

Alternatives to the Duty Roster Members System

The Duty Roster Members (DRM) System

The DRM system to receive petitions and representations from the public has been adopted for a long time. The rationale for the DRM is to share the workload among Members.

2. Members, in groups of six, are put on a roster drawn up by the Complaints Division. In drawing up the roster, the Complaints Division tries to make it as representative as possible with at least one member from each main political party. (Independent Members not affiliating to any party is considered as one group.)

3. The same group of DRMs meeting the deputation will be responsible for all follow-up actions on the case and, if need be, the same group of Members will meet the deputation again in case it is not satisfied with the outcome of the case or for further discussion on its complaint in the light of new evidence.

4. The present practice is that if another deputation with a similar complaint requests to see Members after the DRMs in the previous week(s) have seen the earlier deputation(s), another group of DRMs will be arranged to meet it. (From experience, it is quite often that some of the Invited Members might be the same.) This group of DRMs will be briefed by staff of the Complaints Division that a similar complaint had been lodged and the decision of the previous group(s) of DRMs on how to follow up on the case. If it is decided that a case conference should be held, and depending on the timing, the two (or more) groups of DRMs will be arranged to attend the same conference in order to avoid duplication of efforts and inconsistency as far as possible. If it is decided that the case should be referred to the Administration in writing, the case officer will make a consolidated report to all Members involved in the issue on receipt of the Administration's reply.

The Ward System

5. Each individual Duty Roster Member takes turn once during his/her duty week to be on "ward duty" for two hours to receive individual complainants and to give advice to the staff of the Complaints Division in the processing of certain difficult cases. Previously, "Ward Members" used to stand by in the Complaints Division during the duty hours. With the drop of walk-in individual complainants and in order not to waste Members' time, requests for interviews with Members are now arranged by appointments. Walk-in complainants are received by staff of the Complaints Division.

Possible alternatives to the DRM System

6. Possible alternatives are:

- (a) LegCo panels to take on the responsibility of handling complaints from groups

This option was considered in the 1993 and 1994 reviews of the Redress System. It was considered that “the main role of panels is to monitor government policies and not to handle complaints. As not all complaint cases involve matters of policy and dealing with complaint cases is usually time-consuming, it would unduly detract from the main focus of panels should they be asked to take on the job of processing complaints from groups.”

The present practice is that if in examining the complaint from a deputation, the problem involves policy implication or change in legislation, DRMs will instruct that the case be referred to the relevant panel for follow-up. It is quite common that when the panel discusses the issue at a later date, the deputation will be asked to present their views again. In the case of change of legislation resulting in the introduction of a bill, the deputation may be invited again to appear before the bills committee if such a committee is formed to study the bill. Depending on the timing of the issue, there are circumstances that the same deputation meets with Members in different forums of the Legislative Council within a short spell of time.

- (b) Formation of established “case committees” on different subjects to handle complaints from groups

Under the DRM System, different groups of DRMs may see different deputations on the same subject or related subjects. Co-ordination is now provided by staff of Complaints Division as mentioned in para 4 above. Also, the issues raised by the deputations to the DRMs may not always be within the areas of speciality of the DRMs although these shortcomings have always been mitigated by Invited Members. For the sake of continuity and consistency, Members will be invited to form themselves into core groups (or “case committees”) on different subjects to handle complaints from deputations, e.g. housing, transport, education etc. These committees will meet as and when there are requests to see them on subjects within their terms of reference. The procedures and arrangements for these “case committees” would be the same as those for panels. The “case committees” will be served by staff of the Complaints Division.

(c) Formation of ad hoc “case committees” to handle complaints from groups

A notification will be issued to all Members on receipt of a request from a deputation inviting them to join the “case committee” and to meet the deputation on a date specified by the deputation. All Members can freely join any committee according to their interest and availability.

For Members’ consideration

7. Members may wish to consider the pros and cons of retaining the DRM system.
8. If Members decide to replace the DRM System, they might also wish to consider the following:
 - (a) Should the Redress System continue to handle individual complaints, most of which do not concern policy matters, but are on ‘personal matters’ such as delay in applications for housing, CSSA etc?
 - (b) Should Members’ own offices take up all individual cases now that these offices are much more developed than before?
 - (c) Should the “ward” system continue to handle individual cases? If so, perhaps two Members would be rostered on “ward” duty each day, one for the morning and one for the afternoon session?
 - (d) If both the DRM and ‘ward’ systems are dissolved, how should the LegCo Redress System be overseen?