

Panel on Security

List of follow-up actions
(position as at 28 April 2011)

Subject	Date of Meeting	Follow-up action required	Administration's response
1. Admission Scheme for Mainland Talents and Professionals ("ASMTP")	4 April 2003 (Joint meeting with the Panel on Manpower)	The Administration agreed to provide members with progress reports on ASMTP on a regular basis.	Progress report on the Scheme for the period from 1 October 2010 to 31 March 2011 circulated vide LC Paper No. CB(2)1542/10-11 on 14 April 2011.
2. Powers of the Independent Commission Against Corruption ("ICAC") to search for and seize journalistic material	29 November 2004	(a) The Department of Justice ("DoJ") was requested to provide a response on - (i) the basis on which DoJ, upon request from the court, referred the investigation of the press coverage of <i>habeas corpus</i> proceedings relating to a witness to ICAC;	Response circulated vide LC Paper No. CB(2)1619/10-11 on 28 April 2011.

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		<ul style="list-style-type: none">(ii) why DoJ did not refer the matter to an independent committee;(iii) whether there was any conflict of interest with ICAC carrying out the investigation work; <p>(b) ICAC was requested to consider providing the following after all legal proceedings in respect of a case involving the press coverage of habeas corpus proceedings relating to a witness was completed -</p> <ul style="list-style-type: none">(i) information which were relevant to the case but not provided to the court, if prosecution was instituted in respect of the case; and(ii) all information relevant to the case, if prosecution was not to be instituted in respect of the case.	<p>Response circulated vide LC Paper No. CB(2)1615/10-11 on 27 April 2011.</p>

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3. Rules and directions for the questioning of suspects and the taking of statements : Caution Statement	3 January 2006	The Administration was requested to consider adding the sentence "You have the right to remain silent" to the beginning of the caution administered by law enforcement agencies ("LEAs") when interviewing a suspect.	Subject to be discussed at the Panel meeting on 3 May 2011.
4. Problem of indebtedness of Police officers	-	<p>The Administration was requested to provide the following information on a half-yearly basis -</p> <p>(a) the number of Police officers with unmanageable debts together with a breakdown of reasons for incurring debts;</p> <p>(b) a breakdown of the number of incoming and outgoing Police officers with unmanageable debts;</p> <p>(c) a breakdown of the periods for which these officers had had unmanageable debts;</p>	<p>Statistics for the period up to the second half of 2010 circulated vide LC Paper No. CB(2)785/10-11 on 11 January 2011.</p> <p>- Ditto -</p> <p>- Ditto -</p>

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		<p>(d) the number of garnishee orders (i.e. notice of tax recovery) issued to Police officers and a breakdown of the amount of garnishee orders issued; and</p> <p>(e) the number of Police officers who were at the same time receiving notice of tax recovery and repaying salary advances under Civil Service Regulation 618 and loans from the Police Welfare Fund.</p>	<p>Statistics for the period up to the second half of 2010 circulated vide LC Paper No. CB(2)785/10-11 on 11 January 2011.</p> <p>- Ditto -</p>
5. Review of the Frontier Closed Area	19 February 2008	The Administration was requested to provide a timetable for releasing Sha Tau Kok town from the Frontier Closed Area when submitting its funding request for the secondary boundary fence and associated works to the Finance Committee.	Response awaited.

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6. Proposed Rules of Court and Code of Practice to be made for the United Nations (Anti-Terrorism Measures) Ordinance	2 December 2008	The Administration was requested to provide further information explaining whether and how the code of practice under the Organized and Serious Crimes Ordinance (Cap. 455) would be updated to ensure procedural consistency with the code of practice to be made under the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575).	Response awaited.
7. Results of study of matters raised in the annual report to the Chief Executive by the Commissioner on Interception of Communications and Surveillance ("the Commissioner")	3 March 2009	The Administration was requested to provide - (a) information on the progress of the review on LEAs' intelligence management systems and the timetable for completing the review;	Response awaited.
	29 November 2010	(b) a written response on why section 31(1)(a)(ii) of the the Interception of Communications and Surveillance Ordinance ("ICSO") was not applicable to legal professional privilege	- Ditto -

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		<p>("LPP") Report 2 of the Annual Report 2009 and whether the Administration had any plan to introduce legislative amendments to enhance the protection of information subject to LPP;</p> <p>(c) information on the disciplinary action taken in LPP Case 2 in paragraph 5.37 of the Annual Report 2009; and</p> <p>(d) further information, with supporting analyses and statistics, on the effectiveness of interception and surveillance operations in leading to arrest and prosecution.</p>	<p>Response awaited.</p> <p>- Ditto -</p>

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8. Review of the torture claim screening mechanism	1 December 2009	The Administration was requested to revert to the Panel on the results of the review on the pilot scheme under which the Administration would provide publicly-funded legal assistance to torture claimants.	Response circulated vide LC Paper No. CB(2)1475/10-11 on 8 April 2011.
9. Combating illicit cigarette activities	Meetings of the Bills Committee on Dutiable Commodities (Amendment) Bill 2009	The Administration undertook to provide a progress report on the effectiveness of the Administration's efforts in combating illicit cigarette activities within six months to one year after the enactment of the Bill.	Response awaited.
10. Establishment of a rendition arrangement with the Mainland	20 October 2009	The Administration was requested to provide a progress report on its discussions with the Mainland regarding the establishment of a rendition arrangement.	Response awaited.

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11. Statistics on Police's searches on detainees	Meetings of the Subcommittee on Police's Handling of Sex Workers and Searches of Detainees	The Administration was requested to provide the Panel on Security with statistics on Level III(c) searches involving full removal of underwear conducted on detainees and the nature of offences involved on a quarterly basis.	Statistics for the period between 1 January 2011 and 31 March 2011 circulated vide LC Paper No. CB(2)1577/10-11 on 19 April 2011.
12. Manpower situation in the Independent Commission Against Corruption	5 January 2010	<p>The Administration was requested to provide the following information -</p> <p>(a) the number of posts in the public service which did not set any limit on the tenure or prescribe the retirement age; and</p> <p>(b) the arrangements for appointment of the Commissioner of ICAC in the fourth term of the Government of the Hong Kong Special Administrative Region, including the criteria adopted by the fourth-term Chief Executive for nominating the person for</p>	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p>

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		<p>appointment and the tenure of office of the incumbent Commissioner.</p>	
<p>13. Employment service support for rehabilitated offenders</p>	<p>2 March 2010</p>	<p>The Administration was requested to provide the following information -</p> <ul style="list-style-type: none"> (a) the number of rehabilitated offenders employed in the civil service in the past few years, with a breakdown of such figures by government departments and the types of jobs involved; (b) detailed information on how the Administration facilitated the employment of rehabilitated persons in the civil service, and the public as well as private sectors; and (c) a written response to the issues raised by the Society of Rehabilitation and Crime Prevention, Hong Kong. 	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p> <p style="text-align: center;">- Ditto -</p>

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14. Law Reform Commission Report on sexual offences records checks for child-related work	2 March 2010	The Administration was requested to provide a written response to the views of Hon CHEUNG Man-kwong that there was no way to prevent persons who had committed sexual offences from working in the educational sector, and sex offenders whose teacher registration was suspended under the Education Ordinance could not be barred from operating tutorial schools or taking up child-related and MIP-related work in other sectors.	Response awaited.
15. Enhancement of computer systems of the Immigration Department and the extension of e-Channel services	1 June 2010	The Administration was requested to - (a) keep record of and provide the Panel with the total number of spot checks conducted in the next three to six months on arriving visitors who performed self- service immigration clearance at e-Channels, and the outcome of the spot checks conducted; and	Response awaited.

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		(b) provide further information on the benefits of employing optical scanners in fingerprint verification, and how far the installation of such devices had helped reduce failure in fingerprint verification.	Response awaited.
16. Security matters under the "Framework Agreement on Guangdong/Hong Kong Co-operation"	1 June 2010	<p>The Administration was requested to provide the Panel with -</p> <p>(a) information on the numbers of professionals admitted to work in Hong Kong through various channels, including ASMTF, in the past three years, and details of the professions they worked; and</p> <p>(b) all cooperation agreements signed in the past 15 years with the People's Government of Guangdong Province, bearing impacts on the maintenance of law and order in the two places.</p>	<p>Response awaited.</p> <p>- Ditto -</p>

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17. Review of ICSO	6 July 2010	The Administration was requested to provide a written response as to whether and how the penalties provisions in the Telecommunications Ordinance (Cap. 106), the Post Office Ordinance (Cap. 98) and the Personal Data (Privacy) Ordinance (Cap. 486) applied to personnel of the Central People's Government agencies in Hong Kong.	Response awaited.
18. Daya Bay Nuclear Power Station ("DBNPS") Notification Mechanism	6 July 2010	The Administration was requested to - (a) relay the suggestion of appointing representatives of the Government of the Hong Kong Special Administrative Region ("HKSAR") to the Guangdong Daya Bay Nuclear Power Station/Ling Ao Nuclear Power Station Safety Consultative Committee ("NSCC") to the Daya Bay Nuclear Operations and Management Company ("DNMC") for its consideration;	Response awaited.

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		<p>(b) explore the merits of requiring CLP Power Hong Kong Limited to notify the HKSAR Government of all operational events at the nuclear power station through the Scheme of Control Agreement;</p> <p>(c) provide the Panel with a copy of the detailed investigation report to be compiled by DNMC on the event which occurred at the Guangdong Daya Bay Nuclear Power Station on 23 May 2010;</p> <p>(d) review the event on 23 May 2010, the existing arrangements for handling nuclear events and the notification mechanisms agreed with various relevant parties, as well as the validity of the Daya Bay Contingency Plan developed by the HKSAR Government for handling nuclear incidents in Daya Bay;</p>	<p>Response awaited.</p> <p>- Ditto -</p> <p>- Ditto -</p>

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	16 November 2010	<p>(e) provide detailed information on DBNPS's performance in comparison with other power plants of a similar age in terms of general industrial safety and operating excellence; and</p> <p>(f) provide the guidelines that had been issued to facilitate DNMC staff members or the National Nuclear Safety Administration's inspectors in the assessment of unlikely events at DBNPS.</p>	<p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p>
19. Handling and dissemination of information relating to terrorist threat level	4 January 2011	The Administration undertook to explore the possibility of arranging a confidential briefing to facilitate members' understanding of the Police's work in terrorist threat assessment.	Response awaited.
20. Crime situation in 2010	26 January 2011	<p>The Police was requested to provide -</p> <p>(a) statistics on young persons arrested for minor drug offences in 2009 and 2010;</p>	Response circulated vide LC Paper No. CB(2)1616/10-11 on 27 April 2011.

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		<p>(b) statistics on prosecution involving acts of animal cruelty, including the number of such cases reported to the Police and the number of people prosecuted in 2009 and 2010;</p> <p>(c) information on the number of reports of school violence received in 2010; and</p> <p>(d) statistics on the arrest action taken by off-duty Police officers and information on the number of officers to whom personal firearms were issued carrying pistols or revolvers while off-duty.</p>	