

## 葛輝事件簿

前政府資訊科技總監葛輝指控政府在「上網學習支援計劃」的遴選過程中有「政治要求」一事，引起社會廣泛關注。部份評論質疑本人作為立法會資訊科技及廣播事務委員會主席之公正性，更有一些不負責任的傳媒乘機抹黑，指本人拖延處理及「冷處理」事件。以下是本人處理「葛輝事件」的記述。

- 2011-02-11 葛輝以私人理由辭任政府資訊科技總監一職。
- 2011-03-14 在立法會資訊科技及廣播事務委員會會議中，劉慧卿對葛輝離職表示關注，委員會主席黃毓民建議政府當局向事務委員會披露徵求建議書工作的詳細內容，特別是有關各項建議書的評審過程，以及導致前政府資訊科技總監的合約提早終止的情況和原因。<sup>1</sup>
- 2011-03-24 葛輝在聆聽過事務委員會三月十四日會議錄音的英譯本後，請求商務及經濟發展局(通訊及科技科)常任秘書長謝曼怡准許自己向立法會資訊科技及廣播事務委員會提交一份文件，以更正及澄清自己在「上網學習支援計劃」中的角色，謝曼怡以政府的保密規則為由拒絕。<sup>2</sup>
- 2011-03-29 葛輝再次向謝曼怡表示，當局在會議上發表和沒有發表的資料令人誤解自己的角色。<sup>3</sup>

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<sup>1</sup> 立法會會議紀要

<sup>2</sup> 商務及經濟發展局回覆葛輝之信件，25-05-2011

<sup>3</sup> 商務及經濟發展局回覆葛輝之信件，25-05-2011

- 2011-04-15 葛輝向當局交上一份有關「澄清及更正事項」的文件修訂本。<sup>4</sup>
- 2011-05-08 葛輝向立法會資訊科技及廣播事務委員會表示自己的「建議更正及澄清事項引起嚴重的公眾利益問題」(my proposed corrections and clarifications raise serious public interest questions)。<sup>5</sup>
- 2011-05-09 葛輝再次請求謝曼怡准許自己向資訊科技及廣播事務委員會提交一份「建議更正及澄清事項」，同時請求准許自己可以向公眾「坦率發言」(speak candidly)地披露計劃的遴選過程。<sup>6</sup>
- 2011-05-10 葛輝要求資訊科技及廣播事務委員會主席黃毓民讓他到委員會上發表意見和回答有關問題，同時希望黃毓民能向政府要求准許其「坦率發言」。如果政府拒絕批准，希望黃毓民能考慮要求立法會運用《立法會(權力及特權)條例》。<sup>7</sup>
- 2011-05-11 黃毓民答應葛輝向商務及經濟發展局和資訊科技及廣播事務委員會委員要求安排出席資訊科技及廣播事務委員會會議，並要求政府准許葛輝「坦率發言」。<sup>8</sup>
- 2011-05-25 葛輝向立法會資訊科技及廣播事務委員會和局方提交一份詳述「上網學習支援計劃」遴

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<sup>4</sup> 商務及經濟發展局回覆葛輝之信件，25-05-2011

<sup>5</sup> Letter from Jeremy Godfrey to Yue Tin-Po(立法會秘書處)，08-05-2011

<sup>6</sup> 商務及經濟發展局回覆葛輝之信件，25-05-2011

<sup>7</sup> Letter from Jeremy Godfrey to Wong Yuk-Man，10-05-2011

<sup>8</sup> Letter from Wong Yuk-man to Jeremy Godfrey，11-05-2011

選過程的文件，並請求秘書處安排自己出席委員會會議。<sup>9</sup>

謝曼怡認為文件的內容超越其早前提交予局方的文件，有誤導、錯誤的陳述和半事實的內容(has gone way beyond what he had presented PSCT for earlier consideration and contains misleading and erroneous statements and half-truths)，要求立法會在政府作出陳述前暫時不要公開文件，承諾局方會在一星期內提交有關資料和事實陳述<sup>10</sup>，並應資訊科技及廣播事務委員會主席黃毓民的要求，同意局方會出席委員會會議解釋事件。

謝曼怡向葛輝保證政府不會把分區共同推行計劃的決定歸因於他，自己會為此決定承擔責任。<sup>11</sup>

李華明在立法會大會上，就「上網學習支援計劃」提出口頭質詢。商務及經濟發展局副局長蘇錦樑答覆時指，葛輝有關「公眾利益問題」的言論，已對政府聲譽構成嚴重的影響，當局認為實有需要妥善交代政府對此事的立場，讓有關各方明白理解。局方准許葛輝在「與事實相符、有證據支持，與維護公眾利益有關和有需要」的情況下，公開有關「上網學習支援計劃」的機密資料。<sup>12</sup>

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<sup>9</sup> ILSP:submission to the ITB Panel by Mr. Jeremy Godfrey, former GCIO, 25-05-2011

<sup>10</sup> 謝曼怡致立法會秘書處余天寶之信件，25-05-2011

<sup>11</sup> 商務及經濟發展局回覆葛輝之信件，25-05-2011

<sup>12</sup> 立法會會議紀要，25-05-2011

葛輝向傳媒表示，有政治要求他選擇其中一間機構執行計劃。(there was a political requirement to select a particular implementer)<sup>13</sup>

2011-05-26 黃毓民在早上正式從立法會秘書處收到葛輝的文件，認為其指控相當嚴重，要求政府在廿四小時內回應，否則將單方面向傳媒公開葛輝的文件內容；同時決定委員會在六月七日召開特別會議討論事件。

2011-05-27 局方向立法會資訊科技及廣播事務委員會提交文件，就葛輝的文件提出的指控作出回應，表示「上網學習支援計劃」遴選過程中沒有涉及不當程序。<sup>14</sup>

2011-05-30 葛輝向立法會提交誓章，指廿五日提交的文件中的描述，都是自己的個人所知和相信為真確，(are within my personal knowledge and I believe them to be true)<sup>15</sup>，並向黃毓民建議立法會運用《立法會(權力及特權)條例》調查事件。<sup>16</sup>

立法會資訊科技及廣播事務委員會主席  
黃毓民  
二零一一年五月三十一日

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<sup>13</sup> Letter from Jeremy Godfrey to Mingpao, 25-05-2011

<sup>14</sup> 商務及經濟發展局提交立法會資訊科技及廣播事務委員會有關上網學習支援計劃之參考資料，27-05-2011

<sup>15</sup> Affidavit of Mr. Jeffrey Richard Godfrey, 30-05-2011

<sup>16</sup> Letter from Jeremy Godfrey to Wong Yuk-Man, 30-05-2011

11 May 2011

Former Government Chief Information Officer  
Mr. Jeremy Godfrey  
jeremy@godfrey.hk

Dear Mr. Godfrey,

I received your letter on 11 May 2011. Thank you for your suggestions stated in your letter. I have instructed Ms YUE Tin-po, Chief Council Secretary, to forward the letter to all the members of Panel on Information Technology and Broadcasting (“members”), and Miss Elizabeth TSE, JP, Permanent Secretary for Commerce and Economic Development (Communications and Technology).

I will add an agenda item for the next meeting to discuss the arrangement for your appearance. I will consult the members’ opinion, and request the Government to give you permission to speak freely. Thus, you are not required to attend the meeting in the current stage.

If the Government refuses to give permission, then I will consult the members to decide whether the Panel will suggest the House Committee to use Legislative Council (Powers and Privileges) Ordinance.

Should you have any enquiries, please do not hesitate to contact me by 2537 7052.

Your sincerely,

Wong Yuk-man

Letter from Jeremy Godfrey (former Government Chief Information Officer)

Hong Kong  
10 May 2011

The Chairman  
Information Technology and Broadcasting Panel  
Legislative Council  
Jackson Road  
Hong Kong

Dear Yuk-Man

I listened to the discussion at yesterday's meeting of the IT and Broadcasting Panel, in which members expressed the wish that I should be more explicit about my concerns about the selection process for the Internet Learning Support Programme (ILSP), and about the action I would like the Panel to take.

Despite having left the Government, I have a continuing contractual obligation to maintain confidentiality, which I am reluctant to breach. That is why I have been careful to seek permission before disclosing details, and why I have not made any substantive statement to the press.

In March, I asked the Permanent Secretary for Communications and Technology (PSCT) for permission to send a paper to the panel putting on record the facts that I consider necessary to correct the misleading impression created by Government statements. However she did not grant permission. Rather, she reminded me of the Government's rules on confidentiality. In the light of the Panel's discussion yesterday, I have renewed my request. I have also asked PSCT to allow me to speak candidly in public about all aspects of the ILSP selection process.

When I left the Government, I informed the administration that I did not intend to speak publicly about my reasons for leaving unless it was necessary to correct misleading statements or to defend my reputation. However the public interest issues are of far greater importance than the impact on my reputation. It has been alleged that there was an improper attempt to interfere with the selection process for political reasons, and that the selection of dual implementers does not represent an efficient or proper use of public funds. The information the Government has provided to the Panel does not enable it to make an informed judgment about these issues, whereas the points I have proposed to put on record would give the Panel a more complete view of the relevant facts.

I cannot agree with the Government's assertion that my proposed points "do not deviate" from the account of the ILSP selection process that they have already given to the Council: if I am permitted to put these points on record, the Panel will be able to judge the accuracy of this assertion for themselves.

I suggest that you invite me to appear before the Panel to give my views and to answer questions. I also suggest that you ask the Government to give me permission to speak freely. Assuming such permission is given, I will submit a paper to the Panel in advance of the meeting. If the Government refuses to give permission, then you might consider whether to use the Legislative Council (Powers and Privileges) Ordinance.

I am sorry that you were not able to contact me in the past few weeks. The clerk to the panel has my contact details, and I am very willing to speak to you if you would like.

As I have been approached by the media about my reaction to yesterday's meeting, I shall inform them of the contents of this note.

Yours sincerely

Jeremy Godfrey