movement, it implies that there are people manipulating behind the scenes. If Members go to the districts and take a look, they will know that people have acted spontaneously, and nobody is orchestrating their participation, though some said that the participants have been paid. There have been a lot of rumours all along and there are media reports that people disrupting the assemblies have been bribed or manipulated. Why do we not inquire into these cases but just target at assembly-related matters? I think this is unfair to the protesters and this will discredit them. Hence, I cannot accept or support the Deputy President's motion. I oppose the motion.

I so submit.

MR GARY FAN (in Cantonese): Deputy President, a point of order. I do not know if Mr WONG Ting-kwong has passed out, and I would like to ask security officers to ... he has woken up; Deputy President, I can continue to speak.

DEPUTY PRESIDENT (in Cantonese): Mr Gary FAN, please continue with your speech.

MR WONG TING-KWONG (in Cantonese): Can't I close my eyes?

MR GARY FAN (in Cantonese): No, I saw you nodding off, but I do not know if you have passed out, I therefore ask security officers to ...

(Mr WONG Ting-kwong was still speaking)

DEPUTY PRESIDENT (in Cantonese): Mr WONG Ting-kwong, it is not your turn to speak, please stop speaking.

MR GARY FAN (in Cantonese): ... see if you need help.

MR ALBERT CHAN (in Cantonese): Deputy President, I hope more Members would return to the Chamber; I request a headcount.

DEPUTY PRESIDENT (in Cantonese): Under which rule of the Rules of Procedure are you making the request?

MR ALBERT CHAN (in Cantonese): Deputy President, Rule 17(2).

DEPUTY PRESIDENT (in Cantonese): If a Member raises a point of order, he must state which rule of the Rules of Procedure he invokes, and I will give a ruling.

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Mr Gary FAN, please continue with your speech.

MR GARY FAN (in Cantonese): Deputy President, I speak to support the motion proposed by Mr WONG Yuk-man and oppose the motion proposed by the Chairman of the House Committee, that is, your goodself.

The Umbrella Movement has been going on for over a month. While LEUNG Chun-ying's original intention was to end the movement through massive suppression by the use of force to clear the protest sites, he only stopped because of XI Jinping's recent command of handling the present critical governance crisis along the line of "no bloodshed; no compromise". Nonetheless, the Government has underestimated the perseverance and determination of protesters taking part in the Occupy movement and turned a blind eye to the unfairness currently found in Hong Kong's political system. In fact, the driving force behind the continuous development of the Umbrella Movement is the acts of Members returned by functional constituencies (FC) and Members of the pro-establishment camp. They are the ones who have repeatedly incited the protesters' morale. As a result, more and more Hong Kong people take the initiative to join the Occupy movement.

The motion to invoke the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to inquire into the Umbrella Movement was first proposed by Mr Jeffrey LAM in the House Committee. He is also an FC Member. In the FC elections of the Legislative Council held in 2012, he was elected uncontested. He was elected by zero vote, which is even fewer than 689 votes. Deputy President, how dare Mr Jeffrey LAM, an FC Member elected by zero vote, blatantly request the Legislative Council to investigate the Umbrella Movement in which hundreds of thousands of people have participated. How dare he do so!

Deputy President, the P&P Ordinance has all along been regarded as the "imperial sword". Members of the pro-establishment camp who are laughing now have always claimed that this sword should only be used in matters of life and death; otherwise, it would be an abuse. Hence, whenever Members of the pan-democratic camp proposed to invoke the P&P Ordinance to conduct an inquiry into, for example, the secret remuneration of \$50 million received by LEUNG Chun-ying from an Australian company, the delays in the Express Rail Link project, or even the refusal to grant a television licence to Hong Kong Television Network Limited, and so on, Members of the pro-establishment camp would veto the proposals categorically.

Nevertheless, it turns out that matters of life and death are not those relating to the interests of Hong Kong as a whole, but the life and death of the pro-establishment camp. As we all know, one of the demands of the Umbrella Movement is to abolish the FCs in the 2016 Legislative Council Election. It means the end for Members elected by zero vote, or the likes of Mr Jeffrey LAM who are FC Members belonging to the pro-establishment camp. Hence, in a last-ditch effort, the pro-establishment camp points the Legislative Council's "imperial sword" to the general public and resorts to every means to jeopardize the Umbrella Movement in order to safeguard their elected office returned by zero vote.

Deputy President, all along, the P&P Ordinance is an important piece of legislation to safeguard the powers of the Legislative Council in monitoring the Government, as well as ensuring checks and balance between the executive authorities and the legislature. The pro-establishment camp's proposal to invoke the P&P Ordinance to investigate people's voluntary participation in the Umbrella Movement has undoubtedly distorted the original intention of the P&P Ordinance or even the powers of the Legislative Council, so that the Council would turn into the "East Yard" of LEUNG Chun-ying's Government in helping to stifle the opposition's voice.

Deputy President, if we carefully consider the scope of investigation proposed by the pro-establishment camp, the truth is plain to see, and there is nothing to investigate. The pro-establishment camp primarily wants to investigate the organization and planning of the Umbrella Movement. If Members of the pro-establishment camp have the guts to visit the protest sites, like Dr Priscilla LEUNG, they would know that the protesters have always been stressing that there are no leaders, but the people. This is far from being a mere

slogan, for the spirit would have been embodied in the first Umbrella Square referendum originally scheduled to take place last Sunday on 26 October.

Last Thursday, that is, 23 October, the Hong Kong Federation of Students, Scholarism and the Occupy Central Trio proposed to hold the first Umbrella Square referendum. Since then, due to diverse views of the people participating in the Occupy Movement, including both positive and negative responses, the Umbrella Square referendum was finally called off just three hours before its scheduled start. Hence, clearly, it would be very difficult for any organization to convince the crowd or lead the Umbrella Movement. Discussion with the crowd and obtaining their mandate are essential on deciding the way forward of the Umbrella Movement or whether it should be continued, and no organization can act arbitrarily. Under the circumstances, how can anyone say that there is large-scale organization and planning behind this mass movement which epitomizes the spirit of democracy?

Deputy President, the second objective of the pro-establishment camp's investigation is funding sources of the movement. The pro-establishment camp often claims that supplies are being sent to the protest sites continuously. But what exactly are those supplies? Actually, they are nothing more than daily necessities which are readily available, such as bottled water, raincoats, eye masks, face masks and cling film. Some kind-hearted members of the public even bring along food and soup they cooked themselves. Folk wisdom is in display everywhere. The student study area and LENNON Wall in the Admiralty protest site which is the closet to the Legislative Council, as well as the "Guan Yu Temple" in Mong Kok are all do-it-yourself creations built by members of the public with readily available materials.

These materials and supplies come from all walks of life in Hong Kong. If the pro-establishment camp really wants to investigate the sources of funding, I am afraid that voluntary witnesses could form an endless queue stretching from the Legislative Council to Harcourt Road and Central. Even if the investigation committee would hold its meetings endlessly from day to night and from night to day, just like the "luncheon meat" Member, there is no way it can review all the receipts of the supplies. In that case, the amount of public funds wasted by the Legislative Council might be even greater than the funds involved in the entire Umbrella Movement.

Deputy President, the pro-establishment camp should not abuse the privilege of the legislature in monitoring the Government or use it as LEUNG Chun-ying's "East Yard" to target Hong Kong people in an attempt to censor and monitor the people. In short, the "imperial sword" of the Legislative Council should not be placed against people's neck. Not only is this motion pushing an unjust system to the extreme, but it also provides no assistance in resolving Hong Kong's current political impasse. Members of the pro-establishment camp should use their public power properly, make recommendations to the SAR Government in resolving the current deadlock and advise the Government to heed public opinion, rather than collaborating with LEUNG Chun-ying in ripping society apart and arbitrarily labelling dissenting voices against the Government as colluding with external forces groundlessly and falsely. Hence, I object the motion proposed by the pro-establishment camp to invoke the P&P Ordinance to investigate the Umbrella Movement.

Regarding Mr WONG Yuk-man's motion, I will vote for it even though the scope of investigation proposed in the motion is limited to the Police conniving at the triad gangs' attacks on citizens on 3 October, which I consider to be too narrow. In fact, since the students re-occupied civic square on 26 September, the Police's handling of the Umbrella Movement has been drawing criticisms, much to the uproar of Hong Kong people, including the unreasonably long detention of student leaders such as Joshua WONG, the firing of 87 tear gas canisters at unarmed protesters, or even the incident where a protestor was dragged into a dark corner and beaten up by plainclothes police officers. If a comprehensive review on the Police's handling of the Umbrella Movement is to be conducted, all the above incidents should be investigated. Nonetheless, I understand that Mr WONG Yuk-man proposed this motion some time ago, and the incident of the Police "open and aboveboard, but beating in dark corner" has yet to take place.

Deputy President, the Hong Kong Police's authority and credibility have become low even before the Umbrella Movement. Since the Commissioner of Police Andy TSANG assumed office, the Police have been using pepper spray without following the relevant guidelines, and upholding law and order has seemingly become the one and only purpose of the Police's existence. Police officers would now resort to illicit means, impose extrajudicial punishment or arbitrarily arrest and detain students in peaceful demonstrations. All these tactics have been used by police officers. Some worried people would associate the extreme tactics used by the Police presently to those used by the Gestapo of Nazi Germany.

The incident on 3 October is just a manifestation of the changing quality of the Police. Although the Police's organization has always been clearly defined with the Criminal Intelligence Bureau (CIB) and the Organized Crime and Triad Bureau (OCTB) specifically responsible for collecting intelligence relating to organized crimes and activities of triad gangs, the Police cannot possibly have no advanced information about large-scale assemblies of triad gangs. Both John LEE, Under Secretary for Security, and Andy TSANG, Commissioner of Police, have previously worked as the commander of the OCTB. John LEE even has experience in the collection of intelligence, and he should be well aware of the importance of making advanced preparation.

But on 3 October, the Police only arrived at the scene half an hour after the protesters in Mong Kok were attacked by people with triad background. Was it because the Police's CIB and OCTB did not receive any intelligence in advance and hence, they could not make suitable deployment, or did the Police purposely stay put after being tipped off? Some members in the community even alleged that the Police was colluding with triad gangs to clear the sites. For the sake of the public's right to know, we should conduct an inquiry into all these matters thoroughly by invoking the P&P Ordinance to ensure that Hong Kong people will not be treated the same way again as the protesters on 3 October.

Deputy President, lastly, I hope Members of the pro-establishment can abandon their double standard. On the one hand, they seek to investigate the Umbrella Movement which is a self-initiated mass movement mushrooming across the territory, and on the other hand, they oppose the motion to investigate the Police conniving at the triad gangs' attacks on peaceful protesters. Given the present political impasse, Members of the pro-establishment camp should reflect on their proper role, that is, whether they should enforce the Chief Executive's hegemony so that the Legislative Council would only rubber-stamp its function of monitoring the Government or even become an accessory of the executive authorities, or whether they can use their wisdom and tell the Government the truth so as to resolve the current political conflicts in Hong Kong and avoid further division in our society?

Deputy President, I will vote for the motion proposed by Mr WONG Yuk-man and against the motion proposed by you in your capacity as the Chairman of the House Committee. I so submit.

DR KWOK KA-KI (in Cantonese): Deputy President, the subject of discussion today is absurd, especially the motion proposed by you, Deputy President, on inquiring into the organizations, non-government organizations, and so on involved in the Occupy Central movement.

You have distorted the cause and effect. Why did people initiate the Occupy Central movement? That is all because of the 31 August Decision to shut the door. A year ago, when people in Hong Kong learned that the Government would submit a report this year and the National People's Congress (NPC) would make a decision on the selection of the Chief Executive in 2017, Prof Benny TAI, one the Occupy Central Trio, put forward this idea. However, before the start of the Occupy Central movement, he made it very clear that should there be genuine universal suffrage, they would not Occupy Central and there was no need to do so. That said, no one in Hong Kong, including the hundreds of thousands of people who are now staying in the three occupied areas, would think that it was necessary to Occupy Central, or would wish that they have to Occupy Central. Everyone wants genuine universal suffrage implemented in accordance with the Basic Law, but the universal suffrage put forward by the NPC on 31 August was absolutely bogus. That is an insult to the people of Hong Kong.

It is a farce to have a 1 200-strong coterie to nominate two or three candidates. They tell us that we have the right to vote, but what about the right to stand for election? Candidates have to secure the endorsement of more than half of the members of the nominating committee. Since all members of the nominating committee are from the pro-establishment camp and are close friends of "Grandpa", who will they nominate as candidates? The candidates will be people like LEUNG Chun-ying. Have we not suffered enough? Do we have to go through this once again? Do we have to glorify such candidates by casting a pathetic vote to them? Therefore, people of Hong Kong would rather not have universal suffrage than have a bogus one.

After the NPC has shut the door on universal suffrage, the performance of the Government and the Police have been most regrettable. I have said time and again that political issues should be resolved by political means. The Police are not the guard dog of LEUNG Chun-ying and the like; they are not his political tools to suppress the people. However, how do the Police perform today? The image that they have built up over the years has been totally ruined. After the

Police announced in the morning that they planned to clear the protest sites, groups with names starting with the word "love" and triad members showed up in the afternoon to clear the sites. After assaulting the protesters, the anti-Occupy Central people and groups with names starting with the word "love" left the scene and took a taxi under the escort of police officers. What message did this convey to the people of Hong Kong? After seven police officers had dragged a subdued person to a dark corner and punched and kicked him, the Commissioner of Police was nowhere to be found. Having witnessed all these, how can the people trust the Police or the Government?

Although this Council is not a normal legislative body but a distorted one because of the existence of functional constituencies, half of the Members are returned by geographical constituencies through direct elections and their ballots are from the people. When Members raise any questions or conduct any inquiries, government officials have to come to answer or give explanations. Why? That is because government officials and civil servants have the duty to respond to the questions raised by Members of this Council on behalf of the public. They have to answer and explain important issues. These people, including the high-ranking civil servants being paid several million dollars a year, are public officers and their salaries are paid with people's hard-earned money.

However, some Members are now calling for an inquiry into why people Occupy Central. This is good because we also have to look into why the NPC shut the door and why the Government submitted such an outrageous report. We also have to look into what the Government, including LEUNG Chun-ying and the trio led by Mrs Carrie LAM, is doing; as well as why the Police, whom the people used to love, have broken the people's heart? Why should political issues be resolved in this way? The key to resolve those problems or even the problems in connection with the square lies with the Government and the NPC. If the Government and the NPC do not respond to the issue about genuine universal suffrage in 2017, even if the protesters leave today, they will come back tomorrow, the day after tomorrow and any other time in the future. The heart of the people will not leave.

Banners demanding for genuine universal suffrage are hung in all tertiary institutions in Hong Kong, namely the City University of Hong Kong, the University of Hong Kong, The Hong Kong University of Science and Technology, The Chinese University of Hong Kong, the Hong Kong Baptist

University, The Hong Kong Institute of Education, The Hong Kong Polytechnic University, Lingnan University, the Hong Kong College of Technology and Caritas Institute of Higher Education. A person calling himself "Spidey" and his friends took the risk to climb up the Lion Rock and hang the banner depicting "I want genuine universal suffrage" high up there on behalf of the people. This is the genuine Lion Rock spirit. But the Government and the NPC seem to be blind and deaf to all these.

As regards the motion in question ... I do not want to give the Deputy President a hard time because the essence of the content of the motion was not his idea but Mr IP Kwok-him's. He says that the purpose of the Occupy movement is not merely to strive for democracy but a handful of people with a hidden agenda aim at wreaking havoc in Hong Kong and stage a colour revolution. In view of the immense ability of the organizers of the Occupy movement to mobilize people and organize the activities, as well as their great resources and financial power, there are reasons to believe that some unknown parties or bodies are orchestrating this movement and financing it behind the scene. He also quotes rumours about churches receiving phone calls from the United States and the hearsay about certain American organizations playing a part in the movement.

Deputy President, we cannot blame him. He was brought up by "Grandpa" with expenses being paid by the stability preservation expenses. How can he believe that people would act on their own initiative? As we all know, there is a price list for hiring the "blue ribbon" gangs and groups with names starting with the word "love". There is a price for participating in rallies and charging at mills barriers. A higher price will be paid for assaulting people. Will anyone take such actions on his own initiative? No one will do so. This is not their practice. Their supporters are well financed. They receive the stability preservation expenses. There are also certain societies and clansmen associations, people do not get paid, but they are provided with three free meals and presents for joining the rallies. How can such people believe that there are people who would act on their own initiative and would give water and food to protesters? They would not believe because to them, everything is about money. In the Mainland today, people are all after money; to them, money is everything.

Therefore, it is impossible for someone brought up by "Grandpa" to believe that people join the movement on their own initiative. Is it possible for hundreds of thousands of protesters to be incited by someone to take to the streets? How can anyone manipulate hundreds of thousands of people? Don't

tell me that they have been implanted with signal receptors in their heads! Is CIA involved? Members having such ideas are either schizophrenic or they have watched too many sci-fi movies. This is downright shameless. I feel shameful having this kind of Members in the Legislative Council.

We are not looking squarely at this issue. The entire Legislative Council is not trying to look for ways to resolve the issue of how to implement genuine universal suffrage; rather, Members are shifting the focus. I do not want to relate this to the embarrassing issue about the Police's law-enforcement actions. Let me say one more time. The responsibility of resolving the political issues should not be laid on the Police, but the Government has chosen such an approach and the high echelon of the Police has also agreed to it, they are making front-line police officers the scapegoat.

I once had the chance to talk to some front-line police officers. On the Internet, some police officers can be seen wearing yellow ribbons. They may even visit the occupied areas after work. They are paid to do the work. Under different levels of management, they cannot but obey the orders of their superior. Without the tacit approval of their superior, would they fly into a rage and beat up someone? Without their superior shielding them, would they do so? I do not only blame the seven police officers. It is obvious that they did so under orders, so that they acted so freely and boldly. Why do the pro-establishment Members not look for a way to resolve the problem? Since they are so close to "Grandpa", why do they not reflect clearly to the Mainland authorities the current situation in Hong Kong? Why do they not ask the Mainland authorities if they can discuss with us the lowering of the threshold and giving the Hong Kong people genuine universal suffrage?

We understand and we have repeatedly said that if the Central authorities truly trust Hong Kong people and believe that they would select a Chief Executive who can represent them, we believe that both the pro-establishment and pro-democratic camps would agree to select someone who is relatively neutral. That is not a problem. This is how the long-term problems in Hong Kong can be solved. Do they think their present approach can solve the problem? Can LEUNG Chun-ying do so with his way of ruling Hong Kong? Mr James TIEN spoke out for many people of Hong Kong about their heart-felt wishes and now before the incident is even over he is being punished. After having dinner with XI Jinping, the tycoons had to make some comments when

they returned to Hong Kong. How do these people in the business sector feel are only known to themselves. Everyone must feel the chill. When has Hong Kong become like this? The whole territory is now shrouded in white terror. Not only those who tell the truth are suppressed but those who keep silent, refusing to tell lies and collaborate with them, are also suppressed. We love Hong Kong and people come forth to fight for genuine universal suffrage out of this love. Otherwise, we will be like the leaders in the Mainland who make arrangements to send their children abroad. Most of the children of WEN Jiabao, WU Yaobang and XI Jinping have studied, got married and raised their family abroad. They have invested all their money in overseas countries and we do not know how many billions of dollars they have converted to American Dollars. These leaders are very smart. They will not tell you how much money they have invested overseas. They are the real "naked officials". For those who are smart, they should follow in the steps of the high officials and corrupt officials in the north because they fare the best. But people in Hong Kong are foolish. For a whole month, they stay day and night in the occupied sites, scorched by the sun and drenched by the rain, sleeping on hard ground and not having a proper meal. When they fall ill, people will only say they ask for it. Now Members do not solve the problems but propose to investigate them. What kind of logic is this? This is a truly perverse society.

If this Council remains like this and the Chief Executive continues to behave like this, that is, he has been out of sight for a month, pretending not to see or hear anything, and even colluding with ... How absurd, he is the one who has colluded with foreign forces. He accepted money from Australians. He accepted several million British Pounds from the Australians even after assuming the office of the Chief Executive. Can this not be counted as colluding with foreign forces? We feel extremely bad that we have to debate in this Council today whether to inquire into hundreds of thousands of Occupy Central participants. We hope that we can genuinely find the solution to the present problem. Hong Kong needs genuine universal suffrage instead of the distorted option offered by the NPC which shut the door on universal suffrage.

I so submit. Thank you, Deputy President.

DR KENNETH CHAN (in Cantonese): Deputy President, I speak to support Mr WONG Yuk-man's motion, and oppose the motion proposed by the Chairman

of the House Committee on behalf of the pro-establishment Members to invoke the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to inquire into the Occupy Central movement.

(THE PRESIDENT resumed the Chair)

The Government certainly has a clear stance regarding Mr WONG Yuk-man's motion as Secretary LAI Tung-kwok said that the Government opposes this motion. However, the Secretary's stance is not so clear regarding the motion proposed by the Chairman of the House Committee. Perhaps the Secretary has some reservation or he is worried that the pistol may misfire such that the inquiry covers the exercise of police powers. Hence, he is a bit evasive in his stance. In fact, if the Government is worried that the Legislative Council will examine if the policies and practices related to police powers, Occupy Central and the Government have gone over the top and become highly political, it can set up an independent Commission of Inquiry (CoI) chaired by a Judge to inquire whether the Police has abused its powers in handling the confrontations in Mong Kok. The CoI can also inquire into the incident in which seven police officers assaulted and imposed extrajudicial punishment on an unarmed protester already subdued by them in a dark corner of the Tamar Park. However, the Government dares not do so.

President, the Umbrella Movement has lasted for more than a month now. I have to thank with all my heart members the people who have stayed in Causeway Bay, Mong Kok and Admiralty. They have persisted in supporting the Movement sincerely in the hope that it will bring about genuine and democratic universal suffrage for Hong Kong, so that Hong Kong people can elect their own government. These people have been helping Hong Kong to find a solution day after day.

The Umbrella Movement clearly reflects the political awakening of students and young people and their angry response to the repeated denial of their rights. The participants have upheld the principle of struggling by peaceful means and faced all sorts of violent actions and provocations with courage and dignity. Besides, many Hong Kong people who are strangers to one another before the Movement have made selfless sacrifices, in the hope that Hong Kong will soon have a free and fair election through which people can elect a

government which will be truly accountable to them. It will no longer be a coterie government, manipulated by someone who has won 600-plus votes in the Election Committee composing of 1 200 members.

Over the last month or so, I have met many Hong Kong people in the street who have made selfless sacrifices. They are concerned whether the young people and students have sufficient food, clothing and other supplies. These people have voluntarily sent in gifts and well-wishes, and have given their care and concern to the participants. They have given the participants things that money cannot buy. These people are totally different from those who get several hundred dollars for providing services for two hours or from professional protesters who get \$1,000 for two or three hours' service. If Members have spoken with the participants in the three occupied sites, they will appreciate that these people are self-motivated and self-motivation is indeed the spirit of the Movement. That reminds me of the famous remarks of the French writer and thinker Albert CAMUS, "Don't walk behind me; I may not lead. Don't walk in front of me; I may not follow. Just walk beside me and be my friend". Many people say that the protesters cannot represent them and criticize them as a group of unorganized and disorganized people who have no leaders and do not want to be led. However, a different view is that the protesters' self-motivation, independence, sense of responsibility and commitment to perform their civic responsibilities have given the Movement strong support, and they have also safeguarded the core values of Hong Kong.

What should be the next step? I certainly do not have a crystal ball to foretell the future and I do not believe any Member present has the ability of a fortune-teller. I note that the President, Mr Jasper TSANG, said in a television interview yesterday that certain force might have to be used in clearing the occupied sites. Will clearance be effected in a peaceful or violent manner in the end? I do not know, but let us consider the question from another perspective. If violence is used, peace will not be restored and maintained because genuine peace can only come about through understanding. That is the reason why the more the Mainland wants to maintain political stability, the more unstable it has become. Does anyone want to use the same mindset of the Mainland authorities in dealing with Hong Kong people? If so, it will be a big mistake. To clear the sites by force will result in repercussions and demonstrations of an even bigger scale. The more determined a government is to maintain political stability in a place, the more unstable it will become.

Therefore, both the Hong Kong Government and the Beijing Government are trying to employ delaying and depleting tactics. Meanwhile, they will also take certain pro-active actions. Yesterday, our Honourable colleague Mr James TIEN was being purged. Some people took advantage of the situation and called the incident "stir-frying tianluo³ (mollusc)". In fact, punishing dissidents is a common tactic employed by an authoritarian regime. The purpose is to impose a deterrent effect and create white terror. It also serves to remind people who belong to the pro-establishment and pro-Communist camp not to overstep the line.

President, perhaps you have heard the saying, "The Abbot is an unforgiving man". Who is "the Abbot"? The term can refer to the Chinese Communist regime, or the President of the People's Republic of China XI Jinping, or Chief Executive LEUNG Chun-ying who is unforgiving, easily angered by humiliation, sensitive about losing face, arrogant and self-important. There are many like him in the regime. It is ludicrous that people of this privileged class are most afraid to lose the powers derived from their positions. They have not learnt to trust that the people of Hong Kong have the ability to be their own masters, nor have they accepted that it is possible for them to do so.

According to the news report yesterday, Executive Council Member Mrs Laura CHA said that as the African slaves in the United States had gone through a long struggle before obtaining their right, there was no cause for anxiety for Hong Kong people. She said that the African slaves fought for about 100 years to obtain the right to vote. The use of this example is totally absurd and it has insulted the wisdom of Hong Kong people. Hong Kong has long been ready for having genuine universal suffrage, but who are moving the goalposts? Who have all along incited and instigated such a move and refused to accept and denounced Hong Kong people's aspiration and determination to be their own masters in their fight for democracy? They are people from the pro-establishment camp. They are the ones who have refused to accept that Hong Kong people can be their own masters. Since the reunification, we have been fighting for genuine universal suffrage. In 2007 and 2008, we had dual elections by universal suffrage, and we continued to fight for genuine universal suffrage in the elections of 2012 and 2017. Now, to our surprise, some people told us to wait longer and they even questioned why we did not believe our goals

³ An allusion to Mr James TIEN.

could be achieved in the future. Their remarks of "pocket it first" infuriated many Hong Kong people who then took it to the streets. The "Boycott Classes, Continue Learning" strike began first, followed by the Occupy Central movement and then developed into the current movement in Umbrella Square. Have people not understood the reasons for this series of events?

Some people then tried to divert people's attention by smearing and suppressing others, saying that the "imperial sword" of the Legislative Council should be used to inquire whether any foreign forces or external forces have influenced, intervened or controlled the Occupy Central movement. Do Members know that when State Councillor YANG Jiechi met face to face with John KERRY, Secretary of States of the United States in a recent meeting held after the Umbrella Movement has started and continued to flourish, Mr YANG did not say to Mr KERRY, "Stop it, you Americans, leave us alone. Stop talking nonsense to mislead the people. Stop interfering. I have evidence to prove that you paid money to influence the democratic movement in Hong Kong". Mr YANG only said words to this effect, "Mr KERRY, we hope that the Americans will do things which are beneficial to Hong Kong and will not support the Occupy Central movement". That is all. According to our knowledge of the communist rulers in China, when internal affairs of the country's territory and sovereignty are glaringly and blatantly interfered with, will their representative not raise any objection? Will he not boycott the meeting? Will he not put up a political show? He did none of the above. LEUNG Chun-ying said that evidence would be provided at an appropriate time. When will that be? I certainly do not know the answer because I cannot read his mind. Furthermore, the Chinese Ambassador to the United Kingdom has not made any accusations or provided any evidence either. Like Mr YANG, he only asked the people of the United Kingdom not to support the Movement while expressing their concern. He asked them to do what would be beneficial to Hong Kong.

My Honourable colleagues, those in power are trying to divert people's attention not because they do not know the truth, but because they do not have the courage to face it. As they cannot put up with the repeated loss of face caused by what we, the students and the young people have done, they have to create white terror. They removed Mr James TIEN from the office of Hong Kong member of the National Committee of the Chinese People's Political Consultative Conference to create a deterrent effect. Certainly, they will not pardon those of us who belong to the so-called opposition camp or the people who have participated in the democratic movement. Some people say that accounts will

be settled after the incident, but I think it will happen even sooner and perhaps it is happening now.

As a member of the teaching staff of the university and as a witness of the "Boycott Classes, Continue Learning" strike which started on 22 September, the Occupy Central movement and the current Umbrella Movement, I have to say that I will not abandon the students and the young people. I will join the tens of thousands of people who have survived the pepper spray and the tear gas which endangered our safety in maintaining our stance and upholding our principles firmly.

As a legislator and a member of the public who has participated in the democratic movement over the last 30 years, I have to say that the Standing Committee of the National People's Congress has destroyed Hong Kong people's reasonable expectation of a free election by handing down its decision on 31 August; it has once again broken its promise, moved the goalposts and changed the rules of the game. Under the circumstances, if we have to achieve genuine universal suffrage without screening, if we have to establish a fair, open and just election system which will reflect the choices of the people, I should, as a Legislative Council Member from the democratic camp, negative the proposal of fake universal suffrage and boycott the second round of fake consultation on constitutional development to be conducted by the Government. Those are my responsibilities. If the Government wants to have negotiations and discussions with the people, it should show us its sincerity. Government officials should talk to the people in the square, they should have direct contact with the people, communicate and share their views with them and not hide themselves from the people by making a speech on television. They should not attack the people secretly by causing division among them. Both the Police and the public are actually victims of LEUNG Chun-ying's regime. His regime has widened the difference between the Government and the people to such an extent that it is hard to reach consensus. Everyone in Hong Kong should be aware that LEUNG Chun-ying will actually enjoy personal safety when the people are fighting against one another. I hereby call upon everyone in Hong Kong to go to Causeway Bay, Mong Kok and Admiralty to talk with the students and the young people there. Please try and understand why these peace-lovers are determined to fight for universal suffrage. Please show more understanding and care and support this democratic movement.

I so submit.

DR CHIANG LAI-WAN (in Cantonese): I would like to respond briefly to Dr Kenneth CHAN's remark about showing sincerity. In fact, we notice that the Government has already presented its sincerity, yet the participants of Occupy Central do not accept it. Is negotiation still possible?

Yesterday, when we learnt of the unexpected incident of Mr James TIEN, we were struck with surprise. Indeed, it is more than a surprise to me, for I feel a little bit sad about it. Why? For I think the incident conveys the message that constitutional reform may be stalled. If the reform is really stalled, it will be a big retrogression in the democratization of Hong Kong. And this big retrogression not only affects Hong Kong but also has far-reaching impact on the democratization agenda of the 1.3 billion people on the Mainland. This point is crystal clear. There are different views in different places. Some think that it is time for Hong Kong to implement universal suffrage while some think otherwise. Regrettably, in view of the present incident, I believe the assertion that Hong Kong is not yet ready for the implementation of universal suffrage now bears some truth. Are we mature for universal suffrage? I hope the pan-democratic camp can give some deep thoughts to this.

President, today, I would like to first discuss the motion proposed by Mr Andrew LEUNG under the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to conduct a comprehensive inquiry into the incident of the breaking out of large-scale unlawful occupation of roads. A number of Members speaking earlier, particularly Members from the opposition camp, do not support this motion, for they consider the inquiry is targeting the public as a subject of investigation. Have they examined the issue clearly? They had better not distort the fact. The motion has made it clear that the comprehensive inquiry will be conducted on the incident, a significant incident which will definitely be included in the history of Hong Kong. Why would such a great incident occur? There are many reasons and they naturally include the propriety of the Police's handling of the incident, the mobilization force behind the scene, funding sources and the involvement of external forces. We are full of doubts and suspicions. Though there is a lot of information claiming to be true, I think we want to find out the truth, do we not? If so, we should inquire into the incident with a view to putting a full stop to the case. Should we not do so? Mr LEE Cheuk-yan's earlier speech of a dozen of minutes can be regarded as a "declaration against being wronged"...

(Ms Cyd HO stood up)

PRESIDENT (in Cantonese): Ms Cyd HO, what is your point?

MS CYD HO (in Cantonese): A quorum is not present. I request a headcount under Rule 17(2) of the Rules of Procedure, particularly to summon Mr LEE Cheuk-yan to return to the Chamber to listen to Dr CHIANG Lai-wan's speech.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Dr CHIANG Lai-wan, please continue with your speech.

DR CHIANG LAI-WAN (in Cantonese): Ms Cyd HO, you called for Mr LEE Cheuk-yan to return to the Chamber, but he is still not here. Right?

PRESIDENT (in Cantonese): Dr CHIANG, please continue with your speech.

DR CHIANG LAI-WAN (in Cantonese): Despite that, I have to make a few comments, yet I will keep them short.

Mr LEE Cheuk-yan is so poor. He spent nearly 15 minutes just now telling people that "I am wronged" and "you people are wronging me every day". Of course, it is obvious to all that Mr LEE Cheuk-yan often wrongs other people, yet he does not keep scores of those cases. Now when he is queried whether he has accepted any money, he feels so aggrieved that he has to spend over 10 minutes to explain how he has been wronged. He said the fact is that he had first deposited the money into the bank, and when it was exposed to the public, he had immediately returned the money to the organization concerned. Besides, he has already explained the reason for the delay in returning the money — we will analyse this later. If so, Mr Andrew LEUNG's motion which proposes to

conduct a comprehensive inquiry will be a good proposal. We also wish to prove the innocence of Mr LEE Cheuk-yan too.

Let us get back to the point. Since Ms Cyd HO is in the Chamber, I would like to say something in this respect. In fact, the inquiry this time seeks to investigate the source of certain funds. I recall Ms HO telling others that, "It is unnecessary to conduct any investigation. What is the point of investigating the dozens of dollars spent by the public on buying a few bottles of water?" No, we are not investigating the funding sources from this perspective. Ms HO knows full well at heart what we want to investigate. The investigation targets the large-scale "dark money" incident, that is, the loads of materials shipped by trucks in a row. I will not talk too much about this.

However, I suddenly think of a point. Ms HO, you mentioned the Occupy Central incident earlier that ...

PRESIDENT (in Cantonese): Dr CHIANG, you should address the Chair.

DR CHIANG LAI-WAN (in Cantonese): All right. Ms HO said that the Occupy Central incident was mainly initiated by the public. Do you really mean it? Ms HO, do you think all the people of Hong Kong are blind? Do you think Hong Kong people are silly?

In the past two years, the Occupy Central Trio showed up on radio programmes, television programmes, news reports and newspapers every day to explain how they planned the Occupy Central movement. They went into details like people aged 40 or above might join it and those below 40 should not join it, organized signature campaigns and assigned people to different teams. They have planned this for two years. Finally, they declared loud and clear that "It's time to go to the banquet". They did say so. Do Members understand this?

Since the incident has already occurred, I think we should face it courageously instead of laying the blame at other's door. Dr KWOK Ka-ki ... He is not here again. Dr KWOK Ka-ki was so shameless to say that "all opponents of the Occupy Central movement are paid to do so". How ridiculous is he? He is insulting the wisdom of Hong Kong people.

I will not talk about other people for the time being but will read out the summary of a letter written by a businessman, KOO Ming-kown, who has declined the offer of a degree to be bestowed on him by the Hong Kong Baptist University. For this purpose, he has written a letter to Prof Albert CHAN, President and Vice-Chancellor of the University, and it is extracted to the effect that, "I would like to give my heartfelt thanks to your University for granting me an honorary doctoral degree in Business Administration. However, the recent Occupy Central movement is heart-rending. The so-called pan-democratic camp is so selfish to betray Hong Kong people by claiming to strive for bogus democracy and promoting illegal and violent acts. They act like villains, using illegal actions and violence to achieve their goals. These sordid acts of sacrificing the overall interest of Hong Kong are disgusting, heart-rending and despicable. This is dictatorship and autocracy. Their brutality demonstrates that they are the enemy of the public. They have betrayed democracy when they give no respect and hijack the rights and freedom of other people. They do not care if they are reasonable or not. They just want to have their own way and ignore the lives of others. It is ridiculous." For these reasons, he declined the offer of the doctoral degree. Hence, we support Mr Andrew LEUNG's proposal of inquiring into the incident by virtue of powers under the P&P Ordinance.

As for the Occupy Central incident, some people have pointed out that people are striving for "genuine universal suffrage" as the universal suffrage now proposed by the authorities is "bogus universal suffrage". I then used the search engines Google and Yahoo to search for the term "genuine universal suffrage". After thorough searches, I discovered that this three-word term "genuine universal suffrage" is invented by Hong Kong. When universal suffrage is mentioned elsewhere in the world, people only use the term universal suffrage. The differentiation between "genuine universal suffrage" and "bogus universal suffrage" is invented in Hong Kong. And then I searched for the definition of "genuine universal suffrage"? After a number of searches, I eventually found the origin of the definition. It came from a student organization, Scholarism, formed mainly by secondary students. Joshua WONG is one of its members and the organization is mainly led by WONG. He says that "genuine universal suffrage" mainly includes referendum, civil rights to stand for election and civil nomination. He considers this "genuine universal suffrage".

In fact, Members all know that real civil nomination is not found in any country, and most places only adopt party nomination. Which country's leaders or heads are really nominated by the general public? Why leaders with no political affiliation have been elected? Hence, civil nomination is a beautiful but deceiving picture, misleading people to think that they are striving for equality for

all. But this is a fallacy. The present option before us, that is, the constitutional reform under the framework set out by the Standing Committee of the National People's Congress, is the fairest, the most righteous and the best approach.

A few days ago, I was asked by the host at the City Forum in what way the approach was fair. At that time, I only wanted to convey the message I prepared to pass onto the public, so I did not answer his question about fairness. But I can tell him today. The approach is fair in that everyone has a vote. This is fairer than the existing practice, is it not? Some may disagree, for they are concerned about the nominating committee. Yet the balanced participation of the nominating committee is a fair practice, is it not? This cannot be denied. They cannot equate balanced participation with unfairness. It is through balanced participation and balanced views that balanced development can be attained, where economic and welfare developments will be balanced, eventually achieving a balanced outcome. I wonder if Members can say that this is an unfair approach.

However, we are not discussing this subject today, so I will not dwell on this any further. Nonetheless, I truly hope that Members will consider supporting the constitutional reform proposal to be put forth in future. Yesterday, I heard Joseph YAM, the former Chief Executive of the Hong Kong Monetary Authority, call on the participants to turn back. He said if the situation was allowed to run its course, Hong Kong would have no universal suffrage, be it genuine or bogus, ideal or realistic, or even a pragmatic one; we would have none of these.

I say it again, yesterday, when I heard that Mr James TIEN was dismissed from his position as a member of the Chinese People's Political Consultative Conference, I felt very upset, for I believe the Central Authorities are mentally prepared that there may not be universal suffrage in Hong Kong in 2017. Hence, I implore Members to turn back.

President, I will then talk about Mr WONG Yuk-man's motion, that is, to inquire into the Police's handling of the triad gangs in Mong Kok on 3 October 2014. Regarding the things that happened on 3 October, Members all know that the situation was in a total mess. Some participants of Occupy Central claimed that the triad members were sent by people opposing the Occupy Central movement to the occupied areas. Yet people opposing the Occupy Central movement claimed that the triad gangs were sent by supporters of the Occupy Central movement.

Who are the targets of our investigation, the Police, the triad gangs or the general public? After thorough consideration, I think a person who has appeared at the scene frequently before and after the incident may have a clear understanding of the incident. For this reason, we will not rule out conducting an investigation into this person. This person is found in the photo I am holding now. Can you see it clearly? Let me tell you, the person in the photo is Mr WONG Yuk-man.

Why is an investigation into him necessary? For around 3 October, many people had seen Mr WONG Yuk-man going in and out of the occupied area in Mong Kok a number of times, and he was accompanied by many members from the "gang in black". In that case, if the motion proposed by Mr WONG Yuk-man is meant to investigate him, I do not rule out that I may consider supporting his motion, but since he now requests an inquiry into the Police's handling of the incident, I consider it unnecessary.

President, lastly, I would like to talk about the remark made by Chairman of our Junior Police Officers' Association (JPOA) CHAN Cho-kwong at an event a few days ago. His remark was made on behalf of the Hong Kong Police Force. I would like to tell Members that ...

(Mr LEUNG Kwok-hung stood up)

PRESIDENT (in Cantonese): Mr LEUNG Kwok-hung, what is your point?

DR CHIANG LAI-WAN (in Cantonese): ... he said, "Today, the Hong Kong Police Force have shouldered the responsibility to protect ...

PRESIDENT (in Cantonese): Dr CHIANG Lai-wan, please pause for a while.

MR LEUNG KWOK-HUNG (in Cantonese): President, I seek an elucidation by Dr CHIANG Lai-wan, for she said, "our JPOA". Does it mean that she is a member of the JPOA? What did she mean when she used the word "our"?

PRESIDENT (in Cantonese): Mr LEUNG, this is not your turn to speak, and since you are not raising a point of order, please stop interrupting the other Member who is speaking.

MR LEUNG KWOK-HUNG (in Cantonese): I only want her to clarify this point, and she may choose not to do so.

PRESIDENT (in Cantonese): Please be seated. If you wish to seek an elucidation from Dr CHIANG about the content of her speech, you may wait till she finishes her speech to do so.

MR LEUNG KWOK-HUNG (in Cantonese): Alright, I will wait till she finishes her speech.

DR CHIANG LAI-WAN (in Cantonese): "Today, the Hong Kong Police Force shoulder the responsibility to protect the rule of law in Hong Kong and defend the cornerstone of the daily life (of the public), yet they are mocked, denigrated, insulted and attacked. Despite all these, we (exert our utmost) wholeheartedly to maintain order in Hong Kong ... We are policemen of Hong Kong. We are obliged to maintain order in Hong Kong. No matter what challenges we face, we cannot be frustrated, we can never give up ... We will brave the difficulties together to overcome this unprecedented challenge!"

(Mr LEUNG Kwok-hung indicated his request for an elucidation from Dr CHIANG Lai-wan)

PRESIDENT (in Cantonese): Dr CHIANG Lai-wan, do you wish to clarify?

MR LEUNG KWOK-HUNG (in Cantonese): She said earlier that, "... the Chairman of our JPOA ..."

PRESIDENT (in Cantonese): Your question is very clear, please be seated. Dr CHIANG Lai-wan, do you wish to clarify?

MR LEUNG KWOK-HUNG (in Cantonese): As she used the word "our", does it mean that she is a member of the association?

PRESIDENT (in Cantonese): Mr LEUNG, you have already stated your question. Dr CHIANG Lai-wan, do you wish to explain it briefly?

MR LEUNG KWOK-HUNG (in Cantonese): Dr CHIANG Lai-wan said earlier that, "... Chairman of our JPOA CHAN ...", I forgot his name. As she used the pronoun "our", is she a member of the JPOA? She should not be, am I right?

DR CHIANG LAI-WAN (in Cantonese): President, I never thought that it would be such a trivial question. Mr LEUNG Kwok-hung is a bit childish to raise such a question. We all know that policemen of Hong Kong are our policemen. If so, what is wrong to use expressions like "our policemen", "our Government" and "our President"?

PRESIDENT (in Cantonese): Dr CHIANG, please be seated. Mr Albert HO, please speak.

MR ALBERT HO (in Cantonese): President, Dr CHIANG Lai-wan has made many passionate remarks just now. But one need only listen to them clearly and one can assert that few of the points she made merit any rebuttal at all. As for what she said about LEE Cheuk-yan, I would leave it to Ms Cyd HO who is beside me to give a response later on.

However, concerning the point on liberal studies raised by her, I must say something about it because if I do not say something about it, that may be misleading to many students. Having said that, I believe most secondary students actually understand this, just that Dr CHIANG Lai-wan still does not understand it despite attending so many meetings. She said that many countries do not have civil nomination, but this is not true. Let me tell her that the two

biggest nations at present, namely, Russia and the United States, have civil nomination. There are two most famous independent candidates in the United States. One is WALLACE and the other is PEROT. Just look it up with Google search and she will find out that both of them were independent candidates. Taiwan has it too. James SOONG also ran in the election as an independent candidate recently. Therefore, do not say that there is no civil nomination. This is not true. Never say anything rashly, and as I said just now, this is what many secondary students already know.

Second, coming back to the topic of the motion, we all know that ...

DR CHIANG LAI-WAN (in Cantonese): President, is it that I can make a clarification only after he has finished and cannot do so now? Because what Mr Albert HO has said is all wrong. He did not listen to what I said. I wonder if he was again watching his iPad ...

PRESIDENT (in Cantonese): Dr CHIANG, if you think that a Member who speaks after you has misunderstood your speech, you may request making a clarification of the part of your earlier speech after that Member has finished speaking. Members please do not arbitrarily disrupt other Members while they are speaking.

Mr Albert HO, please continue with your speech.

MR ALBERT HO (in Cantonese): In fact, if we could just be more attentive, we would know that the President has repeatedly explained the relevant rule, and we should have known it.

President, today's motion is about invoking the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to inquire into a major incident, namely, the Occupy Central movement, which is still developing at this moment. The scope of today's motion covers an inquiry into the whole incident in respect of its organization and planning, funding sources, the public order problems caused by the incident, the impacts on Hong Kong, the Government's handling of the incident, and so on. Given its broad coverage and the extensive areas involved, I believe it is going to take a very long time to collect information. And in this process, it may involve many witnesses and the

making of analyses and judgments of information. This is not a big problem but I wish to ask Members this question: With regard to a very complicated political incident which involves various aspects, is it suitable for the Legislative Council as a political organization to conduct an inquiry into it? This is actually the biggest problem. I reckon such an inquiry may not be completed even after spending two years on it. But this does not matter. The biggest problem is that if the report that comes out of this in the future is full of political bias or political inferences which make people think that the report is far from objective and independent, how much value will it have? This is open to question.

Indeed, everyone is interested in studying this incident. I think the Occupy Central incident will become the topic of many doctoral dissertations in the future, and it will be the subject of many books and studies. I think many sociologists or people studying political science and history will conduct studies on this incident. But do Members think that this Legislative Council can carry out such a multi-dimensional study? I guess even if an inquiry were really conducted and if the pro-establishment camp stuck to their own mentality — I think they have many agendas, many presumptions and many subtexts behind them — the outcome would only be the pro-establishment Members taking advantage of their majority votes in the establishment and forcing the publication of a report which is only full of their interpretations. Let us not comment on whether the information in the report would be sufficient and comprehensive, because even for the same fact, they will be interpreting it through tinted glasses. I can foretell that by then, there will definitely be an alternative report prepared by the democratic camp to set out the viewpoints of the democratic camp on this incident. Therefore, with regard to this multi-dimensional, complex incident which is still developing, is this the way through which the truth can be uncovered in a relatively objective manner? In all fairness, I think this cannot be achieved. This is also the principal reason for my opposition to the motion.

Certainly, another point is that I think some Members in the pro-establishment camp intend to make use of this inquiry to summon some members of the community to this Council and then question them, based on hearsay or information that is entirely not reliable. This does not matter either, but my biggest worry and concern is that they would ultimately draw an unfair inference reflecting not the facts but purely interpretations, interpretations based on their own political bias. This is what worries me.

Of course, some people will say that the fact will remain the fact, but this is not the case in reality. Just listen to Dr CHIANG Lai-wan's inference and one

will feel gravely concerned. She said, "Are you still saying that the people have taken part in the movement on their own initiative? The Occupy Central Trio has talked about it for two years and made an appeal on television and in the press, and you are still saying that people have taken part in it on their own initiative?" President, this is their inference. With this kind of logic, we can say that anything in the world is actually manipulated, because so long as one person has talked about it or promoted it, then it may not be initiated by the people but manipulated and influenced by other people. If they would look at things in such a way and at such a level, I am worried that the outcome would become a laughing stock.

We have conducted a lot of inquiries in the Legislative Council before. Even though some people said that the Legislative Council is a political structure with different political parties and groupings and political views, we still managed to forge a consensus in quite a number of cases before. Even in respect of the inquiry into the LEUNG Chin-man incident, we were able to reach a consensus, and we were not at odds with each other in the inquiry into the airport incident, let alone the inquiries into the substandard piling works of public housing estates and the SARS outbreak as we were able to forge a certain degree of co-operation and many a time we could even forge a high degree of co-operation. Even if we sometimes had different judgments and conclusions, the scope of the inquiry was at least clear and the inquiry was often conducted on the basis of facts, and after the facts were established, it might not be easy for judgments or interpretations to be infused with political sentiments, political judgments and personal values, and this could be prevented in many cases before. However, President, this is going to happen insofar as this incident is concerned. Nothing in this world would stop Members from making their interpretations, but if we were to make use of the mechanism of the P&P Ordinance of the Legislative Council, I think this would only damage the good tradition of this mechanism which can still be maintained to a certain extent so far.

Therefore, President, under such circumstances, I think that in order to really find out the truth, we should instead adopt the approach of the so-called commission of inquiry, that is, setting up an independent investigation committee and appointing a judge plus two academics to carry out a comprehensive study in a calm, comprehensive, scientific and professional manner, and that might be a better approach. This will enable us to truly learn more from this report and more importantly, conduct some thorough soul-searching. This would be worth doing.

However, as we can now see and as we can see from this debate, some people have already asserted that certain people had received money and questioned how they could deny it. If an inquiry were conducted in the future, there would often be this situation. President, this is not easy. I am not saying that this definitely could not be done, but how can the Legislative Council eventually compile a report which is credible and generally accepted by society?

I think people who participated in this Occupy Central movement, including the Occupy Central Trio, the Hong Kong Federation of Students, Scholarism, members of political parties, my friend, Mr LEE Cheuk-yan, and so on, absolutely do not fear coming forth to take questions from Members, but the thing is, in what venue should this be arranged? Should it be done through this mechanism? I think the approach of public hearings is quite good, and then they can be invited to attend the hearings. I trust that many people will volunteer to attend the hearings, including Mr LEE Cheuk-yan. I do not know if I can give an answer on his behalf; perhaps Ms Cyd HO can answer this for him later on. I think he would be happy to have an open dialogue with Dr CHIANG Lai-wan. I think that would be good, but do not arbitrarily kick-start this mechanism which would lead to consequences that we would not wish to see.

President, as the entire incident has developed to the present state, many things are there for all to see and many facts are indisputable. The political causal relationship or other social factors leading to this incident cannot be clearer and are indisputable. These include the impact of the 31 August Decision which made it clear to the public that the Central Government had gone back on its promise of allowing Hong Kong people to have a truly meaningful Chief Executive election in 2017. Public rage was aggravated on 27 September when students who had entered the Civic Square were arrested and detained for a long time, and it was only until *habeas corpus* was granted that Joshua WONG was released. And on 28 September, the three Legislative Council Members of us and two academics were arrested because the Police wanted to cordon off Tim Mei Avenue and confiscate the audio equipment to be used in the assembly. Later, even the footbridge from Admiralty Centre was cordoned off and tear gas were fired at the crowds who were forced to pour onto the road, thus spurring the movement to "mushroom everywhere". The participants insisted on staying certainly not just out of spontaneous bouts of anger as they were outraged by the tear gas canisters fired at the people, but actually out of their extreme hatred and dissent towards the deep-rooted conflicts created by the entire system. From TUNG Chee-hwa to Donald TSANG and then to LEUNG Chun-ying, such hatred and dissent have deeply taken root in the hearts of the people.

Some people said that they had accepted a lot of money — If money could solve the problem, Grandpa should have won a sweeping victory from day one. ZHANG Xiaoming could raise so many tens of million dollars by singing a song. What a piece of cake. If money could solve the problem, they should have won a sweeping victory long ago, but this is not the case in reality. If you can go to the square and sit there for a while — even if you do not believe the spontaneity of the movement — just go and sit there for a while and you will feel the deep feelings of the young people and students towards Hong Kong. They are worried about the present developments and they feel sad about the degeneration of Hong Kong. You will feel their strong passion for democracy. Do not say anything about foreign forces anymore. Foreign forces are most clearly seen in ... Just look at how the Chinese People's Political Consultative Conference (CPPCC) can pressurize a Member of the Legislative Council who made some remarks on local affairs. They can certainly say that this is the business of the CPPCC but please bear in mind that many Members of this Council are Hong Kong Deputies to the National People's Congress (NPC Deputies) and Hong Kong members of the National Committee of the CPPCC (CPPCC members). This would be a problem. Under such pressure, how many Members can truly frankly speak their minds?

This is why Dr CHIANG Lai-wan said earlier that it was useless to be sincere and that one should be grateful for the kindness extended to him. This is what it means by being grateful for the kindness received. When you are appointed as NPC Deputies and CPPCC members — This is how I understand it — can you not feel grateful? If you do not feel grateful, then you can no longer hold your office. Members, is this foreign pressure? Of course, it is not a foreign country as it is our country, but this is exactly an instance of foreign forces putting pressure on us.

President, I oppose Mr Andrew LEUNG's motion but support Mr WONG Yuk-man's motion because the latter proposes a more specific and clearly-defined scope of inquiry, enabling us to review the various problems faced by the Police in handling this incident involving the mass public. President, on this issue, we will have many more debates in the future. Due to the limit of my speaking time today, I can only express these views. I so submit.

(Dr CHIANG Lai-wan stood up)

PRESIDENT (in Cantonese): Dr CHIANG Lai-wan, what is your point?

DR CHIANG LAI-WAN (in Cantonese): President, I wish to clarify two points. Earlier on Mr Albert HO said that when I mentioned civil nomination in my speech, I said that no one in any country can run in an election in such a way. That is wrong. I did not put it that way. What I said was that there is civil nomination in some countries, but no one can be elected President or head of government through civil nomination without any affiliation to a political party. Second, he said that I had mentioned that a person being appointed as a CPPCC member should be grateful. Sorry, he can review the recordings again. I did not say the word "grateful". He can listen to the recordings, OK? Otherwise, he should ... Forget it, he does not have to make any apology.

PRESIDENT (in Cantonese): Dr CHIANG, you have already made a brief clarification. Please sit down.

MR CHAN KIN-POR (in Cantonese): President, I oppose Mr WONG Yuk-man's motion because it merely recommends inquiring into the incident which took place on one particular day of the Occupy Central movement instead of inquiring into the cause and development of the entire incident, which, in my opinion, is inappropriate. This is the so-called "not seeing the wood for the trees" and therefore I cannot support the motion.

I support Mr Andrew LEUNG's motion because it will carry out a full inquiry into the Occupy Central incident. As explained clearly by many Members just now, the Occupy Central incident has given rise to a lot of ambiguous situations that should be investigated, so I will not repeat them. Nonetheless, I believe that many people who are watching the live broadcast may not understand fully some of our comments, so let me just give a brief explanation.

The first point is related to the problem of donations. We know that in Hong Kong, it is acceptable for political parties to openly accept donations as they also need to rely on donations to sustain their operation. What we mean by inappropriate or improper situations are those where somebody has accepted donations in his personal capacity without disclosing it, and behaved in a way that

may be considered as involving a conflict of interest. This is exactly where the problem lies. It is therefore not acceptable to say that the others and political parties can also accept donations just because someone has accepted donations in his personal capacity. Given that it is lawful for political parties to accept donations in Hong Kong, we should gain a clear idea of this concept. Nonetheless, in my opinion, the problem actually lies in the circumstance where someone has accepted donations in his personal capacity without disclosing it and, when being criticized subsequently for such acceptance, fails to provide a clear explanation.

Secondly, it is often said that opponents of Occupy Central are paid. It is possible that this problem does exist, but I believe it only accounts for a minority. Please do not assume that all people who are against Occupy Central are paid as I can tell you that if you ever go to a teahouse or go for a stroll on the street, you will notice at any time that many people are chiding the Occupy Central movement. It is because people are suffering a lot from it, such as the delay caused on one's way to work. The owner of a fruit stall which I frequently patronize would complain to me whenever we met, saying that she currently has to spend an extra 40 to 45 minutes every day on buying fruits at the Yau Ma Tei Fruit Market. As she is already in her seventies, I think that she is suffering from a great disturbance. But, television stations will probably not interview people like her. Therefore, I believe there is a large number of these people in Hong Kong.

Honourable Members, please do not underestimate other people's hatred towards Occupy Central as it has actually affected and hijacked the public. The others may not agree with this approach of fighting for one's cause and probably consider that it is safer and better to pursue it in a gradual way. However, you have bound them together for no reason, which has immediately inflicted sufferings on them. It will be even more ridiculous to say something like, "The future as well as the next few decades belong to our next generation, in which we do not have any say", as these people may live for a few more decades but you have affected their lives in the next few decades. Everyone will oppose the pursuit of democracy in such an undemocratic way now. Besides, we understand clearly that there is a large number of people who actually oppose Occupy Central which, in my estimation, at least numbers over 1 million. You should not deceive yourself as well as the others. Maybe a lot of your friends support Occupy Central but most of my friends oppose it. It is possible that we

belong to different social circles, as birds of a feather flock together, and hence we may not see the viewpoints of each other's friends. However, I sincerely hope that Members will not underestimate the number of opponents of Occupy Central nor even smear them all as getting paid.

One day, I watched an interview on YouTube, the kind of information that is constantly forwarded by others nowadays, and I remember that it was an interview of a female student from the University of Hong Kong (HKU) in Admiralty. An opponent of Occupy Central walked up to her and it seemed that Ms LI Wei-ling and Mr Martin LEE were also there. Another person immediately asked him whether he had been paid, but it was then found out that he is actually an iBanker who was just making the remarks from the bottom of his heart. It is unnecessary to, whenever you meet someone who opposes Occupy Central, ask whether he is getting paid and how much is that as this is really insulting. You cannot impute motives to the others like that and I hope everyone can be more restrained. If there are people opposing Occupy Central, you should listen to their explanation. Do not use foul language to "greet" the others, nor should you ask them how much did they get as this is not helpful to solving the problem at all.

Instead, I would like to point out that Mrs Regina IP, who mentioned just now that this is the root of the problem in Hong Kong, has made a very good point as it is exactly the case. We have to understand that all issues which take the moral high ground will then be used as excuses in the future to violate the rule of law or as excuses that allow people to violate the rule of law. I believe that occupation of roads and storming will take place regularly in Hong Kong, for which Hong Kong people should be prepared psychologically. Moreover, as the raiders have undergone the drills for Occupy Central, it is believed that they will be more organized and valiant in charging at the Police. Currently, the Police are constrained by the requirements for prosecution imposed by the Department of Justice. After arresting a person, it is possible that, without enough evidence or according to the procedures, prosecution cannot be initiated immediately, and so this creates a misconception that there will be no consequences, thus encouraging more people to follow suit. In fact, after collecting enough evidence, the Police will prosecute those people sooner or later. It will then be regarded as settling scores after the event. Since they had so much fun in storming, I believe they will not give up easily. We have to be prepared psychologically that occupation of roads and storming will take place frequently in Hong Kong and become a norm.

Furthermore, I would like to point out that the greatest damage inflicted by the Occupy Central incident on Hong Kong is its challenge of the rule of law as well as law and order of Hong Kong society. Legal academics and Members with a legal background took the lead to flout the court injunction. I think they owe society an explanation on such disrespectful act towards the spirit of the rule of law. Occupation of roads by students is in itself an unlawful act, and it has further evolved into flouting the court injunction. It is indeed astonishing to notice that some students actually said they would not obey the court order even if they would be prosecuted. In order to truly uphold the spirit of the rule of law, I believe that the public should, as stated by Mr Eric CHEUNG, Principal Lecturer in the Faculty of Law of the HKU, obey the injunction even if people have reservations about it, given that the temporary injunction has already been granted by the Court. If you do not agree with it, you can then challenge it or lodge an appeal.

Today, as some people with a legal background or those who are familiar with the legal sector have taken the lead to show disrespect for the Court, some people will certainly follow suit in the future. Over time, all cornerstones will topple over. It is therefore necessary for us to nip the problems in the bud and uphold the principle of the rule of law which cannot be sacrificed on any ground. Although the legal sector and the opposition camp have given many explanations, for the general public and investors, abiding by the law is the most important component of the rule of law.

I would like to read out the WhatsApp message sent by a member of the public to me as he hoped I can relay it to Members. He asked, "Several Legislative Council Members have openly incited the public to contravene the law, showing no respect for the law at all. May I ask why do they have the face to remain in the Council? Is it the power, money or the "interesting" process of inciting others to contravene the law while possessing the power to enact law that actually makes them stay in the Council?" I hope that, granting the opportunity, those Members can give us an explanation.

In fact, in the beginning, the Occupy Central incident may not necessarily have long-term impact on Hong Kong. Damage to the rule of law, however, will possibly cause quite a stir. My friend from a foreign-funded company told me that at first, he thought that the political environment of Hong Kong was stable and that the spirit of the rule of law would not be inferior to that of

Singapore. But he had begun to feel worried now and was anxious that his investment could not be afforded protection. We should understand that if Hong Kong no longer attaches great importance to the rule of law, there will be inconceivable consequences.

Moreover, I note that although most of the students are peaceful and rational, some organized radicals who are fully armed have actually mixed with the crowd and initiated aggressive acts constantly. They have even erected defensive facilities as if playing a war game, thus exposing the originally peaceful assembly to constant danger. Given that they have mixed with the students, the latter have become their protective umbrellas instead. Apart from those students who are peaceful and rational, who are these radicals actually? What organizations are they representing? What is their purpose of mixing with the students? I believe many people also want to know the answers. After finding out the truth, justice can also be done to the students who assemble peacefully.

Since such a large number of problems require clarification, I therefore consider that invoking the P&P Ordinance is appropriate. Thank you, President.

MR KENNETH LEUNG (in Cantonese): President, I speak in support of Mr WONG Yuk-man's motion on establishing a select committee according to the Legislative Council (Powers and Privileges) Ordinance to inquire into the Police's handling of the triad gangs' attacks on citizens rallying in Mong Kok, whereas I oppose Mr Andrew LEUNG's motion on conducting a comprehensive inquiry into the incident of the breaking out of large-scale occupation of roads. My arguments are as follows.

On the first motion moved by Mr WONG Yuk-man, just now, I heard the Secretary for Security say in his reply that an investigation was being conducted into the incident and that the Independent Police Complaints Council (IPCC) was also monitoring the investigations into these complaints by the Police. Here, I wish to make a declaration of interest: As a member of the IPCC, President, I am very disappointed and astonished by a series of political incidents that happened in the IPCC recently. In fact, I have served as a member of the IPCC for almost four years and examined more than 2 000 complaint cases in total. Of course, I have my own political aspiration and stance but I can tell Members that of the more than 2 000 cases examined by me, 95% of them were found to be

unsubstantiated. I examined each case very carefully and the great majority of friends or colleagues in the Police are professional, independent and highly efficient in carrying out the task of maintaining law and order. Unfortunately, the IPCC has recently degenerated into a venue for political rewards and political wrestlings.

Last week — President, I seldom use props but I have no alternative but to show the President a photo — last week, a photo went viral on the Internet. The caption of the photo says that Mr Kenneth LEUNG, member of the IPCC, showed someone the middle finger and demands that I resign from all my posts in the IPCC. The person in the photo is not me at all. It is also said that this person looks like Mr IP Kin-yuen but I also have to clarify that this person is not Mr IP Kin-yuen either. This is not just mud-slinging. This is downright fabrication and concoction. What kind of tactic is this? As an independent and professional committee monitoring the handling of the complaints against the Police, the IPCC has been proven over the years. I hope the Government and the Security Bureau could attach importance to the functions and powers of this organization. All of its 24 members were appointed by the Chief Executive and they come from a wide political spectrum. Obviously, there are people from the pro-establishment camp and the pan-democratic camp, as well as many independent professionals. Among them, there are doctors, lawyers, former overseas law-enforcement officers, engineers, and so on, so their backgrounds are different. However, when handling each complaint case, they would examine it independently and professionally. Certainly, the recent incidents relating to Occupy Central, anti-Occupy Central actions, yellow ribbons and blue ribbons have given rise to a lot of arguments and ruptures among members, with some people querying if there were any conflicts of interest. However, I wish to point out that the so-called conflict of interest relates to individual cases, so if you saw what happened on the scene or are the person involved, of course, you definitely cannot take part in the examination of the case concerned. Alternatively, if, after a certain case has happened, a member made some public and immediate comments on the case in question, it is also not advisable for the member to examine the case in question. This is all very clear.

I wish to say clearly to Members that in the morning of the day on which seven police officers allegedly assaulted an arrested protester, Honourable colleagues from the pan-democratic camp and I hosted a press conference to denounce the violence, so I will not take part in the examination and investigation of this case. In this connection, I have made it very clear. I hope the

Government can once again attach importance to the functions of the IPCC and make available more resources to it because at present, more than 1 300 complaint cases have already been received in relation to such incidents as Occupy Central or the Umbrella Movement but in some years, the complaints received by the IPCC for the whole year stood at only 2 100 to 2 300 cases. If it is said that all members with political inclinations cannot take part in the examination of these cases, President, I would be even happier because I do not have to do any work. But, how can the remaining a dozen or so members handle all these cases? Will the resources be increased? In fact, it is absolutely inappropriate to vet a member according to his political inclination or thinking and this is absolutely white terror. Therefore, I hope the Government can ponder over this deeply to see whether or not a balance has to be struck when appointing members to the IPCC in the future. Be it professionals who belong to the left, middle or right in the political spectrum and even independent ones, it is necessary to appoint all of them and it is imperative to strike a balance.

Moreover, I wish to respond to the comments made by Mr CHAN Kin-por in the debate on the motion of adjournment on 17 October. Mr CHAN Kin-por said that as a member of the IPCC — in fact, he is the Vice-Chairman and I do not know why a few months ago, he suddenly became the Vice-Chairman. Indeed, I have no idea why he could secure the position of the Vice-Chairman — he said he often came into contact with front-line police officers who said that there were too many representatives of the pan-democratic camp in the IPCC, so they were concerned about whether or not the complaint cases would be dealt with in a fair and impartial manner. Of the 24 members, those widely acknowledged to be Members or representatives of the pan-democratic camp — in fact, Dr Helena WONG already said so just now — consist only of Dr Helena WONG and me. Not only did Mr CHAN Kin-por fail to explain the functions or composition of the IPCC to these friends in the Police, he even agreed with the latter's view. I find this most disappointing and hope that he can clarify this matter. Otherwise, I find his remarks very, extremely regrettable because in the legislation related to the IPCC, one of the functions of the IPCC is to explain its responsibilities and social functions to the public. As the Vice-Chairman of the IPCC, why did Mr CHAN Kin-por not explain to these friends in the Police the functions and responsibilities of the IPCC but agreed that all members of the IPCC were Members of the pan-democratic camp? President, this is clearly not the truth.

Well, after talking about Mr WONG Yuk-man's motion, I wish to talk about the other motion which is moved by Mr Andrew LEUNG. The problem

with Mr Andrew LEUNG's motion lies in its very wide scope, as it proposes that a comprehensive inquiry be conducted into the incident of the breaking out of large-scale unlawful occupation of roads, including its organization and planning, funding sources, the public order and safety problems caused by the incident, the impacts on various aspects of Hong Kong — "various aspects" include the economy, public living, social situation and relations with overseas countries and I think all these are the targets of the inquiry — as well as the relationship with the Central Authorities, the relationship with Taiwan and also the Government's way of handling the incident. What does the Government's way of handling include? Not only does it include the way of handling by the Police, the decision-making process of our officials, the Chief Executive, the Chief Secretary for Administration and the Secretary for Security, the communication with the Central Authorities, it also includes all other related issues — what are "all other related issues"? Where can the line be drawn? Does it include the reasons for so many members of the public protesting on the roads? What actually are the reasons? Are social factors included? It seems this motion has included all social factors. As Mr Albert HO said just now, it is practically impossible for us to carry out this kind of an inquiry, a very, very comprehensive inquiry. Even if we were to conduct the inquiry for five or 10 years, we still would not get any result.

Moreover, let us look at Article 73 of the Basic Law, which lists the powers and functions of the Legislative Council of the SAR. I have no way of knowing whether, according to Article 73, this committee will actually look into a social movement, a political movement or an unfinished movement. It is possible that this movement may continue in various forms for a couple of years. Based on what grounds of legal principle can we establish this committee of inquiry with infinite and in my view, even indefinite, powers and scope? President, I think this is most inappropriate.

Talking about the rule of law, just now, many Members said to the President that because of this Umbrella Movement or Occupy Movement, many people have forsaken the rule of law. I wish to spend a little time on talking about what the rule of law is. The lowest level of the rule of law is the low-level understanding gained by many Members of the pro-establishment camp — Members, mind you, this is just some low-level understanding — that is, having laws to go by. I wish to tell Members a story: In the 1980s, there was a law in South Africa banning blacks and whites from sitting together in the same railway carriage. That was a law. In fact, back then, many white people would

deliberately sit with black people in the same carriage to show that the country was an equitable one. Of course, these white people, in sitting together with black people in the same carriage, violated the law and they were liable to sanctions. Did these white people lack a sense of the rule of law? Members can think about this. In fact, the rule of law is not as simple as having laws to go by. I wish to talk about several important factors of the rule of law mentioned by a former judge of the United Kingdom, Lord BINGHAM again, even though this may sound trite. Here, I am going to talk about four of them. Apart from the very low level of the rule of law of having laws to go by, in fact, he also said that "The law must be accessible ... intelligible, clear and predictable", that is, there must be laws for us to follow and the law must be clear and predictable. I believe the laws of Hong Kong nowadays should be able to meet this requirement for now.

The second point is "Questions of ... right and liability should ... be resolved by application of the law and not by the exercise of discretion". Those in power cannot determine an individual's rights and responsibilities by discretion, that is, if he says that something is right, it is right and if he says that something is wrong, it is wrong. This is very clear and such discretion can only be exercised by independent judges.

Concerning the third point of the rule of law, "The law should apply equally to all ...", everyone is equal before the law. This is very simple. Be it yellow ribbons, blue ribbons, people supporting Occupy Central or people opposing Occupy Central, they are all equal before the law.

The fourth point, and also a very important point, is that "Ministers and public officers must exercise the powers in good faith, for the purpose for which the powers were conferred ...". When people in power or our Directors of Bureau implement certain policies, they absolutely must have integrity and act for the sake of the matter concerned rather for some other purposes. Obviously, if some people say that they know what the legal consequences are and they are adults, yet they still want to do a certain thing, of course, this is a kind of unlawful action but is there any serious impact on the rule of law? After Members have heard the several foregoing points, they would know that there is actually no impact.

I also wish to talk about two points in brief and they are also very important, that is, "The law must afford adequate protection of fundamental human rights". That means the law must protect fundamental human rights,

including the freedom of speech, the freedom of assembly and the freedom of thought. These are fundamental human rights and no one should be subjected to maltreatment either. These factors constitute the rule of law, rather than the simple assertion that there are laws to go by and that the law must always be followed.

President, I so submit.

MR CHARLES PETER MOK (in Cantonese): President, I have heard the speeches of many pro-establishment Members here today. Truly what I have is not anger but only disappointment and worries. It is because if the powerful and privileged political parties of the pro-establishment camp which carry "Beijing's ears" can only discuss social problems with us at such a level and exercise their public power in the Legislative Council as Members at such a level, I cannot help but feel more worried about the future of Hong Kong.

In the Legislative Council, as the minority camp, we all along hope to invoke the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to investigate matters of public concern and significant public interest, about which the Government refuses to provide information and hand out the truth. But every time we are impeded by the pro-establishment camp. However, today the pro-establishment camp actually proposes to draw this "imperial sword" to investigate the organization, planning and source of funding of Occupy Central, invoking our public power to investigate citizens. The majority camp uses the power of the Council to attack their political opponents and even a spontaneous movement initiated by the people. It turns out that the "imperial sword" can be used to attack the people, but not to be used against the Government.

Mr Ronny TONG mentioned earlier — what he said is indeed most correct — the basic function of the Legislative Council is to monitor the Government, which is stipulated in the Basic Law. The Legislative Council is not to monitor the people but to be answerable to the people and not inflict white terror on them, so as to scare them such that they are afraid of taking to the streets to exercise their rights conferred on them by the Basic Law, afraid of supporting or participating in movements to fight for democracy and universal suffrage and afraid of making donations to organizations that advocate democracy and universal suffrage. President, if an offense is committed, no matter it is civil disobedience or not, why is it not the job of the Police or other law-enforcement

departments to initiate investigations and prosecutions and then the Court to make a ruling? Should the Legislative Council do so, it is indeed *ultra vires*, abuse of its power and effecting political persecution.

President, after hearing several pro-establishment Members speak this morning, I feel obliged to respond. Facing this mass movement initiated by the people to fight for a fair and just system of universal suffrage, this gang of pro-establishment Members do not find a solution for everyone, but only make accusations against the Occupy Central groups, pan-democratic political parties and external forces. And then they tell the protesters, "You just have to retreat. Just go home." Is it really that simple? Will the problem be solved just by that? Or the pro-establishment camp does not genuinely want to solve the problem, for they want to make good use of this opportunity to make the maximum political gains. Today, many Members have mentioned external forces. So far what has been put on the table are only very far-fetched circumstantial evidence, as well as Mr WONG Kwok-hing's "bible" — all in all, its contents are all correct. LEUNG Chun-ying also said they have evidence which will be presented when necessary. A casual remark of yours can be regarded as evidence?

Actually if you want evidence you can definitely find it on the Internet, as much as you want, and as long as you want to believe. So far I have seen mainly two pieces of evidence: one is that TV interview, the other is the so-called American think-tank named Land Destroyer which I will focus on. I believe anyone who has some sort of an outlook on the world will laugh at seeing it. But I just cannot laugh. They like to quote Land Destroyer, this so-called American think-tank. The name American think-tank seems to just sound awesome and superb. Why does the pro-establishment camp worship something foreign so much? You just need to do some checks and look clearly to find out that it is only formed by a few people with mainly one writer, who is an American living in Thailand. That is all. And he dares claim himself a think-tank. He only has one website and one blog. It is completely unknown what he has done. However in this past couple of weeks this American living in Thailand wrote an article, suggesting that the National Endowment for Democracy (NED) has funded the so-and-so of Occupy Central and has met with Anson CHAN and Martin LEE. Honestly many people have met them and they have met so many people too. But this so-called think-tank which is formed by a few people only quoted an open seminar, which has been uploaded onto the Internet with videos for viewing. May I ask what collusion can there be? More importantly, this so-called NED does receive part of its funding from the United States Government but its sponsored projects all aim to promote such

ideas as stronger governance and protection of human rights, as well as organizing public events and seminars. What is it similar to? It is most similar to the Confucius Institute in our Motherland, which is an international non-profit-making organization directly under the Ministry of Education for the promotion of Chinese culture and values and organization of educational programmes and seminars. Indeed, the Confucius Institute is more closely affiliated to the Chinese Government than the NED to the United States Government. So what? The NED have stated clearly they funded 1 400 projects in more than 90 countries in a year, including China. Members can look up relevant information online. For example, in one year, they provided China with US\$5.74 million and the total funding they spent in Hong Kong in the same period was only US\$370 000. If these are not allowed and illegal and represent the intervention of external forces, how could these organizations in China receive the so-called *de facto* huge funding? It was some US\$5 million, which was of course not used on the same project, probably on a few hundred projects.

In a nutshell, what is most laughable is when leftist newspapers found such so-called evidence online they felt like they have hit the jackpot and had to put this on the frontpage. Then the pro-establishment Members also felt they have hit the jackpot and took it as gospel. No wonder I revisited the Land Destroyer website to find that this topic has been penned over and again with a lot of hype. Though there has not been any new information but I assume this American in Thailand has never attracted so much attention that of course he had to write a few more articles. How could he not make good use of this opportunity? Just like the pro-establishment Members, how could they not make good use of the opportunity to attack their political opponents when it is presented before them. However, I believe we cannot underestimate the wisdom of the people of Hong Kong. They are discerning.

This morning, I also took the opportunity to do an online search: "Obama is a communist". To my surprise, I found quite a number of websites providing a lot of articles and information. Then I think, "Does it mean the US Government should investigate the President too? Or the Chinese Government and CPC should rest assured for according to the data online the American President is indeed one of their number."

I often teach students that when they look for information on the Internet they must verify and not trust everything and analyse the sources. I believe many students who are now staying at the square and busy studying know more about this aspect than the pro-establishment Members.

Talking about external forces, this morning Mrs Regina IP equated the movement at the square with revolutions in other countries. What she said is actually not entirely wrong because this pattern of movement involving occupation and the use of network and mobile phones to share and broadcast information is indeed seen all over the world. However, it does not suggest that citizens employing this means to fight for their rights and engage in movements for justice are all intent on overthrowing the government. The most well-known Occupy Wall Street began in New York and spread across the whole United States and then the world. Was it about overthrowing the United States Government? Was it about overthrowing all the governments in the world? Right, we have said we really want LEUNG Chun-ying to step down but we did not say we wanted to overthrow this Government. It is just because he has failed his job. It is just because citizens have made requests for electing the Chief Executive in 2017 by universal suffrage and even electing the Legislative Council in and after 2016 by universal suffrage. Students and the Hong Kong Federation of Students even presented a humble submission to Chairman XI Jinping, fully recognizing Chinese sovereignty over Hong Kong. But the Central Authorities have not yet given a reply. President, are we not allowed to demand LEUNG Chun-ying to step down? President, I need to make a declaration. I truly am not a member of the National Committee of the Chinese People's Political Consultative Conference. Does it mean the others who are not such members like us do not even enjoy a little freedom of speech?

Mrs Regina IP mentioned in her speech that as protesters used the technology applications of social platforms and media like Twitter, WhatsApp, Telegram, FireChat and even Google Map, it seemed they are reduced to criminals and even a revolution pattern of overthrowing the Government. So many people in Hong Kong and even the whole world are using these tools every day, including government officials. Do we all need to do some self-reflection? It is very queer indeed. Yesterday, the pro-establishment Members voted with such enthusiasm with me in favour of the setting-up of the Innovation and Technology Bureau. But I have all along been keenly aware that my reasons for supporting the motion were different from theirs. They supported the motion because they had to support LEUNG Chun-ying; I supported it because I support technology. Only when more and more people understand and use technology will they defend technology and Internet freedom. This technological trend is unstoppable. Technology will bring a more democratic, open and freer world. No wonder people trying to block this trend are so afraid of seeing the young generation so adept at using technology to strive for the social justice they want.

President, Mr WONG Kwok-hing quoted newspapers such as the *Wen Wei Po* which received an accusation from a so-called netizen yesterday. I have to give a response here. They said the 622 Civil Referendum has inflated its figures by nearly 20%. I will make a brief clarification. According to my understanding after approaching the Public Opinion Programme at the University of Hong Kong (HKU POP), the HKU POP has not received any report from the telecommunications company, so such news report which claimed that there were only some 600 000 verification SMSes is not verified. On the other hand, the HKU POP has definitely received over 900 000 connection requests. The news report also stated that HKU POP has "accurately" predicted there would be 800 000 votes. This is also a slanderous accusation as 800 000 was the assumption of the maximum capacity at the time of system design back in 2013. And honestly, is it a sin to have guessed it right? As a matter of fact, it turned out to have more than 700 000 electronic votes, which in terms of the design of an information technology system, was wrong and undesirable to max out the design maximum capacity when our prediction was 700 000 votes. We absolutely underestimated the actual circumstances. In the end, there were close to 800 000 people who voted, way beyond our expectation.

Another thing which is even more interesting is Dr CHIANG Lai-wan's remark that she had searched "genuine universal suffrage" (真普選) on the Google search engine of the American imperialist and got hits all from Hong Kong, so "genuine universal suffrage" is only a Hong Kong invention. Well, the local data will be first listed depending on where you use the search engine. You run your search in Hong Kong so results from Hong Kong will be given first. And come on, she used Chinese! Also, I would like to ask the party comrades of Dr CHIANG to tell her she can try searching "genuine democracy", "real democracy" or even "true democracy" in English all right? Then she will find that "genuine democracy" is not a Hong Kong invention, all right?

President, in these past few weeks, I have seen many friends getting very worried about what to do as the occupation action continues. As an elected representative of the people, though I am from a functional constituency, I wish to change and abolish the functional constituencies just like others. Like Members returned by direct elections, I have a duty to face all citizens and solve their problems, instead of pointing the finger at each other here and adding fuel to fire.

Is Autumn a good time to settle scores? But they only target Occupy Central. Will it do any good? The media have made it clear that the crowd staying at the square refuses to heed the Occupy Central Trio. They all said there is no leading party, but only the masses. Will an investigation resolve this crisis? Should all the "village heads", "villagers" and the crowd in the square be investigated? Is this not a terrorist approach which abuses the power of the Legislative Council?

What I think the pro-establishment camp should do is to bring LEUNG Chun-ying whom they support the most to the square for an open dialogue with the crowd to resolve this crisis. Then I am sure the people of Hong Kong, supporters of Occupy Central and its opponents will certainly be very grateful to them. But they chose only to hide inside the Legislative Council Complex instead and request an investigation into the people who are fighting for genuine universal suffrage as much as we want and suppress us pan-democrats who have more votes but fewer seats than them for political purposes and interests.

President, I implore all pro-establishment Members not to create further internal strife in Hong Kong through Mr Andrew LEUNG's motion and disregard the life and death of Hong Kong, and not to care only about saying pleasant words to the Central Authorities and the HKSAR Government. For the masses in Hong Kong who support the occupation movement and the opponents of the movement, please do what you should do as a Member of the Legislative Council, that is, to address squarely the crisis triggered by the 31 August Decision of the Standing Committee of the National People's Congress, rather than turning a blind eye to it and partaking in such an inquiry under the P&P Ordinance, a so-called witch-hunt in English, to divide and tear apart Hong Kong even more.

President, I oppose the motion proposed by Mr Andrew LEUNG but support the motion proposed by Mr WONG Yuk-man. Thank you.

MR JEFFREY LAM (in Cantonese): President, I appreciate very much the remark made by Mr Charles Peter MOK, that we should come up with solutions instead of blaming one another. However, he kept blaming others throughout his speech, and that is the so-called "preaching one thing but doing quite another".

President, the Occupy Central action has so far been going on for more than one month. It has substantially affected people's work, life and travel. And much to our sorrow, the divergent views on the Occupy incident has in many cases led to a breakdown of relationships among family members and friends, tense police-public relations and heightened antagonism among people. If this movement does not come to an end as early as possible, I am afraid it will affect the development of Hong Kong and undermine the well-being of local people. The majority of people have clearly indicated their wish to restore normal social order. Recently, more than a million people have put down their signatures to call for an early end to the Occupy activity, and the relevant figure is still rising. Of course, Mr Charles Peter MOK has a different view on figures. I believe he will outperform Bill GATES in terms of achievement if he knows that much about information technology. Let us wait and see.

This Occupy action was gestated and developed not purely out of the disputes over constitutional reform and universal suffrage. Rather, it is a movement which violates the laws of Hong Kong, challenges the bottom line of the rule of law, disrupts social order and tear apart relationships in society. Regarding the motive behind the incident, is it purely an expression of views on the implementation of universal suffrage for the election of the Chief Executive, an opposition for the sake of opposition in order to confront the Government, or a challenge to the principle of "one country, two systems"?

President, we often hear people say that international competition in the 21st century is a contest of consolidated power. Apart from a race of financial strength and hardware like military power and national defence, in today's international community, it is not uncommon to see the use of cultural infiltration or support for agents to plot a variety of movements or even the so-called revolutions to intensify the internal conflicts among people of rival countries, or interfere with the domestic affairs of other countries. Behind this Occupy movement which has been going on for more than one month in Hong Kong, is there any involvement of foreign forces? Is there any funding support? And who are the advisers behind it? President, you stated yesterday, you had yet found any hint of foreign involvement for the time being. For this reason, it is the wish of many people in Hong Kong to launch an inquiry to prove your view.

Perhaps, a number of people who have participated in this movement believe everything they have seen and heard, and they are full of confidence in

their judgment. Also, they just cannot care less about the motive behind the incident, convinced that they will not be incited by others. Nevertheless, you cannot deny the existence of such issues even if you shut your eyes and ears, or refuse to believe, question or look into them. They are not as simple as they look on the surface. The public wish to get a full picture of the movement, and pursue the threads to learn about the motives behind it by means of an inquiry.

President, the whole Occupy action is unlawful. It has affected various aspects of society, and the ability of organization and mobilization demonstrated is beyond imagination. For this reason, I call on everyone to, while restoring the normal social order of Hong Kong as early as possible, find out the causes and evolution of this movement from multiple angles, and determine whether it involves funding support, organization and instigation from foreign forces. Furthermore, I also wish to conduct a comprehensive review of issues such as the impacts on and loss in various aspects of Hong Kong caused by this movement, the relevant safety problems and the Government's handling of the incident through a select committee. For this reason, in the meeting of the House Committee dated 10 October, I advised the Legislative Council to authorize a select committee to look into this incident.

President, after I have put forward the recommendation, some Members expressed their reservation about it. Let me briefly consolidate several points raised by them. First, as the function of the Legislative Council is to monitor the Government, it should not inquire into a civil movement. Earlier on, Mr Charles Peter MOK even mentioned something additional such as investigating members of the public, which was not found in the documents. It is just his own fabrication to mislead the public. Second, once an inquiry is launched, the freedom of speech, assembly and demonstration in Hong Kong will be impaired. Third, the operability is too low.

I will give a consolidated response to the above points. First, under Article 73(6) and (10) of the Basic Law, apart from monitoring the Government, the functions exercisable by the Legislative Council include debating any issue concerning public interests, and summoning, as required when exercising the abovementioned powers and functions, persons concerned to testify or give evidence. The Occupy action has so far been going on for more than one month. In Admiralty, Causeway Bay and Mong Kok, how many people have had their life affected? How many shops have suffered a loss of business? And how

many professional drivers and road users have had their rights jeopardized? May I ask whether these can be regarded as issues concerning public interests? The invocation of the Legislative Council (Powers and Privileges) Ordinance to launch an inquiry precisely manifests the functions to be exercised by the Legislative Council under Article 73(10) of the Basic Law.

Second, the Basic Law fully protects people's freedom of speech, assembly, procession and demonstration. However, such freedom is endowed by the law, and established by virtue of the law and on the basis of respect for the rule of law. Also, such freedom of assembly is premised on the absence of impact on the rights enjoyed by others. This morning, some Members mentioned that this incident did not warrant any inquiry given the established regulation in Hong Kong. In fact, the reason why an inquiry is warranted is that some people deliberately defy the law. Even though some of them are members of the legal profession, they have turned a blind eye and a deaf ear to the injunction issued by the Court, and are reluctant to leave. The rule of law is a core value of Hong Kong. Now, some people blatantly defy the law, and some members of the legal profession even knowingly break the law by blatantly disobeying the court order. The situation really worries us much. Even though they are hoisting the banner of civil disobedience, they cannot conceal the fact that they have broken the law. In a society where the rule of law is not upheld, how are we going to live a secure life?

Besides, on the issues of public spontaneity and operability, I wish to point out that the Legislative Council has once conducted an inquiry into the Lehman Brothers Incident lasting more than three years. At that time, I was one of the members of the subcommittee. We did not look into every single case, nor did we strive for compensation for any case in particular. Instead, we just looked into the practice of the banks in general. Therefore, I believe the select committee and Members will be discerning enough to determine the relevant scope of inquiry.

In addition, as I said in my earlier remarks, the scope of inquiry should cover the public order and safety problems caused by the Occupy action, the impacts on various aspects of Hong Kong and the Government's handling of the incident. If some Members think that this is a totally community-driven action without any scheming or organization in the complete absence of funding support, then they should have nothing to fear, nor should they oppose this inquiry. I agree that some members of the public participate in it of their own volition. They have come forward in order to voice their views on how to

implement universal suffrage and make Hong Kong a better place. But I cannot subscribe to the view that all of the participants do so of their own volition without any plotters or parties behind the scene who make use of the situation to stir up conflicts and create troubles.

President, I still remember that in the meeting of the Panel on Security on Monday, the Government played several video clips of Occupy protesters charging the police cordon line. On the scene, some people kept yelling "Press on, press on and press on", as well as "Put on goggles. Those at the rear, go forward.". May I ask whether these are schemed and organized actions? If they are not, then what should a schemed action be like? What is an organized action? President, this is what we observe on the surface. I believe that if we wish to know whether there is any plot or involvement by any other force or organization behind the scene, only an inquiry will serve the purpose.

President, from the footage played on that day, we saw that a large number of protesters not only charged the police cordons, but also kept pouring verbal abuses and scorn on police officers. Many of the terms used are extremely insulting to virtually anyone, and may even amount to malicious and heartless remarks. Nevertheless, as witnessed by us, the Police, especially front-line police officers, still displayed a high level of professionalism despite the provocation and verbal abuses. I hereby express my gratitude to the Police for their strenuous effort in maintaining law and order, and contribution to reduce conflicts.

President, some colleagues often talk about "resolving political issues by political means". I agree to this point, but politics is the art of "compromise" instead of "holding one to ransom". If they always resort to holding the Government to ransom in order to get what they fight for, it will not be acceptable to me, and I believe it will not be acceptable to the public either. The organizers of the Occupy action kicked off their planning and preparatory work in 2013, aiming to coerce others into accepting their proposals by such a movement. According to them, they must have their voice heard by means of civil disobedience. And initially, they proposed that adult professionals should be the backbone of the movement, and that every participant of Occupy Central must sign a letter of intent beforehand. Earlier on, they also indicated their wish to minimize the social and economic impacts of the movement, and in the event of chaos, they would dissolve the movement instantly.

We have seen the huge banner that reads "Never forget your original intention" in the occupied area. I hope that the relevant parties can recall that they have put down such words to remind them of their original intention. But now, what I see is that the relevant parties keep "moving the goalposts". Their decisions and demands change frequently. In a week, they have changed their mind several times. At one moment they talked about resumption of teaching duties as they have reached their own limit and at another, they indicated their intention to turn themselves in to the Police, but this latter act should be in keeping with the overall development of the movement. What I see is that they are not only indecisive, trapped in an impasse and irresponsible, but also show no commitment to addressing the incident.

President, as regards the implementation of universal suffrage, a hundred people may have a hundred views. Your opinion may not represent my stance, and there is no proposal that can please all. But we are taking a step from nothing towards universal suffrage. We should seek a practical and feasible way to take this step in a secure manner. I am concerned that if some people ask for too much and expect things to happen overnight, it will be hard to arrive at a consensus. In fact, the platform for dialogue is always there. Only that some people refuse a dialogue, and then assume an overbearing manner in order to deter others from engaging in any dialogue. In the fight for democracy, we just cannot expect instant success, and no one should have "all the say". This Occupy movement has certainly turned the situation of Hong Kong into a stalemate and ripped the community apart. In fact, the conflicts and misunderstandings are very often attributed to a lack of communication and the hostility and bias exhibited by people, which is not a situation welcome by Hong Kong people.

I believe that in order to resolve the current situation, a full investigation and an open presentation of facts are conducive to the elimination of misunderstandings and candid communication. However, I really hope that before the start of an inquiry or any conclusion is reached, the occupiers can peacefully leave the roads currently occupied by them, so that the life of Hong Kong people can resume normal. Now, harm is done to our economy and the life of the public in various aspects. It is a very high price paid.

Now, Singapore is most delighted because those who originally intended to invest in Hong Kong are keeping an eye on the development of the incident. In the meantime, Singapore is enthusiastically rolling out a red carpet for these

potential investors. If there is any impact on our investment and living environment in the future, who should we blame? We do not wish to blame anyone, but we just cannot shift all the blame to society. People with ideals can express themselves and communicate with others in a peaceful and rational way, and they should not always resort to misleading tactics and violence.

Thank you, President. I so submit.

MR CHAN HAN-PAN (in Cantonese): President, Mr Charles Peter MOK seemed to be looking down on the Land Destroyer just now with his call for others not to believe what it said for the reason that its writer is an American living in Thailand. If he tells us not to believe in the words of an American who resides in Thailand, then why should he believe in the words of EINSTEIN, a Jew in the United States? Before deciding whether or not we should believe in anything, we should look carefully into the matter first. So, what was his logic?

When I spoke in this Council last week, I expressed strong hopes for the pan-democratic Members to call on the protesters to retreat expeditiously. But they turned out to redouble their efforts by dealing more blows to Hong Kong. After a week of thinking, I found that both my friends and I have failed to mull over this matter in a detailed manner, for we have overlooked the fact that some pan-democratic Members can in essence be described with a single word — "opposition". They oppose everything, from the economy to the rule of law, peace, intelligence, China, democracy, people's livelihood, and everything else. Occupy Central is the only thing they will not oppose. Their anti-social behaviour reflects that they always believe that they are standing on moral high ground and regard themselves as warriors, gods or goddesses championing democracy. Some of them are so eager to transform into pro-democracy martyrs that they are even prepared to sacrifice the interest of the public at large. From a more detached point of view, their behaviour is actually most frivolous and unruly.

As the ancient saying goes, "a person's virtue is not commensurate with his position; a person's achievement is not commensurate with his pay". Members should make contribution to society and tender advice to the powers-that-be. They should reflect on themselves whether or not they are fit to be Members of this Council if everything they do will only pose hazards to everyone and everything, including society.

The pan-democrats have compared the Occupy Central incident to the civil disobedience movements organized by GANDHI or Martin Luther KING who are regarded as their role models in staging non-cooperation movements, class boycotts, strikes and other boycotts. But in essence, their occupation movement is nothing but a political farce that ruins Hong Kong. In my speech on the last occasion, I quoted an article written by Ms WAT Wing-yin from the media industry. I am pleased that Hong Kong still has a group of people in the cultural sector who write to reflect their keen observations and know how to distinguish between right and wrong, upholding Hong Kong's integrity and conscience with their pens. This time around, I would like to quote from an article by CHAN Wing-chu (陳穎柱), another member of the media industry, in which he quoted Mahatma GANDHI's saying that civil disobedience should be marked by nine distinct features. Since time is running out, I will not set them out *seriatim* here. I will only raise two of them for discussion.

First, no one is allowed to hurt anyone in peaceful civil disobedience movements. In the event of an attack launched against public officers, participants of the movements should risk their own lives to protect the safety of the public officers. However, we could see on the television screen that quite a number of protesters in this occupation movement charged the police cordon line. Even if pepper spray was used by police officers, the protesters continued to charge forward all the same. These pictures could not be denied. Could it be described as a civil disobedience movement advocating love and peace? Even GANDHI would find himself between tears and laughter if he were still alive.

Second, participants of civil disobedience movements should co-operate with the law-enforcement officers making arrests without putting up any resistance. However, did Members see other Occupy Central protesters co-operate, as Mahatma GANDHI said, with the police efforts during the arrest of a trouble-maker by three police officers? Not only did they fail to do so, but they, on the contrary, besieged the police officers and continued to shout to this effect, "Set him free! Set him free!" Some people even besieged the police station blatantly. I think it was just an act of deceiving oneself as well as others if these people were regarded as co-operating with the Police. It is difficult to convince others that this civil disobedience movement is rational.

In my opinion, unlike leaders of this occupation movement who use double standards in a capricious manner, both GANDHI and Martin Luther KING had a lofty idea, knowing when to go on or retreat. In fact, the initiators of the

movement are exploiting the youth of students and the livelihood of the public as political chips in a well-planned and organized manner in disregard of the voices of several million Hong Kong people and going ahead with their plan despite opposition. I can only express my sincere regrets about this.

Recently there have been frequent revelations of many hidden secrets behind the occupation movement, such as the sponsoring of opinion surveys for the purpose of "inflating figures", the acceptance of overseas donations, the failure to make declarations after receiving donations, the pocketing of donations, and the dispatch of people abroad to receive training. In short, more and more stingy revelations have been made. If no investigation is conducted to look into the origin of this evil power, I worry that someone will be sent abroad to receive terrorist training.

Hence, I greatly support the proposal put forward by Mr Andrew LEUNG to invoke the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) and form a select committee to inquire into this incident thoroughly. I also hope that the "imperial sword" could be deployed and used as a "demon detector" to pick out those people at fault clearly.

In the debate today, I find it most laughable that Mr Gary FAN said that the P&P Ordinance ought to be invoked to investigate and monitor the Government, not to investigate members of the public. But what comments did he make on incidents involving the Digital Broadcasting Corporation and LI Wei-ling? He has actually acted in a capricious manner. Honestly, a "demon detector" is used for the purpose of picking out those bogeymen. Those who are not bogeymen simply need not worry. As the saying goes, "A gentleman has no secret agenda; a villain is narrow-minded". There is simply no cause for concern should the pan-democratic Members really have not colluded with foreign powers or received secret donations.

Yesterday, Mr LEUNG Kwok-hung made a clarification in this Council soon after receiving a letter handed to him. Actually, there was simply no need for him to make such a hasty clarification should he have no fear and nothing to hide. However, I would like to remind him to be mindful of a Freudian slip. The pan-democratic Members often carry the spirit of the rule of law on their lips. They are actually "crying up wine but selling vinegar". Today, we are witnessing their blatant challenge to Hong Kong's core values. The rule of law is regarded as worthless by these people who also claim themselves to be

upholding the rule of law. Today, we heard Mr WONG Yuk-man accuse police officers of "letting go" anti-Occupy Central protesters. But the point is that he has violated the law by persuading young people to defy the injunction order and telling them not to leave. I feel very sorry that Mr Albert HO as a legislator and a lawyer has even abetted the occupiers as to how to defy the injunction order. Does he feel ashamed actually? In this incident, I think that police officers are attacked on both sides, but they still show their dedication. Their lofty integrity merits our admiration. I oppose Mr WONG Yuk-man's bid to invoke the P&P Ordinance to investigate police officers because he is going too far in bullying others.

Furthermore, an academic in law has publicly taught protesters how to defy the injunction order. Judicial independence indeed has a lofty status. In the past, members of the public in Hong Kong or abroad would not dare to challenge the Judiciary however dissatisfied they were with the executive or the legislature. The rule of law is now rendered void as a result of the opening of the Pandora's Box by pan-democratic Members or initiators of the Occupy Central movement this time around. Several weeks ago, shortly after the attempt by some members of the public to block its entrance, the *Apple Daily's* office applied to court for an injunction order to require the protesters to leave expeditiously, or else they would be regarded as in contempt of court. At that time, Members made an appeal loudly, lashing out at those people's wrongdoings. However, when an injunction order was issued against the protesters in Admiralty and Mong Kok several weeks later, these Members refrained from calling on the participants of the rally to leave, as if they were suffering from amnesia. Why did they act in such a capricious manner? The act of teaching people to flout the law blatantly is actually most despicable. As the saying goes, "Rome was not built in one day, but it could collapse overnight". There is also a Chinese saying that "it takes three years to learn to be a good person, but it takes only three days to turn bad".

Ms Claudia MO said just now that Hong Kong was so poor that only this and that was left. If it goes on like this, Hong Kong will be left without the rule of law and economic activities. By then, would Hong Kong be so poor that only the democracy mentioned by Members was left? Perhaps this is the wish of some Members, but this is not what we want.

During the month-long occupation, small business operators and the ordinary masses in the occupied zones have suffered the most. Many traders have told us — Members can also see it on the television — their business is very

poor and they are afraid that they cannot keep their operation afloat for long. Regarding the intention indicated by the Occupy Central Trio to turn themselves in, of course, they might be held criminally liable or sentenced to imprisonment should they do so, but they will still be provided with meals in jail. But insofar as these innocent small business operators are concerned, their shops might have to be closed down due to poor business, and they might go bankrupt anytime. How can they make ends meet after going bankrupt? How can Members do justice to them, their families and the fruits of their painstaking labour? Members should feel sorry if they have any conscience.

The black human rights champion of South Africa, Nelson MANDELA, is most respected for his forgiveness. Despite having been bullied by the white people for decades, he still forgave them in the end without any retaliation. We should learn from this spirit of his. Hence, I hope the initiators of the Occupy Central can properly examine the situation, consider seriously the rights and wrongs, and refrain from leading the masses into a dead end. I believe they can still rein in if they want to. Given that the incident has been lingering on for such a long time, it is time to bring it to an end. I hope they can announce the termination of the Occupy Central movement within 24 hours. In that case, at least I personally will forgive them for their deeds. Whether or not they will turn themselves in does not matter to me, but if they resort to incessant procrastination and destroy Hong Kong's foundation completely, Hong Kong people and I will treat them as our enemies.

With these remarks, President, I oppose Mr WONG Yuk-man's motion but support Mr Andrew LEUNG's motion.

MS EMILY LAU (in Cantonese): President, I speak against the motion moved by Mr Andrew LEUNG to invoke the Legislative Council (Powers and Privileges) Ordinance to investigate the Umbrella Movement.

President, today is the 33rd day of the Umbrella Movement and if you happen to see someone who has visited other places, irrespective of it being the Mainland or other countries or cities overseas, that person may tell you that when he or she met a local and if that person knew that you were from Hong Kong, and no matter you were a teenager or someone older, the first question you were asked was about the Umbrella Movement. I have even heard some people from

the Mainland ask this question. First, they know about what is happening. Second, they are very much supportive of it. So I will say once again today that this is a magnificent democratic movement. All along I have been supportive of this movement. And at that time I put down my signature on a document testifying my intention. I am for peace, reason and non-violence. And so I will oppose any act of violence. Some members of the public asked me if that was true. I replied that I had said it. Maybe my remarks were not reported and so members of the public are not clear about them. Today I wish to say once again through this debate in the Legislative Council that all along I am for peaceful, rational and non-violent struggles. I have also said that you cannot win if you use violence. How can you resist the bullets from the Police or the tanks from the People's Liberation Army? Every time when I talk about this, I will say that we do not want the Tiananmen incident of 1989 to happen in Hong Kong again. I also believe that all the people of Hong Kong, including officials of the SAR Government, will not want to see a recurrence of the Tiananmen massacre in the squares of Hong Kong. So I wish to appeal to the crowd in the demonstrations that they must act in a peaceful, rational and non-violent manner.

President, Mr Andrew LEUNG said in moving his motion that many citizens felt uneasy, and this applies both to those who support or oppose the Umbrella Movement. Our society is deeply divided. This I know very well. I do not want to see it. We therefore all hope that we can get out of this impasse. Mr LEUNG has also pointed out that now we are on the brink of anarchy. President, this proves what your goodself said previously, that is, you sounded a warning to the effect that if the constitutional reform issue is not done properly, there is no way in which Hong Kong can be governed. Just think how smart our President is. Today people say that the President pointed out yesterday that he did not see any sign of foreign influence. So everyone is putting the President on the spot. Can you see any trace of foreign influence? No. Mr Jeffrey LAM said that he could not see any. If you want to investigate things that you cannot see and if you do that for all the things you do not see, then you will be pretty busy. LAM Woon-kwong has said that Hong Kong will be doomed if this issue of universal suffrage is not handled properly. Are we not seeing these things unfolding before our very eyes? So what should we do? To handle the issue of universal suffrage properly. But Mr Jeffrey LAM said on the other hand, that with respect to the issue of universal suffrage, a hundred persons can have a hundred views. Sorry, there is an international definition for universal suffrage. On 23 October the United Nations Human Rights

Committee in Geneva discussed the decision made by the Standing Committee of the National People's Congress (NPCSC) on 31 August, saying that universal suffrage refers not just to "one person, one vote". President, there should also be the right to stand in an election. Of course, the SAR Government will not agree with it. It does not care about any international covenant and all it cares about is the Basic Law. The fact is, the SAR Government cannot act like that because Hong Kong has subscribed to these international covenants and makes regular reports, so Hong Kong is subject to monitoring. When a problem arises and a choice has to be made, the Government does not want to follow the requirements. I think this is going too far.

Mr Andrew LEUNG also pointed out that the Umbrella Movement has been going on for so many days and during the time the Police have demonstrated the greatest tolerance. President, I agree. I think that the Police have done a good job in many respects. But when the Police have done badly in certain aspects, an uproar is aroused not just in Hong Kong but also in the whole international community. When police officers beat people up or tore off their goggles or plastic wrap and fired pepper spray directly at them, or when batons showered on the people holding umbrellas, President, just imagine what will happen to the heads under these umbrellas? On that day when we held a meeting in the Panel on Security, Members asked the Secretary and the Under Secretary the question that it seemed some 30 members of the public suffered wounds in their heads by hard objects and with respect to acts like these, could police officers behave in a more restrained manner? I have to reiterate that I do not approve of the use of any violence or force and I would not approve of this irrespective of the executor. The authorities have said many times that they hope to discharge their duties in a restrained and professional manner. However, when certain police officers are not doing this, there would be great repercussions in society. Why? Because citizens have expectations for the Police and if what the police officers do are not in line with their expectations, there will be great concern and worry. I understand that police officers are under great pressure. On that day I said that I hoped the authorities must deal with this problem and do not make police officers on duty for 40 hours in each shift. I also appeal to the Police that they must discharge their duties in a restrained and professional manner.

As for Mrs Regina IP, she is really awesome. She said that this movement is similar to other movements which aim at overthrowing a

government, such as those which happened in Cairo, Egypt, Ukraine and Syria. Despite my racking the brain, I cannot figure out why the Umbrella Movement in Hong Kong can be likened to those bloody resistance movements. I have said before that Hong Kong attracts so much attention from the international media or people because the greater part of our movement is very much restrained and peaceful. To my surprise, a Member of the Executive Council and the Legislative Council could have compared this movement in Hong Kong with those bloody movements. At times I really cannot see why certain people are thinking this way. She even said that we are making certain things universal values but actually they are only specious and meant to confuse people's mind. President, just what on earth has happened? Which things are seemingly true but actually false and which things are there to confuse people's mind? In sum, what we want is universal suffrage and this is what the people of Hong Kong know. They want universal suffrage without any screening and no unreasonable limitations so that voters can have a genuine choice. These are what every person thinks as reasonable, including those officials in charge of constitutional structure matters. Only that the NPCSC refuses to agree. Then when it disagrees, what we need to do is to talk with it and ask it to agree with us and convince it that even if it gives its consent, this will not mean the end of the world and it will be good for Hong Kong and our country, and more so for Taiwan.

Taiwan used not to care much about Hong Kong previously. But now many people are watching us and they say that ours is more awesome than the Sunflower Movement. President, this is true. Now that the Movement is in its 33rd day and millions of people have taken to the streets. We cannot see that in too many cities. Some Honourable colleagues said that they are very worried and fear that similar actions will recur from now on. There is really a possibility for that. However, I hope that the citizens can pick their issues carefully and do not take to the streets in hundreds or thousands and blockade the streets because of any one issue. In this connection, I have confidence in most people of Hong Kong.

Then some people tell me that in democracy, the majority rules. They say that these people are a minority and most people think we should put an end to it. President, it might well be the case. But you know very well that in the elections held in Hong Kong over the years, the candidates from the democratic camp won most of the votes every time. But when they got into the Legislative

Council, they would become the minority right away. How should those scores be settled? Therefore, to those people who say that the majority rules, I urge them to rub their eyes for a clear view. How many decades have we borne with this situation? We have the majority of the votes but we become the minority as soon as we are in the parliamentary assembly. Can we not get furious?

President, why on this occasion is fuel added to the fire? This is because the Central Government has given its word of promise that we can have universal suffrage. All along we have been fighting for it but to no avail. What then should we do? No such promise was given to us in the past and so no such thing had ever happened. This time it says that there will be universal suffrage. But when the announcement was made by the NPCSC on 31 August, why did certain young people or members of the public could not help but shed their tears? It is because they have placed their trust in it. When you have placed your trust in someone only to find that you are cheated in the end, how unbearable this is. President, these people include many young people of Hong Kong. On seeing these things, should they not tell the Central Authorities that something has gone wrong, rather than helping the wicked? Or do they want to be like James TIEN who was ousted just after asking LEUNG Chun-ying to consider stepping down? Dr CHIANG Lai-wan said that last night after she had learnt what had happened, she was startled, and then she said that she was saddened. But she was sad not because Beijing does not allow the pro-Beijing people to speak up but that Beijing has shown its determination and universal suffrage has become a lost cause. Surely we are sad when we know that there will be no universal suffrage. This is because we will have no genuine universal suffrage. When Beijing can be so harsh as to knife its own people, and when people are punished so severely for speaking up, other people like those from the DAB will not dare utter a word. President, it is because if they do, they will be damned. The current practice is considered right and justified and he should have been ousted earlier.

Then are we going to see people from the pro-Beijing and pro-communist camps keep their mouths shut and will not utter even a fair word? President, when your goodself said, to this effect, "I do not see any foreign influence, but LEUNG Chun-ying says that there is.", in the debate today, how many people from your side have put you on the spot? They said that your eyesight is poor and so you fail to see it and if you do not see it, then there should be an investigation. President, if this goes on, not only the Mainland but Hong Kong

also will be silenced. If Beijing uses this kind of vicious and cruel tactic, I do not think anyone will dare speak up. And these people will even have to come forth and praise the Central Authorities for doing a right thing. I am sure no one will speak up in future.

Then it is said that it does not matter and you can speak up, provided that you do not do so in public. But in democracy, everything has got to be open, transparent and accountable. When things are said behind closed doors, even if an attractive offer is made ... I am not saying that you should say different words to different people, but what is said behind closed doors should also be said in public and should be accountable to the people of Hong Kong. He is a Deputy to the NPC, though of course he is not really a representative of the people. But since he holds an official post, being a member of the CPPCC or a Deputy to the NPC, he should be able to speak in public as well as behind closed doors. He should not be ousted just because he has said something out of his conscience while other people watching the whole thing say that this serves him right and he must be kicked out. In this case, who will dare speak up from now on? If this goes on, what state will Hong Kong degenerate into? And can we talk about "one country, two systems" anymore? One can see a world in a grain of sand. Now that this has happened, we can see what people in that camp are really like.

President, in any case, I would very much hope that the movement can come to a reasonable conclusion. I notice that the Bar Association issued a statement yesterday on the call made by many people to resist *en masse* court orders. The Bar Association said that unless our judicial system is respected, there is no way the Court can undertake the protection sought by the defendants concerned. I respect the view of the Bar Association and I hope that all those who support the Occupy Central movement can consider carefully that due respect should be paid to the Court. And it is more so because it deserves our respect. I will seriously consider turning myself in together with the Occupy Central Trio and other people concerned. When I engage in civil disobedience, I will have to bear the responsibility. But I will certainly stick to peaceful, rational and non-violent resistance. I oppose any form of violent clashes and I hope that this impasse can be broken as soon as possible. Now the ball is in the court of Beijing.

I so submit.

MR SIN CHUNG-KAI (in Cantonese): President, I speak in support of Mr WONG Yuk-man's motion but against the motion proposed by Mr Andrew LEUNG, Chairman of the House Committee.

President, Mr Jeffrey LAM repeatedly said earlier that a peaceful and rational approach should be adopted, rather than using threats to fight for universal suffrage. In fact, we have fought for universal suffrage for several decades and when it comes to fighting for genuine universal suffrage, we have fought for it for 17 years if we start the counting from the reunification. Various means have been adopted and whether it be discussion, procession, demonstration or protest, we have tried all these means, and in 2010, we even resorted to an *en masse* resignation of Members returned from five constituencies to trigger a *de facto* referendum. Despite our fight for it in so many ways, success has yet been achieved, and this has therefore triggered the current occupation movement.

If Members have listened carefully to what the student leaders said at the square, they will know that, as the students had repeatedly said at the press conferences held some time ago, they did not wish to repeat the failure of the pro-democracy movement for the past three decades. This is broadly what they meant as I am not repeating what they said word by word. I still recall that after my graduation in the 1980s, the first pro-democracy movement involving the masses was the fight for direct elections in 1988. At that time, the assembly held at Ko Shan Theatre in Hung Hom was quite a large-scale movement aiming to fight for direct elections in Hong Kong. I recall that first election for the Legislative Council was held in 1985 and functional constituencies were introduced at that time. In early 1980s, if my memory has not failed me, it should be in 1984 when we fought for direct elections in 1988. It has been three decades with a blink of an eye.

We have, in the past, adopted various means, including the peaceful and rational ways as referred to by Mr Jeffrey LAM, and we have persisted with the fight for three decades. What sort of election do we have today? We have a quarter of a democratic election. Why did I say "a quarter"? The Chief Executive is not returned by universal suffrage, and only half of the Members of the Legislative Council are returned by universal suffrage, which means that in the whole executive and legislature, only a quarter of their members are returned by universal suffrage. Compared to other places in the world, Hong Kong is, in fact, far more progressive and we do have the conditions to organize a comprehensive election.

The topic of this debate today is mainly about whether the select committee proposed to be set up should investigate the Police or the Occupy Central movement. In fact, the Occupy Central movement is worthy of study, and the point is how it should be studied. If we look at an article written in early 2013 by TAI Kin-man — sorry, it should be Benny TAI Yiu-ting; I have even mixed them up to become TAI Kin-man — Benny TAI Yiu-ting wrote an article in *Ming Pao Daily News* in which he mentioned that this would be a civil disobedience movement, and it has been 18 months now. Dr CHIANG Lai-wan mentioned earlier that they had talked about it many times. It is true that they had talked about it many times and over the past year and a half, at least several deliberation days were organized, including the first deliberation day, the second deliberation day, and the third deliberation day, and when I attended radio programmes or even when I sometimes attended these programmes together with Benny TAI Yiu-ting, we would be chided by some staunch supporters of the occupation movement and questioned why we just talked without taking any action.

However, all the plans or actions revealed in the first, second or third deliberation day were entirely different from what happened subsequently. As we all know, and as I said during the last adjournment debate, the original idea was that the occupation movement would probably start with a rally or a rally on 1 October, and when the procession arrived at Chater Road, Central, the participants would sit down and then started the occupation in Central, rather than Harcourt Road. The total number of people from various sectors who attended the various deliberation days was less than 5 000 to 6 000, and there were only 3 000 people on the day with the highest number of participants. However, have Members thought about what stimulated the people to take part in the occupation movement to the extent that at the peak of the movement, the number of participants was 10 times, 20 times and even 30 times of the original estimate?

Certainly, one of the reasons was the tear gas canisters fired by the Police, which stimulated more people to come forth. But before the firing of tear gas, at 5 or 6 o'clock to 6 or 7 o'clock that day, people were already standing all over Harcourt Road. Even Central and the area off the Academy for Performing Arts were also packed with people. There were already about 50 000 to 60 000 people or 60 000 to 70 000 people, which was far more than the several thousand people estimated at the outset. Why? Frankly speaking, if an inquiry were conducted, it should not probe into whether there is anyone pulling strings behind the stage or who provided the resources or who has taken how much money, and

so on. Hong Kong has fallen sick. It has really fallen sick. What warrants investigation is why it is so seriously ill. Why have the people come forth to deliberately flout the law knowing that they are acting against the law and knowing that this is civil disobedience? If an inquiry were conducted, we should ask the public why they would follow these two teachers and do what they have preached for one year and a half. Did they lure the people to do it? Or did the people come forth because they could no longer put up with the current system? If an inquiry were conducted, it should probe into the remote cause.

Of course, it is not necessary to conduct any academic study, for the people at the square have already told us that they want genuine universal suffrage. Let him who tied the bell on the tiger take it off. If we cannot resolve this political problem, the select committee that Mr Andrew LEUNG proposed to set up today would only be an instance of alternative political suppression, and I think summoning the relevant people through the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) is not of any help to resolving the political problem.

Does it mean disrespect to the spirit of the rule of law? I wish to respond to the remarks made by Mr CHAN Han-pan earlier on. He questioned why with regard to the injunction issued for the *Apple Daily*, we demanded that those people should go away but with regard to the injunction issued for CITIC Tower, we did not ask those people to leave? No, we did. I remember that at around 10 o'clock at night two days ago, Mr Albert HO, CHAN Kin-man and I went there to explain the situation to those people whom we refer to as the "landlords". We explained to them why this place must be cleared and why it was necessary to keep the exit and entrance of CITIC Tower unobstructed. Certainly, the Court has yet finished handling some issues, but the barricades were swiftly removed or relocated subsequently and the passageway was cleared quickly to allow vehicles to access CITIC Tower. Therefore, it was not the case that we did not do it, not as claimed by Mr CHAN Han-pan. We did ask them to leave. We still hope to support and uphold the spirit of the rule of law by all means throughout the civil disobedience movement.

However, the current developments have become increasingly worrying to us. It is because we have heard many voices and particularly, Members of this Council and even those who hold office as Members of the Executive Council have acted as if they are always ready to stir up trouble as they have over and over again branded this Umbrella Movement — President, I hope you would not

stop me from holding an umbrella while speaking. I know that Ms Emily LAU does not mind, and I think Ms Cyd HO does not mind me obstructing her for a while either. May I? — They have branded this movement as a colour revolution or the Umbrella Revolution. In fact, it was actually the foreign media who first named it as Umbrella Revolution. But as the students and many academics have time and again reiterated, this is a pro-democracy movement, not a revolution. However, we found it strange to note that WANG Yang also spoke of colour revolutions when he visited Russia. I wonder if it is because Members of this Council have drawn close to the Mainland so much so that they echoed the words of WANG Yang, or that was actually what they told the Beijing leaders who then believed what they said. I do not understand why Members cannot seriously listen to the students to find out what their aspirations are and what they want.

As I said at the outset, students have played a leading role in this movement. They made it clear in the very beginning that they did not want to repeat the fiasco or failure of the pro-democracy movement for the past three decades and that they wanted to fight for genuine universal suffrage. In the past we adopted the "bird's cage" approach whereby we fought on bit by bit within a framework. In fact, in this movement the students do not intend to overthrow the system. They only demand genuine universal suffrage under the Basic Law. I believe the universal suffrage as referred to in the formulation of the Basic Law was not planned to be a bogus universal suffrage. Certainly, we understand that even for the election of the Chief Executive mentioned in the Sino British Joint Declaration, the word "consultations" was used, rather than election. But the Basic Law clearly provides for "election", and it is expressly written in the Basic Law that nomination is made by a nominating committee in accordance with democratic procedures for selection by Hong Kong people.

In fact, as the political disputes have developed to the present state, there is no way for the disputes to be resolved disregarding whatever approach is adopted. But we feel sad to see Mainland officials responsible for Hong Kong affairs getting increasingly tough over the past 18 months. While we all heard a rumour about their handling of this incident in Hong Kong, which can be summed up as "No bloodshed, No compromise", we can see clearly that as one month has passed, Beijing still has not budged an inch and worse still, they have become all the more unyielding.

Yesterday, as we can see, by just making a few wrong remarks — actually I do not think that Mr James TIEN had said anything wrong, for he only spoke his mind — But as he explained yesterday, it was inappropriate in his capacity as a Hong Kong member of the National Committee of the Chinese People's Political Consultative Conference, but I believe he had truly spoken his mind and reflected the view of many Hong Kong people. However, such a hard line is entirely not conducive to tackling the problem in Hong Kong.

This is a political incident. It is inappropriate to probe into the circumstances behind the incident through the P&P Ordinance. It is more appropriate to carry out a more detailed social study to look into why so many people have been stimulated to express their discontent with the current situation and why such discontent is so explosive. We can see that the movement is not limited to Admiralty and Causeway Bay, but has extended to Mong Kok and particularly in Mong Kok, while the Police had made great efforts to clear the place, after the place was cleared on Thursday night and open for traffic on Friday morning, the place was occupied again on Friday night.

Even if this movement may probably be concluded successfully one month, two months or three months later, unless the political problem can be resolved, even if the place is cleared, such wildcat or sporadic occupation actions may still take place in the future. Therefore, in order to resolve the current problem, the Central Authorities must engage in dialogues with the democrats in Hong Kong. I have heard that the students wrote to Carrie LAM two days ago requesting to meet with Premier LI Keqiang. Certainly, this is an opportunity. Is Premier LI Keqiang responsible for Hong Kong affairs or is it ZHANG Deguang or LI Yuanchao? We do not know. Then why did they request to meet with LI Keqiang? Because strictly speaking, the boss of the Hong Kong and Macao Affairs Office is Premier LI Keqiang. Can the problem be solved through dialogues? I hope that those people in Beijing who are in charge of Hong Kong affairs can think about it. In order to thoroughly solve the problem, they should find out what illness Hong Kong is suffering and how the illness should be treated. If a high-handed policy is adopted, they will be killing not only the illness but also the patient. Is this the future of Hong Kong that Beijing would wish to see? I hope that Beijing can deal with this incident calmly and seriously find out the cause of the illness, instead of prescribing a heavy dose for this would be tantamount to taking arsenic to kill a tiger.

I so submit.

MR YIU SI-WING (in Cantonese): President, Occupy Central has lasted more than a month so far. During this period, not only has traffic and order been thrown into confusion and economic activities affected, but people's life has evidently been disturbed. According to a survey conducted by the Mass Transit Railway Corporation Limited, the Mass Transit Railway (MTR) has recorded a 10% increase in its daily average patronage recently, meaning a daily increase of 700 000 MTR commuters. Coupled with people experiencing delays in taking other modes of transport, the number of people experiencing delays daily can be said to exceed 100 000, or even up to a million. Apart from the inconvenience caused to commuters, there are a lot of grievances among business operators. Recently, I have conducted a questionnaire survey in the tourism sector to find out the extent of impact on business during the period. Of the travel agencies responding to the questionnaire, 80% indicated that they were affected by Occupy Central, and more than 40% had seen a significant fall in their turnover. When it comes to hotels, the sector has generally reflected that the month of October this year has recorded the worst occupancy rate since the liberalization of the Individual Visit Scheme by the Mainland in 2013, with a 20% to 30% drop in its overall business income over the previous year.

Occupy Central has not only had a direct impact on public living and the economy, but if not handled properly, it will also affect Hong Kong's relations with the Central Authorities, or even cause the concessionary policies for Hong Kong to be tightened or even stopped. The fact that the date of implementation of the Shanghai-Hong Kong stock exchanges connectivity mechanism is still nowhere in sight recently may be a wake-up call. Should Hong Kong fail to gain positive support from the Central Authorities, overseas investors may gradually lose their interests in making investments in Hong Kong. As a result, its status as a financial centre will be shaken, various trades and industries will be affected in varying degrees, and Hong Kong economy will inevitably be stuck in the doldrums.

President, before the outbreak of the movement, the Occupy Central Trio has repeatedly promoted "Occupy Central with Love and Peace" and the use of a non-violent civil disobedience movement in staging a struggle. I believe quite many members of the public and students have begun with the good intention of caring about Hong Kong's political development in taking the initiative in participating in and supporting the Occupy Central action. However, if we look in retrospect at the actual movement in the past month, we will find that it has gone far beyond what its instigators have imagined. Love has seen Hong Kong society seriously torn apart. There have been constant disputes among families,

friends, colleagues and classmates over the Occupy Central action. What is more, they might even cease to see each other. A couple of days ago, a relative of mine went to a clothing repair shop which he had patronized for more than a decade. When he mentioned briefly that he had just put down his signature on the street against Occupy Central, the shopkeeper reacted strongly and rebuked his impropriety. Given such a poor atmosphere, my relative could only leave and look for other shops. I think that such scenes of a lack of tolerance and inter-personal relationships being affected has continued to unfold besides us without anyone noticing them. Is this the spirit of "Under the Lion Rock" mentioned by us?

When it comes to a peaceful and non-violent civil disobedience movement, we could see from different scenes on the television screen that protesters had persistently provoked the Police with different forms of violent behaviour. As a result, the Police were constantly on the run and compelled to apply force. There were also occasional fights and scenes of bloodshed among protesters and different forms of unruly and unlawful behaviour by occupiers. Recently, the Bar Association of Hong Kong has issued a statement, saying that the public advocacy and collective recognition of the defiance of a court order is undeniably eroding the rule of law in Hong Kong. As a result, the rule of law is in great peril. As we all know, it is the cornerstone of the governance of Hong Kong. Once its worth is lost, Hong Kong will be on the verge of spinning out of control. Recently, both Benny TAI and CHAN Kin-man have announced their decision to return to their universities to resume teaching. It can be said that the Occupy Central Trio is already disheartened, and the "Love and Peace" slogan initially proposed by them has already become non-existent.

President, the acts of the Occupy Central Trio and instigators have far-reaching implications on Hong Kong society, the economy and public living. Their damaging effect is very strong, too. I support the motion proposed by Mr Andrew LEUNG because we as Members of the Legislative Council are duty-bound to conduct an inquiry into a movement with a strong damaging effect (including the instigators of various organizations and uncertain sources of funding) to allay public concern.

In fact, since the outbreak of Occupy Central, many rumours have been spreading in society and forwarded in social media. For instance, according to one of the rumours, Occupy Central has been invaded by foreign forces, and Occupy Central instigators been bought over by these forces. A researcher of the Land Destroyer of the United States, Tony CARTALUCCI, has revealed on

its blog that the real objective of Occupy Central is getting the foreign-backed political cabal behind Occupy Central into power, thereby achieving the "soft" recolonization of Hong Kong, and making a further attempt to divide and destabilize China. In fact, growing phenomenon and rumours, such as the rumours about the relationship between the chairman of a media organization and the Central Intelligence Agency of the United States and the recording circulated on the Internet of SHIH Ming-teh and him, can be found almost every day. In addition to these rumours, we can also see in the videos provided by the Security Bureau the day before yesterday groups after groups of protesters storm the Central Government Offices (CGO) in a highly tactical and organized manner. There must be a smart brain in command behind the scene before such a systematic storming of the CGO can be effected.

Another issue relates to the funding and source of supplies for Occupy Central. Now that Occupy Central has lasted more than 30 days, the supplies consumed daily by tens of thousands of protesters are no longer simply confined to drinking water and food. There is also equipment specifically used to counter and confront the police law-enforcement actions, including goggles for use against pepper spray used by the Police, gas masks, gloves for erecting barricades, helmets serving different purposes, hard rubber pads, tents serving different purposes, and even umbrellas with offensive gear and steel toe safety shoes used by construction workers. Let us imagine this. Can such effects be achieved without careful planning and organization as well as abundant funds? In view of this, we might as well conduct an inquiry to uncover the truth.

President, insofar as funding is concerned, it was revealed earlier on that chairman of Next Media, Jimmy LAI, had secretly donated money to a number of pan-democratic politicians, including Members of the Legislative Council. This is no longer a rumour, for even Jimmy LAI has personally admitted it. Moreover, some pan-democratic Members have also confessed having received his donations. In the past two days, it was revealed by the media that Benny TAI had donated \$1.45 million to a number of relevant colleagues of the University of Hong Kong (HKU). One of the donations, amounting to \$800,000, was even used for supporting the earlier "Occupy Central referendum", so to speak. However, the entire donation process was kept under wraps. Benny TAI has all along requested the HKU to deal with the donations in an anonymous manner. It was only after repeated enquiries that one of the donations was revealed to have been made in the name of CHU Yiu-ming, thus begging doubts about the true identity of the donor. The source of funding and the purpose of donations are also questionable.

It is also said that some people have sought to buy over the pan-democrats by way of dark money for the purpose of manipulating Hong Kong's political climate at this critical juncture of constitutional reform. Certainly, it has also been explained that the donations were made by members of the public of their own accord. Therefore, the proposal put forward by Mr Andrew LEUNG to set up a select committee to conduct a comprehensive inquiry into the incident of the breaking out of large-scale unlawful occupation of roads in a number of districts since 28 September this year involves Hong Kong's interests and serves the purpose of allaying public concern. What is more, justice may be done to the donation recipients, and one more channel will be made available through which members of the public can find out the truth of the incident.

As for the proposal put forward by Mr WONG Yuk-man to inquire into the Police's handling of the triad gangs' attacks on citizens rallying in Mong Kok on 3 October 2014, I think it is just an isolated incident. We may resort to law in the event of unlawful acts and improper or wrong handling by the Police. If inappropriate behaviour is found, investigations can be conducted through the Independent Police Complaints Council. Currently, the entire Police Force are facing various challenges and pressure. We should give them more encouragement and support rather than dealing to a blow to their morale. As such, I disagree with the proposal put forward by Mr WONG Yuk-man to set up a select committee.

President, obviously, the Occupy Central movement is not an isolated incident of demonstrations, for it has taken more than a year to prepare. Its impact on Hong Kong as a whole will be far-reaching. The chain of funds and interest behind the scene, the background of participants, the organizations involved and the participants are quite complex. Members of the public may not, nor can they, gain an absolutely clear picture of all this in the absence of a detailed inquiry. The circumstances surrounding Occupy Central which has lasted a month change with the day. In the past month, we have seen cleavage and confrontation happening in society with people changing their mind over and over again. Faced with so many rumours, members of the public have the right to differentiate between facts and fiction.

Hence, I hope that the pro-democratic Members can support the motion proposed by Mr Andrew LEUNG while, more importantly, persuading students to pull out of the occupation zones to enable this latest predicament to be resolved.

President, I so submit.

MS STARRY LEE (in Cantonese): President, Occupy Central has lasted for a month or so. It has evolved from a movement advocating civil disobedience, love and peace at the beginning, to one characterized by unlawful occupation of roads, erection of blockades of their own, setting up access rules of their own and paralysing the traffic, to the immense outrage of the public. In consideration of the objective circumstances, the Police have failed to enforce the law effectively, thus adding to the public grievances. Fed up with this, those anti-Occupy protesters have on several occasions attempted to remove the barricades. The scenes of clashes between the two parties are frightening, particularly those in the "munitions depot" at Mong Kok, where clashes of all scales are commonplace and escalating. The situation looks set to run out of control, prompting many to worry if Hong Kong is on the verge of riot and if the incident is doomed to a tragic ending.

President, without the unlawful Occupy Central action, there will be no law-enforcement efforts by the Police and no opposition against the action either, and the rationale is as simple as that. However, some Honourable colleagues of this Council are less critical of the unlawful acts in Occupy Central, but they pull no punch in condemning the law-enforcement actions by the Police. They even discredit the Police for colluding with triads and instigating the clashes, and propose to invoke the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to ascertain if the Police's law-enforcement efforts are reasonable and whether the Police are subject to manipulation. This practice is utterly putting the cart before the horse and confounding right and wrong.

President, as I pointed out in the debate last week, Honourable colleagues have merely highlighted the Police's law-enforcement action, in particular their use of tear gas, but stopped short of pointing out that the whole Occupy Central is an unlawful assembly and mentioning the provocation and charging by protesters. Such accusations are made out of the context to demonize the Police's law-enforcement efforts. This will only increase the pressure borne by them in enforcing the law and maintaining law and order.

The passage of Mr WONG Yuk-man's motion in this Council will further undermine the Police's will to enforce the law and force them to brush the law aside. If their will to enforce the law is weak, the occupied areas will spin further out of control, and those opponents of Occupy Central will become more furious. Members may imagine how much more violence and clashes will ensue, and all Hong Kong people are set to suffer ultimately.

Throughout the Occupy Central period, the Police have to work their guts out, with those on the front line having to work beyond their capacity on a continuous basis. The pressure is so immense that it is inconceivable, and the community is worried if their tolerance has been brought to the limit. Let us put ourselves in their shoes: some front-line police officers are assigned to work irregular shifts for days in a row. They are subject to verbal abuses while on duty, and they cannot let out their full tank of humiliation and grievances through their mouths. Had they not received professional training, they might have already collapsed and lost control. If front-line police officers cannot control their emotions, to whom will Hong Kong turn for law enforcement? Will Hong Kong remain a safe city? Therefore, we support the Police to take vigilant enforcement actions and combat all unlawful activities, and we oppose any political moves that undermine their will to enforce the law.

President, the month-long Occupy action has paralysed the traffic as well as people's life to the effect that even the injunctions made by the Court are disregarded, and members of the public are becoming increasingly abhorrent about it. Therefore, the signature campaign of the Alliance for Peace and Democracy was able to win the support of more than a million members of the public in just a few days. They are furious, and their call for the protesters to return the roads to the public is unequivocal. A joint signature campaign initiated by hundreds of medical doctors earlier also likened the Occupy Central action to cancer, which reflects the thoughts of many. Despite the simmering public grievances, the occupiers remain unmoved and refuse to propose any mechanism for withdrawal. They have turned a deaf ear to the silent majority's call for returning the roads to the public. This is absolutely in violation of the democratic spirit of the majority rules.

President, the Occupy Central movement has brought about harms before any benefit is seen, dealing a serious blow to Hong Kong's rule of law and spirit of democracy. Is Hong Kong really willing to sacrifice the two core values that we have all along taken pride in, for the sake of the so-called international standards?

Let me talk about the rule of law first. The Occupy Central organizers have time and again said that theirs is a movement of civil disobedience and non-cooperation, so they would not submit any application. Hence, Occupy Central is essentially an unlawful assembly. As for civil disobedience, Members are well aware of one of the points, that participants will have to be brave enough

to bear the legal liability, take arrests at ease and defend their case in court. However, as Members may have observed in recent developments, the protesters have kept resisting the Police's law-enforcement actions. Some of them even covered their faces with towels and clothings, and put on goggles while charging. The goals are obvious, one of them being that they are trying to evade identification, such that the Police will find it difficult to pursue liability. This is utterly an instance of intentional offence instead of civil disobedience. Please stop confusing the facts.

President, apart from the fact that the High Court Judge has granted injunctions in respect of Admiralty and Mong Kok, Members may also note his remark in the judgment, that the impact brought by the Occupy action is far beyond a reasonable level. It not only undermines the right of the public and emergency rescue vehicles to use the roads, but also gives rise to violent and illegal behaviour and even bears the risk of developing into civil disorder. He also points out that the demonstration is not civil disobedience. However noble the underlying cause of the Occupy action, it cannot disregard other people's interest.

Moreover, respecting court orders is a fundamental spirit of the rule of law. Nevertheless, after the injunctions were granted, protesters insisted on taking the Occupy action to the end and defied the court orders, thus rendering the rule of law in jeopardy. The occupiers turn themselves into an incarnation of justice, disrespect the law as if it was nothing, and even place themselves above the law-enforcers. Such behaviour has sent a chill down the spine of many Hong Kong people.

President, The Law Society of Hong Kong has issued a statement to express their extreme concern and worry, highlighting that any act against the court orders would constitute serious implications on Hong Kong's judicial system. A number of Honourable colleagues of this Council, especially those with a legal background, will more often than not criticize others for disrespecting the rule of law or contempt of court, but they speak otherwise of the occupiers' behaviour. According to news reports, Mr Albert HO claimed that breaching the injunctions does not mean disrespecting the rule of law, for they had been forced to break the law; Audrey EU, a barrister, disagreed that the rule of law is being undermined, since the injunctions were merely petitioned by a single party; Mr LEE Cheuk-yan alleged that breaching the injunctions does not mean that the protesters disrespect the Court; and Benny TAI even incited the occupiers to breach the injunctions.

President, the protesters are not the only ones who chill people to the bone. Members, I believe those in the legal profession should be well aware of how the rule of law will be undermined by blatant defiance of court orders. Why do they not cry aloud to tell the community and students of the truth? The rule of law is a gold-lacquered brand of Hong Kong today after generations of efforts made. Less than a month into the Occupy action, the rule of law as a gold-lacquered brand has already been seriously tarnished. We also know clearly that democracy will not stand without the rule of law.

President, politics overrides everything in today's Hong Kong, and the line between abiding by the law and breaking it has become very blurred, if not confused. If the public is numb towards the fact that the rule of law is being eroded incessantly, Hong Kong will be pushed to a very dangerous precipice.

President, I would then like to talk about the spirit of democracy. As a most familiar saying by VOLTAIRE goes, "I do not agree with what you have to say, but I'll defend to the death your right to say it." Sorry, I do not in any way feel how the spirit of democracy has been manifested in Occupy Central. On the contrary, I only see how the Occupy acts run away from the principles of democracy: a small number of people have occupied Mong Kok, Admiralty and Causeway Bay for a long time to paralyse the traffic, affecting millions of road users, causing immense economic loss to traders big and small, and rocking the rule of law in Hong Kong for a month. At a deeper level, this has a direct bearing on the mutual trust between Hong Kong and the Central Authorities in future, as well as affecting Hong Kong's image in the international community.

President, the impact of Occupy Central is far-reaching. If this Council invokes the P&P Ordinance to inquire into the Police's law-enforcement action but stops short of getting to the root of the problem by looking into why the Occupy Central incident occurred as well as its developments and far-reaching impacts on the future, it will be unfair to the general masses affected by Occupy Central. Therefore, the DAB supports Mr Andrew LEUNG's motion to invoke the P&P Ordinance to conduct a comprehensive inquiry into the Occupy Central incident, including its organization and planning, funding sources, the public order and safety problems caused by the incident, the impacts on various aspects of Hong Kong, the Government's handling of the incident, and so on.

President, is the nature of Occupy Central as simple as "students-oriented" or "public-initiated", as numerous Members have put it, and is it really unorganized and lack of support? I believe any veteran social movement organizers and participants may similarly doubt so, given the scale and operation of the current movement observed. As we can see, the movement is well-organized in terms of network setup, dissemination of information and material supplies. There is also a continuous flow of information on the Internet showing that different forces are involved in the movement.

President, the United States has all along denied its masterminding or subsidizing the Occupy action in Hong Kong. Nevertheless, in an interview with FOX News, Michael PILLSBURY, a former senior official and military policy consultant for the United States, admitted directly that the Consulate General of the United States in Hong Kong had been involved in promoting Hong Kong's democratic movement and provided millions of dollars through the National Endowment for Democracy (NED). Hence, it is not totally groundless to suggest that Occupy Central is promoted by the United States. PILLSBURY's remarks also coincided with the information revealed by netizens earlier, that the NED has all along been subsidizing some groups, including the Hong Kong Confederation of Trade Unions, and so on, over the past two decades.

President, in an earlier interview with a digital radio station, former Secretary for Security Ambrose LEE also pointed out that Hong Kong was an international centre for gathering intelligence on the Mainland prior to the reunification, and that the scale of the American Consulate General in Hong Kong is larger than that in other countries, with its establishment expanding significantly from 600 before the reunification to the current level of 1 000 or so.

President, the *Oriental Daily News* has recently published some new information in a report titled "Confidential information keeps leaking to reveal how the US offers money in a circuitous route", which I believe Members should have read it. Yet, we also need to be fair. Mr Clifford HART has approached me in person today to clarify that the United States is not involved in the incident, and I am not going to make a conclusion here. Yet, given the abundant information and suggestions, should this Council not be given a chance to conduct an inquiry in order to uncover the truth?

Apart from the United States, what about the role played by other forces in the Occupy action? According to some open information, Joseph CHENG of

the Alliance for True Democracy joined Mr LEE Cheuk-yan and CHU Yiu-ming in mid-October 2013 on a trip to Taiwan to learn a lesson on civil resistance; Occupy Central organizers invited a theorist on Taiwan's independence to attend a summit in Hong Kong to promote the experience of "green revolution"; in February 2014, the Democratic Party organized a two-day training session for Occupy Central at a youth camping facility in Wu Kai Sha, where supporters of Taiwan's independence were invited to offer advice; on 7 September, the New School for Democracy organized yet another training session on non-violent resistance. Are there any other forces behind Occupy Central?

President, things happen for a reason. Rumours going viral online have it that Occupy Central is supported and assisted by different forces. There is even a suggestion that Occupy Central was scripted long ago based on the Occupy Wall Street movement. Does it sound too exaggerating, and does it have no trace to track? Did the Occupy Central movement as a whole really happen without a mastermind and a script? As a matter of fact, if Members care to take a closer look, they will find that Occupy Central in Hong Kong bears a remarkable resemblance to the Occupy Wall Street movement in the United States in 2011, in particular their development and evolution.

The Occupy Wall Street movement was originally aimed to say "No" to the financial system under capitalism, but it totally spun out of control as it proceeded. Various protest groups dispersed to areas that did not have an exchange, including places like Washington, San Francisco, Los Angeles, Chicago, Boston, and so on. The organizers soon became aware that the non-violent action they advocated in the first place did not work, and they obviously knew that civil disobedience would develop into riots. Therefore, protesters at various places uniformly alleged that the action was not led by any person and no one represented them, with a view to evading liability.

There are also many instances of coincidence and similarity between the developments of the Occupy Wall Street movement and Hong Kong's Occupy Central. Therefore, I would not find it too exaggerated to suggest that Occupy Central was scripted beforehand. Even the covers of the *Time* magazine are styled in a rather similar fashion in the respective issues. President, the information on my hand shows a woman who is an activist in the Occupy Wall Street movement, whereas this one is the coverage on Hong Kong's umbrella revolution. The two covers look rather similar.

President, the Occupy Wall Street movement ended with clearance operations. Members are also concerned about how Occupy Central in Hong Kong will come to a close. I read from today's news that the occupiers insist on not leaving, a decision that does harm to others but brings no good to oneself. It undermines the interests of Hong Kong and is unfavourable to Occupy Central as well.

Finally, I would like to dedicate a Chinese proverb to the protesters: "Amid the vastness of the secular world (*The buzzer sounded*) ... turn around and head back to the shore".

MS CYD HO (in Cantonese): President, in her speech, Ms Starry LEE alleged that the Government of the United States is influencing the Occupy Central movement in Hong Kong and acting as the hand behind the scene. Yet, she cited the Occupy Wall Street movement as an example at the same time. I find it very strange. Does Ms Starry LEE know that the Occupy Wall Street movement had been suppressed by the United States Government? Some people injured by policemen of the United States had brought their cases to Court, and the Government was ruled to make compensations. I do not know her opinion about the relationship between the left wing ideology of the Wall Street movement of the United States and the United States Government. Yet, I consider it extremely ridiculous to put the two incidents together.

If Members want to investigate the causes of Occupy Central, I am confident that witnesses will come forward to state the case, that the evil, greed and foolishness of this Council clothed in extravagant robes are one of the reasons. Dr CHIANG Lai-wan's speech is relatively moderate in comparison. Dr CHIANG Lai-wan mentioned my name a number of times in her earlier speech, yet I do not intend to respond to her. In fact, the views of Dr CHIANG are most peculiar. She used extremely expressive body language when she spoke, which overshadowed all the arguments she intended to make. I will thus save my effort for Members who have expressed their arguments with ample justifications. Today, this Council is pervaded with loads of remarks confusing truth and falsehood. And I think Dr CHIANG's performance merely seeks to win a roar of laughter.

At the beginning of Occupy Central, the pro-establishment camp and the pan-democratic camp both worried that conflicts would develop into bloodshed or

misfiring of guns, so they went after the common target of cooling down the incident. Back then, both sides urged their supporters and people supporting the movement to exercise restraint by all means. However, the motion debate today reveals to all that the legislature under the existing system has failed to address public opinions. It has not only failed to cool down the incident but has on the contrary fortified the people's determination to pursue democracy.

We need to ask this question: Why did civil obedience emerge? And why did even sporadic conflicts happen? As we trace the incident back to its origin, we find that the Government's continual failure to address the aspirations of the people in its policy formulation is the culprit. Moreover, the pro-establishment camp has been playing the jackal for the tiger and presented an avalanche of remarks confusing right and wrong. They are actually testing the rationality and self-restraint of the people of Hong Kong. I have to remind the occupiers that they should beware of turning into people to their own disgust, so they should never let anger prevail over rationality.

The pro-establishment camp hates invoking the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance). Ms Starry LEE has talked a lot about this, and if her speeches are summarized into an article, it may take an hour to read through it. Since the handover of sovereignty and the establishment of the SAR Government, the P&P Ordinance had been invoked six times. At one time, it was invoked for the airport. Another time, it was for the substandard piling works incident, and another time for SARS. In those cases, the investigations were targeted at statutory organizations. As for the other two times, one was about the post-service work of LEUNG Chin-man, and another was on the Lehman Brothers incident. These two investigations were held under the pressure of election. For prior to the election of 2004, many members of the pro-establishment camp were hard pressed by the hosts of election forums and the public that they could not but change their stance from opposition to support. As a result, an investigation was carried out after the election in 2008.

The latest one involved the invoking of the P&P Ordinance to investigate into LEUNG Chun-ying's suspected mishandling of declaration of interest in the West Kowloon Reclamation Concept Plan Competition. Back then, LEUNG Chun-ying had not yet been elected the Chief Executive. I wonder if the pro-establishment camp regarded this as a gamble at the time and found out they had placed the wrong bet subsequently. Indeed, the motion on invoking the P&P Ordinance to conduct investigations could only be passed by this Council

with the support of the pro-establishment camp. However, not long after the investigation was started, Members grew lukewarm with the investigation.

As for the recent Select Committee set up to investigate Timothy TONG, we had resorted to the use of a petition for we could not invoke the P&P Ordinance this time around. But since the Select Committee lacked the powers and privileges, we could not summon the Independent Commission Against Corruption (ICAC) to provide more documents, nor could we summon more ICAC officers here for cross-examination. Nonetheless, the main hurdle was not the lack of powers and privileges but the dominance of Members of the pro-establishment camp in the Select Committee. They attempted to stop us from asking follow-up questions. Even though we were on the waiting list to question Timothy TONG, the hearing would end before we had the opportunity to ask questions. As a result, we had to submit an alternative report.

In fact, in recent years, a succession of suspected corrupt conduct were found, namely cases involving Timothy TONG, Donald TSANG, Paul CHAN and LEUNG Chun-ying, and so on. All these cases warrant investigation, but they were prevented by the pro-establishment camp time and again. When they choose to turn a blind eye to these incidents, they are in actuality condoning such conduct. But this time around, they want to investigate the general public simply out of the query that the public are influenced by foreign forces — President, you have said that you do not see any foreign forces. Once the motion today is passed, the pro-establishment camp may invoke the P&P Ordinance to summon members of the public. Such action will indeed provoke the public to storm the Legislative Council, for the P&P Ordinance is invoked to investigate members of the public instead of public officers or statutory organizations. Such a procedure is to bully the powerless.

It is obvious to all that the planning of Occupy Central originated from an article written by Benny TAI in 2013. After the release of the article, society at large joined in the discussion. This is an organized movement. We organized the public to pursue their goal with love and peace, and stand firm on the bottom line of non-violent and no fighting back. Precisely because of this, on 28 September, we saw how the public respond to the rounds of tear gas fired to uphold this principle. They did not fight back even though they had to take in all the gas, and cope with burning eyes and runny nose. The organization was successful.

As for the core members of Occupy Central, they have long since planned to turn themselves in. By then, the Police may investigate the funding sources. In fact, no sooner had this Council proposed to conduct an investigation than an uproar was caused in the open area downstairs. People say that they should buy a few more bottles of water and keep the receipts for the testimony to be given in this Council in future. I think 100 000 people will request to come to this Council to testify. I only worry that Members will be unwilling to allow them to come to this Council to express their views, and that the pro-establishment camp will be unwilling to allow Benny TAI to come here for a debate with them for two hours.

President, the Legislative Council is obliged to understand public sentiments. It is not only the pro-establishment camp that wants to find out why so many people have taken part in Occupy Central; we in the democratic camp also wants to know that. The peaceful Occupy Central this time around has exceeded the expectation of many people. We have never seen participants showing such stamina and perseverance.

The participants include members of the public, not only young people. They do not only go there, for they bring along supplies with them. In fact, we want to dig out more stories from the movement, so that we may understand the course of awakening of the people. In the occupied area in Causeway Bay, there are middle-class people and professionals. In the occupied area in Mong Kok, there are ordinary members of the public fighting for justice. In Admiralty, there are young students. There are a lot of stories behind these participants and we want to bring these stories to light. Many participants were just passers-by at the beginning, who walked past the area to see what was happening. In one case, a housewife intended to bring water to the area for students, but she was trapped in the area when the Police declared people were attending an illegal assembly on 28 September. She was unexpectedly pushed to the first line of the crowd off the Performing Arts Academy, and she had remained in the stand-off with the Police for over 10 hours. She was awakened after the incident. She was very angry. In the following 30 days, she came to the area to support this democratic movement every morning and every evening.

Many people have first-person experience of the incidents that occurred during this month. We cherish this experience. We hope that these verbal accounts of history will be put on record as soon as possible. If the Legislative Council can spend public money to take up this obligation of recording the verbal

historical accounts, I will surely welcome it. On the day the relevant motion was discussed at the House Committee, I had put forth an alternative proposal for the Panel on Constitutional Affairs to call a series of public hearings. Members of the public will be welcomed to talk about their first-person experiences, what they have seen, what they have heard and how they feel. They may also tell what they have seen during the enforcement of law by the Police. The public may also tell why they would turn from a political apathetic person to a participant coming forward and staying for 30 days. Such records will be of precious value to Hong Kong. The civil awakening this time around is of a magnificent scale indeed. People in the community have started filing records on this, yet it will be far more comprehensive if the recording is done by the Legislative Council with public money.

Yet, we are talking about discussions which the public are invited to tell their experience but not bullying the powerless. If the P&P Ordinance is invoked to summon members of the public as witnesses, those refusing to come and those refusing to answer questions will commit a criminal offence. Therefore, invoking the P&P Ordinance to investigate the general public is to bully the powerless.

President, when apartheid was abolished in South Africa and Nelson MANDELA came to power, the Truth and Reconciliation Commission was established. During the enforcement of apartheid, there were a large number of murder and power abuse cases. If all these cases had to be dealt strictly under the law, the public could hardly come to any reconciliation. The authorities thus established the Commission. Under the practice of the Commission, members of the public who feel aggrieved or have suffered in the past are invited to come forward to talk about their experiences. Even perpetrators of violence, or the Police, may express their feelings at the time. Then, they will work for reconciliation through open apology and repentance. These actions will help heal the wounds and resolve the conflicts, so that the two social groups will not remain in a hostile relationship under the influence of the repercussion of genocide. These public hearings and apologies will bring about healing. However, the setting up of a select committee by invoking the P&P Ordinance now under discussion will only provoke social conflicts and lead to even more violent confrontations. As such, I definitely will not support today's proposal.

In the prevailing social condition, it is imperative to fight for democracy and pursue the truth, yet reconciliation is another pressing task. In fact, many

young men in the Police Force are willing to spend their youth to maintain social order of Hong Kong. I have heard a story about a young man. During a family dinner, someone criticized the Police for firing tear gas canisters and beating the people, and the young man's eyes turned red and watery, for he had vowed to be a policeman. Regrettably, the Government has wrecked this commitment to society of young people from both sides. In the Police Force, many police officers are making contribution to Hong Kong through their faithful discharge of duties in maintaining order. We do not know what the senior echelons of the Police are thinking, nor do we know what LEUNG Chun-ying is thinking. Why would 87 tear gas canisters be fired on that day? After that, at the beating carried out by triad gangs at Mong Kok, why would the Police only deploy a small number of policemen to maintain order and enforce the law? The Police at the Mong Kok scene on that day had indeed been made the victims of the decision of the senior echelons.

Therefore, President, I oppose the pro-establishment camp invoking the P&P Ordinance to bully the general public. Yet, I support Mr WONG Yuk-man's motion to investigate the Police's handling of the incident on that day. I reiterate here that policemen in the Police, including those I have met personally and those I have chatted with at night, know full well the situation of Hong Kong now. They are only being faithful in discharging their duties and taking orders from their supervisors to stand firm in their positions. I implore the senior echelons of the SAR Government not to do the policemen injustice and not to exploit them by using them as a political tool for suppression. Finally, I urge the pro-establishment camp in this Council to put down their butcher's knife. They should stop playing the jackal for the tiger and the tool to oppress the general public. Otherwise, they will be doing a disservice to the people of Hong Kong, while their Members returned by direct elections will disappoint their voters.

MR CHAN HAK-KAN (in Cantonese): President, I have stayed here for a long time to lend an ear to many views presented by the pan-democratic Members. I would like to take this opportunity to refute some of the points raised and pinpoint their fallacies.

First of all, I heard numerous pan-democratic Member remark that the scope of the motion proposed by Mr Andrew LEUNG today is so extensive that the inquiry will include nearly everything, and that this Council may act *ultra*

vires if it does so. However, I wish to point out that despite the extensive scope, Mr Andrew LEUNG's motion is by no means an attempt to inquire into members of the public as well as students, as Ms Cyd HO put it earlier. Also, I absolutely do not have any doubt that some members of the public and students join the movement on their own initiative, and that is the outcome of the movement as a whole. Yet, what we would like to inquire into is the causes, not the outcome. I think this point has been made very clearly in Mr Andrew LEUNG's motion. We never ask for an inquiry into the participants in general. Hence, if there are Members who share the same view as Ms Cyd HO's, I think they may have actually barked up the wrong tree as regards the motion.

In addition, I also note Mr LEE Cheuk-yan's remark on the causes leading to Occupy Central, namely the NPCSC "shutting the door". He also said that no one had called for overthrowing the SAR Government; moreover, he even accused the pro-establishment camp of fabricating stories and smearing them with the claim that there was interference by foreign forces. In my opinion, this is utterly the kind of remark that confuses right and wrong. First of all, as Ms Starry LEE mentioned earlier, I would say that Mr WONG Kwong-hing and Mrs Regina IP have quoted a pile of news reports in their speeches to show that various foreign forces have intervened in the current movement. But, I also note Ms Claudia MO's remarks that many of the actions are initiated by the protesters themselves, and that there is absolutely no foreign force involved. If we cannot clearly tell who is right and who is wrong, why do we not set up an independent inquiry committee to examine if there is any interference or intervention by foreign forces? As far as I can see it, this is actually the argument very often advanced by pan-democratic Members.

Second, Mr LEE Cheuk-yan said that no one has called for overthrowing the Government. Mr SIN Chung-kai earlier also described this as an Umbrella Movement instead of an Umbrella Revolution, and asked us to chat with the occupiers outside and have a look. President, I have gone there for a look, noting the term "Umbrella Revolution" written in the numerous slogans exhibited throughout the place. Members may also recall how this is described as an Umbrella Revolution on numerous online social media prior to the launch of the movement. If this is a revolution, how is it not meant to overthrow the Government? Is Mr LEE Cheuk-yan's remark not an outrageous lie?

I know that many of those members of the public joining the movement have no intention of overthrowing the Government. Yet, a lot of signs indicate that the Occupy Central organizers aspire to overthrowing the Government. Members may have forgotten what Benny TAI said on that very day of the launch of Occupy Central. President, let me quote his remark, to this effect, "Occupy Central starts from occupying the Central Government Offices (CGO)." This means that the movement is targeted on the Government instead of being a simple fight for democracy. As I recall, several days into Occupy Central, the Occupy Central Trio openly called for the public to force the Chief Executive to step down and besiege the CGO in order to paralyse its operation. Therefore, we can see from a lot of *prima facie* evidence that the Occupy Central organizers actually have the intention and plan to target the Government, unlike Mr LEE Cheuk-yan's claim that we are making up stories.

Some pan-democratic Members have accused the pro-establishment camp of raising alarmist talk. President, in my opinion, they are the ones trying to do so. Why? Mr LEUNG Yiu-chung earlier likened us to the FBI and accused us of oppressing the public. But I find no solid evidence for this.

Mr Gary FAN also mentioned the "Eastern Depot" and "Nazi Germany" in his speech. Is such exaggeration and untrue remark not an instance of alarmist talk? Mr Ronny TONG said that members of the public enjoy freedom of association under Article 27 of the Basic Law, and that an inquiry is unnecessary given the fact that with an association comes organization and sources of fund. If an association is of a proper and normal kind, I absolutely will not request an inquiry. Nevertheless, you can see from news coverage aplenty that the current Occupy Central movement boasts a lot of dubious funds, some of which having flowed to political parties while some into the pockets of individual Members for transient retention. Of course, it is neither my wish nor intention to invoke the Legislative Council (Powers and Privileges) Ordinance to inquire into the various types of stuff members of the public give to the protesters, such as drinking water, staple food and desserts, as mentioned by Ms Cyd HO earlier. What we like to look into is the nature of each of these sums of money, which amount to hundreds of thousand dollars or even millions of dollars. It is absolutely impossible for ordinary members of the public to donate such large sums of money. What do these sums of money have to do with the Occupy Central movement as a whole? This is not what we can make clear or get to know through general news coverage, and so that warrants an inquiry.

The pan-democratic Members like to or always ask us to have some chats in the protest areas in order to understand the views of the protesters. I wish to point out that I have kept a close watch on what is going on in the protest areas, including the slogans and banners, which I have read very carefully.

I note Dr Kenneth CHAN's earlier attempt to package Occupy Central with a profuse dose of passionate rhetoric. Nevertheless, I wish to say that this Council is not a venue for the sentimental, instead we need to convince each other through reasonable debate. Mr Andrew LEUNG's motion seeks not to inquire into the personal feelings or views of the participants, and we do not mean to look into why members of the public take part in Occupy Central. Our focus is on whether what the Occupy Central organizers, in particular the Trio, have done are appropriate, as well as whether there is any impropriety in the entire process. Hence, will the pan-democratic Members please stop confusing right and wrong.

President, some Members earlier described today's debate as ridiculous. In comparison, nothing can be more ridiculous than the transition from a fight for democracy to occupation of the CGO and the roads. As Mr Alan LEONG put it earlier, "abiding by the law is not the totality of the rule of law". This is exactly the type of hypocritical rhetoric that they always accuse others of employing. Abiding by the law may not be the totality of the rule of law, but it is the most fundamental element of the latter. The law administers justice, yet it is certainly not in the interest of justice for the rule of law to be disregarded. Most regrettably, however, in today's debate I learn that some Members are still trying to incite members of the public and students to take to the streets, a contradiction of Ms Cyd HO's earlier remark that the incident should be expeditiously resolved in a peaceful manner. This is not fabricated by us; it comes from the remarks of pan-democratic Members who spoke earlier. Are they sincere in resolving the matter? Is it what Members of this Council should do?

President, a social movement as massive as this has occurred in Hong Kong. As far as I am concerned, if we do not identify and inquire into the causes thoroughly, we will have failed our duty as Members of this Council. We support the inquiry out of respect for Hong Kong people's right to information. Mr LEE Cheuk-yan earlier described the motion as an insult to Hong Kong people, which is a remark that puts the cart before the horse. In fact, Occupy Central has caused an immense loss to Hong Kong economy. The retail, catering and transport trades operating in the assembly areas have already

lost a month's worth of revenue. Moreover, we still see no sign of a solution. Many restaurant owners and taxi drivers have suffered ghastly losses in this unexpected calamity, and some of their investment has even gone down the drain. Before this, Hong Kong boasted a quality business environment; now, some people demonstrate blatant defiance of the Court's injunctions to the effect that both public and private properties are free of legal protection. The gold-lacquered brand of Hong Kong is undoubtedly smashed in this way.

President, this is the largest unlawful incident staged by the masses since the reunification. This Council should not in any way package Occupy Central, the unlawful nature of which is basically unchangeable. I am most worried that many of the protesters now staying in Admiralty or Mong Kok do not consider their action unlawful. When occupation of roads has become a norm, they will not treat it as unlawful. In other words, it seems that many of the protesters are psychologically not prepared for being arrested. When the Police enforce the law, they will resist arrest. Does it not in a way run against their claim of civil disobedience? As we can see, some pan-democratic Members even cry aloud and cheer for such unlawful acts. Within the legislature of Hong Kong, why are there Members as anti-intellectual as such?

Lastly, President, I would like to share a remark by Martin Luther KING with the pan-democratic Members who support the unlawful Occupy Central. Martin Luther KING said, "We will never have peace in the world until men everywhere recognize that ends are not cut off from means, because the means represent the ideal in the making, and the end in process. Ultimately, you cannot reach good ends through evil means, because the means represent the seed and the end represents the tree. "

President, I so submit.

MR NG LEUNG-SING (in Cantonese): President, the two motions relating to the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) mainly focus on the so-called Occupy Central action that everyone is concerned about. Hence, I will first talk about six points of observation and personal views on this action.

First, we have seen that it is absolutely a widely-known unlawful action. Occupy Central has been going on for more than a month, causing confrontation and division in society as well as leading to the rule of law being severely undermined. Social order could not be maintained on time and properly to date. The chaos that arose in the occupied areas and their vicinity were set off by the "resistance era" often mentioned by a handful of the so-called scholars and professors from institutions of higher education and religious leaders who claimed to have received god's will. Occupy Central has become Occupy Admiralty, Occupy Mong Kok and Occupy Causeway Bay. In its fine-sounding name it pursues love and peace but has aroused much violence which is obvious to all. Even the action initiators have admitted it has completely gone out of control and no one can control it actually. The action is utterly an unlawful act.

On 8 October at the beginning of the action, the Hong Kong Bar Association (HKBA) also released a statement, stating its views that the occupation participants "have been engaged in prolonged and widespread occupation of public spaces and roads, resulting in obstruction of traffic" and "such conduct is potentially unlawful". It also quoted overseas precedents, emphasizing that "civil obedience is a philosophical, not a legal principle", which "does not constitute any defence to a criminal charge". The "motive for committing the offence, however noble or honourable", does not affect the court's judgment. The HKBA appealed to the participants to "respect the rights and freedoms of other people" and "be ready to accept the criminal consequences of their conduct". The HKBA issued a statement again on the Occupy Central action on 28 October, which stated "HKBA views with dismay recent calls for open defiance of injunctions" "in relation to the occupation" "in Mong Kok and Admiralty". It pointed out, "When deliberate defiance of a court order is committed" "as a combined effort, a direct affront to the rule of law will inevitably result. For the same reason, open calls to the public to disobey a court order applicable to them would undoubtedly constitute an erosion of the rule of law." The two statements made by the HKBA both pointed to the fact that the whole incident has obviously become completely lawless.

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

Second, we have seen that it is an unlawful action that is ruthless and heartless. The occupation action first blocked the roads and then occupied them,

undoubtedly a "hooligan" action that has no regard for people's feelings. The occupation participants are haughty and supercilious, paying no heed to police powers. Police vehicles transporting meals were subject to inspection and ambulances had to undergo checks before they were allowed passage. Government officials were even stopped by Members' assistants when driving to the CGO for work.

The occupation action is both "hegemonist" and "invading" — invading citizens' life. The participants have obstructed trunk roads and paralysed traffic. Dozens of bus routes have been forced to stop service; taxis have had to detour; and the tram routes have been compartmentalized for limited service. Serious traffic congestion has occurred on Hong Kong Island and in Kowloon. Emergency vehicles are obstructed. Citizens going to and from work and school have been disturbed, with inconveniences caused to their daily life. Shops in the occupied areas have difficulty in doing business or even have been forced to close down. Traffic, transport, logistics, retail, catering and banking businesses in the vicinity have been hurt one after another. Citizens who suffered infringement of their life have widely expressed discontent.

Meanwhile, a number of scholars, university vice-chancellors, social celebrities, the Police and members of District Councils have all repeatedly persuaded and appealed to the participants and students to leave peacefully and return the roads to the people so that they can resume their normal life. Even when an 80-year-old man knelt before the participants and begged them to give the roads back to the people, they remained apathetic and insisted on their own cause. Such behaviour is apparently inhumane.

Third, it is an unlawful action to launch black propaganda against the Police. It is apparent to all that the Hong Kong Police Force have always been maintaining law and social order professionally. The Occupy action has affected the residents and some industries in some districts and pushed them to the limit of their patience, forcing people to go to the streets and clear the barricades themselves, resulting in conflicts with the illegal "road occupiers". The Police endeavoured to form a human chain to separate the two groups of opponents to mediate and maintain order. Yet some media took a one-sided angle and some also smeared the Police for conspiring with the triads to clear the scene. It is obvious that they attempted to slander the Police in order to deal a blow to the Government.

Sadly a group of self-proclaimed delegates of justice, that is, Members of this Council, jumped at the occasion to stir up a fuss and made a request in the Chamber to investigate whatsoever police-triad collaboration that the Police let the triads assault the rally participants. What is the reality? The public can see perfectly clearly that over the days Occupy Mong Kok has shown unbearable arrogance and insolence. Tents have been set up to block the roads, creating obstruction everywhere; those making a living in the district would be content with nothing less than the removal of barricades. Therefore, anti-occupation people took the matter into their own hands to clear many tents and banners and barricades, liberating the double-decker buses which have been held hostage for days. Such actions of course have aroused conflicts. Both sides have gathered their crowd to get ready for a showdown, generating incessant conflicts. The Police found themselves caught in the middle, yet they still managed to exercise professional judgment and stabilize both factions.

And on Lung Wo Road the participants there have engaged in opposing seesaw moves with the Police clearing the scene. Some people induced a series of mobster actions and beset police officers, in an attempt to snatch the arrested persons, and even splashed liquid suspected to be urine to provoke the Police. Coupled with them resisting arrest and assaulting the Police, seven police officers allegedly exercised an inappropriate amount of force. Some again seized the opportunity to defame the entire Police Force, and hailed those troublemakers who were arrested for provoking the Police as heroes instead. Some Members have seized the subject to advance their own agenda and make wanton attacks against the dutiful Police Force — it is certainly an eye-opener to citizens.

Fourth, it is an unlawful action that involves conflicts of interest. The pan-democratic Members have lent their support to the Occupy action at the forefront as well as behind the scene. They even dashed to the front stage in the occupied areas, shouting and cheering to instigate and boost the crowd. Clearly showing no regard to the rule of law, they have incited and supported unlawful actions to flout the law. On the other hand, taking advantage of their positions as Members of the Legislative Council, they questioned the Police who enforced the law in accordance with it, launching unrestrained attacks against and smears the Police. And some individual Members, while being members of the Independent Police Complaints Council, have delivered judgment before a trial and made related comments. Such obvious conflict of roles and conflict of interest only carry one purpose, that is, pulling all stops to disrupt the Government and the establishment.

Talking about interests, earlier we have seen two exposures of dark material on the Internet. Some Members also requested the production of information just now. The information clearly indicates that the so-called National Endowment for Democracy and relevant agents of the Central Intelligence Agency have both interfered with the related activities in Hong Kong. The dark money benefactor of the opposition camp Jimmy LAI has also laid his hands on this and provided the opposition camp with some covert contributions over the years. A number of former and incumbent Legislative Council Members have received clandestine funding, or they paid to win popularity and seek publicity, and even endorsed the unlawful Occupy Central action. For such acceptance of advantages, some pocketed them first and some outright denied them. People in the banking industry all understand one thing of common sense — how can you separate the money in your pocket into the part that you keep first and the part you spend first? Having to transfer interest by way of dark money is truly a treacherous intention.

Fifth, it is an unlawful action that seizes and consumes public coffers. Pan-democratic Members have been working hand in glove with the Occupy Central participants. They have collaborated in the action while at the same time launched a so-called total non-cooperation movement in the Legislative Council to destroy its functioning in order to paralyse the deliberations and vetting of financial proposals in the Legislative Council as well as the administration by the Government. Such a move will lead to impeded operation of society, a halt in Government's infrastructure works and delays in housing development, thus pushing up all costs. The public coffers will definitely be exhausted, causing the well-being of the people to suffer and be sacrificed.

Shortly after the start of the Occupy Central action, a lot of protesters lied on the street overnight. But some of the so-called core members, accepting the hospitality of pan-democrat Members and their assistants, lodged in the Members' offices as visitors. The Legislative Council Complex suddenly became an unlicensed guesthouse, where they enjoyed perks like showers, air-conditioning and supply of hot and cold water. Each night up to several hundred people stayed in the Complex. When the ninth and tenth floors became overloaded, they occupied other floors of Members' offices, turning them into foul and filthy places where tissue paper was scattered all over the floor, washrooms were wet, items were taken from fridges without permission and condom packings were left. No wonder some Members said the action needs to persist day in and day out, without any thought to the Legislative Council being reduced to an illegal command post for Occupy Central, or even an illegal Occupy Central guesthouse that is paid by public coffers.

Sixth, it is an unlawful action that jeopardizes Hong Kong economy. Since the beginning of the action, many traders, retailers and caterers in the occupied areas have sustained a setback in business turnover. And the suffering of the traffic, transport and logistics industries which are directly affected by the blockade continues to surface together with their successive expressions of hardship.

With the roads blocked money does not flow. The turmoil of road blockade has led to economic losses and such data are gradually emerging. We can see that the Mandatory Provident Fund schemes suffered a drop of 3% on average in September due to the impact of the stock market. The hotel and tourism industry forecast that the conditions will deteriorate further at the end of the year. Some exhibitions have seen tremendous drops in business deals. The economic growth this year will fall 0.2% as opposed to the normal rate — on the whole this is a big number. Every day about HK\$110 million evaporates in the retail industry and the annual sales volume will record negative growth. Experts predicted that the ultimate economic loss will at least be HK\$1,000 billion. Together with foreign investors changing to adopt a wait-and-see attitude towards investment in Hong Kong, these circumstances suffice to undermine and cripple the position of Hong Kong as an international financial and trade centre.

In this society, the executive, legislative and judicial powers are facing incapacitation and the systems are facing a collapse. The main reason is Occupy Central has inflicted enormous harms. An individual from the medical discipline has put it most clearly, that this is a malignant tumour, one that must be removed for Hong Kong to be able to recover and rebuild its healthy society.

Based on all these points, I support Mr LEUNG's motion but oppose Mr WONG's motion. I would also like to give a response in passing. Just now some Members mentioned young people's future. I call on everyone to think about their future and not stifle them, because they are under the influence of this unlawful activity. We should care for them and ask them to go back home and school early.

Deputy President, I so submit.

IR DR LO WAI-KWOK (in Cantonese): Deputy President, today, you moved a motion in your capacity as Chairman of the House Committee on the establishment of a select committee by the Legislative Council and authorizing

the committee to exercise the powers conferred by the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to conduct a comprehensive inquiry into the incident of the breaking out of large-scale unlawful occupation of roads in a number of districts since 28 September this year.

Apparently, the motion moved by Mr WONG Yuk-man also covers some aspects of the same subject matter but it is only focused on inquiring into "the Police's handling of the triad gangs' attacks on citizens rallying in Mong Kok" on 3 October 2014. Not only is the scope of the subject matter too narrow, the sponsor of this motion also revealed his over-generalization in delivering his speech, so I cannot agree with him.

As regards the motion moved by the Deputy President in his capacity as Chairman of the House Committee, it reflects the view of the great majority of Honourable colleagues in the Legislative Council. Not only is its stance more impartial, its scope of inquiry is also more comprehensive as it covers various aspects of the whole incident. Not only does it include the organization and planning of Occupy Central and the Government's handling of the incident, it also includes the impact on various aspects of Hong Kong. Therefore, both the Business and Professionals Alliance for Hong Kong (BPA) and I support this motion moved by you.

Deputy President, the necessity and importance of this motion is beyond doubt. So far, the Occupy Central action has continued for more than one month, with the assembled people blocking a number of trunk roads, so the daily life and even livelihood of many members of the public have been affected and the voices opposing Occupy Central are growing stronger by the day. The Occupy Central action is not about "love and peace and non-violence" as claimed by its proponents. Not only has the extent of occupation exceeded that announced in advance by the proponents, and as Occupy Central has turned into the occupation of Admiralty, Mong Kok and Causeway Bay, the development of the whole situation has also obviously got out of hand. Not only is there no sign of a peaceful resolution, the situation is also marked by irrationality and even scenes of violent charging occurring from time to time, thus resulting in the injury of a number of members of the public and police officers. Now, even the injunctions issued by the Court against the illegal occupation of roads could not be enforced effectively, so the rule of law in Hong Kong is subjected to unprecedented impact. Members of the opposition also initiated an all-out "non-cooperation movement" in the Legislative Council on the pretext of

showing support for Occupy Central, thus making it impossible to make decisions on issues related to the economy and people's livelihood. To various extents, the three institutions of the Judiciary, the legislature and the executive in Hong Kong are being all mired in crisis and rifts have also occurred in society. Apart from arousing serious concern, all these cannot but make us ponder: How can we gain insights into the occurrence and development of the whole incident? What lesson can we learn from such an experience?

In view of the complexity of the whole incident, in order to facilitate the smooth conduct of the inquiry and achieve material results, I support authorizing the select committee to conduct its inquiry according to the powers vested by the P&P Ordinance. Many people describe the P&P Ordinance as an "imperial sword" as it symbolizes supreme power. In fact, the basis of this piece of legislation can be found in Article 72 of the Basic Law, which is an important basis on which the Legislative Council exercises its powers. Section 9(1) of the P&P Ordinance stipulates clearly that the Legislative Council or a standing committee thereof may order any person to attend before the Council or before such committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person. Therefore, if the great majority of members of the public consider an incident to involve major public interests and that it is necessary to sort out its origin and development, and if the Legislative Council cannot follow this up in depth according to the normal procedures, it is necessary to consider deploying this "imperial sword" to conduct an inquiry. According to this basic principle, invoking the P&P Ordinance to look into the Occupy Central incident is both essential and most appropriate.

Deputy President, of course, the Legislative Council, in appointing a select committee to look into the Occupy Central incident, must prescribe appropriate terms of reference. I believe it should focus on several areas of greater concern to the general public: Of course, the first is the origin and development of the Occupy Central incident and the crucial factors in its evolution, including its organization and planning, the sources of funds, and so on. The nature of the Occupy Central action is illegal and given its large scale and extensive scope, it is by no means an impromptu action taken by several people acting on impulse. A survey of the reports of the local and overseas mass media, such as the BBC, shows that the organizers of Occupy Central began to make clandestine plans about two years ago by arranging for 1 000 Occupy Central elements to receive special training, including learning about various tactics in waging struggles,

undertaking drills on clashes, and so on, with the aim of using the so-called "non-violent actions" as a "weapon of large-scale damage" and for challenging the SAR Government and Chinese Government. The organizers of Occupy Central have conceived and made specific plans in respect of the nature and timing throughout the entire action and even on the specific operation, including the command system and the supply of materials.

History shows that it is easy to start mass movements but difficult to rein them in. That groups with different backgrounds, goals and stances aggregate in the streets for a prolonged period of time will surely give rise to conflicts and even unintended clashes, thus leading to turmoil. I do not believe that the organizers and planners of Occupy Central are so naïve as not to be aware of this historical pattern and lesson. In public, they stress "peace and non-violence" but behind the scenes, they may be toasting in celebration of the blows dealt by Occupy Central to society and the rule of law.

Occupy Central has developed into an impasse and a question closely related to this is: Where did the money for this prolonged Occupy Central action come from? Where did the materials come from? The information already disclosed by the mass media shows that the relevant organizers and planners of Occupy Central have received large sums of political donations for the Occupy actions repeatedly. The sources of political donations include Jimmy LAI, Chairman of the Next Media Limited, and such organizations as the National Endowment for Democracy of the United States. Yesterday, the mass media disclosed yet again that one of the proponents of Occupy Central, Benny TAI, once helped pass on four sums of donation amounting to a total of \$1.45 million from an anonymous person to the relevant unit in the University of Hong Kong for the purpose of promoting Occupy Central, including activation of the referendum in relation to Occupy Central. In sum, concerning the sources and movements of these funds and whether or not foreign forces are involved, there are indeed many questions calling for answers. If the people concerned can be invited to give explanations in the select committee, not only will this help allay public doubts, it will also give the people concerned an opportunity to offer sufficient exposition and explanation, thus letting the evidence speak for itself. If there is really any misleading hearsay, these people can also be vindicated.

In addition, the scope of inquiry in the motion moved by you also includes the Administration's handling of the Occupy Central action and all other related

matters. I believe the Police must take law-enforcement actions according to law, maintain public order and defend the core values of Hong Kong. Often, many Members of the pan-democratic camp only queried and attacked the law-enforcement actions taken by the Police on the basis of individual incidents, partial facts and even falsehoods, which is most unfair to the Police. We could see from news footages on television a number of times that the Police were sandwiched between pro-Occupy Central people and anti-Occupy Central people, exerting their utmost to prevent an escalation in clashes. Even though they were facing tremendous pressure, they still delivered professional performance. I believe that in the end, the truth will prevail. Notwithstanding this, it is still necessary to review in earnest the approach taken by the Police in handling large-scale unlawful public assemblies. In addition, given the extensive scope of Occupy Central, the scope of the inquiry and the review should also cover the mechanism for inter-departmental communication and co-ordination.

Deputy President, Occupy Central has got out of hand and the adverse consequences that have arisen are far-reaching. This is heart-rending. For this reason, another major duty of the select committee is to look into the impact of the Occupy Central action on various aspects of Hong Kong. I believe the focus should not just be on the short-term impacts, for example, the impacts on the daily social order as a result of traffic chaos. More importantly, the focus should be placed on the social phenomena that have far-reaching implications as exposed by the incident, for example, the lack of understanding of and respect for the Basic Law as Hong Kong's constitutional foundation among some members of the public, the blows dealt to the rule of law as a core value of Hong Kong and even the rifts in society as a result of political controversies. In view of these considerations, I believe the inquiry in this regard should include at least the following important points:

- (1) The issues related to public order and safety that arose as a result of the blows dealt to the rule of law. The assembled people have illegally occupied major trunk roads for more than a month. Not only have they disregarded the rights of other people, they even ignored the injunctions granted by the Court against the occupied areas in Mong Kok and Admiralty, so their actions have allegedly amounted to contempt of court *en masse*. They cited the excuse of "civil disobedience" but in reality, they are flouting the law, thus damaging the dignity and authority of the Judiciary. If such a

precedent is set, it is inevitable that the foundation of the rule of law in Hong Kong will be shaken. The Hong Kong Bar Association and The Law Society of Hong Kong have coincidentally issued statements to express their immense concern. The Bar believes that this would make society descend into a state of lawlessness, thus stepping beyond the line of reasonable tolerance. I believe that what equally cannot be neglected is the fact that those people taking part in Occupy Central, in adopting such an approach to openly flout the Basic Law and demand that the Decision of the NPCSC be overturned, will also undermine the constitutional foundation of "one country, two systems". Once the foundation for the rule of law is rocked, the implications are far-reaching and the future of Hong Kong is in jeopardy;

- (2) If the Occupy Central action persists, the adverse effects on the economy and public living will spread and intensify continually. The select committee must also carry out in-depth analyses of the potential economic problems created by Occupy Central. Under the influence of Occupy Central, a number of countries and regions have issued travel warnings in relation to Hong Kong and the "Hong Kong-Shanghai Stock Connect", originally scheduled for launch this month, remains not connected for the time being. If Occupy Central develops into a long-term social confrontation, Hong Kong's appeal to foreign investors will surely be undermined, economic co-operation between Hong Kong and the Mainland will be damaged and the stability of Hong Kong as an international trade and financial centre will be shaken. Some international rating agencies have pointed out that if Occupy Central took a turn for the worse, Hong Kong's sovereign rating would face the risk of being downgraded, thus leading to an outflow of talent and capital. I am afraid this is no alarmist talk.
- (3) The finding of ways to mend the rifts in society and establishing positive interactions between the Government and the public should also be a subject of review by the select committee this time around. In particular, it is worth focusing the examination on the fact that many of the participants in the Occupy Central action this time around are university students. Judging from their age, it is

estimated that they were all born around the time when Hong Kong was reunified with the Motherland in 1997. Why are they so enthusiastic about taking part in the Occupy Central action? What are the flaws of the youth policy and education policy in Hong Kong over the years? On caring about the development of young people in Hong Kong, enhancing the quality of education and providing more opportunities for upward mobility to young people, what desirable measures do the SAR Government and various sectors of the community have?

Deputy President, to establish a select committee to conduct a detailed inquiry into the Occupy Central incident, so as to draw on this experience, enable various sectors of the community to examine the relevant social problems in Hong Kong and provide the full facts and information with a view to finding the right cure for the disease, is something absolutely worthy of our support.

Deputy President, it is said that "distant water will not put out a fire nearby". At present, the illegal Occupy actions are still ongoing and have inflicted harms on society. The tolerance of the public has reached a tipping point. Honourable colleagues of the BPA and I can by no means agree with any expression of political aspirations underpinning by actions resorting to undermining the rule of law and hijacking the daily life and means of living of the public and this, we believe it is also the heartfelt voice of many members of the public. The "Sign for Support Our Police, Free Our Roads, Restore Law and Order Movement" initiated by a civil group has collected 1.09 million signatures in total in the first five days, so it is evident how strong the opposition of the public to the Occupy Central action is. The latest development in the Occupy action is that the Occupy Central Trio, after igniting the flames, has made off after setting off the action, leaving other people stranded in the streets. This is so despicable. I hope that students and members of the public who originally participated in Occupy Central with zeal, thinking that it was truly about expressing their political views with love and peace, can reflect again on how the nature of the action has changed, let reason prevail and withdraw from the sites. Once again, I call on various sectors of society to step up communication and dialogue by adopting a rational and pragmatic attitude, so as to bring the Occupy action to an end as soon as possible and allow society to resume its normal order.

Deputy President, I so submit.

MR KWOK WAI-KEUNG (in Cantonese): Deputy President, first of all, I have to apologize to Members. It is because this motion should have been discussed last week but it has to be put off to this week. I also have to apologize to the 35 Members who also did not attend the meeting that day because they were made to give an explanation, though their absence was supposedly not to be noticed by anyone.

Let me now come to my speech proper. First, I speak against the motion proposed by Mr WONG Yuk-man. What is the reason? It is because Mr WONG Yuk-man's motion only targets the approach taken by the Police in handling a certain incident. As we all know, the Occupy Central action has not only affected Hong Kong significantly but also involved three districts, including Admiralty, Mong Kok and Causeway Bay. The whole incident should be considered from an overall perspective, and the problem will be generalized if we just look at a certain part of the incident separately. Meanwhile, as one man's loss is another man's gain, if the inquiry targets only the Police, it would only help prolong the Occupy Central action to the extent that the problem could never be resolved. Therefore, we cannot support Mr WONG Yuk-man's motion.

Besides, I support the motion proposed by Deputy President, Mr Andrew LEUNG. Earlier on, many colleagues have been arguing over questions such as what the funding sources are, whether or not there are these funding sources, and whether or not they exist. Some Members have firmly made such assertions while Members in the opposition camp adamantly denied them, saying that they did not receive any funding whatsoever. However, I think at least we have to look at the whole issue from a macroscopic angle and draw a conclusion on basis of the findings. We should not jump to any premature conclusion now.

That said, I am sure that public order and safety problems do exist. Also, organization and planning should also be involved. Why am I saying this? If organization and planning are said to be not at work at all and the movement is purely initiated by the people, this is actually belittling the efforts made initially by the Occupy Central Trio and the work carried out by the opposition camp at an early stage. It is because they had talked about the whole thing for almost a year or two and if it is said that they have made no preparation and taken no action, it would be like saying that they just talked without taking actions. They should have done something, just that they may not recall it and so, they always said that they did not have a part to play in organization and planning. But the fact is that they already set up the "stage" long ago, only that members of the public eventually came forth on their own initiative. They may put it this way though.

Deputy President, coming back to the topic of this motion, Occupy Central has persisted for 33 days. Frankly speaking, the occupiers and road blockers have had enough channels and room to convey their views through reports made by Hong Kong or overseas media over the past 33 days. As for the need to meet with the Central leaders in the future, frankly speaking, disregarding whether or not such a meeting would be held, the Central Authorities' understanding of the entire incident is unquestionable. That is to say, whether or not the Central leaders will meet with them has nothing to do with whether or not they understand the situation. Given the power of the whole country, how easy it is for them to find out what is going on in Hong Kong. They may know better than any of us in this Chamber here.

If anyone has done something — assuming that there is such a case — which amounts to collusion with foreign forces, he must not be so naïve as to think that he can cover it and get away without anyone noticing it. Of course, people will think that as there has yet been legislation on Article 23 of the Basic Law in Hong Kong, even if they have really committed treacherous acts against the country, actually nothing can be done about them for the time being, so why should they be so frightened?

Deputy President, I am a young man and a registered social worker. Certainly, I am not saying that I can represent those people outside this Chamber but I will try to understand them. I can appreciate their convictions because their starting point is good and well-justified. But does it mean that a good starting point will definitely lead to a good ending? This, I think, is open to question. For the wage earners, I think we know only too well that it is surely inconvenient for them to travel to and from work. Added to this is the class boycott organized some time ago, and even though the students can go to school now, they still have to make detours in order to get to school and they still have to get up much earlier. Great inconvenience has also been caused to the workers, and wage earners who commute by road transport definitely understand this. Moreover, even if one can have a more accurate estimate of the time required in taking the MTR, frankly speaking, it is also a fact that passengers have to wait for a few more trains now.

This is why the current signature campaign organized to urge for the return of roads to the people has collected close to 1 million signatures in a short span of three days and this goes to show that the people are very anxious. They hope that peace can be restored as soon as possible in Hong Kong and that the

occupiers can hear these voices. Of course, some people have immediately activated their self-defence mechanism as the occupiers said that these signatures could be fake or bought with money, slinging mud at the signature campaign by all means. But honestly, I personally visited a signature collection point on the street and saw that the people had put down their signatures not really out of any political awareness. Rather, they truly and wholeheartedly hoped that peace could be restored in Hong Kong. Among those signatories, I saw gentlemen dressed in immaculate suits, graceful ladies, and I also saw renovation workers, or ...

(Mr LEUNG Kwok-hung stood up)

MR LEUNG KWOK-HUNG (in Cantonese): Deputy President, point of order. Please do a headcount according to Rule 17.

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Mr KWOK Wai-keung, please continue with your speech.

MR KWOK WAI-KEUNG (in Cantonese): Deputy President, just now I mentioned that in the signature campaign urging for the return of roads to the people, 1 million signatures were collected in the first three days. Among those signatories there were wage earners in the upper stream, and there were also front-line wage earners, including elementary and grass-roots workers.

Next, I would like to tell a story. I remember that 25 years ago, I was a primary student then and as my family was poor, I did not have toys. Feeling bored at home, we would ask our parents to take us out to play. One Sunday, my father promised to take my brother and I to play football in front of my

primary school, and back then, the ball we played was made of plastic. While this happened more than two decades ago, I still clearly remember that when we were playing, some bad guys came up to my father and demanded money. I was not sure if that was a robbery, though they did not pull out a knife. Due to that incident, it was the only time my brother and I returned to school to play football. We have never done it ever since; nor had we ever done it before. When we got home, my mother was certainly furious because the whole month's salary was gone, and she was so angry that she almost turned the whole house upside down. She asked us how this could happen, saying that we would never be allowed to go out to play anymore. Of course, I wish to tell my parents that I thank them for taking care of and loving us throughout the years. They took us out to play at our request and even though we ran into troubles, I do know that they love us.

Why did I have to tell this story? Because we all know that parents certainly love their children and so, my father took us to the playground to play in good faith but unfortunately, a robbery took place. Some bad guys appeared in the story and what should originally be a joyful activity was wrapped up in an unhappy ending. Moreover, even though we were the victims, we had to live frugally in the ensuing month because my mother said that there was no money at disposal.

To me, this story is actually a bit like the current situation of the occupation. We understand that we all love Hong Kong very much and we have expectations of Hong Kong in good faith. But in reality, as the whole movement is going on in the community, it is very difficult to prevent the bad guys from meddling with the movement or stirring up troubles which would change the nature of the entire movement. Bad results have already emerged and the people are made to bear the brunt, including the resultant confusions, which have plunged the entire society into turmoil. People are worried about the safety of the occupiers, and the impacts on the daily life of the general public and the wage earners have surfaced at the same time. I hope that we can really gain some understanding of the developments of the entire incident. We do not wish to see these happen, but when these problems have emerged, should we face them and tackle them positively? How can we bring the incident to an end as soon as possible? This is the message that I wish to strike home.

Meanwhile, young people will certainly learn a lot of academic theories or ideologies in college but working in society is the way to verify these ideologies

and to find out which of them are useful or which of them are Platonic theories, or whether some are practicable. I hope that the young people can verify these theories through their experiences in society, rather than setting the tone in one go today and saying that certain objectives must be achieved before Hong Kong can be considered safe and sound.

In fact, there are many issues that we need to handle in society nowadays, especially in this Council. As Members mentioned earlier on, the Finance Committee has accumulated 18 items for discussion, and one item has just been disposed of. In fact, the development of Hong Kong as a whole revolves not only around the political system as there are also other people with other needs in society. In fact, there will really be more gains than loss to adopt an unco-operative approach to derail the operation of the entire Government in a bid to achieve a certain political goal. I also hope that Members in the opposition camp can pull back before it is too late for this Council to return to the normal track and also stop engaging in any further non-cooperation movement. Honestly, as we can see from the signature campaign that I mentioned earlier on, it is not the case that everyone had put down their signatures out of their political belief, but they had done so truly in the hope that Hong Kong can move forward and achieve continuous development.

Deputy President, I also have to respond to Mr Ronny TONG, Ms Claudia MO and Mr LEE Cheuk-yan who mentioned the freedom of assembly earlier on. In fact, the situation is clear. The occupation movement has persisted for 33 days, and it just does not make sense to say that Hong Kong does not have freedom of assembly; nor does it make sense to say that we do not have freedom of speech because during the past 33 days, their demands have been broadcast or reported unceasingly. Nevertheless, I wish to say that even though we have the freedom of assembly, we should still respect the current system and laws. First, an application must be submitted; and second, theoretically the participants should not stay overnight. Normally, an assembly should not be held overnight, for this is freedom of assembly, not freedom of camping. Moreover, as Members have said, the holding of an assembly should not affect the living of other people.

As Members have said very clearly, if they can hold an assembly at a place that does not affect other people, absolutely no one would raise objection and absolutely no one would bother them at all. But the problem is that they are now holding an assembly at a place that affects other people and for this reason, they cannot stop people from complaining and stop people from voicing out that

the assembly has affected them. So, when we all love this place, I hope that we love not only Hong Kong but everyone around us. Even if we do not see eye to eye with each other, should we still respect each other, be accommodating to each other, and care for each other? Because we all know that in Hong Kong, nobody can drive anyone away from this place, and we have to live here together. Recently, the song, "Under the Lion Rock", has often been cited. In fact, this song, "Under the Lion Rock", should be applied more broadly in a certain sense. It should be about members of the general public all over Hong Kong, but the song now seems to be applied only to the clique of assembly participants. I think the spirit of this song should be broader and that is, all Hong Kong people should move towards the same goal. Although we may have different views or divergence of opinions, we should join hands to lead Hong Kong in overcoming these difficulties, rather than relying on only a small group of people, because there is no reason to have only one kind of opinion under the Lion Rock. Therefore, I hope that we can stay calm and bring this incident to an end as soon as possible, so as to restore peace in Hong Kong society and return the roads to the people, such that wage earners can travel more conveniently. Thank you, Deputy President.

MR CHRISTOPHER CHUNG (in Cantonese): Deputy President, in the House Committee meeting last week, I asked you to consider your motion more carefully, since the motion is really an "imperial sword" to be wielded against those shysters who flout the law, instead of members of the public.

Deputy President, the unlawful Occupy action has annoyed Hong Kong for more than a month. There are increasingly more signs that indicate the existence of interference by foreign forces. The current Occupy movement is actually a Hong Kong version of a colour revolution aimed at turning Hong Kong into a bridgehead for subversion of China through seizing the right to governance by the agents in Hong Kong.

If one does not want people to know what he is doing, just do not do it. Although leaders of the opposition camp and the Occupy movement verbally deny interference by foreign forces, there are still a lot of signs and incidents showing that Occupy Central is actually a colour revolution. In a discussion held at The Carter Center on 24 October, former United States President Jimmy CARTER said that the United States should respect China's sovereignty over the

Hong Kong issue. Hence, former United States President Jimmy CARTER spilled the beans that the current Occupy movement is a colour revolution planned by the United States.

The so-called colour revolution emerged after the fall of the Soviet Union in the early 1990s. It was a bid by Western countries headed by the United States to secretly or openly support the opposition camps within rival countries in plotting a series of movements in the Middle East and Eastern Europe and inciting students and the general public to engage in subversive movements against governments in a so-called non-violent manner. As for the current Occupy movement in Hong Kong, leaders of pan-democratic political parties suddenly went missing at the very beginning. Taking the helm of the movement were scholars and religious leaders, who incited students to boycott classes and advocated its nature as a resistance movement of love and peace. In fact, it is a blatant unlawful occupation movement, a type of colour revolution, whose nature is very much similar to its various counterparts in the past.

Such movements are well-organized. They are not just richly provisioned — as Members can see in Admiralty, trucks loaded with drinking water and food arrive there one after another on a daily basis to provide for three meals a day. The hundreds of tents placed there are not cheap, either. Did they really take the initiative to bring their own tents from home? Hence, a parody now going viral within the community reads, "the pan-democrats organize Occupy Central that provides for meals and wages". Is that the case? There is really a need to invoke the "imperial sword" to conduct an inquiry. I believe members of the public have already formed an idea as to whether the Occupy movement is backed by foreign forces and funds. The general public are deeply resentful of such unlawful road-blocking activities, as well as those who stand in others' way to work, school and daily life by occupying the roads. In fact, everyone looks forward to some expeditious clearance operations by the Police, as our signature campaign has collected over a million signatures in just a few days.

(THE PRESIDENT resumed the Chair)

President, in the past month or so, a lot of documents and evidence have been exposed through the media or the Internet to show that the opposition camp and reactionary media operators in Hong Kong have maintained close association

with overseas groups, particularly American officials and political organizations, received "dark money" from them clandestinely and then redistribute it to the satellite groups under them for the organization of resistance movements. For example, Jimmy LAI, owner of Next Media, was earlier pictured in a secret meeting with former United States Deputy Secretary of Defense Paul WOLFOWITZ on a yacht, where they chatted for two hours or so. He also recruited Mark SIMON, once an officer at a United States naval intelligence unit, as an assistant to manage his finance. Perhaps the Americans do not trust "fatty LAI", fearing that the money may be pocketed by him instead of being distributed to them. Mark SIMON's job includes arranging donations for the pan-democratic camp and supporting the destructive Occupy Central. Moreover, none of those having received Jimmy LAI's donations has made a declaration of such receipt. Is it not an exact reflection that such money should never come under the light, and is thus real "dark money"? Heads of the opposition camp always meet with foreign consulate representatives and political dignitaries, and even go all the way to countries like the United Kingdom and the United States to meet with their senior officials and file complaints with them, begging them to intervene in Hong Kong affairs.

In addition, through non-governmental organizations like the NED and NDI as well as academic institutions formed within universities, the United States has also funded local political bodies, polling organizations and human rights groups and organized their anti-government activities. For instance, Benny TAI of the Occupy Central Trio was recently exposed to have donated \$1.45 million in the name of an anonymous donor to various faculties of the University of Hong Kong, in particular its Public Opinion Programme headed by Robert CHUNG, to subsidize their so-called "622 referendum" and the poll on Hong Kong people's ethnic identity, which is a false proposition. It was later exposed that the \$1.45 million came from Rev CHU Yiu-ming, another Occupy Central organizer. This is utterly an instance of money laundering, rolling in the same pond of water. Let us think further, President, where do you think a pastor may be able to get such a large sum of money? President, do you know? Do Members know? Let me tell you all, God knows.

President, it is thus evident that the current Occupy movement is an anti-Chinese chorus featuring organizations and people from various forces. President, the "imperial sword" is surely for slashing people all the way from incompetent rulers to crafty ministers, yet it can also be wielded to kill shysters who collude with foreign countries and betray their own. They had better be cautious. Given the interference by foreign forces, Hong Kong is now in a filthy

mess. As a Chinese saying goes, "A bald mule⁴ opens an umbrella, so no law⁵ nor sky is above it" (禿驢打傘，無法無天). President, why do I use the word "mule" intentionally? Because mules are sterile. They will not ask their children to occupy Central by sleeping on the street, but only ask others' children to do so, so I make a little change by using the word "mule". "A bald mule opens an umbrella, so no law nor sky is above it." Alas, members of the public are set to suffer miserably.

Therefore, I would definitely support the proposal of the Deputy President, or Chairman of the House Committee to the effect, to invoke the Legislative Council (Powers and Privileges) Ordinance to inquire into the whole matter in order to find out the truth behind these incidents. Here, we express our wish that the inquiry would offer the public an account and prevent a repeat of Occupy Central.

Thank you, President.

MR LEUNG KWOK-HUNG (in Cantonese): President, I request a headcount under Rule 17(2) of the Rules of Procedure.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Dr Elizabeth QUAT, please speak.

DR ELIZABETH QUAT (in Cantonese): President, in this period of time, what I have heard most from people are "The present situation of Hong Kong is really absurd", "How can this ever happen?", "Why is Hong Kong driven to such a pitiful state?" and "What are we going to do next?" President, how come university professors, barristers, lawyers and legislators will teach people to strive

⁴ The term "bald donkey" is more commonly used in the saying. Both "bald donkey" and "bald mule" are derogatory terms for a monk in Chinese culture who has no hair on his head.

⁵ In Cantonese, the character "髮" (hair) is homophonous with the character "法" (law).

for democracy by law-breaking acts, and that even the court injunction can be defied? It is ridiculous. Why should the students do anything they wish for their ideals? Even if they occupy the roads, confront and provoke the police officers, they are still not to be reprimanded? Police officers also uphold their ideals, defend the rule of law and maintain order, but they are met with condemnation every day. Students participating in Occupy Central claim that they strive for democracy. Basically it should mean the majority rules. But today, why do those students participating in the movement refuse to obey the majority public who oppose Occupy Central? Who have authorized those students participating in Occupy Central to make a decision on behalf of people across the territory to trade Hong Kong's current stability for an ideal tomorrow as advocated by the students?

What is even more ridiculous is the motion of Mr WONG Yuk-man today. According to what Mr WONG said in his speech earlier on and media reports, as he has actively participated in the unlawful Occupy Central assemblies in Admiralty and Mong Kok commencing on 28 September, there is a chance for him to be arrested and prosecuted. However, the motion moved by him today seeks an inquiry into the Police's handling of the incident. In other words, an offender is now seeking to investigate law-enforcement officers, giving rise to an obvious conflict of interests and roles. Of course, other Members are in the same position. Even though they have participated in the unlawful Occupy Central, they speak in support of an inquiry into the Police's handling of the incident and against a comprehensive inquiry into Occupy Central. The pan-democrats often take conflicts of interests very seriously. This time, they have placed themselves in a suspicious position. Should they consider staying away from the debate or voting process, so that they can avoid arousing suspicions and criticisms of application of double standards?

Nevertheless, President, nothing can be more ridiculous than the remarks of Prof Benny TAI and Alex CHOW, who say that they will turn themselves in at the end of the whole civil disobedience action, so as to complete the spirit of the rule of law and hold themselves accountable under the entire legal system. Hence, they do not sabotage the rule of law, but uphold the rule of law or fulfil the legal system. President, if such logic holds water, can a murderer be treated as a person fulfilling the entire legal system or even upholding the rule of law just because he has turned himself in? I believe most Hong Kong people will not subscribe to this. Surely the pursuit of ideals does not override the rule of law or justify the use of unscrupulous means, right?

President, speaking of logic, in the debate today, I find the logic of the pan-democrats very strange. Occupy Central is a serious matter, but they only support Mr WONG Yuk-man's motion which seeks such a narrow inquiry into the Police's handling of the triad gangs' attacks on citizens rallying in Mong Kok on 3 October, solely condemning Hong Kong police officers as black cops. For all those issues relating to the entire Occupy Central action, they nonetheless think that an inquiry is not necessary and must not be launched. I find it very strange. There has been extensive local and overseas media coverage on the funding, schemes, training, resources, and so on, provided by foreign forces. And earlier on, a number of Members including Mr WONG Kwok-hing, Mrs Regina IP and Ms Starry LEE also cited lots of examples, whose arguments and doubts are supported by ample information including newspaper reports and pictures. I believe these have reflected the doubts in many people's mind and their eager quest for the truth and facts. We are just seeking justice done. Why are we barred from launching an inquiry?

In their speeches, the pan-democrats think that the so-called participation by foreign forces in Occupy Central is just fabrication. Today, the democrats, who normally hold newspaper reports and professionalism in high, think that tons of media reports before us are fake or fabricated stories. They indeed apply double standards, acting in a conflicting manner. If the fact is really so open and aboveboard, and that all of them are just fabricated stories as claimed by Mr LEE Cheuk-yan, they should not fear any inquiry, should they? As it is an incident with far-reaching impacts on Hong Kong, the public are eager to get a full picture and learn about what has happened off camera. We are not asking for too much, so why are we barred from launching an inquiry? Honestly, I really have no idea as to how much about Occupy Central remains a mystery. Also, how can the pan-democrats be so sure that it is absolutely free of involvement of foreign forces?

The scope of inquiry does not involve the power to investigate people's assemblies as stated by Mr Dennis KWOK, Mr LEE Cheuk-yan and Mr Ronny TONG, nor do we seek an inquiry into schools and churches. So, please do not scare people with such remarks. The motion moved by Mr Andrew LEUNG clearly states in black and white "That this Council appoints a select committee to conduct a comprehensive inquiry into the incident of the breaking out of large-scale unlawful occupation of roads in a number of districts since 28 September this year, including its organization and planning, funding sources, the public order and safety problems caused by the incident, the impacts on

various aspects of Hong Kong, the Government's handling of the incident and all other related issues ..." There is nothing unreasonable about it. Do they actually think that it is not necessary to conduct any inquiry?

President, earlier on, Mr Ronny TONG questioned why we are doing political censure here instead of spending more time on discussing other policy issues of Hong Kong. I very much agree with him, and I also do not understand why our Police Force, which have long been maintaining the public order in Hong Kong so that it is one of the safest cities in the world, are subject to political censure. I also hope that this Council can focus its discussion on issues conducive to people's livelihood, but the pan-democrats are engaging in a non-cooperation movement. The bell was rung 12 times in total for a headcount in the Council meeting yesterday and we wasted two hours and 15 minutes in meaningless waiting. And for the motion on the establishment of an Innovation and Technology Bureau, which is uncontroversial in society, they also voted against it. Only two Members from the entire pan-democratic camp voted for it. So, do they take the long-term interest of Hong Kong into account?

President, the students say that the future of Hong Kong belongs to them. They are willing to sacrifice themselves in the pursuit of a freer, fairer and democratic Hong Kong. I can feel most students' eager pursuit of ideals with an unquestionable devotion. I also realize that in their mind, those who do not side with them are selfish and unable to understand them. But this is not necessarily true. In fact, we grown-ups really want to protect them, and our mind is fighting. On the one hand, we very much hope that these students will remain passionate and hopeful for the future of Hong Kong. But on the other hand, we wish to make it clear to them that it is impossible for us to forgo the freedom, rule of law, safety and prosperity enjoyed by us now as well as Hong Kong, a place where we can live in peace and plenty, sacrifice our home and join them in their fight for a utopian world of democracy perceived by them.

In the past few days, more than a million people have put down their signature to call for reopening the roads to the public, restoring order and upholding the rule of law, and supporting the Police to take enforcement actions according to law. Among them was an old lady who told me that her grandson had asked her to ignore the traffic light when crossing roads from then on. She then asked him why. He replied that he had come to know that as long as you were aggressive enough and dared chide the Police, they would not arrest you. The old lady said that her grandson was aged four and a half only. Those

students claim that they are for the good of Hong Kong, but in fact, they have set a bad example for children. I wish to tell those students that the future of Hong Kong does not just belong to them. Rather, it belongs to all Hong Kong people, including the older generation who have contributed much to our prosperity and made Hong Kong it is today, as well as the children who will look to us as examples and imitate us. Hong Kong is also a part of China, and we are duty-bound to work for the development of our country.

President, many people have heard that Benny TAI will return to the campus to resume his teaching duties and get his life back on track for the reason that he has pushed himself too far. Having heard those words, people are really offended and find it offensively amusing. The existing lawless situation has spun out of control in Hong Kong and it is attributed to the Occupy Central action initiated by him. While the students are still sleeping on streets, he says that he has to get his life back on track. Some members of the public told me that they had to spend one and a half hour more on travelling to and back from work. They have spent 48 hours more in the past 32 days, amounting to a waste of two whole days. Time is life, and life is priceless. How can they make up for others' life? He can choose to get his life back on track, so what about other people in Hong Kong? Why are they unable to get their life back on track?

President, a doctor told me yesterday that he and his family did not support Occupy Central. One day, her daughter who is studying at university told him off, saying that he was not worthy to be her father, and that she would not count him a family member as he was such a shameless person. He has saved numerous lives all through his life, but today, he is reduced to a shameless doctor who is not worthy as a father. This father is very upset. He and his family feel that they have lost their daughter. President, is it worth cutting all family ties and tearing a family apart for the pursuit of the so-called genuine universal suffrage? President, Occupy Central has been going on for more than one month. There are extensive blockade of roads and unceasing conflicts. In fact, the situation is pretty dangerous. Fortunately, we have not had any large-scale hazards such as fire, nor are there any casualties, a fact that comforts us amid calamities. And this is also because our police officers are willing to submit to humiliation for the bigger good, bite the bullet, exercise restraint and remain steadfast in their duties. I hereby express my heartfelt gratitude to the Hong Kong Police Force.

Yesterday, a 15-year-old teen attempted to launch a suicidal attack on a police station by setting off some homemade explosives. Luckily, he was stopped in time. This may be an exact example of the famous "broken windows theory" in criminology. That is to say, without intervention, some unlawful acts will escalate into more serious crimes committed by others. For example, when someone passes by a house and sees that a window is broken, he may break another window out of fun, then subsequent passers-by may do the same and cause further damage to the house. The longer Occupy Central lasts, the more the crimes. Just imagine, if the 15-year-old teen went to the occupied area in Mong Kok instead of the police station to set off the bomb, what will be the consequence? President, the consequence will be too ghastly to contemplate. How can the scene be cleared? People are not happy at all to see a forceful clearance which may result in bloodshed. Today, it is already time to stop being pigheaded. For any movement to become a success, public recognition and support in society must be secured, and a social consensus requires communication, dialogue, negotiation and fermentation in a democratic manner. The threatening tactic adopted by Occupy Central, namely refusal to back down, compromise, have a dialogue or vacate the streets, are not only unacceptable to the public, but also sets a bad example for a democratic society, which is not conducive at all to the promotion of democratic development in Hong Kong. I hope the students are not really carried away by victory, who refuse to take any view that is not to their liking, not even the words of the Chief Secretary for Administration. I hope that they will seriously listen to others, do some thinking, review what they have done and bear the responsibilities, so as to make sensible and constructive decisions for Hong Kong.

President, I think it is time to let go of Occupy Central, quell all grudges, resume a normal life, rebuild family ties and mend our relationship with friends. While an inquiry is launched to get a picture of the issues relating to Occupy Central, the Government and various sectors should conduct a proper "post-Occupy Central" study and review. The Government should resume its contact and negotiation with various sectors, so as to formulate policies which can alleviate public grievances, and work out strategies for the younger generation. Today, at this most difficult moment of Hong Kong, only if all of us are united as one and wholeheartedly contribute to Hong Kong can we weather this storm. The motion moved today on seeking an inquiry into the Police's enforcement actions will only deal a further blow to the morale of Hong Kong Police and cannot help resolve the problems.

President, these days, many people feel immensely frustrated. They are very upset, in a low mood and even have difficulties sleeping. I hope people will stay away from anger because anger will mess up our mind. When our mind is messed up, we will make mistakes, and mistakes are what we dread most now. Instead, we can spread positive energy by compassion, virtuous words and good deeds. Hong Kong is a blessed place, and it is also our home. President, "a harmonious family will prosper". I believe so long as the whole family can work together, we will eventually pull through this difficult pass.

With these remarks, President, I oppose Mr WONG Yuk-man's motion but support Mr Andrew LEUNG's motion.

MR ALBERT CHAN (in Cantonese): President, after listening to Dr Elizabeth QUAT's speech, I am terrified. An executioner pretends to be kind after killing people, asking those who are being butchered not to resist and not to moan, try to be united and remain obedient. This is the way the communist regime in Hong Kong is doing. This is their tone. They have enslaved the people of Hong Kong for 17 years, depriving them of their rights for 17 years. When the young people come out to speak up, they are told not to resist and be obedient and resume their role as lackeys. This is exactly the tone of the Hong Kong communists in ruling Hong Kong.

President, I wish to make two appeals here before all else. First, those who honestly support democracy and the Umbrella Movement of the young people, please do not persuade these young people to go back to their schools and abandon the Umbrella Movement. Many people have advanced many reasons, saying that there will be violent suppression, another Tiananmen incident may happen and violence will surely erupt. The more you are frightened and the more you refrain from lending your support to the Occupation Movement by the young people, this violence is more prone to appear. If you really support the young people, you should go tell the world what these young people are demanding. You should condemn violence and the deplorable way these Hong Kong communists are governing Hong Kong. You should work through creative means and the media and show all the instances of unfairness in Hong Kong. If you have got the courage, please go to the square of umbrellas, to Mong Kok or Causeway Bay, show your support to the young people. This is because any show of anxiety will only add to fear. The greatest resistance to the struggle for democracy is fear. When one is seized by fear, he will only walk farther and farther away from democracy.

PRESIDENT (in Cantonese): Mr CHAN, please speak on the two motions moved under the Legislative Council (Powers and Privileges) Ordinance.

MR ALBERT CHAN (in Cantonese): President, it is because of this fear that we need to probe into the deplorable things done by the Police. President, I have to make two appeals here. First, please do not advise the students to leave the square anymore. Second, it relates to Mong Kok. President, this is one of the main points of the inquiry. Many people often say that they can see that Mong Kok is fast on the brink of a riot and it is getting out of control. Please do not make those remarks anymore. They are far from being the truth. The clashes which took place in Mong Kok only lasted some 10 to 20 minutes. Why did those clashes happen? Because the triads, those people from societies with words like "love" and "force" in their names charged at the young people and caused disorder. This is the force of those who want to maintain stability in society. It gave a chance for people who pay out stability maintenance fees to cause disorder. So if Members have the time, please go to Mong Kok for a walk. They will find that people there are subject to much harassment even when they sleep and they cannot sleep soundly. But this is definitely not a case of things getting out of order or on the verge of a riot. The more those Members from the democratic camp use these epithets, they will become all the more the mouthpieces of the Government. So if they have not been to the scene themselves, please do not believe the propaganda found in the media and hence become the mouthpieces of the Government.

President, on these two motions, I will definitely oppose the one moved by Mr Andrew LEUNG. However, I hope from the bottom of my heart that it can be passed. It is because once it is passed, I am sure all the citizens who support the Umbrella Movement will line up for attending the public hearings. By then even if those public hearings are held for three years, they cannot be finished. Right? I hope Members can really pass this motion, hold the hearings and listen to members of the public who support the Umbrella Movement. This is not Occupy Central. When you people get it wrong in stating your case and understanding it, you will only be wrong in coming to grips with the crux of the matter.

Another motion is on probing into the Police. This is a motion I have got to support. I will explain my reasons for this later on. Actually, MA Yun has made some very fair comments and they are correct too. I think he is a

mainlander and after living in Hong Kong for some time, he knows very well what it is like under communist rule and all those deep-rooted conflicts. One remark he makes hits right on the mark of the present Umbrella Movement and that is, those rich and powerful hoard all the interests while the young people are disillusioned. This explains why in this resistance movement so many young people have come out and engaged in civil disobedience. They have slept in the square for one month. They are still holding on because they fail to see any hope. President, why is there no hope? More than two years ago when LEUNG Chun-ying was returned, I had actually made it clear that when someone who habitually lied became the Chief Executive, problems were bound to infest the Government. I said during an interview by the media that he was a habitual liar, that is, a person who had a habit of telling lies. This would only cause the governance to crumble.

Also, I said in 2011 that Commissioner of Police Andy TSANG Wai-hung was a blind believer in violence. He thinks that he can rule society in this way. When a Chief Executive who lies, a Commissioner of Police who is prone to violence, plus the media and parliamentary assembly which do not dare tell the truth, these three components form the governing structure and we are bound to see a disaster in governance. So as we look at the Umbrella Movement, it has broken out because of the spate of serious blunders made by the Administration and the Police, hence accounting for the outbreak of the Umbrella Movement. Therefore, an investigation especially into the blunders committed by the Police will help us understand factors causing the deep-rooted conflicts and grave social problems.

President, why do I say that lies are so important? This is because when no one in society dares tell the truth, there is bound to be grave blunders in governance. Every time when the Secretary for Security commented on the issues concerned, even though there were lots of media reports or eyewitness reports by people actually on the scene, he would pretend not to see anything. That proves he dares not face the truth nor speaks the truth. Memehk.com took a photo at the end of September and I hope the Secretary can take a look at it. Please do not lower your head and get engrossed in thoughts. I have enlarged the photo. The Secretary has indicated many times that the banner with the words "Disperse or we will fire" was never shown. But this is a photo taken by people actually on the scene on that very day. It can be seen very clearly that the police officers were facing the crowd. And the police officer who held the banner with the words "Disperse or we will fire" was showing this huge notice to the crowd formally. I think the Secretary knows it clearly that the police officer

must be very experienced and has undertaken proper training. When he displayed that banner at such a critical moment, there must be an instruction and a decision made by the top management. When this fact is repeatedly denied after many weeks, it proves that the top officials in the Government, including the Secretary, are influenced by the acts of this "689" "wolf" and liar. We can see heaps of lies after lies. When the top officials refuse to admit this fact and when they rule Hong Kong with repeated lies, they are certainly unable to deal with and handle this problem.

HAVEL of Czechoslovakia in his book *Power of the Powerless* mentions the importance of a government in telling the truth. Even for us who are powerless, we have to speak the truth under political suppression. Speaking the truth is the greatest power for the powerless. Now these young people are coming out to speak the truth. They are not like the rich and powerful — as MA Yun said, these rich and powerful have grabbed all the advantages. These young people have come out to speak the truth and tell the society, the ruling class and the groups with vested interests that they are fed up with this kind of oppression. But the Police under political manipulation fired 87 canisters of tear gas recklessly and almost fired guns as well. About this, I am sure that truth can be found after an inquiry is undertaken.

President, why is this inquiry so crucial? An inquiry can do justice to the people. Earlier on it was mentioned in a meeting in this Council that an inquiry should be conducted on the corrupt practices of the Chief Executive. The smear tactics of the pro-establishment camp are a favourite approach taken by the Hong Kong communists. In other words, smear tactics are first used, followed by a pretention of kindness after victims are killed, and then a false show of sympathy is extended to soothe the victims' families. They are most adept at ... Over the past decades the communists have been using these tricks so ingeniously. They control the media and use them to disseminate false information, then create terror and produce a false impression to cheat the people. A good example is the Cultural Revolution in the 1960s. As many as 78 million people died under communist rule, outnumbering those killed during the Second World War and in the STALIN era. The total is more than the people killed by HITLER and STALIN.

So as we look at this kind of governance, the young people of Hong Kong are being constantly smeared by these royalists as having received foreign assistance. This exposes the deep-rooted conflicts in Hong Kong over the decades under the governance of a liar government. These conflicts cannot be

ameliorated or resolved. In 2003, half a million people took to the streets and in the report which was compiled by the Liaison Office of the Central People's Government in Hong Kong and submitted to Beijing, it was written that the march was funded by the CIA. They are saying the same thing now, that the Umbrella Movement is controlled and funded by foreign countries.

The Umbrella Movement now and I have to state firmly, is a movement led and initiated by the students of Hong Kong in their fight for democracy. It is a local democratic movement. As MA Yun has observed — and MA Yun is more clear-minded than these rich and powerful — the rich and powerful people have taken too many resources and too much power into their hands and the young people are utterly disillusioned. These people are covering everything up with lies. This can only infuriate the young people and intensify the force of resistance in society. Moreover, it will push the young people and citizens with a keen awareness of democracy and freedom to the cause of independence for Hong Kong, taking Hong Kong onto the path of Tibet and Xinjiang. So these people are playing with fire. They should not think that telling these lies will help the Government rule. Their lies can only push Hong Kong into an abyss and make the resistance movement violent, driving it to extremism.

There is a need to employ methods to soothe and pacify protesters in every political or social movement. A government should know the needs of the masses — the communists are best at this — a government has to know the needs of the people and deal with their conflicts before there is any hope that the problems can be solved. It must not use lies and high-handed tactics to oppress and cheat the community and the ruling class in order to further the ends of those rich and powerful. This attempt to maintain stability will only enable them to reap indecent benefits because interests are at stake.

President, on the Police, there was a slogan in 1995 on recruiting police officers and it is to this effect: "honest-to-goodness men who defend public order" But almost 20 years down the line, what we see are police officers who beat up people in dark corners despite their claim to being open and aboveboard. This is simply pathetic. I hope therefore that this inquiry can do justice to the majority of police officers. This is because over the past few weeks and during the clashes I can see that most police officers were disciplined and there was only a small number of them, and I believe less than 10%, who displayed frantic reactions and exhibit special purposes. I hope that the inquiry can do justice to both the citizens and the Police, and most of all, to this group of students.

DR FERNANDO CHEUNG (in Cantonese): President, I speak against the motion proposed by Mr Andrew LEUNG to invoke the Legislative Council (Powers and Privileges) Ordinance (P&P Ordinance) to inquire into the Occupy Central movement. On the other hand, I support the motion proposed by Mr WONG Yuk-man to inquire into the police's handling of the situation at Mong Kok on 3 October 2014.

President, the pro-government camp keeps stating the necessity of an inquiry into the Occupy Central movement for they consider the movement must be taking place at the instigation of certain forces with careful co-ordination, and foreign forces must be supporting it behind the scene. Regarding these comments, first, I think it not only shows their ignorance but is also an insult to all members of the public participating in the Occupy Central movement. Second, I have to point out that under the system of separation of powers of the executive, the legislature and the Judiciary, the most significant function of the Legislative Council is to monitor the Government. This is particularly so in the absence of a genuine democratic system. Under such a system of separation of powers, the Legislative Council should staunchly fulfil its role of conducting independent monitoring of the Government. It is only by doing so can we pre-empt any arbitrary acts of this dictatorial and hegemonist Government. Regrettably, the pro-government camp proposes to turn the Legislative Council into a tool for monitoring or adjudicating people's organizations and people's forces.

The Occupy movement belongs to the people who are facing a mammoth government which owns everything. Insofar as the Legislative Council is concerned today, its legislative power has nearly been monopolized by the Government. We have to wait for the Government to submit bills to avail ourselves to opportunities of scrutinizing and passing the bills. If the Government does not submit any bill, we can only sit still and we can do nothing about it. We know clearly that Article 74 of the Basic Law has already imposed many constraints on our legislative power. Yet under such an unfair system, some Members still go so far as to request an inquiry into the general public. On one side stands the ruling power, and on the other side stands the powerless, who should shoulder the responsibility? Why are they always on the side of the high and solid wall? Certainly, we are always on the side of the egg.

What is the demand of the movement as a whole? "I want genuine universal suffrage". This is written clearly on the vertical banner hung upon the Lion Rock. Yes, we want genuine universal suffrage. But what do the other Members say? They ask us to pocket it first. That means they also think that this is not genuine universal suffrage. This point is crystal clear.

In the decision of the National People's Congress (NPC) in 2007, it was stated clearly that Hong Kong people would truly select the Chief Executive in 2017, and then in 2020, all Members of the Legislative Council might be returned by direct elections. Had the authorities honoured this promise, the Occupy Central movement, the Umbrella Movement, would not have taken place today? No, it would not have happened. The present problem is that the authorities have gone back on its promise. The crux is not merely the failure of the authorities to keep the promise, but their failure to say "sorry" to the public. It should have made it clear to the public that we are facing the present outcome for the NPC has gone back on its promise and the SAR Government has no authority to overturn the NPC decision, but still, it will exert its utmost to strive for this on behalf of Hong Kong. Does the Government have this spirit?

As I said last week, the Occupy movement as a whole and various road blockade actions this time around were forced by the Government. I believe no one has ever thought about blockading roads at Admiralty. Had not the Government blocked all the accesses to the assembly venue and announced dictatorially that people were in an unlawful assembly, it would not have resulted in the blockade in Admiralty. Had not the Government blocked the roads, causing overcrowding of participants at the venue, they would not have to run out onto the roads. Had not the Government fired tear gas, there would not have been Occupy movements in Causeway Bay and Mong Kok. All these are brought about by the Government. The incident was definitely caused by the Government. Yet Members now demand an investigation into the public, the funding sources and the involvement of foreign forces. I beg Members to go to the scene personally. Why do Members not chat with the occupiers? Members' offices are right there. Members pass by the occupied area every day. Why do Members not simply sit down and talk to them? Sit down and experience it, Members, you will then understand all this. For in just a while, Members will see people bringing soup to the participants. Take the residents in my district as an example. Two ladies had used castored suitcases to bring Momordica Grosvenori tea to the venue for the occupiers. Why would they do so? Are they supported by foreign forces? At another time, I saw a lady from a building above the occupied area bring some Onigiri rice balls for occupiers at Rodney Street — we now call that place Rodney Village. Why would these people offer supplies to the occupiers? Are they really supported by foreign forces? I beg Members to talk to them. Members may ask them where they come from, are they from overseas, why they would buy all these things and deliver them to the protest scene. Why would these people give away the supplies? Are they crazy? Do they have too much money? Do they not have

other business to attend to? Some of these people are business operators. Why would they leave behind their businesses and come to the protest? I have talked to them, and I know that some people do leave their business behind to support the movement. There are plenty of these examples. Members may talk to anyone of them randomly and they will know the situation.

As for the students, certainly, they may not necessarily be earning money, yet they use their body and time to participate in it. Some people say that the students are instructed by foreign forces and that they are incited by the pan-democratic camp. Cut the crap! We would be more than happy if the students could stop criticizing us, how would it be possible for us to incite them? People who make such claims are overstating our influence. Do they think we can instruct them? Do they think we can mobilize a movement of this scale by spending \$1 million or so or even several million dollars? Come on! Think about how much they have to spend on dealing with the movement in order to maintain stability and national security? Such remarks about Benny TAI receiving several millions in donation are nonsense! Let me tell them: That amount is too small for this movement. Do they think the money is spent on this movement?

If they want to investigate the incident, they should call public hearings. Why does the Panel of Security not call public hearings? Why does the Panel on Constitutional Affairs not call public hearings? We should call public hearings to listen to the views of the people. We may ask them why they take part in the Occupy movement, who instruct them to do so and who pay them to do so. If public hearings are called, many people will queue for the opportunity to tell Members who are abetting them. How ridiculous it is to call for an investigation of the public? How would those Members dare use this sword to deal with the powerless?

Many people on the scene have received supplies. I once met with some drivers of container trucks and light goods vans. They told me face to face that, "When I saw the movement of students being suppressed, I felt angry, and so I came forward." They organized over 50 light goods vans to come out to show support. Should this be regarded as foreign forces? A few days ago, I heard the main stage of the occupied area announcing that someone had donated 8 000 lunch boxes. In that case, should Members investigate whether it involved the support of foreign forces? Some people are delivering soup to the occupied area every day. This happens in Causeway Bay and Mong Kok, too. Why do Members not investigate these cases?

Many people know a man surnamed MOK. He has the background of a surveyor and an accountant. Now, he has been on a hunger strike for 29 days. I do not know if he is supported by any foreign forces. He uses his determination and personal sacrifice to tell Hong Kong people that we deserve the basic political right of choosing our political leaders. Our request is just that simple, but the authorities do not allow us this request. Indeed, our request is something promised by the authorities in the past. This is a promise made by the authorities, but since they had back on their words, the Occupy Central movement was forced to take place.

Frankly, the Occupy Central Trio did say some time ago that this was not their plan. Their original script was simple. They planned that at most 2 000 people would hold a sit-in in the pedestrian zone and when the Police came to arrest them, the movement would be over. What is the actual situation now? Members should go to the occupied area to talk to the young people.

Today, a survey conducted by the Reuters reveals that 90% of the young people staying in the occupied area have expressed the determination to stay if the Occupy movement will last for a year. Can we talk them into doing so? No, only the Government can. Everyone is asking them to back down. Where should they return to? Should they return to a society with significant disparity between the rich and the poor? Should they return to an unjust system? Should they return to a society where the Government colludes with the business sector? Should they return to the order where the powerful bullies the powerless, which is most loved by those people who want to continue to exploit them? Are you asking these young people to return to such an environment?

I met a student of mine whom I have not seen for years at Mong Kok. He made a brief remark about the situation, which hit the nail right on its head. He said, "Sir, this is a difficult movement, for it is about one group concerned about making a living and another group concerned about their dignity." Young people of their generation do not only aspire to making a living and survival. I do not know if Members have studied psychology. There is a theory about the "hierarchy of needs" put forth by MASLOW, who said that rulers or the pro-government camp always wants to suppress the people and make them live at the lowest level of "making a living". In that case, the people will give the highest priority to their livelihood, for they will not be able to earn a living if they stop working. We are in the 21st century now. Can we just aspire to "making

a living"? The aspirations of young people today are of a higher level. They pursue ideals and dignity. What about you Members? You say "No". You forbid them to pursue their aspirations. You make them remain at the level of "making a living" to maintain your dictatorial rule and ensure only the elites will enjoy dignity. Now, when the students come forward to strive for their aspirations through resistance, those Members request that an investigation be conducted and the suppression be continued.

On 3 October, what did the Police do? We can see this from the footage circulating on the Internet. We notice that many violent people who were apparently triads were released after arrest by the Police. There are a lot of reports about the incident, and I need not repeat them. Members will know what happened on that day if they check domestic and overseas newspapers. Why did the Police remain on the sideline? Why additional manpower was not deployed for a long time? Why do we not dig deeper to find out the truth? Why do we always consider the Police professional and impartial? I am not pinpointing the Police, for in the entire incident, the Police are only used as a tool to oppress the people. The Police are caught in the middle between both sides.

The crux of the incident is that Hong Kong people have come forward. Today, Hong Kong people no longer focus on "making a living". I am proud of the young people. Today, I read an article in the *New York Times* on an interview with Joshua WONG. He states very clearly that people think Hong Kong is a society concerned merely about money and interests, but this thinking is wrong and it has been crushed. The core value of mere money held by those people is of no value to the young people. They can no longer deceive them. These young people have no fear. They do not fear pepper spray, they do not fear tear gas, and they do not fear even triads. Resort to batons and triads as you like! You may as well call in more members from those patriotic associations and triad societies to attack them.

The movement has remained peaceful so far. There are thousands to tens of thousands protesters coming forward, yet not even a piece of glass has been broken. Some people say that Mong Kok is an unruly area, yet the goldsmith's and jewelry shops and banks open as usual. The authorities say that parents should not bring children to the area, yet many children have been there. When will danger arise? When triads are there, when people from the patriotic camp appear, when people wearing blue ribbons appear and even when policemen are

there, danger arises. I hope the policemen will do their level best to uphold their political neutrality and to protect the safety of all members of the public.

I so submit.

SUSPENSION OF MEETING

PRESIDENT (in Cantonese): I now suspend the meeting until 9 am tomorrow.

Suspended accordingly at 7.59 pm.