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9 June 2003

The Honourable TUNG Chee-hwa
The Chief Executive of the
Hong Kong Special Administrative Region
of the People's Republic of China
Chief Executive's Office
Hong Kong

On behalf of the House Committee, I am writing to inform you that a motion requesting the appointment of a Commission of Inquiry to inquire into the handling of the outbreak of Severe Acute Respiratory Syndrome (SARS) was passed by the House Committee at its meeting on 30 May 2003. The terms of the motion were -

"本內務委員會要求政府在十月或之前，成立獨立調查委員會，調查真相，追究責任；若政府拒絕成立，本內務委員會將考慮成立專責委員會。"

("That the House Committee demands the Government to appoint an independent Commission of Inquiry in or before October to conduct an investigation to find out the truth and whether any persons should be held responsible; if the Government refused to do so, the House Committee will consider setting up a select committee.")

The SARS outbreak has brought about serious impacts on the community and has dealt a heavy blow to Hong Kong's economy. Some 1 750 people have been infected, including hundreds of healthcare workers. There are now over 285 fatal cases, eight of which involved healthcare workers. Members consider it necessary to identify lessons to be learnt, and to make recommendations on areas of improvements in order that Hong Kong's public healthcare system can be better

prepared to handle any further outbreaks. Members consider it also necessary to review the handling of the SARS outbreak and look at the question of responsibility.

Members note that the purpose of the SARS Experts Committee appointed by you is to establish the professional findings of the epidemic, and hope that its review would be completed as early as possible, given that some experts have predicted that another outbreak may occur in winter. The House Committee is of the view that after the Experts Committee has completed its work, there should be an independent inquiry to pinpoint responsibility. The House Committee requests that the inquiry should be carried out by a Commission of Inquiry appointed by yourself. The Commission should be headed by a person who is not involved in the handling of the SARS outbreak, as the public expects the inquiry to be completely independent and impartial. The House Committee has agreed that it will consider the setting up of a select committee to carry out the investigation, if the Administration refuses to appoint a Commission of Inquiry.

When I met with the Chief Secretary for Administration on 2 June 2003, he informed me that the Administration had decided not to appoint a Commission of Inquiry. Members find the response disappointing and hope that it is not the Administration's final position. Members have instructed me to provide you with the record of their discussion on the matter which is attached to this letter. They urge you to carefully consider their views on the need for an independent inquiry to look at the question of responsibility in the handling of the SARS outbreak.

(Not attached)

I look forward to your early reply.

(Selina CHOW LIANG Shuk-yee)
Chairman
Legislative Council House Committee

Encl.
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