

（中）

立法會CB(2)240/10-11(01)號文件
LC Paper No. CB(2)240/10-11(01)

GOVERNMENT SECRETARIAT

LOWER ALBERT ROAD
HONG KONG

政府總部
香港下亞厘畢道



本函檔號 OUR REF: SBCR 1014/2/2091/92
來函檔號 YOUR REF: CB2/PL/SE
電話 TELEPHONE: 2810 3619
圖文傳真 FACSIMILE: 2147 3165

傳真函件
(傳真號碼: 2509 0775)

香港
中區花園道3號
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立法會保安事務委員會秘書
林培生先生

林先生：

保安事務委員會

二零一零年十一月二日會議

現附上死因裁判官書記就我們十月二十七日給死因裁判官書記信函的回覆，以供參閱。

保安局局長

(戴志源代行)

二零一零年十一月五日

政府總部
香港下亞厘畢道



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By Fax
(Fax no.: 2509 0775)

Mr Raymond Lam
Clerk to LegCo Panel on Security
Legislative Council
3/F Citibank Tower
3 Garden Road


5 November 2010

Dear Mr Lam,

Panel on Security

Meeting on 2 November 2010

I attach the reply from the Clerk to Coroners to our letter to the Clerk to Coroners dated 27 October for your reference, please.


(Raymond Tai)
for Secretary for Security



死因裁判法庭
東區法院大樓
香港西灣河太安街29號十樓

CORONER'S COURT
Eastern Law Courts Building,
10/F, 29 Tai On Street,
Sai Wan Ho, Hong Kong.

本署檔案 OUR REF.: CCDI-732-739/2010 (MC)

電話 TEL: (854) 2886 6820

傳真 FAX: 2568 1735

貴署檔案 YOUR REF.: SBCR 1014/2/2091/92

Urgent by fax

1 November 2010

Secretary for Security
(Attn : Ms Maggie Wong)

Dear Madam,

**Letter from Clerk to Security Panel to the Administration
Regarding the Security Panel Meeting on 2 November 2010**

I refer to your letter dated 27 October 2010, the contents of which have been noted by the Coroner.

I am directed by the Coroner to inform you that :

"There is no provision in the Coroners Ordinance for the release of information collected in the course of an investigation into the death of a person carried out pursuant to subsection (1) of Section 9 of the said Ordinance."

Yours faithfully,

(Miss Alice LEE)
for Clerk to Coroners

/al

You may reply to this letter in English or in Chinese
覆函用英文或中文均可

政府總部
香港下亞厘畢道



GOVERNMENT SECRETARIAT
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HONG KONG

本函編號 OUR REF: SBCR 1014/2/2091/92

來函編號 YOUR REF:

27 October 2010

Mrs KWONG LEE Yuen Kwan, Karen
Clerk to Coroners
Coroner's Court
10th Floor, Eastern Law Courts Building,
29 Tai On Street, Sai Wan Ho,
Hong Kong

By Fax No. 2568 1735

Dear Mrs KWONG,

**Letter from Clerk to Security Panel to the Administration
Regarding the Security Panel Meeting on 2 November 2010**

I enclose for your reference the above letter from the Clerk to Security Panel, Legislative Council (LegCo), of 15 October 2010.

The follow-up actions to the 23 August 2010 Philippine Tour Group Incident will be discussed at the LegCo Security Panel meeting scheduled for 2 November 2010.

In this connection, the Panel requested (vide para. 2(b) of the attached letter) the Security Bureau to provide, among other things, the Police's investigation report / interim investigation report on the Philippine Tour Group Incident on 23 August 2010, and if necessary, to seek consent from the Coroner for release of such report to the Panel.

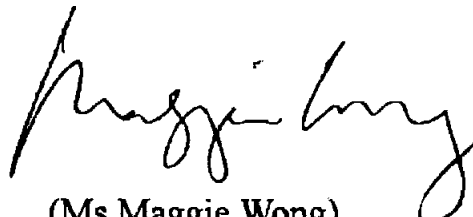
- 2 -

Section 10 of the Police Ordinance (Cap. 232) stipulates that the Police have a duty to take lawful measures to assist coroners to discharge their duties and exercise their powers under the Coroners Ordinance (Cap. 504). The Coroners Ordinance also provides for the Police to assist coroners to carry out investigation. The Police are now performing their statutory duty to investigate into the eight deaths following the hostage incident in Manila as per the Coroner's decision.

Section 13 of the Coroners Ordinance stipulates the procedure for a "properly interested person" to request from the coroner various documents (including the Police's investigation report for the coroner) in the possession of the coroner. "Properly interested person", as defined in section 2 and Schedule 2 of the Coroners Ordinance, includes the family of the deceased, Government departments which are concerned with the death of the deceased, and other specified parties. In view of the specific procedure stated in the Ordinance, the Administration is unable to state whether the LegCo Security Panel is a "properly interested person" within the meaning of the Ordinance and to make a request to the Coroner, on its behalf, for the provision of the Police investigation report.

Upon the Panel's request, we forward a copy of the letter dated 15.10.2010 from the Clerk to Security Panel for your reference.

Yours sincerely



(Ms Maggie Wong)
for Secretary for Security