立法會

Legislative Council

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(此份逐字紀錄本經政府當局及其他應邀出席者審閱)
(This verbatim record has been seen by the Administration and other parties who attended the meeting by invitation)

檔號Ref: CB1/PL/ITB/1

2011年6月7日上午10時至正午12時 資訊科技及廣播事務委員會特別會議的逐字紀錄本 Verbatim Record of the Special Meeting of the Panel on Information Technology and Broadcasting on 7 June 2011 from 10 am to 12:00 noon

出席委員Members present:

黄毓民議員 (主席)

譚偉豪議員, JP

(副主席)

陳鑑林議員, SBS, JP

劉江華議員, JP 劉慧卿議員, JP

李永達議員

梁君彥議員, GBS, JP

黃定光議員, BBS, JP

湯家驊議員,SC

何秀蘭議員

葉國謙議員, GBS, JP

葉劉淑儀議員, GBS, JP

Hon WONG Yuk-man

(Chairman)

Dr Hon Samson TAM Wai-ho, JP

(Deputy Chairman)

Hon CHAN Kam-lam, SBS, JP

Hon LAU Kong-wah, JP

Hon Emily LAU Wai-hing, JP

Hon LEE Wing-tat

Hon Andrew LEUNG Kwan-yuen,

GBS, JP

Hon WONG Ting-kwong, BBS, JP

Hon Ronny TONG Ka-wah, SC

Hon Cyd HO Sau-lan

Hon IP Kwok-him, GBS, JP

Hon Mrs Regina IP LAU Suk-yee, GBS, JP

其他出席議員Members attending:

譚耀宗議員, GBS, JP 余若薇議員, SC, JP 王國興議員, MH 林健鋒議員, SBS, JP

陳健波議員,JP 潘佩璆議員 梁家傑議員,SC Hon TAM Yiu-chung, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon WONG Kwok-hing, MH
Hon Jeffrey LAM Kin-fung, SBS,
JP

Hon CHAN Kin-por, JP Dr Hon PAN Pey-chyou Hon Alan LEONG Kah-kit, SC

缺席委員Member absent:

霍震霆議員, GBS, JP

Hon Timothy FOK Tsun-ting, GBS, JP

出席公職人員Public officers attending:

<u>商務及經濟發展局</u> <u>Commerce & Economic</u> Development Bureau

署理商務及經濟發展局局長蘇錦樑先生,JP

商務及經濟發展局 常任秘書長(通訊及科技) 謝曼怡女士, JP

政府資訊科技總監 麥鴻崧先生, JP

副政府資訊科技總監 (政策及客戶服務) 林錦平女士, JP Mr Gregory SO, JP Acting Secretary for Commerce and Economic Development

Miss Elizabeth TSE, JP
Permanent Secretary for Commerce
and Economic Development
(Communications and
Technology)

Mr Stephen MAK, JP Government Chief Information Officer

Miss Joey LAM, JP
Deputy Government Chief
Information Officer (Policy and
Customer Service)

政府資訊科技總監辦公室 署理總系統經理(數碼共融) 黃敬文先生

Mr Kingsley WONG
Acting Chief Systems Manager
(Digital Inclusion)
Office of the Government Chief
Information Officer

上網學習支援計劃推行機構 覆檢委員會 Review Committee on the Implementer for the Internet Learning Support Programme (ILSP)

財經事務及庫務局 常任秘書長(庫務) 應耀康先生, JP Mr Stanley YING, JP,
Permanent Secretary for Financial
Services and the Treasury
(Treasury)

for

the

Financial

Treasury

財經事務及庫務局 副秘書長(庫務)3 何珮玲女士 Ms Doris HO
Deputy Secretary

Services

数育局副秘書長(6) Ms Esther LEUN

Ms Esther LEUNG, JP Deputy Secretary for Education (6)

and

教育周副松音坛(0) 梁悅賢女士, JP

<u>Evaluation Panel on the Implementer</u> for the ILSP

<u>上網學習支援計劃推行機構</u> <u>評審小組</u>

Mr SHE Mang
Chief Curriculum Development
Officer (IT in Education)
Education Bureau

教育局 總課程發展主任(資訊科技教育) 佘孟先生

Mr CHAN Tze Yee
Chief Telecommunications
Engineer (Development)
Office of the Telecommunications
Authority

電訊管理局 總電訊工程師(發展) 陳子儀先生

應邀出席者Attendance by invitation:

前政府資訊科技總監 Mr Jeremy GODFREY

葛輝先生 The former Government Chief

Information Officer

香港社會服務聯會 <u>Hong Kong Council of Social</u>

Service

行政總裁Ms Christine FANG方敏生女士Chief Executive

網上學習資源中心 Mr Tony LEE

總經理 General Manager

李振培先生 Internet Learning Resource Centre

信息共融基金會有限公司 <u>eInclusion Foundation Limited</u>

信息共融基金會有限公司會長 Dr Winnie TANG

鄧淑明博士 President, eInclusion Foundation

Limited

香港小童群益會總幹事 Ms Lilian LAW, JP

羅淑君女士, JP Executive Director, Boys' and Girls' Clubs Association of Hong Kong

互聯網專業協會常務理事 Mr Kenny CHIEN

錢國強先生 Council Member, Internet Professional Association

列席秘書 Clerk in attendance:

總議會秘書(1)3 Ms YUE Tin-po

余天寶女士 Chief Council Secretary (1)3

列席職員Staff in attendance:

助理秘書長1 Mrs Constance LI

李蔡若蓮女士 Assistant Secretary General 1

首席議會秘書(2) 湯李燕屏女士

高級助理法律顧問1 馮秀娟女士

助理法律顧問3 盧志邦先生

高級議會秘書(1)3 羅偉志先生

議會事務助理(1)3 梁美琼女士 Mrs Sharon TONG Principal Council Secretary (2)

Ms Connie FUNG Senior Assistant Legal Adviser 1

Mr Bonny LOO Assistant Legal Adviser 3

Mr Joey LO Senior Council Secretary (1)3

Ms May LEUNG Legislative Assistant (1)3

主席:各位早晨,今天這個特別會議主要讓委員就"上網學習支援計劃"的遴選過程進行討論。我們邀請了有關人士出席今天的特別會議,時間是兩個小時。首先請政府官員、團體代表及葛輝先生進來。

首先,我們歡迎前政府資訊科技總監葛輝先生、香港社會服務聯會方敏生女士及李振培先生、信息共融基金會鄧淑明博士、香港小童群益會總幹事羅淑君女士、互聯網專業協會常務理事錢國強先生及政府當局的代表出席會議。政府方面是陣容鼎盛,除了財政司司沒來之外,幾乎應該來的人都到齊了。

我在這裡簡單說明這次特別會議一些需要注意的事項。首先,請各團體代表戴上耳筒及咪,選擇你所需要的頻道,頻道0是現場收音、頻道1是粵語,頻道2是英語。我要提醒各位人士,除了立法會議員及出席會議的指定官員,今天出席此會議的人士的書面或口頭陳述都不受《立法會(權力及特權)條例》的保障。我也提醒議員,按照《議事規則》第83A條及84條的規定,議員就今次處理的事宜如有直接或間接的金錢利益,應於發言前披露有關利益的性質。

這次的會議紀要會以逐字紀錄本的形式製作,所以請各位發言時不要中英夾雜,以免造成即時傳譯的不便。我先要求各位委員同意,在桌面上有幾份文件,第一份是我們有20位立法會議員於2011年6月3日聯署的信;第二是葉劉淑儀議員於2011年6

月3日的信件;第三是葛輝先較早時提交給事務委員會文件的中 譯本;另外就是葛輝先生的聲明書,以及政府的聲明。

我們的程序,第一:在場的委員是否同意讓葛輝先生在此就 其聲明作出陳述?如各位沒有意見,葛輝先生可以有10至15分 鐘的時間。葛輝先生說完後,請政府官員說10至15分鐘,政府 代表也有一份文件放在桌面上。完成這個程序後,各位委員可 以提出問題,每人5分鐘。

主席:劉江華,你有甚麼話說?

劉江華議員:主席,葛輝先生的陳述如果有書面......

主席:放在桌面上了。

劉江華議員:哦,好。

主席:劉慧卿議員。

劉慧卿議員:政府是否也有書面,即......

主席:也放了在桌面上。

劉慧卿議員:沒有,這個未見。

主席:正在派發。

劉慧卿議員:好,謝謝。

主席:我剛才讀那5份文件都齊了。除了這5份之外,之前已經 發了很多文件給大家。

首先請葛輝先生。

Mr Jeremy GODFREY: Thank you, Chairman.

Today is the 25th occasion on which I've appeared before the Panel and before discussing the ILSP, I'd like to take the opportunity to thank the Panel for the fair and challenging way in which you scrutinised my work as GCIO. When I appeared before the Panel, I always strove to be straightforward, honest, constructive and respectful and I hope that I succeeded.

The ILSP is a worthwhile and meaningful programme and it is a pity that the selection of implementers was effected by political considerations. I will deal first with a number of criticisms that have been made of my role, then I will outline the concerns about the ILSP which caused me to leave the Government. I will say a few words to protect individuals whose reputation might otherwise be unfairly harmed and, finally, I will discuss the evidence that a formal inquiry might uncover.

There have been a number of mischeivous rumours accusing me of ulterior motives in airing my concerns. All these rumours are utterly false. In particular, the unfounded allegations that I have acted at the behest of a variety of public figures must have caused them some annoyance. I very much regret this.

It is scarcely credible that I should have invented the detailed account of events contained in my memorandum. I have much to lose if I were found to be lying, including the risk of imprisonment for wilfully using an affidavit which I knew to be false. My sole concern in airing my concerns has been to serve the public interest and protect my good name.

It has been suggested that I should have reported the attempted political interference to the Civil Service Bureau, CSB, when it first occurred. According to the Civil Service Code, an officer who feels he has been asked to act improperly should first try to resolve the matter with his superior officers or with the person giving the instruction. I was not, in fact, aware of the Civil Service Code until late last year but I independently realised that it was sensible to try to resolve the matter with my superiors in the first instance.

Despite the clear political pressure, I believed, up until January this year, that it would prove possible to resolve the matter without acting improperly. That is why I did not take things further. As soon as it became clear that my

belief was incorrect, I took steps to terminate my employment, with the Government.

For several months, I tried to find a way to implement the ILSP that was in the best interests of low-income families, that involved no impropriety, and that the political layer might be persuaded to accept. I may be judged to have tried too hard and for too long; if so, I am ready to accept whatever criticism I am due.

Finally, it has been suggested that I became part of the political conspiracy myself when I proposed to explore collaboration instead of simply selecting the highest-scoring proponent. I knew that there would be political consequences if the evaluation panel's recommendation to select HKCSS were followed. I, therefore, felt obliged to report the outcome to Mrs LAU as the principal official with political accountability for the work of my office. I also informed her that I thought that the eInclusion business model was superior and that it would be a lost opportunity if we did not find a way to take advantage of it. Mrs LAU advised me that she would not take political accountability for a decision to select eInclusion over HKCSS but otherwise she asked me to use my own judgement.

I decided to propose that we sound out the parties about the possibility of collaboration. Before doing so, I challenged myself whether I would have done this even if I knew nothing about any political requirement. I concluded that I would have explored collaboration in any event because I considered that it could result in a significantly better outcome for low-income families. I was also conscious that I had followed a similar course in relation to the District Cyber Centre Programme. I, therefore, believed that there was nothing inherently improper in proposing that we sound out the parties about collaboration even though I knew that it might be politically convenient.

Let me now turn to the main factors. I would like to highlight three factors behind my decision to leave the Government: first, there was an attempt at political interference; second, the attempt was successful; and, third, I feared I would be asked to mislead LegCo about the true reasons for the selection.

Let me first describe the attempt at political interference. There were four different Government officials who informed me about the political requirement to select a particular implementer. First, a civil servant in CEDB, the Commerce and Economic Development Bureau, told me he had been told by or on behalf of the Financial Secretary that it was mandatory to arrange for an iProA-backed entity to implement the programme. With the benefit of the chronology that the Government submitted to the Panel last Friday, I can now date this conversation to within a week or so of 15 January 2010. Second, at the time when the evaluation panel was considering

proposals, a civil servant in OGCIO told me that he had been called by the Financial Secretary's office to check that I was aware of the Financial Secretary's requirement to select a particular proponent. Third, when I reported the evaluation panel's conclusions to Mrs LAU, she told me that the political requirement was to ensure that iProA members would have the opportunity to knock on the doors of low-income families. And, fourth, there were numerous conversations with Miss TSE, when collaboration was being discussed, in which she referred to the requirement to select eInclusion as a "political assignment". In one of these conversations, she told me that the assignment came from "beyond the Financial Secretary".

There is no possibility that these conversations were merely general discussions of the merits of iProA and eInclusion. The language used left no room for doubt that the Financial Secretary expected us to select iProA or eInclusion and to make it appear that there was no political motivation for the selection. Second, let me describe the extent to which the attempt at interference was successful. As I mentioned, I did not consider it improper to propose that we explore collaboration but I did consider that Miss TSE's behaviour in proposing and chairing the review committee was influenced by political considerations. For example, I proposed that I should follow the evaluation panel's recommendation to select HKCSS in the event that collaboration discussions failed. Miss TSE told me orally that she would not She said that she had not gone to the trouble of finding a procedural justification for deviating from the usual practice of selecting the highest-scoring proponent only to find that the project was ultimately awarded to HKCSS in any event. I also considered that political considerations influenced Miss TSE's decision to recommend a dual-implementer approach and then to tell the proponents that there was no alternative. Miss TSE accepted that the dual-implementer approach was not in the interests of low-income families. She justified the dual-implementer approach by finding procedural problems with every variant of a single-implementer She was not prepared to consider ways of mitigating those approach. She ignored the equal or greater procedural difficulties procedural problems. with the dual-implementer approach. In sum, Miss TSE knew that there was a political assignment. She brought about an outcome which delivered the political assignment. Her justification for the outcome did not ring true. I could not escape the conclusion that her approach was influenced by political factors. Finally, I consider that my fear that LegCo would be misled has come to pass. Once, when I objected to her proposed answer to a possible Panel question about the selection process, Miss TSE told me that it would be necessary to tell the whole truth if there were a LegCo inquiry but this was not necessary in a normal Panel meeting. I took this as meaning that the Government would conceal embarrassing facts even if this meant misleading LegCo about the existence of the political assignment.

Rather than list all the examples of misleading statements that have since been made I will merely highlight two. These are not the most reprehensible examples but they are, perhaps, the clearest examples.

First, the Government has claimed that "normal procedures were throughout". followed In fact the procedure used dual-implementers was so abnormal that the ICAC Corruption Prevention Department went out of their way to raise concerns about it. Second, the Government claimed that the points I proposed to put on record a few months ago "did not deviate:" from the account they had already given to the Council. In fact, my proposed points included a statement which was diametrically opposed to the impression that the Government had tried to convey. Government's account implied there had been no political interference whereas I proposed to say that "on several occasions ... I was informed that there was a 'political assignment' to select a particular implementer".

I now turn to the reputation of others. I should like to repeat that at no time did I feel that either Mr Greg SO or Mrs Rita LAU asked me to act in an improper way. I should also reaffirm that I have no reason to suspect that Dr Elizabeth Quat was involved. It has incorrectly been suggested that my statement about Dr Quat also applied to the DAB generally. I must clarify that my statement was limited to the personal involvement of Dr Quat; it did not apply to the DAB generally and it was not intended to apply to the DAB generally.

I will now turn to the question of evidence.

I did not make surreptitious recordings of conversations with my colleagues. I did not make or retain unauthorised copies of Government documents. The evidence that I personally can provide is the sworn testimony of an eye-witness. I do not invite the Panel to make a finding of impropriety based solely on my evidence. I invite the Panel to propose that there be a formal inquiry with power to summon witnesses, examine them on oath and require the production of documents. Such an inquiry could be conducted either under the Commissions of Inquiry Ordinance, or the Legislative Council (Powers and Privileges) Ordinance. Such an inquiry may not uncover much directly incriminating documentary evidence. Care was taken to avoid creating such evidence, either in the form of paper records or in the form of emails which might later be recovered from backup copies. On one occasion, Miss TSE explicitly cautioned me against sending a draft document by email for precisely this reason.

An inquiry would, however, uncover documents which are a carefully-worded attempt to justify a course of action that the author knew to be wrong, rather than an honest account of the author's true reasons for a decision. It would also uncover evidence of changes made to draft

documents that indicate a desire to conceal the true nature of events. But documents may not be the most important evidence that an inquiry would uncover. My account of events could most directly be corroborated by sworn evidence from other eye-witnesses who were involved in conversations about the political requirement to select a particular implementer. Today's special Panel meeting has no power to examine witnesses on oath and not all of the relevant witnesses are here. In particular, the Government's ten-person delegation does not include either of the two eye-witnesses who told me of conversations with the Financial Secretary or his office about political requirements. I have not named these eye-witnesses because they are serving civil servants and I do not think it is fair that they should come under pressure to come forward without the legal protections they would have if they were summoned as witnesses before a formal inquiry.

In conclusion, I should like to end by reaffirming my strong belief that the ILSP itself is an extremely important and worthwhile programme. Despite the circumstances in which we find ourselves today, I remain proud of my role in designing the ILSP and in winning support for it.

Mr Chairman, I am ready to assist the Panel to the best that I can.

主席:好,謝謝葛輝先生。接下來我們請政府的代表,首先請署理局長蘇錦樑先生。

署理商務及經濟發展局局長蘇錦樑先生:多謝主席。

葛輝先生至今就"上網學習支援計劃"所發表的言論已對政府聲譽構成嚴重影響,政府對此深表遺憾。

我本人並沒有參與徵求建議書的制訂,評審和覆檢委員會的工作。當我在署任局長期間得悉葛輝先生對"上網學習支援計劃"一事向立法會所作出的反映後,我向常任秘書長謝曼怡女士和政府資訊科技總監辦公室同事瞭解過事件。我可以在此重申,整個"上網學習支援計劃"遴選過程公正持平,考慮基礎由始至終都是尋求整體上為計劃帶來最佳效益的方案,完全不存在不當程序和政治任務的問題。

政府公務員團隊在這件事上只有一個共同目標,就是按照既定規則和程序揀選最優秀的方案落實"上網學習支援計劃",令計劃達至最佳效益。他們已經竭盡己職,以中立和持平的態度依例辦事。

同事之間的意見分歧不能被視為程序不當。葛輝先生的言論不盡不實,有誤導成份,政府絕不苟同。葛輝先生往往偏好以 政治標籤去解讀接收到的信息,歪曲事件的本質以自圓其想, 實在令人遺憾。

政府樂意繼續向立法會資訊科技及廣播事務委員會詳細交代"上網學習支援計劃"遴選過程,並積極配合委員會的要求瞭解事件的真相。多謝主席。

主席:好,接着有請常任秘書長謝曼怡女士。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:多謝主席。

就葛輝先生的指控,我有3項澄清。

第一:遴選程序要按遊戲規則,不偏不倚,這點基本要求, 任何公職人員都要堅守,不可妥協。無論任職哪個工作崗位, 我一直堅守這基本要求,重視程序公義。

葛輝先生質疑:為何他喜歡兩個提交建議書的機構合作,但 覆檢委員會卻偏偏要求他先結束徵求建議書程序,然後才進建 議書的遊戲規則只容許機構各自提交一份建議書;政府可以強 選其中最好的一份,亦有權一份也不選;但政府不可以內 變遊戲規則,要兩間機構合作,等同中途更改或再提交新的內 變遊戲規則,要兩間機構合作,等同中途更改或再提交新的內 養養書。當葛輝先生完成評審5份建議書後,他認為最能為低 家庭帶來最佳效益的方案就是糅合兩份最優異的建議書戲 家庭帶來最佳效益的方案就是糅合兩份最優異的建議書戲 家庭帶來最佳效益的方案就是糅合兩份最優異的建議, 數規則 不陷合。故此覆檢委員會從程序角度提示葛輝先生, 數規則 不陷合。故此覆檢委員會從程序角度提示葛輝先生去年10月8 不實他的建議,應先結束徵求建議書程序, 這類先生去年10月8 日的電郵顯示,他當時是接受有關安排的。他亦知道除非建議 書程序,或選擇把計劃判給其中一間最優秀的機構。

葛輝先生另一質疑是:為何合作不成,局方要堅持由兩間機構分區推行,而不是否決其他方案呢?事實上,要求兩間機構合作,可行模式不外有三。第一,他們自行成立公司;第二,政府為他們成立公司;第三就是分區推行。經過多輪磋商,我

和葛輝先生都體會到要兩間機構自行成立公司推行這計劃成功機會很低。於是我們開始考慮後備方案,其中一個是由政府成立財政司司長法團公司(簡稱FSI),邀請兩間機構參與。這個FSI方案要經過一定的內部討論和法律程序,需時較長。另外,我們沒有信心兩間機構單憑政府牽頭便會合作愉快。葛輝先生去年11月曾親自書面評定這方案"不可行"。12月初時,由於大家無計可施,再次把這方案納入考慮之列;12月14日財政司司長決定先考慮分區推行,然後以FSI為最後方案。今年1月4日,有關機構在商議合作過程中關係再次出現問題,我正式提出分區推行方案,邀請兩間機構考慮;至於FSI方案,我決定抽起,因為勉強兩間機構合作,不再可能,我們不應該自欺欺人,拖泥帶水。

葛輝先生曾建議另一個方案,就是只邀請兩間機構修訂原本建議書,再提交政府評審。由於磋商合作期間兩間機構已知悉對方的強項、弱項,再次評審的公正性明顯會受到影響。這個建議程序上有根本的缺陷。葛輝先生去年12月自己曾對此方案表示有保留。

分區推行方案是政府經全盤考慮後的集體決定,不是我個人的決定,方案整體上較為實際,亦較能配合計劃的推行時間表。正如葛輝先生提到規模效益是其中考慮,但不是唯一考慮;引入競爭未必是壞事。計劃即使分區推行,每間機構服務對象也有約15萬戶,已有一定的規模效益,我們亦已為行政開支設定上限。

我作為公務員一向執着任何與競投、公帑相關的工作,要做得到和要讓人看得到政府是不偏不倚,公平公正的。遴選決定不容反反覆覆。

主席,我第二項澄清是公務員堅信堅守政治中立原則。我重申,"上網學習支援計劃"遴選過程中,絕對無人向我、我亦沒有向任何人施壓、明示或暗示要干預遴選結果。

我一向有提示葛輝先生要以計劃效益和合理程序為依歸;葛輝先生亦確認得悉這個提示。我去年4月加入商務及經濟發展局,並沒有參與徵求建議書設計和評審工作。去年8月後成立的覆檢委員會,是有庫務科和教育局同事集體商議運作的。去年10月至12月期間,拉攏兩間機構合作時,兩間機構都分別對我和葛輝先生有看似偏幫對方的微言,政府的中立程度不容置疑。到考慮後備方案時,我和葛輝先生意見出現分歧,但最終

决定是集體作出的,而"分區推行方案"亦都是得到兩間機構同意才落實的,不存在政府單方面或個別官員操控遴選結果的問題。

葛輝先生指控過程有"政治干預",有關指控嚴重誤導,無中生有。葛輝先生在去年8月向我匯報徵求建議書的進展時,當時已完成評審工作。他向我首次提到在磋商把這計劃納入預算案期間,他有印象財政司司長屬意由一間社企或具商業觸覺的機構推行計劃,而葛輝先生印象中互聯網專業協會正是司長心目中的合適機構。但葛輝先生當時堅稱、近日亦再確認,他同時設財政司司長沒有向他作出任何要求。葛輝先生當時看來沒有受到這個印象困擾。我當時認為他只是反映他印象中財政司司長的個人觀點,不代表司長有意圖影響遴選公正性。

我聽了葛輝先生的說法後,曾向財政司司長辦公室瞭解。電話上我收到的信息是:財政司司長在預算案前提及希望由社企或具商業觸覺的機構推行計劃,亦有提到互聯網專業協會具備營商經驗,但財政司司長從沒要求或暗示要繞過公平的遴選程序。我事後向葛輝先生解釋,亦提示他要審慎公正行事。去年8月初,葛輝先生和我向局長匯報徵求建議書進展時,也提到財政司司長的看法。我清楚記得,當時劉吳惠蘭局長說對於財政司司長的意見毫不知情,她叮囑葛輝先生要公正地完成遴選工作,絕無就遴選結果提出任何個人傾向。

葛輝先生指控我曾不只一次確認有一項"政治任務"要將計 劃交予某機構,更言之鑿鑿指該項"政治任務""had come from beyond the Financial Secretary"。我強烈否認曾提過計劃有"政治 任務"。"Political assignment"一詞是葛輝先生今年1月5日決定提 早離職時首次使用和強加諸我身上的,之前從未作出類似指 摘。把"政治任務"串連"beyond the Financial Secretary"更是斷章 取義,誇張失實。我從沒有提過有任何人要干預遴選決策過程。 我提過的是:"上網學習支援計劃"有很多持份者,財政司司長以 外(即所謂"beyond the Financial Secretary"),5家來自資訊科技、 社福界的"重量級"競投機構,都非常關注這計劃。我提示葛輝先 生政府要加倍謹慎,以計劃效益和合理程序為依歸,不可有任 何偏差,否則會遭人詬病,甚至要到立法會回應質詢。去年10月 左右,外間對評審結果議論紛紛,加上傳媒報道和立法會關注, 整項計劃少不免被"政治化"。葛輝先生深受揣測性的報道困擾, 我曾開解他不要理會外界的政治壓力,我所指的 "protecting me (him) from political pressure"僅是如此,別無他意。

主席,我第三項澄清:政府內部討論意見不同,實屬正常。 公務員要遵守、尊重制度下按合理程序作出的決定。

職責所在,我和葛輝先生有很多合作機會,我尊重他,現在也很尊重他在資訊科技方面的專業知識,亦相信我在行政管理方面的經驗可配合他的工作。在推行"上網學習支援計劃"一事上,葛輝先生非常"上心",對如何落實對低收入家庭帶來最佳效益方案有強烈的個人意見。我作為他的上司,察覺到涉及2億2,000萬元的計劃沒有內部制衡機制、程序上亦有違反設定審準則的地方,故有責任提出改善,確保葛輝先生所作的責任。我国表面是級反映,尋求解決方法。我們在工作上意見時有分的電野中表示會致力與我修補工作關係,令我願意與他續約。他同時承認他經常反應過敏,就連我一個未覆與他續約。他同時承認他經常反應過敏,就連我一個未覆與他續約。他同時承認他經常反應過敏,就連我一個未實與他續約。他同時承認他經常反應過敏,就連我一個未實與他續約。他同時承認他經常反應過敏,就連我一個未實與他續約。他同時承認他經常反應過敏,就連我一個未實與他續約。他同時承認他經常反應過敏,就更我一個未實與他續約。他同時承認他經常反應過敏,就可表別就信履行我可能表示。

主席先生,我想強調"上網學習支援計劃"是新嘗試,我感謝所有參與徵求建議書的機構,以及多個月來為落實計劃而勞心勞力的推行機構和同事。政府有信心兩間推行機構能成功為低收入家庭提供上網學習支援服務。我希望大家能理性分析,用一個平常心去理解事件,作出客觀判斷。多謝。

主席:我在這裏問一下出席的團體,社聯及互聯網專業協會、小童群益會及信息共融基金的朋友,你們想發言嗎?如果想,我給3分鐘時間大家。羅淑君女士,是嗎?鄧淑明女士,請講。

信息共融基金會有限公司會長鄧淑明女士:好。主席,各位委員,我是鄧淑明,信息共融基金會的主席,也是互聯網專業協會iProA的會長。信息共融基金會作為"上網學習支援計劃"的投標機構,是根據《稅務條例》第88條註冊的免稅慈善團體,董事會包括iProA及香港小童群益會的代表,以及9名獨立的專業人士。信息共融基金會是按照政府標書的規定,以全新成立的免稅慈善團體的身份作為"上網學習支援計劃"的執行機構。信息共融基金會在整個投標過程中,完全依照"上網學習支援計劃"的招標規定及既定程序進行,信息共融基金會以iProA及香港小童群益會作為核心夥伴,兩個組織同時是"上網學習支援計劃"的擔保機構。信息共融基金會就核心夥伴的分工早有共識,前線及地

區工作由小童群益會負責及統籌;技術支援及上網硬件等技術服務由iProA統籌。

iProA是絕對政治中立的專業IT團體,現在擁有2 600多名會員,與其他專業IT團體一樣,iProA積極推動本港資訊通信科技業及從業員的專業發展。但iProA獨特之處,就是早於12年前成立時,已進行消取數碼隔膜的項目,並以此作為本協會的宗旨之一,是香港最早提倡並推行信息共融的團體,經驗豐富。過去iProA的工作相當着重消除青少年、老年人、弱勢社群中的數碼隔膜,致力提高大眾善用互聯網的能力。

以上是我對信息共融基金會及iProA的簡單介紹,接下來請我身邊的核心夥伴,小童群益會總幹事Lilian簡單介紹基金會的執行理念。

香港小童群益會總幹事羅淑君女士:主席,我是羅淑君,是香港小童群益會總幹事。香港小童群益會是一間前線和提供直接服務的機構,我們一直以來都很關注基層兒童的學習及成算案等等。如應在實際,我們歷年回應施政報告、財政預算案等等、出席立法會,希望積極提出低收入兒童的需要。2009年3月5日,我們亦於立法會有關委員會呈交"增設上網津貼,確保學童公平學習機會意見書"。在參與這次投標過程中,我們專了經歷中,我們小童群益會按地區推動策略及熱線支質服務,執行及負責統籌。小童群益會的宗旨亦一直希望為由於完實提供平等學習的機會,支持他們有額外的支援及協助信息共融機構參與投標,過程也是依足程序參與的。

主席:方敏生女士。

香港社會服務聯會行政總裁方敏生女士:多謝主席。我只想說一句,其實現在"分區執行"對社聯來說,由頭到尾我們都覺得是一個不理想的做法,行政費用會增加,對於學童其實不太好,因為原本整個計劃書是全港性的,有一個數量才有議價能力將無論軟件或硬件價錢降低,這是社聯一直以來的立場,在沒有選擇下,我們決定接受,否則便會繼續沒有人幫助學童取得平價的上網及其他服務。謝謝。

主席:李振培先生,有沒有補充?

網上學習資源中心總經理李振培先生:無補充。

主席:現在有以下議員舉手發言:王國興議員、梁君彥、李永達、黃定光、劉慧卿、葉劉淑儀、湯家驊及劉江華,每人可以說5分鐘。另外我提醒各位議員,最好於發言前申報利益。5分鐘,就我們今天討論的議題,有些已經過時的不要再說了,因為葛輝已說得很清楚,政府也回應得很清楚,我們就雙方面回應的內容有質疑的提出問題,盡量希望這個會議是很有效率的。我們好好利用兩個小時的時間,首先請大家記得發言前申報利益。回答及發問加起來5分鐘。希望大家盡量簡短,因為牽涉的人很多,可能問葛輝先生,又可能問政府,你可以指定任何人回答,如果你沒有指定,我幫你拿主意。首先有請王國興議員。

王國興議員:主席,我想問葛輝先生兩個問題,第一,我剛才聽到葛輝先生指出葛佩帆女士與這件事無關,剛才我聽到他這樣說。我也看到葛佩帆女士有一個聲明,說葛輝先生在電郵中證明她本人與此事無關。但我聽見剛才葛輝先生發言時說,有人不正確引述他的說法,換句話說,葛佩帆女士與此事有關,這是不正確的。我想通過主席問葛輝先生,他指"有人"那是甚麼人,他可否說出那些人的姓名,那些人是否在場,可否指出那些人的姓名及身份?這是第一個問題。

第二個問題也是問葛輝先生,他當面指謝女士,認為謝女士受政治影響,葛輝先生認為謝女士有政治上的考慮,又認為謝女士找理由去支持"分區執行",他的結論認為謝女士的決定是受政治影響。引述完畢,因為都是他認為。不過,我也聽到剛才謝女士很詳盡、嚴正,措辭清晰反駁葛輝先生,認為葛輝先生的說法,我覺得"葛輝的猜想"是過敏、懷疑,有猜度,其實立論不知道是否因為葛輝先生太過敏感。

無論如何,剛才葛輝先生的發言,政府已有很清晰的反駁。 現在這一刻你聽到政府的反駁及澄清,會否已經解釋或澄清、 或冰釋了你的猜想是沒有根據的?兩個問題。

主席:葛輝先生,兩個問題,第一誰引述,即不正確引述,關於葛佩帆有參與此計劃?第二問題......這個問題其實應該政府問,不是王國興議員問,不過你也可以回答。

Mr Jeremy GODFREY: Okay, so the first question was I referred to my statement about Miss QUAT being misinterpreted rather than I said about Dr QUAT being misinterpreted rather than misquoted. I noticed, from media reports, that the statement I'd made verifying that Dr QUAT had not been involved and I'd never discussed this with her had been positioned as that I had said that the DAB had had no involvement whatsoever. That is the misquotation or the misinterpretation. So I think the media had quoted the leader of the DAB as asserting that. To the extent that he may have been misquoted I don't know but I just wish to place on record that what I said about Dr QUAT was personal about Dr QUAT, it didn't apply to any other person; I didn't intend it to apply to any other person and if I were asked to make a similar statement about the DAB generally, I would not be prepared to do that.

Let me also address the question about the Government's refutation and have I just been oversensitive. I outlined in my statement four occasions on which Government officials told me about the political requirement. There is no possibility whatsoever, despite the impression that the Government has tried to give, that, on any of those occasions, I could have misinterpreted what I had been told. I should say that I actually feel quite sympathetic towards Miss TSE. I think she's been in a very difficult position. She has probably been under more direct and greater political pressure than I have been. I am very sorry that that pressure should have caused her to deny that she ever used to me the words "political assignment" in describing the requirement to select a particular implementer. I fear that there's not much more I can say about that other than to suggest that an inquiry with sworn evidence, hearing from other witnesses, might get to the bottom of this.

I also would want to say that, in Miss TSE's statement, she selectively quoted from a number of documents of which I was the author; I think it's unfair and would be unwise of the Panel to reach any conclusion without seeing the full documents and without understanding the full context. In the context if I can talk about my note to Miss TSE in which I said I thought I

might have been oversensitive, I said to her that an atmosphere of mistrust had grown up between us as a result of the pressure that had that I did not feel that she was acting in the best interests of low-income families and I felt she was responding to the political pressure that we both knew about in a way that was inappropriate. That had caused an atmosphere of mistrust to build up to the extent that I had become oversensitive, possibly, about other matters affecting our relationship. So I don't, for one moment, accept that the Government's so-called clarifications that they've given today or refutations aren't the cause me to change my view that there was an attempt at political interference. As I say, there were no fewer than four Government officials who, on four separate occasions, left me in no doubt whatsoever that there was a political mandate.

I should also say I alluded in my affidavit to a conversation I'd had with someone who was not a Government official but who also discussed with me the political imperative to select iProA and the political advantage that it was expected might arise from doing that, so I have to say there's absolutely no doubt in my mind there was political interference. I think the Government have done nothing to convince me that this was just a misinterpretation by an oversensitive individual. I'm a the only time I find myself act I usual act in an extremely rational and calm manner, the only circumstances in my career where I have observed myself feeling under stress or acting emotionally have been on occasions when I've been asked to do something which I knew was not right. Around the ILSP, I was being asked to do something that I knew was not right and that caused me understandable stress and certainly made the working relationship with Miss TSE extremely difficult indeed.

主席:好,謝謝葛輝先生,你過了一點時間,但不要緊,我們盡量讓你說,希望其他委員簡短一些,問問題的核心,希望找出真相。下一位梁君彥議員。

梁君彥議員:多謝主席。我想從另一個角度去看。葛輝先生1月5日辭職,我想問問秘書長,1月5日前,政府有否收到葛輝先生任何電郵或書面正式通知,由於他受到政治壓力,所以辭職?同時,我知道秘書長謝女士說,他發電郵給你,要求你幫他續約。我想問問,政府為何不幫葛輝先生續約呢?而他辭職時,1月5日是否知道你不幫他續約,所以他辭職不做?或是因為政治理由,他說反正你的程序不對,我就甩手不幹?

主席:秘書長。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:多謝主席。我與葛輝先生就"上網學習支援計劃"經常有交往,葛輝先生很多時候曲解了覆檢委員會的工作性質及角色,譬如管制人員要向覆檢委員會提交意見,覆檢委員會須就管制人員的意見從程序的角度提出意見。對於這個問題,我們之間有提過建議,互相交流過。葛輝先生去年10月8日很不滿意我們的決定時,他寫的也承認,他自己承認,覺得應該接納,將徵求意見書的程序作出總結,然後劃一條線,5個機構公平公正知道從零開始,下一個階段再進行磋商。所以就算10月8日,葛輝先生寫給我的電郵,完全沒有提及政治干預。10月、11月,就算意見分歧很大的時候,葛輝先生提出的電郵,不是現在事後說,當時的電郵都很清楚,絕對沒有提過有"政治任務"這回事。

續約事件,我知道我們10月後開始就"後備方案",就"分區推行方案"意見有不同,葛輝先生有一些使用強烈字眼的電郵交給我,非常強烈,罵我罵得很厲害,意見不同,但不是針對事件,而是針對個人。一直都是......12月底時,葛輝先生第一次要求與我商談他續約的事情,12月22日他要求見我。當時我知道大家就"上網學習支援計劃"意見很不相同,我知道我不應該就"上網學習支援計劃"這一件事去影響政府如何考慮與一個部門首長的合約,我是刻意不提這個計劃。

葛輝先生向我提出他想續約,我不想誤導他,我與他分享我的初步理解、初步建議,這個合約最終須經公務員事務局及敍用委員會審批,不是個人合約。我當時跟葛輝先生說我有3個理由,有3個理由是對續約提出有困難。第一,部門與葛輝先生作為一個部門首長的溝通出現了嚴重的問題,這是我當時提出的。我不時有跟葛輝先生說,我收到部門裏面不同的同事向我反映,葛輝先生比較難接受別人的意見。12月時有另外一個會議,是兩個部門一起開,我做主持。有關另外的部門,部門首長會後向我反映,資訊總監辦公室的同事不能說服其部門首長聽他們的意見,不是接納,而是聽都不聽,他們需要透過第二個部門的同事向我作為開會的主席反映意見。對於我來說,這是嚴重的溝通問題,不是個人問題。

第二,部門首長與政策局的關係。曾經有一次局長與葛輝先生開會,很多人都有參與。在會議上,葛輝先生對於e-engagement用甚麼方式有一個建議,局長有不同的意見,葛輝先生很明顯情緒受到很大的波動,在場的同事都看到。我提議葛輝先生要

多聽,要接納別人的意見,我向葛輝先生反映了這一點。另外,有關的專業人員協助會亦寫過信給我,提出他們希望一個好的部門首長除了要懂IT,還要懂得政府的文化.....

主席:我必須要制止秘書長,我們這個場合不適宜讓你繼續說人事問題,你回答不與他續約的原因及日期,已經回答了梁君 彥議員的問題。

我想問梁君彥議員,可否讓葛輝先生回應謝曼怡秘書長的說法?

梁君彥議員:其實我問得很簡單,葛輝先生離職時已經知道政府不會與他續約,是不是?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士: 葛輝先生12月22日與我溝通,當時我的初步意見是覺得續約有困難。

梁君彥議員:如果葛輝先生.....

主席:即這是1月5日前。你的時間已夠,但我覺得應該給予少許時間讓葛輝先生回應這個問題,不過你最好只說1分鐘。好嗎?

Mr Jeremy GODFREY: Yes, okay, thank you very much. Thank you to Mr LEUNG for raising this issue.

I might just give an account of the issues relating to my contract renewal. I joined the Government in 2008, April 2008. It was my intention, when I joined the Government, that I should serve, maybe, five years in total. That was my career plan because I felt that it would take longer than just one three-year contract to make the changes and make them stick, make them embedded in the way the Government works. After my first year, I had a good performance appraisal; after my second year, I had another good performance appraisal. Both the permanent secretary at the time and my countersigning officer, the Secretary for Commerce and Economic

Development, wrote in that appraisal that they would recommend renewal of my contract.

I certainly had a more difficult working relationship with Miss TSE. I found her management style to be one of micromanagement which I found difficult to get on with but, nevertheless, I determined that I would, in fact, wish to continue to extend my contract because I felt that I was still making a difference. Certainly, most other Government departments, colleagues in the industry, colleagues in the social services sector had been kind enough to say I was making a difference. When Miss TSE and I discussed matters, notwithstanding our difficult working relationship, it was our common intention, up until December last year, that the contract would be renewed. In December I must say I was having second thoughts about whether I would want to renew and, for me, a satisfactory outcome for the ILSP was very important. I determined not to have any further conversations about contract renewal because I did not wish anybody to think that the prospects of my contract being renewed or not renewed might have influenced me to act improperly in respect of the ILSP.

In December, we finally had a resolution from the Financial Secretary that he would permit a Financial Secretary-incorporated entity to be used if the dual-implementer approach was not acceptable to either eInclusion or the Hong Kong Council of Social Services. I regarded that as a quite satisfactory outcome; I felt it most unlikely that both parties would agree to a dual-implementer approach. In December, I, therefore, went to see Miss TSE to say that I thought the ILSP had now been satisfactorily resolved and maybe we should address how we were going to rebuild a working relationship, it was in that meeting she told me that she had taken the view that she would not renew my contract. She told me that she regarded the ILSP as a test and that I had failed that test and that I was too unpredictable to that they didn't know how I would react if a similar situation arose again in the future.

I was actually very upset by this because, notwithstanding the difficulties, I felt that I'd made good progress in implementing changes and I really did not wish to leave a job unfinished. I, therefore I took a couple of days' leave and I wrote her the email, from which she's selectively quoted, in which I explicitly said it was a as I recall, it was a pity that I'd ever been informed of the political assignment. So Miss TSE is incorrect in saying that that email never mentioned political assignment. I didn't hear anything I copied that email to Mrs LAU. I didn't hear anything but I certainly got the impression in January, as Miss TSE has just confirmed, that, in fact, my contract would be renewed if only I would go along with the ILSP approach that she had proposed.

So my decision to resign, to leave the Government, was nothing whatsoever to do with thinking that my contract might not be renewed. It was entirely to do with my unwillingness to come to LegCo and to mislead the Panel about the reasons for the ILSP. Members of the Panel may recall that there was a meeting in January which I did not attend at the very last minute. The reason I did not attend was that I'd had a conversation with the Secretary, with Mrs LAU, a few days previously in which I had explained to her why I felt it necessary to terminate my employment with the Government and she had concluded - and I agreed with her - that it wasn't safe to allow me to appear before the Panel because, if the Panel chose to raise with me the questions of ILSP, although it was not in the agenda, I could not be trusted to stick to the Government line; I would have felt obliged to tell the truth. So that is why I didn't appear at that Panel meeting. So I have to say to Mr LEUNG, I know there's been lots of speculation that I

主席:葛輝先生,你已經詳細解釋了。我們想知道的就是這"上網學習支援計劃"是否造成你不能續約或提早結束合約的主要原因。是吧?只是要求你回應這個。

主席:下一位李永達議員。

李永達議員:主席,今天葛輝先生那份新的資料其實與上次的有一個相同之處,說在他與謝曼怡秘書長的多次交談中,覺得選擇信息共融中心這個決定是有一個政治任務。他說在其中個對話,謝女士告知他這政治任務是由財政司以外或以上的人或機構。第一,請問葛輝先生,你所說的財政司以外的人或機構,你瞭解是誰嗎?第二,謝女士已強烈否認這一點,葛輝先生出這份資料前作了法律聲明,確認所說的一切是真確的。即是說這個會議其中有一個人,可能是葛輝先生,可能是謝曼怡女士是在說謊,一個說被很清楚告之有政治任務,一個就說沒有。

第二,請問謝曼怡女士,你於資料第8段說,財政司司長於預算案前提及希望由社企或具商業觸覺的機構推行計劃,亦有提及互聯網專業協會具備營商經驗。這是謝女士寫給委員會的資料。我想問一問……至少我覺得很奇怪。在電話交談中,為何他僅僅只提到一個機構:互聯網專業協會 —— 即我們現在所說的信息共融中心其中一個背後的機構 —— 具備營商經驗這個提點呢?我們所說政治壓力,秘書長,有時候不需要很明顯,

不需要電郵或文件,當在談話中提及某些東西,明顯或暗示已經可以。請問這是否明示或暗示,選擇互聯網專業協會是一個政治任務的工作?多謝主席。

主席:首先請葛輝先生回答李永達議員第一個問題。

Mr Jeremy GODFREY: Yes, the answer to the first question is I don't know. In the conversation with Miss TSE when we were discussing the political assignment, I mentioned the Financial Secretary and she said, "Oh, no, this comes from beyond the Financial Secretary." I didn't ask her what she meant; she didn't tell me what she meant. My guess, speculation, is as good as anybody else's.

署理商務及經濟發展局局長蘇錦樑先生:主席,其實我想說一些公道的說話。剛才葛輝先生提及政治任務或電郵,我也翻閱了有關的文件。其實所謂的"政治任務",是葛輝先生1月5日提出的......在其中一份文件,但之前我看不到有電郵寫有"政治任務",所以我澄清這一點。

第二,其實這個上網計劃,初期時因為施政報告有提及,所以我們有一個task force,在task force的會議上,大家討論上網計劃如何做到最好有不同的方案,其中一個方案是用一個社企的形式。但基於數目比較大,社企也是......

主席:不,現在是問謝女士......

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:主席,李永達議員問我為何在電話交談中凸顯互聯網專業協會呢?其實答案很簡單,因為正是我聽到葛輝先生有一個這樣的印象,他有一個強烈的印象,當時他沒有受到甚麼困擾,說他無做過任何事,無收過任何信息。我當時的判斷這是他印象中財政司司長的觀感,個人觀點,就着這一點我有點兒、有點兒好奇,為何會這樣呢?因為我沒有參與訂定預算案,所以我去瞭解我去問,是我問有沒有這樣的印象。我收到對方的信息,我盡量把我記得的寫下來,對方告訴我有提過iProA,有提過互聯網

專業協會是一個合適的機構,這個我當時也不覺得很奇怪。因 為事實上要一個社企及營商機構去做這件事,在財務委員會的 報告的文件也帶出這個精神。多謝主席。

李永達議員:這裡的行文形式就是說,是財政司長或其辦公室 人員向你提出,要有社企及具商業觸覺機構進行,而提到這個 機構,不是說葛輝先生,是辦公室人員。你可否向委員會確定, 是財政司個人或其辦公室人員向你提及互聯網專業協會這個名 字呢?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:我可以確認這是我收到的信息。是財政司司長辦公室的同事有跟我說,有提及有社企及有生意商業經驗的人,也有互聯網專業協會,但我自己覺得不足為奇,因為他說的並不是要我們繞過任何東西,是說有做生意的經驗,所以我......

李永達議員:這麼多機構不提,只提這個名字?我不明白。不過主席,我不會浪費時間。我只是奇怪,任何提點間接都已經可以了,我只是覺得很奇怪,為何只提這個機構,而不提其他機構呢?多謝主席。

主席:好,這個大家自有判斷。黃定光議員。

黃定光議員:多謝主席。首先葛輝先生的陳述中有主張社聯及基金會合作,我想問現在"分區執行"是否合作的其中一個形式呢?這是否可以確認......合作有很多方式,"分區執行"是否其中一個方式?第二,葛輝先生的陳述中經常提到"政治任務"這四個字,"政治任務"。我想清楚明白葛輝先生說的"政治任務"究竟指的是甚麼?甚麼任務,任務的內容是甚麼?因為我覺得"政治任務"這個指控相當嚴重。第三,到現在為止,我知道整個過程相當嚴謹,其中有一個環節是由覆檢委員會決定,再去查看這件事。今天不知道是否有覆檢委員會成員在場,是否可以從覆檢委員會的角度向委員會陳述他們的看法?多謝主席。

主席:黃定光議員有3個問題,其中兩個問題請葛輝先生,另外一個問題,這裡也有覆檢委員會成員在座,你可以考慮稍後回答黃定光第三個問題。第一及第二個問題,請葛輝先生,盡量把握時間,謝謝。

Mr Jeremy GODFREY: So the first question is, is a dual-implementer approach a form of collaboration. When I proposed collaboration, it was so that we would find a way of making use of the best aspects of both proposals. In a dual-implementer approach, we have both proposals being done in their entirety, each for half of the territory, so we don't have the ability to drop the weak parts of each proposal and only have the strengths. So, instead of picking the strengths from each proposal and mitigating and leaving out the weaknesses, what we actually have is two separate implementations with both the strengths and the weaknesses. That's not the reason why I proposed collaboration, so that we could end up with the weaknesses of both proposals as well as the strengths of both proposals.

The second question was what did I mean by the phrase "political assignment". I should say that, first of all, this was Miss TSE's phrase, not mine. She used it on many occasions. I can tell you how I interpreted the phrase. I interpreted the phrase to mean - and this is in the context of conversations within the Government and also outside the Government - I interpreted it to mean that we should select an implementer which was backed by iProA with the intention that the implementer would be able to arrange for DAB sympathisers to knock on the doors of low-income families and hopefully to get some kind of political and/or electoral advantage from doing so. That was my interpretation of the phrase "political assignment".

The other thing I was going to say is it was also quite clear to me that we were to make it appear that the selection had not been done from any political motive. So I know a number of members have questioned why I hadn't put in writing any complaints about political interference at an earlier stage. My reason was that I hoped that I would be able to find a way that was proper, was in the interests of low-income families and which the political layer would be prepared to accept. So I was trying to resolve the issue and I didn't feel that the best way to resolve an issue was to make high-profile complaints in writing about it.

主席:我們請覆檢委員會.....秘書長。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:主席,我有3點回應。第一,我強烈否認我有提過"political assignment",我強烈否認。第二,我要澄清,葛輝先生的而且確心目中想兩個建議,最好的建議各取其強項,糅合成一個建議都追與,也寫過任何一個建議都是好的建議。但葛輝先生亦承認過,也寫過任何一個建議都是好的建議,可以獨立去做,所以兩個都有資格。第三點我想說可以廣大生13頁紙都沒有提及,為可以做制衡機制,可以實驗同事評分,管制人員可以做制衡機制,可以實驗同事評分,管制人員可以數學不要,不接納他作到,管制人員會主席的是葛輝先生。他交建議給管制人員,管制的計畫,不接納他作到,管制是葛輝先生,葛輝先生自己力排眾議,不接納他作到,管制是葛輝先生,葛輝先生自己力排眾議,不接納他作到,管制是葛輝先生,葛輝先生自己力排眾議,不接納他作到,管制是葛輝先生,葛輝先生自己力排眾議,不接納他作到,管制是葛輝先生,葛輝先生自己力排眾議,不接納他作到,

主席:覆檢委員會的成員有沒有人?應先生。

財經事務及庫務局常任秘書長(庫務)應耀康先生:主席,我是其 中一個成員,我先就自己所知說一說。因為內容都很多,我嘗 試聚焦於兩點。當時我們覆檢委員會看的時候,葛輝先生有一 個觀點......有一個提議,他覺得最好的做法不是揀選當時最高分 的標書,而是請當時第一、第二兩個合作做一個新的建議。如 果這個做法不行,再找第一高分的那個。就這一點,程序上我 們經過一番討論,覺得不能夠同意。理由謝秘書長最早已提過, 我們看過邀請建議書的文書裏面說得很清楚,政府做完這程序 後,只會有兩個可能性,一是揀選一個建議書,另外就是一個 也不揀選。如果做完所有程序後,我們叫兩個機構去組織一個 新的機構,加入一個新的建議書,這個做法在政府採購方面來 說極之罕有,不會這樣做,這樣做會有很大問題。如果這樣嘗 試後不行,又當第一個最高分的建議書是它成功的話,簡單來 說,這在程序上是錯上加錯。當時我們尊重署長,他判斷基於 公眾利益理由,最好是兩個機構合作進行,程序上唯一穩妥的 做法, 我們建議先完成這個程序, 我們叫做cancel 這個 exercise,告訴所有參加者這次揀選不到任何標書,我們先終結 了,然後再進行程序。當時我們用兩個會議向葛輝先生解釋了 很多,程序上恐怕我們會有這個堅持。但可能當時解釋得不好,

到現在我看到葛輝先生好像應該……不明白或不接受我們在程序上的堅持。

主席:有關你的部份,請你回應。

香港小童群益會總幹事羅淑君女士主席:因為小童群益會一直在過程中有參與,亦看到政府所言的過程。在政府提出dual-implementer,因為小童群益會做很多前線服務,當謝女士提出dual-implementer時,小童群益會也很審慎考慮,究竟是否答應,因為當時很清楚,如果三方不同意的話就拉倒,這是很清楚的信息。我們很小心的考慮,我們不覺得dual-implementer是一個差的選擇,事實上在本地、在海外,很多推出嶄新項目時都會採用多個模式,委托多過一個服務提供者,在不同的區域運用不同的手法推行,最終目的是希望找到最具成本效益的模式。所以基於這一點,小童群益會是支持、贊成dual-implementer。想補充的是這麼多。

主席:好,劉慧卿議員。

劉慧卿議員:多謝主席。主席,為何這麼多公眾這麼關心這件事呢?因為它觸及香港管治核心其中一個很重要的事情,我們沒有民主,但很多時候大家說我們有一個公平、公正的制度,也有法治,有甚麼可以上到法庭,我不知道這件會否上到法歷,主席。但在此階段,市民希望立法會查出真相。今天早上度局開大會,有一個內地看到我們現在這樣,不知道他們會會值得內地借鏡。如果內地看到我們現在這樣,不知道他們會有過不知道人工產。我們最緊張的是整個......這是2億2,000萬的一個項目,是否公平、公開去審核,而令那個項目可以前進不短夠的,你也知道,可長不在,前局長不在,甚至葛輝先生剛內,你也知道,他說前局長不在,就是說最重要的治需要是一定要確保iProA可以有機會敲門,去"派東西",到今天還說。但後面那一段又說他對局長很公平,局長沒有叫過他做不恰當的事情,我都不知道怎麼回事。

所以第一,應該要回答問題的人卻不在這裏,主席。另外,剛才提到覆檢委員會及評審小組有些人在這裏,我覺得他們每一個人都應該給一份口供我們,說說他自己對事情如何發生的理解,以及他們有的報告應該提交給我們。主席,我現在最緊張要問……我與民主黨贊成用《立法會(權力及特權)條例》讓我們傳召所有需要來的證人及錄取證供去查證這事件。主席,我相信你也明白這是香港社會的期望,希望我們很有效率,公平、公正、獨立去做。我現在問的問題是,當局前幾天給我們的文件說甚麼呢?說現在分別於5月9日及5月23日與信息共融基金會,及網上學習資源中心簽訂了撥款及營運安排協議,兩間機構現正積極進行籌備工作,希望7月開學前推行。

但我們又收到一位大學教授說現在整個程序有問題,你應該整個計劃拿出來給一個獨立第三者去評核。剛才一直在講,主席,你也聽到。其實評審出來有一個第一的,又不給他,好像91年當時興建科技大學一樣,比賽第一的不給,給了第二的,搞到"一團糟",劉秀成一直氣到今天。所以,主席,我想問問在座的,大家說現在的評審方法是否公道呢?我在財務委員會問過了,已經偏離了當時告訴財務委員會的資訊,當時就說要找一個機構,後來你給兩個合辦,又不回來財務委員會,我也極受困擾。

所以我想問在座的朋友,你覺得這個評審是否公道,當局是 否應該繼續做,抑或現在應該叫停,找一個方法看清楚了再做? 謝謝主席。

主席:劉慧卿議員提到運用《立法會(權力及特權)條例》一事, 我們稍後可以討論,所以沒有任何人可以回答她這個問題。

劉慧卿議員:我問他們現在覺得公不公平?

主席:我們先請兩個中標機構的代表,看看你們對劉慧卿這個問題有甚麼說法?方敏生女士。

香港社會服務聯會行政總裁方敏生女士:謝謝主席,多謝劉議員的問題。如果現在洗牌重來,受害的就是學童,因為到現在他們已經派了一年的錢,9月將會再派第二年的錢,現在他們是

付150元一條線。如果沒有人幫他們,原本這個計劃就是有一個 社企也好、非牟利機構也好,去幫這批學童有一個議價能力, 亦與政府所給的1,300元一年,不僅可以幫助他上網,也可以做 一些培訓,一些支援。

劉慧卿議員:我想請方敏生女士回答我,這個程序是否很公義、 很公正?

香港社會服務聯會行政總裁方敏生女士:第二個問題就是是否公正、公平呢?我可以講有兩點異常,我們到現在都不太理解,我們也是看報紙及今天才聽到。第一就是時間性。原本這個計劃說得很清楚篩選或者遴選的原則、條件是甚麼,也有一個時間性,希望在去年的7、8月已經完成這個過程。到10月都未有結果,其實我們一直都不知道為甚麼。以及評分,我們到現在作為有份撰寫建議書的都不知道評分,是剛剛在立法會才知道。我們收到的信息就是說大家都很好,有甚麼事情可以談。

第二個異常就是,從來......好像應先生所說,一個政府的項目不會找兩個團體去合營的,因為我們與商業機構不同,不可以按股權分清權責,最後有甚麼事大家去承擔責任,非政府機構是沒有股權的。所以這一個合營,就算社會(福利)署這麼多年來給社會服務機構去承辦,就算它期望你們合作,都會找一間機構作主力承擔的機構。

所以這兩個異常,要合作就是與以往很不一樣。是否公平、合理,我想各位議員再作評價。作為投標建議書的參與者,第一,我們不知道結果評分如何;第二,要求我們合作已經有異於平常的做法。我們曾經嘗試過合作,但作為社聯,我們最終合作不來就是因為管治權責的問題不清楚,因為要求我們合作的信息共融基金其實成立了不足一年,地址及全職職員都沒有。變成我們作為一個機構是比較難去交代,我們建議過合組一間公司,但不被同意。所以合作不來最主要是管治權責交代不清。

主席:請信息共融基金.....

信息共融基金會有限公司會長鄧淑明女士:首先我想說一說信息共融基金會,我們是完全依照"上網學習支援計劃"的招標規定及既定程序,是依足投標程序入標的,而我們也是根據RFP的要求,要有一個註冊的免稅慈善團體做implementer,而背後有香港小童群益會及iProA,我們兩家一起擔保這個事情。而剛才我所說……剛才方女士所說,其實現在這個事情我們差不多如箭在弦,我們準備7月份推出計劃,希望9月前能夠將硬件、軟件、網上學習給予小朋友。現在香港有41萬貧窮兒童,大概有31萬個家庭是受眾,正等待這項服務。在我們來說,我們很希望、很希望能夠在9月前盡快將這些服務提供給他們,希望他們能夠與其他同學一樣有同一起步點。

主席:多謝你,鄧女士。政府有沒有回應?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:主席,我同意劉慧卿議員所說,政府的核心價值是一定要遴選的時候,任何形式的遴選都要做到公平、公開、公正。遴選要公正,這是公務員骨子裏面的要求,這是我由始至終,由第一天知道有這個計劃開始,我提醒自己要盡量做到的。我初初聽到葛輝先生向我提出這個計劃,匯報結果的時候,他差不多......頭幾個給我的信息就是,其中有一家參與提交建議書的機構的主管,是親自打電話追問結果,不是有不好的居心,不過是很關注。

我由第一天就知道5個有分提交建議書的機構,粒粒皆星,個個都是有分量的。我提醒我自己,亦有提醒葛輝先生,不可以想無關的東西,不是個人喜好,不是我喜歡社聯或不喜歡,聯,不是我喜歡iProA或不喜歡,這是不相關的。你訂出來的遊戲規則,你就要跟隨戲規則去做,我們不可以有任何歪念,這個我從第一天開始就知道。好多時候我們意見不同,其實覆檢委員會與葛輝先生意見上的分歧,只是反映我們要堅守的是遊戲規則,我們要跟隨程序走,不接受遊戲規則,將決定了的事情反反覆覆,我們做不到,遴選的程序不是這樣。

我們就FSI方案還是分區推行方案意見亦有不同,這很正常,反映一個理想與務實的做法之間出現的矛盾,也是反映個人執着,以及政府要按團隊精神去作決定及運作之間的矛盾。我們要接受現實,政府不是個人主義。職責所在,我經常與葛輝先生意見不同,但是對事不對人。葛輝先生對我很大猜疑,

剛才我提到,我從沒提過有政治任務,如果大家入罪於我,加 莫須有的罪名讓我去承受,我覺得我是有點兒委屈。

主席:好,多謝你,委不委屈,我們大家會判斷。下一位,葉 劉淑儀議員。

葉劉淑儀議員:多謝主席。我想問問政府,剛才聽了很多人發言,無論官員抑或前官員,葛輝先生多次提及財政司的角色,包括謝秘書長的發言,在第三段說明是12月14日財政司司長決定才考慮分區推行等等。我想問,雖然這個計劃的款項是2億,金額不少,亦是施政報告、財政預算案提到過。但我覺得財政司應該很多工作要做,是否微觀至中一份標也要他過問呢?我以為政府推動科技創新,搞生產業,應該做一些宏觀一點的事,這是否正常呢?政府落這麼多標,有些金額多很多的,十大基建等等,這是網上架構,也是基建之一。正常嗎?為何要財政司親自過問呢?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:由始至終我有參與這個計劃之後,其實財政司也好,財政司司長辦公室也好,他們沒有主動問我們究竟去到哪裡,要提交,久做匯報,就是譬如有些重大公布前我們會匯報給他們。為何財政司司長12月14日會有一個決定出來呢?之所以有,是因為我和葛輝先生建議要考慮後備方案,其中要成立一個財政司司長法團,這個我在公布前,當然要穩妥,要政府內部接受了,原則上可以推出這個後備方案,我才可以提出,純粹因為這個因,葛輝先生有一個文件要交給財政司司長,當時看的亦是這樣,財政司司長是沒有參與制訂、設計徵求建議書,當然,無參與評審。

葉劉淑儀議員:即是說財政司沒有參與,主要因為你要用FSI, 財政司條例轄下......那個條例裏面的財政司司長法團要成立一 間公司,所以你就發給他出錄事,問他可不可以這樣。這個權 力有沒有授予財經事務及庫務局局長?是否財政司才可以決定 開一間FSI呢? 商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:多謝主席。就着FSI方案的文件,就是葛輝先生經過我,經過劉吳惠蘭局長,經過財經事務及庫務局局長交給財政司司長的。所以當時我不停的說,這個決定,做這個分區推行作為後備方案是集體決定呢,我的意思亦是這樣。事實上,可能除了葛輝先生一個人,其餘有參與這件事討論的,包括部門的同事都認為,當時、當時,不是最好的選擇,可能不是最好的選擇,但可以行的路不多,所以最後後備方案應該是以分區推行較為實際。多謝主席。

葉劉淑儀議員:不過,主席,秘書長還未回答我,就是到底根據財政司條例成立財政司司長法團這個權力,財政司有沒有授權給 —— 很多時候司長的權力,甚至特首的權力都授權給局長行使,有沒有呢?

主席:應秘書長。

財經事務及庫務局常任秘書長應耀康先生:主席,因為我是庫務科的,我嘗試回答這個問題,但我的印象 —— 我不敢肯定,要回去翻查法律文件 —— 應該沒有授權說給庫務局獨家處理所有這些建議,因為實際上用這個法例做一個FSI,不是只由我們庫務局可以啟動,其他局有時候都會用這個工具做一些事情,不是全部都來我們這裡。所以我推論應該沒有一個授權由我們庫務局獨家處理這類建議。

主席:下一位湯家驊議員。

湯家驊議員:我想聽取一些真實的資料,希望他盡量簡短回答我的問題。第一個問題,在他的聲明第4頁,他說第一次有位商務及經濟發展局的同事跟他說關於財政司司長的信息,那時候……他現在說是2010年1月15日。我想知道在那時候遴選程序是未開始、剛剛開始或正在進行中?

主席: 葛輝先生。

Mr Jeremy GODFREY: Yes, it had yet to be started, so this was after the task force had decided to go down this approach but before the money had been discussed by the budget steering committee and before it had been announced publicly.

湯家驊議員:既然是遴選程序之前,為何你覺得這位同事要將這個信息告訴你呢?當時知不知道互聯網專業協會會參加投標?

Mr Jeremy GODFREY: The impression I had, talking to my colleague, was that we were expected by the Financial Secretary to design a process that would give iProA a very good chance of winning. Actually, both of us thought that, even in a very fair process, iProA would have a very good chance of winning because of the skills they brought to it but it was quite clear from this that the idea was that, whilst we should have the appearance of a fair and normal process, we should tilt it to make sure that there was one outcome.

湯家驊議員:這位同事現在是否在香港?

Mr Jeremy GODFREY: I believe so, yes. He's a I don't know if he is today but he's.....

湯家驊議員:但是你說了今天不在場,以及這位是男性。

Mr Jeremy GODFREY: Chairman, I've said I'm reluctant to identify the colleague for the reasons I stated, because he will come under pressure

主席:湯議員,他剛才開場白的時候已經說了。

湯家驊議員:我尊重你。當第二次你又接到另外一個同事跟你 說關於財政司司長給你的信息,這位同事當時在你的部門。

Mr Jeremy GODFREY: Yes.

湯家驊議員:現在他在香港嗎?你所知道......

Mr Jeremy GODFREY: I'd prefer not to give information that might enable him or her to be identified.

主席:湯議員,我希望你要明白,剛才一開始時葛輝先生已經說得很清楚,是吧?你除非是運用《立法會(權力及特權)條例》。他不可以.....你正在套他的話。

湯家驊議員:我明白。

主席:我補回時間給你,但我要制止你繼續套他的話。

湯家驊議員:我不是套他的話,我只是想多拿一些資料,盡量 多拿資料。你不能說,我尊重你的決定。為何會有第二次的電 話?即為何你同事第二次告訴你財政司司長打電話給他,告訴 你這個信息?為何會有這個談話?

Mr Jeremy GODFREY: Well, I should clarify. The second telephone call was not from the FS personally but was from a member of his office. The impression I had of the reason for the phone call was that the FS was concerned that time had passed since he'd first conveyed his preferences to the colleague in CEDB and he just wanted to be reassured that we were, in fact, doing the bidding that he had expressed on that first occasion.

湯家驊議員:在第4段,你說當時遴選程序正在進行中的,是嗎? 他為何不直接打電話給你?在第4段,你說這個談話當時遴選正 在進行中,是嗎?

Mr Jeremy GODFREY: Yes. So why did the FS's office not call me directly?

湯家驊議員:不,兩個問題,第一個問題,當時這件事情發生的時候,遴選程序正在進行中,但還未有結果。對?你點頭沒有用的,要說出來。

Mr Jeremy GODFREY: That's correct, yes.

湯家驊議員: Right. 第二,你認為他為甚麼不直接打電話...... 財政司司長為甚麼不直接打電話給你,為甚麼要跟你下屬說?

Mr Jeremy GODFREY: Well, his subordinate called a colleague of mine, so I you'll have to ask the FS or his office why they chose to call somebody other than me. I suspect my interpretation was that they were a bit worried that I was a new a relative newcomer to the Government and they were less sure of me and they felt it was better to convey such a sensitive message to someone who had been a Government official for longer than I had been.

湯家驊議員:主席,還有一個跟進問題。你何時第一次向這兩個機構,即社聯及另外一個機構互聯網專業協會,提出說他們可以合作或者需要合作?你何時第一次向他們提出?

Mr Jeremy GODFREY: That would have been after the review committee had authorised me to do so. So it would have been - I don't know - October. I'll have to check the chronology but much later than these

湯家驊議員:換句話說,即你與你下屬的談話之後,不是之前?

Mr Jeremy GODFREY: Yes, some months after.

湯家驊議員:主席,我還有幾個問題,我再排隊,如果有時間。

主席:好的,你再排隊。在此我再提醒一下各位議員,因為今天這個特別會議,葛輝先生之前已經有一個誓章,他說"我今天在這說的全部屬實",但同時他又說,如果他口中,即他在文件裏面提到有一些所謂消息來源,他不可以在這裡說,因為會沒要在這些人可以宣誓作證的情況下才可以將來源說出來。所以我希望各位議員不要在這個問題上糾纏,因為會沒學問題。你可以乾脆在我們……譬如今天的會議我們可以對論是否要成立一個專責委員會,大家可以討論這個問題是否用P&P成立一個專責委員會。但在這個特別會議進行過程中,我希望各位議員盡量把握時間,及根據核心問題詢問相關人士。好嗎?

下一位劉江華議員。

劉江華議員:主席,整個事件都比較清楚,一個是政治問題, 一個程序問題。程序問題的公正性很重要,一開始,葛輝先生 只是接見兩間機構,一間是社聯,一間是小童群益會加iProA, 當然,這樣選取兩間去談話是否一個公正的問題,葛輝先生都可以回答。後來在評審委員會,似乎其他部門,即葛輝先生追 外都揀取社聯,唯獨是葛輝先生自己本人揀選共融基金。 其實就是剛才方敏生女士提到的異常現象,兩個異常現兩個 其實配差的文件,在這期間正是葛輝先生考慮將 構合二為一,所以你說不知道為何兩間會合作,這個構思會。 構合二為一,所以你說不知道為何兩間會合作,這個構思。 然,之後完結了程序再去到委員會,但其實焦點就是最獨獨 先生與他的上司大家有一個重大的分歧,葛輝先生堅持要兩個 合作,兩家合作。但似乎謝小姐他們希望兩間是分工、分區。 所以我想問葛輝先生,為何兩間合作就不是一個政治決定,兩間分工就是一個政治決定呢?我很想知道。

另外,如果程序上反反覆覆,完結一個程序跳到下一個程序,你不合意,不同意,又回到之前那一個,這種反覆,程序上的不公義,的而且確是可能會引起政治的問題,因為公眾會關心的,5個機構都會關心。所以,你同不同意公眾上,如果程序上完結了你倒返回去,其實也會引起公眾的關注?

最後,葛輝先生提到……他所有文件沒有提到民建聯說拍門,但剛剛他就說了。他說有些在政府裏面講,有些在政府外面講。我想問葛輝先生,究竟你聽見誰,以及是政府內部或政府外面的人說呢?我覺得這一點他應該要解釋得很清楚。3個問題。

主席:3個問題。在葛輝先生回答問題前我要說一說,現在我們距離這個會議只有15分鐘,我可以加15分鐘,換言之還有半個小時。現正排隊第一輪還沒發言的有何秀蘭、潘佩璆、葉國謙、譚耀宗及林健鋒,這已經需要25鐘。換言之第一輪說完就結束了,好嗎?排不到第二輪了。不過我可以在這向大家報告,我們6月13日有一個例會,原本我們要決定開這個特別會議之前,我們已經將葛輝事件放進下次例會的議程裏面。所以,如果大家覺得……今天我們都未講完,可能有些人又要提出討論是否要用P&P,我們在下一次會議時可以考慮與政府或者秘書處商量,將原本的議程抽起來,開多一次兩個小時的會議。如果大家沒有意見,我們就……你有意見?

湯家驊議員:我有意見。主席,你也收到我們的一封信,要求政府提交10多份文件,我不知道政府是否有正式回應,因為如果收到這些文件,我們希望有機會看了再開會,這樣比較有意義,如果6月13日之前蘇署理局長可以交給我們,當然最好了;如果不行,他可否在這個會議上告訴我們,有多少能夠給我們,多少不能夠給我們?

主席:因為時間所限,或者我稍後給一點時間他回答關於文件的問題,大家的要求我們早已經轉達給政府,究竟他可以交多少東西出來呢?今天很明顯甚麼都沒有交。稍後我們可以給一

點時間局方回應20位立法會會員要求提出他交文件,稍後他可以回應的。所以葛輝先生,請你盡量簡單回答劉江華3個問題。

劉江華議員:一分多鐘了這裡。

主席:知道,補回給你,不用擔心。

Mr Jeremy GODFREY: Certainly. I think the first question was, how is it that I considered that collaboration was not political but dual-implementer was. This is a question which I struggled with myself extremely hard. By the time......when the evaluation panel finished its work, the evaluation panel had, by a clear majority, scored HKCSS as the highest-scoring bidder. Compared to other members of the evaluation panel, I personally had almost 20 years of business experience and I attached greater weight or saw a greater difference in the business proposals, the merits of the two different business proposals. I ended up scoring eInclusion, my personal scores for eInclusion, to be marginally ahead of HKCSS. In coming to that conclusion, I had, in fact, listened to the views of the colleagues as we discussed one another's draft scores and I had made some changes to my scores.

So I was in the position, at that point, where the evaluation panel had come up with a clear recommendation; I personally had marginally taken a different point of view. But I think everyone on the evaluation panel, despite the different overall scores, generally felt that one proposal had strengths in one area and the other proposal had complementary strengths in different areas. So I certainly felt quite genuinely that, if we could find a way of getting them to collaborate, to take the best out of both, that would be in the interests of the low-income families.

My problem was that I also knew that this was a very politically convenient decision and I struggled long and hard with my conscience to try and ask myself would I have proposed collaboration even if I knew nothing about the political requirement. And, ultimately, I decided that's what I would have done as I had done on a previous programme without attracting any suggestions of impropriety.

The second question was do I accept that it would have been wrong merely to go back to the previous scores. In fact, ultimately, I did accept the advice of the review committee that the procedurally correct way to proceed was to bring a formal halt to the original RFP exercise. I felt that this

damaged our chances of successfully achieving collaboration because, by making it a much more formal approach, it would be that much more difficult to establish the necessary empathy between the two bodies but, nevertheless, I agreed to go along with it.

My ultimate disagreement with the review committee was not about what we should do but about what should be said about why we were doing it. The review committee went out of its way to try and find some procedural flaws in the evaluation process although it concluded that it was generally fair. My sense was I wanted to propose collaboration because I thought it was the right thing to do, not because I thought that there were some procedural reasons that meant that we were unable to pick a single winner.

As the controlling officer, the review committee's mandate was to give me advice, it wasn't to make the decision. I was very clear with Miss TSE that I was quite prepared to take direction from her and the review committee about what I should do but I couldn't possibly take direction about what I should think. And we had many discussions in which I was quite adamant that the Government should not say to the LegCo Panel that we had been unable to select a single implementer. I was quite happy, because I thought it was correct, to say that there were two leading proponents had emerged but I was not prepared to give the impression that we had been unable to select one of them; rather, we had chosen not to select either of them because we thought there might be a better approach. It was this debate when Miss TSE told me that it was not necessary to tell the whole truth to a LegCo Panel unless there was an inquiry. So I think that answered the second question.

The third one is the question about knocking on doors. I've mentioned that the Secretary had mentioned this to me although I got the impression she didn't particularly approve of it and this was also confirmed to me by someone I spoke to outside the Government. I don't have their consent; I want to again respect that confidentiality. What I will say is that, when this was said to me, I was actually very surprised because I knew iProA; I knew that they didn't have an extensive network of local delivery agents and that the promise that had been made that they would be able to somehow use participation in this programme to bring electoral advantage to a political party seemed to me to be actually quite unrealistic and that the proposal that they had by then put in to us involved the BGCA and had suggested that other local NGOs would also be allowed and I felt that actually iProA were as much a victim in this, that something had been put on them to deliver that they wouldn't, in fact, be able to deliver.

This was, again, another conversation that I had with Miss TSE, I said to her that she might want to reflect upwards to the political layer that the political advantage that they hoped to get from their interference couldn't, in fact, be delivered and that might make them more receptive to doing

something that was proper and in the interests of low-income children. It's that sort of conversation that could not possibly have been misinterpreted in any way as being merely about the general advantages of iProA.

主席:好,我們多給了時間給你,因為第三個問題大家都很關心,我們讓他回答完畢。但下次請你回答時盡量簡單,因為我們沒有時間,但不要緊,下一次還可以開會。好,下一位何秀 蘭議員。

何秀蘭議員:謝謝主席。我們問了政府拿文件,其實如果你交齊所有文件,我相信很多資料都出來了,如果沒有違反招標程序,大家就不需要問有沒有政治企圖,有沒有政治壓力,所以問題都集中在你有沒有違反正常的招標程序。第一我想問評審小組,其實最後兩個團體各自的得分是多少?

主席:是否要評審小組成員回答,還是秘書長回答還是? 我們請評審小組成員,這裏有幾位,陳子儀先生,佘孟先生,都是評審小組成員,哪一位回答?

電訊管理局總電訊工程師(發展)陳子儀先生:我是電訊局的,在 評審過程我給的評分,HKCSS我是給最高分,如果我無記錯, 應該是96.5分。我給eInclusion,根據我自己個人的專業評分是 91點幾至92分左右,有4分的差異左右。

主席:另外教育局的佘孟先生。

教育局總課程發展主任(資訊科技教育)余孟先生:是,我是教育局余孟,我也參與過評審的過程,我給社聯的分數是高的,另外給eInclusion的相差大約11分左右。

(*會後補註*: 佘孟先生會後向秘書處表示,正確分數為社聯: 100 分,信息共融基金會: 87分。) **何秀蘭議員**:主席,總分都是100,相差11就相差一級了。我希望秘書長應該將整個評審小組的總分可以在這裡回答我們,今天你回答不了,請你下次回答。第二,我想問秘書長,既然她認為葛輝先生搞二合一是違反程序,你有沒有制止他?

主席:秘書長。

署理商務及經濟發展局局長蘇錦樑先生:主席,我想回應評分方面,其實葛輝先生帶出了頭兩名的分數,我不介意他說了。 我也要徵求機構的同意。

何秀蘭議員:兩個機構簡單回答我,願不願意公布你們的評分?

主席:方敏生。

何秀蘭議員:無反對,兩位都無反對。

信息共融基金會有限公司會長鄧淑明女士:願意。

主席:兩位都無反對。

何秀蘭議員:主席,我問回秘書長。當你發覺二合一如此違反程序時,你有否制止葛輝先生做這件事?

主席:秘書長。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:多謝主席。我第一次見到葛輝先生提交給我的文件及有關草擬的評審小組報告時,我當時很不安,有一點震驚。因為一個2億2,000萬

元的計劃,一般來說是要經過政府內部有制衡,要有checks and balance,即如果部門裏面有評分小組給了評分,交了報告,管制人員是可以覆檢的。在這種情況,我們所說的評審小組主席是葛輝先生自己,評審小組主席向管制人員交的報告,其實該管制人員亦是葛輝先生。而管制人員建議的不是接納評審小組的總結,管制人員是力排眾議,因為他誠心誠意覺得結婚方案是最好的。我做的事情就是向局長建議……

何秀蘭議員:.....有沒有制止他呢?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:有,我向局長建議,要加一個制衡機制,這不是個人的決定,而是根據一般tender board,投標委員會的制度,是要覆檢程序,我不能夠代管制人員作他的決定。

何秀蘭議員:主席。正確的,在嘗試制止過程後,為何不是給最高分的做,只是排除了二合一,但給一個更差的一分為二的方案出來呢?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:覆檢委員會可能做到的就是就此徵求建議書的程序作一些程序的決定,覆檢委員會當時有問過葛輝先生為何有一個最高分的不選擇,反而怪怪的揀選一個二合為一的建議呢?覆檢委員會問過葛輝先生很多次,葛輝先生給我的信息 —— 我不知道其他委員有甚麼看法 —— 給我們的清楚信息,我到現在都誠心誠意相信,葛輝先生當時真的誠心誠意相信二合為一是最好的。

何秀蘭議員:主席,在這些沒有根據正常的招標程序下做的決定,為何不回來向立法會討論呢?以往審計署署長責備了政府很多次。直資學校有改變不回來,東亞運有改變不回來。每次政務司司長回來都說會接受意見,會改。為何屢屢都欺瞞立法會,自己自作主張。與你交給財務委員會的文件已經全改變了,都沒有回來向公眾、向議會交代呢?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:主席, 我不同意覆檢委員會的決定有違財務委員會撥款的範圍,撥款 的範圍是批2億2,000萬元做"上網學習支援計劃",當然,文件裏 面有很多細節提到當時的想法的而且確是請一家機構,但事與 願違,往往不能做到最理想的情況,這個我們接納是改變了, 但我們說的內容是說款項用在哪裡,都是為低收入家庭提供上 網支援的服務計劃,我們亦都是控制住行政費......

何秀蘭議員:但給誰用,違反了招標過程,違反了招標結果,給一個低分的人用,這就是引起公眾質疑的原因。所以主席,下個會議再問吧。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:主席,如果要質疑,就是大家要想一想為甚麼要兩個機構合作,為甚麼?兩個機構是一個管制人員自己誠心誠意覺得,我無理由質疑他,其實我們質疑過的。

何秀蘭議員:我們問就是為甚麼低分的有分做,而不是給高分那一個團體去做?因為剛才秘書長都說了她跟葛輝先生溝通時,葛輝先生都說過,他說其實兩個團體都可以獨立做,兩個都沒有問題,不過一個分數高一點,一個分數低一點。為甚麼,我的問題就是為甚麼你不制止他?而且為甚麼會將一個二合一,一個你認為是違反規程的建議還要用一個一開二,更違反規程的建議去實行這件事?

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:主席, 為甚麼我不制止呢?因為角色不同,管制人員在一個投標遴選 過程中可以作他自己的堅持,因為他才知道計劃是甚麼原意, 甚麼才是最好的。從程序的角度,覆檢委員會只可以說你做這 個決定時,你的路應該怎麼走,你不可以走回頭路,不可以反 反覆覆。這個角色上大家要有個理解。多謝主席。

主席: 葛輝先生是屬意信息共融基金, 他是給它最高分的。這個要提供一些資料, 應先生想回應。

財經事務及庫務局常任秘書長(庫務)應耀康先生:主席,何議員剛才有兩點我覺得應該澄清一下。首先關於財務委員會的文件,我們作為庫務科一向都很緊張看着,在這過程中,我們看財務委員會的文件,剛才謝秘書長提過,它沒有說到兩個結合,用剛才葛輝先生很喜歡使用的,我們叫結婚方案是不行的,文件裏面也沒有提到一定要用招標的程序。反而後來談過一個方案,剛才提過了,用FSI這個方法,反而與當時財務委員會的文件裏面所描述的狀態有些不同。這是我想提供的一點資料。

另外,剛才何議員不知道……我不太明白,作為覆檢委員會,當時我們遭遇到的難題就是署長或者管制人員告知我們,如果根據評分程序給予最高分的人,這個不符合公眾利益,他反而認為應該找其中兩個,叫他們兩個合併成為一個新個體會來說是一個要考慮的很大的因素,我們跟他說如果你要做合併,做一份新的建議書出來,其實當時說的是做第六份建議書呢,你不可以在現在徵求建議書程序之下做,這樣做不公道等。不妥當,你要終結這個程序,另外再開一個程序才可以。如果你開另外一個程序,叫兩個機構某種形式合作做一份新的建議書出來,這本身未必一定違規,因為這是一個新的遊戲,新的程序。

何秀蘭議員:是的,當你有新的程序,為甚麼不回來財務委員會呢?

財經事務及庫務局常任秘書長(庫務)應耀康先生:為甚麼不回來財務委員會,有沒有需要?主席,剛才第一點也許我解釋得不清楚。財務委員會的文件當時請大家去批准的時候,程序上如何去選擇一個當時說的非政府機構等等,並不是財務委員會文件裏面規範了要做的事情。所以我們現在也是這個觀點,作這些改動,行政當局可以按照一貫程序恰當地去做,不一定要回來財務委員會。

何秀蘭議員:那就解釋不了公眾的疑問了。

主席:不要緊,你下次再問,你這已經前後10分鐘了。潘佩璆議員。

潘佩璆議員:多謝主席。我相信很多公眾人士可能與我有同樣的感覺,越來越覺得"一頭霧水",有些事情我希望葛輝先生能夠澄清,因為我看他今天對立法會所說的講辭。我嘗試看看事情是否如此。遴選委員會本身大多數的委員其實是屬意社聯,但是經知道如果遴選委員會建議選擇社聯的話就有政治後果,political consequences,這是他說的一件事。第二件事就是他說清楚political consequences是甚麼,我希望葛輝先生可以改計,沒有信息共融基金真是他心目中最好的一個機構,可以去做這個工程,他不考慮信息共融基金背後是否有甚麼問題大大家結婚,大家拍拖結婚,一起去做,手拖手去做。但兩個機構有完全不同的傳統,有自己的想法,結果拍拖不成,結不成婚,大家被迫一人住一間房,一個人負責一間房。

在這樣情況的下,我想問如果葛輝先生開始時沒有提出這個力排眾議,任由遴選委員會揀選社聯,那後面會發生甚麼事呢?我也希望政府能夠,或者秘書長稍後解答一下,如果這樣的事情發生,會不會突然政府總部發生大地震,有嚴重後果,有甚麼事情會發生?或者特首會否腳痛這樣,我想政府解答一下。如果沒有這些枝枝節節,社聯乾乾淨淨接手做這個工程,是否一切都圓滿呢?如果這樣的事情發生了,究竟有沒有甚麼政治利益的考慮呢?我覺得這些事情大家好像說來說去說不清楚。我想葛輝先生講一講,希望秘書長也講一講。

主席:葛輝先生,你簡單一點,好嗎?

Mr Jeremy GODFREY: Yes. Certainly. At the time the evaluation Panel finished its work, I had been made aware, some months before, that the Financial Secretary had a clear preference for a winner. During the course of the evaluation process, a colleague in my office had had a phone call from the Financial Secretary's office to check that I was aware who it was that I was supposed to engineer a victory for. I wasn't entirely sure what would happen

if I chose to proceed with HKCSS; I thought that there might be some comeback on the Financial Secretary or the Secretary from whoever they had made promises to. I think, at the time, I wasn't entirely clear what the political promise was.

So I have to say I didn't know exactly what would happen but I knew that there was a big political interest, shall I say, in the conclusion. My own view, I had also discussions with colleagues within OGCIO who said, you know, "Are you really sure you want to propose a colloboration? It would be much easier to propose that you just go along with HKCSS and then it will be somebody else's problem to sort things out." If you asked me what I think would have happened if I'd proposed HKCSS, I think we would have had a review committee anyway; it would have found some procedural reason to instruct me not to do that and we'd have gone in some other direction. But that's pure speculation; I can't say.

潘佩璆議員:.....在此追問葛輝先生,如果按你所說,是否你做的事情客觀上.....如果真的如你所說有甚麼政治陰謀的時候,其實你也是一分子,可以這樣說嗎?

Mr Jeremy GODFREY: Well, I've been accused of that, I must say. And I did consider long and hard whether I was allowing myself to become part of a political conspiracy when I proposed collaboration between HKCSS and eInclusion. I thought, at the time, that there was nothing inherently improper in proposing collaboration because I sincerely believed that that was the best thing to do. But I have to say that I do think I tried too hard and I tried for too long to resolve this matter in a way which would serve the interests of the low-income families in a way which would not involve impropriety and a way which the political layer might be willing to accept.

I think I did try too hard and for too long and it might well have been better to have dug in my heels at an earlier stage and made a bigger fuss at an earlier stage. Certainly, given the way things turned out, I can hardly say that that would not have been a better approach but I hope that people, in judging my behaviour, will take into account the fact that I was placed under political pressure in a way that no civil servant should be, that I tried to navigate my way through a very difficult situation being guided by the best interests of the beneficiary families, that, when, in January this year, I was finally given an explicit instruction that we were to proceed in a way which I did not think was in the interests of low-income families, which I could not but believe was politically motivated, which I felt was contrary to my duties

as controlling officer to secure economy in the use of Government money, at the point when I felt there was no chance whatsoever of resolving this in a proper way, I immediately took steps to terminate my employment with the Government. And I hope that people will at least bear in mind that that might mitigate the fact that I tried, as I say, too long and for too hard to find a proper way of implementing this programme in the interests of the beneficiary families.

主席:現在已經12點10分了,好嗎?因為還有幾位議員未問。 政府簡短一點,謝謝。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:剛才議員問的是後果,我們怎麼看後果。其實我從第一天知道有這個計劃時,當我聽到有份交建議書的人會主動打電話來追問有好評分的同事結果時,我已心知不妙,不妙的意思不是說有個項目,怎麼可能有任何偏差呢?當葛輝先生跟我提到說……在覆檢委員會時他也堅持要有兩間機構合作的方案才是對這計劃最好,其實我也反覆思量這是否可行,是否真的可行。當時我們看到葛輝先生,到現在也是,他的誠心誠意覺得這是好的,我迫他揀選擇第一個、第二個,那不是相關問題。相關問題是管制人員自己真的誠心誠意覺得這個計劃是最好的。

第二點,或者覆檢委員會有沒有考慮,為甚麼不選第一個呢?明明很公道有一個最高分的。事實也是,其實我們看見覆檢委員會也看到在計分方面,在考慮遴選程序方面,程序不夠嚴謹,我們看見有疑點,譬如在過程中有5個機構,有3家是有機會做presentation去介紹自己的計劃,做了一次。有兩家是有機會做presentation去介紹自己的計劃,做了一次。有兩家,只有兩家可以做介紹兩次。而決定介紹兩次,找兩家再做介紹兩次的時候,一點分數也沒有給的。這樣公道嗎?我們看見預設的計劃,評審時應該有6名指定的官員,代表3個部門。我看見其中一個局只有一名官員評分,這位同事在10項評分項目中全部給一家機構100分,加起來是100分。

我看見的時候怎麼樣呢?我是擔心的;不夠謹慎,我不是說一定有歪理、歪念,但我作為常任秘書長看到,我向局長建議應該看清楚一點,應該有個覆檢委員會,平時這些是投標委員會做的工作。結果覆檢委員會是有機會看到,也有機會聽取澄清,部門有提出一些澄清,我們覺得不夠謹慎,有些地方可以

做好一點,有不足之處。但大致上有份評分同事都是誠心誠意,憑他們覺得甚麼是最好的評分。所以大致上我們接納,大致上是公平的。但可以肯定,有信心可以肯定的就是有兩家是比較優異的,兩家,相對另外3家,分數是相差很遠的。這兩家之間哪一個真的最高分數,最好呢?分數有一個演繹,但如果考慮到有關的不足之處,當時覆檢委員會未有就這作一個仔細的考究,部門是有說不影響名次,但當時覆檢委員會其實也不需要考慮,因為管制人員堅持,他有他的理由堅持,他當時真的覺得考慮兩家,找兩家最合適。

在這種情況下,覆檢委員會作的總結就是當時有兩個最優異的機構,兩個隨便一個都可以承擔這個合約。多謝主席。

主席:葉國謙議員。

葉國謙議員:多謝主席。首先開始,我多謝葛輝先生能夠澄清 民建聯沒有參與整個過程,因為就算一開始的時候,有些議員 說民建聯有利益衝突,民建聯要避席等等,一開始就已經將這 事情政治化。所以我第一個問題很想問甚麼叫政治任務、政治 干預?剛才聽完葛輝先生的澄清,就說他對"政治任務、政治 預"的理解是因為聽到有些外面非政府人士提及,因為這樣而給 了共融基金會,使民建聯可以有逐戶,可以與這方面的接觸的 這種感覺,這個叫政治任務、政治干預,形成整個概念。我想 問葛輝先生,你是不是將你自己這種感覺變成政府的行為,政 府的要求呢?這是第一個問題。

第二個問題,我看見秘書長給你的某一方面的回覆中,在第3頁第8段多次強調,就說葛輝先生當時堅稱,近日亦再確認他沒有受到這個印象的影響,一直都以公正、持平的方式去進行評審程序。因為現在香港人最關心的就是程序的公義,到底過程中是否受到外來,特別是政治因素各方面的影響。除了政治因素,還有不公平的。這就是程序公義,是最重要的,我覺得這點。在這情況下,葛輝先生你多次提及這個過程你認為是公正持平的。現在你是否仍然堅持這個說法?抑或秘書長現在冤枉你,你根本就不認為是持平公正?這是第二個問題。

第三個問題,我很想知道葛輝先生你對......剛才兩位都說了 評分,你給各機構評分又如何呢? 第四個問題剛才可能都說了,不過到現在我都不明白,就是為甚麼當時你不決定就給社聯呢?其實這個問題即刻解決,這是你做主管部門自己的決定,為何搞出一個"大頭佛"呢?

最後,你提及有電話給你,可否說說那個人是誰呢?多謝主 席。

主席:你問5個問題,其中第一、第二葛輝先生之前於其他相關議員問的時候已經回答了,是吧?因為時間所限,我不想在此重複。所以我希望葛輝先生你回答他最後3個問題,第三個、第四個及第五個。

Mr Jeremy GODFREY: Sorry, can you it was a long speech. Can he repeat questions 3, 4 and 5? I know one was about the scores; I don't recall the other

主席:你回答最後那個,你對兩個機構的評分。

Mr Jeremy GODFREY: Yes. Yes, I haven't had access to the files but my memory is that I scored eInclusion as the highest scorer by about half a point, so a very marginal difference.

主席:另外一個問題就是關於民建聯的,之前在你的聲明中,你就說不關葛佩帆的事,又不關民建聯的事。但剛才葉國謙議員說多謝你澄清民建聯沒有參與,當然,這個大家理解不同。無論如何,但你又提到說有些機構可以接觸到低收入人士,可以敲門的,這會否有政治作用在此,你自己也不是很清楚。這個問題你可否再詳細說明一下?是否使民建聯得益呢?

葉國謙議員:不,還有一個問題,即兩個,......葛輝先生......只是說共融基金,其他的分數都應該給,剛才那兩位都有提及。還有一個就是關乎電話,就是到底是誰叫他......

主席:那個已經講了不可以說的。你沒聽清楚,即提任何人名都不行,除非他來宣誓作證,已經說了,不要重複問這個問題。

葛輝先生。

Mr Jeremy GODFREY: Okay, let me say, first of all, I can't tell you the scores I gave to other organizations because I don't remember them. I'm more than happy for the Government to provide the report of the evaluation committee which I believe has the individual evaluators' scores. If they're not in the report, then the Government has absolutely my consent to give full disclosure of all relevant documents. I prefer that they don't have a selective disclosure, though.

In terms of the political assignment, I really do need to make absolutely clear I have never said that the DAB were not involved. I have no reason to say that. I have said that Dr QUAT was not involved. I have no reason to say that the DAB was not involved. Quite the contrary: I was informed by somebody who was in a position to know that a promise had been made to some members of the DAB that, if that the project would be awarded to iProA and that they would be able to use their position as the winner of this project to arrange for DAB sympathisers to knock on the doors of low-income families with the aim of gaining some sort of political or electoral advantage. I have no reason to doubt what I was told by that person and that person was certainly in a position to know. I am not willing to identify the person unless I'm compelled to do so by law. But, I mean, it's very nice to be thanked by Mr IP but I think his thanks, in this case, are misplaced.

主席: 葛輝先生剛才的答案在最後那一part很清楚,看你如何解讀而已。要知道真相不是口說口賠的,是吧?真相好像葛輝先生所說,可能真的要有一個專責委員會,他提出那些所謂知情人士就不是一個隱匿的消息來源,而是一個真人,在我們的聆訊裏面作證。是吧?否則,這個問題永遠都解決不了。是吧?沒有答案的,現在都是口說口賠的。

秘書長。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:主席,容許我代替劉吳惠蘭局長作一個澄清,因為其實葛輝先生提的

文件都有提到劉吳惠蘭局長說過一些事情,局長授權我,劉太授權我有以下的回應:

葛輝先生早前公開表示劉太或蘇先生從未對他施加壓力,要他作出不當行為,但另一方面,葛輝先生5月26日提交的文件又指劉太曾向他表示,政治上最好的結果是某個機構的成員可以上門敲門向低收入家庭提供優惠。劉太強烈否認有關的轉述。認為葛輝先生的說法前言不對後語、自相矛盾、不合邏輯。劉太由始至終無參與徵求建議書的製訂、評審以及覆檢委員會的工作,劉太指出,她與我於去年8月聽取葛輝先生就這項計劃的評審結果作出匯報時,會後見面時,期間難免有提及個別倡議及執行機構的名字,但她清楚記得沒有表示支持某一個機構,反而強調遴選過程公平、公正的重要。劉太可以確確實實指出她本人從未就計劃接獲或轉達任何政治任務。多謝主席。

主席:下一位譚耀宗議員。但因為我們要讓政府回應文件的問題,所以我希望接下來的兩位議員簡單一點,不好意思,譚耀宗議員。

譚耀宗議員:多謝主席。因為我雖然不是這個委員會的成員,不過我都很關心這個問題,因為這個問題曾經有些是牽涉到民建聯。剛才我聽見葛輝先生在開場白的時候,從傳譯裏面聽到,所以剛才葉國謙議員有這個感覺,我也有這個感覺,或者主席你的感覺,就說與民建聯無關。但剛才他也說,因為他聽到有一位人士跟他說,如果給共融基金做了以後,可能有些"同情民建聯的人士"這個很寬的,因為健聯的人士"參與其中。"同情民建聯的人士"這個很寬的,因為很多人都同情民建聯,因為我們很多時候被人抹黑,因此很同情。

所以我不明白,這樣引伸就說我們有關係,如果是這樣,甚麼都與我們有關了。而且我覺得小童群益會做這件事很合理,但我們民建聯從來與小童群益會沒有甚麼關係,連總幹事是誰,我也是今天才發現原來是她,我也不知道。所以為何他聽到一個人這樣說就扯到我們身上,又說不排除甚麼的,這會使人很多疑惑。所以說話是否也要小心,否則胡亂引述,可能會有問題。

不過我看這麼多文件及聽今天的說法,其實葛輝先生對於共融基金是欣賞的,這一點。無論程序如何,他很想將他們兩個

拉攏一起,但最後經過多次討論拉攏不到一起,最後分區來處理。我沒看出來這是甚麼大不了的事情,不過撇除所有甚麼政治任務、政治要求,或者有這個跟他說,那個跟他說,其實我想他自己也是誠心誠意覺得共融基金是一個合適的人選。這點我覺得為甚麼後來又搞出那麼多事情,是否與不被推薦續約有關係聯繫上呢?

主席: 葛輝先生,我希望你只回答是否與合約有關,其他的你已經回答過了。

Mr Jeremy GODFREY: This has absolutely nothing whatsoever to do with contract renewal.

主席:林健鋒。

林健鋒議員:多謝主席。我也不是這個委員會的委員,多謝你給時間我問問題。我對這件事情也非常關注,特別葛輝先生的傳媒說了關於這件事情後,很多事後孔明馬上指指點點,說想對、誰不對。當然,我們現在也是希望尋求一個真相。我思問葛輝先生及政府,都是一個評價。主席,葛輝先生在署裏、沒有上也好,下也好,過去這麼多年,除了這件事,有沒有之行,我要等他的回覆。突然有政治壓力,當他之前沒有,我要等他的回覆。突然有政治壓力,為何他不辭職沒有,我要等他的回覆。突然有政治壓力,為何他不辭職沒有時不向我們投訴或者向外面投訴?還要繼續尋求續約呢?兩個問題,我問葛輝先生及政府。

主席:其實你第一個問題不應該在這裏說的,我們今天是圍繞上網計劃的遴選過程,即葛輝先生對政府的一個指控,我們希望可以找到一個比較接近事實的真相。做得開不開心,他可以回答。

Mr Jeremy GODFREY: For most of the time I worked in the Government, I was very happy, 好開心, because I felt I was making a difference; I had

very good feedback from colleagues in other departments, from the industry, from the social services sector and so forth. I was extremely happy and I thought I had a pretty good working relationship with most people. Of course, when you're trying to bring change to an organization, then there are always tensions. I adopted, I thought, in the situation I was in, a more directive management style than I would normally do but I thought that the results that we had in terms of the changes achieved showed that I'd made the right choice to be directed at that stage.

The other question was why didn't I resign the moment that political pressure was brought to bear on me. The reason for that is that I felt that, with the support of my colleagues, it would be possible to achieve an outcome for the ILSP which was very much in the interests of the low-income families, which wasn't improper and which the political layer could be persuaded to accept. I tried very hard for a long time to bring about such an outcome. It was only in January this year, when it became quite clear to me that I had failed to do that, I then immediately took steps to leave the Government. I think, before you arrived, I said that I may well be culpable for having tried too hard and for too long and, if people judge me culpable, then I stand ready to accept whatever criticisms I am due.

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:今天的討論不應該聚焦我個人如何評論另外一個同事或者他管理的方式,我盡量要公道、要小心,但我想提一個事實,就是葛輝先生自己的而且確承認,他對我是很猜疑的,對我很過敏,遲回覆他一個電話,他都覺得我不支持他。我與他的副手談一個電話,開會討論事情,他都會覺我為何我不直接找他......

主席:秘書長,這個你剛才說過了。

商務及經濟發展局常任秘書長(通訊及科技)謝曼怡女士:是,我想說自己如何看,如何評價這次的事情,我自己看覆檢委員會與葛輝先生的分歧,有關的分歧真的只是反映程序上我們有不同的理解,我們有我們政府程序上的堅持,葛輝先生可能不太明白,也不太甘心去接受。是FSI還是分區推行方案呢?這是現實與理想兩個版本的分歧,葛輝先生憑記憶做出來的回顧是有錯漏的,他說我"一一否決"他所有的建議。剛才我提的文件有提到,他自己已否決自己說的話,他自己也有錯漏。

主席:秘書長,我們下次還有一個會議要開。我們有20位立法 會議員要求政府提供一些文件,那些文件的內容在給你的信中 也有。我想你用一點時間回應一下,這些文件可否在我們下次 開會時交出來?

署理商務及經濟發展局局長蘇錦樑先生:主席,其實上個星期我們星期五下午3點44分收到何秀蘭議員辦事處來的這個文件,是上個工作天下午的要求,這方面的文件我們願意盡量配合委員會,但因為這些文件也涉及到第三者的資訊,所以我們也要與第三者作一個溝通,如果他們願意,我們就不需要刪除。否則,我們要考慮用甚麼方式向議員披露,這方面我們會盡量與委員會合作,多謝主席。

主席:我們下一次的例會是6天之後,就是6月13日。由於今天我們聽完兩組的說法,財政司司長也不能置身事外,所以我們之前都要求財政司司長出席這個特別會議,他說6月7日沒有時間,我們6月13日開例會,他也說沒有時間。於是我就說我遷就你吧。所以我們今天要討論一下,我們與秘書處也談過,6月16日下午我們可以有一個時間,據我所知,6月16日下午他是可以的,所以他非來不可。我現在徵求各位委員的意見,我們6月13日例會照開。6月16日就開一個特別會議,多開一次,因為我不想開太多會,不好意思,不過只能這樣處理。劉江華。

劉江華議員:我同意這個特別會議,可以再詳細瞭解情況。我想加多一個要求,請葛輝先生,他說過在政府以外有人告訴他有些事情與民建聯有關係……當然,你說開甚麼特別會議未決定,但誰跟你說這件事,當時怎樣說,我請葛輝先生回去找那個人,徵求他的同意,書面交一份報告給我們。我覺得這是非常重要的,好嗎?請葛輝先生回去交一份書面報告給我們。

主席:他不一定要答應你的,他不是政府官員。

劉江華議員:如果我們委員會要求。我不知道其他委員有沒有這樣的要求,我就有這樣的要求。

主席:我可以讓你這樣問,這樣要求,但答應與否是他的事, 現在他不是政府官員,他不受《立法會(權力及特權)條例》的保 障,他有權選擇不回答你這個問題。劉慧卿議員。

劉慧卿議員:主席,我希望也邀請前局長劉吳惠蘭女士,我當然希望她身體健康,可以行。其實剛才她也透過秘書長說了一些話,我相信她自己親自來說會比較好。希望我們發出這個邀請。以及剛才我說的覆檢委員會及評核委員會的成員,雖然我們的文件提到要拿報告,我也希望他們每一個人都可以提供一份資料給我們,你也知道委員會的關注,說你當時參與有些甚麼事,希望政府配合我們。

主席:李永達。

李永達議員:主席,我贊成開多一次特別會議,我希望劉江華議員,他很資深,應該知道,如果你不是透過《立法會(權力及特權)條例》,任何在這裡說話的人,除了立法會議員外,其他人不受保障的。所以如果劉議員覺得要真相大白的話,你可以支持我們用《立法會(權力及特權)條例》。這是第一點。

第二點,事後我會寫一些資料給葛輝先生,因為我不想直接 找他,我覺得公事公辦,我從來沒找過他。我希望透過秘書處 寫一些東西給他,因為這個世界甚麼叫說謊話及講真話呢?事 情說得越細緻越清楚,重覆都是這樣的話就是真話。

主席:劉江華議員。

劉江華議員:李永達議員說我是資深議員,我當然很明白,我 的要求只不過請葛輝先生與當事人談一談,做與不做他可以決 定。好嗎?

主席:明白。陳鑑林議員。

陳鑑林議員:因為這件事一開始時,特別民主黨就說這件事牽 涉到與民建聯有關,所以我希望在座的兩個團體告訴我們,你 們成員的名單裏有哪些是民建聯的成員,有哪些是民主黨的成 員,或者其他政黨的成員,我希望你們提交資料。

主席:可以嗎?行。

劉慧卿議員:主席,我可否請社聯,因為剛才方敏生女士都說了一些事情,如果你們可以詳細交一份文件給我們,對於你參與的過程有甚麼不公道各種事情,你交給我們,還有iProA也是。我相信對我們委員會的調查很有幫助,謝謝主席。

主席:好了,我們必須要結束這個特別會議。剛才我們徵詢過各位委員的意見,為了遷就財政司司長出席這個特別會議,我們6月16日下午會開特別會議,請財政司司長及其他相關人士出席。時間稍後通告,因為那天可能是立法會大會的續會,6月13日的例會照常舉行,多謝大家。

(會議於下午12時40分結束。)

立法會秘書處 議會事務部1 2011年6月15日