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香港下亞厘畢道



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23 May 2005

Clerk to Panel on Security
Legislative Council Building
8 Jackson Road
Central
(Attn : Mrs Sharon Tong)

Dear Mrs Tong,

Surveillance

Thank you for your letter of 6 May 2005 asking the Administration to advise whether the ruling of Judge Sweeney on 22 April 2005 has any impact on the work of law enforcement agencies, and if so, details of the implications.

Surveillance is part and parcel of any law enforcement agency's repertoire of investigative techniques, and the law enforcement agencies in Hong Kong are no exception. The product of such surveillance has been introduced into evidence in our criminal courts in the past on many occasions.

We respect the judge's views. While we note that they are not binding on other courts, the Administration is carefully studying them to see what should be done to provide a clearer legal basis for such surveillance operations. Meanwhile, the law enforcement agencies will

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take appropriate account of the concerns expressed by the judge in carrying out their duty to investigate crime and to protect the public.

Yours sincerely,



(Miss Cheung Siu Hing)
for Secretary for Security

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